



City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/05048/LIPN
Date:	9 October 2014
Classification:	For General Release
Title of Report:	Park Chinois, 17 Berkeley Street, London, W1J 8EA
Report of:	Operational Director of Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Susan Patterson, Environmental Health Case Officer (Licensing)
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1. APPLICATION DETAILS

Application Type:	A new premises licence application under the Licensing Act 2003.		
Applicant:	Park Chinois Limited	Date Application Received:	18 June 2014, applicant and representatives requested adjournment to 9 October 2013
Premises Name and Address:	Park Chinois, 17 Berkeley Street, London, W1J 8EA		
Ward Name:	West End	Stress Area:	No
Description of Premises:	The application states that the premises will be a fine dining restaurant and holding bar offering classic dinner and dance on the basement and ground floors. The restaurant is mostly laid to tables		
Note 1 to application:	The premises currently have an issued licence 13/05090/LIPDPS attached at Appendix C2 for information. Although not referred to in the application the applicant intends to surrender this licence. See licence history at Appendix C1 .		
Note 2 to application:	This application involves the surrender of the issued licence at 17 Berkeley Street and the part reduction of the licence at 33 Dover Street, (13/05974/LIPVM) and so should be heard in conjunction with the 33 Dover Street application (14/05061/LIPV) at the Licensing Sub Committee hearing on 9 th October 2014.		
Note 3 to application:	The applicant has reduced the hours applied for, see email at Appendix A1a and withdrawn the request for New Years Eve extensions, see Appendix A2 , deletion of condition 27.		
<i>Note: Where the committee is minded to grant the application it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1.	<p>Regulated Entertainment:</p> <p>To Permit:-</p> <ul style="list-style-type: none"> • Performance of Dance: Monday to Sunday - 10:00 to 01:30 • Exhibition of a Film: Monday to Sunday - 10:00 to 01:30 • Performance of Live Music: Monday to Sunday - 10:00 to 01:30 • Playing of Recorded Music: Monday to Sunday - 10:00 to 01:30 • Anything of a similar description to Live Music, Recorded Music or Performance of Dance : Monday to Sunday - 10:00 to 01:30 • Performance of a Play: Monday to Sunday - 10:00 to 01:30 <p>Relevant representations and policies applicable:</p> <p>1A The Environmental Health Service made an adverse representation against this application with regard to the application increasing public nuisance and affecting public safety. However the applicant has proposed conditions which the Environmental Health Services have considered and have now requested additional/amended conditions. Please refer to</p>		<p>Environmental Health Service representation and conditions</p>

Appendix B1.

<p>1B The Metropolitan Police Service have made adverse representation, please refer to Appendix B2. They have requested the restaurant condition but wish to meet with the applicant to further discuss the application that is beyond core hours and to identify any other conditions that they may request to support the licensing objective of prevention of crime and disorder.</p>	Metropolitan Police representation
<p>1C There are 2 representations from local ward councillors at Appendix B3 – B4, regarding public nuisance that will result as an outcome of the regulated entertainment and late hours requested for the large capacity venue. One also contains correspondence to and from the planning department regarding unauthorised works at the premises.</p>	Ward councillor representations
<p>1D There are also 2 representations at Appendix B5 and B6 from local amenity groups regarding the increased public nuisance that residents will suffer as a result of this application, if granted, in terms of late night noise suffered by those living in the area. Concern is also raised that the application cannot uphold the licensing objectives of the Prevention of Crime and Disorder.</p>	Local amenity groups representations
<p>1E 33 Residents at Appendix B7 to B39, have made representations against the application, stating inter alia,</p> <ul style="list-style-type: none">• The high percentage of late night premises in the street that cause all manner of late night noise and disturbance to residents well into the night-time. That the number of these similar premises have increased, over the last few years, without an increase in infrastructure to handle the numbers of people now being attracted to the area, late at night.• The lack of suitable street parking/waiting areas for vehicles to service an additional capacity of 450 late night residents and the noise already suffered from taxis, cars and buses dropping off and collecting patrons from the many other late night venues in the area with large capacities..• The anti social affect in the vicinity, of public urination and vomiting, along with the noise from exiting patrons fighting, shouting and arguing that is already suffered and is likely to increase, as a result of this application.• That the application does not apply to restrict the sale of alcohol to those taking table meals and should do so.• That any soundproofing of the premises, as referred to will be negated by the constant opening and closing of doors for entry and egress and that queuing patrons for other venues already cause noise and disturbance.• That the licensing objective of protecting children from harm is undermined by the late night noise nuisance that disturbs sleep.	Local Resident representations

- That the objective of public safety is also jeopardised as residents have to use pavements increasing narrowed by queueing by the venues in that area, in front of their premises.

1F There are 5 representations in support of the application, at **Appendix B40 – B44**. They state that they are familiar with the restaurants created by Mr Yau and that they are well run, with consideration for neighbours. They feel that the area will benefit from having a restaurant run by Mr Yau in the area and that less nuisance will be caused, they say that patrons will be encouraged to remain inside the venue, unlike most other late night premises in the area.

Support representations

1G The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policies applicable

Prevention of crime and disorder (CD1)

Public Safety (PS1)

Prevention of public nuisance (PN1)

Protection children from harm (CH1)

Hours (HRS1)

Public Houses and bars outside the stress area (PB1)

Restaurants outside the stress area (RNT1)

Provision of music and dancing or similar entertainment outside the stress area (MD1)

Policy HRS1 applies:

- (i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
- (ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies

Policy PB1 applies:

Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1, CH1 and HRS1 and other policies in this statement.

Policy RNT1 Applies:

Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

Policy MD1 applies:

It is the Licensing Authority's policy that applications will only be granted if the proposal meets the relevant criteria in policies CD1, PN1, PS1 and CH1.

1H The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

Summary

	<ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	
2.	<p>Late Night Refreshment:</p> <p>To permit: Late Night Refreshment: Monday to Sunday - 23:00 to 01:30</p> <p>Relevant representations and policies applicable:</p> <p>2A Please refer to 1A to 1G above.</p> <p>2B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Environmental Health Service, Metropolitan Police, Ward councillors, Local amenity groups and Local Residents representations</p> <p>Summary</p>
3.	<p>Sale Of Alcohol: (On and Off sales)</p> <p>To permit: Sale by Retail of Alcohol: Monday to Sunday - 10:00 to 01:30</p> <p>Relevant representations and policies applicable:</p> <p>3A Please refer to 1A to 1G above.</p> <p>3B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Environmental Health Service, Metropolitan Police, Ward councillors, Local amenity groups and Local Residents representations</p> <p>Summary</p>
4.	<p>Opening Hours:</p>	

Monday – Sunday 08:00 - 02:00

(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)

Relevant representations and policies applicable:

4A Please refer to 1A to 1G above.

4B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.

Environmental Health Service,
Metropolitan Police,
Ward councillors,
Local amenity groups
and
Local Residents representations

Summary

Premises Licence issued for that premises (13/05090/LIPDPS)	Proposed Licensable Activities for this application
<p>Regulated Entertainment:</p> <p>Basement and Ground Floors Playing of Recorded Music Monday – Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 09:00 - 22:30</p> <p>Basement and Ground Floors Exhibition of Film Monday – Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 09:00 - 22:30</p> <p>Basement only Performance of Dance Monday – Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 09:00 - 22:30</p> <p>Basement only Live Music Monday – Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 09:00 - 22:30</p> <p>Basement only Anything of a similar description to Live Music, Recorded Music or Performance of Dance Monday – Thursday 09:00 – 23:00 Friday and Saturday 09:00 – 00:00 Sunday 09:00 - 22:30</p>	<p>Regulated Entertainment:</p> <p>Basement and Ground Floors Playing of Recorded Music Monday to Sunday - 10:00 to 01:30</p> <p>Basement and Ground Floors Exhibition of a Film Monday to Sunday - 10:00 to 01:30</p> <p>Basement and Ground Floors Performance of Dance Monday to Sunday - 10:00 to 01:30</p> <p>Basement and Ground Floors Performance of Live Music Monday to Sunday - 10:00 to 01:30</p> <p>Basement and Ground Floors Anything of a similar description to Live Music, Recorded Music or Performance of Dance Monday to Sunday - 10:00 to 01:30</p>

Late Night Refreshment:		Late Night Refreshment:	
Basement and Ground Floors Monday – Thursday 23:00 – 23:30 Friday and Saturday 23:00 – 00:00		Basement and Ground Floors Monday – Sunday 23:00 – 01:30	
Sale of Alcohol: On and off the Premises:		Sale of Alcohol: On and off the Premises:	
Basement and Ground Floor Monday – Thursday 10:00 – 23:00 Friday and Saturday 10:00 – 00:00 Sunday 12:00 - 22:30		Basement and Ground Floor Monday – Sunday 10:00 – 01:30	
Opening Hours:		Opening Hours:	
Monday - Sunday 07:00 – 06:00		Monday – Sunday 08:00 - 02:00	
Current Licensing Position	The premises have an issued licence, under reference 13/05090/LIPDPS please refer to the licence at Appendix C2 . A licence history is provided at Appendix C1 .		
Current Planning Position	The basement and ground floors of 17 Berkeley Street have Class A3 permission as a restaurant.		
Residential Density:	84 of the 206 units within a 75m radius of the premises are residential, proposed residential and residential under construction (41%), refer to Appendix E		
List of Appendices:	A1 – Application Form A1a – Email advising of reduction in hours of application to 01:30 A2 – Conditions – revised 1.10.2014 A3 – Plans A4 – Noise report from applicant A5 – Crime report from applicant A6 – Statement of Community engagement A7 – Statement from applicant A8 – Premises brochure from applicant B1 – Environmental Health representation and agreed conditions B2 –Metropolitan Police representation B3 –B4 Local Councillors representations B5 – Mayfair residents group representation with additional comments B6 – Berkeley Street residents association representation B7 – B39 Residents representation B40 – B44 Residents support representations C1 – Premises licence history C2 –Existing issued licence at the premises D - Conditions E – Residential Map and list of premises in the vicinity F – Photo of premises		
Relevant Representations:	Environmental Health Metropolitan Police 2 Local Councillors Mayfair residents group Berkeley Street residents Association 33 Residents 5 Residents in support		

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendix A2.**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

**Application for a premises licence to be granted
under the Licensing Act 2003
PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

PREMISES MANAGEMENT
LICENSING SERVICE

18 JUN 2014

CITY OF WESTMINSTER

Before completing this form please read the guidance notes at the end of the form.

If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Park Chinois Limited

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Park Chinois 17 Berkeley Street			
Post town	London	Post code	W1J 8EA

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£Not rated

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick yes

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |

- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post Town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		

I am 18 years old or over		<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Park Chinois Limited	
Address 5 th Floor 85-86 Newman Street London W1T 3EX	
Registered number (where applicable) 07902469	
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company	
Telephone number (if any) c/o 020 7339 7010	
E-mail address (optional) ajc@jgrlaw.co.uk	

Part 3 Operating Schedule

When do you want the premises licence to start?

Day Month Year

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

Please give a general description of the premises (please read guidance note1)

Fine dining restaurant and bar offering classic dinner dance

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

n/a

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	00:00	03:00			
	10:00	00:00			
Tue	00:00	03:00	State any seasonal variations for performing plays (please read guidance note 4)		
	10:00	00:00			
Wed	00:00	03:00			
	10:00	00:00			
Thur	00:00	03:00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
	10:00	00:00			
Fri	00:00	03:00	From the end of hours on New Years Eve to the start of hours on New Years Day		
	10:00	00:00			
Sat	00:00	03:00	An additional hour to the standard and non-standard times at the commencement of British Summertime.		
	10:00	00:00			
Sun	00:00	03:00			
	10:00	00:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	00:00	03:00			
	10:00	00:00			
Tue	00:00	03:00			
	10:00	00:00			
Wed	00:00	03:00			
	10:00	00:00			
Thur	00:00	03:00			
	10:00	00:00			
Fri	00:00	03:00			
	10:00	00:00			
Sat	00:00	03:00			
	10:00	00:00			
Sun	00:00	03:00			
	10:00	00:00			

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	00:00 10:00	03:00 00:00			
Tue	00:00 10:00	03:00 00:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	00:00 10:00	03:00 00:00			
Thur	00:00 10:00	03:00 00:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	00:00 10:00	03:00 00:00			
Sat	00:00 10:00	03:00 00:00	From the end of hours on New Years Eve to the start of hours on New Years Day An additional hour to the standard and non-standard times at the commencement of British Summertime.		
Sun	00:00 10:00	03:00 00:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
Day	Start	Finish		Outdoors	<input type="checkbox"/>			
Mon	00:00	03:00	Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>			
	10:00	00:00						
Tue	00:00	03:00						
	10:00	00:00						
Wed	00:00	03:00		State any seasonal variations for the playing of recorded music (please read guidance note 4)				
	10:00	00:00						
Thur	00:00	03:00						
	10:00	00:00						
Fri	00:00	03:00			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)			
	10:00	00:00						
Sat	00:00	03:00				From the end of hours on New Years Eve to the start of hours on New Years Day		
	10:00	00:00				An additional hour to the standard and non-standard times at the commencement of British Summertime.		
Sun	00:00	03:00						
	10:00	00:00						

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	00:00	03:00			
	10:00	00:00			
Tue	00:00	03:00			
	10:00	00:00			
Wed	00:00	03:00			
	10:00	00:00			
Thur	00:00	03:00			
	10:00	00:00			
Fri	00:00	03:00			
	10:00	00:00			
Sat	00:00	03:00			
	10:00	00:00			
Sun	00:00	03:00			
	10:00	00:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Mon	00:00	03:00		Outdoors	<input type="checkbox"/>
	10:00	00:00		Both	<input type="checkbox"/>
Tue	00:00	03:00	Please give further details here (please read guidance note 3)		
	10:00	00:00			
Wed	00:00	03:00			
	10:00	00:00			
Thur	00:00	03:00	State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
	10:00	00:00			
Fri	00:00	03:00			
	10:00	00:00			
Sat	00:00	03:00	Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
	10:00	00:00			
Sun	00:00	03:00	From the end of hours on New Years Eve to the start of hours on New Years Day An additional hour to the standard and non-standard times at the commencement of British Summertime.		
	10:00	00:00			

1

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon	00:00	03:00						
	23:00	00:00						
Tue	00:00	03:00						
	23:00	00:00						
Wed	00:00	03:00				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
	23:00	00:00						
Thur	00:00	03:00						
	23:00	00:00						
Fri	00:00	03:00						
	23:00	00:00						
Sat	00:00	03:00						
	23:00	00:00						
Sun	00:00	03:00						
	23:00	00:00						

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>	
				Off the premises	<input type="checkbox"/>	
				Both	<input checked="" type="checkbox"/>	
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)			
Mon	00:00	03:00				
	10:00	00:00				
Tue	00:00	03:00				
	10:00	00:00				
Wed	00:00	03:00				
	10:00	00:00				
Thur	00:00	03:00				Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)
	10:00	00:00				
Fri	00:00	03:00				From the end of hours on New Years Eve to the start of hours on New Years Day
	10:00	00:00				
Sat	00:00	03:00				An additional hour to the standard and non-standard times at the commencement of British Summertime.
	10:00	00:00				
Sun	00:00	03:00				
	10:00	00:00				

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor

Name Jale Erentok	
Address	
Postcode	
Personal Licence number (if known) Pers-LIC/341	
Issuing licensing authority (if known) London Borough of Camden	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

None

L

Hours premises are open to the public
Standard days and timings (please read guidance note 6)

Day	Start	Finish
Mon	00:00	03:30
	08:00	00:00
Tue	00:00	03:30
	08:00	00:00
Wed	00:00	03:30
	08:00	00:00
Thur	00:00	03:30
	08:00	00:00
Fri	00:00	03:30
	08:00	00:00
Sat	00:00	03:30
	08:00	00:00
Sun	00:00	03:30
	08:00	00:00

State any seasonal variations (please read guidance note 4)

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)

From the end of hours on New Years Eve to the start of hours on New Years Day

An additional hour to the standard and non-standard times at the commencement of British Summertime.

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Please see presentation and conditions attached.

b) The prevention of crime and disorder

Please see presentation and conditions attached.

c) Public safety

Please see presentation and conditions attached.

d) The prevention of public nuisance

Please see presentation and conditions attached.

e) The protection of children from harm

Please see presentation and conditions attached.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature	<i>Jeffrey Green Russell Limited</i>
Date	18 June 2014
Capacity	Solicitors acting as agents for and on behalf of the Applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (please read guidance note 12). If signing on behalf of the applicant please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Andrew Wong
 Jeffrey Green Russell Limited
 Waverley House
 7-12 Noel Street

Post town	London	Post code	W1F 8GQ
Telephone number (if any)	020 7339 7067		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)		aww@jgrlaw.co.uk	
copy correspondence only			

Notes for Guidance

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick 'on the premises', if you wish people to be able to purchase alcohol to consume away from the premises please tick 'off the premises'. If you wish people to be able to do both please tick 'both'.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Patterson, Susan

From: Eaton, Sam
Sent: 30 September 2014 15:22
To: Patterson, Susan
Cc: Peermamode, Ryan
Subject: FW: 17 Berkeley Street and 33 Dover Street
Attachments: 14090561_ParkChinois_FINAL.PDF; Apollo_4828484_1.DOCX; Apollo_4824349_1.doc; Statement of Community Engagement FINAL 300914.pdf

From: Andrew Wong [<mailto:AWW@jgrlaw.co.uk>]
Sent: 30 September 2014 15:04
To: Peermamode, Ryan; Eaton, Sam
Subject: 17 Berkeley Street and 33 Dover Street

Dear Ryan, Sam and Su

Please find attached the following:-

- 1) Report by Mr Richard Vivian of Big Sky Acoustics (included)
- 2) Report by Mr Adrian Studd, Independent Consultant (included)
- 3) Statement of Community Engagement by Comm Comm (included)
- 4) Proposed conditions by applicant following discussions with residents as at 29/9/14 (included)
- 5) Statement of Mr Alan Yau together with exhibits (to follow)
- 6) Presentation of Park Chinois (it would be helpful if this can be displayed at committee) – (to follow)

The applicant has agreed to modify the application as follows:-

The hour for all licensable activities are reduced to 1:30am and opening hours to be 30 mins later.

Once the report is issued we will write a summary of our submissions in advance of the hearing so that we can refer to correct page numbering for the Committee's ease.

We really appreciate your help on this.

Best wishes

Andrew Wong
Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
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PROPOSED CONDITIONS

All Mandatory Conditions 1- 10

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
4. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

5. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
6. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
7. ~~All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons. (see new condition 40)~~
8. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
9. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
10. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) are to be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property nor are they to be distributed on street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services except by way of direct mail, newspapers or magazines.
11. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
12. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
15. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
16. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.

- dry ice and cryogenic fog
- smoke machines and fog generators
- pyrotechnics including fireworks
- firearms
- lasers
- explosives and highly flammable substances.
- real flame.
- strobe lighting.

17. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased. NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

18. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited within the specified area.

For the purpose of this section,

'Directly' means:- employ, have control of or instruct.

'Indirectly' means allowing / permitting the service of or through a third party.

'Specified' Area' means the area encompassed within ~~Leicester Square~~ Berkeley Street

19. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

20. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

21. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

22. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.

23. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

24. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
25. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
26. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
- ~~27. The premises may remain open for regulated entertainment, the sale of alcohol and the provision of late night refreshment from the terminal hour for these activities on New Year's Eve through to the commencement time for these activities on New Year's Day.~~
28. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
 - Ground Floor – 250 customers
 - Basement - 250 customers
 - With no more than 450 customers at any one time
29. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence
30. Upon final inspection as referred to above, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure that they are an accurate reflection of the premises as constructed. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority'.
31. This Premises Licence will not be used as an authorisation for licensable activities until Premises Licence currently numbered 13/05090/LIPDPS has been surrendered and is incapable of resurrection.

FUTHER PROPOSED CONDITIONS

32. The premises shall only operate as a restaurant

- (i) in which customers are shown to their table,
- (ii) where the supply of alcohol is by waiter or waitress service,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals

Notwithstanding the above condition, customers are permitted to order and consume alcohol in each of the holding bar areas cross hatched black on the plan only if they are waiting for their table to have their meal.

33. The licensee shall operate the premises in accordance with a Berkeley Street Best Practice Policy which shall be created to promote the four licensing objectives. The best practice policy will be reviewed from time to time with the Licensing Authority and the local licensing police. The best practice policy shall cover the following:-

- a. The gradual dispersal of customers to minimise any noise and disturbance from both **Berkeley Street and Dover Street entrances/exits**
- b. The Taxi and Valet parking provision
- c. Delivery and collections
- d. Smoking policy

The best practice policy shall be available for inspection at any time and a copy shall be provided to the police or licensing authority or local resident upon request.

34. The licensee shall meet with local residents not less than once every **3** months (if necessary) to review the best practice policy. The licensee shall advertise the meeting on their group website and notice will be given to the 17 Berkeley Street Residents Association and Mayfair Residents Group by email.

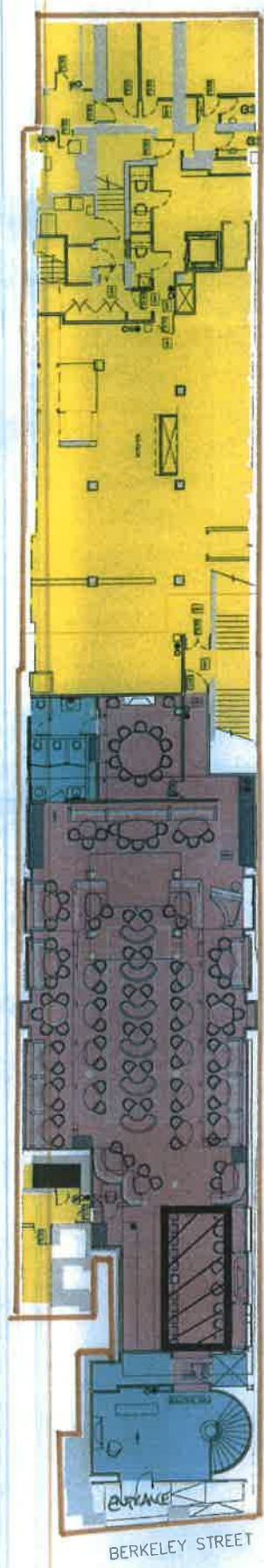
35. There shall be no queues outside the premises

36. The licence holder will support any neighbourhood monitoring scheme that may exist (from time to time) **including contributing financially to any paid for policing scheme on Berkeley Street.**

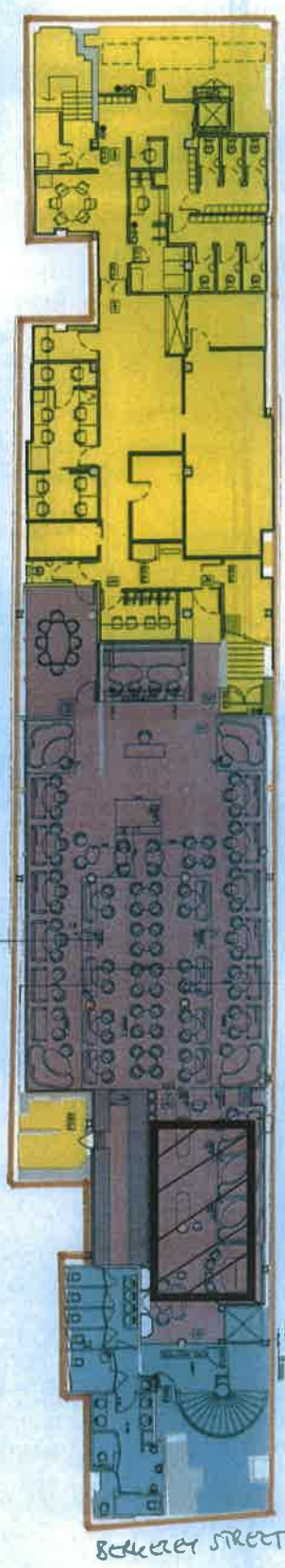
37. A minimum of 1 SIA licensed door supervisor shall be employed at the front door of Berkeley Street from 8pm until 30 minutes after the premises closes.
38. The Premises shall not operate as a "Disco" or "nightclub" with high noise levels.
39. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
40. After 21:00 hours until close:-
- e. patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (10) persons at any one time and shall be restricted to a designated smoking area and shall be supervised.
 - f. all windows and external doors shall be kept closed or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
41. There shall be no entry or re-entry after 1am (except for persons wishing to smoke)

Licensable activities may take place anywhere within the red line. The position of any loose furniture is shown for diagrammatic purposes only. The location of fire equipment is shown as is on the date hereof but may be moved in consultation with the fire officer.

Dated 18/06/14.



2 PROPOSED BERKELEY STREET GROUND FLOOR PLAN



3 PROPOSED BERKELEY STREET BASEMENT PLAN

- KEY:
- area with fire door
 - fire barrier
 - area fire prohibition
 - area fire prohibition
 - fire door

1. The information on this plan is for information only. It is not intended to be used for any other purpose. The information on this plan is for information only. It is not intended to be used for any other purpose. The information on this plan is for information only. It is not intended to be used for any other purpose.

PROJECT: BERKELEY STREET
 ADDRESS: 100 BERKELEY STREET
 DATE: 18/06/14
 DRAWN BY: L/C A
 CHECKED BY: L/C A
 ALL PROPOSED PLANS
 LICENSING DIVISIONS
 18/06/14 10:00 AM



**Assessment of potential noise impact from proposed new restaurant
at basement and ground floor, 17 Berkeley Street, London W1J 8EA**

Prepared by: Richard Vivian, Principal Consultant at Big Sky Acoustics Ltd
On behalf of: Park Chinois Limited
Document Ref: 14090561
Date: 3 September 2014

Big Sky Acoustics document control sheet

Project title:	Assessment of potential noise impact from proposed new restaurant at basement and ground floor, 17 Berkeley Street, London W1J 8EA
Technical report number:	14090561
Survey date:	Wednesday 3 rd September 2014
Submitted to:	Mr Andrew Wong Jeffrey Green Russell Waverley House 7-12 Noel Street W1F 8GQ acting on behalf of Park Chinois Limited
Submitted by:	Big Sky Acoustics Ltd 46 Frenze Road Diss IP22 4PA 020 7617 7069 info@bigskyacoustics.co.uk
Prepared by:	Richard Vivian BEng(Hons) MIET MIOA MAES MIOL Principal Acoustic Consultant

Document status and approval schedule

Revision	Description	Date	Approved
	Approved for issue	16/09/2014	RV

DISCLAIMER

This report was completed by Big Sky Acoustics Ltd on the basis of a defined programme of work and terms and conditions agreed with the Client. The report has been prepared with all reasonable skill, care and diligence within the terms of the contract with the Client and taking into account the project objectives, the agreed scope of works, prevailing site conditions and the degree of manpower and resources allocated to the project. Big Sky Acoustics Ltd accepts no responsibility whatsoever, following the issue of the report, for any matters arising outside the agreed scope of the works. This report is issued in confidence to the Client and Big Sky Acoustics Ltd has no responsibility of whatsoever nature to third parties to whom this report or any part thereof is made known. Any such party relies upon the report at their own risk. Unless specifically assigned or transferred within the terms of the agreement, Big Sky Acoustics Ltd retains all copyright and other intellectual property rights, on and over the report and its contents.

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Executive summary

An assessment of the potential impact of noise arising from a premises licence application for a restaurant at 17 Berkeley Street and 33 Dover Street has been carried out.

The assessment included overnight noise monitoring and observations in the area around the application site on a Tuesday night into Wednesday morning to provide data regarding existing noise levels at a quieter part of the week. A further visit was made to the site during the day to inspect the internal sound insulation works being carried out during refurbishment.

The site is at busy location with significant road traffic noise and pedestrian activity until beyond the end of the survey period at 3.30am. Predicted noise from patrons leaving the premises has been calculated and compared to the existing noise climate. Recommendations for operational procedures relating to the management of all potential noise generating activity at the restaurant have been made.

The incremental change to noise levels caused by the normal commercial operation of a restaurant where the sale of alcohol is ancillary to food, in an area where there is already established noise and activity, will not result in increased average noise levels in the area.

The proposed restaurant replaces existing licensed premises and introduces a more sophisticated style of operation to the location. With the recommendations made in this report it is unlikely to adversely impact on the licensing objectives as the controlled activities within the restaurant and dispersal of patrons from the premises would not increase average noise levels in the area and therefore give rise to a public nuisance.

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1.0 Qualifications and experience

- 1.1 My name is Richard Vivian. I am the Principal Acoustic Consultant at Big Sky Acoustics Ltd. Big Sky Acoustics Ltd is an independent acoustic consultancy that is engaged by local authorities, private companies, public companies and individuals to provide advice on the assessment and control of noise.
- 1.2 I have a Bachelor of Engineering Degree with Honours from Kingston University, I am a Member of the Institution of Engineering & Technology, the Institute of Acoustics, the Audio Engineering Society and the Institute of Licensing.
- 1.3 I have over twenty-five years of experience in the acoustics industry and have been involved in precision acoustic measurement and assessment throughout my career. My professional experience has included the assessment of noise in connection with planning, licensing and environmental protection relating to sites throughout the UK.

2.0 Introduction

- 2.1 Big Sky Acoustics was instructed by Mr Andrew Wong of Jeffrey Green Russell, acting on behalf of Park Chinois Ltd, to carry out an assessment of the potential impact of noise arising from a premises licence application for a restaurant at 17 Berkeley Street, London W1J 8EA.
- 2.2 This report was prepared following a site visit and overnight noise monitoring starting late on a Tuesday night continuing into the early hours of Wednesday 3rd September 2014. A further visit was made later in the day to inspect the internal sound insulation works.
- 2.3 Noise was continuously monitored in the vicinity of the premises during the survey. Measurements were taken at other locations in the area and observations of noise generating activity where made. A large amount of noise data was gathered during the survey which is simplified and summarised in this report.
- 2.4 A scheme of recommendations is presented at the end of this report.
- 2.5 A glossary of acoustical terms used in this report is provided in Appendix A.
- 2.6 All sound pressure levels in this report are given in dB re: 20 μ Pa.

3.0 Location

- 3.1 The site combines two (previously licensed) premises of 17 Berkeley Street and 33 Dover Street. The location is shown in the aerial photograph at Appendix B.
- 3.2 Berkeley Street connects Berkeley Square to Piccadilly and is in the centre of Mayfair. Dover Street is to the east of, and parallel to, Berkeley Street. Traffic flow on Berkeley Street is one-way in the direction of north-to-south and on Dover Street it is south-to-north effectively creating a loop.

- 3.3 The survey time of a Tuesday night into Wednesday morning was selected as being representative of a quieter time in the week. In many city centre locations activity peaks at the weekend leading to higher levels of traffic and pedestrian activity which could lead to an unrepresentative measure of the quieter times in the rest of the week.
- 3.4 Other licensed premises in the immediate area include The Palm Beach Casino diagonally opposite on Berkeley Street, Funky Buddha and Nobu are immediately to the south of the application site. The May Fair Bar, Novikov and The Holiday Inn are all on Berkeley Street. On Dover Street licensed premises include The Mayfair Club, The Clarence, Aubaine and the Dover Street Jazz Bar. There is also a bookmakers, some smaller restaurants, cafes, bars and Brownes Hotel.
- 3.5 There is dominant road traffic noise in the area, particularly on Berkeley Street, throughout the night. Appendix C includes screenshots from the Defra London noise map that indicates the predicted traffic levels and these data correspond with our own findings during the field survey. It is also noted that Berkeley Street featured as "Site 3" in the Westminster Noise Measurement Survey of 2008 and high night-time noise levels are reported in that survey.
- 3.6 It is important when assessing the impact of a new individual premises in an area that the concept of additional noise associated with the new premises is taken into account. The incremental change to noise levels caused by the normal commercial operation of a restaurant, in an area where there is already established noise and activity, could be small or undetectable if it is masked by existing noise in the area. It can also be the case that a sophisticated restaurant operation, when introduced to an area, can result in reduced noise, reduced litter and reduced crime as the new operation seeks to bring respectability to the immediate area for the benefit of their patrons, staff and business.

4.0 Criteria

Licensing Act 2003

- 4.1 Westminster City Council has a duty under the Licensing Act 2003 to determine its policy with respect to the exercise of its licensing functions, and publish a statement of that policy. In 2005, when the new Licensing Act came into effect, the City Council published their first Statement of Licensing Policy on 7 January 2005.
- 4.2 This policy has to be reviewed every three years. After asking residents, businesses and visitors for their opinions on the changes proposed to this policy, the Council meeting on 3 November 2010 approved the revised policy for publication. This revised Statement of Licensing Policy came into effect on 7 January 2011 and is effective until 6 January 2014.
- 4.3 The City Council fulfills its primary obligation under the Act, to promote the four licensing objectives by having policies based on each:

- The prevention of crime and disorder
 - Public safety
 - The prevent of public nuisance
 - The protection of children from harm
- 4.4 It also has policies on core hours that will generally be granted, special policies for "Stress Areas" of cumulative impact and policies on various types of premises and activities.
- 4.5 The Policy strives to achieve a balance between allowing Westminster entertainment venues to thrive, protecting public safety and the quality of life for everyone who lives, works or visits the City.
- 4.6 Appendix 11 of the Statement of Licensing Policy provides guidance on noise. A copy of Appendix 11 is presented at the end of this report for reference.

World Health Organisation

- 4.7 Guidance on maximum noise levels is given by the World Health Organisation (WHO) in a 1999 report entitled Guidelines for Community Noise¹. This report states that to avoid negative effects on sleep, the equivalent continuous internal sound pressure level during the sleeping period should not exceed 30 dB L_{Aeq} . If the noise is not continuous, sleep disturbance has an improved correlation with maximum noise levels and effects have been observed at 45 dB L_{Amax} internally. It goes on to recommend that, at night, noise levels outside dwellings should not exceed 45 dB L_{Aeq} and maximum noise levels should not exceed 60 dB L_{Amax} so that people may sleep with bedroom windows partially open.
- 4.8 It is relevant to note that the WHO report has not been adopted into UK legislation or formal guidance; hence, it remains a source of information reflecting a high level of health care with respect to noise, rather than a standard to be rigidly applied. The guideline values in the WHO report give the lowest threshold noise levels below which the occurrence rates of particular effects can be assumed to be negligible.
- 4.9 According to a report commissioned by the DETR, and undertaken jointly by the NPL and Southampton University², transgression of the WHO guideline values does not necessarily imply significant noise impact and indeed, it may be that significant impacts do not occur until much higher degrees of noise exposure are reached. The report states:

"While in an ideal world it may be desirable for none of these effects to occur, in practice a certain amount of noise is inevitable in any modern industrialised society. Perhaps the main weakness of both WHO-inspired documents is that

¹ World Health Organisation. Guidelines for Community Noise, 2000.

² National Physical Laboratory. Health Effect Based Noise Assessment Methods: A review and Feasibility Study. NPL report CMAM 16, 1998.

they fail to consider the practicality of actually being able to achieve any of the stated guideline values. It is important to make clear ...that exceedences do not necessarily imply an over-riding need for noise control, merely that the relative advantages and disadvantages of noise control action should be weighed in the balance. It is all a question of balance and mere exceedence of the WHO guidelines just starts to tip the scales."

5.0 Noise measurement procedure

- 5.1 To establish the noise levels in the area immediately around the premises measurements were made at a static measurement position in front of the application site entrance on Berkeley Street. Measurement continued until after the surrounding premises had closed (except for the Palm Beach Casino Club which is open 24 hours) and all patrons had dispersed.
- 5.2 Additional attended measurements were made with a hand-held measurement system on Dover Street at the rear of the application site and throughout the evening at other locations in the immediate area.
- 5.3 Noise measurements were made in continuous samples of 1-second intervals. Measurements included the L_{Aeq} , L_{A90} and L_{Amax} indices. Simultaneous octave and third octave frequency spectra were also obtained during the survey. Measurements were taken at 1.5 m above grade level. Throughout the course of the survey an outdoor microphone windshield was used.
- 5.4 The instrumentation used to carry out the noise measurements is detailed in Appendix D. The calibration of the measuring equipment was checked prior to and immediately following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards.
- 5.5 The weather conditions during the survey are reported in Appendix D.

6.0 Noise measurement analysis

- 6.1 The application site was under development at the time of the survey and therefore all noise recorded is attributable to existing noise sources in the area.
- 6.2 Measurement data is displayed in tabular and graphical form in Figures 1 and 2 respectively.
- 6.3 Figure 2 shows 1-minute samples and hence indicates some short duration peaks; for example there is a peak at 01:53 which correlates with the activity of a cycle rickshaw driver with sound system close to the measurement location. The other similar sized peak around 02:15 relates to a lorry maneuvering close to the measurement position for some time.

Time	Position	L _{Aeq} dB	L _{Ceq} dB	L _{A90} dB	L _{ASmax} dB
00:50:12	17 Berkeley Street	67	80	62	78
01:45:14	17 Berkeley Street	65	74	60	72
01:58:20	33 Dover Street	62	69	46	76
02:13:47	17 Berkeley Street	74	86	67	91
02:45:18	17 Berkeley Street	68	78	63	78
02:53:16	33 Dover Street	63	70	47	77
03:01:18	17 Berkeley Street	77	78	64	91
03:07:54	17 Berkeley Street	69	75	63	78
03:13:12	17 Berkeley Street	65	74	62	71
11:51:55	33 Dover Street	65	77	59	72
12:12:00	17 Berkeley Street	67	78	71	65

Figure 1: Noise measurement data

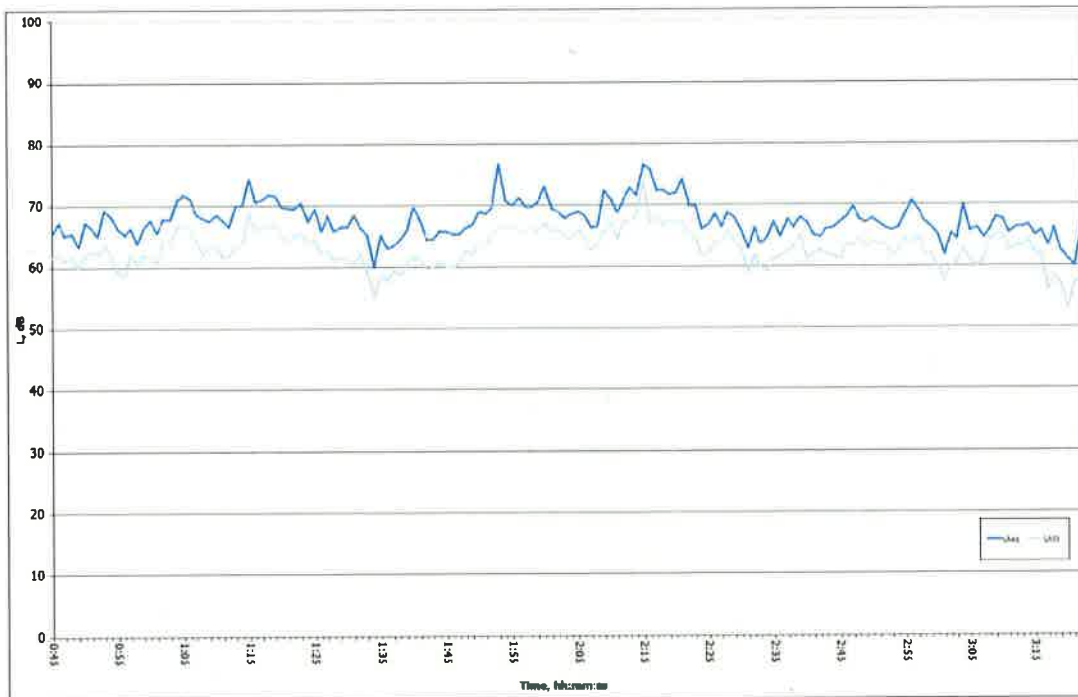


Figure 2: Continuously logged noise outside application site

6.4 What is clear from the measurement data is that noise levels in Berkeley Street are high, and remain high throughout the entire survey period. Attended noise measurements range from 65-77dBA (77dBA at just after 03:00am as large crowds gather outside Funky Buddha).

- 6.5 The graph in Figure 2 also clearly shows that noise levels never fall below the mid-sixties dBA throughout the survey. In quiet residential areas away from road traffic and other activity a notable drop in levels is to be expected as noise generating activity reduces in the early hours of the morning.
- 6.6 The recorded noise level in Berkeley Street around mid-day was 67dBA; which is lower than the averaged level from midnight until 03:30hrs during the survey. (The average noise level of all recorded measurements in the survey period at night was 71dBA on Berkeley Street).
- 6.7 Dover Street is a little quieter during the survey (62-63dBA) and later in the survey period there are more lulls resulting in lower background noise levels (see L_{A90} data column for Dover Street in Figure 1). Average levels are 2dB quieter at night on Dover Street when compared to the same location measured during the day.

7.0 Predicted noise of patrons leaving the site

- 7.1 Having established that there are high existing noise levels at the application site it is helpful to compare this existing noise with the predicted *new* noise of a group of patrons leaving the premises at the end of an evening.
- 7.2 Unlike a drinking only establishment, or a music venue, theatre, or sports arena where most events have a definite finish time, the nature of a restaurant is that patrons tend to leave in small numbers and not en masse. This is reflected in our survey data from other restaurant sites nearby that shows the average group size for people leaving a restaurant to be 2.2 people.
- 7.3 In order to assist in the understanding of actual noise levels produced by people outdoors it is important to understand the effects of the noise source (i.e. people talking) and how that noise level increases as the number of people talking increases.
- 7.4 Referring to data held in our own library; normal conversation is typically in the range of 55-60dBA when measured at 1 metre.
- 7.5 In assessing for a worst-case condition then I have considered a group of 12 people are talking outside the premises.
- 7.6 In normal conversation no more than 50% of them would be talking (there will be at least one listener for each talker). If we now consider people to be talking at the upper end of the normal speaking range, and look at a worst case scenarios of half of the people talking concurrently at 60dBA then in order to calculate the total noise level we logarithmically sum six sources of 60dB as follows:

$$\Sigma = 10 \log \left(n \times 10^{\left(\frac{60}{10}\right)} \right)$$

where n is the number of people talking

- 7.7 The formula above gives a value for total sound pressure level for a group of 12 people to be 68dBA.
- 7.8 It is important to remember that this is a worst-case value, when 50% of the people are talking simultaneously and loudly. In reality general lulls in the conversation, smoking, or conversations where there are more than one listener to each talker mean that less than 50% of an average group will be talking simultaneously. I have also observed that groups in close proximity to each other talk with more hushed voices than groups of people spread out when, for example, seated in a pub beer garden.
- 7.9 68dBA is the predicted noise from a larger than anticipated group of twelve people talking when measured at 1 metre. Sound is attenuated in air and this effect is noticeable as the listener moves away from the source. In calculating distance attenuation, the noise of people talking is assumed to be a number of discreet point sources and therefore is attenuated by 6dB with each doubling of distance. So if the noise source is 68dBA at 1 metre then at 2 metres it becomes 62dBA, at 4 metres 56dBA. Attenuation due to distance means that a separation distance of just a few metres from the noise source to the receiver position (typically a residential window) will rapidly render the noise significantly below the average ambient noise in the street of 71dBA and therefore is masked by other noises.
- 7.10 Another consideration for patrons leaving premises late at night is the use of cars or taxis. Average traffic flow on Berkeley Street was 330 vehicles per hour during the survey period so there is already established significant vehicle movement in the area contributing to noise. Only a significant increase to traffic flow (i.e. doubling the rate of vehicle passes per hour) would give rise to a significant increase in noise level above that already established.
- 7.11 When assessing noise from cars or taxis collecting people maximum noise levels may arise from a car door being closed. Data from similar sites (measured by ourselves and held at our office) indicates that values from 65 dB L_{Amax} (Mercedes C-Class, normal close) to 70 dB L_{Amax} (slam) as measured at 5m are typical.
- 7.12 The predicted internal noise level from a car door being closed when extrapolated to a first floor window would be approximately 59 dB L_{Amax} . This value is below the highly stringent WHO guidance value³ of 60 dB L_{Amax} and would result in internal levels, even with a window open, of 44-49 dB L_{Amax} . Internal levels are below the more real-world Griefahn⁴ internal level criterion of 55 dB L_{Amax} .
- 7.13 To summarise, the noise arising from car doors are not likely to generate any loss of amenity even if there were a flat directly above the car door being slammed at first floor level with clear line of sight and with a window open. The reality is this noise source is substantially masked by the existing noise levels in the street. Furthermore the average person may wish to protect themselves from the sound of traffic, emergency service sirens, delivery lorries, refuse collections, helicopters

³ World Health Organisation. Guidelines for Community Noise, 2000.

⁴ Griefahn, B "Präventivmedizinische Vorschläge für den nächtlichen Schallschutz" Zeitschrift für Lärmbekämpfung 37 (1990) 7-14.

and sounds of other central London activity and so may choose to sleep away from windows on a facade to a busy street or with their windows closed.

8.0 Recommendations for operational control of noise

- 8.1 The operator of the proposed restaurant has an established track record of high-end restaurants in central London and this site is designed to offer a sophisticated dinner-dance experience. The operation is therefore not intended to attract queuing or large groups of drinkers that will create noise outside the premises and will actively seek to create the opposite environment of no queues and a calm environment for fine dining.
- 8.2 The primary recommendation as a result of this survey is that consideration should be given to encouraging the use of both the Dover Street and Berkeley Street entrances rather than just one entrance. This allows the operator to ensure the most efficient dispersal from the site via two routes. Berkeley Street remains the noisier of the two streets later at night but controlled egress of patrons to Dover Street would be appropriate for those staying in nearby hotels or heading to other destinations on or around Dover Street. It is also evident that the presence of a restaurant with supervised entrances in both streets is likely to eliminate loitering and reduce litter currently experienced in the vicinity of the site.
- 8.3 In addition to improving the area simply by the presence of a managed restaurant entrance it is important to have a documented range of operational controls to address any potential noise issues from the normal commercial operation of the site. To support this a Noise Management Policy is presented at Appendix E and a Dispersal Policy is presented at Appendix F. These policy documents build on the experience of the operator at other locations and further enhance the potential operation of this site. These policies should be integrated in to the operational manual for the premises.

9.0 Appendix 11 Risk Assessment

- 9.1 A risk assessment has been prepared to assist the Environmental Health Consultation Team make an assessment of the risk of any increase in public nuisance in the area.
- 9.2 The building is located in a busy area which is close to existing activity from other late night licensed premises. Road traffic noise is high at this location (see London Noise Map extracts at Appendix C and field data from the night of the noise survey in Figures 1 and 2.
- 9.3 The high ambient noise levels in the area effectively mask lower level noises from the normal commercial activity of a restaurant such as patrons entering and leaving the building.
- 9.4 Within Appendix 11 of the Westminster Statement of Licensing Policy 2011 Paragraph 20 deals specifically with noise from people arriving, departing and in the vicinity. Appendix 11 states that applicants should demonstrate that

appropriate measures will be taken to limit noise from patrons and staff entering and leaving the premises, and vehicles arriving, departing and in the vicinity to prevent avoidable noise disturbance to noise sensitive properties. Therefore a comprehensive dispersal policy has been prepared and is presented at Appendix F.

- 9.5 The restaurant will offer a sophisticated dining experience. This is of relevance to the application as the perception of the restaurant and the enjoyment of the visiting patrons depends on the premises being presented in a calm and controlled manner. It is of primary importance that any activity around the restaurant entrance does not impact negatively on the visiting patrons.
- 9.6 Amplified music will only occur within the building. Significant refurbishment works have been carried out to ensure high performance sound isolation of all internal activity. I inspected the sound insulation works during my survey of the site and can confirm significant expenditure on floating floors and sound insulating linings to walls and ceilings.
- 9.7 This high specification building envelope insulation contains the noise of any activity within the restaurant from breaking out. Premises licence conditions requiring amplified music to be controlled by a limiter or other appropriate controls is a further safety net that is recommended to ensure noise from amplified music is limited to a level that does not have any impact at noise sensitive properties.
- 9.8 The restaurant entrance will be permanently supervised and covered by monitored CCTV.
- 9.9 Patrons will be requested to respect neighbours and be quiet as they leave.
- 9.10 Patrons requiring public transport will find a taxi rank almost outside the property on Berkeley Street and black cabs using both Berkeley Street and Dover Street as a cut-through. There is a night bus that operates a service every 30 minutes on Berkeley Street. For those leaving earlier in the evening the nearest tube is a short walk to Green Park, and from 2015 a 24-hour weekend service is proposed from Green Park for all three lines.
- 9.11 Employee training includes emphasis of the importance to minimise noise from patrons as they arrive at and depart from the restaurant.
- 9.12 Guidance to employees also includes how to minimise noise from any activities outside and in the vicinity of the premises.
- 9.13 The front of house team ensures patrons wishing to take a taxi are promptly dispatched. Similarly the valet parking scheme will be promptly and efficiently controlled to ensure noise is kept to a minimum.
- 9.14 The applicant has a good record of operating restaurants without complaint and his team will aim to ensure that, as far as is reasonably practicable, licensable activities will be conducted and the facilities for licensed activities will be designed and operated, so as to prevent any noise impact on local residents.
- 9.15 The applicant is committed to continue to work in partnership with the relevant authorities and to maintain good relations with residents and patrons and accordingly will be receptive to any further reasonable suggestions proposed.

10.0 Conclusion

- 10.1 Big Sky Acoustics was instructed by Mr Andrew Wong of Jeffrey Green Russell, acting on behalf of Park Chinois Ltd, to carry out an assessment of the potential impact of noise arising from a premises licence application for a restaurant at 17 Berkeley Street, London W1J 8EA.
- 10.2 The restaurant is at busy location with significant road traffic noise. Advantageously this also means good transport links to disperse patrons at the end of the evening.
- 10.3 Recommendations to enhance the operational procedures relating to noise at the premises have been made.
- 10.4 Noise breakout from any sound system and other activities inside the premises is minimised by the sound system controls and physical structure of the building which has been extensively fitted-out. Amplified music noise will be limited so that it does not have an impact on nearby residents.
- 10.5 It is my conclusion that this is an established location for licensed premises. Given this location, style of operation, proposed controls and willingness to take on board further controls if necessary it is my professional opinion that the application for a new premises licence is unlikely to adversely impact on the licensing objectives as the controlled activities within the restaurant and dispersal of patrons from the premises would not increase average noise levels in the area and therefore give rise to a public nuisance.



Richard Vivian BEng(Hons) MIET MIOA MAES MIOL
Principal Acoustic Consultant, Big Sky Acoustics Ltd

Appendix A - Terminology

Sound Pressure Level and the decibel (dB)

A sound wave is a small fluctuation of atmospheric pressure. The human ear responds to these variations in pressure, producing the sensation of hearing. The ear can detect a very wide range of pressure variations. In order to cope with this wide range of pressure variations, a logarithmic scale is used to convert the values into manageable numbers. Although it might seem unusual to use a logarithmic scale to measure a physical phenomenon, it has been found that human hearing also responds to sound in an approximately logarithmic fashion. The dB (decibel) is the logarithmic unit used to describe sound (or noise) levels. The usual range of sound pressure levels is from 0 dB (threshold of hearing) to 140 dB (threshold of pain).

Frequency and Hertz (Hz)

As well as the loudness of a sound, the frequency content of a sound is also very important. Frequency is a measure of the rate of fluctuation of a sound wave. The unit used is cycles per second, or hertz (Hz). Sometimes large frequency values are written as kilohertz (kHz), where 1 kHz = 1000 Hz. Young people with normal hearing can hear frequencies in the range 20 Hz to 20,000 Hz. However, the upper frequency limit gradually reduces as a person gets older.

A-weighting

The ear does not respond equally to sound at all frequencies. It is less sensitive to sound at low and very high frequencies, compared with the frequencies in between. Therefore, when measuring a sound made up of different frequencies, it is often useful to 'weight' each frequency appropriately, so that the measurement correlates better with what a person would actually hear. This is usually achieved by using an electronic filter called the 'A' weighting, which is built into sound level meters. Noise levels measured using the 'A' weighting are denoted dBA. A change of 3dBA is the minimum perceptible under normal everyday conditions, and a change of 10dBA corresponds roughly to doubling or halving the loudness of sound.

C-weighting

The C-weighting curve has a broader spectrum than the A-weighting curve and includes low frequencies (bass) so it can be a more useful indicator of changes to bass levels in amplified music systems.

Noise Indices

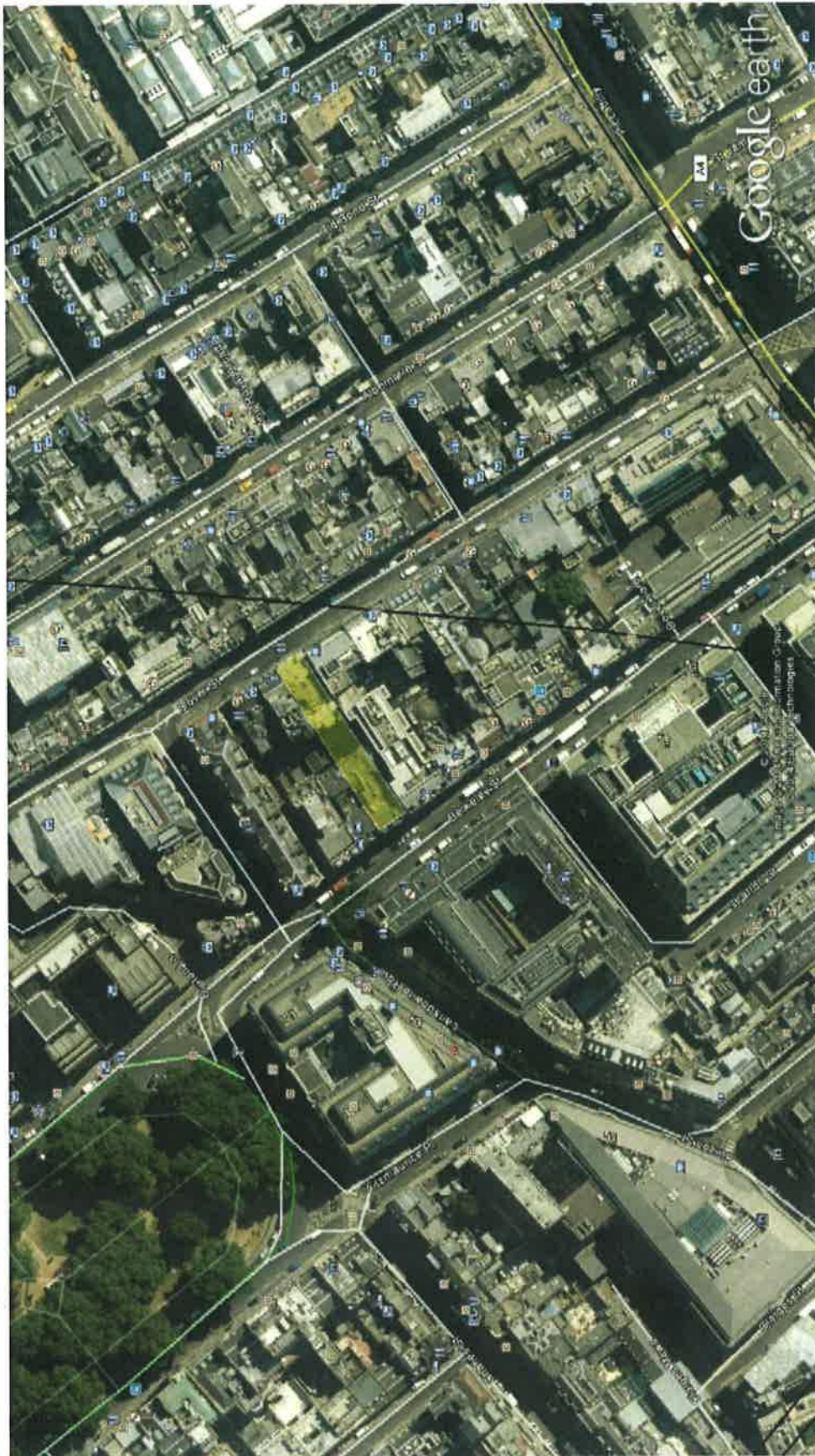
When a noise level is constant and does not fluctuate over time, it can be described adequately by measuring the dB level. However, when the noise level varies with time, the measured dB level will vary as well. In this case it is therefore not possible to represent the noise level with a simple dB value. In order to describe noise where the level is continuously varying, a number of other indices are used. The indices used in this report are described below.

- L_{eq}** The equivalent continuous sound pressure level which is normally used to measure intermittent noise. It is defined as the equivalent steady noise level that would contain the same acoustic energy as the varying noise. Because the averaging process used is logarithmic the L_{eq} is dominated by the higher noise levels measured.
- L_{Aeq}** The A-weighted equivalent continuous sound pressure level. This is increasingly being used as the preferred parameter for all forms of environmental noise.
- L_{Ceq}** The C-weighted equivalent continuous sound pressure level includes low frequencies and is used for assessment of amplified music systems.
- L_{Amax}** is the maximum A-weighted sound pressure level during the monitoring period. If fast-weighted it is averaged over 125 ms, and if slow-weighted it is averaged over 1 second. Fast weighted measurements are therefore higher for typical time-varying sources than slow-weighted measurements.
- L_{A90}** is the A-weighted sound pressure level exceeded for 90% of the time period. The L_{A90} is used as a measure of background noise.

Example noise levels:

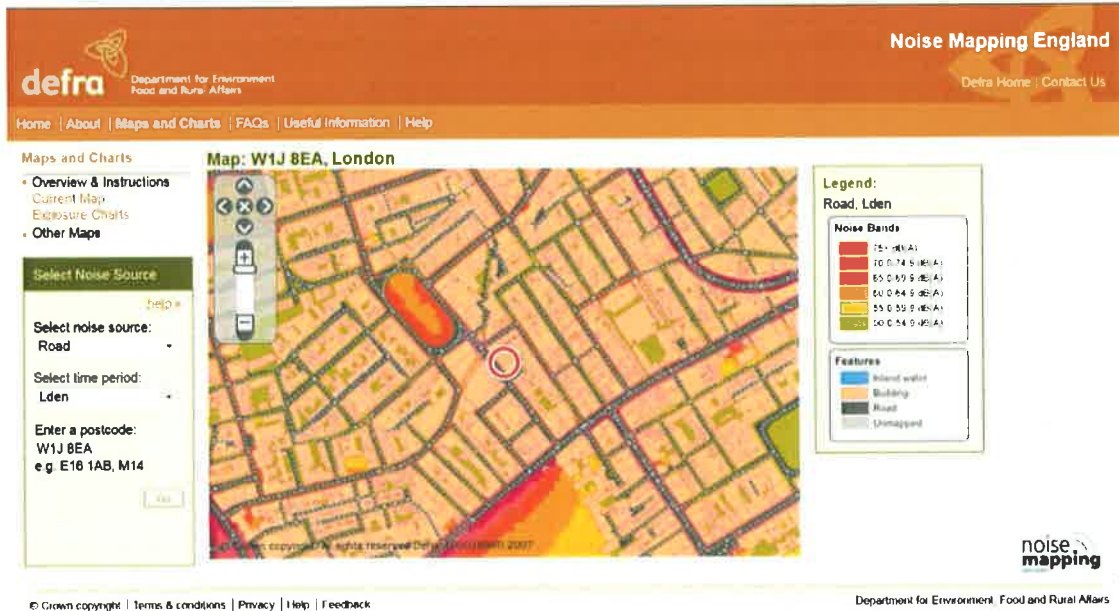
Source/Activity	Indicative noise level dBA
Threshold of pain	140
Police siren at 1m	130
Chainsaw at 1m	110
Live music concert	96-108
Symphony orchestra, 3m	102
Nightclub	94-104
Lawnmower	90
Heavy traffic	82
Vacuum cleaner	75
Ordinary conversation	60
Car at 40 mph at 100m	55
Rural ambient	35
Quiet bedroom	30
Watch ticking	20

Appendix B - Site location

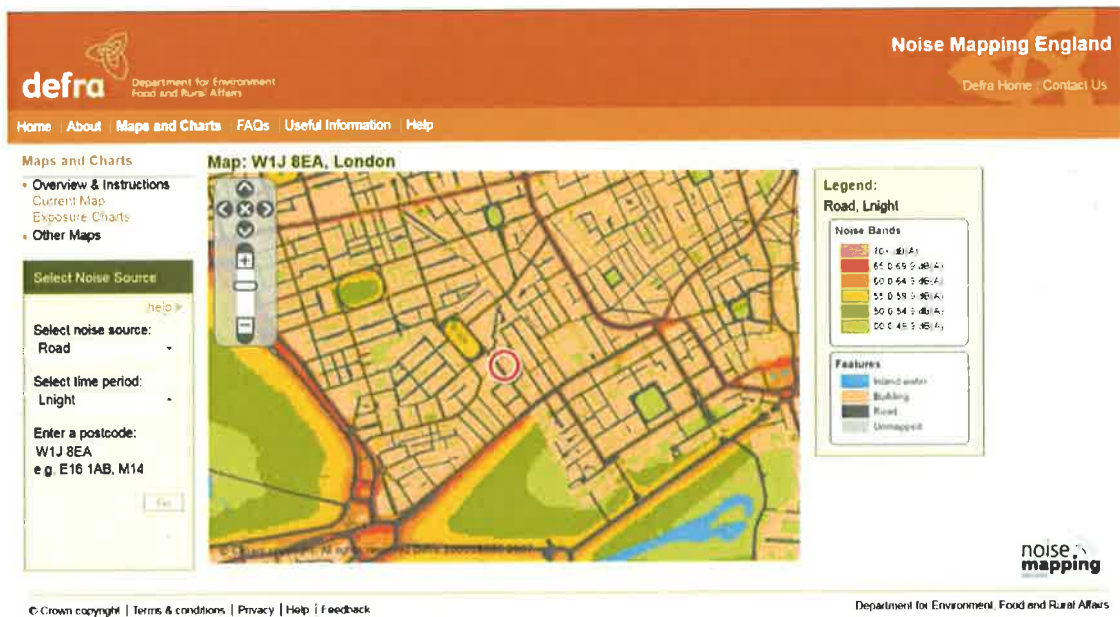


Appendix C - Road traffic noise levels from DEFRA Noise Map

Day:



Night:



Appendix D - Instrumentation

All attended measurements were carried out using a Cirrus type CR:171B integrating-averaging sound level meter with real-time 1:1 & 1:3 Octave band filters and audio recording conforming to the following standards: IEC 61672-1:2002 Class 1, IEC 60651:2001 Type 1 I, IEC 60804:2000 Type 1, IEC 61252:1993 Personal Sound Exposure Meters, ANSI S1.4-1983 (R2006), ANSI S1.43-1997 (R2007), ANSI S1.25:1991. 1:1 & 1:3 Octave Band Filters to IEC 61260 & ANSI S1.11-2004.

Unattended measurements were carried out using a Svan type 971 integrating-averaging sound level meter with real-time 1:1 & 1:3 Octave band filters conforming to the following standards: IEC 61672-1:2002 Class 1. 1:1 & 1:3 Octave Band Filters to IEC 61260.

The calibration of the measuring equipment was checked prior to and immediately following the tests and no signal variation occurred. Calibration of equipment is traceable to national standards. The following instrumentation was used during the survey:

Description	
Cirrus sound level meter	type CR:171B
Cirrus pre-polarized free-field microphone	type MK:224
Cirrus microphone pre-amplifier	type MV:200E
Cirrus class 1 acoustic calibrator	type CR:515
Svan sound level meter	type 971
ACO pre-polarized free-field microphone	type 7052E
Svan microphone pre-amplifier	type SV18
Brüel & Kjær class 1 acoustic calibrator	type 4231

Meteorology

4 September 2014	Temperature	Wind speed	Precipitation
At start	17°C	0.5ms ⁻¹	None
During assessment	16°C	0-1ms ⁻¹	None
At finish	16°C	0 ms ⁻¹	None
Additional comments: Dry, still.			

Appendix E – Noise Management Policy

We operate a considerate business. We aim to manage all noise from our premises so that we do not disturb people resting and sleeping in their homes. There are other licensed premises in the area and these may create noise but this is no reason why our operation should not be rigorously controlled so that any noise we or our patrons make is kept to an absolute minimum. We therefore have a comprehensive approach to managing noise from our premises and from the area outside our premises.

The following points are critical to our noise management policy and are used in conjunction with our end of evening Dispersal Policy:

1. We will ensure that noise emanating from our premises will not cause a nuisance at the nearest residential properties.
2. The entrance doors are supervised and from 20:00hrs and are kept closed except for ingress and egress. The entrance hallways forms a large lobby ensuring two door sets always separate internal noise generating activity from the street. The lobby has been designed to control dispersal by allowing patrons to wait inside the premises in comfort.
3. Except for servicing, maintenance and safety reasons fire doors and service doors will be kept closed. Emergency exits and service doors must not be secured open when the premises are trading. Doors in regular use will be fitted with soft closers and these will be adjusted to ensure that doors do not slam.
4. Arrangements are in place to ensure that deliveries, collections and operational servicing are carried out between 07.00-19.00hrs, except where access at other times is unavoidable and specific procedures are in place to limit disturbance.
5. Empty bottles will be crushed internally to reduce waste volume and handling noise. No empty bottles will be tipped or thrown into outside storage receptacles.
6. Refuse collections are made at the times allocated for the street. We will ensure that waste is correctly packaged and can be removed quickly and efficiently.
7. Patrons will always be supervised in the areas around the entrance doors. There will be no queues outside the premises for people to gain entry.
8. Patrons stepping outside to smoke will be supervised by us and the maximum number of smokers will be controlled. Ashtrays will be provided and the area will be regularly swept of any cigarette debris. Drinks will not be allowed outside the premises.
9. Any glass or bottles in the immediate vicinity of the premises will be cleared from street furniture, walls, pavements and gutters then safely disposed of. Bottles and glasses will not originate from our premises but we still make an effort to keep the area tidy and safe.
10. We are proud of our building and the area we work in. We will endeavour to keep the area clean and attractive for our patrons and our neighbours. This means dealing with debris that may have nothing to do with us, but in the interests of making this a better area we will still clear it up.

We will constantly review our Noise Management Policy and respond quickly to the needs of our neighbours.

Park Chinois Management Team, September 2014

Appendix F - Dispersal Policy

We will to employ best practice to ensure that the normal commercial operation of the premises does not have a negative impact on residents in the area when our patrons, and our employees, leave the premises.

In order to ensure that patrons behave in an ordered and responsible manner as they leave the premises it is important that they have been well-managed during the time leading up to their departure. Therefore our employees are trained in customer management skills and we will be calm and polite as they leave. Our valet parking service will operate quickly, efficiently and calmly at all times and patrons will be encouraged to wait inside the premises as their cars are brought to the entrance.

There are further measures that we will take that can impact positively on our patrons behaviour after they have left and they are not directly under our control:

- The sale of alcohol will be ancillary to food and only for persons seated.
- A booking system will ensure a staggered arrival times which consequently encourages staggered departure times.
- Transport information will be provided on-line and during the booking process.
- Amplified music levels will be reduced at the end of the evening ensuring a gradual exit of remaining patrons as the evening winds-down.
- The cloakroom departure rate can be increased or reduced on demand from the door supervision team. This can be implemented by providing a CCTV feed of the outer door areas to the cloakroom.
- At the exit doors a prominent and clear notice will be displayed asking patrons to be considerate to local residents by leaving the premises and the area quietly.
- Patrons that require a taxi are encouraged to wait inside the lobby. Arrangements are made with selected taxi firms for cars to stop at a safe stopping place when collecting patrons. Taxi companies that visit the premises will be notified that the use of car horns outside the premises is only allowed in accordance of Rule 112* of The Highway Code. Door supervision staff will take note of drivers that do not comply with this rule and management will notify the relevant taxi companies. Repeat offenders will result in that taxi firm being excluded from the recommended list of taxi providers for the premises.
- The entrance doors are supervised from 20:00hrs and are kept closed except for ingress and egress. All employees are given appropriate instructions and training to encourage patrons to leave the premises and the area quietly.
- Door supervision will continue until at least 30 minutes after closing time or until all patrons have dispersed. Door supervisors will request that any groups of patrons leaving do not wait outside the premises and will direct them towards Piccadilly.

* Rule 112 of The Highway Code states: The horn. Use only while your vehicle is moving and you need to warn other road users of your presence. Never sound your horn aggressively. You MUST NOT use your horn while stationary on the road when driving in a built-up area between the hours of 11.30 pm and 7.00 am except when another road user poses a danger.

- At the end of the shift employees will say goodbye to each other inside the premises and arrange for lifts or taxis to collect them at a convenient and safe stopping point away from residential properties.
- We will attach the utmost importance to the careful investigation and prompt resolution of any complaint made in respect of the running of the premises. Particular emphasis will be placed on building and maintaining close links with local residents including hosting meetings where necessary to allow our neighbours to raise any issues and for those issues to be quickly resolved. The telephone number of the premises and senior management will be provided to all our immediate residential neighbours.

We will constantly review our Dispersal Policy and respond quickly to the needs of our neighbours.

Park Chinois Management Team, September 2014

Westminster City Council Statement of Licensing Policy 2011 (Appendix 11 - Guidance on noise)

The council regards the control of noise as an essential aspect of good neighbourliness, contributing to the sustainability of residential and commercial communities.

Noise sources

Applicants should consider the potential sources of noise and the hours when it may be generated. The Licensing Authority's noise criteria relate to all these sources of noise whether indoors or in the open air, including:

- (a) music and human voices, both amplified and unamplified
- (b) other internal activities
- (c) use of open areas
- (d) patrons queuing
- (e) patrons and staff entering and leaving the premises and in its vicinity
- (f) vehicles arriving, waiting, parking and departing
- (g) deliveries and collections including refuse and collection of recyclable materials
- (h) plant, machinery and associated equipment
- (i) any other factors that could cause noise disturbance.

Many licensed activities can cause noise that is heard outside the premises or originates from an open air site and some of these risk generating noise that causes public nuisance. The risk assessment carried out for licence applications for such activities, should take account of the criteria and guidance on noise set out below which indicates circumstances in which a noise report will be necessary and what it should contain.

On the other hand, some licensed activities will generate noise at such low levels that they are unlikely to cause public nuisance. The list of criteria below should be used to determine whether it is likely that a full noise report will be required.

Information on noise

5. All applicants must provide a statement demonstrating how they do or do not comply with the following criteria. A noise report will not usually be required where all the following criteria are met.

- (a) There have been no Noise Abatement Notices (Section 80 of the Environmental Protection Act 1990) served in relation to the premises within the two years prior to this application.
- (b) There have been no noise complaints relating to the premises received by the applicant, the council or the police within the two years prior to this application.
- (c) There have been no objections to the renewal of a licence in relation to the premises within the two years prior to this application.
- (d) There are no noise sensitive properties above, below, adjacent, opposite in the proximity of the premises or otherwise likely to be affected.
- (e) There is no air conditioning, or other plant and associated equipment.
- (f) There is no loudspeaker system.
- (g) There are no activities involving performances of music or other sounds, whether live or recorded, or any other "regulated entertainment".
- (h) No door staff are required as a condition of an existing licence.
- (i) Deliveries, collections, servicing; use of vehicles, do not take place between 19.00 and 07.00 hours.

Noise report

When the Licensing Authority receives a statement from the applicant demonstrating how they do or do not meet the criteria above, it will determine whether a noise report will be required, which aspects of it will be required, what it should cover, and how it should be prepared.

A noise report may contain some or all of the following:

- (a) An environmental noise impact assessment (required for all noise reports).
- (b) An acoustic report for premises where there is plant and equipment (e.g. ventilation, air conditioning, lifts, hoists etc).
- (c) A sound insulation and sound reduction measures assessment (for premises where there is plant and equipment and/or sound systems, or "regulated entertainment").
- (d) Planned management measures for control of noise disturbance related to door control, deliveries and collections, waste management, servicing, and any other aspects requiring control of noise. (This will be required in most noise reports and all applications where operating hours include any of the period 19.00-07.00 hours, and/or where door staff are required.)

(e) Planned management measures for control of noise disturbance from an open air site or event. (This will be required for open air sites and events.)

Environmental noise impact assessment

8. An Environmental Noise Impact Assessment should provide information, as applicable, including:

- (a) Existing ambient noise climate and a survey of both pedestrian and vehicular numbers in and around the premises.
- (b) Assessment of the existing and future noise climate due to the new or increased use of the premises, indicating any increase in predicted noise levels.
- (c) Assessment of the existing and predicted number and level of noise events.
- (d) Details of management procedures to reduce the impact of the premises operation on the locality, including noise from customers and others arriving and departing.

Acoustic report (plant and equipment)

9. An Acoustic Report should provide information for both external and internal plant, and on the prevention of noise breakout from plant, equipment and internal activities. This should cover, as relevant:

- (a) Mechanical and electrical plant, machinery and equipment and their locations, with manufacturers specifications: octave or 1/3 octave band analysis of noise for the proposed plant, machinery and equipment.
- (b) The location of the nearest openable window of the nearest noise sensitive property that may be affected by noise from the proposed licensed use/plant and equipment, with the distance between these.
- (c) The proposed operational hours.
- (d) The background noise level assessment ($L_{A90, 15 \text{ min}}$) over the proposed hours of operation, including: the time, date, weather conditions, instrumentation and calibration, noise sampling locations, and a copy of the noise survey data (in accordance with BS 4142 measurement methodology).
- (e) Calculations for the predicted noise level 1 metre from the window of the nearest affected noise sensitive property.
- (f) Use of acoustic enclosures.
- (g) Use of noise attenuators and acoustic screens as required.
- (h) Measures to ensure that plant, machinery and equipment is maintained to prevent noise levels from them increasing.
- (i) Use of vibration isolators.

Sound insulation and sound reduction assessment.

10. A Sound Insulation and Sound Reduction Assessment should provide information, as applicable, on proposed:

- (a) Assessment of the existing sound insulation of the building fabric.
 - (b) Operational building layout to prevent noise escape.
 - (c) Sound insulation measures to prevent airborne and structural transmission of noise and vibration to adjacent premises.
 - (d) Attenuation measures to minimise noise breakout, and to prevent noise disturbance to the surrounding area.
 - (e) Use of electronic sound limiters on amplification systems as alternative means of control.
 - (f) Other measures to reduce structural transmission of noise and vibration.
 - (g) Installation of acoustic doors and lobbies.
- (Note: BS 8233:1999 contains useful guidance on commercial design criteria).

Planned management measures for control of noise

11. This is a statement of management measures to be taken to prevent and control noise, covering matters such as:

- (a) hours of operation
- (b) location of entry and departure points
- (c) door control
- (d) control and prevention of queuing
- (e) control of amplified and unamplified music and voices
- (f) steps to be taken to achieve good behaviour outside and within the premises
- (g) communication with customers (signs, announcements and other means)
- (h) management of use of outdoor areas
- (i) steps to be taken to ensure customers leave quietly
- (j) advice to customers on departure routes
- (k) stewarded access to taxis and licensed mini-cabs
- (l) arrangements for dedicated taxi or licensed minicabs to collect patrons in a manner so as to minimise any disturbance
- (m) arrangements for staff and patron parking
- (n) limits set on hours for servicing and delivery
- (o) guidance to drivers to limit noise during deliveries

- (p) communications with suppliers and service providers
- (q) providing quiet means for storage and movement of waste and recycling materials.

Planned management measures for control of noise disturbance from an open air event or site.

12. This is a statement of management measures to be taken to prevent and control noise from open air events and sites, covering matters such as:

- (a) hours of operation
- (b) location of entry and departure points
- (c) item (c) is missing in original policy document*
- (d) control of queuing
- (e) management of amplified and unamplified music and voices
- (f) steps to be taken to achieve good behaviour outside and within the open air site
- (g) communication with patrons or members of the public (signs, announcements and other means)
- (h) management of use of covered and outdoor areas
- (i) steps to be taken to ensure customers leave quietly
- (j) advice to customers on departure routes
- (k) stewarded access to taxis and licensed mini-cabs
- (l) item (l) is missing in original document*
- (m) arrangements for staff and patron parking
- (n) limits set on hours for servicing, delivery and any other on site traffic movements
- (o) guidance to drivers to limit noise during deliveries
- (p) communications with suppliers and service providers
- (q) providing quiet means for storage and movement of waste and recycling materials.

Noise criteria

13. Licensed premises and activities will be required to meet the noise criteria in Policy PN1. Noise reports should show how these criteria will be met. Plant noise breakout and structural transmission

14. Applicants should demonstrate that the licensed activities from indoor premises, and open areas associated with them, can be carried out so that plant noise, airborne noise breakout, and noise and vibration transmitted through structures, will meet the criteria for indoor premises below.

15. Applicants should demonstrate that the licensed activities from open air premises can be carried out so that plant noise, airborne noise, and noise and vibration transmitted through structures will meet the criteria for open air premises at paragraph 19 below.

Indoor premises plant and equipment

Premises should be capable of being operated at all times of year without doors or windows being opened for ventilation. Air handling and air conditioning plant and systems must be designed and located so that noise emitted meets the criteria in Paragraph 17 below. The council will require the applicant to ensure maintenance of building plant and machinery so that the above standards will be met at all times.

Indoor premises plant & machinery and internal activities

17. The criteria relating to:

- (a) plant, machinery and associated equipment, internally or externally installed
- (b) ventilation
- (c) music and human voices, both amplified and unamplified and to
- (d) other internal activities are noise emitted will achieve the following standards in relation to the existing external noise levels at the nearest noise sensitive properties⁵, at the quietest time during which any of these activities occur:

At the nearest façade of the nearest noise sensitive property, the noise generated from the property to be licensed (the $L_{Aeq, 5 \text{ min}}$) should not exceed 10 dB below the minimum external background noise during the operating period. The background noise level should be expressed in terms of the lowest $L_{A90, 15 \text{ min}}$; and; where noise from the property to be licensed will contain tones or will be intermittent sufficient to attract attention:

At the nearest façade of the nearest noise sensitive property, the noise generated within each octave band level ($L_{Aeq, 5 \text{ min}}$) should not exceed 5 dB below the minimum external background noise level expressed in any of the individual octave band levels. The background noise level should be expressed as the lowest $L_{A90, 15 \text{ min}}$ for each of the octave bands during the operating period.

Indoor premises structural transmission of noise and vibration

⁵ Noise sensitive properties include: all residential property; schools; hospitals; hotels; hostels; concert halls; theatres; broadcasting and recording studios.

Applicants should ensure that as far as is reasonably practicable, licensable activities will be conducted and the facilities for licensed activities will be designed and operated, so as to prevent the transmission of audible noise or perceptible vibration through the fabric of the building or structure to adjoining properties. In the case of licensable activities involving the playing of music or the operation of kitchens, or the running of plant after 23.00 hours applicants may be required to demonstrate this.

Open air premises plant & machinery and other activities

19. The criteria relating to:

- (a) plant, machinery and associated equipment, internally or externally installed
- (c) music and human voices, both amplified and unamplified
- (d) other activities.

Criteria:

Account will be taken of:

- (i) the type/s of events planned
- (ii) the number of events that take place each year
- (iii) the numbers of participants and people attending each event
- (iv) the times of day and duration of events
- (v) the days/dates of the events
- (vi) conformity to The Noise Council's "Code of Practice on Environmental Noise Control at Concerts", guidelines and recommended noise control procedures
- (vii) conformity to standards set by the council in relation to the existing external noise levels at the nearest noise sensitive properties.

The council has previously set standards in agreement with event organizers for lower noise levels than in Code of Practice on Environmental Noise Control at Concerts: published by the Noise Council.

People arriving, departing and in the vicinity

20. Applicants should demonstrate that appropriate measures will be taken to limit noise from patrons and staff entering and leaving the premises, and vehicles arriving, departing and in the vicinity to prevent avoidable noise disturbance to noise sensitive properties. The kinds of measures that may be used include:

- (a) Installation of an acoustic lobby with inner and outer acoustic doors, designed to prevent both sets of doors being opened at the same time, together with management arrangements to ensure this.
- (b) Signs and verbal advice to patrons to encourage them to limit noise as they wait outside and as they leave the premises.
- (c) Guidance to patrons on routes to take as they depart, to cause least disturbance.
- (d) Guidance to staff on their responsibilities to minimise noise from patrons as they arrive at and depart from the premises.
- (e) Guidance to staff to minimise noise from any activities outside and in the vicinity of the premises.
- (f) Arrangements for the calling of taxis, minicabs, cars or limousines from within the premises and for the collection of patrons by arrangement.
- (g) Arrangements with dedicated taxi, minicab, car or limousine companies to collect patrons in an agreed manner so as to minimise disturbance.

Deliveries, collections and servicing

21. The criteria relating to deliveries, collections and servicing are that the applicant must demonstrate appropriate measures that will be taken to limit noise from these sources and that these will prevent avoidable noise disturbance to noise sensitive properties. Such measures may include:

- (a) Ensuring that deliveries, collections and operational servicing are carried out between 07.00 and 19.00 hours, except where access at other times is unavoidable and specific procedures are in place to limit disturbance.
 - (b) Guidance to drivers to switch off engine during deliveries, collections and servicing, and to minimise other noise caused by their activities.
-

PARK CHINOIS

An independent report into the proposed changes to the licensed premises at 33 Dover Street and 17 Berkeley Street.

Adrian Studd, Independent Licensing Consultant.

Adrian Studd, Independent Licensing Consultant.

Introduction.

I have been instructed in relation to the application by Park Chinois to vary the licence at 33 Dover Street and to apply for a new restaurant licence at 17 Berkeley Street to replace the existing bar licence and reduce the capacity.

In order to consider what impact, if any, this application will have on the promotion of the licensing objectives by these two premises I have conducted observations in the Berkeley Street and Dover Street area until the early hours to identify the issues that currently take place around the existing licensed premises.

I then conducted a visit, posing as a customer, to a premises that operates in a similar manner to that proposed for Berkeley Street to observe the operation of that premises and the impact on the area. Hakkasan in Bruton Street has been identified as a premises similar to Park Chinois and was also established by Alan Yau.

These observations will enable me, using my experience as a former senior police officer with responsibility for licensing, to contrast the style of operation proposed (as evidenced at Hakkasan) with the operation of the current premises in Berkeley Street and Dover Street, highlighting the differences and impact on the licensing objectives.

Personal summary – Adrian Studd.

I retired from the police service on 2nd November 2012 having completed 31 years exemplary service with the Metropolitan Police in London. Between January 2012 and my retirement I was employed as the Chief Inspector in charge of licensing for the London Olympic Games 2012. In this role I headed up a team of officers with responsibility for supervision of licensing compliance at all the Olympic venues, including the Olympic park. In addition I was responsible for ensuring that any associated events were properly licensed, sufficiently staffed and operated in accordance with the licensing legislation and best practice in order to ensure the safe and effective delivery of the Olympic Games.

In addition to leading my team I visited and worked with both the Olympic park management

and many other venues, reviewing their policies and procedures and ensuring that the Games were delivered safely and securely. The success of this operation not only protected the reputation of the MPS but provided positive benefits for the profile of the MPS and the United Kingdom. I have been awarded an Assistant Commissioners Commendation for this work. Prior to this role, between Jan 2002 and January 2012, I was employed first as an Inspector and then as a Chief Inspector on the MPS Clubs and Vice Unit (Now SCD9 Serious and Organised crime command). My responsibilities over this period focussed on licensing and included day to day supervision of the licensing team that had a London wide remit to support the Boroughs with licensing activity.

Providing both Overt and Covert support for policing problem licensed premises across London. My team worked with premises when licensing issues were identified in order to address these problems through the use of action plans in order to raise their standards. Where this failed I would support the Boroughs with evidence for use at review hearings if required. I devised and implemented the MPS strategy 'Safe and Sound' which seeks to improve the safety of customers at licensed premises by reducing violent and other crime, in particular gun crime and the most serious violence. I also developed the Promoters Forum and risk assessment process, together these initiatives contributed to an overall reduction in violence in London of 5% and of the most serious violence and gun crime at licensed premises by 20% whilst I was there.

From 2004 until 2008 my role included representing the MPS and ACPO licensing lead both in London and Nationally. In this role I developed key partnerships with industry, NGOs and Government departments in order to improve the standards at licensed premises. I sat on the BII working party and helped develop the national training for Door Supervisors and worked with the SIA to successfully introduce the new regime within London. I sat on a number of Government working parties and worked closely with the alcohol harm reduction team to identify best practice and ensure this was used, both within London and nationally, by police and local authorities.

I have been involved with Best Bar None for a number of years and have successfully helped a number of boroughs implement the initiative. I am a trained Purple Flag and Best Bar none assessor and until my retirement sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. For the last five years I have been in charge of licensing for the Notting Hill Carnival, the largest street carnival in Europe. During this time I have contributed to a reduction in violence overall at the Carnival and delivered increased seizures of illegal alcohol, reduction of unlicensed alcohol sales and a reduction in alcohol related violence. In addition to

the above I have attended a large number of internal MPS training and qualification courses, I am trained in conducting health and safety risk assessments and hold the National Certificate for Licensing Practitioners, issued by the British Institute of Inn keeping (BII).

Following my retirement I set up a consultancy service to provide independent analysis, reporting and advice for premises requiring a local authority licence. Since then I have provided evidence gathering services and advice and support to a broad range of licensed premises on a variety of issues, including crime and disorder, street drinking, rough sleepers, age related products, betting and gaming. This work has involved premises that benefit from licences for activities such as alcohol on and off licences, betting premises licences and late night refreshment. I have provided expert witness evidence at both local authority and appeal court hearings.

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Observations.

- 1) I conducted observations in the area of Dover Street and Berkeley Street on the night of Friday 5th September 2014 from 22.00 to 03.00. The night was warm and dry and the area was very busy with pedestrian and vehicle traffic.
- 2) I also observed Hakkasan restaurant in Bruton Street and The Wolseley in Piccadilly as both these premises operate as high end restaurants in a similar way to how Park Chinois will operate. Hakkasan was also established by Mr Alan Yau.
- 3) I visited Hakkasan in Bruton Street on Friday 12th September 2014 posing as a customer in order to witness the running of the premises and the management and observe any impact that it has on the area and the licensing objectives.

Berkeley Street and Dover Street.

- 4) I am familiar with the Dover Street and Berkeley Street area and the licensed premises there both as a Police Inspector and Chief Inspector in the Clubs and Vice unit and through work I have done since leaving the police service and working as an independent licensing consultant.
- 5) Both streets have a mix of licensed premises that include a pub, casino, restaurants, bars and nights clubs. Some of the restaurants, such as Novikov, stop serving food hours prior to closing and are then essentially operated as a night club with dance music and DJ's.
- 6) The premises that operate as restaurants, e.g. Hakkasan, the Wolesely and Aubaine were busy during my visit, however they are well managed and clearly food led. The customers behaved in a manner that showed consideration to residents and others using the area. I did not see any examples of these premises causing crime and disorder or nuisance.
- 7) I found that both Dover Street and Berkeley Street were very busy with pedestrian and vehicle traffic up until about 1am. After this time Berkeley Street in particular remained very busy until I left the area at about 3am. Dover Street had become quieter by then with isolated pockets of pedestrians and fewer vehicles on the road.
- 8) The number of premises that operate as drink led nightclubs, the style of operation of those premises and the instances of poor management are the direct cause of the noise, nuisance and disorder that I observed in the area. In particular the following premises have a significant, negative impact on the area due to the contrast of style compared to a restaurant:-
 - a. Funky Buddha, 15 Berkeley Street – Nightclub Premises licensed until 3:30am Monday to Saturday, Sunday until 23:00
 - b. Babble, 59 Berkeley Street – Bar/Club licensed until 3am Monday to Saturday and 00:30 Sundays
 - c. Novikov, 50a Berkeley Street Restaurant and Nightclub licensed until 2am Monday to Sunday
 - d. Palm Beach Casino – Casino licensed until 7am Monday to Sunday
 - e. Mahiki, 1 Dover Street – Nightclub licensed until 3:30am Monday to Saturday and

Sunday until 00:30

Crime and nuisance reduction initiatives.

- 9) There is currently an initiative in place to reduce crime and disorder in the area by providing additional support to police. This is organised by Mr Darren Carter who is security manager at the Mayfair hotel and is working closely with Sergeant Mark Naylor from the neighbourhood team.
- 10) The initiative in its current form provides two high visibility 'enforcement officers' in the vicinity of the Mayfair hotel to provide a high visibility presence and be the eyes and ears of the police to disrupt the nuisance that exists in the form of touts and beggars. These officers are trained and equipped with body worn video cameras that can be turned on to record incidents they witness.
- 11) Although it is early days of the scheme Sgt Naylor has informed Mr Carter that, from April to August 2014, it has produced an impressive 70% reduction in crime and disorder in the vicinity of the Mayfair hotel where they currently operate. It is proposed to expand the scheme to cover the whole of the Berkeley Street and Dover Street area.
- 12) It is proposed, , with the support of other local businesses and residents, that the new team would employ officers 24/7, benefit from enhanced training and vetting and, working in partnership with the Westminster Borough Commander and local authority, have access to the 'Safer West End' and police radio links.
- 13) This is an impressive scheme, unique in Westminster, bringing together local business, local residents and local police in a real partnership, tackling the local problems that affect their lives in a positive and pro-active manner to really make a difference to the environment in which they live and work.
- 14) Park Chinois management are involved with the scheme. They have met with Mr Carter to discuss how they can assist with development of the initiative and have confirmed their intention to contribute financially and actively take part in the scheme and assist in its development and expansion for the benefit of the whole area.

Hakkasan and The Wolseley.

- 15) During the course of the evening I kept casual observation on Hakkasan and The Wolseley. Both these premises, and in particular Hakkasan, operate in a similar manner to that proposed for Park Chinois.
- 16) Hakkasan is located in Bruton Street just off Berkeley Square. The contrast to premises such as Funky Buddha, Mahiki or Novikov is clear. Hakkasan has a discrete entrance that would be easily missed if you didn't know it was there. Outside there were two smartly dressed door supervisors but I did not see any queuing or facility for queuing during the night.
- 17) Customers arrived, were greeted and admitted straight away into the premises. On leaving I saw, on a number of occasions, a black cab or private vehicle draw up, the door to the premises then opened and the customers were accompanied to the vehicle by one of the door supervisors before the vehicle drove off.
- 18) I did not see more than one or two people at a time outside smoking and those that were there tended to be older than at the other premises and speaking and behaving in a much more restrained manner. On a number of occasions when I walked past there was no one smoking and the only indication that there was a licensed premises there was due to the presence of door supervisors employed there. I did not see any touts in the vicinity.
- 19) The Wolseley is located on the opposite side of Piccadilly but close to the junction of Dover Street. Again the entrance is discreet and there were no door supervisors present outside. Customers were greeted on entering the premises and there was no queuing, or facility for queuing, outside.
- 20) On one occasion I saw two customers smoking outside but this was the only occasion that anyone was outside the premises, other than customers entering or leaving who made their way quickly from the premises. There were no touts around the premises at any time.
- 21) On Friday 12th September 2014 I visited Hakkasan in Bruton Street as a customer to observe the operation and clientele. I arrived at about 21.30 and there were two smartly dressed door supervisors outside the premises, there were also two people smoking close to the entrance, they appeared to be customers of the premises. They were talking together in quiet tones that were not audible above ambient noise.
- 22) We were admitted immediately into the restaurant and lead to the reception. There was no

one queuing outside the premises and no barriers or other indication that there would be any queuing.

- 23) We were encouraged to leave jackets at the cloakroom prior to being lead down to the basement holding bar. The restaurant was very busy on both floors and appeared to be full. There were only two other customers seated at the holding bar who were having a pre-dinner drink whilst also waiting for their table.
- 24) There was lounge style music playing throughout the premises which was at a volume that allowed normal conversation to continue. The customers were a mixture of males and females, a broad age range and ethnic mix. Some were in couples and many in small groups of 4-6.
- 25) While in the premises I did not see any evidence of drunkenness or loud or boisterous behaviour. The atmosphere was relaxed and there was a high ratio of staff to customers ensuring an attentive service. I did not see anyone in the premises who was just drinking and not dining.
- 26) I left the premises at about 00.10, at this time there were tables unoccupied but the premises was still busy. I could not see anyone at the bar drinking at this time.
- 27) Outside the premises the vicinity was quiet with just a few pedestrians, the road was busy with through traffic. I did not see any touts in the vicinity or evidence of drunkenness or loud, boisterous behaviour.

Conclusions.

- 28) The contrast between the drink led premises in Dover Street and Berkeley Street and the genuine restaurants is clear. The restaurant premises operate in a very different style and cater to a different clientele to that of the drink led premises.
- 29) The causes of the nuisance, crime and disorder in and around nightclub premises are well documented and include;
- Concentration of drink led premises in a small area,
 - Queuing outside premises by large numbers of people encouraged, with queues often containing customers who have been pre-loading alcohol due to high prices inside the premises,

- Customers allowed to consume large quantities of alcohol without food,
- Vertical drinking with limited seating and loud, high intensity music,
- Poor management of queues and smoking area by permitting nuisance, drunkenness and, on occasion, drinking in smoking area.
- Smokers mixing with queuing customers.
- Drunken customers leaving the premises through the early hours and remaining in the vicinity causing noise and nuisance,
- Valets constantly driving around area while attempting to park customers vehicles on the street,
- Touting of customers leaving a premises,

30) In contrast, at restaurant premises such as Hakkasan, Wolseley and Aubaine not only is queuing not encouraged but all possible steps are taken to ensure it does not take place as customers who have booked a table and arrive with friends for a meal are not willing to queue to get into the restaurant.

31) Restaurants do not rely on selling high volumes of alcohol to maintain the business, this makes a significant difference as it ensures that behaviour in and around the premises is moderate rather than drunken, loud and boisterous.

32) As highlighted in the Westminster statement of licensing policy at para 2.4.8 customers who have been seated and not overcrowded behave differently to those who have been in high energy, drink led premises with limited seating. They are less likely to talk loudly and leave more quietly.

33) While nightclubs attract a younger clientele the customer base at a restaurant tends to be older and more responsible, enjoying the food offering but also a high level of service. This includes managing their arrival and departure without queuing or being accosted by touts and does not include drinking to excess.

34) The nightclub premises currently in the vicinity generate nuisance by using valets to park customers vehicles on the street and by not taking a pro-active approach to minimising the opportunity for touts to operate in the vicinity.

RECOMMENDATIONS

35) I recommend Park Chinois puts in place an agreement with the local NCP or other off street

private car park to valet park vehicles in the car park, this will prevent the nuisance of valets driving around looking for parking places on the street.

- 36) They should also have a taxi service available for customers and allow customers to wait inside. A policy should also be developed to find the best way to manage customers who wish to use the cab rank immediately outside the premises. I recommend customers be escorted to their vehicles by staff/door supervisors to prevent touting. These measures support the licensing objectives of reducing crime and disorder and preventing public nuisance.
- 37) A study of crime reports in Westminster from April 2009 to March 2010 identified that for every 10 restaurants there were just 3 violent crimes reported in the year, this compares to 37 violent crimes for every 10 nightclub premises (WCC statement of licensing policy 2011. Para 2.5.8).
- 38) The changes proposed to the existing licence at 33 Dover Street and the proposed new licence for 17 Berkeley Street with amended restaurant conditions, will significantly change the nature of the premises from the existing drink led operation to a genuinely food led, high quality premises.
- 39) The financial support that will be given to enhance the current 'Enforcement Officer' scheme will bring substantial benefit to the area in the form of a high visibility presence of trained officers on the street through the night tackling the existing issues caused by the drink led premises.

Conditions

- 40) The following points should be translated into conditions to ensure that the premises operate as a restaurant,
- A full restaurant condition that the sale of alcohol shall be ancillary to food,
 - No queuing to be permitted outside the premises and the front doors to be kept closed except when admitting customers,
 - Valet parking to park vehicles in a car park and not the street,
 - Use of an SIA registered door supervisor from 8pm until 30 minutes after closing,

- Customers using the taxi rank outside the premises to be encouraged to wait in the premises until a taxi is available,

41) I consider that the proposed new premises with the conditions proposed as well as the additional conditions I recommend will have a positive impact on the area, will improve the mix of premises in Dover Street and Berkeley Street and will support the licensing objectives by reducing crime and disorder and public nuisance.

I understand that my duty is to the licensing committee and any court and this report has been prepared in compliance with that duty. All matters relevant to the issues on which my expert evidence is given have been included in this report. I believe the facts I state in this report are honest and true and that the opinions I have expressed are correct to the best of my judgement. The fee for this report is not conditional on the outcome of the case in anyway whatsoever.

Adrian Studd,
Independent Licensing Consultant,
15/09/2014.

Statement of Community Engagement

Park Chinois, 17 Berkeley Street

30 September 2014

Licensing Application: 14/05048/LIPN

Executive Summary

- Park Chinois has undertaken an extensive and ongoing programme of community engagement between July and October.
- The engagement included meetings with community stakeholders, local businesses and residents, informal meetings with the local community and two residents' drop-in sessions in the nearby Brown's Hotel. One-to-one meetings were arranged with those who were not able to attend the drop-in sessions and documents were made available. An email address and phone number was available for stakeholders to use to get more information.
- As a direct result from community engagement Park Chinois has updated its licensing conditions and operational management plans to suit the needs of all parties, including reducing its hours of operation from 3am to 1.30am.
- Park Chinois will be working with other businesses to introduce a Community Safety Accreditation Scheme. Park Chinois will also establish a Berkeley Street Residents and Businesses Monitoring Group. These schemes will improve the local area and put in place a best practice policy in place.
- A number of objectors withdrew their objections after being involved in the engagement process.

Introduction

Park Chinois has submitted a licensing application for a fine dining Chinese restaurant, Park Chinois, at 17 Berkeley Street, Mayfair. 17 Berkeley Street currently holds a licence for the sale of alcohol and other licensable activities until midnight, Monday to Sunday. The current premises licence has a capacity of 473 people as a bar, allowing the sale of alcohol not ancillary to food. This application is for a full restaurant licence, which means alcohol can only be sold with food.

Park Chinois has undertaken a programme of engagement with local stakeholders, interest groups, residents and local businesses in Mayfair, engaging with objectors and understanding their concerns.

Overview of Engagement Methodology

The overall strategic aims for community engagement were to:

- Ensure as many local people as possible were engaged and understood the proposals fully
- Engage with objectors to address concerns and work cohesively with the local community.

The programme of engagement began after Park Chinois submitted its licensing application to Westminster City Council.

The audiences identified to engage were:

- Local residents on Berkeley Street, Dover Street and Hay Hill
- Local businesses on Berkeley Street
- Objectors and supporters of the licensing application
- Westminster ward councillors and officers
- Community organisations, such as The Residents Society of Mayfair and St James and the Mayfair and St James Association.

The approach was to meet as many people as possible, to give them maximum opportunity to engage and understand the proposals that had been submitted.

Handshake Letter and Residents' Drop-In Invitation

Handshake letters (Appendix 1) were sent out to political and community stakeholders, all objectors and supporters of the application and 115 residents on Berkeley Street, Dover Street and Hay Hill. The letter introduced Park Chinois and founder Alan Yau, explaining the vision and proposal for Park Chinois. Letters and email were sent to:

- Westminster Councillors for West End ward
- The Residents Society of Mayfair and St James
- The Mayfair and St James Association
- Mayfair Residents' Group
- Westminster Police Licensing Unit
- Objectors and supporters of the licensing application
- Residents of Berkeley Street, Dover Street and Hay Hill.

The letter also invited stakeholders to a residents' drop-in session on Thursday 31 July at Brown's Hotel on Albemarle Street between 4pm and 8pm. 115 letters were hand delivered on 25 July, to give an appropriate lead-in time before the event.

Residents' Drop-In Session – 31 July

The first residents' drop-in session was held on the 31 July between 4pm and 8pm. The opening times were designed to give stakeholders the maximum opportunity to attend.

The team from Park Chinois and Comm Comm UK were on hand to walk stakeholders through the plans and answer any questions or concerns they had. Refreshments were provided.

The following team members were present at the event:

- Alan Yau – Founder, Park Chinois
- Linda Yau – Commercial Director, Park Chinois
- Dario Kadiev – Corporate Development Director, Park Chinois
- Heiko Meyer – Architect, Park Chinois
- Moses Kisubika – Art Director, Park Chinois
- Andrew Wong – Lawyer, Jeffery Green Russell Limited
- Jessica Stewart – Community engagement, Comm Comm UK
- Catherine Street – Community engagement, Comm Comm UK.

On display were 12 boards (Appendix 2) giving information about the scheme and plans. The boards displayed information about founder, Alan Yau, introduced Park Chinois and presented plans, images and the emerging scheme. Samples of fabrics and materials were on display for stakeholders to view as well as books detailing work of the interior designer, Jacques Garcia, and art that inspired and influenced the creation of Park Chinois. Visitors were asked to sign-in and leave comments in a visitors' book (Appendix 3). Attendees were able to register for updates and contact cards were available to take away.

The residents' drop-in session was attended by 15 local residents and stakeholders.

Residents' Drop-In Invitation – 24 September

Residents were invited to a second residents' drop-in session on 24 September at the Brown's Hotel on Albemarle Street between 5pm and 8pm. 115 letters (Appendix 4) were hand delivered on 15 September to residents of Berkeley Street, Dover Street and Hay Hill and to interested parties, including amenity societies, ward councillors and objectors.

The team from Park Chinois and Comm Comm UK were on hand to show residents and neighbours how Park Chinois had updated the licensing conditions and operational management plans as a direct result of community engagement, meetings with residents, undertaking surveys and reviewing community feedback.

The following team were present at the event:

- Alan Yau – Founder, Park Chinois
- Linda Yau – Commercial Director, Park Chinois
- Dario Kadiev – Corporate Development Director, Park Chinois
- Heiko Meyer – Architect, Park Chinois
- Andrew Wong – Lawyer, Jeffery Green Russell Limited
- Jessica Stewart – Community engagement, Comm Comm UK
- Catherine Street – Community engagement, Comm Comm UK.

On display were 12 boards (Appendix 2) giving information about the scheme and plans. The boards displayed information about founder, Alan Yau, introduced Park Chinois and presented plans, images and emerging scheme for those who may not have been able to attend the previous event. An updated board (Appendix 5) was added to inform residents of the updated licensing conditions and operational management plans. Summaries and copies of the detailed amended conditions were available for residents to take away with them.

The residents' drop-in session was attended by six attendees. A copy of the visitors book can be found in Appendix 6.

Update Letters

Licensing and planning update letters (Appendix 7) were hand delivered on 17 September to 115 residents on Berkeley Street, Dover Street and Hay Hill, as well as to all objectors, supporters and other interested parties. The letter updated neighbours on the planning application that had been submitted for the plant and acoustic screening.

Meetings

A number of meetings were held with interested parties, including residents that could not attend the residents' drop-in sessions, community associations and ward councillors. Separate meetings were also arranged following the residents' drop-in session for those who had more queries and issues to discuss with the team.

Presentation materials of the exhibition boards were prepared for meetings. Copies can be found in Appendix 2.

List of Formal Meetings and Events

Date	Meeting/Event	Attendees
25 July 2014	Meeting with West End ward Councillors	Councillor Jonathan Glanz, Councillor Paul Church
30 July 2014	Meeting with local resident	Frank Sawkins
31 July 2014	First Residents' Drop-In Session	15 attendees
5 August 2014	Meeting with Mayfair Hotel	Mayfair Hotel Management
14 August 2014	Meeting with local resident	Julia Scholar
18 August 2014	Meeting with Residents Society of Mayfair and St James	Anthony Lorenz and Ronald Cottee
19 August 2014	Meeting with local resident	Jaleh Zand
5 September 2014	Meeting with Mayfair Hotel Security	Darren Carter
17 September 2014	Meeting with local resident	Jaleh Zand, Richard Brown, Pami Pall
19 September 2014	Meeting with local resident	Caroline Stanley
19 September 2014	Meeting with local resident	Debora Bertoni
22 September 2014	Meeting with local resident and her architect	Debora Bertoni and architect
25 September 2014	Second Residents' Drop-In Session	6 attendees

Overview from Meetings

Topic	Points Discussed
Noise externally	Managing guests and deliveries to ensure that residents are not disturbed. This will be achieved through the management of customer ingress and egress by staff and the Servicing Management Plan. The CSAS scheme and any feedback from the regular monitoring group meetings will help to resolve noise issues. There will be door staff from 9pm to ensure guests arrive and leave quietly.
Noise internally and acoustics	No disturbance for nearby residents will come from the activities within Park Chinois. The design of the building has been carefully

	planned to ensure no noise leakage. Full acoustic surveys have been undertaken to ensure residents are not disturbed by noise or vibrations from Park Chinois' operations.
Licensing	Local residents are concerned that the proposed hours may result in further disturbance. The building currently has a bar licence until midnight but the new licence will be for a full restaurant licence and as such guests will not be able to buy alcohol without having food. The proposed hours have also been cut back, from 3am to 1.30am.
Holding bars	Holding bars will be used to hold guests before and after their meals. Guests will wait in these areas until their table is ready or their car is at the front/a taxi had arrived to reduce noise and anti-social behaviour on the street.
Residents parking bays	Residents currently have problems with visitors to licensed premises parking in residents bays. A valet parking scheme has been established to ensure Park Chinois guests will not need to use residents bays.

Overview and Community Engagement Feedback

The first residents' drop-in session held at the end of July had a good turn-out with a mixture of residents and local residents' associations attending to view the proposals and raise any concerns they had.

Residents focussed on issues that are already present on Berkeley Street, including, but not limited to anti-social behaviour, parking, noise and traffic. They were concerned that Park Chinois, another late licence, would impact further on Berkeley Street and make existing problems worse. The team talked the residents through the licensing application and indicated that it is for a full restaurant licence, meaning guests will not be able to buy alcohol without having a meal in the restaurant.

After the initial session, Park Chinois set up a number of meetings with stakeholders, some of whom were unable to attend the residents' drop-in session and others who wanted more information and discussion with the team. Emails were also sent to all those who had got in touch to arrange a call or a meeting. Not everyone who had initially asked for a meeting got back in touch.

As a direct result of working with the local community and stakeholders, Park Chinois was able to come back to the residents with revised conditions and updated operational Park Chinois plans to ensure that the needs of all parties were considered. At the second residents' drop-in session held in September the updates were presented to the local community. Only six residents attended the second drop-in session. This low attendance could be interpreted as the local community feeling more positive about the scheme. Unlike the first residents' drop-in session residents were positive about the updated application.

There was support for the street policing scheme that Park Chinois has committed to fund. CSAS (Community Safety Accreditation Scheme) will work with other businesses along Berkeley Street to pay for 24-hour patrols with additional policing powers granted by the Borough Commander. Residents were interested in implementing this due to its success in Victoria BID district and its ability to improve the local area. It is also keen to help establish and support the Berkeley Street Residents and Business Monitoring Group. This group would meet quarterly and create an open and honest dialogue between residents and businesses. A local ward councillor also attended the residents' drop-in session and was supportive of the idea and willing to possibly Chair the group.

Attendees were pleased to see that Park Chinois had listened to their concerns and reduced the hours of operation from 3am to 1.30am. There was also support for the valet car parking service that would help to ensure that guests' cars would not be parked in residents' bays and on-street. The taxi scheme was also well received as attendees appreciated that this meant the dispersal of guests could be well managed. Residents left the meeting positive about the application.

Conclusion

Park Chinois undertook an extensive engagement process after submitting its licensing application for Park Chinois.

The feedback received was reviewed and used to amend conditions in the proposals in order to meet the needs of local residents. Areas of concern were answered and addressed directly during the engagement process. Park Chinois has now committed to help fund CSAS a new street policing scheme, and a Berkeley Street Residents and Business Monitoring Group to help establish a best practice policy for businesses and ultimately improve the local area.

Working closely with stakeholders throughout the process of engagement has shown that Park Chinois is willing to work with the local community cohesively to improve the local area and reduce crime. A number of objectors withdrew their objections after meeting Park Chinois to discuss their concerns, including James Flennigan and Cedric Marceu.

ENDS

Appendices

Appendix 1 – Handshake Letter and Residents’ Drop-In Invitation

25th July 2014



Dear Neighbour

Park Chinois, 17 Berkeley Street

I am writing to introduce myself and my company behind the new fine dining restaurant development at 17 Berkeley Street and to invite you to meet in person.

We are holding a residents' drop-in session on Thursday 31 July at Brown's Hotel on Albemarle Street, between 4pm and 8pm. The purpose is to present our vision for Park Chinois and hear the local community's views about our proposals for this new fine dining restaurant. There will be an opportunity to view detailed plans and designs and meet me and the team.

Park Chinois is a Chinese fine dining concept I have been developing for a long time. It is my vision of the ultimate restaurant - focussed on exceptional quality of food and underpinned by traditional service values of the highest standards.

The restaurant will deliver eclectic dishes from across the regions of China served in a dining room setting that is classic in design. It will be open for lunch, afternoon tea and dinner. Diners will enjoy live music and vocal performances in a relaxed and tranquil environment and this will range from live piano and string quartets during the afternoon and earlier parts of the evening to jazz and swing at volumes that will allow our guests to talk easily and enjoy the experience. The ambition is to create a venue befitting of Mayfair.

I would be delighted to have an opportunity to meet you and discuss Park Chinois in more detail. I hope you will be able to join me next Thursday.

If you are unable to attend, we would gladly arrange a separate meeting at your convenience. Please do contact my colleague Jessica Stewart on jessicas@commcommuk.com or on 020 7125 0421 to arrange a meeting or for more information.

Yours faithfully

Alan Yau OBE

Appendix 3 – Visitors Book 31 July

Name	Address	Comments
/poo	17 Berkeley St.	Good Lunch!
	33 Deane St. 7495-7113	
	18 Berkeley St.	
	30 Berkeley St. Hay Hill	
	10 Berkeley St	GREAT LOGS + BENEFIT TO THE STREET.
	19 Beacon Hill	
	17 Berkeley St.	
	17 Berkeley St.	

Appendix 4 – Residents' Drop-In Invitation 15 September

15 September 2014

Dear Neighbour

Park Chinois, Updated Licensing Proposals for 17 Berkeley Street

I would like to invite you to our second residents' drop-in session on Wednesday 24 September at Brown's Hotel on Albemarle Street, between 5pm and 8pm.

At the residents' drop-in session in July we presented our vision for Park Chinois, a new fine dining Chinese restaurant. Since the event we have been continuing to meet our neighbours to discuss our application and hear the local community's views.

We have listened to your feedback and would now like to invite you to discuss our updated proposals and management plans.

For those who were not able to make the first residents' drop-in session, Park Chinois is a Chinese fine dining concept I have been developing for a long time. It is my vision of the ultimate restaurant – focussed on exceptional quality of food and underpinned by traditional service values of the highest standards.

The restaurant will deliver eclectic dishes from across the regions of China served in a dining room setting that is classic in design. It will be open for lunch, afternoon tea and dinner. Diners will enjoy live music and vocal performances in a relaxed and tranquil environment and this will range from live piano and string quartets during the afternoon and earlier parts of the evening to jazz at volumes that will allow our guests to talk easily and enjoy the experience. The ambition is to create a venue befitting of Mayfair.

I would be delighted to have an opportunity to meet you again to show you how we have worked with the local community to update our proposals.

If you are unable to attend, we would gladly arrange a separate meeting at your convenience. Please do contact my colleague Jessica Stewart on jessicas@commcommuk.com or on 020 7125 0421 to arrange a meeting or for more information.

Yours faithfully

Alan Yau OBE

Appendix 5 – Updated Licensing Conditions Board

YOU SPOKE, WE LISTENED



Since our last residents' drop-in session on 31 July, we have been meeting our neighbours, undertaking surveys and reviewing our licensing application in light of what we have learnt. As a direct result we have updated our application and operational management plans. We have set these out below for further community feedback.

HOURS OF OPERATION

We have reduced our hours of operation from
3.00am to 1.30am.*

PROPOSED NEW LICENSING CONDITIONS

- **Full Restaurant Licence**
A full restaurant licence replaces the current bar licence, meaning all guests must eat when visiting Park Chinois.
- **Valet Parking**
We will have a dedicated valet parking service to ensure no cars will be parked on street.
- **Taxi scheme**
There is a large taxi rank in front of the restaurant. We will use both black cabs and private taxis. We will ensure taxis arrive prior to guests leaving the restaurant.
- **Door Staff**
In place from 8pm until 1am actively managing dispersal and smokers. This will include arranging taxis, valet parking and asking guests to leave quietly as well as reminding smokers to be considerate.
- **After 9pm** all doors and windows will be closed preventing any noise leakage.
- **No entry after 1am**
- **No queuing**
- **Only 10 smokers outside at any time**
- **The premises will not operate as a disco or nightclub**
- **No deliveries and collections between 11pm and 7.30am** (as per Council policy)
- **Paid for Policing through C&AS (Community Safety Accreditation Scheme)**
We will work with other businesses along Berkeley Street to pay for 24/7 periods with additional policing powers granted by the Borough Commander.
- **Establish Berkeley Street Residents and Businesses Monitoring Group**
Working with the local Councilors, we will establish a new group that meets quarterly to improve the local area and put in place a Best Practice Policy/Code of Conduct.

* All licensable activities to end at 1.30am with the usual 30-minute winding up period

Appendix 7 – Planning and Licensing Update Letter

17th September 2014



Dear Neighbour

Park Chinois, 17 Berkeley Street – Licensing and Planning Update

Following the residents' drop-in session we held at the end of July, we are reviewing the feedback received and continuing to meet any of our neighbours that have queries or concerns.

Since this meeting, we have submitted an updated planning application for plant and acoustic screening on the roof of 17 Berkeley Street and 33 Dover Street that is needed for the restaurant to operate. The plant includes kitchen extract equipment and we are proposing flues within the existing lightwell. The plant we are installing is of the highest quality and has odour extractors built in to ensure residents are not affected. The acoustic screening proposed will also ensure residents are not disturbed by noise.

For those who were not able to make the meeting, Park Chinois is a Chinese fine dining concept I have been developing for a long time. It is my vision of the ultimate restaurant - focussed on exceptional quality of food and underpinned by traditional service values of the highest standards.

The restaurant will deliver eclectic dishes from across the regions of China served in a dining room setting that is classic in design. It will be open for lunch, afternoon tea and dinner. Diners will enjoy live music and vocal performances in a relaxed and tranquil environment and this will range from live piano and string quartets during the afternoon and earlier parts of the evening to jazz and swing at volumes that will allow our guests to talk easily and enjoy the experience. The ambition is to create a venue befitting of Mayfair.

If you have any questions, please do contact my colleague Jessica Stewart on jessicas@commcommuk.com or on 020 7125 0421 to arrange a meeting or for more information.

Yours faithfully

Alan Yau, OBE

“PARK CHINOIS”

Witness Statement of Mr Alan Yau OBE

1. My full name is Alan Tak Wai Yau. I am a restaurateur and the founder of the proposed Park Chinois Restaurant at 17 Berkeley Street. I make this statement to assist Members of the licensing sub-committee considering my application for a Premises Licence at the forthcoming hearing.

Personal and professional background

2. I was born in Hong Kong in 1962 and moved to the United Kingdom with my family in 1975. I am a British citizen.
3. Over the last twenty years I have established and operated a number of restaurant operations in central London ranging from casual dining and artisan bakeries to fine dining Michelin starred restaurants.
4. I established Wagamama, a Japanese noodle bar, in 1992 in Bloomsbury, London. It opened to acclaimed success and a second unit opened in Soho. After acquiring a third site, the business was sold to a private equity investor in 1997 and continues to thrive.
5. In 1999 I developed my next concept “Busaba Eathai” a Thai casual dining restaurant in Soho. Currently, Busaba Eathai has 11 units in London with international expansion plans. I retain a commercial interest in the expanding business.
6. During 2001 I created “Hakkasan”, a fine dining Chinese restaurant which was awarded a Michelin-star within 12 months of opening. Hakkasan is now an established international brand with operations in Asia, North America and the Middle East. In 2008 the “Restaurant” magazine voted Hakkasan among the top 20 restaurants in the World.

7. Following Hakkasan, in 2004 I launched “Yauatcha” in Broadwick Street, Soho. Yauatcha is an all-day dining dim-sum restaurant and patisserie. Soon after opening it was also awarded a Michelin star. Today Yauatcha has established itself internationally with a particularly strong footprint in Asia. The original Soho branch remains the flagship site.
8. In 2006 I was made an Officer of the Order of the British Empire (OBE) in the New Year’s Honours List for services to the restaurant industry.
9. In 2007 I established “Sake No Hana” in St James’ Street, Mayfair which offers modern authentic Japanese fine dining and introducing Japanese traditions.
10. The Cha Cha Moon brand was created by me in 2008 as a Chinese noodle bar.
11. In 2008 I partnered with Italian artisan baker Rocco Princi to bring his successful Milanese bakery Princi to Soho, London. The premises was granted a new licence within the West End Stress Area in 2008 despite several objections.
12. In 2009 I opened my first operation in Hong Kong – St Betty’s – an all day dining brasserie in conjunction with two Michelin-starred chef Shane Osborne (formerly of Pied a Terre).
13. I have also led the development of multiple restaurant projects as a consultant. Clients include Swire Hotel Group (Opposite Hotel, Beijing), Giraudi Restaurant Group (Sonqui, Monaco), Rosinter (Planeta Sushi, Moscow) and others.
14. My current project is Park Chinois. It is my largest project to date and the one I am most excited about.

Park Chinois

15. If this licence application is granted, Park Chinois will be a new fine dining venue in Mayfair. It is the distillation of many years of research and

development. It represents the culmination of my pursuit of the ultimate Chinese fine dining restaurant.

16. It is my vision to create the next generation Chinese restaurant – focussed on exceptional food quality and underpinned by classic French fine-dining service culture in an ambience inspired by the spirit of 1920's Shanghai.
17. The restaurant will deliver eclectic dishes from across the regions of China served in a classic Chinoiserie style dining room.
18. The restaurant will trade throughout the day, including lunch, mid-afternoon and dinner.
19. The offering will be based on dim-sum lunch, traditional afternoon tea sets and a la carte dinner.
20. The dining experience will be complemented by a music program which will range from live piano to string quartets and jazz ensembles. The concept is aimed at mature patrons seeking a civilised dining experience. The live musicians will help to create the dining experience I am striving for within my restaurant.
21. I hope, over time, to establish Park Chinois as a restaurant that complements and enhances London's growing international reputation for fine dining. I believe Park Chinois will quickly become an institution that ornaments Mayfair and one of which Westminster can be rightly proud.

The opening hours

22. The hours we seek will enable us to offer a relaxed and lengthy dining experience without a set two hour return time as is too common in many other fine dining restaurants in London. I would like to bring back the romance of a dining experience and to encourage customers, once again, to dress up for the occasion of eating in elegant surroundings.

23. We expect the natural dining time to be about three to four hours resulting in an average spend per head of between £80 - £100. The absence of a return time is a mark of respect to our guests who should not have to be rushed towards their departure.
24. My team have extensive experience of operating and running late night licensed premises within the Boroughs of Westminster and Camden. The terminal hours of some of my other ventures include :
- Yauatcha, Broadwick Street, Westminster Stress Area - 1am
 - Hakkasan. Bruton Street, Westminster - 2:30am
 - Hakkasan, Hanway Place, Camden - 3:30am

(Copies of each of these licences are attached as "Appendix AY1")

25. These premises are all operated to the highest standards. We have a track record of incident-free operations and harmonious relations with our neighbours, local authorities and the police. We understand that we are part of a community and that community deserves neighbourly respect and consideration at all times.
26. Following detailed discussions with neighbours and stakeholders, we have agreed to curtail our original application for a terminal hour of 3:00am to 01:30am for all licensable activities (with the customary 30 minutes winding down period). Given the significant levels of investment this is now the minimum terminal hour consistent with a viable business model.
27. The menu will be structured to allow a group of diners to enjoy a multi-course meal with sharing dishes. Within a course each sharing dish will be delivered to the table as it is ready from the kitchen rather than served all together as a course.
28. We anticipate that an average table of four may order 22-28 smaller dishes, plus coffee and dessert. This number of dishes takes a great deal of time to prepare, present and consume comfortably. The average length of a meal in

Park Chinois will be approximately 3 hours, compared to 1 to 2 hours in a more traditional restaurant.

29. To enable the kitchen to operate properly it is essential to stagger the reservation times of customers, from early until late.
30. Reservations will be spread and as result the arrival and dispersal of guests will be phased throughout the evening rather than en masse.

Our Guests' Journey

31. Below is the typical journey of our guests through the restaurant.
32. From our experience of operating fine dining restaurants the great majority of our guests will have an advanced reservation with very few walk-in diners.
33. The restaurant will have a reservations team trained to arrange bookings and provide all the necessary details about the restaurant including best modes of transport. This information will be reconfirmed to guests via email.
34. On arrival by foot, taxi or private car at the Berkeley Street restaurant entrance our guests will receive a warm welcome by our door concierge. The arrival experience will be akin to that in a five star hotel. The door concierge will be responsible for greeting diners, offering valet parking services, opening the entrance door and leading guests into the premises.
35. The door concierge will be supported at the entrance by SIA registered personnel. The car valet manager will also be on hand to assist guests as required.
36. The restaurant frontage is designed to reflect the refined nature of Park Chinois and will be in keeping with the Mayfair environment. The entrance will be residential in appearance without any direct access or view into the restaurant.

37. The door concierge will lead the guest into the lobby. This room is acoustically attenuated and effectively separates the restaurant from the street. It is designed to prevent noise escape, ensures patrons cannot walk directly into the restaurant and provides a calming space on both entry and exit. On arrival it provides an opportunity for guests to acclimatise and prepare for their dining experience. On departure diners are able to compose themselves and, if needed, wait for their transport to arrive. Customers will be actively encouraged not to wait outside on the street.
38. The first point of contact for guests once they enter the premises will be a receptionist. Seated behind a desk the receptionist will stand up to greet each arriving guest, confirm their booking and offer to assist with coats and bags. Guests without a reservation will only be allowed entry if they commit to having a meal and a table is available. We will not host customers who merely want a drink.
39. Guests will then be extended another welcome by the maître d' who will escort them to their table or the waiting area in the holding bar. This can be on either of the two restaurant floors. Both the ground and basement levels follow the same spatial layout. They are full dining rooms with a small holding bar. Both will offer the same menu and only differ in design, i.e. the fabric on the furniture, soft furnishing and decorative finishes.
40. If the allocated table is ready to receive diners they will be seated straight away. In cases where the table is still being made ready guests will be asked to wait in the holding bar area with the opportunity to order refreshments while waiting. Capacity at the holding bars is exclusively seated without any opportunity for vertical drinking. Their primary function is to service the restaurant floors with beverages. Once available guests will then be directed to their table.
41. To deliver the targeted level of service each dining room will have approximately 25 waiters during dinner.
42. Guest will be presented with a menu offering a collection of eclectic dishes from across the regions of China. The meal will be structured around a

number of courses and sharing dishes. A table of four guests is likely to order in the region of 25 dishes throughout the course of the meal, excluding desserts and coffees.

43. Unlike Western traditions courses will not be served once all dishes are ready. The focus is on minimising the time between cooking and eating, serving each dish as soon as it is ready in its optimal state. There will be a number of signature dishes such as roast duck that will be finished and served directly at the table.
44. As part of the dining experience guests will enjoy music delivered by live musicians. The music will range from piano and string quartets during the afternoon and earlier parts of the evening to jazz and swing performers in the later part of the evening. It will also include vocal performances in the style of lounge singers. The music program is carefully curated to enhance the ambience and add to the dining experience. The music will not be loud or intrusive and will permit guests to converse easily and enjoy their evening.
45. At the end of the meal guests will be asked if they need transport. A taxi will then be booked or their private vehicle re-called from valet parking as appropriate. Diners will wait at their table until our staff inform them that their transport has arrived.
46. All customers will leave back through the lobby. Upon collection of their belongings the door concierge will assist to direct them to their nearest mode of transport and remind them that Berkeley Street is a residential area.

Noise control

47. We have carried out extensive investigations into the structure of the premises to ensure that any possible outbreak or transfer of noise is inaudible in the adjoining residential premises. We are also be fully soundproofing the whole premises.
48. Our front door will be closed and there is an additional door between the lobby and the restaurant on the ground floor so no noise will escape.

49. A noise limiter will be installed and set at an appropriate level to avoid any disturbance to our neighbours. We have agreed a condition to ensure that there must be no noise escape.

Premises cannot trade as a bar

50. The premises is solely a restaurant and not a nightclub or destination bar. The two dining rooms do feature a small bar each. The exclusive function of these bars, as explained above, is to service the restaurant with beverages and hold diners waiting for their table to be ready. The bar areas are small and any waiting patrons will be seated. They will be able to order food and beverages while waiting from a waiter only. To allay concerns we have agreed to a full restaurant condition being added to our Premises Licence.

Bookings Policy

51. We have an advanced computerised table booking system. This system enables us to input table bookings at intervals which has a number of advantages. It helps ensure that there are never any queues at the premises and enables guests to arrive gradually so that when the orders are taken they do not arrive at the kitchen all at the same time. This booking system also means that guests will also leave gradually as each customer will allow tables to finish their meals at different times.
52. Our trained staff will take the following essential information when we book a table, telephone number, name and address and email address. The email address enables us to confirm the booking and to send information about the restaurant out early. We will include links to transport facilities and useful information regarding the area. We will remind customers that there are residential neighbours, to respect their needs and to leave the premises quietly.

Valet parking

53. We will provide guests arriving in their private vehicles a car valet service. All cars will be parked off street in local car parks to ensure that no cars are valet- parked in resident parking bays or double parking in the street.

Dispersal and transport

54. All our experience confirms that dispersal from genuine restaurants (rather than restaurants that turn into a bar or nightclub) is gradual and staggered throughout opening hours. Normally groups of two to six guests will leave as and when they have finished dining.
55. Our entrance will be manned by a door concierge supported by SIA staff throughout opening hours and evenings in particular. Their main task is to provide guests with a welcoming and pleasant arrival experience while ensuring that voices are kept down and no nuisance occurs.
56. The lobby is designed to offer any patrons waiting for transport seats on the premises until their vehicle arrives.
57. We will have an integrated taxi system based on two offerings (1) Black Cabs that utilise the existing taxi rank just outside the restaurant and (2) private chauffeur companies. We are in the process of finalising arrangements and are looking into operators that can provide taxis with sliding doors.
58. We will proactively manage transport for all our patrons. This will ensure swift and quiet arrivals/departures without loitering guests and eliminate the potential nuisance caused by constantly parked/double parked taxis and running engines.

The Four Licensing Objectives

- 59. I am an experienced operator and I know that my restaurant needs to live in harmony with our neighbours in order to prosper. We will always strive to promote the four licensing objectives.
- 60. We have carried out extensive research and we hope that our proposed revised hours and additional conditions go some way to assist in the difficult balancing exercise inherent in weighing up the proper concerns of residents in Dover Street and Berkeley Street with the need to ensure a new business can be profitable and successful.
- 61. We have no doubt whatsoever that the current application will be a great improvement on some of the previous operations that utilised these premises in the past under the existing licences.
- 62. We are committed to working with our immediate commercial neighbours. We will actively participate in schemes that aim to control and improve the late night economy in the vicinity to ensure it does not disproportionately impact on our residential neighbours. We believe our work will have a positive influence on the street.
- 63. I strongly believe, and will work tirelessly to ensure, that the new restaurant, like my other ventures, will promote the four licensing objectives. I am fully aware that if this licence is granted we will be under the forensic microscope of all the responsible authorities to see how we trade and the impact our operation has on residents. I hope to surpass expectations by ensuring Park Chinois becomes a welcome addition to Mayfair that is enjoyed and acclaimed by residents and visitors alike.

Statement of Truth

I Mr Alan Yau believe that the contents of my statement are true.

Signed.....

Mr Alan Yau OBE

Dated.....30 SEPTEMBER 2014.....

EXHIBIT "AY 1"



Schedule 12
Part A

WARD: West End
UPRN: 010033530809

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/03779/LIPN

Original Reference:

13/03779/LIPN

Part 1 – Premises details

Postal address of premises:

Yauatcha
Basement and Ground Floor
15-17 Broadwick Street
London
W1F 0DE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment

Monday to Saturday: 10:00 to 01:00
Sunday: 23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00
Sunday: 10:00 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Sunday: 08:00 to 01:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Hakkasan Limited
4th Floor
151 Wardour Street
London
W1F 8WE

Registered number of holder, for example company number, charity number (where applicable)

03488606

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Helenka Pallester

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: Pers3448
Licensing Authority: London Borough Of Lambeth

Date: 10 October 2013

Signed: pp

Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- 4.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
10. No striptease, no nudity and all persons to be decently attired at all times.
11. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises directly off the street.
12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
14. All waste should be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times save for the waste kept in sealed receptacles off the high way.
15. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
16. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
17. Any guests leaving the premises will be offered a taxi and be permitted to wait inside the premises until the taxi arrives.
18. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open.
19. After 11 pm on the ground floor and at all times in the basement, the premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
20. As soon as possible, and in any event within 1 month from the grant of this licence, the premises shall join the local pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available.
21. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

22. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
23. The supply of alcohol shall be by waiter or waitress service only in the tea room on the ground floor and the whole basement.
24. There shall be no sales of alcohol for consumption off the premises.
25. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
26. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which causes a nuisance.
27. After 7pm, all external doors and windows shall be kept shut except for the immediate access and egress of persons.
28. Signs to remind their customers to exit the premises very quietly and respect the residential neighbourhood when leaving the premises shall be put up very visibly inside the premises.
29. The maximum number of persons accommodated in the Basement at any one time shall not exceed 120 persons (excluding staff) and in the Ground Floor Tea Room 64 persons (excluding staff) and in the ground floor holding lounge 20 persons (excluding staff)
30. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
31. All customers shall be off the premises by 01:00.
32. The hours for late night refreshment, sale of alcohol and opening times may be extended from the end of permitted hours on New Year's Eve to the beginning of the permitted hours on New Year's Day.
33. This licence shall not take effect until: Notice of surrender of the current licence number 11/00024/LIPDPS (and any other licence as may be in force at the premises), accompanied by the premises licence, has been given by the premises licence holder to the Licensing Authority under section 28 of the Licensing Act 2003 (the Act)

Annex 4 – Plans

Attached



City of Westminster
64 Victoria Street, London, SW1E 6QP

**Schedule 12
Part B**

**WARD: West End
UPRN: 010033530809**

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

13/03779/LIPN

Part 1 – Premises details

Postal address of premises:

Yauatcha
Basement and Ground Floor
15-17 Broadwick Street
London
W1F 0DE

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment

Monday to Saturday:	10:00 to 01:00
Sunday:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Saturday:	10:00 to 01:00
Sunday:	10:00 to 00:00

For times authorised for New Year see conditions at Annex 3

The opening hours of the premises:

Monday to Sunday: 08:00 to 01:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

Hakkasan Limited
4th Floor
151 Wardour Street
London
W1F 8WE

Registered number of holder, for example company number, charity number (where applicable)

03488606

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Helenka Pallester

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 10 October 2013

Signed: pp
Operational Director - Premises Management



Schedule 12
Part A

WARD: West End
UPRN: 100023473684

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

10/09041/LIPRW

Original Reference:

09/10330/LIPN

Part 1 – Premises details

Postal address of premises:

Hakkasan
17 Bruton Street
London
W1J 6AL

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Playing of Recorded Music

Monday to Sunday: 10:00 to 02:00
Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Late Night Refreshment

Monday to Sunday: 23:00 to 02:00
Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Sale by Retail of Alcohol

Monday to Sunday: 10:00 to 02:00
Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The opening hours of the premises:

Monday to Sunday: 10:00 to 02:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Hakkasan Limited
4th Floor
151 Wardour Street
London
W1F 8WE
Electronic Mail : marilyn@hakkasan.com
Business Phone Number : 020 7297 8902

Registered number of holder, for example company number, charity number (where applicable)

03488606

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Adnan Ozkara

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: LBH-PER-N-0481
Licensing Authority: London Borough Of Hackney

Date: 13th December 2010

Signed: pp
Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- 4.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

10. The licence holder shall maintain a comprehensive CCTV system that ensures all public areas of the licensed premises are monitored, including all entry points and which enables frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to a duly authorised City Council Officer or a Police Officer together with facilities for viewing. The recordings for the preceding 31 days shall be made available immediately on request. The CCTV system shall be operated in accordance with the Data Protection Act 1998.
11. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent recording with the absolute minimum of delay when requested.
12. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
13. All refuse will be stored internally prior to collection.
14. Substantial food and non-intoxicating beverages, including drinking water, shall be available throughout the permitted hours in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
15. 'Off' sales of alcohol are to be in sealed containers only and for consumption off the premises.
16. There shall be a personal licence holder on the premises whenever alcohol is sold at the premises.
17. From 22:00 hours to 30 minutes after the premises closes there will be a minimum of one registered SIA door supervisor stationed at the restaurant entrance.
18. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. There shall be no payment made by or on behalf of the licence holder to any person for bringing customers to the premises directly off the streets.
21. The number of persons accommodated at any one time in the premises (excluding staff) shall not exceed 275 persons, of which there shall be no more than 200 persons in the basement at any one time.
22. There shall be a member of staff to meet and greet each person entering the premises.
23. The restaurant on the ground floor and basement shall be laid out as a restaurant except when there is a pre-booked function or when the premises operates privately.
24. Waiter and waitress service shall be available throughout the restaurant.

25. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
26. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
27. All exit doors (on designated escape routes) shall be available at all material times without the use of a key, code, card or similar means.
28. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Curtains and hangings shall be arranged so as not to obstruct emergency signs.
31. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any emergency lighting battery or system
 - Any electrical installation
 - Any emergency warning system
32. Security shall be required to wear high visibility arm bands so that Security are easily identifiable from CCTV footage.
33. From 22:00 hours, there shall be a minimum of 2 SIA registered door supervisors on a Friday and Saturday or when there may be a special event.
34. There shall be no entry to new customers after 00:30 hours on any night.
35. An incident log shall be kept at the premises which should cover the following:
 - all crimes reported to the venue
 - all ejections of patrons
 - any complaints
 - all civil disputes
 - any disorder incidents
 - drugs or offensive weapon seizures
 - any visit by statutory authorities or emergency services.
36. The sale by retail of alcohol shall be ancillary to food except to persons in the bar areas hatched black on the plans up to a maximum of 44 persons on the ground floor and 26 persons in the basement.
37. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
38. All patrons leaving the premises, whether to smoke or not, shall not take any open bottles or glasses with them and there shall be no consumption of drink outside the premises.
39. A policy to control smokers shall be in place and such policy shall ensure that no more than 15 customers shall be allowed outside the venue at any one time for the purpose of smoking.

40. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
41. Any guests leaving the premises will be offered a taxi and be permitted to wait inside the premises until the taxi arrives.
42. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
43. No alcohol shall be supplied to persons after 01:00 hours except as ancillary to a table meal.

Annex 4 – Plans

Attached



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: West End
UPRN: 100023473684

Premises licence
summary

Regulation 33, 34

Premises licence number:

10/09041/LIPRW

Part 1 – Premises details

Postal address of premises:

Hakkasan
17 Bruton Street
London
W1J 6AL

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Playing of Recorded Music

Monday to Sunday: 10:00 to 02:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Late Night Refreshment

Monday to Sunday: 23:00 to 02:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

Sale by Retail of Alcohol

Monday to Sunday: 10:00 to 02:00

Non-standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

The opening hours of the premises:

Monday to Sunday: 10:00 to 02:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:

Hakkasan Limited
4th Floor
151 Wardour Street
London
W1F 8WE

Registered number of holder, for example company number, charity number (where applicable)

03488606

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Adnan Ozkara

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 13th December 2010

Signed: pp
Operational Director - Premises Management

London Borough of Camden, Town Hall Extension,
Argyle Street, London, WC1H 8EQ

Premises Licence
London Borough of Camden Licensing Authority

Premises licence number PREM-LIC1667

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description

Hakkasan
8 HANWAY PLACE
LONDON
W1T 1HD

Telephone number 020 7927 7000

Where the licence is time limited the dates

N/A

Licensable activities authorised by the licence

Sale by Retail of Alcohol
Late Night Refreshment
Recorded Music
Performances of Dance
Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance
Provision of Facilities for Making Music
Provision of Facilities for Dancing
Provision of Facilities for Entertainment of a Similar Description to Making Music and Dancing

The times the licence authorises the carrying out of licensable activities

Sale by Retail of Alcohol:

Monday - Wednesday (excluding Christmas Day and Good Friday) : 10.00-01.00

Thursday - Saturday (excluding Christmas Day and Good Friday) : 10.00-03.00

Sunday (excluding Christmas Day) and Good Friday : 12.00-00.30

Christmas Day : 12.00-22.30

Late Night Refreshment:

Monday – Wednesday (excluding Christmas Day and Good Friday): 23.00-01.00

Thursday - Saturday (excluding Christmas Day) and Good Friday : 23.00-03.00
Sunday (excluding Christmas Day) and Good Friday : 23.00-00.30

Recorded Music:

Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

Regulated Entertainment (as specified above)

Monday - Wednesday (excluding Christmas Day and Good Friday) : 09.00-01.00
Thursday - Saturday (excluding Christmas Day and Good Friday) : 09.00-03.00
Sunday (excluding Christmas Day) and Good Friday: 09.00-00.30

The opening hours of the premises

Not Known

Where the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale by retail of alcohol is permitted for consumption ON AND OFF the premises.

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence

Hakkasan Ltd
4th Floor
151 Wardour Street
London
W1F 8WE

Registered number of holder, for example company number, charity number (where applicable)

03488606

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Mark Hastings
12A Caithness Road
London
W14 0JB

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises the supply of alcohol

London Borough of Hammersmith & Fulham - 2007/02362/LAPER



Signed on behalf of the Director, Culture and Environment Directorate

Date Licence Amended: 11/01/2011 APP\PREMISES-MVARY\00224

Date Licence Amended: 07/01/2011 APP\PREMISES-VARYDPS\001954

Date Licence Amended: 07/08/2007 APP\PREMISES-VARYDPS\000728

Date Licence Amended: 25/04/2007 APP\PREMISES-VARYDPS\000618

Date Licence Granted: 02/09/2005 APP\PREMISES-CONV\001093

Annex 1 - Mandatory conditions

1. The supply of alcohol is prohibited at a time when there is no designated premises supervisor in respect of the premises.
2. The supply of alcohol is prohibited at a time when the designated premises supervisor does not hold a personal licence or his/her licence is suspended.
3. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
4. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the licence must include a condition that each such individual must –
 - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
 - (b) be entitled to carry out that activity by virtue of section 4 of that Act.
5. But nothing in subsection (4) requires such a condition to be imposed –
 - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c. 12) (premises with premises licences authorising plays or films), or
 - (b) in respect of premises in relation to –
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
6. For the purposes of this section –
 - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies [and which is licensable conduct for the purposes of that Act (see section 3(2) of that Act)], and
 - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.
7.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the

premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

8. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
9. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
10. (a) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(b) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification

bearing their photograph, date of birth and a holographic mark.

11. The responsible person shall ensure that:
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
 - (i) beer or cider: 1/2 pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

Annex 2 - Conditions consistent with the Operating Schedule

12. Alcohol shall not be sold or supplied except during the permitted hours. In this condition, permitted hours means:

Monday - Wednesday (excluding Christmas Day and Good Friday) : 10.00-01.00
Thursday - Saturday (excluding Christmas Day and Good Friday) : 10.00-03.00
Sunday (excluding Christmas Day) and Good Friday : 12.00-00.30
Christmas Day : 12.00-22.30

13. The above condition (12) does not prohibit:
- a. during the first twenty minutes after 23:00 the consumption of alcohol on the premises;
 - b. during the first thirty minutes after the terminal hour for the sale of alcohol, the consumption of alcohol on the premises by persons taking meals there if the alcohol was supplied as ancillary to the meals;
 - c. during the first twenty minutes after 23.00 the taking of alcohol from the premises unless the alcohol is taken in an open vessel;
 - d. the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of alcohol so ordered;
 - e. the consumption of the alcohol on the premises by, or the taking of, sale or supply to, any person residing on the premises;
 - f. the sale or supply of alcohol to a trader or club for the purposes of the trade or club;
 - g. the taking of alcohol from the premises by a residing there;
 - h. the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
 - i. the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of alcohol, so supplied, if the alcohol is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises;
 - j. the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority

of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

14. Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.
15. Regulated entertainment, for which there is no licence, may not take place on the licensed premises, as detailed by the plan, if members of the public are admitted.
16. There shall be a steward on duty from 12 midnight to 3am on Thursdays, Fridays and Saturdays, directed to patrol at the junction of Hanway Street and Hanway Place to discourage patrons from accessing the venue via Hanway Place.
17. Staff (including delivery personnel) and patrons must be instructed to use the route via Hanway Street at all times. All advertisements for events at the premises, including posters displayed on the premises, shall contain a statement that access to the venue is via Hanway Street.
18. There shall be no deliveries or collection of rubbish between 10pm and 6am on any night.
19. The maximum number of persons accommodated at the premises at any one time shall not exceed 215 customers and 30 staff; a total of 245 persons. This number comprises paying customers, guests and pass holders.
20. This licence is extended beyond midnight (a) on Sundays until 12.30am on the days following (b) on Mondays to Wednesdays until 1.00am on the days following (c) on Thursdays to Saturdays until 3.00am on the days following
21. The premises shall not be used for striptease or entertainment of a like kind to dancing which involves nudity without the prior consent of the Council
22. Up to 2300hrs applicable to entertainment premises which adjoin or are adjacent to noise sensitive properties:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LA_{eq}) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and the unweighted equivalent noise level (L_{eq}) in the 63Hz Octave band, measured using the "fast" timeconstant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as

compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place

23. Up to 2300hrs applicable to entertainment premises which do not adjoin and are not immediately adjacent to noise sensitive properties:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LA_{eq}) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and

the unweighted equivalent noise level (L_{eq}) in the 63Hz Octave band, similarly measured, should not increase by more than 5dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place.

24. After 2300hrs applicable to all entertainment premises:

The noise climate of the surrounding area shall be protected such that the A-weighted equivalent continuous noise level (LA_{eq}) emanating from the application site, as measured 1 metre from any facade of any noise sensitive premises over any 5 minute period with entertainment taking place shall not increase by more than 3dB as compared to the same measure, from the same position, and over a comparable period, with no entertainment taking place; and

The unweighted equivalent noise level (L_{eq}) in the 63Hz Octave band, measured using the "fast" time constant, inside any living room of any noise sensitive premises, with the windows open or closed, over any 5 minute period with entertainment taking place, should show no increase as compared to the same measure, from the same location(s), and over a comparable period, with no entertainment taking place.

No sound emanating from the establishment should be audible within any noise sensitive premises between 23.00 and 07.00 hours.

25. Where the entertainment provided consists, to a significant degree, of dancing by customers, the licensee shall ensure an adequate supply of wholesome, cool, fresh drinking water is available for the use of the customers. This water must be readily available throughout the time the entertainment is provided, and is to be supplied free of charge.

Additional Special Standard Conditions

26. **Crime Prevention**

The licensee shall, in consultation with the Council and Metropolitan Police,

develop a crime prevention strategy for the premises and in particular shall carry out a risk assessment in respect of the possibility of assaults to customers and staff."

27. **Litter/Waste Management**

Whilst the premises are being used under the licence the licensee shall ensure that all litter and waste outside the premises is removed and disposed of with other waste from the premises.

28. **Un-authorised Advertising**

The licensee shall take all reasonable steps to ensure that there is no unauthorised advertising of events to be held at the premises.

29. **Drug Risk Assessment**

The licensee shall carry out a risk assessment in respect of the potential harm to customers of the use of illegal drugs, whether taken on the premises or taken by a customer prior to entering the premises, and shall put in place appropriate measures to mitigate any such harm.

30. **Staff Training**

The licensee shall ensure that staff are trained, as appropriate, in respect of relevant licensing law, the implementation of licence conditions, health and safety, first aid, alcohol and drug awareness and conflict management.

31. **Model National Conditions 1-41:**

- Application**
- 1 These Conditions and Definitions shall apply whenever the *premises* are in use under the terms of a licence issued by the *Council*.

provided for a production the *Council* may require *certificates* to be submitted at three monthly intervals.

- | | |
|-------------------------|---|
| Lasers | (g) Any permanently installed lasers, other than Class 1 and Class 2 lasers. |
| Special effects | (h) Permanently installed smoke machines, fog generators and strobe lighting. |
| Ceilings | (i) Ceilings and ornamental plasterwork, if <i>required</i> . |
| Gas Installation | (j) Any gas installation and any gas appliances, if <i>required</i> . A member of the Council for Registered Gas Installers (CORGI) shall complete the <i>certificate</i> . |

Annex 3 - Conditions attached after a hearing by the licensing authority

N/A

Annex 4 - Plans

London Borough of Camden, Town Hall Extension,
Argyle Street, London, WC1H 8EQ

Premises licence summary

Premises licence number	PREM-LIC\1667
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Premises details

Postal address of premises, or if none, ordnance survey map reference or description
Hakkasan 8 HANWAY PLACE LONDON W1T 1HD
Telephone number 020 7927 7000

Where the licence is time limited the dates
N/A

Licensable Activities authorised by the licence
Sale by Retail of Alcohol Late Night Refreshment Recorded Music Performances of Dance Anything of a Similar Description to Live Music, Recorded Music or Performances of Dance Provision of Facilities for Making Music Provision of Facilities for Dancing Provision of Facilities for Entertainment of a Similar Description to Making Music and Dancing

The times the licence authorises the carrying out of licensable activities
Sale by Retail of Alcohol: Monday - Wednesday (excluding Christmas Day and Good Friday) : 10.00-01.00 Thursday - Saturday (excluding Christmas Day and Good Friday) : 10.00-03.00 Sunday (excluding Christmas Day) and Good Friday : 12.00-00.30 Christmas Day : 12.00-22.30
Late Night Refreshment: Monday - Wednesday (excluding Christmas Day and Good Friday): 23.00-01.00 Thursday - Saturday (excluding Christmas Day) and Good Friday : 23.00-03.00 Sunday (excluding Christmas Day) and Good Friday : 23.00-00.30

Recorded Music:

Unless otherwise specified on this licence, no regulated entertainment, other than by way of music and singing only which is provided solely by the reproduction of recorded sound, shall take place at the premises with the exception of pre-booked private events limited to the provision of music and dancing for pre-invited guests.

Regulated Entertainment (as specified above)

Monday - Wednesday (excluding Christmas Day and Good Friday) : 09.00-01.00

Thursday - Saturday (excluding Christmas Day and Good Friday) : 09.00-03.00

Sunday (excluding Christmas Day) and Good Friday: 09.00-00.30

The opening hours of the premises

Not Known

There the licence authorises supplies of alcohol whether these are on and/or off supplies

Sale of alcohol is permitted for consumption ON AND OFF the premises.

Name, (registered) address of holder of premises licence

Hakkasan Ltd
4th Floor
151 Wardour Street
London
W1F 8WE

Registered number of holder, for example company number, charity number (where applicable)

03488606

Name of designated premises supervisor where the premises licence authorises the supply of alcohol

Mr Mark Hastings

State whether access to the premises by children is restricted or prohibited

Not Restricted

N° 17 Berkeley Street Mayfair

PARK CHINOIS





WELCOME

Welcome to our drop-in session for the local community.
We are delighted to introduce ourselves and our new restaurant concept, Park Chinois.



Park Chinois will be a Chinese fine dining restaurant committed to exceptional quality of cuisine and traditional service values of the highest standards.

We are delighted to introduce the project and the team to you and would like to discuss how we may be able to work together to make Park Chinois a valued part of the community.

Please look at our displays and ask the team any questions you may have.

Park Chinois Limited is Alan You's restaurant company. It is responsible for the delivery of the new restaurant and operations following its launch.

Comm Comm UK has been appointed by Park Chinois to manage community relations.



ALAN YAU OBE

Alan Yau OBE, the globally known and respected restaurateur, is the creative force behind the culinary, design and musical vision of Park Chinois.

1998	Launch of Wagamama, a Japanese restaurant, Bloomsbury, London
1999	Launch of Hakkis Laffit, a French restaurant, Soho, London
2001	Launch of Park Chinois, a contemporary Chinese restaurant, London
2003	Hakkis awarded one Michelin star
2004	Launch of Yau's Chinese restaurant, Soho, London
2005	Yau's awarded one Michelin star
2006	Alan Yau awarded one Michelin star for his contribution to the British restaurant industry
2008	Launch of Park Chinois, London
2010	Alan Yau crowned as a 'Red Star' of the 'New Chefs' by the 'The Economist' Thailand
2011	Launch of ST BETTY, a Michelin restaurant, JFC Central, Hong Kong
2012	Launch of Nanyang, a Michelin restaurant, JFC Central, Hong Kong
2014	Launch of Song Of, a Michelin restaurant, JFC Central, Hong Kong



"St Betty: taking contemporary European cuisine to Asia with the help of two Michelin star chef, Shane Osborn, formerly at Pied à Terre"



"Princi bakery, a Milan institution on 'Wardour Street'"



"A redefinition of the rules of Asian dining"



丘紀茶苑 YAUATCHA

sake no hana 酒の花



Princi

ST BETTY

Nanyang

SONG OF



INTRODUCING PARK CHINOIS

Park Chinois is the distillation of many years of research and development. It represents Alan Yau's pursuit of the ultimate Chinese fine dining restaurant.



The restaurant will serve unique eclectic dishes from across the regions of China in a classically beautiful and dramatic dining room. It will open for lunch, traditional afternoon tea and dinner.

Diners will enjoy music and vocal performances in an atmosphere of sophisticated, charming elegance. Music will range from piano to string quartets and jazz.

"It is my vision to create the next generation Chinese restaurant - focused on exceptional food quality and underpinned by classic French fine dining service culture in an ambience inspired by the spirit of 1920s Shanghai."

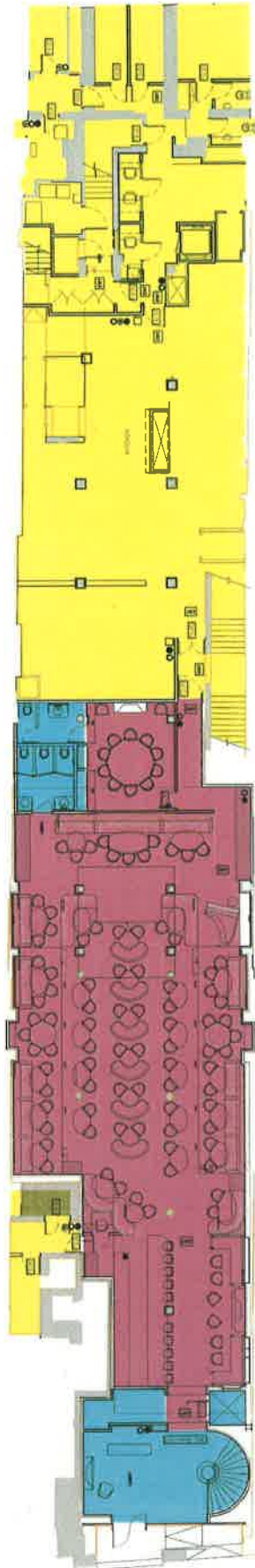
Alan Yau





PARK CHINOIS LAYOUT

Ground floor
Capacity 250



Reception and Acoustic Lobby

Dining Room

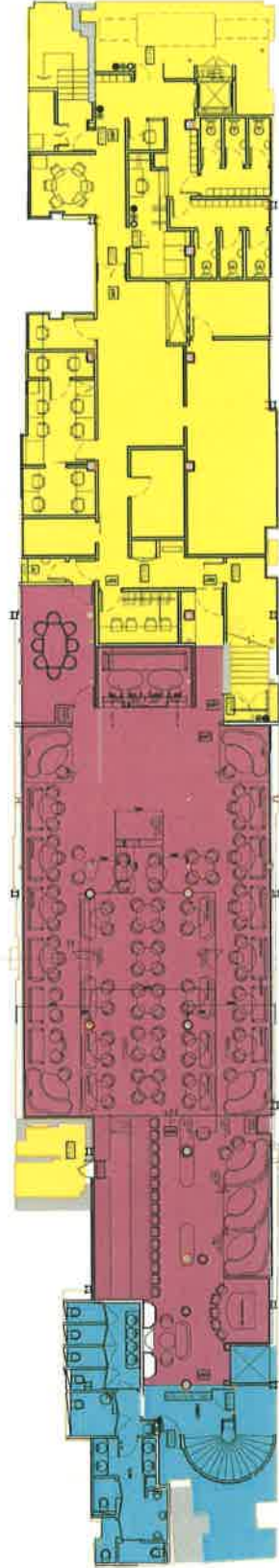
Private Dining Room

Kitchen and Back of House

Berkeley Street

Dover Street

Lower Ground floor
Capacity 250



Lobby and Public Toilets

Dining Room

Back of House

Total Capacity
450

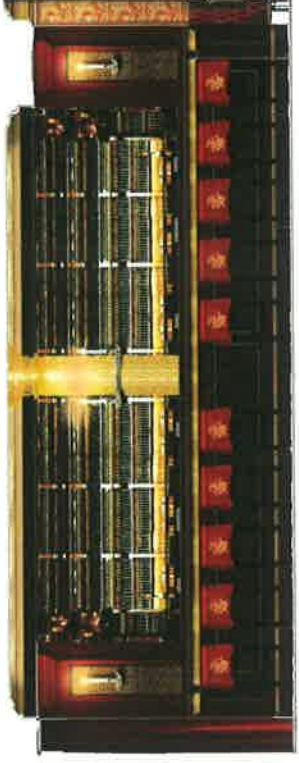


PARK CHINOIS GROUND FLOOR

Entrance, Reception & Lobby Holding Bar



Entrance from 17 Berkeley Street



Lobby Holding Bar

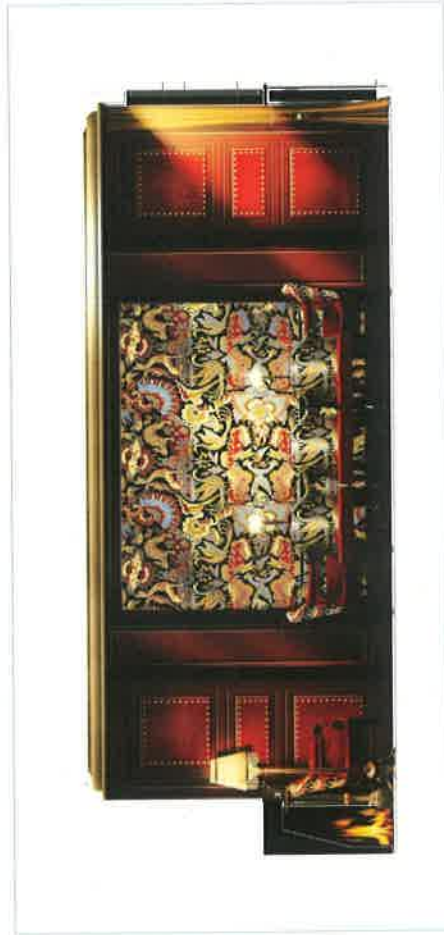


Reception & Lobby



PARK CHINOIS GROUND FLOOR

Dining Room & Private Dining Room



Private Dining Room



Dining Room



Dining Room (Detailed View)

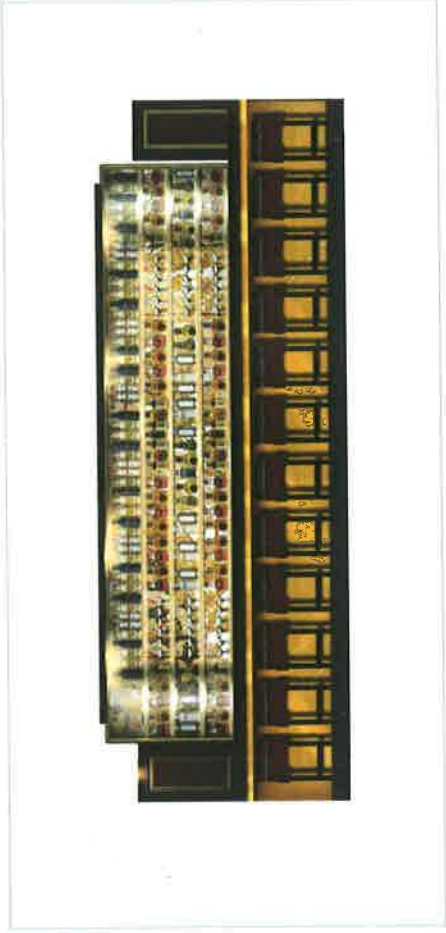


PARK CHINOIS LOWER GROUND FLOOR

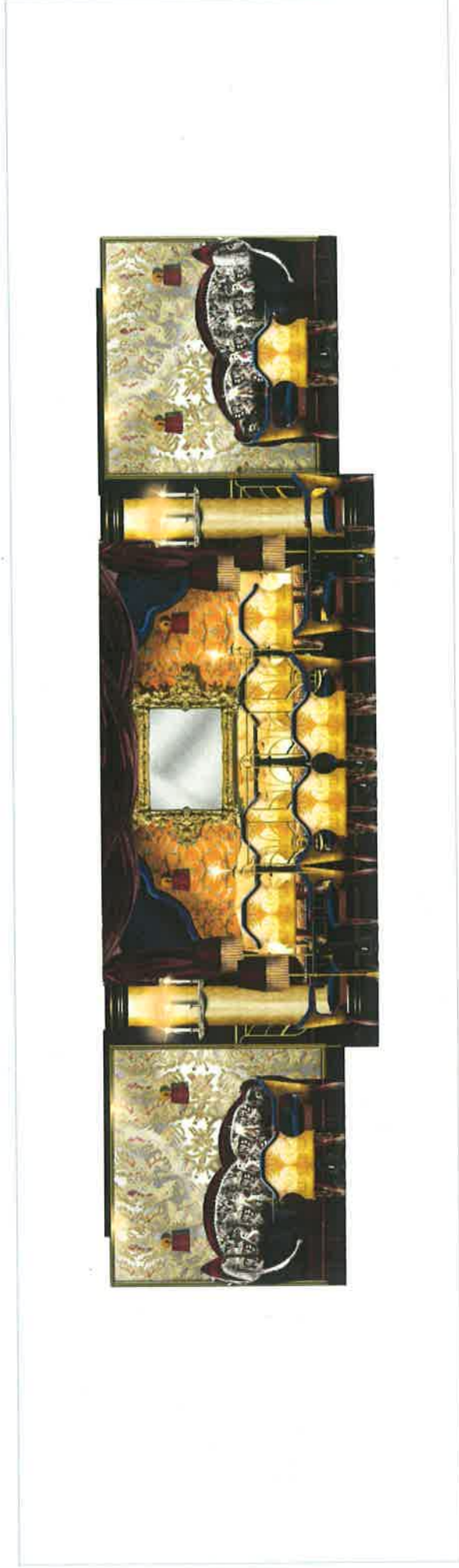
Dining Room & Holding Bar



Dining Room - Banquet Room



Holding Bar



Dining Room



DESIGNS: CREATING ELEGANCE



Park Chinois is designed by Paris based interior designer Jacques Garcia. With a career spanning four decades Mr Garcia has established himself as a designer of furniture and interiors with a focus on hotels and restaurants. His style epitomizes the spirit of Park Chinois with its Chinoiserie references and refined, decorative opulence. Notable projects include Hotel Costes (Paris), Hotel La Mamounia (Marrakech) and the NoMad Hotel (New York).



The designs for Park Chinois take inspiration from the 1920s Shanghai and the Chinoiserie of eighteenth century France.

To create this fine dining restaurant we have curated a exquisite palette of classical materials and finishes.

Beautiful marble, opulent textiles and bespoke crafted furniture will be used throughout.

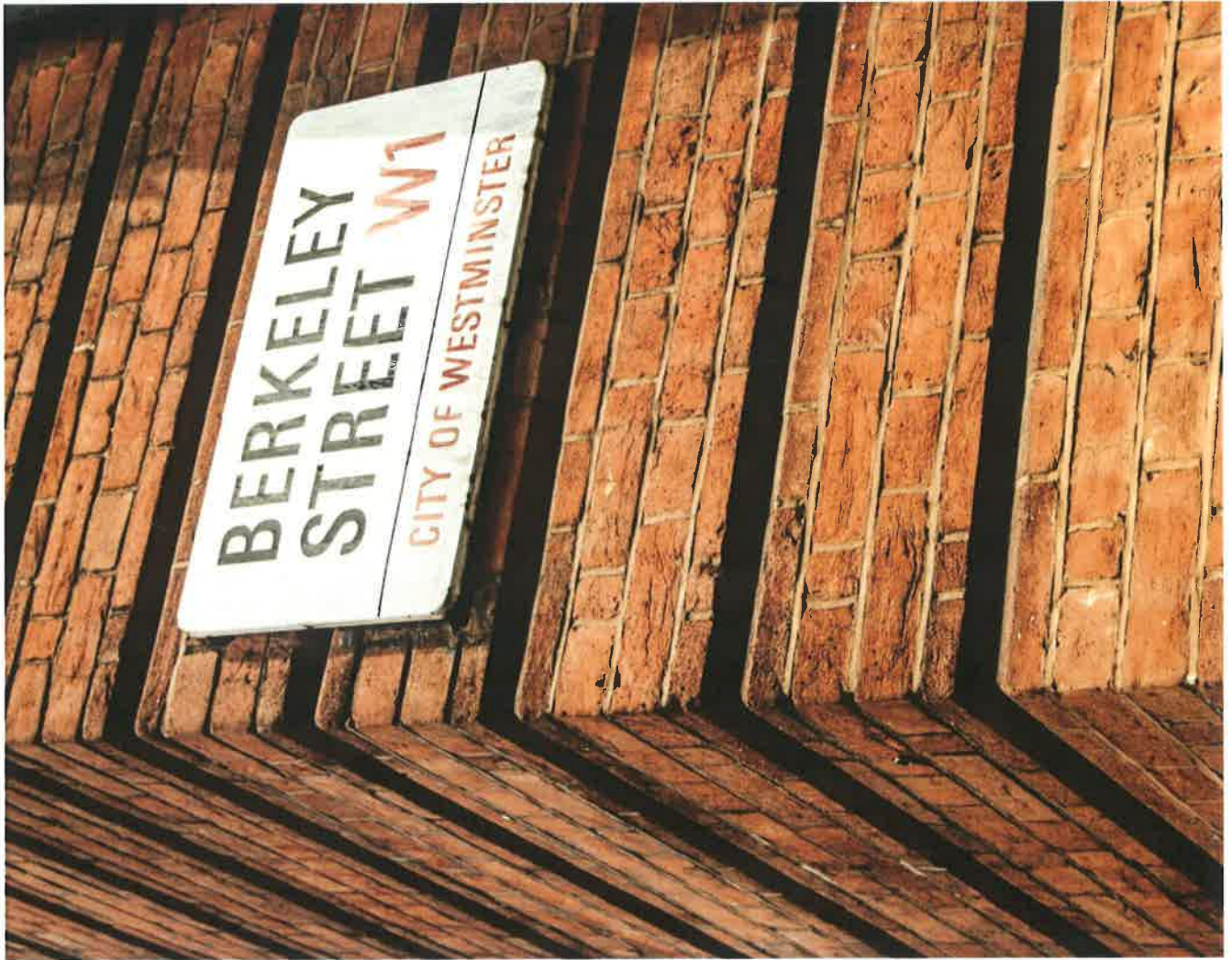




MATERIALITY: THE ELEMENTS OF BEAUTY

A selection of the palette of materials and finishes for Park Chinois





We submitted a premises licence application in June and have received both objections and support for the application.

17 Berkeley Street currently holds a licence for the sale of alcohol and other licensable activities until midnight, Monday to Sunday.

It has a capacity for 473 people as a bar, allowing the sale of alcohol not ancillary to food.

Park Chinois will be applying for a full restaurant licence, which means alcohol can only be sold with food, until 3am for a capacity of 450.

We always work within the spirit of harmonious partnership. Please share your concerns together with views or any other measures we could adopt to address them.

WORKING WITH THE MAYFAIR COMMUNITY

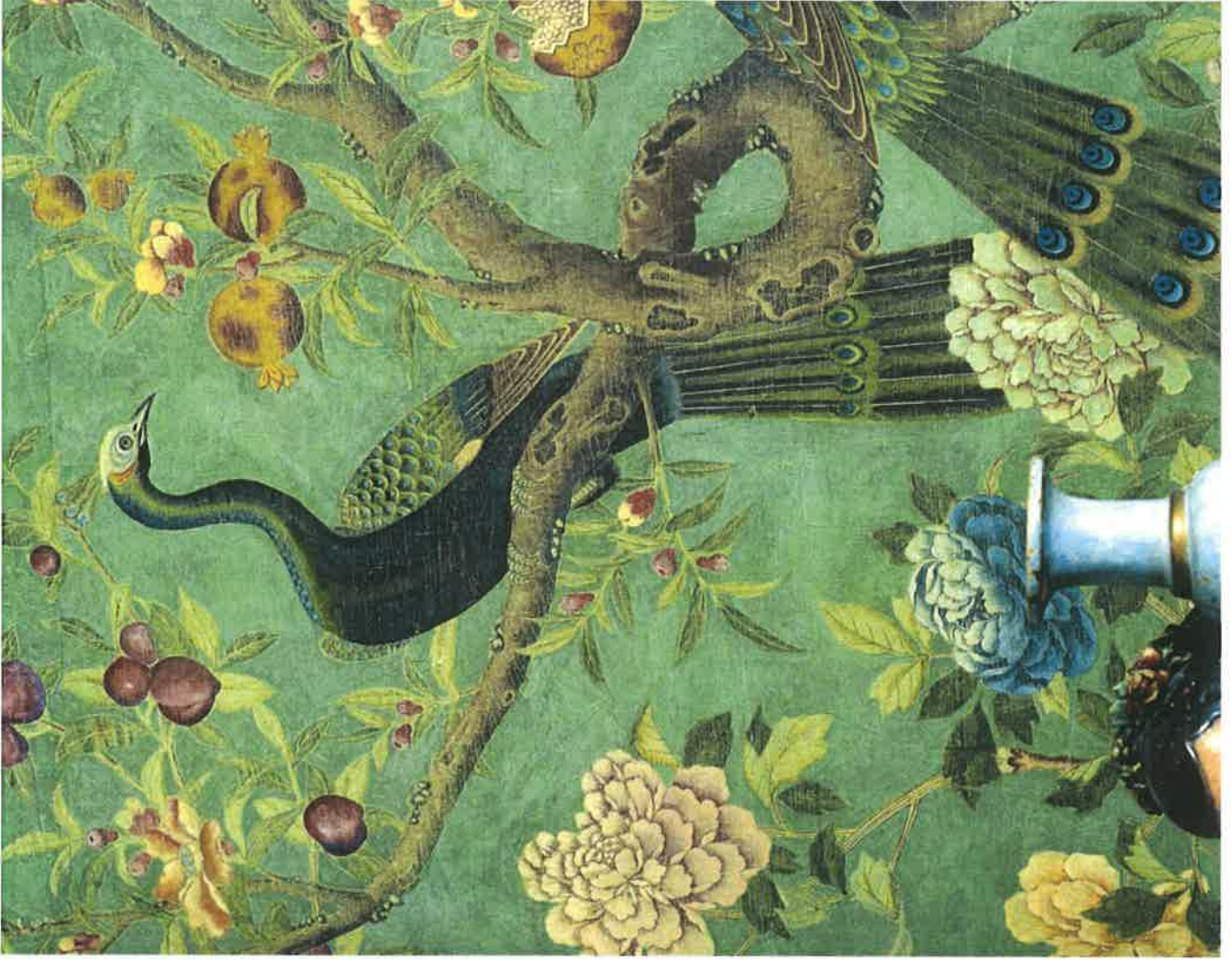
Thank you for coming today and taking
time to view our presentation.

We are committed to working with our neighbours to ensure
we create a successful restaurant that will become part of the
community, and one you will enjoy visiting.

We are happy to answer any questions you may have. If you
would like more information, or to arrange a separate meeting,
please contact Jessica Stewart at Comm Comm UK.

Thank you

Jessica Stewart 020 7125 0421 jessicas@commcommuk.com
Comm Comm UK 34-35 Berwick Street London W1F 8RP





YOU SPOKE, WE LISTENED

Since our last residents' drop-in session on 31 July, we have been meeting our neighbours, undertaking surveys and reviewing our licensing application in light of what we have learnt. As a direct result we have updated our application and operational management plans. We have set these out below for further community feedback.

HOURS OF OPERATION

We have reduced our hours of operation from
3.00am to 1.30am *

PROPOSED NEW LICENSING CONDITIONS

- Full Restaurant Licence
A full restaurant licence replaces the current bar licence, meaning all guests must eat when visiting Park Chinois.
- Valet Parking
We will have a dedicated valet parking service to ensure no cars will be parked on-street.
- Taxi scheme
There is a large taxi rank in front of the restaurant. We will use both black cabs and private taxis. We will ensure taxis arrive prior to guests leaving the restaurant.
- Door Staff
In place from 8pm until 2am actively managing dispersal and smokers. This will include arranging taxis, valet parking and asking guests to leave quietly as well as reminding smokers to be considerate.
- After 9pm all doors and windows will be closed preventing any noise leakage
- No entry after 1am
- No queuing
- Only 10 smokers outside at any time
- The premises will not operate as a disco or nightclub
- No deliveries and collections between 11pm and 7.30am (as per Council policy)
- Paid for Policing through CSAS (Community Safety Accreditation Scheme)
We will work with other businesses along Berkeley Street to pay for 24/7 patrols with additional policing powers granted by the Borough Commander.
- Establish Berkeley Street Residents and Businesses Monitoring Group
Working with the local Councillors, we will establish a new group that meets quarterly to improve the local area and put in place a Best Practice Policy/Code of Conduct.

* All licensable activities to end at 1.30am with the usual 30-minute winding up period

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 14/05048/LIPN

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 16th July 2014

The Licensing Act 2003**Park Chinois, 17 Berkeley Street, W1**

I refer to the application for a New Premises Licence for the above premises.

The applicant has submitted floor plans of the premises ref 1303.DB.04.01 dated 5/11/13.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following

1. To provide for the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday between 10.00 and 03.00 hours.
2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 and 03.00 hours.
3. To provide regulated entertainment 'indoors' comprising
 - Plays
 - Films
 - Live Music
 - Recorded Music
 - Performance of Dance
 - Anything of a similar description to Live Music, Recorded Music and Performance of DanceMonday to Sunday between 10.00 and 03.00 hours.
4. On New Years Eve to provide regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours to commencement of authorised hours on New Years Day.
5. To add an additional hour to the standard and non-standard times at the commencement of British Summertime.

I wish to make the following representation

1. The hours requested for the Supply of Alcohol, provision of regulated entertainment and the type of regulated entertainment and Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area and impact on Public Safety.
2. The hours requested to permit the provision of regulated entertainment, late night refreshment and Supply of Alcohol from the end of authorised hours on New Years Eve to commencement of authorised hours on New Years Day will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.
3. The additional hour requested to permit regulated entertainment, late night refreshment and supply of alcohol on the morning on which summer time begins will have the likely effect of causing an increase in Public Nuisance within the area.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the area.

The applicant has provided additional information along with proposed conditions with the application which is being considered but do not fully address the concerns of Environmental Health.

Should you wish to discuss the matter further please do not hesitate to contact me.

Ian Watson
Senior Practitioner Environmental Health (Licensing)

Patterson, Susan

From: Andrew Wong [AWW@jgrlaw.co.uk]
Sent: 02 October 2014 12:03
To: Watson, Ian; Sollars, Jim; Deweltz, Adam
Cc: Patterson, Susan
Subject: RE: 14/05048/LIPN
Attachments: Park Chinois Berkeley St new Con 10 14.doc

Dear Ian, Jim and Adam

Thank you.
I confirm the applicant accepts the conditions.
Thank you for your time.

Best wishes

Andrew Wong
Director
for Jeffrey Green Russell Limited

Waverley House, 7 -12 Noel Street, London, W1F 8GQ
Direct Tel: ++44 - (0)20 7339 7067
Direct Fax: ++44 - (0)20 7307 0279
www.jgrweb.com

"Leading Individual" and "Recommended Individual" 2014 by Legal 500
"Top Tier" and "Recommended Law Firm" 2014 by Legal 500

From: Sollars, Jim [<mailto:jsollars@westminster.gov.uk>]
Sent: 02 October 2014 11:32
To: Watson, Ian; Andrew Wong
Cc: Deweltz, Adam
Subject: RE: 14/05048/LIPN

Andrew,

Police agree with the changes to the conditions and confirm that they promote the licensing objectives.

Jim Sollars PC 2142CW

Westminster Police Licensing Team
4th Floor Westminster City Hall,
64, Victoria Street,
LONDON
SW1E 6QP

Tel: 0207 641 3179

From: Watson, Ian
Sent: 02 October 2014 11:22
To: Andrew Wong
Cc: Sollars, Jim
Subject: 14/05048/LIPN

Andrew
Following our meeting yesterday please find attached the additional EH conditions.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)
EH Consultation and Licensing
Premises Management

Westminster City Council
City Hall, 4th Floor West
64 Victoria Street
London, SW1E 6QP

Tel: 020 7641 3183
Fax: 020 7641 3436
Email: iwatson@westminster.gov.uk

Westminster Council's Team of the Year 2012



The way you register to vote has changed. Find out what you need to do here. <http://bit.ly/1slv9lv#>

Keep the whole family active with hundreds of free and low cost events and activities this summer. Download our Summer in the City, and Active Westminster guides at <http://westminster.gov.uk/summer-activities>

Westminster City Council: www.westminster.gov.uk

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TO Licensing Officer

REFERENCE 14/05048/LIPN

FROM EH Consultation Team

REFERENCE

BEING DEALT WITH BY Ian Watson (iwatson@westminster.gov.uk)

TELEPHONE 020 7641 3183

DATE 2nd October 2014

The Licensing Act 2003

Park Chinois, 17 Berkeley Street, W1

I refer to the application for a New Premises Licence for the above premises.

The applicant has submitted floor plans of the premises ref 1303.DB.04.01 dated 5/11/13.

The following conditions are proposed. These are in addition to or modified from those proposed by the applicant.

1. The premises shall only operate as a restaurant

- (i) in which customers are shown to their table,
- (ii) where the supply of alcohol is by waiter or waitress service only,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

Notwithstanding this condition, before midnight seated customers only are permitted to order and consume alcohol in each of the holding bar areas cross hatched black on the plan only if they are waiting for their table to have their meal.

2. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:

Ground Floor – 250 customers

Basement - 250 customers

With no more than 450 customers at any one time

The maximum numbers are subject to final approval by the District Surveyor upon the removal of the works condition.

3. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
4. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
5. No deliveries or collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.30 hours on the following day.

Regards

Ian Watson

Senior Practitioner Environmental Health (Licensing)

Qureshi, Sabihah

From: Deweltz, Adam
Sent: 30 June 2014 13:41
To: ajc@jgrlaw.co.uk
Cc: idoxlicensing
Subject: Park Chinois, 17 Berkeley Street, W1 - 14/05048/LIPN

Dear Angela,

Park Chinois, 17 Berkeley Street, W1 - 14/05048/LIPN

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting. It is our belief that if granted the application would undermine the Licensing Objectives in relation to the prevention of crime and disorder, as there are insufficient conditions contained within the operating schedule.

In order for the licence to be granted, the Police would like the following condition added to the operating schedule:

The premises shall only operate as a restaurant

- (i) in which customers are shown to their table,
- (ii) where the supply of alcohol is by waiter or waitress service only,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

The application also contains the sale of alcohol beyond the Westminster Core hours.

I have spoken to Jim and if it is possible Angela, can a meeting be set up to discuss the application and visit the venue?

I look forward to your prompt response.

Many thanks,

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

35

Qureshi, Sabihah

From: Glenys Roberts [Glenys.Roberts@dailymail.co.uk]
Sent: 26 June 2014 14:35
To: Premises Licensing
Cc: jaleh.zand@gmail.com; ronwhelan (rwhelan.16@btinternet.com); Richard Brown (licensing@westminstercab.org.uk)
Subject: 14/05048/LIPN 17 Berkeley street

I should like to support the residents by objecting to the late hours, live music and large numbers proposed in this premises so close to their homes on the grounds of the inevitable public nuisance this will cause plus possible crime and disorder, Cllr Glenys Roberts

This e-mail and any attached files are intended for the named addressee only. It contains information, which may be confidential and legally privileged and also protected by copyright. Unless you are the named addressee (or authorised to receive for the addressee) you may not copy or use it, or disclose it to anyone else. If you received it in error please notify the sender immediately and then delete it from your system. Associated Newspapers Ltd. Registered Office: Northcliffe House, 2 Derry St, Kensington, London, W8 5TT. Registered No 84121 England.

Patterson, Susan

From: Douglas, Lee
Sent: 29 July 2014 16:12
To: Roberts, G (cllr)
Cc: Patterson, Susan
Subject: RE: installation of units on 17 Berkeley Street rooftop (attention of Mr. Matthew Black)

Dear Cllr Roberts

17 Berkeley Street, London W1J 8EA

Thank you for your email regarding the installation of plant on the roof of the above site.

A Planning Inspector visited the site yesterday and inspected the plant and took extensive notes and photographs of the unauthorised works. I will ensure that warning letters get sent before the end of tomorrow to all parties with an interest in the land confirming that the works are unauthorised and are in breach of planning control. We will be seeking a written undertaking confirming that the plant will not be brought into operation until such a time that planning consent has been granted for them. Formal enforcement action requiring the unauthorised plant to be removed will be considered if no planning applications are submitted to retain them within a reasonable period of time (normally 6 weeks), or if any such applications are refused. We will also consider serving an enforcement notice if the unauthorised plant is brought into use before any consent is granted for their retention.

I will email the complainant separately, confirming how we are dealing with his complaint and advising him to contact me if the unauthorised plant is brought into use prematurely and to contact the 24 hour Noise Team if he believes that the plant causes a statutory noise nuisance.

I trust this clarifies matters. Please do not hesitate to contact me if you have any queries.

Regards

Lee Douglas
Area Planning Officer
Planning Enforcement Team
Development Planning

Built Environment
Westminster City Council
12th Floor
64 Victoria Street
London
SW1E 6QP
Phone: 020 7641 3655
Fax: 020 7641 3989

Email: ldouglas@westminster.gov.uk

Any views or opinions expressed in this email are those of the sender, and whilst given in good faith, do not necessarily represent a formal decision of the Local Planning Authority unless a statutory application is or has been made and determined in accordance with requisite procedures, planning policies and having had regard to material considerations.

From: Glenys Roberts [mailto:Glenys.Roberts@dailymail.co.uk]
Sent: 29 July 2014 15:32
To: Cox, Emma
Cc: Patterson, Susan
Subject: Fwd: installation of units on 17 Berkeley Street rooftop (attention of Mr. Matthew Black)

Emma please see below as a matter of urgency

Sent from my iPad

Begin forwarded message:

From: Glenys Roberts <Glenys.Roberts@dailymail.co.uk>
Date: 29 July 2014 15:28:59 BST
To: Jaleh Zand <jaleh.zand@gmail.com>
Cc: ron whelan <rwhelan.16@btinternet.com>, Roald Piper <rpiper@westminster.gov.uk>, Susan Patterson <spatterson@westminster.gov.uk>
Subject: Re: installation of units on 17 Berkeley Street rooftop (attention of Mr. Matthew Black)

Thanks for this I am copying it into Planning enforcement and know that they will take this very seriously. Roald, this premises is the subject of a controversial licensing application 14/05048/LIPN that is about to be heard. I would be grateful if you could look into it immediately so your views can form part of the licensing reposes if appropriate, many thanks
Glenys

Sent from my iPad

On 29 Jul 2014, at 12:19, "Jaleh Zand" <jaleh.zand@gmail.com> wrote:

Dear Glenys

I don't know if the below is relevant to your discussions with the planning team and Chris Roe, but I thought to bring it to your attention in case.

In short this is a separate issue we are looking to resolve with 17 commercial side. They applied for planning permission to install more than 10 units of aircon on our rooftop. Few of us objected and then they withdraw the application. They then went ahead last Saturday and installed all units without any permission. You can see below confirmation from the planning team that they have done this without any planning permission. It is of course very difficult to bring all the units down, now that the job is done. This is the type of operator we are dealing with here.

Sorry if this is not very relevant, I thought it might be useful for you to know.

Kind regards

Jaleh

----- Forwarded message -----

From: Black, Matthew <mblack@westminster.gov.uk>
Date: 29 July 2014 09:49
Subject: RE: installation of units on 17 Berkeley Street rooftop (attention of

Mr. Matthew Black)

To: "jaleh.zand@gmail.com" <jaleh.zand@gmail.com>

Dear Mr Zand

Thank you for your email.

In short no permission has been granted for the installation of this plant at 17 Berkeley Street and I have therefore forwarded your email and photos to the planning enforcement team for their consideration.

Thank you for bringing this matter to our attention. You will go down as the complainant and will be kept informed of developments by our planning enforcement team.

Yours sincerely

Matthew Black

From: Jaleh Zand [<mailto:jaleh.zand@gmail.com>]

Sent: 26 July 2014 12:53

To: CentralPlanningTeam

Cc: rj; Serena Akdag; grant bowler

Subject: installation of units on 17 Berkeley Street rooftop (attention of Mr. Matthew Black)

Dear Mr. Black

We spoke a while back about the installation of units on our rooftop at 17 Berkeley Street to which the residents had objected to. The application was made by 17 Berkeley Street commercial unit. Within weeks of our phone conversation I received the bellow letter that the application was withdrawn.

This morning the commercial unit has started installing the units with a crane on the roof. Attached are photos I took earlier today. Can you please let us

know if and how permission was received as we were not informed of any further applications being made?

The current plan for the units will block the skylight and therefore the light to flat 11. They will also block the maintenance room to the lift, which is in breach of health and safety. There is also a possibility of structural damage to the whole building, and there is no clear assessment of the noise that these units can cause.

I look forward to hearing from you.

Kind regards

Jaleh Zand

on behalf of 17 Berkeley Street Residents Association

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Qureshi, Sabihah

From: Glanz, Jonathan (Cllr)
Sent: 03 July 2014 11:00
To: Premises Licensing
Subject: Berkeley St - Licensing Application 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs,

I am writing in my capacity as Ward Councillor for West End Ward in which this property is located which is the subject of this application.

Berkeley St has seen significant change over the last few years and there are now a large number of restaurants and other licenced premises and whilst they have been highly commercially successful they have brought with them problems in their wake in relation to late night disturbance and noise, double, triple and selfish parking, blocking of the public highway by taxis, chauffeured cars, pedi-cabs etc... and a significant upturn in noise disturbance and anti-social behaviour which now takes place well into the early hours.

As a result of this increase in criminal and anti-social behaviour there has been a loss of residential amenity for the permanent residents who live on or nearby Berkeley St. The proposed application would add significantly to the number of customers who would be coming and going until well into the night and the proposal to licence the premises until 3:00am or 4:00am inevitably means that by the time the last members of staff have left the premises the first deliveries for other businesses in the street would be taking place.

The cumulative effect of the increased number of restaurants and the behaviour associated with them are at odds with the objectives of the Licensing Act and this proposal should be refused or, if the Committee is minded to grant it, conditioned significantly to ensure that the objectives are met and the lives of local residents are not further adversely affected.

Whilst in Central London residents accept there is always a certain amount of noise and disturbance associated with living in the centre of our capital city this particular street has changed out of all recognition over the last few years from a street which contained art galleries, car showrooms and other daytime uses to a destination restaurant location serving the interests of a much wider and more broadly geographically based clientele than had previously been the case and therefore it is not fair to say that the residents knew that this was what they were buying into.

While this is not within the Stress Area as defined the area and its residents are now under significant stress from the large and increasing number of restaurants, their inconsiderate clientele, the associated deliveries and other problems created by seeking to service buildings which were not originally designed for this purpose.

Best wishes,

Yours sincerely,

COUNCILLOR JONATHAN GLANZ
Member for West End Ward

45 Welbeck Street, London, W1G 8DZ
Tel: 020 7224 4545 / Mob: 07747 601812

Please follow me on:



Please only print if necessary

Comments for Licensing Application 14/05048/LIPN

Application Summary

Application Number: 14/05048/LIPN

Address: Basement And Ground Floor 17 Berkeley Street London W1J 8EA

Proposal: Premises Licence - New

Case Officer: Miss Susan Patterson

Customer Details

Name: Mr. Ron Whelan

Address: 29A Brook Street London

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:6:29 PM on 26 Jun 2014 The Mayfair Residents wishes to object to this latest application for a late-licensed bar/restaurant in Berkeley Street. Local residents are already having to regularly endure anti-social noise in the early hours of the morning from the patrons of these bars. We understand that if this new large-scale late night operation is permitted by the Council then many local residents, particularly those living in 17 Berkeley Street, will forced to move. We believe that such a driving out of local residents from their homes is both inequitable and also contrary to the stated public policy of Westminster Council of increasing the residential population in the West End.

We would therefore strongly urge the licensing authorities to refuse this application.

Yours sincerely,

Ron Whelan

Chairman

Mayfair Residents Group

Patterson, Susan

From: ron whelan [rwhelan.16@btinternet.com]
Sent: 27 July 2014 16:14
To: Patterson, Susan
Cc: Jaleh Zand
Subject: RE: Re Park Chinois Berkley St

Dear Ms. Patterson,
The local residents would welcome the inclusion of this letter of support in their opposition to this late license application.

Yours sincerely,
Ron Whelan
Chairman
Mayfair Residents Group

From: Patterson, Susan [mailto:spatterson@westminster.gov.uk]
Sent: 27 July 2014 11:11
To: ron whelan
Subject: Re Park Chinois Berkley St

Hello Councillor Tim Mitchell has suggested that I ask you to include as support for your representation on this case a letter from Father Andrew from Farm Street Church which he received beyond the representation respond date that cannot be included in its own right.

Is that OK , in which case I will forward the letter to you.
Thanks

Ms Susan Patterson
Environmental Health Consultation and Licensing
Premises Management
Westminster City Council
4th Floor South
City Hall
64 Victoria Street
London
SW1E 6QP
Tel: 020 7641 2207
Fax: 020 7641 7815
Mobile:07983398635
spatterson@westminster.gov.uk
www.westminster.gov.uk

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Westminster City Council: www.westminster.gov.uk

Ref: 14/05048/LIPN

Dear Councillor Mitchell

I am writing to express my serious disquiet and to register my objection to the above proposed application which, as I understand it, is for a 450 – 500 capacity late licensed bar/restaurant at 70 Berkeley Street with a 03.00/04.00 closing time.

The late licensed establishments in Berkeley Street have long created serious problems at night for the residents living in that locality. They have been subjected to noise from drunken brawls, excessive revving of engines and countless cabs parked two or three abreast to collect people who have patronized these establishments. The street itself is only about 200 yards long and is now almost completely taken up by such establishments.

If the new licence is granted it will cause more severe disturbance during the night and early hours of the morning to local residents, many of whom I understand feel they may be obliged to move away from the area. I, and those to whom I have spoken, believe that the situation in which the residents are being placed can only detract from the Council's stated objective to increase the residential population of Mayfair.

I should like to support the idea, which I know has been mooted by the Chairman of the Mayfair Residents' Group, that a meeting should be held between the Council and local resident leaders in the immediate future, i.e. before the end of July, to discuss the situation in Berkeley Street and in particular to consider granting stress area status to Berkeley Street (I stress, not the whole of Mayfair).

I am also concerned that the granting of this licence will increase noise levels during the night which will adversely impact upon those living and sleeping in my own residence.

Yours sincerely

Father Andrew Cameron-Mowat
Parish Priest
Farm Street Church 114 Mount Street London W1K 3AH

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APPENDIX B6

Qureshi, Sabihah

From: Jaleh Zand [jaleh.zand@gmail.com]
Sent: 27 June 2014 11:09
To: Premises Licensing
Subject: Objection to the application for new premises license ref: 14/05048/LIPN, Post code: W1J 8EA

Follow Up Flag: Follow up
Flag Status: Completed

Licensing Applications

Westminster City Council

4th Floor (South)

City Hall

64 Victoria Street

London SW1E 6QP.

By email: premiseslicensing@westminster.gov.uk

27 June 2014

Dear Sirs

Park Chinois, 17 Berkeley Street, London W1J 8EA

Application for new premises license ref: 14/05048/LIPN

17 Berkeley Street Residents Association would like to make a representation in respect of the above application for a new premises license. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on prevention of crime and disorder. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

The application

The application seeks a very late terminal hour for licensable activities. The application as presented is likely to cause a public nuisance, particularly due to the late hours sought, the large capacity and the absence of conditions restricting sale of alcohol as ancillary to a table meal and controlling the outside of the premises and dispersal of customers.

A similar application was made by the previous owner of the premises, few years ago and at the time approval was restricted to core hours. **The council rejected the 3am hours previously given the disturbance it shall cause to local residents.**

Prevention of public nuisance and prevention of crime and disorder

The application will harm licensing objectives. The hours requested are outside core hours and as described above will add to the on-going noise nuisance and anti social behaviour the residents have been dealing with. There is no condition which can prevent the nuisance we shall experience from the clients leaving the premises early in the morning, the added traffic and the added noise to Berkeley street. The capacity requested would imply that the doors are to be kept open on an on going basis to facilitate the 450 people getting in and out.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12 that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night.

The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing in due course.

Yours sincerely,

17 Berkeley Street Residents Association:

Flat 1: Jeanette Chang: Jeanette@jmccallum.co.uk

Flat 2: Grant Bowler: gvbowler@hotmail.com

Flat 3: Kasturi and Bimal Chandra: pamipaall@hotmail.com

Flat 5: Mr. & Mrs. Kumar: hbatty@whisperingsmith.com

Flat 6: Sheel Khemka: sheel@lofli.com

Flat 7: Mr. & Mrs. Arjmandkhah: sally@portlandproducts.co.uk

Flat 8: Richard Garrett: derron@osproperty.co.uk

Flat 9: Jaleh and Ladan Zand: jaleh.zand@gmail.com

Flat 11: Dimitri Los: los_design@hotmail.com

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Qureshi, Sabihah

From: Jaleh Zand [jaleh.zand@gmail.com]
Sent: 27 June 2014 10:57
To: Premises Licensing
Subject: Objection to the application for new premises license ref: 14/05048/LIPN, Post code: W1J 8EA

Follow Up Flag: Follow up
Flag Status: Flagged

Licensing Applications

Westminster City Council

4th Floor (South)

City Hall

64 Victoria Street

London SW1E 6QP

By email: premiseslicensing@westminster.gov.uk

27 June 2014

Dear Sirs

Park Chinois, 17 Berkeley Street; London W1J 8EA

Application for new premises license ref: 14/05048/LIPN

I write to make a representation in respect of the above application for a new premises license. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on prevention of crime and disorder. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

Introduction

I live at Flat 9, 17 Berkeley Street. I have lived here since March 2004. I live with my husband Ulrich Brandt-Pollmann. There are 12 flats in the block. Our flat is on the fifth floor. The flats are directly above the 17 Berkeley Street Commercial for which the applicant is seeking the license.

We have been experiencing increasing level of nuisance from local bars, clubs, and restaurants currently in operation in the vicinity of our premises. We are often woken up by loud noise from customers leaving these premises or music from either the premises or the cars (at times playing loud music) who are clients of one of these late night operators. We have voiced our concerns frequently and objected to every new license, which has been granted in recent years. We are in particular concerned and worried about this new license given its proximity to our premises. The license requested is in contradiction with the residential nature of our current premises. If granted, it will certainly make our premises nonresidential as I doubt any of us can manage to get any sleep to say the least.

Below is the list of licenses in operation in very close proximity (approx. less than 10 meters) of our residence excluding small café / restaurants:

- 1) Palm Beach Casino (30 Berkeley Street): 24hrs. This is opposite our building and has been in operation for years.
- 2) Mayfair Bar (part of the Mayfair hotel, the bar entrance is on Berkeley Street and few meters down from Palm Beach Casino): Operates until 1am
- 3) Nobu (15 Berkeley Street): a restaurant with core hours to our left
- 4) Funky Buddha (15 Berkeley Street): a night club operating until 3am to our left
- 5) Bocconcino (19 Berkeley Street): a restaurant on our right with core hours, recently was granted a new license (used to be offices), still not in operation, and most certainly will add to the current noise, traffic and anti social behaviour we are experiencing
- 6) Café Pushkin (20 Berkeley Street): a restaurant with core hours, recently submitted application for outside core hours.

Finally, Novikov (50 Berkeley Street): a restaurant / bar, operating until 2.30am. This is further down in Berkeley Street and not as close as the operators listed above. Novikov has been in operation 2 to 3 years now.

As you can see from the above, the number of late night operators in this part of Berkeley Street is extremely high. Either every number or every other number is a bar or a restaurant. There is a problem of traffic, loud noise and anti social behaviour until early hours of the morning and in particular on the weekends. In recent years this has lead to anti social behaviour in our street. We have had one window and two fire boxes broken within the past year, this is something that we never experienced years back.

The application

The application seeks a very late terminal hour for licensable activities. The application as presented is likely to cause a public nuisance, particularly due to the late hours sought, the large capacity and the absence of conditions restricting sale of alcohol as ancillary to a table meal and controlling the outside of the premises and dispersal of customers.

Prevention of public nuisance and prevention of crime and disorder

The application will harm licensing objectives. The hours requested are outside core hours and as described above will add to the ongoing noise nuisance and anti social behaviour the residents have been dealing with. There is no condition which can prevent the nuisance we shall experience from the clients leaving the premises early in the morning, the added traffic and the added noise to Berkeley street. The capacity requested would imply that the doors are to be kept open on an ongoing basis to facilitate the 450 people getting in and out.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12 that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing in due course.

Yours sincerely,

Jaleh Zand and Ulrich Brandt-Pollmann

Flat 9, 17 Berkeley Street

London W1J 8EA

**Licensing Applications
Westminster City Council
4th Floor (South)
City Hall
64 Victoria Street
London SW1E 6QP**

By email: premiseslicensing@westminster.gov.uk

9th July 2014

Dear Sir

**Park Chinois, 17 Berkeley Street, London W1J 8EA
Application for new premises licence ref: 14/05048/LIPN**

I would like to make a strong representation against the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on prevention of crime and disorder. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

Introduction

I live at Flat 2, 17 Berkeley Street. I and or my family have lived here since 1995. There are 12 flats in the block, two flats on each floor, one flat overlooking Berkeley Street the other the light well between Berkeley and Dover Street. The building has been divided into residential and commercial by the Freeholder.

The Freeholder owns the Dover Street building opposite, number 33, similarly configured to number 17. As a consequence the Council has allowed the Freeholder (together with the Commercial leaseholder) to join underground and at street level the two buildings.

My Flat is located on top of the underground area which I note has been designed for 450 client occupants. The noise and vibration from the refurbishment of the Commercial premises makes me well aware that Quiet Enjoyment of my flat is in jeopardy in the event the Commercial premises are allowed to serve until 3.30 am.

Stressed Area

Berkeley Street has become overcrowded with clubs, restaurants and late night entertainment premises which put the area under stress due to the rapid approval and expansion of licensed premises. No consideration has been given to transport or the handling of client cars and drivers in what is already a congested area. The removal of 450 clients at 3 am – or even half this number will be a significant logistic exercise. Competition for the very small double yellow line area in front of number 17 is fierce. The gambling club opposite has drivers who occupy the space to reserve it (and other available spaces) until a client turns up with their car, when a car jockey takes it or parks it.

The noise of semi inebriated or fully inebriated clients slamming doors and shouting greetings is already evident. Having to endure this with an additional 450 below us and 102 around the corner (Café Pushkin) at 12 and through to 03:30 hours is too much to ask. If it is the Councils policy to squeeze out residents from this area, please advise us rather than license this to break our endurance. The flats will become occupied by professionals who live and work similar hours and you will see an extension of the Shepherds Market trade of working girls into Berkeley Street.

Any cursory look at the entrance to number 17 will demonstrate dried urine stains down the wall and across the pavement. It is disgusting to step out in the morning to see vomit in the doorway. Visit any telephone box in the area and the stench of stale dry urine is palpable and sometimes excrement. You may ask why affluent clientele would do this and the answer is because they can and who will stop them? They can laugh off an anti-social behavior fine if any enforcement officer has the temerity to issue one. Mayfair was considered an area of class. It has turned into a sewer factually and metaphorically.

The application

The application seeks a too late terminal hour for licensable activities. The application as presented is likely to cause a public nuisance, particularly due to the late hours sought, the large capacity and the absence of conditions restricting sale of alcohol as ancillary to a table meal and controlling the outside of

the premises and dispersal of customers. Displayed notices to keep the noise down are not worth the paper they are written on.

Further if there is wealthy client who wants the music turned up then they will turn it up – how can restrictions not to cause noise or vibration be observed? Already I have experienced acoustic tests with music which have shaken the floor and items in the living room. I am not satisfied my interests are adequately protected.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12 that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing in due course.

Yours sincerely,

(Unsigned email)

Grant Bowler

Flat 2,

17 Berkeley Street

London W1J8EA

Licensing Applications
Westminster City Council
4th Floor (South)
City Hall
64 Victoria Street
London SW1E 6QP

By email: premiseslicensing@westminster.gov.uk

09th July 2014

Dear Sir

Park Chinois, 17 Berkeley Street, London W1J 8EA
Application for new premises licence ref: 14/05048/LIPN

I write to make a representation in respect of the above application for a new premises licence. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

Introduction

I live at Flat 7, 17 Berkeley Street I have lived here since 2013 I live with my wife. There are 8 flats in the block. No 17 Berkeley St (the residential building in question) is directly opposite the large and busy Mayfair Hotel, its bars and the ever popular Palm Beach Casino. As a consequence of this venue alone, Berkeley St is highly congested, with a never ending stream of taxi's picking up, vehicles being valet parked, loud and drunken people shouting profanities into the early hours of the morning, which the police often have to attend to.

Just past the hotel at the end of the road is another very large bar called Babble which is causing the same problems. This place becomes very busy with an overspill of loud drunken people onto the street taking up the pavements.

Berkeley St has 2 world renowned very large capacity restaurants by name of Nobu restaurant and Novikov restaurant, both of which are very busy seven days a week.

Number 15 Berkeley St is the famous Funky Buddah nightclub. This club is only 2 doors away from 17 Berkeley St and causes considerable distress to the residents as during the evening there are queues of people stood in a line from No15 down to No.17 waiting to enter this club, which we have to walk through to get to our front door. There are loud drunken people exiting this club all night long into the early hours of the morning.

No 20, Berkeley St is at this moment in time applying through the council (ref 04123/LIPN) for permission to open a café with the playing of loud music, late night refreshment, sale by retail of alcohol and late night opening hours.

We do not have enough room for any more traffic flow (people or vehicles) outside the vicinity of our building, Berkeley St itself is already overcrowded with busy venues all of which have alcohol and late night opening hours. It is very often chaos on Berkeley St as double-decker buses, tourist buses, taxis, delivery vans, lorry's pedestrians all fight to get through and this is almost round the clock.

Application

Prevention of public nuisance and prevention of crime and disorder

This application is just going to intensify the already intolerable stressful environment we are forced to live in. Such a large capacity of people entering and exiting the premises just below our windows is going to be a massive disturbance to our home lives and our chance of sleeping at night and this will be seven days a week. The doors of the building will be open continually with the loud music infiltrating the street beneath our bedroom windows. Everytime we want to exit or enter our own building we will be forced to make our way through yet more drunken loud people in front of our door.

This is not only very frightening and un-nerving . It is going to put us all at 17 Berkeley Street under an intolerable amount of added stress to our already stressful lives.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12 that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing in due course.

Yours sincerely,

M Arjomandkhah

Address

Flat 7, 17 Berkeley Street.

(31)

Qureshi, Sabihah

From: Dimitris [los_design@hotmail.com]
Sent: 01 July 2014 14:32
To: Premises Licensing
Cc: CHRISTINA LOS
Subject: Representation concerning: W1J 8EA New premises licence ref: 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Flagged

Licensing Applications

Westminster City Council

4th Floor (South)

City Hall

64 Victoria Street

London SW1E 6QP

By email: premiseslicensing@westminster.gov.uk

1 July 2014

Dear Sir/Madame,

Park Chinois, 17 Berkeley Street, London W1J 8EA

Application for new premises licence ref: 14/05048/LIPN

I am part-Owner of Flat 11 of 17 Berkeley str, reading in cc: is part-Owner Mrs Christina Los and I am writing to make a representation, on behalf of both of us, in respect of the above application for a new premises licence. The application seeks a very late terminal hour for licensable activities. It's true that our street is hardly a resident friendly area, and even less a family friendly area. In fact, there are times when it feels like we are "crashing a party" that is happening on our street! Public Nuisance to residents near and on Berkeley str is already at an all time high and is certainly to be increased should this licence be granted. Having read the description of said licence I noticed that there is mention of soundproofing the premises. Certainly this goes without

saying, but what about the people coming out of the premises? Shouting, garbage, vomit, flashlights, traffic jams(!), car horns are all commonplace even on a weeknight, as you can imagine, sleeping is a challenge. Should this licence be granted, it is possible that 450 people would be added to this until 3am no less. One can only imagine how the nuisance levels will multiply for us should they be brought right to our doorstep.

Adding to this, late night drinking often coincides with criminal activity. Fights that happen all the time and the stabbing that occurred a while back are things we would all like to prevent from happening again. Public safety, the prevention of crime and disorder as well as the protection of sensitive populations will all result from denying this licence.

I appreciate you taking the time to consider our objections and sincerely hope that Council will act in the best interest of us residents.

Please keep us informed of any developments,

Yours Sincerely

Dimitri Los

Flat 11

17 Berkeley str.

W1J8EA

Flat11
Savile House
18 Berkeley Street
Mayfair
LONDON W1J 8EB

Licensing Team
FAO: Steven Harrison
Westminster City Hall
64 Victoria Street
LONDON SW1E 6QP

07 July 2014

Dear Sir/Madam

RE REF 14/05048/LIPN
New Premises Licence Application
Park Chinois, 17 Berkeley Street, London W1J 8EA

We wish to object to this new licence application on behalf of Savile House Management Company (Mayfair) Limited (which represents the service company for all residents at 18 Berkeley Street) and myself a resident of Savile House.

- We live next door to the premises in question

The objections are on the grounds of:

1. **Prevention of crime and disorder**
2. **Public safety**
3. **Prevention of public nuisance**

- The area around 17 Berkeley Street has many clubs/ late night licensed premises and now appears SATURATED with such establishments
- Moreover, there are a number of premises in close proximity of number 17 Berkeley Street.
- 15 Berkeley Street (Funky Buddha); Nobu 15 Berkeley Street; Palm Beach Casio 30 Berkeley Street (opposite); Mayfair Hotel, Stratton Street (opposite); Novikov 50A Berkeley Street and probably soon 19 Berkeley Street.
- Also there is Babble at 59 Berkeley Square
- There is a danger of "rise in crime and disorder or cause unreasonable detriment to local community" and "problems of disturbance to residential amenity and public disorder ...by the sheer number of premises and the hours of operation"
- Noise generated from these premises are loud, especially in the early hours of the morning as patrons leave the premises
- I have lived in Savile House now for over 12 years and the area has changed considerably and trying to wade through the crowds in the late evenings to my front door is a chore
- I live my 6 year old son who has been woken up in the middle of the night on several occasions due to the disturbance created as patrons leave these late night premises. This has a detrimental impact on his sleep pattern and subsequent performance at school the following day

- I have taken to wearing ear plugs to dampen the noise effects
- In the summer months I cannot open windows for ventilation as the noise is overwhelming in the middle of the night (I already have secondary glazing and shutters)
- Intoxicated patrons have on occasions randomly rung front door buzzers to various flats in the block further disturbing residents in the early hours of the morning
- The nearby surrounding areas outside these premises usually have a lot of litter (empty bottles, smokers litter and chewing gum)
- There have been examples of vomiting outside the steps of the entrance to 18 Berkeley street, empty and smashed alcohol bottles creating a danger to residents and pedestrians
- These premises have generally partitioned a portion of the public pavement to allow access to patrons and as a result pedestrians are forced to walk along a narrower section of the pavement or on occasions forced to walk in the road which causes a public safety issue
- Premises tend to attract the attention of illegal minicabs touting for business and a number of these drivers appeared to be parked outside causing added congestion
- This added congestion around this residential area is exacerbated by what appears to be double parking where taxis/cars queue in the middle of the street
- The issue of playing recorded music and live music will cause unacceptable sound and disturbance
- Smell from the kitchen at the rear of the premises creates unpleasant food odours.

For the reasons outlined we would like you to strongly consider our objections and **DECLINE** the new premise licence to number 17 Berkeley Street Park Chinois.

Yours faithfully



P Rajasekaran
(Resident and Director of Savile House Management Company (Mayfair) Limited)

Patterson, Susan

From: Darr, Amena
Sent: 16 July 2014 11:38
To: 'artem82@gmail.com'; 'jaleh.zand@gmail.com'
Cc: 'aww@jgrlaw.co.uk'
Subject: Park Chinois (17 Berkeley Street) 14/05048/LIPN
Attachments: DCMS Guidance for Interested Parties.pdf

----- Forwarded message -----

From: artem chernyshev <artem82@gmail.com>
Date: 15 July 2014 10:56
Subject: Licensing objection for 17 Berkeley street
To: jaleh.zand@gmail.com

Hi Jaleh

I tried to email the council with the objection, but the email bounced back.

If you can pass my email on, please do by all means.

To Whom it may concern

I would like to object to the granting of a late night license for Application number 14/05048/LIPN - postcode W1J 8EA.

I object on the grounds of "Prevention of Public Nuisance" and "Prevention of Crime and Disorder".

Resident of 15 Hay Hill, Berkeley House (Flat 32)

Vitaly Chernyshev

(7)

Comments for Licensing Application 14/05048/LIPN

Application Summary

Application Number: 14/05048/LIPN

Address: Basement And Ground Floor 17 Berkeley Street London W1J 8EA

Proposal: Premises Licence - New

Case Officer: Miss Susan Patterson

Customer Details

Name: MR Ahmad Boroumand

Address: 10 Berkley Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 11:23 AM on 16 Jul 2014 I live at number 10 Berkeley Street and would like to object to this application on the grounds of "Prevention of Public Nuisance and Prevention of Crime and Disorder".

6

Qureshi, Sabihah

From: Dr. Andreas Pittas [andreas.pittas@medochemie.com]
Sent: 15 July 2014 14:37
To: Premises Licensing
Subject: FW: RE APPLICATION NUMBER "14/05048/LIPN" AND POST CODE OF "W1J 8EA"

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

It came to my attention that there is a new licence application for 17 Berkeley Street ground floor and basement for **dance and music until 3.30 am, with a capacity of 450 people.**

As an owner of a property in this area, I am writing to you to express my strong opposition to the grand of such a licence on the grounds of Prevention of Public Nuisance, Crime and Disorder.

Trusting that you will consider my objection favourably and thanking you in advance for your attention, I remain,
Yours sincerely
Dr. Andreas Pittas

(5)

Qureshi, Sabihah

From: Caroline Stanley [cstanley@sloaneclub.co.uk]
Sent: 14 July 2014 12:24
To: Premises Licensing
Subject: Application 14/05048/LIPN post code W1J 8EA

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I am the owner of Flat 63 Berkeley House, Hay Hill and I write now to register my opposition to the new license application for 17 Berkeley Street ground floor and basement to have a license for dance music until 3.30 am with a capacity for 450 people on the grounds of the Prevention of Public Nuisance and the Prevention of Crime and Disorder.

Regards

Caroline Stanley



(4)

Qureshi, Sabihah

From: Sophie Denton [Sophie@bloombsburyprops.co.uk]
Sent: 14 July 2014 12:47
To: 'premiseslicensing@westminster.gov.uk'
Subject: Application 14/05048/LIPN post code W1J 8EA

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I am the representative of the tenant at Flat 63 Berkeley House, Hay Hill and I write now to register my opposition to the new license application for 17 Berkeley Street ground floor and basement to have a license for dance music until 3.30 am with a capacity for 450 people, on the grounds of the Prevention of Public Nuisance and the Prevention of Crime and Disorder.

Regards

Peter F Cooper



Bloomsbury Property Services
98 Gray's Inn Road, Bloomsbury, London, WC1X 8AJ
T: 020 7831 1191 F: 020 7404 5406

①

Qureshi, Sabihah

From: Lawrence Cooklin [lawrence.cooklin@btopenworld.com]
Sent: 16 July 2014 16:30
To: Premises Licensing
Subject: Application no. 14/05048/LIPN Postcode W1J 8EA

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Sirs,

Mrs. Thora Cooklin and I are joint owners of Flat 13, 10 Berkeley St. I am writing on our behalf to register an objection to the above licence application.

The proposed licence would enable the holders to create a substantial and prolonged nuisance to the occupiers of the numerous residential properties close by, including our own and would add to disturbance created by the granting of comparable licences during the past couple of years. We would urge you to reject this application.

Regards,

Lawrence Cooklin

③

City of Westminster
Licensing Service
Westminster City Hall
64 Victoria St
London
SW1 E 6QP



14th July 2014

To whom it may concern

New Premises Licence Application Ref 14/05048/LIPN
17 Berkeley St Park Chinois

As a resident of 10 Berkeley Street I strongly object to yet another centre of entertainment in a crowded area that already has too much going on late at night. The Council would be failing in it's duty if it were to allow this application to proceed. The local residents require your protection if we are not to be hounded out of what was and still can be, an elegant part of Mayfair rather than an extension of Soho!

My case is as follows :-

Prevention of Public Nuisance

Traffic

After 10pm on most evenings Berkeley Street becomes choked with traffic. An unofficial double parked taxi rank and chauffeur park forms outside NOVIKOV restaurant and often exceeds 100 yards in length. With cars legally parked on yellow lines on both sides of the street plus the line of taxis there is only one lane left for through traffic!

This is not only dangerous for pedestrians but when the one lane gets blocked driver frustration leads to horns being blown, most often at unsociable hours affecting those trying to sleep in nearby flats.

The congestion is not only at this end of Berkeley Street. The Mayfair Hotel; the Funky Buda nightclub, the Palm Beach gambling club; and Nobu's restaurant plus a few others attracting more and more traffic both pedestrian and vehicular - its all too much! Berkeley Street, a major feeder road in the West End was never designed for such an influx of cars and people!

That is before considering the development of No 17 and the major implications for the impact that would have on the community with a further host of humans invading this small patch of land and till 3.30 am!

I cannot imagine how this proposed development with potentially another 400 people trying to squeeze into an already overcrowded and noisy area , can be even contemplated !!

Noise

Berkeley Street has already too many sources of noise in addition to that of the traffic . Pedestrians when leaving the premises in the late evening and early morning some fueled up no doubt by excess alcohol have no consideration for local residents. The shouting, the horseplay , and the running up and down the street , again interrupts the sleep of those living in this area. Were the plans at No 17 to succeed ,a further 400 plus people hitting the street at unsocial hours cannot improve this situation !

The sound and beat of the sound of music can rarely be contained within the premises and that is another issue for neighbours and local people, particularly in the Summer .

The Prevention of Crime and Disorder

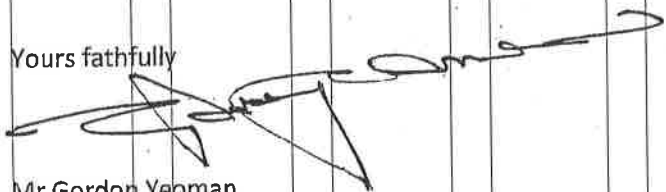
Unsavoury Characters

In the last year or so the popularity of the night life offer on Berkeley St has attracted pimps , prostitutes and beggars who prey on locals and passers by . I have no figures on crimes committed in the immediate area but I imagine that may well be an issue as well. The threatening aspect of these unwelcome people makes being around your own front door , on your own street , after dark , a very uncomfortable proposition and to be avoided unless absolutely necessary ! Surely the Council should be concerned about that and take account of this menace when considering making this situation worse were you to grant the development proposed.

Summary

I am sure that there will be a commercial argument for encouraging this form of development but it must not be at the expense of protecting local communities or preventing the Council from playing their part in stemming the tide in the distruction of the character of an historical part of Mayfair and saving it from becoming a pleasure seeking playground for the many ,who don't live here , or sufferthe consequences of overcrowding with plans such as those proposed.

Yours fathfully



Mr Gordon Yeoman
Flat 18
10 Berkeley St
W1J 8DP

Qureshi, Sabihah

From: Conneely, Connor [cconneely@tridenttrust.com]
Sent: 14 July 2014 15:49
To: Premises Licensing
Cc: jaleh.zand@gmail.com
Subject: 41 Berkeley Street, W1J 8EA -

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I should be grateful if you would kindly accept this e-mail, as our formal notification of objection to the licence application #14/05048/LIPN under the grounds of 'Prevention of Public Nuisance' and 'Prevention of Crime and Disorder'.

Furthermore, kindly keep us informed and updated upon any developments to the application.

For and on behalf
Trident Trust Company Limited
as trustees of the Euroland Trust

With thanks and kind regards

Connor Conneely
Client Services
Trident Trust Company Limited
Tel: +44 1534.733401
Fax: +44 1534 727195
www.tridenttrust.com

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#VPM:NUB140/328:1#

(10)

REVISED LETTER OF OBJECTION**(PLEASE IGNORE, DELETE AND DO NOT DISSEMINATE THE EARLIER LETTER OF OBJECTION IN RESPECT OF THE CAPTIONED APPLICATION DATED 10 JULY 2014).****BERKELEY ADAM S.A.; 3/ F, BERKELEY HOUSE, HAY HILL, MAYFAIR, LONDON W1J 8NS**

13 JULY 2014

TO: PREMISESLICENSING@WESTMINSTER.GOV.UK BY EMAIL ONLY (4 PAGES).

RE: APPLICATION BY PARK CHINOIS LIMITED NUMBER 14/05048/LIPN; POST CODE W1J 8EA

DEAR SIR/MADAM

1...I AM THE MANAGING DIRECTOR AND PRINCIPAL SHAREHOLDER OF BERKELEY ADAM S. A., A COMPANY WHOSE REPRESENTATIVES (INCLUDING MYSELF) , FAMILIES AND GUESTS ARE PERMITTED TO OCCUPY FROM TIME TO TIME A RESIDENTIAL FLAT IN BERKELEY HOUSE OWNED BY BERKELEY ADAM S.A. THIS FLAT IS IN A SUBSTANTIALLY RESIDENTIAL BUILDING OF 7 STOREYS SITUATE AT RIGHT ANGLES TO DOVER STREET AND BERKELEY STREET, LONDON W1, AND CLOSE TO THE PREMISES THE SUBJECT OF THE CAPTIONED APPLICATION ("PREMISES").

2...THE CAPTIONED APPLICATION IS FOR A PREMISES LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003, AS AMENDED, TO CONDUCT UNTIL 3.00AM REGULATED ACTIVITIES ON THE PREMISES NAMELY THE PERFORMANCE OF PLAYS, FILMS, PLAYING LIVE MUSIC AND RECORDED MUSIC, DANCING/DANCE PERFORMANCES, THE SALE BY RETAIL OF ALCOHOL, LATE NIGHT REFRESHMENT "AND ANYTHING SIMILAR", FOR UP TO 450 PERSONS.

3...THE PREMISES ARE SITUATE AT 17 BERKELEY STREET AND 33 DOVER STREET AT GROUND FLOOR AND BASEMENT LEVELS AND DIRECTLY BELOW 22 RESIDENTIAL PREMISES AT THESE ADDRESSES.

4...ON THE INFORMATION AVAILABLE AT THIS STAGE, OBJECTION IN THE STRONGEST TERMS IS HEREBY LODGED TO THE SAID APPLICATION:

GROUNDS FOR OBJECTION:

4.1. THE PREVENTION OF PUBLIC NUISANCE:

(A) THE NOISE, POLLUTION, AGGRAVATION AND DISTURBANCE TO LOCAL RESIDENTS AND HOTEL GUESTS CAUSED OR SIGNIFICANTLY CONTRIBUTED TO BY THE INCREASE IN TRAFFIC MOVEMENTS AND PARKING IN DOVER STREET, HAY HILL AND BERKELEY STREET ESTIMATED TO BE MORE THAN AN ADDITIONAL THREE HUNDRED VEHICLES SUCH AS CARS, TAXIS, HIRE CARS/VANS AND MOTOR-BIKES ARRIVING AND DEPARTING IN THE PERIOD 10.30PM TO 3.00 AM. (THIS IS ON THE BASIS THE PREMISES ARE 75% FULL WITH COUPLES AND PARTIES OF FOUR ARRIVING AND DEPARTING BY VEHICLE AND STAYING FOR 90 MINUTES IN THE PREMISES INCLUDING QUEUING TIME). IN ADDITION THERE IS EXPECTED TO BE A MATERIAL INCREASE IN ANIMATED AND ALCOHOL-FUELED PEDESTRIAN ACTIVITY

ON THOSE STREETS INCLUDING QUEUING FOR ADMISSION AND SMOKING OUTSIDE AND NEAR THE PREMISES, AND IN SUMMONING TAXIS. IT SHOULD BE NOTED THAT THE UNDERGROUND TRAIN SERVICES WILL HAVE CEASED SHORTLY AFTER MIDNIGHT. THEREFORE CLUBBERS/CUSTOMERS ARE DEPENDENT UPON PRIVATE TRANSPORTATION IN THE PERIOD BETWEEN THEN AND 3.00 AM AND ARE MORE LIKELY TO LOITER NEARBY, RATHER THAN DISPERSING TO THE UNDERGROUND STATIONS AT BOND STREET OR GREEN PARK.

(B) THE SIGNIFICANT NOISE, POLLUTION AND DISTURBANCE CAUSED TO LOCAL RESIDENTS/HOTEL GUESTS BY THE LARGE NUMBER OF PEOPLE USING AND MILLING ABOUT THE PREMISES AND ADJACENT STREETS IN THE PERIOD MIDNIGHT TO 3.00 AM AND ESTIMATED AT MORE THAN ONE THOUSAND (ON THE BASIS THE PREMISES ARE 75% FULL ON FRIDAY AND SATURDAYS WITH CLUBBERS/CUSTOMERS STAYING FOR 90 MINUTES (10.30PM TO 12.00; 12.00 TO 1.30 AM AND 1.30 AM TO 3.00 AM, AND THEN A "CHUCKING-OUT" PERIOD).

(C) THE AMPLIFIED NOISE OF THE LIVE AND/OR RECORDED MUSIC EMANATING FROM THE PREMISES IN PARTICULAR THE PERSISTENT THUMP OF THE BASE DRUM(S) AND HEAVY MUSIC WILL BE PARTICULARLY INTRUSIVE AND DISTURBING IN THE EARLY HOURS OF THE MORNING BECAUSE IT IS LIKELY TO RESONATE THROUGH NUMBER 17 BERKELEY STREET AND 33 DOVER STREET AND INTO THESE AND THE ADJACENT BUILDINGS AND ROADS.

(D) IT SHOULD BE NOTED THAT THE ACTIVITIES DESCRIBED AT (A)-(C) ABOVE ARE PROPOSED TO BE CONDUCTED AND TO OCCUR IN A SUBSTANTIALLY RESIDENTIAL ENVIRONMENT INCLUDING BERKELEY HOUSE IN HAY HILL, 17 BERKELEY STREET AND 33 DOVER STREET AND CLOSE TO A NUMBER OF HOTELS. THESE ARE NOISE SENSITIVE RECEIVERS WITH NOISE OF THE NATURE DESCRIBED (NOT BEING BACKGROUND OR AMBIENT NOISE) AT NIGHT-TIME AND IN THE EARLY HOURS OF THE MORNING BEING PARTICULARLY INTRUSIVE AND DISTURBING TO RESIDENTS/HOTEL GUESTS.

4.2. IT IS SUBMITTED THAT IT IS BEYOND ANY REASONABLE ARGUMENT THAT THE RESIDENTIAL NEIGHBOURHOOD, THE CLASS OF THE PUBLIC FOR THIS PURPOSE, WILL BE INJURIOUSLY AFFECTED BY THE FACTS STATED ABOVE IN THE SENSE THAT THE PUBLIC'S COMFORT AND CONVENIENCE WILL BE MATERIALLY AFFECTED. IT IS NOT NECESSARY TO ESTABLISH THAT EVERY MEMBER OF THIS CLASS OF THE PUBLIC WILL BE INJURIOUSLY AFFECTED: (A-G v PYA QUARRIES LTD (1957) 2 QB 169 per Romer LJ at 191).

4.3. NOR IS IT ANY ANSWER TO CLAIM THAT THE "CUMULATIVE IMPACT" IS SUCH THAT IT IS "JUST ANOTHER DISTURBANCE AMONG MANY IN THAT AREA" AND THEREFORE NEGLIGIBLE IN OVERALL CONSEQUENCE, JUST (IN EFFECT) ONE MORE LEAF IN A FOREST. ON THE CONTRARY, THE LOCAL AUTHORITY CAN AND SHOULD HAVE REGARD TO THE CUMULATIVE IMPACT ON THEIR POLICY (AS IN THE FACTUAL CIRCUMSTANCES OF THIS CASE) IN DESIGNATING THIS APPLICATION AS ONE WHERE THE EVIDENCE SHOWS THAT THE ACCUMULATION OF LICENSED PREMISES MAY CONSTITUTE THE UNDERMINING OF ONE OR MORE OF THE LICENSING OBJECTIVES (NOTABLY THE PREVENTION OF PUBLIC NUISANCE AND OF CRIME AND DISORDER, AND THE REDUCTION IN PUBLIC SAFETY), IF THE PREMISES ARE LICENSED PURSUANT TO THE CAPTIONED APPLICATION. THE CONSEQUENCE WILL AND

SHOULD BE THAT THE APPLICANT WILL NOT BE ABLE TO REBUT THE **PRESUMPTION AGAINST** APPROVING THE APPLICATION BECAUSE IT HAS NOT DEMONSTRATED THAT THERE IS NO CUMULATIVE IMPACT ON ONE OR MORE OF THESE LICENSING OBJECTIVES: SEE GUIDANCE UNDER SECTION 182 LICENSING ACT 2003, CH. 13 (AND SEE 13.29).

4.4. NOTHING IN THIS OBJECTION TO THE CAPTIONED APPLICATION AMOUNTS TO OR IS INTENDED TO AMOUNT TO THE POLICING OF CONCERT LICENSING OR SMALL SCALE LIVE MUSIC EVENTS; THIS OBJECTION IS NOT "PULLING THE PLUG ON THE CAPITAL'S MUSIC SCENE". FURTHERMORE NOTHING IN THIS OBJECTION RUNS CONTRARY TO THE PURPOSES OF THE LICENSING ACT 2003 NAMELY TO ENCOURAGE FLEXIBILITY IN DRINKING HOURS AND DISCOURAGE BINGE-DRINKING.

4.5. THE PREVENTION OF CRIME AND DISORDER; MAINTENANCE OF PUBLIC SAFETY:

(A) WITHOUT THE GIFT OF PROPHECY IT CAN NOT BE SAID WITH CERTAINTY THAT CRIME AND DISORDER AND REDUCED PUBLIC SAFETY WILL OR WILL NOT RESULT FROM THE GRANT OF THE CAPTIONED LICENCE. HOWEVER HAVING REGARD TO THE CUMULATIVE IMPACT OF YET ANOTHER PREMISES LICENCE IN THIS AREA TO CONDUCT THE REGULATED ACTIVITIES DESCRIBED ABOVE -IN THIS CASE A PREMISES LICENCE FOR SUCH A LARGE NUMBER OF CLUBBERS/CUSTOMERS (450), AND FOR LICENSABLE ACTIVITIES INCLUDING THE SUPPLY OF (SIC) RETAIL ALCOHOL UNTIL 3.00 AM IN A SUBSTANTIALLY RESIDENTIAL AREA, THE LIKELIHOOD OF BREACHES OF THE PEACE AND DISTURBANCE, INCLUDING THE REACTION OF DISGRUNTLED AND IN SOME CASES SLEEP-DEPRIVED RESIDENTS, POINTS TO THE LIKELIHOOD OF A LIKELY AND MATERIAL INCREASE IN THE INCIDENCE OF CRIME AND REDUCTION IN PUBLIC SAFETY. THIS IS COMPOUNDED BY THE FURTHER REDUCTION NOWADAYS IN POLICE NUMBERS ON CALL AND PATROL, AND THE FURTHER STRAIN ON THEIR RESOURCES NEEDED TO MAINTAIN LAW AND ORDER INSIDE AND OUTSIDE THE PREMISES. WALKING DOWN DOVER STREET, BERKELEY STREET OR HAY HILL IN THE VICINITY OF THE PREMISES AT SAY 3.15 AM IS LIKELY TO BE A MORE PERILOUS ACTIVITY AND RESIDENTS/HOTEL GUESTS ARE MORE LIKELY TO BE IN HARMS' WAY-THE COCKTAIL OF ALCOHOL, DRUGS, BOUNCERS, LARGE NUMBERS OF BY AND LARGE IMPRESSIONABLE YOUNG PEOPLE MAKE THIS A LIKELY CONSEQUENCE. RECENT VIOLENCE ASSOCIATED WITH CLUBBERS/CUSTOMERS IN BERKELEY STREET SUPPORTS THIS CONCLUSION.

(B) AS FAR AS CAN BE FORETOLD AT THIS STAGE, IT WILL BE VERY DISTURBING FOR A SIGNIFICANT NUMBER OF RESIDENTS AND HOTEL GUESTS IN BERKELEY STREET AND DOVER STREET INCLUDING NUMBER 17 BERKELEY STREET, NUMBER 33 DOVER STREET AND BERKELEY HOUSE IN HAY HILL IF THIS PREMISES LICENCE IS GRANTED IN THE TERMS OF THE APPLICATION.

5...DECISION SOUGHT:

(A) THE PREFERRED AND IT IS SUBMITTED ONLY CORRECT DECISION IS TO REJECT THE CAPTIONED APPLICATION IN TOTAL; AN ALTERNATIVE BUT IT SEEMS LESS SATISFACTORY DECISION IS TO EXCLUDE SOME LICENSABLE ACTIVITIES SUCH AS THE SUPPLY OF ALCOHOL AFTER MIDNIGHT OR GRANT THE LICENCE WITH CONDITIONS ADDED INCLUDING RESTRICTED HOURS OF OPENING-LATEST MIDNIGHT AND ON THE SUPPLY OF ALCOHOL.

(B) THE LICENSING AUTHORITY SHOULD EXERCISE ITS CUMULATIVE IMPACT POLICY-SEE 4.3 ABOVE, WITH IN CONSEQUENCE THE CONCLUSION THAT THE APPLICANT HAS NOT DEMONSTRATED IN ITS APPLICATION THAT IT CAN REBUT THE PRESUMPTION THAT THE APPLICATON (IF GRANTED) WILL HAVE NO NEGATIVE CUMULATIVE IMPACT ON ONE OR MORE OF THE LICENSING OBJECTIVES STATED ABOVE AT 4.1-4.5 ABOVE.

(C) THE LICENSING AUTHORITY SHOULD NOT APPROVE AN APPLICATION IN TERMS OF "AND ANYTHING SIMILAR", AND SHOULD CLARIFY AND RESTRICT THE INTENDED MEANING OF THE AMBIGUOUS WORDS "AND ANYTHING SIMILAR" AS USED IN THE APPLICATION.

YOURS FAITHFULLY,

CHARLES BARR FOR BERKELEY ADAM S.A.



Qureshi, Sabihah

From: Ani Gasparyan [anigas@gmail.com]
Sent: 11 July 2014 16:36
To: Premises Licensing
Subject: Case 14/05048/LIPN , W1J 8EA

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir or Dear Madam,

I am writing you in relation to case number **14/05048/LIPN, post code W1J 8EA**. An application to Westminster council has recently been made for a licence to operate a night club at 17 Berkeley Street for a capacity of 450 people.

As a resident and a leaseholder at 26 Berkeley House, 15 Hay Hill, W1J 8NS. I object to the license being granted on grounds of **prevention of public nuisance and prevention of crime and disorder**. I appeal to the council to consider that such establishments negatively affect the life of residents in Mayfair. As residents we are obliged to keep noise down after 11:30 pm, where as clubs operating past midnight create noise and disturbance to others well after that time.

Please consider this appeal and let us keep one of the most prestigious areas in London tolerable for living in.

Best regards,
Ani Gasparyan

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Qureshi, Sabihah

From: Jean Clark [jmcinusa@yahoo.co.uk]
Sent: 11 July 2014 10:31
To: Premises Licensing
Subject: Application no.14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

17Berkeley St., and 33 Dover St. W1J 8EA late night licence for dancing till 3.30am

I object to the granting of this licence on the grounds of prevention of public nuisance and prevention of crime and disorder. This is a highly populated residential area and already suffers from too many late night venues.

Mrs. J.Clark. Berkley House, W1J 8NT

Sent from my iPad

(13)

Qureshi, Sabihah

From: ken clark [kecinusa@yahoo.co.uk]
Sent: 11 July 2014 10:03
To: Premises Licensing
Subject: Application No. 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Re: 17, Berkeley Street & 33, Dover Street W1J 8EA -late night licences.

I object to this application on the grounds of prevention of public nuisance and prevention of crime and disorder. This is a residential area and already suffers from too many late night venues.

K. Clark, Berkeley House, Hay Hill, W1J 8NT.
Sent from my iPad

(15)

Qureshi, Sabihah

From: D. CyLA [dcoslau@googlemail.com]
Sent: 12 July 2014 22:51
To: Premises Licensing
Subject: ref. no, 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Ref. no, 14/05048/LIPN

I object to the license for 17 Berkeley Street in prevention of Public Nuisance, Crime and Disorder

I strongly believe that Mayfair should improve the residential area and for that purpose the quality of life is very important.

No more late night music and drunk, noisy people at night in the streets of Mayfair!

Diana Arbulu
10 Berkeley Street
W1J 8DP

16

Qureshi, Sabihah

From: Danielwcolson [danielwcolson@yahoo.com]
Sent: 08 July 2014 15:33
To: Premises Licensing
Subject: Planning Application for 17 Berkeley Street. Ref: 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sirs

I am writing to strenuously object to the planning application referred to above in respect of plans to open a night club with a capacity of 450 people! According to the application, there would be dancing and live music permitted until 3:30 AM. My family and I are long term residents of Berkeley House which is located virtually next door to 17 Berkeley Street. As you know, there are already several new large restaurants, bars and night clubs that are either about to open or have already opened in the past two years, all of them within 100 yards of where we live. The very dramatic increase at night in the noise level on the streets and in both pedestrian and automobile traffic in the past two years will obviously only get even worse if this proposed club is allowed. Parking in this area is already impossible and resident parking spaces are regularly occupied by patrons of these new establishments who seem not to care if they receive a parking ticket. The prospect of yet another club with a capacity of 450 people can and will only create an even greater public nuisance and security risk to residents of this neighbourhood. Hay Hill and the front entrance of our building are already crowded every night with people emerging inebriated or worse from the existing clubs and we often have to fight our way through crowds of drunks and smokers gathered on the front steps of our building who leave a mess behind every night that is nothing short of disgusting! We have also had many incidences of people from these bars and clubs walking into our building by following returning residents who are too scared to do or say anything. For these and other reasons, I very much hope you will not grant a licence for this proposed night club. Enough is enough!

Sincerely,

Daniel Colson
31 Berkeley House
15 Hay Hill
London, W1J 8NS

Sent from my iPad

(17)

Qureshi, Sabihah

From: nootc@btinternet.com
Sent: 08 July 2014 14:09
To: Premises Licensing
Subject: Ref. application 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Completed

I object to this application (postcode W1J 8EA) on grounds of Prevention of Public Nuisance and on grounds of Prevention of Crime and Disorder.

Julia Bruce
Flat 21
Berkeley House
15 Hay Hill
W1J 8NS

Sent from Windows Mail

Qureshi, Sabihah

(19)

From: Julia Scholar [juliascholar@hotmail.co.uk]
Sent: 09 July 2014 21:03
To: Premises Licensing
Subject: Your Reference: 14/05048/LIPN -17 Berkeley Street

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam

I am writing from Flat 19, 10 Berkeley Street, to object in the strongest possible terms to the application referenced above for dance and music until 3.30am, with a capacity of 450.

It has become an unfortunate fact that my flat already suffers severe night time noise disruption from both the front and the back of the property. I have a kitchen, bathroom and bedroom which face the back and a main bedroom and lounge facing the front.

It is not only the noise in general, but also the anti-social behaviour of those leaving the clubs in the early hours of the morning. They fight, shout, argue and regularly throw-up in our doorway. Added to this is the public nuisance caused by the amount of traffic and especially from the taxis who now form a double parking queue all along Berkeley Street at night, making it impossible for residents to drive safely to and from the area at night.

Instead of granting more applications, why doesn't the Council do something about all the mounting problems in Berkeley Street?

Please be kind enough to acknowledge receipt of this email.

Yours faithfully
Julia Scholar

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ENSafrica

150 West Street
Sandown Sandton Johannesburg 2196
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tel +27 11 269 7800 fax +27 11 269 7899
info@ENSafrica.com ENSafrica.com

Michael Katz/CR006p

our ref
your ref

premiseslicensing@westminster.gov.uk

09 July 2014

Dear Sirs

Application Number "14/05048/LIPN" and Post Code W1J 8EA - Letter of Objection

1. We act on behalf of Sidney Isaacs Incorporated, the owner of Flat 16, 10 Berkeley Street, London W1J 8DP.
2. Our client has instructed us to object, as we hereby do, to the application for a new license for 17 Berkeley Street ground floor and basement, which is below 17 Berkeley Street and 33 Dover Street buildings (both residential buildings and total of 22 flats). The license is for dance and music until 3.30am, with a capacity of 450.
3. The grounds of our client's objection are :
 - 3.1. Prevention of Public Nuisance; and
 - 3.2. Prevention of Crime and Disorder.
4. Kindly acknowledge receipt.

Kindest regards

Edward Nathan Sonnenbergs Incorporated registration number 2006/016200/21

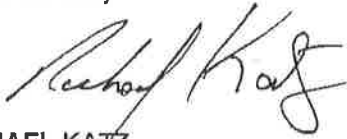
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¹ not attorney/not director, ¹ executive consultant, ² consultant, ³ special IP counsel | level 3 BBBEE rating

Yours sincerely

A handwritten signature in black ink, appearing to read "Michael Katz", written in a cursive style.

MICHAEL KATZ

CHAIRMAN

cc. Sidney Frankel – sfrankel@frankels.co.za

cc. Babette Katz – bkatz@bkatz.co.za

cc. Cecile Frankel – cecile@global.co.za

(21)

APPENDIX B29

Qureshi, Sabihah

From: Paul Donert [pauldonert@uwclub.net]
Sent: 08 July 2014 10:17
To: Premises Licensing
Subject: 14/05048/LIPN - Post Code WIJ 8EA

Dear Sirs

As residents of Flat 54, Berkeley House, Hay Hill, we object to the licence application for 17 Berkeley Street ground floor and basement for dance and music until 3.30 am on the grounds of prevention of public nuisance and prevention of crime and disorder.

Yours sincerely

IPM Holdings Limited

Qureshi, Sabihah

From: Lamba, Neeta [GSBZ Compl] [Neeta.Lamba@gs.com]
Sent: 08 July 2014 08:58
To: Premises Licensing
Subject: New license application 14/05048/LIPN - objection

Importance: High

Dear Sir/Madam,

I strongly object to the new license application 14/05048/LIPN in W1J 8EA on the grounds of Prevention of Public Nuisance and Prevention of Crime and Disorder. Dance and music until 3.30am is simply not appropriate in what remains a residential area, and the granting of this new licence application risks setting a dangerous precedent.

Yours sincerely,
Ms Neeta Lamba

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23

Qureshi, Sabihah

From: Adam Hopkin [AHopkin@cml.bm]
Sent: 07 July 2014 20:00
To: Premises Licensing
Cc: 72006
Subject: Objection Application number "14/05048/LIPN", post code W1J 8EA
Attachments: PRISM COMPLAINT LETTER.pdf

Dear Sirs,

We hereby object to the above license application and I attach a formal letter detailing the reasons why.

Kind regards

Adam

Adam Hopkin CPA, CA, TEP

For and on behalf of Prism Investments Limited
Owner of Flat 7, Savile House, 18 Berkeley Street, Mayfair, London W1J 8EG



Continental Management Limited

Century House | 16 Par-la-Ville Road | Hamilton HM 08 | Bermuda
T +1 441 279 7108 | F +1 441 295 4164

Local Mailing Address | P.O. Box HM 1806 | Hamilton HM HX

**PRISM INVESTMENTS LIMITED
c/o Continental Management Limited
Century House
16 Par-la-Ville Road
Hamilton HM08
Bermuda**

Licensing Applications
Westminster City Council
4th Floor (South)
City Hall
64 Victoria Street
London SW1E 6QP

By email: premiseslicensing@westminster.gov.uk

2 July 2014

Dear Sir

**Park Chinois, 17 Berkeley Street, London W1J 8EA
Application for new premises licence ref: 14/05048/LIPN**

I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on prevention of crime and disorder. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

Introduction

We are the owner and landlord at Flat 7, Saville House, 18 Berkeley Street, Mayfair, London W1J 8EG. We have owned the flat since 2005 and our current tenant has lived there since 2007. The building is right next door to 17 Berkeley Street.

Berkeley Street already has problems due to the number of licensed premises in its vicinity, problems such as pests, namely rats, that are attracted by the rubbish left on the streets at night by the night clubs, bars, and restaurants and to the rubbish that their clientele throw on the street.

The noise that is made by the often rowdy and drunk clientele is already unbearable at times, particularly early in the morning from Thursday to Sunday.

There have been numerous incidences of people loitering around in the doorway of our building and vomiting in the entrance, only for the porter of 18 Berkeley Street to clean up the mess.

The traffic noise is also already high in the early hours due to the taxis and other traffic caused by the current licensed premises.

The pavements at night until morning, particularly on Thursday and Friday nights, already look like a rubbish tip.

The proposed license will only add further to the problems that Berkeley Street already has, and with it being right next door to our building the residents here will particularly feel its negative effects.

The quality of life for the residents of our building has deteriorated significantly since we bought the flat due to the increase in licensed premises in the vicinity.

The application

The application seeks a very late terminal hour for licensable activities. The application as presented is likely to cause a public nuisance, particularly due to the late hours sought, the large capacity and the absence of conditions restricting sale of alcohol as ancillary to a table meal and controlling the outside of the premises and dispersal of customers.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12 that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing in due course. Please contact my colleague Adam Hopkin on ahopkin@cml.bm, on +1 441 292 7478, with any updates, rather than by post.

Yours sincerely,



Dudley Cottingham

Director

(24)

Qureshi, Sabihah

From: ken.mcgrath@barclays.com
Sent: 07 July 2014 08:56
To: Premises Licensing
Subject: Application Number 14/05048/LIPN - Postcode: W1J 8EA

Dears Sirs,

We would like to raise our strong objection to the above referenced proposed licence application for late night operations in Mayfair at 17 Berkeley Street and 33 Dover Street on the grounds of Prevention of Public Nuisance and Prevention of Crime and Disorder.

It is very worrying to us how many new applications have been granted recently for late night venues of this nature directly in our area. This is causing real problems with late night crowds, drunkenness, disruptions leaving clubs, late night revellers urinating in our porch, smoking on the steps of our building and generally being extremely loud and a significant nuisance late at night. This latest application is for a very sizeable new venue which will escalate activities considerable. This should not be approved under any circumstances.

Many thanks

Ken and Catherine McGrath
46 Berkeley House
15 Hay Hill
London W1J 8NS

Ken McGrath | Managing Director
Co-Head of EMEA Financial Sponsors
Tel +44 203 134 1810 | Mobile +44 7767 336647 | Email ken.mcgrath@barclays.com

Barclays 5 The North Colonnade Canary Wharf London E14 4BB

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(25)

Qureshi, Sabihah

From: Tim Howden [tshowden@btinternet.com]
Sent: 06 July 2014 14:14
To: Premises Licensing
Cc: jaleh.zand@gmail.com
Subject: License for dance and music until 3.30am 17 Berkeley Street and 17 Dover Street. Ref application number 14/05048/LIPN Post Code W1J 8EA

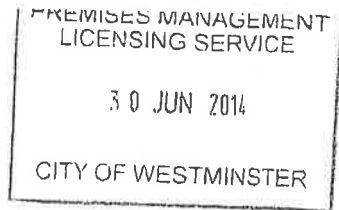
Follow Up Flag: Follow up
Flag Status: Completed

I am a resident in Hay Hill in Flat 72 Berkeley House. I wish to register the strongest possible objection to this application for a night club running between 17 Berkeley Street and 33 Dover Street with a capacity for 450! Your grant of licences for restaurants with music licenses and night clubs in Berkeley and Dover Street appears to be without any interest in their impact on your residents or balance in this tight area. Four new restaurant licenses in a year all one after another applying for music licenses and now this huge night club for 450 running under residential buildings across the block and coming on top of the relicensed Rififi playing music at a level totally unacceptable volume for the residents sleeping above it in Berkeley House.

Please do give careful thought to what you will be imposing on on residents with approval on this scale with "The 450" at maximum volume".

With kindest regards

Tim Howden



(26)
Daniel W. Colson
31 Berkeley House
15 Hay Hill
London W1J 8NS

25 June, 2014

R.R.D. 16.7.14

City of Westminster
Licensing Service
Westminster City Hall
64 Victoria Street
London SW1

Dear Sirs

Ref: 14/05048/L1PN: PARK CHINOIS
17 BERKELEY ST, W1J 8EA.

I refer to your letter dated 19 June regarding an application for new premises at 17 Berkeley Street. Please note that my wife & I who live in the adjacent building but whose flat overlooks the well & side of 17 Berkeley Street adamantly oppose this application. The proposed activities will inevitably cause very significant noise, smells, parking problems & generally disruption for those of us who live in the area. There is certainly no shortage of existing bars & night clubs (over)

within several hundred yards of the
proposed premises & already the noise,
crowds, smells & general disruption caused
by the existing establishments makes
living & especially sleeping almost
impossible. The arrival of yet another
club/bar with live music, etc. will
make living in this area but espe-
cially in Berkeley House, virtually
unbearable. Please do not grant a
licence for the proposed activities
at 17 Berkeley Street.

Sincerely,

David Bolton

Qureshi, Sabihah

From: Bhimji Vora [Bhimji@Vora.co]
Sent: 04 July 2014 09:48
To: Premises Licensing
Subject: Application Number 14/05048/LIPN

Follow Up Flag: Follow up
Flag Status: Flagged

Application Number 14/05048/LIPN

I am occupier of Flat 10, 17 Berkeley Street, W1J 8EA.

We strongly object above application for the Dance and Music until 3am on grounds of 'Prevention of Public Nuisance and Prevention of Crime and Disorder' in the area.

Yours faithfully

Rudra Singh
Flat 10
17 Berkeley Street
London
W1J 8EA

(28)

Qureshi, Sabihah

From: Zahera Sheikh [zsheikh19@yahoo.com]
Sent: 03 July 2014 13:41
To: Premises Licensing
Subject: Objection to License Application. Ref: 14/05048/LIPN. W2J 8EA

Follow Up Flag: Follow up
Flag Status: Completed

Dear Sir/Madam,

I am long term resident of 10 Berkeley Street and would like to object to the application 14/05048/LIPN post code W1J 8EA on the grounds of Prevention of Public Nuisance and Prevention of Crime and Disorder.

If this application is granted it will only further disturb the local residents of the area, given those licenses already granted in the past few years (i.e. Novikov, Arts Club, Mayfair Club) have already greatly caused disturbance that has been noticed by all local residents and are making south Mayfair an increasingly difficult (and extremely noisy) place to live, specifically at night.

Kind regards,
Zahera Sheikh

(37)

Qureshi, Sabihah

From: Yann Le Bihan Daubigny [yann.lebihandaubigny@comohotels.com]
Sent: 25 June 2014 17:51
To: Premises Licensing
Subject: 14/05048/LIPN // W1J 8EA

Licensing Applications
Westminster City Council
4th Floor (South)
City Hall
64 Victoria Street
London SW1E 6QP

By email: premiseslicensing@westminster.gov.uk

25 June 2014

Dear Mr Brown

Park Chinois, 17 Berkeley Street, London W1J 8EA
Application for new premises licence ref: 14/05048/LIPN

I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on prevention of crime and disorder. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

The application

The application seeks a very late terminal hour for licensable activities. The application as presented is likely to cause a public nuisance, particularly due to the late hours sought, the large capacity and the absence of conditions restricting sale of alcohol as ancillary to a table meal and controlling the outside of the premises and dispersal of customers.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12 that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night.

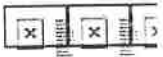
The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments

Yours sincerely,

Yann le Bihan
Studio flat
Saville House
18 Berkeley street
London W1J 8EA



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(34)

Qureshi, Sabihah

From: Roxy Sanchez [rs@1oakgroup.com]
Sent: 26 June 2014 15:34
To: Premises Licensing
Subject: Application number 14/05048/LIPN- post code w1j8ea

26 June 2014

Dear Sir

Park Chinois, 17 Berkeley Street, London W1J 8EA
Application for new premises licence ref: 14/05048/LIPN

I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance. It could also impact on prevention of crime and disorder. Taken as a whole, the application will, if granted, have a significant and disproportionate impact on local residents in an area that is already under considerable stress from the number of licensed premises on Berkeley Street.

Introduction

I live at 17 Berkeley Street. I have lived here since 2011. There are 9 flats in the block My flat 3A is very close to the restaurant, since is in the second floor. Berkeley Street, and my flat at the moment, is already noise for the bar Funky Buddha, and other restaurants on the same street, I really think that the noise that this new restaurant is going to cause a very serious damage to all of us.

The application

The application seeks a very late terminal hour for licensable activities. The application as presented is likely to cause a public nuisance, particularly due to the late hours sought, the large capacity and the absence of conditions restricting sale of alcohol as ancillary to a table meal and controlling the outside of the premises and dispersal of customers.

Prevention of public nuisance and prevention of crime and disorder

Having people downstairs consuming drugs and alcohol in front of our door, making so much noise is not something that we are going to accept as we have a residential property.

Policy

The hours sought are well outside the Council's 'core hours' as set out in Statement of Licensing Policy. The Policy sets out in its PN1 policy some indications of public nuisance, stating at 2.2.12

that 'Late night noise is particularly unsettling; particularly shouting and screaming. Some of this is associated with aggression and assaults, but most of it is 'high spirits'. It is impossible to distinguish between the reasons for these noises and in any case, it is very disturbing late at night. The degree of nuisance caused by noise increases with the lateness of the hour; especially if it disturbs or prevents sleep.'

Conclusion

For the reasons stated, we are opposed to the application being granted in the terms applied for. We look forward to being kept informed of any developments, and would like to attend the hearing in due course.

Yours sincerely,

Róxy Sanchez

17 Berkeley Street W1J8EA

Patterson, Susan

From: pami paall [pamipaall@hotmail.com]
Sent: 26 June 2014 10:18
To: Premises Licensing
Subject: FW: 17 Berkeley Street

Dear Sirs,

We (number 3, towards front of 17 Berkeley St, being placed a couple of floors above mentioned commercial work premises just by Jaguar) are eager to forward our objection to any to mentioned points ...as per ground/basement restaurant/dance/music use matters.

We think such may actually make our place somewhat inhabitable/ and maybe even be structurally unsafe due to everyday shaking of floors from speaker system even if sound proofing happens (as experienced during testing one evening earlier this year).

A Rolls Royce showroom was apparently initial kind of commercial activity permitted (as acceptable to be in keeping with residential purpose of 17 Berkeley, just as and very similar to Jaguar Showroom being acceptable for 18 Berkeley St)

We are eager for our objection to be forwarded in agreement with number 9, and Jaleh Zand's points may further verify our objection (especially as we often travel, and she may represent us here in London).

With kind regards,

Ms Pami Paall (number 3)
17 Berkeley St
Mayfair
London W1J 8EA
+ 44(0)7779 622 119

Date: Wed, 25 Jun 2014 11:56:07 +0100
Subject: Re: 17 Berkeley Street
From: jaleh.zand@gmail.com
To: pamipaall@hotmail.com

yes that's the email...

Thanks

Jaleh

On 25 June 2014 11:39, pami paall <pamipaall@hotmail.com> wrote:
sure... do we send objection to premiseslicensing@westminster.gov.uk ?
many thanks,
pami

Date: Wed, 25 Jun 2014 10:07:23 +0100
Subject: Re: 17 Berkeley Street

From: jaleh.zand@gmail.com
To: pamipaall@hotmail.com

Hi Pami

Yes we can point out the fact that granting this license is in contradiction with the residential lease on our building and will make the flats inhabitable.

I can represent you at the committee, but the lawyer suggested that each flat makes his own argument and sends an objection as this will strengthen our case, so would be helpful if you can object separately, I'm requesting other flats to do the same too...

Many thanks

Jaleh

On 24 June 2014 23:32, pami paall <pamipaall@hotmail.com> wrote:

happy for you to object on our behalf, and add that any vibrations from basement?/ground floor speaker movements are very evident through shaking floorboards on second floor for flats towards front of house...

and so music/dance activity far from practical to enable to be in keeping with residential purpose of our leases?

likely far from practical for residential lifestyles (as sound proofing etc far from removes physical speaker vibrations)

hope this helps,

pami

Qureshi, Sabihah

From: FS [fsalvo@mac.com]
Sent: 16 July 2014 16:46
To: Premises Licensing
Subject: Letter of support for Park Chinois / 17 Berkeley St

16 July 2014

Dear Sirs,

Letter of Support for Park Chinois, 17 Berkeley Street, London

I am writing a letter to support the license application which I understand has been made for 17 Berkeley Street. I am writing as a local resident who lives very near to the premises.

I have seen the Park Chinois brochure available online and very much like the look and feel of the proposed high-end restaurant. I particularly love the idea of introducing an afternoon tea offering to the neighbourhood!

I am aware of Alan Yau and his existing restaurants within Westminster. They are all testament to a strong commitment to quality, attention to detail and skilled management. It will be great to see this applied to such a prominent Mayfair venue that has been quasi derelict for some time.

Park Chinois clearly has the ambition to set new standards in dining by creating a unique customer experience in a fantastic venue. I have no doubt it will be successful in establishing itself as a Mayfair destination with a Global profile.

Any concerns I have are based on the risk of noise pollution and other nuisances that may result. Key to this is clearly the operator, his concern about any potential impact on the neighbourhood and the skills and experience required to minimise that impact. Given the track record of Mr Yau and the sophisticated, high-calibre of the restaurant I am convinced that it will function at the highest level and be very well managed.

The conditions proposed appear in line with what one expects from a high-end operator. In summary I can only conclude that the proposed restaurant will be a great addition to the neighbourhood!

I Remain at your disposal to discuss this further and thank you for the consideration.

Yours faithfully

Frank Salvoni

Flat 2, 10 Berkeley Street
London
W1J 8DP

2

**Sanjay Shah
8, Connaught House
MOUNT ROW
LONDON W1K 3RA**

Susan Patterson
Licensing Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

16.7.2014

Dear Sirs

Letter of Support For 17 Berkeley Street.

I am writing as a long standing Mayfair resident to support the licensing application for above premises.

In my view the neighbour hood will benefit from more quality hospitality venues and in particular restaurants run by skilled and experienced operators. They increase the attractiveness of the area and significantly contribute to the local economy.

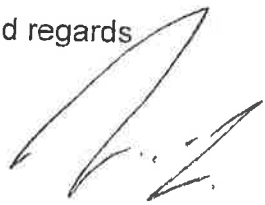
Alan Yau has a track-record of creating successful, world renowned restaurant and operating them within Westminster. Over decades Mr Yau and his team have managed restaurants in a conscious manner, demonstrating their ability and skill to minimise any impact on the respective local community.

Having an operation of this profile granted a late hour license directly benefits the neighbourhood. It encourages customers to stay inside the venue, a restaurant, for longer rather the seeking after-hour entertainment in more disruptive nightclubs once doors close.

Any visitor of existing Alan Yau restaurants will conclude that they promote the fur licensing objectives better then most in Westminster and Mayfair. Having reviewed the materials on Park Chinois available online we are confident that it will be executed and managed in the same spirit.

I look forward to hearing from you and hope you will agree with me.

Kind regards

A stylized handwritten signature in black ink, consisting of a large, sweeping initial 'S' followed by a series of connected loops and a final downward stroke.

Sanjay SHAH

A simple, horizontal, slightly curved line drawn in black ink, positioned below the name 'Sanjay SHAH'.

③

Bay Capital Partners Limited

15 July 2014

Susan Patterson
Licensing Service
Westminster City Hall
64 Victoria Street
London
SW1E 6QP

Dear Sirs

Letter of Support for 17 Berkeley Street.

We understand that the above premises have made a Licensing application. I think that the area will benefit if the venue is granted a licence for later hours. Customers will be able to stay inside the venue rather than look for alternative venues when the premises closes. This is good given that this will be a restaurant and not a nightclub.

We have not been disturbed by the customers of other Alan Yau premises including Automat since he took it over. In fact with the policies and procedures that have been discussed with us by Mr Yau's team we believe that the premises will promote the four licensing objectives better than most in the Mayfair area.

We hope that you will treat this as a valid letter of support and look forward to hearing from you shortly.

Yours faithfully



T M Grimshaw
For and behalf of
Bay Capital Partners UK Limited

(A)

APPENDIX B43

Rogier M. Hetterschijt
61 Clonmel Road
London SW6 5BL

Susan Patterson
Licensing Service
Westminster City Hall
64 Victoria Street
London SW1E 6QP

London, 16 July 2014

Dear Sirs,

Letter of support for 17 Berkeley Street / Park Chinois

I understand that the above premises have made a Licensing application. I think that the area will benefit if the venue is granted a licence for later hours.

I work next door at 16 Berkeley Street and quite often past midnight. I believe that Park Chinois will be a welcome addition to the neighbourhood, hence should be granted the requested licensing as it will add to city vibe of the street.

To my knowledge, other local establishments have been offered similar licensing.

Since I arrived in London in July 2003, I have been a fan of Alan Yau and the restaurants he has created. I truly believe that his newest venture, Park Chinois, will again be a supplement to the London food scene which will be good both culturally and economically for London and Mayfair.

Hence, I support the opening and licensing of this establishment.

Sincerely,



Rogier Hetterschijt

5

Comments for Licensing Application 14/05048/LIPN

Application Summary

Application Number: 14/05048/LIPN

Address: Basement And Ground Floor 17 Berkeley Street London W1J 8EA

Proposal: Premises Licence - New

Case Officer: Miss Susan Patterson

Customer Details

Name: Mrs Sanda Kadiev

Address: 17 Brooks Mews London

Comment Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Comment Reasons:

Comment: 10:13 AM on 01 Jul 2014 We are delighted to see such a high quality operator coming to the neighbourhood and Berkley Street in particular. A sophisticated 'dinner and dance' venue will be every welcome change from the rather down market clubs and establishments seen in that part of Mayfair!

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New application 05/10486/LIPN		9/2/2006	Granted by licensing sub committee
Transfer of details 12/02497/LIPT	The company holding the Premises Licence 13/05090/LIPDPS is Blake Trading Limited (Company number 07902469) and the licence was transferred on 16 May 2012. Blake trading Limited (Company number 07902469) was incorporated on 9 January 2012 and subsequently changed its name on the 31 July 2013 to Park Chinois Limited. The company is in existence and has never been dissolved. Park Chinois Limited are the applicants for the Premises Licence, below.	16/5/2012	Granted under delegated authority
Designated premises supervisor 13/05090/LIPDPS		29/7/2013	Granted under delegated authority
New Application 14/05048/LIPN	As detailed in this report	Before LSC 9.10.2014	Pending

Appeal details**Automat, 33 Dover Street, W1 / 17 Berkeley Street, W1****2005 Application for conversion and variation**

On 4th August 2005, application was received for the conversion and variation of a premises licence for premises known as Automat, at 33 Dover Street W1. As there were no Police objections to the conversion application the premises licence was converted as applied for.

The variation application sought:

- The removal of all embedded restrictions,

Basement

- Extension of hours for Licensable Activities
Monday – Friday 0700 – 0400
Saturday 0800 – 0400
Sunday 0900 – 0400

Ground Floor

- Monday – Friday 0700 – 0200
- Saturday 0800 – 0200
- Sunday – 0900 - 0100

The application received five objections. The Police lodged an objection on the basis that the variations sought would undermine the licensing objectives. The Environmental Health Consultatio

Team raised an objection contending that the increase in hours would have the likely effect of increasing public nuisance. Three local residents also objected to the application. Their objections were based on public nuisance in the context of noise and anti-social behaviour upon patrons leaving the premises.

On 28 September 2005, the Licensing Sub-Committee considered the application and refused it.

The decision of the Sub-Committee was duly appealed to the Magistrates' Court by the applicant Carlos Almada. Prior to any full hearing the matter was settled on the conditions set out in the attached consent order.

2005 application for a new premises licence

On 26 September 2005 application was made for a new premises licence for 17 Berkeley Street, seeking the sale of alcohol Monday to Sunday 7am to 5am; regulated entertainment (films, live and recorded music, performance of dance, facilities for making music and facilities for dancing) 7am to 5am on each day; late night refreshment, 11pm to 5am on each day; seasonal variations to 7am on New Years Day.

The premises comprised the ground floor of 17 Berkeley Street, the basement of 17 Berkeley Street and what is in effect the basement area of 33 Dover Street. Berkeley Street runs parallel to Dover Street. However Dover Street and Berkeley Street are on different levels, so the ground floor of 17 Berkeley Street backs on to the basement of 33 Dover Street (where the applicant also operates Automat), and the basement of 17 Berkeley Street runs through into the sub-basement area of 33 Dover Street. The application received objections from Environmental Health and 8 local residents.

On 10 January 2006, the Licensing Sub-Committee considered the application granting it in part to all the activities sought, but to restrict the hours to Core Hours. The Sub-Committee also imposed a number of conditions on the licence including a restriction on the capacity so as not to exceed 356 in the Basement and 117 in the Ground Floor. The Licensing Sub-Committee heard that the applicant was undertaking substantial works on the premises and that those works were far from complete.

On 18 January 2006 Carlos Almada appealed against the decision of the Sub-Committee.

The full appeal hearing was heard before District Judge Snow at City of Westminster Magistrates' Court on Wednesday 10 and Friday 12 December 2008.

The District Judge decided that the relevant criteria set out in paragraph 2.3.2 of the City Council's 2008 policy (the Appellant having conceded for the purposes of this appeal only that this was the relevant policy to be applied) for extending hours beyond core hours had not been met. He determined that the licensing objectives would not be promoted by granting the revised application either in full, or in part. District Judge Snow therefore dismissed the appeal. Costs were later awarded in full to the City Council.

2011 application for Review

On 21 September 2011, five local residents submitted a Review of the premises licence for Automat, 33 Dover Street, W1 on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

The review sought to impose a number of additional conditions on the premises licence to address issues of noise escape and disturbance.

Representations in support of the application for Review were received from the Environmental Health Consultation Team and one additional local resident. A submission was also received from the administrators of 17 Berkeley Street Limited, who were operating the premises at the time.

The application was considered by the Licensing Sub-Committee on 24 November 2011. Having heard from all parties and considered the report and submissions before them, the Sub-Committee decided to impose additional conditions on the licence.

Notice of appeal was lodged on behalf of the administrators of 17 Berkeley Street. Prior to the full hearing in the Magistrates' Court the Appellant's withdrew their appeal and paid the City Council's costs in full.



Schedule 12
Part A

WARD: West End
UPRN: 010033540857

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

13/05090/LIPDPS

Original Reference:

05/10486/LIPN

Part 1 – Premises details

Postal address of premises:

Manray
Basement And Ground Floor
17 Berkeley Street
London
W1J 8EA

Telephone Number: 0207 025 8332

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)

Provision of facilities for Dancing

Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	09:00 to 00:00 (Basement and Ground Floors)
Sunday:	09:00 to 22:30 (Basement and Ground Floors)

Provision of facilities for making Music

Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Performance of Live Music	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Playing of Recorded Music	
Monday to Thursday:	09:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	09:00 to 00:00 (Basement and Ground Floors)
Sunday:	09:00 to 22:30 (Basement and Ground Floors)
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Late Night Refreshment	
Monday to Thursday:	23:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	23:00 to 00:00 (Basement and Ground Floors)
Sale by Retail of Alcohol	
Monday to Thursday:	10:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	10:00 to 00:00 (Basement and Ground Floors)
Sunday:	12:00 to 22:30 (Basement and Ground Floors)

The opening hours of the premises:

Monday to Sunday: 07:00 to 06:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Blake Trading Limited
12 Princes Street
London
W1B 2LL
Electronic Mail : c/o lana@lflaw.co.uk

Registered number of holder, for example company number, charity number (where applicable)

07902469

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Mr Mark Belton

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: LEW0767
Licensing Authority: London Borough Of Lewisham

Date: 26 July 2013



Signed: pp
Operational Director - Premises Management

Annex 1 – Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
- 4.— (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that—
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

10. Persons under the age of 20 shall not be admitted as members.
11. Films shall be ancillary (background) to other licensable activities.
12. Patrons waiting for taxi shall wait in the lobby of the premises.
13. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
14. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. (iii) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).
15. No striptease, no nudity and all persons on the premises to be decently attired.
16. No gaming otherwise than by machines authorised under part III, Gaming Act, 1968.
17. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises off the street.
18. Noise and vibration will not be allowed to emanate from the premises so as to cause a nuisance to nearby properties.
19. There shall be no speakers, amplification or live entertainment to take place within the front lobby of the premises.
20. The door from the entrance lobby to the remainder of the premises shall not be fixed open after 23:00.
21. A sound limiting device must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
22. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Services.
23. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
24. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.

25. The number of persons accommodated (excluding staff) at the premises shall not exceed Basement - 356, and Ground Floor - 117.
26. Arrangements will be made to ensure that any capacity limit set for the premises can be properly monitored. Information regarding the capacity should be given to an authorised officer on request.
27. After 23:00 hours the supply of alcohol shall be ancillary to the use of the premises for music and dancing and substantial refreshment.
28. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

29. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
30. The certificates listed below shall be made available to the Licensing Authority upon written request.
 - Any emergency lighting battery or system certificate
 - Any electrical installation certificate
 - Any fire alarm system certificate
31. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
32. No changes shall be made to the approved layout of the premises without the consent of the Licensing Authority.
33. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
34. All fire doors shall be maintained effectively self closing and not held open other than by an approved device.
35. Fire resisting doors to ducts, service shafts and cupboards shall be kept locked shut.
36. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
37. Only hangings, curtains, upholstery and temporary decorations, complying with the relevant British (or where appropriate European) Standard shall be used. Where necessary these shall be periodically tested for flame resistance and re-treated as necessary.
38. Curtains and hangings shall be arranged so as not to obstruct fire safety signs, fire extinguishers or other fire fighting equipment.
39. Staff with specific responsibilities in the event of fire or other emergency, together with deputies, shall receive training and written instruction appropriate to their role.

40. The flue of any boiler or heating appliance shall be professionally cleaned at intervals not less than the minimum recommended by the appliance manufacturer.
41. Ventilation ducting and shafts generally shall be maintained in a clean condition.
42. All interior surfaces of extract ventilation ducting serving kitchens and serveries shall be thoroughly cleaned at least annually.
43. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 5 working days prior notice being given to the Council where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fire works
 - firearms
 - lasers
 - explosives and highly flammable substances.
 - real flame.
 - Strobe lighting.
44. Children shall only be admitted for private events and table meals if accompanied by an adult.
45. Flashing or particularly bright lights on or outside the premises will not be permitted to cause a nuisance to nearby properties (save insofar as they are necessary for the prevention of crime).
46. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
47. The Licence will have no effect until the premises is assessed as satisfactory by the Environmental Health Consultation Team.
48. Before the premises open to the public, the plans as deposited should be checked to ensure they are an accurate reflection of the premises constructed. Where the premises layout changes during the course of construction, new plans shall be provided to the Licensing Authority.







Annex 4 – Plans

Attached

MAP 1

17 BERKELEY ST

KEY:

-  FIRE EXIT SIGN (ARROW)
-  WATER EXTINGUISHERS
-  FOAM EXTINGUISHERS
-  CHEMICAL EXTINGUISHERS
-  FIRE BLANKET
-  FIRE DOOR



2 GROUND FLOOR BERKELEY STREET



3 BASEMENT FLOOR BERKELEY STREET

ALL CONSTRUCTION MUST BE IN ACCORDANCE WITH THE BUILDING REGULATIONS AND THE FIRE ALARMS AND EMERGENCY SERVICES ACT 2002. THE DESIGNER ACCEPTS NO LIABILITY FOR ANY DAMAGE TO THE BUILDING OR PERSONS OR PROPERTY CAUSED BY THE USE OF THIS PLAN.

MASS PINNEY ASSOCIATE ARCHITECTS - PLANNERS
 23, New St, York
 01904 611111
 01904 611112

17 BERKELEY STREET - 408
 2-HOUR LICENSE APPLICATION
 DATE: 20/08/2018
 DRAWN BY: [Name]
 CHECKED BY: [Name]
 SCALE: 1:100



City of Westminster
64 Victoria Street, London, SW1E 6QP

**Schedule 12
Part B**

**WARD: West End
UPRN: 010033540857**

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

13/05090/LIPDPS

Part 1 – Premises details

Postal address of premises:

Manray
Basement And Ground Floor
17 Berkeley Street
London
W1J 8EA

Telephone Number: 0207 025 8332

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Performance of Live Music
Playing of Recorded Music
Provision of facilities for entertainment of a similar description to making music or dancing
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Performance of Dance

Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)

Provision of facilities for Dancing

Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	09:00 to 00:00 (Basement and Ground Floors)

Sunday:	09:00 to 22:30 (Basement and Ground Floors)
Provision of facilities for making Music	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Performance of Live Music	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Playing of Recorded Music	
Monday to Thursday:	09:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	09:00 to 00:00 (Basement and Ground Floors)
Sunday:	09:00 to 22:30 (Basement and Ground Floors)
Provision of facilities for entertainment of a similar description to making music or dancing	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Anything of a similar description to Live Music, Recorded Music or Performance of Dance	
Monday to Thursday:	09:00 to 23:30 (Basement)
Friday to Saturday:	09:00 to 00:00 (Basement)
Sunday:	09:00 to 22:30 (Basement)
Late Night Refreshment	
Monday to Thursday:	23:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	23:00 to 00:00 (Basement and Ground Floors)
Sale by Retail of Alcohol	
Monday to Thursday:	10:00 to 23:30 (Basement and Ground Floors)
Friday to Saturday:	10:00 to 00:00 (Basement and Ground Floors)
Sunday:	12:00 to 22:30 (Basement and Ground Floors)

The opening hours of the premises:	
Monday to Sunday:	07:00 to 06:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:	
Alcohol is supplied for consumption both on and off the Premises.	

Name and (registered) address of holder of premises licence:	
Blake Trading Limited 12 Princes Street London W1B 2LL	

Registered number of holder, for example company number, charity number (where applicable)

07902469

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Mr Mark Belton

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 26 July 2013



Signed: pp
Operational Director - Premises Management

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for variation of premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;

(i) the outcome of a race, competition or other event or process, or
(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

8. The responsible person shall ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

9(ii) For the purposes of the condition set out in paragraph 9(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 9(iii). Where the permitted price given by Paragraph 9(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
10. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.
11. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

Conditions proposed in the application, Appendix A2

12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service
15. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
- ~~18. All windows and external doors shall be kept closed after 23:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons. (see new condition 40)~~
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
- ~~21. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) are to be inscribed or affixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property nor are they to be distributed on street to the public that advertises or promotes the establishment, its premises or any of its events, facilities, goods or services except by way of direct mail, newspapers or magazines.~~
- ~~22. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.~~
23. Substantial food and non-intoxicating beverages (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicants are provided.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

25. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
26. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

Note: This is similar to but stricter than that proposed by the Environmental Health Services

27. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.

- dry ice and cryogenic fog
- smoke machines and fog generators
- pyrotechnics including fireworks
- firearms
- lasers
- explosives and highly flammable substances.
- real flame.
- strobe lighting.

28. Capacity condition, superseded by the Environmental Health agreed condition 54

29. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.
NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.

30. No person on behalf of the premises or on behalf of a person carrying or attempting to carry on a licensable activity shall cause, permit, employ or allow, directly or indirectly, whether on payment or otherwise, any person(s) to importune, solicit or tout members of the public on any public highway within the specified area outlined below for the purpose of bringing customers to the premises. The distribution of leaflets or similar promotional material is also prohibited within the specified area.

For the purpose of this section,

'Directly' means:- employ, have control of or instruct.

'Indirectly' means allowing / permitting the service of or through a third party.

'Specified' Area' means the area encompassed within ~~Leicester Square~~ Berkeley Street

31. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
32. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
33. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

34. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
35. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
36. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
37. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
38. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
- ~~39. The premises may remain open for regulated entertainment, the sale of alcohol and the provision of late night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.~~
40. The Licence will have no effect until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association – Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team, at which time this condition will be removed from the Licence
41. Upon final inspection as referred to above, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure that they are an accurate reflection of the premises as constructed. Where the premises layout has changed during the course of construction, new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority'.
42. This Premises Licence will not be used as an authorisation for licensable activities until Premises Licence currently numbered 13/05090/LIPDPS has been surrendered and is incapable of resurrection.

FURTHER PROPOSED CONDITIONS

43. Restaurant condition, superseded by the Environmental Health Services agreed condition 53
44. The licensee shall operate the premises in accordance with a Berkeley Street Best Practice Policy which shall be created to promote the four licensing objectives. The best practice policy will be reviewed from time to time with the Licensing Authority and the local licensing police. The best practice policy shall cover the following:-
 - a. The gradual dispersal of customers to minimise any noise and disturbance from both Berkeley Street and Dover Street entrances/exits
 - b. The Taxi and Valet parking provision
 - c. Delivery and collections
 - d. Smoking policy

The best practice policy shall be available for inspection at any time and a copy shall be provided to the police or licensing authority or local resident upon request.

45. The licensee shall meet with local residents not less than once every 3 months (if necessary) to review the best practice policy. The licensee shall advertise the meeting on their group website and notice will be given to the 17 Berkeley Street Residents Association and Mayfair Residents Group by email.

46. There shall be no queues outside the premises
47. The licence holder will support any neighbourhood monitoring scheme that may exist (from time to time) including contributing financially to any paid for policing scheme on Berkeley Street.
48. A minimum of 1 SIA licensed door supervisor shall be employed at the front door of Berkeley Street from 8pm until 30 minutes after the premises closes.
49. The Premises shall not operate as a "Disco" or "nightclub" with high noise levels.
50. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
51. After 21:00 hours until close:-
- e. patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to (10) persons at any one time and shall be restricted to a designated smoking area and shall be supervised.
 - f. all windows and external doors shall be kept closed or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
52. There shall be no entry or re-entry after 1am (except for persons wishing to smoke)

Environmental Health Services proposed conditions, accepted by the applicant in place of some of their conditions, and by the Metropolitan Police Service

53. The premises shall only operate as a restaurant
- (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

Notwithstanding this condition, before midnight seated customers only are permitted to order and consume alcohol in each of the holding bar areas cross hatched black on the plan only if they are waiting for their table to have their meal.

54. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:

Ground Floor – 250 customers
 Basement - 250 customers
 With no more than 450 customers at any one time

The maximum numbers are subject to final approval by the District Surveyor upon the removal of the works condition.

55. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
56. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
57. No deliveries or collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hours and 07.30 hours on the following day.

Premises within 75 metres of: Park Chinois, 17 Berkeley Street

p / n	Name of Premises	Premises Address	Opening Hours
7048	Bocconcino	19 Berkeley Street London W1J 8ED	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 22:30
18466	Palm Beach Casino	30 Berkeley Street London W1J 8EH	Monday to Saturday 10:00 - 07:00 Sunday 12:00 - 07:00
-21275	Wolf And Badger	32 Dover Street London W1S 4NE	Friday to Saturday 09:00 - 00:00 Monday to Thursday 09:00 - 23:30 Sunday 12:00 - 22:30
1562	Nobu Berkeley	Ground Floor 15 Berkeley Street London W1J 8DY	Monday to Saturday 09:00 - 02:30 Sunday 12:00 - 00:00
3111	Chucs Bar & Grill	30B Dover Street London W1S 4NB	Monday to Thursday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00
6819	Baku	22 - 24 Lansdowne Row London W1J 8QL	Monday to Thursday 07:00 - 00:00 Sundays before Bank Holidays 07:00 - 00:00 Friday to Saturday 07:00 - 00:30 Sunday 07:00 - 23:00
7075	Automat	Basement And Ground Floor 33 Dover Street London W1S 4NF	Monday to Friday 07:00 - 03:00 Saturday 08:00 - 03:00 Sundays before Bank Holidays 10:00 - 01:00 Sunday 10:00 - 23:30
10428	Aubaine	Basement Ground Floor And Mezzanine Floor 31 Dover Street London W1S 4ND	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
29103	Funky Buddha	15 - 16 Berkeley Street London W1J 8DY	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
31510	Manray	Basement And Ground Floor 17 Berkeley Street London W1J 8EA	Monday to Sunday 07:00 - 06:00
-21130	Le Riffi Club	15A Hay Hill London W1J 8NX	Monday to Saturday 09:00 - 03:30 Sunday 12:00 - 23:00
-15515	Cafe Pushkin	20 Berkeley Street London W1J 8EE	Thursday to Saturday 07:00 - 00:00 Monday to Wednesday 07:00 - 23:30 Sunday 08:00 - 23:00
4172	The Fleming Collection	13 Berkeley Street London W1J 8DU	Tuesday to Saturday 10:00 - 17:30
10653	Quattro Passi	Basement And Ground Floor Dover House 34 Dover Street London W1S 4NG	Sunday 09:00 - 00:30 Monday to Saturday 09:00 - 01:00





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