



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

8 June 2023

23/01460/LIPN - New Premises Licence

The Devonshire Arms
Unit 1, 5/6 Sherwood Street
W1F 7BW and
18/19 Denman Street
W1D 7HW

Director of Public Protection and Licensing

St James's

City of Westminster Statement of Licensing Policy

None

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Senior Licensing Officer

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1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	9 March 2023		
Applicant:	LS1 Sherwood Street Ltd And Carroll And Rogers Ltd		
Premises:	The Devonshire Arms		
Premises address:	The Devonshire Arms Unit 1, 5/6 Sherwood Street W1F 7BW and 18/19 Denman Street W1D 7HW	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intends to trade as a core hours restaurant and ancillary bar with external area.		
Premises licence history:	This is a new premises licence application, and therefore no premises history exists.		
Applicant submissions:	<p>The application follows pre-application advice reference 21/06222/PREAPM.</p> <p>The applicant proposes within their submissions to surrender existing premises licence for:</p> <ul style="list-style-type: none"> • Jewel Piccadilly 4-6 Glasshouse Street, W1B 5DQ Premises Licence reference 20/01636/LIPT– A Nightclub with vertical drinking and regulated entertainment. to 1.00 am with a 500 capacity. • Coqbull 17 Denman Street, W1D 7HW Premises Licence reference 22/01201/LIPDPS (New Reference 23/00820/LIPT) – A restaurant with a bar area that has core hours and 440 capacity. <p>Copies of the above Premises Licences can be found at Appendix 3.</p> <p>In addition, two historical Premises Licences were in place within 19 Shaftesbury Avenue W1D 7ED, being Jamie Oliver’s Diner and the Japan Centre.</p> <p>The applicant has submitted further submissions in respect of the application which include:</p> <ul style="list-style-type: none"> • Letter to The Licensing Authority • Schedule of Existing Premises Licences vs Proposed • Observations by Adrian Studd • Noise report • Brochure • Pre – Application advice report <p>These appear at Appendix 2.</p>		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Recorded music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Until 00:00 on Sundays immediately before Bank Holiday Mondays. From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day					

Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:		From 23:00 to 00:00 on Sundays immediately before Bank Holiday Mondays. From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Until 00:00 on Sundays immediately before Bank Holiday Mondays. From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	09:00	09:00	09:00	09:00	09:00	09:00	09:00
End:	00:00	00:00	00:00	00:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:		Until 00:30 on Sundays immediately before Bank Holiday Mondays. From the end of permitted hours on New Years' Eve to the start of permitted hours on New Years' Day					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	PC Steve Muldoon
Received:	06 April 2023
<p>I refer to the above-mentioned application for a new premises licence.</p> <p>With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder.</p> <p>the venue sits within the Westminster Cumulative impact Zone, the Police are concerned that the venue will add to the cumulative impact in an already very demanding area.</p> <p>It therefore may be a decision for the Licensing Sub-Committee to determine whether the applicant has demonstrated any exceptional circumstances that would allow to depart from policy.</p> <p>Further submissions will be made in due course.</p>	
Responsible Authority:	Environmental Health
Representative:	Dave Nevitt
Received:	06 April 2023
<p>I wish to make Representations on the following grounds:</p> <p>Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.</p>	
Responsible Authority:	Licensing Authority
Representative:	Angela Seaward
Received:	05 April 2023
<p>I write in relation to the application submitted for a new premises licence for The Devonshire Arms, Unit 1, 5-6 Sherwood Street, London, W1F 7BW.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"> • Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of children from harm 	

The Licensing Authority notes that the premises intends to operate a restaurant on the 1st, 2nd and 3rd floors with the ground floor operating as a bar.

The application seeks the following:

- **Recorded Music**

Monday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Sunday 10:00 to 22:30

Non-Standard Timings: These hours extended: Until 00:00 on Sundays immediately before Bank Holiday Mondays.

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

- **Late Night Refreshment**

Monday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Non-Standard Timings: These hours extended: from 23:00 to 00:00 on Sundays immediately before Bank Holiday Mondays.

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

- **Supply of Alcohol On and Off Premises**

Monday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Sunday 10:00 to 22:30

Off sales to cease at 23:00 Monday to Saturday

Non-Standard Timings: These hours extended: Until 00:00 on Sundays immediately before Bank Holiday Mondays.

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

- **Opening Hours to Public**

Monday to Thursday 10:00 to 23:30

Friday to Saturday 10:00 to 00:00

Sunday 10:00 to 22:30

Non-Standard Timings: These hours extended: Until 00:30 on Sundays immediately before Bank Holiday Mondays.

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

The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1, RNT1 and PB1.

The Licensing Authority notes within the operating schedule that the intended use of the premises is a restaurant and bar. The operating hours applied for licensable activities fall with the Westminster's core hours. Which are as follows

Restaurants

Monday to Thursday: 9am to 11.30pm.

Friday and Saturday: 9am to Midnight.

Sunday: 9am to 10.30pm.

Sundays immediately prior to a bank holiday: 9am to Midnight.

Westminster's RNT1 (B) Policy states 'Applications inside the West End Cumulative Impact Zone will generally be granted subject to:

1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
3. The operation of any delivery services for alcohol and/or late-night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.
4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.
5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.
4. Where alcohol 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 alcohol by such persons is ancillary to taking such meals.
5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.'

The Licensing Authority note that the applicant has proposed to amend model condition 66 for the 1st, 2nd & 3rd Floor to read

MC66 - The first, second and third floors of the premises shall operate as a restaurant:

(i) in which customers are shown to their table or the customer will select a table themselves,

(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,

(iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,

(v) 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.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of

refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

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

The Licensing Authority has concerns with the number of people that could be in the bar area of the ground floor and encourages the applicant to provide further submissions,

1. Will the area be for vertical drinking or will customers be seated?
2. Will there be waiter/waitress service?
3. Is this area going to be used as a holding bar for patrons to have a drink prior and after their meal?

Paragraph F112 of Westminster's Licensing Policy states:

The Licensing Authority is particularly concerned that restaurant premises within the West End Cumulative Impact Zone do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening. Submission has been made that not every individual in a group may wish to eat but should not be prevented from accompanying diners and having a drink. The Licensing Authority, however, is not minded to relax conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal. However, it will prioritise its enforcement efforts at preventing a change of character of the premises towards bar use.

The applicant has applied for the sale by retail of alcohol both on and off the premises. The Licensing Authority would encourage the applicant to provide further submissions as to the proposed operation of the 'off sales' from the premises, and how this is intended to be operated and controlled to ensure that there is no adverse impact within the West End Cumulative Impact Area.

The Licensing Authority also notes that the applicant intends to surrender 20/01636/LIPT & 23/00820/LIPT. The proposal to transfer an existing operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental impact and will promote the licensing objectives, and where the existing operation would otherwise continue as before in the first premises. In order for this to be treated as a consideration justifying an exception to policy, the council will need to be satisfied that the necessary legal mechanisms are in place to ensure that the original premises licence will cease to be operable and cannot be transferred once surrendered. In considering whether there is likely to be less detrimental impact, the Licensing Authority will consider the actual operation of the premises which it is proposed should close, and it will take into account any future proposals which would affect the continued operation of those premises.

Therefore, the applicant is encouraged to consider an amendment to the proposed condition 24 on the operating schedule to say;

- No licensable activities shall take place at the premises until premises licences reference 20/01636/LIPT and 23/00820/LIPT (or such other number subsequently issued for the premises) have been surrendered and are incapable of resurrection.

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1 for the restaurant element of the operation and for the bar to demonstrate how the proposal will truly be an exception to this policy.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	05 April 2023		

We write to make a relevant representation to the above application on behalf of [REDACTED]
[REDACTED]

About the [REDACTED] The [REDACTED] is a charitable company limited by guarantee established in 1972. [REDACTED] is a recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

Application summary

New Premises Licence

Restaurant and ancillary bar with external terrace. First, second, third floors shall operate as a restaurant.

Alcohol: Mon-Thurs: 10:00 - 23:30. Fri-Sat: 10:00 - 00:00. Sun: 10:00 - 22:30

LNR: Mon-Thurs: 23:00 - 23.30. Fri - Sat: 23:00 - 00:00.

Opening Hours: Mon-Thurs: 09:00 - 00:00. Fri-Sat: 09:00 - 00:30am. Sun: 09:00 - 23:00.

Capacity : 300

Proposed Conditions

- 1. The 1st, 2nd and 3rd floors of the premises shall operate as a restaurant
- 6. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for in the designated external areas.
Conditions: 10, 13, 17, 18, no deliveries / collections between 23.00 - 07.00, except for deliveries/collections taking place within the internal servicing yard.
- 23. No licensable activities shall take place at the premises until premises licences reference 20/01636/LIPN and 23/00820/LIPT (or such other number subsequently issued for the premises) have been surrendered.

Representation

We object to this application for a restaurant with an ancillary bar on the grounds it will fail to promote the licensing objectives and increase cumulative impact in the West End Cumulative Impact Zone.

This application is one of four applications relating to the Lucent Development at Piccadilly Circus which includes Shaftesbury Avenue, Glasshouse Street, Sherwood Street and Denman Street. Additional information provided by the applicant states the following:

- 1. Unit A, 4, Glasshouse Street - core hours restaurant. 23/01459/LIPN
- 2. The Devonshire Arms, 5/6 Sherwood and 18/19 Denman Street - core hours restaurant with ancillary bar. 23/01460/LIPN
- 3. Blackwood, 21-23 Shaftesbury Avenue - a court hours bar with a substantial food offer. 23/01459/LIPN
- 4. The Rooftop restaurant, Unit H, 19 Shaftesbury Avenue - a 1am restaurant with ancillary bar and terrace.

The following existing premises licences are offered for surrender:

- Jewel Piccadilly 4-6 Glasshouse Street. Premises licence 20/01636/LIPT - a 1am, 500 capacity destination night club with vertical drinking and regulated entertainment
- Coqbull 17, Denman Street. Premises licence 22/01201/LIPDPS a former pub but currently a core hours 440 capacity restart and bar area.

In addition two historical Premises Licences were in place within 19 Shaftesbury Avenue, Jamie Oliver's Diner and the Japan Centre. We note Jaime Oliver's Diner was licensed to core hours and the Japan Centre for off sales.

The impact of these four new applications plus the offer to surrender premises licences requires a full assessment and we reserve the right to add to this objection in due course.

The Application

We note the offer to surrender two premises licences and the reference to two historical licences, in relation to this the Cumulative Impact Policy CIP1 D15 applies.

'Any list of circumstances where exceptions may be granted is not definitive. One example might be a proposal to transfer an existing operation from one premises to another, where the size and location of the second premises is likely to cause less detrimental impact and will promote the licensing objectives, and where the existing operation would otherwise continue as before in the first premises. In order for this to be treated as a consideration justifying an exception to policy, the council will need to be satisfied that the necessary legal mechanisms are in place to ensure that the original premises licence will cease to be operable and cannot be transferred once surrendered. In considering whether there is likely to be less detrimental impact, the Licensing Authority will consider the actual operation of the premises which it is proposed should close, and it will take into account any future proposals which would affect the continued operation of those premises.'

Previously the restaurant CoqBull this new application proposes a restaurant and ancillary bar with external seating, it states the first, second and third floors will operate as a restaurant, however, the use of the ground floor has not been described on the application form or within the list of conditions. We therefore assume the proposed ancillary bar will be situated on the ground floor, we also note the condition referencing designated external areas. We are concerned the area outside the premises on Sherwood Street will become a large vertical drinking area. We ask the applicant to confirm the use of the ground floor and external area and its capacity.

The premises is within Soho an are at the heart of the West End's entertainment district, with its **478** licensed premises which includes a a large proportion being late night **119** (25%) licensed with a terminal hour between 1am - 6am and a **capacity of 22,480**.

In close proximity to the premises is Zedel Brasserie, capacity 475, plus the new restaurant at 4, Glasshouse House, capacity 216, plus the 300 capacity of the Devonshire Arms results in an overall capacity of 991. The Piccadilly Theatre is also situated opposite the Devonshire and coupled with a main exit/entrance of Piccadilly Circus underground station this area has a high footfall and at times it is very heavily congested.

It is highly likely a number of intoxicated patrons from this premises will want to continue their night out in Soho, more people will be retained for longer in the area, a concern raised within Cumulative Impact Policy, D5 states, *'The retention of people late at night contributes to the cumulative impact.'*

As a new restaurant in the cumulative impact zone the applicant has to demonstrate they will

not to add to cumulative impact, it appears to us that the proposal of MC66 is taken as almost a de facto demonstration that there will be no addition to cumulative impact. We do not believe that this is consistent with the cumulative impact policy, which acknowledges that RNT1 uses are a lower risk than some other types, but not that they are of **no** risk, especially when considering the year on year increase in these types of premises, 21 new licensed restaurants/café's having opened in Soho between 2020 to 2022.

We object to the proposed hours outside policy and to the bar use in a restaurant. The Restaurant Policy RNT1 is clear in raising concerns regarding restaurants turning into bars, it states,

'The Licensing Authority is particularly concerned that restaurant premises within the West End Cumulative Impact Zone do not, even in part, come to operate as bars and particularly not as 'vertical drinking' premises where customers consume alcohol throughout the evening.' (F112)

However, it continues, *'Submission has been made that not every individual in a group may wish to eat but should not be prevented from accompanying diners and having a drink. The Licensing Authority, however, is not minded to relax the conditions for restaurants where alcohol may only be consumed by persons as an ancillary to their substantial table meal.'*

Section C; defines restaurants as,

4. *'Where alcohol 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 alcohol by such persons is ancillary to taking such meals.'*

5. *'The sale of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.'* (Our emphasis)

This application to consume alcohol without taking a substantial table meal, everything the restaurant policy aims to prevent.

The Pubs and Bar policy PB1 applies in this case, there is a presumption to refuse any new applications within the West End CIZ unless they can demonstrate an exception to policy. In our view there is no exception in the case, this is a restaurant and under RNT1 the bar use should be refused.

We also request the proposed conditions 10, 13, 17, 18; collection and deliveries between 23:00 - 07:00 be amended to 23:00- 08:00 to protect residential amenity.

Residents

There are real concerns amongst residents about the ever increasing numbers of licensed premises, they have been subjected to noise disturbance and anti-social behaviour that is beyond acceptable levels. They are disturbed by the late night activity as people walk by either shouting, screaming or arguing, noise from pedicabs, car doors slamming, horns honking, and are subjected to anti-social behaviour with people vomiting and urinating in the street and in their doorways.

Residents are also disturbed even if an establishment is not located directly on their street, as patrons usually intoxicated leave premises and either carry on their night out in Soho or as they make their way home making a noise and disturbing residents along the way.

Within this development there will be seven new residential properties at 19 to 20 Denman Street and we are concerned they will be disturbed by noise from people drinking on the ground floor, the external area and those smoking outside.

With all of the above it is unsurprising residents experience sleep disturbance, a recent survey conducted by the Soho Society confirms that residents are disturbed by noise at night and this is having a negative impact on their lives. 87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80, 59% having lived in Soho for more than 10 years.

When asked about disturbed sleep; 24% of respondents have their sleep disturbed 7 nights a week, 16% 5 or 6 nights a week and 19% 3 or 4 nights a week.

Furthermore, 64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho.

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho.

The full survey can be found in **Appendix 1**.

Crime and Disorder

The Cumulative Impact Assessment 2020 presents overwhelming evidence of the year on year increase in cumulative impact in the West End Zone 1, ***it highlights the rate of crime as 10 - 13 times higher between 6pm - 6am compared to the borough average.*** The level of crime, disorder and anti social behaviour continues to be a huge problem in Soho, the crime figures are high and increasing. The recent police crime report for December 2022 highlights Soho as having the highest number of robberies, overall knife crime and violence against the person compared to other areas within the CIZ. The Committee will be aware of another recent serious incident on Greek Street where two police officers were stabbed which appears to be linked to the drugs trade, this follows on from another serious incident in the same street where a man was seriously injured. This highlight and confirms what residents already know about how unsafe Soho is at night.

These incidents confirm what residents already know that Soho is unsafe at night. Public safety is a huge concern and has been for a long time, the large number of licensed premises plus the numbers of people out on the streets at night attracts criminal gangs, which in turn results in high levels of crime and disorder creating a very unsafe environment for the public.

In Soho the majority of robberies take place at night, people are targeted as they leave venues. Alongside the robberies and assaults drug dealing is a huge problem with groups of dealers congregating to sell drugs to people as they leave premises or as they pass by. There are more dealers in the area at night than during the day, this is directly linked to the large number of venues and people which creates the drugs market. Pickpockets also operate in the area, they are a part of a well organised criminal group who arrive in a van at night and disperse into Soho before returning to be driven away.

It is well known that intoxicated people become victims of crime, their vulnerability being exploited by gangs or individuals who are in Soho explicitly to target them. We believe patrons leaving this restaurant and bar at night will be at high risk of becoming victims of crime.

Cumulative Impact Policy CIP1

This area has been identified by the Westminster City Council as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the Cumulative Impact Assessment 2020 is overwhelming, it describes the high level of cumulative impact in the West End Zone between 2017-2019. It concludes that:

'After consideration of the cumulative impact assessment it is the Licensing Authority's view that the number of premises licences in the West End, are such that it is likely granting further types of licences or varying existing licences would be inconsistent with the authority's duty to promote the licensing objectives. The granting of licences for certain types of operation that are likely to add to Cumulative Impact within these areas would not be consistent with the Licensing Authority's duty under the Licensing Act 2003.'
(p.19) (Our emphasis)

This evidence supported further policy restrictions in the West End, however, the impact of COVID-19 resulted in the Licensing Authority deciding not to implement greater restrictions at this stage, but it may in the lifetime of the policy if footfall moves toward pre-March 2020 levels (D1). Soho is fully open for business and thriving, our observation is Soho attracts more people now than at pre-COVID times.

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the policy).

D23. *'The proximity of residential accommodation is a general consideration with regard to the prevention of public nuisance. It goes on, 'The nature of cumulative impact is that it is cumulative and affects not only the immediate vicinity of the premises, but the wider area; thus the number of people visiting the premises, the nature of licensable activities and the lateness of operations have an impact on an area as a whole, irrespective of whether or not there is residential accommodation in proximity to the premises.'*

It is important to note the policy relates to the global effects of alcohol licences in the whole impact zone and not just a part of it.

In summary

This is an application for a restaurant and bar in the West End Cumulative Impact Zone, any increase in the number of licensed premises and people in the area will fail to promote the licensing objectives and increase cumulative impact.

Appendix 1: [REDACTED] Sleep Survey Results – 31 October 2022

The survey conducted by [REDACTED] confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

87 people have responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80.

59% have lived in Soho more than 10 years

26% between 3 and 10 years

6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

20% are Soho Housing Association and the rest tenants with other landlords

10 respondents have children living at home with them

58% have double glazing

37% single glazing

5% have triple glazing

24% of respondents have their sleep disturbed 7 nights a week

16% of respondents have their sleep disturbed 5 or 6 nights a week

19% of respondents have their sleep disturbed 3 or 4 nights a week

19% of respondents have their sleep disturbed once or twice a week

20% do not have a problem with environmental noise pollution

Topping the list in September was people drinking in the street with 54 mentions, then pedicabs with 51, waste collections at 48, construction noise 36 and car horns 33 and deliveries at 25. Other noise sources identified were air conditioning, motorbikes revving, building alarms and music from licensed venues. The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most serious problem impacting Soho residents quality of life

46% of respondents agreed that noise nuisance is so bad that they have considered moving away from Soho

60% of respondents agreed that noise nuisance and sleep deprivation is adversely impacting my health and the health of the people they live with.

67% of respondents agreed that the council should base its noise policy on the World Health Organisation guidelines.

64% of respondents agreed that our ward councillors should make this their priority during the next four years

69% of respondents agreed that during the time I have lived in Soho noise pollution has got significantly worse

73% of respondents agreed that if noise limits are being exceeded the council should consider reviewing existing alcohol licences

72% of respondents agreed that the council should install electronic noise monitoring in Soho

56% of respondents agreed that the council should not grant additional premises licence for the sale of alcohol in Soho.

62% of respondents agreed that the council should not grant any extensions of hours for premises in Soho

68% of respondents agreed that the council should renew its noise strategy as a matter of urgency

Many respondents made additional comments:-

I left Soho 4 years ago. After 20 years, the noise & air pollution finally broke me. Like the frog in the pan of water with the heat gradually turned up, it took me a while to realise that it wasn't me going soft, it was the significant degradation of the environment around me. Since moved out of my flat, several other tenants have moved in & swiftly out again citing sleep disruption & excessive night noise as their reason for leaving. The flat is now used as an office rather than as residential.

I am disappointed that another restaurant unit is going to be let on Hopkins Street by Shaftesbury when the residents already have an enormous amount of noise from the existing restaurants. No doubt they will also want an alcohol license, which will increase the noise and disturb residents even more.

As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded. Noise at home, lack of sleep, and concentration in the daytime. I have a handheld noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.

More consideration needs to be given to residents from councillors, people visiting the area and local businesses in particular those who serve alcohol and have late night licences. Decisions such as granting planning and licence applications should not be made by people who do not live in the area and are therefore not impacted by the decision making.

Very difficult to get the local authority to understand and take complaints seriously. Officers often helpful but then the case goes to committee and they always seem to rule in favour of the commercial premises rather than residents.

There is supposed to be a presumption to refuse new licences but in practice the council still lets new things through until after Midnight, which is far too late and has made a nonsense of the policy.

There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for a lot of people if they are noisy or use cages or refrigeration.

I live in Marshall St and overlook it. Regularly now (most nights) there are traffic jams in the street at 3am in the morning with cars picking up people leaving clubs. The cars frequently are using their horns. Last night they had their door open with music blaring. we have 2 motorbike stands close together. 1 in Broadwick St and 1 in Marshall St. There is always at least one bike revving up at either 3am or really early like 530am This noise has changed and increased over the past 3-4 years. I am woken up most nights at about 3am. And i have double glazing and am on [a high] floor.

Businesses take no responsibility for their customers drinking/eating and mainly shouting outside, including when they are queuing, and particularly when they are leaving. Post al fresco, there is a new attitude that anything goes on the streets and that includes contempt for the community who live here. The Council need to rethink this and put some major resource into enforcement.

I've lived in Soho for 60 years... Born and bred.. It's never been this noisy!

Early hours waste collections (including bottle smashing) also includes the food & beverage businesses putting their waste in the street and bottle bins at anti-social hours ahead of collection times. Our local restaurants are not supposed to put bottles out between the hours of 23:00 and 07:00 but they frequently do. Frequently delivery trucks some with noisy refrigeration units are also delivering early hours.

Also deliveries & pedicabs. Unfortunately my lack of sleep due to noise has caused serious health issues and I now cannot work and suffer anxiety and depression. I'm woken up on average 5 times per night and have considered suicide. Why I'm being denied sleep between the hours of 11pm and 7am astonishes me. The freeholders Shaftesbury Carnaby show a total disrespect to the effects that noise has on the residents of Soho.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Support
Received:	05 April 2023		

I live at [REDACTED]

I would like to give my support to the Lucent premises licence applications, in particular the Devonshire Arms proposal in the former Coqbull site.

I am aware of the ongoing development works in the Piccadilly Lights building. This is a gateway to our community in Soho and has been in need of care and attention for many years. The community are excited about the careful restoration of the building and approve of the current proposals.

The site formerly hosted Coqbull and the Jewel nightclub until 1.00 am. The new licence applications are much more appropriate and thoughtfully positioned across the building. In particular I am very happy to see the Devonshire Arms application in the Coqbull site. Replacing a low quality night club and a neon clad burger restaurant with the restoration of a welcoming traditional pub on ground floor with a restaurant on the upper floors being led by a multi Michelin chef feels like a great improvement. There has been a pub on that site since 1793, it would be great to see it restored to that original use at ground floor.

I have every confidence that the operators of the Devonshire Arms will bring about an attractive change to our neighbourhood that will be sympathetically managed and promote the licensing objectives.

I urge Westminster to grant the Devonshire Arms and wider applications.

Thank you for considering my email.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support of opposed:	Support
Received:	05 April 2023		

I would like to give my support to the Lucent premises licence applications, in particular the Devonshire Arms proposal in the former Coqbull site.

I am aware of the ongoing development works in the Piccadilly Lights building. This is a gateway to our community in Soho and has been in need of care and attention for many years. The community are excited about the careful restoration of the building and approve of the current proposals.

The site formerly hosted Coqbull and the Jewel nightclub until 1.00 am. The new licence applications are much more appropriate and thoughtfully positioned across the building. In particular I am very happy to see the Devonshire Arms application in the Coqbull site. Replacing a low quality night club and a neon clad burger restaurant with the restoration of a welcoming traditional pub on ground floor with a restaurant on the upper floors being led by a multi Michelin chef feels like a great improvement. There has been a pub on that site since 1793, it would be great to see it restored to that original use at ground floor.

I have every confidence that the operators of the Devonshire Arms will bring about an attractive change to our neighbourhood that will be sympathetically managed and promote the licensing objectives.

I urge Westminster to grant the Devonshire Arms and wider applications. There are very few residents in close proximity, unlike Meard St which has a high density of residents.

Thank you for considering my email.

Please do not hesitate to contact me if you need any further information or have any questions.

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Support
Received:	27 March 2023		

Dear Sir/Madam

Representation in support of Licence Applications

- 1. Unit A, 4 Glasshouse Street W1B 5DQ**
 - 2. The Devonshire Arms, Unit 1, 5/6 Sherwood Street, W1F 7BW and 18/19 Denman Street W1D 7HW**
 - 3. Blackwood, 21-23 Shaftesbury Avenue W1D 7EF**
 - 4. The Rooftop restaurant, Unit H, 19 Shaftesbury Avenue W1D 7EF**
- Ref: 23/01451/LIPN; 23/01460/LIPN; 23/01459/LIPN; 23/01450/LIPN**

Introduction

[REDACTED] be grateful for the Licensing Authority's consideration of this representation in support of the above premises licence applications, based upon the promotion of all four licensing objectives.

[REDACTED] provides a unified voice for all businesses in Soho, with the aim of protecting and growing the economic diversity of the area in which we do business, through engaging with each other, our residents, other amenity groups and Westminster City Council. We currently represent almost 100 businesses in the Soho area, with hospitality, retail and property being our current focus.

Formed in 2020, initially as a forum to help each other face the unprecedented challenges of the Covid-19 pandemic, we are now focussed on partnership working through the Covid-19 recovery period and beyond. We are all committed to safeguarding Soho's iconic status as a world class destination for independent retail, cutting edge food, live entertainment and Soho's very special culture that defines our community and its unique heritage.

Night Time Economy & Statement of Licensing Policy

A key focus for the Soho Business Alliance is the protection of Soho's reputation as a centre for world beating hospitality and the night-time industries that contribute so much to the fabric of Westminster's culture and economy. This is recognised in Westminster's Statement of Licensing Policy:

The entertainment industry brings cultural and financial benefits to the city, with the nighttime element alone being estimated as having over 14,000 firms with turnover of more than £24 billion and employing over 220,000 people. As a result, Westminster has the largest evening and night-time economy in the UK, generating £3 billion per annum

towards the UK's economic output. The council believes that good management of its vibrant entertainment industry and of the street environment within which it operates is essential to the continued success of central London and attracting a wide range of people who want to come here to work, to visit and to live. Licensed entertainment in Westminster contributes to London's appeal to tourists and visitors as a vibrant city.

The entertainment industry brings cultural and financial benefits to the city, with the nighttime element alone being estimated as having over 14,000 firms with turnover of more than 24 billion and employing over 220,000 people. Westminster has the largest evening and nighttime economy in the UK, generating 3 billion per annum towards the UK's net economic output – this is larger than the night-time economies of Edinburgh, Manchester and Birmingham combined.

The council believes that good management of its vibrant entertainment industry and of the street environment within which it operates is essential to the continued success of central London and attracting a wide range of people who want to come here to live, work and visit.

Westminster's licensed operators contribute significantly to enriching Westminster. Many licensed operators in Westminster play a pivotal role as cultural venues that are crucial in sustaining Westminster's visitor economy and offering a diversity of world class and cutting-edge cultural experiences. The council strongly believes that the Westminster should be accessible and inclusive for all; this includes those who live here, the many people who work here, and those who visit and support local businesses.

Beyond the economic benefit, a certain proportion of Westminster's licensed operators offer important late-night services and spaces for those who work unsocial hours, particularly medical and healthcare staff. The night-time is as much for somebody visiting friends for dinner at 8pm or working as a nurse at 2am, as it is for somebody going to the theatre, eating out at restaurant, or attending to a music venue.

The Applications

Piccadilly Circus is a defining London landmark, and it warrants a local hospitality offering befitting that status.

While visitors rightly flock to the square to absorb the visuals, and the atmosphere, it remains an area to be passed through, with the Piccadilly Lights serving as a signpost to the joys of Soho and the West End beyond.

The Lucent development will change that, and help the junction evolve into something more than just an iconic thoroughfare – with these four new licensed premises sitting at its heart. Reinvention like this is not just desirable; it is necessary to ensure Westminster maintains its rightful place as London's epicentre for hospitality, culture and tourism.

The balanced bar and restaurant use across the four venues has evidently been carefully thought through, to complement one another, and the area. Unit A, The Devonshire Arms and Blackwood will hugely diversify the leisure offering at street level, enlivening frontages and improving security later at night, all within core hours.

The hours for the Rooftop, meanwhile, are measured and appropriate to the proposed use. They will allow visitors and residents to soak in the vibrancy of the area into the evening in a spectacular new setting atop the Lights, without encroaching on residential amenity. They are also in line with the hours under the old licence - which was a far cry from the upmarket destination restaurant we can expect here.

Given the nature of the proposed operations across the four venues, safeguarded as

they are by a comprehensive schedule of model licensing conditions in each case, the [REDACTED] are confident that the applicants will promote the Licensing Objectives without adding to Cumulative Impact.

This is so without even taking account of the two existing licenses being surrendered – but the fact that they are should weigh even more heavily in favour of grant, as should the broad range of employment opportunities that will be created by these new ventures.

Thank you for considering the [REDACTED] views.

3. Policy & Guidance

The following policies within the City of Westminster Statement of Licensing Policy apply:	
<p>Cumulative Impact Policy CIP1 applies</p>	<p>It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
<p>Hours Policy HRS1 applies</p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures

	<p>proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>8. Restaurants Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment, then the starting time for that licensable activity will be 11pm.</p>
<p>Restaurant Policy RNT1 (B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served

	<p>to them or they have collected themselves.</p> <ol style="list-style-type: none"> 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol 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 alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.
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4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5.	Appendices
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Licences Proposed to be Surrendered by Applicant
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Ms Roxsana Haq Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: rhaq@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Metropolitan Police representation	06 April 2023
5	Environmental Health representation	06 April 2023
6	Licensing Authority representation	05 April 2023
7	Interested Party representation (1)	05 April 2023
8	Interested Party representation (2)	05 April 2023
9	Interested Party representation (3)	05 April 2023
10	Interested Party representation (4)	27 March 2023

Thomas & Thomas
Partners LLP

Your ref:
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Licensing Authority
Westminster City Council
64 Victoria Street
London SW1E 6QP

By email: licensing@westminster.gov.uk

9 March 2023

Dear Sirs

Lucent Development Piccadilly Circus - Applications for Premises Licences

We act for LS 1 Sherwood Street Ltd and refer to our client's Premises Licence applications in respect of the Lucent development at Piccadilly Circus.

Our client is currently developing the iconic Piccadilly lights building encompassed by Shaftesbury Avenue, Denman Street, Sherwood Street and Glasshouse Street. The development works are wide-ranging, bringing the thoughtfully designed mixed commercial use building block up to the highest standards befitting of its location in the heart of Piccadilly Circus.

Applications

Our client has submitted four applications for new Premises Licences following pre-application advice reference 21/06222/PREAPM. The applications include the following proposals:

1. Unit A, 4 Glasshouse Street W1B 5DQ – a core hours restaurant licence.
2. The Devonshire Arms, Unit 1, 5/6 Sherwood Street, W1F 7BW and 18/19 Denman Street W1D 7HW – a core hours restaurant and ancillary bar.
3. Blackwood, 21-23 Shaftesbury Avenue W1D 7EF – a core hours bar with a substantial food offer.
4. The Rooftop restaurant, Unit H, 19 Shaftesbury Avenue W1D 7EF – a 1.00 am restaurant with ancillary bar and terrace.

Our client is submitting joint applications with the tenants in respect of The Devonshire Arms and Blackwood. Our client is currently marketing and vetting potential tenants in respect Unit A and the Rooftop.

Existing Premises Licence

The following existing Premises Licences **are offered for surrender:**

- Jewel Piccadilly 4-6 Glasshouse Street, W1B 5DQ Premises Licence reference 20/01636/LIPT– a 1.00 am, 500 capacity destination nightclub with vertical drinking and regulated entertainment.
- Coqbull 17 Denman Street, W1D 7HW Premises Licence reference 22/01201/LIPDPS– a former pub but currently a core hours 440 capacity restaurant with bar area.

In addition, two historical Premises Licences were in place within 19 Shaftesbury Avenue W1D 7ED, being Jamie Oliver's Diner and the Japan Centre.

Policy

The new uses are strategically spread across the development with comprehensive estate management controls and an internal servicing yard provided by our client. If granted, the hours across the scheme will reduce from 1.00 am to Core Hours, save for the flagship restaurant overlooking Piccadilly Circus.

Our client is grateful to the Licensing Authority, Responsible Authorities and local stakeholders for considering the proposals and will provide further submissions and supporting material in due course where required.

Yours faithfully

Thomas & Thomas Partners LLP

tel: 020 7042 0413

email: jspiegler@tandtp.com

Lucent Schedule of Existing Premises Licences & Proposed Premises Licences

	Total Capacity during Core Hours	Total Capacity post Core Hours	Total Bar Capacity post Core Hours	Vertical Drinking Capacity	Seated Bar Capacity	Restaurant Capacity
	Existing Premises Licences					
Jewel	500	500	500	500	0	0
Coqbull	440	0	0	30	0	440
Sub Total Existing	940	500	500	530	0	440
	Proposed Premises Licences					
Blackwood	439	0	0	281	158	0
Devonshire Arms	300	0	0	120	0	180
Rooftop Restaurant	259	259	52	0	52	207
Unit A Restaurant	216	0	0	0	0	216
Sub Total Proposed	1214	259	52	401	210	603
<u>Difference</u>	<u>+274</u>	<u>-241</u>	<u>-448</u>	<u>-129</u>	<u>+210</u>	<u>+163</u>

Report of Observations

at

Piccadilly Circus and Greenwood Sports Bar, Victoria Nova

By

Adrian Studd, Independent Licensing Consultant.

Introduction.

1. Jack Spiegler of Thomas and Thomas LLP has instructed me to conduct observations in Piccadilly Circus and vicinity in order to consider the potential impact of the proposed Lucen development of the iconic Piccadilly lights building. This development comprises four applications for new Premises Licences as follows:
 1. Unit A, 4 Glasshouse Street W1B 5DQ – a core hours restaurant licence.
 2. The Devonshire Arms, Unit 1, 5/6 Sherwood Street, W1F 7BW and 18/19 Denman Street W1D 7HW – a core hours restaurant and ancillary bar.
 3. Blackwood, 21-23 Shaftesbury Avenue W1D 7EF – a core hours bar with a substantial food offer.
 4. The Rooftop restaurant, Unit H, 19 Shaftesbury Avenue W1D 7EF – a 1.00 am restaurant with ancillary bar and terrace.

2. There are two (2) existing premises licenses that are offered for surrender. These are:
 - Jewel Piccadilly 4-6 Glasshouse Street, W1B 5DQ. Premises Licence reference 20/01636/LIPT– a 1.00 am, 500 capacity destination nightclub with vertical drinking and regulated entertainment.
 - Coqbull 17 Denman Street, W1D 7HW. Premises Licence reference 22/01201/LIPDPS. A former pub but currently a core hours 440 capacity restaurant with bar area.

In addition, two historical Premises Licences were in place within 19 Shaftesbury Avenue W1D 7ED, being Jamie Oliver's Diner and the Japan Centre.

3. I have also been instructed to conduct observations at Greenwood sports bar in the Victoria Nova development as the proposed Blackwood premises within Lucent will operate in a very similar manner and be operated by the same operator.

Summary of Expertise – Adrian Studd.

4. 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 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.
5. 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 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.

6. I devised and implemented the MPS strategy 'Safe and Sound' which sought 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.
7. 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 British Institute of Innkeeping working party and helped develop the national training for Door Supervisors. I worked with the national regulator the Security Industry Authority to successfully introduce the new regime under the Private Security Industry Act 2001 within London. I sat on Government working parties and worked closely with the alcohol harm reduction team on identifying best practice and ensuring this was used both within London and nationally by police and local authorities. I worked with Government on the drafting of SEV legislation and gave evidence to the House of Commons Select Committee in 2009 on the impact of premises providing sexual entertainment.
8. I was involved with Best Bar None, a national voluntary scheme of accreditation for safe licensed premises, for a number of years and successfully helped a number of boroughs implement the initiative. I was a trained Best Bar none assessor and until my retirement sat on the Board for Best Bar None in the Royal Borough of Kensington and Chelsea. I was also a trained assessor for Purple Flag, the national voluntary awards scheme for safe, diverse and accessible town centres. For the five years prior to my retirement, I was responsible for licensing of the Notting Hill Carnival, the largest street carnival in Europe. During this time, I 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 attended 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.

9. Following my retirement, I established 'Clubsafe Services Ltd' to provide independent compliance support and advice for premises and events requiring a local authority licence. Since then, I have provided evidence gathering services, advice and support to a broad range of licensed premises on a variety of issues, including crime and disorder, street drinking, rough sleepers and age-related product issues. I have also provided support to bars and shops at events such as Nottinghill Carnival and provided support and advice for high profile clubs such as Fabric in London. This work has involved premises that benefit from a variety of local authority licences including alcohol on and off licences, betting premises licences and late-night refreshment. I regularly provide expert independent witness evidence at both local authority and appeal court hearings.

Observations.

10. I conducted observations at Piccadilly Circus, Piccadilly Lights and in the vicinity of the proposed new premises in Sherwood Street, Denman Street, Shaftsbury Avenue and Glasshouse Street on the evening and night of Friday the 21st of April 2023 between 21.00 hours and 01.30 hours. I also observed access to local transport at nearby bus stops and 24-hour tube station entrances, the nearest being opposite the premises in Piccadilly. In addition I visited Greenwood sports bar in Victoria Nova development as the proposed Blackwood premises within Lucent will operate in a very similar manner and be operated by the same operator.
11. The weather on the evening of 21st April was clear and dry and the area around piccadilly was very busy with the Eid celebrations and preparations for the London Marathon that was taking place on Sunday 23rd April. Bars and restaurants and later

on the clubs were very busy and in Greenwood sports bar a live football match between London based Arsenal and Southampton was being shown live. While not a football fan I understand this was an important Premiership match and the sports bar was very busy.

12. I was at Greenwood around 22.00 hours towards the end of the match. The premises was busy, I would estimate approaching capacity, but the customers were a diverse mix of young and older, male and female. Some appeared to have come from work and others on a night out with friends to watch the football. The premises is laid out with a large number of televisions providing a good view of the sport from all areas and substantial seating at the many tables around the premises. There was evidence of food having been consumed on tables and many customers were seated in addition to a smaller number who were watching the match standing in the vicinity of the bar.
13. Security provided by door supervisors at the door and around the premises was highly visible and effective. The atmosphere was good, and I did not observe any signs of aggressive behaviour or drunkenness. Few customers were displaying team colours and I did not observe any rivalry or team related abuse or aggression. My overall impression was of a well-managed premises that was operating in a responsible and compliant manner.
14. Returning to Piccadilly at about 22.30 the vicinity of the proposed premises was busy with the St James Tavern and Queens Head public houses, both open core hours, busy with customers also outside drinking. At present the existing licenses are not being operated while development work takes place for the proposed new premises, however they could equally re-open under the existing licences. There is good access to the underground system close by with 24-hour tube access directly opposite by the Shaftesbury Memorial Fountain. During the evening these were well used but never appeared overcrowded. There is very limited parking in the area and most customers leaving the nearby licensed premises used the various public transport facilities and cabs, which is what I would expect from customers using the proposed new premises.

15. As midnight approached customers started drifting away from the nearby pubs; fast-food restaurants and take aways such as the nearby Five Guys became busier. From midnight these premises closed, and this was the peak time for public transport demand as customers made their way from the area. The late-night clubs such as Tiger Tiger in Haymarket got busier with queues outside but the clientele going to this type of premises was distinct from that using the regular pubs and restaurants who, on the whole, were making their way away from the area.
16. By 00.30 to 01.00 most of the licensed premises had closed and a substantial number of people who had been in the area had left. Under the existing licences Coqbull would have closed, however the 500-capacity nightclub Jewel, currently licensed for alcohol sales until 01.00 and closing at 01.30, would be yet to close and so there would be an additional 500 people leaving this alcohol led nightclub at 01.30. Under the current application this number is reduced to 259 people leaving a high quality, food led, restaurant which will have a greatly reduced impact on the vicinity. There were still people celebrating Eid, but this was mainly along Shaftsbury Avenue away from Piccadilly, where there were lights and banners strung across the road. I left the area about 01.30.

Relevant considerations.

17. The proposed development will replace the existing licences for Jewel Piccadilly, a 500 capacity, vertical drinking nightclub with a 01.00 hour licence, and Coqbull, a former pub and restaurant with a capacity of 440 operating to core hours. In particular replacing Jewel will lead to a noticeable reduction in the cumulative impact in the vicinity. Under the existing licence when Jewel closes 500 customers from the high energy, alcohol led environment are discharged onto the street, all together in a short period of time, and often seeking fast food to soak up the alcohol. A recipe for noise, nuisance and potentially disorder. The new restaurant premises operating until 01.00 not only has a greatly reduced capacity of 259 but the customers will have been seated in the calmer environment of a restaurant, will already have eaten, and will leave the

premises as they finish their meals over a longer period of time, reducing the cumulative impact in the area.

18. The proposed new use consists of four separate premises that will spread customers across the diverse range of premises while having the advantage of an internal servicing area for all four premises with comprehensive, centralised, management control.

Core Hours/ Cumulative Impact Considerations.

19. The existing premises licence that operates outside core hours is a 500-capacity vertical drinking nightclub, from which all customers leave at the same time having been in an alcohol led, high energy, environment. This type of premises is acknowledged to be a key driver of crime and disorder generally and at transport hubs as customers make their way away at the same time at the end of the night. This is to be replaced by a rooftop restaurant with a capacity of 259 and maximum 20% bar capacity. This reduces the capacity outside core hours by almost 50% and the bar use by almost 90%, as well as ensuring that those leaving will do so in a staggered manner and from a more relaxed environment, greatly reducing the risk of crime and disorder and cumulative impact in the area.

20. The other three proposed premises on the site will all operate to core hours and comprise of: The Devonshire Arms, a restaurant and bar. The Blackwood, a core hour bar with substantial food offering similar to Greenwood in Victoria Nova; and Unit A 4 Glasshouse Street that will be a core hours restaurant.

Advantages of the proposed changes.

21. It is clear that the proposal brings a number of benefits over the existing situation:
 - A dramatic reduction in vertical drinking capacity beyond core hours and consequent Cumulative Impact that will be brought about by the replacement

of a 500 capacity, vertical drinking nightclub with a 259-capacity restaurant with limited bar facilities.

- A broader range of customers distributed across four separate premises with different operating styles.
- A centralised servicing area and enhanced management control.
- Opportunity to impose new 'Model Conditions' on all licences.
- Improved public safety in a brand-new, purpose-built development.
- The new rooftop restaurant, operating until 01.00 hours, is screened from nearby residents.

Conclusion.

22. This application presents the opportunity to not only reduce the licensed capacity outside core hours but also to replace those customers that would have been leaving a high energy, alcohol led environment with customers leaving a restaurant environment. It provides a wider range of premises and allows for greater control, better design and agreement on new 'model conditions.' I am confident it will bring benefit by reducing the cumulative impact in the area and bringing in a more diverse offering.

Adrian Studd,
Independent Licensing Consultant,
24/04/2023.

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Consultants in Acoustics, Noise & Vibration

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Lucent, London W1

Environmental noise survey and assessment report

London, Manchester, Edinburgh, Birmingham, Belfast, Leeds

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Version	Date	Comments	Author	Reviewer
A	27 Apr 23	First issue	Matthew Elliott	Edward Farrer
B	10 May 23	Second issue	Matthew Elliott	Edward Farrer
C	22 May 23	Final	Matthew Elliott	Edward Farrer

Disclaimer

This report has been prepared for the sole benefit and use of our client based on their instructions and requirements. Sandy Brown Ltd extends no liability in respect of the information contained in the report to any third party.

Summary

Sandy Brown has been commissioned to provide acoustic advice in relation to the proposed Lucent development, London W1.

An environmental noise survey has been carried out to determine the existing background sound levels in the area and to set appropriate noise limits in line with the requirements of Westminster City Council.

The noise survey was performed between 11:30 on 16 February 2018 and 12:15 on 21 February 2018, and is still considered to be representative of the current noise climate.

On the basis of the requirements of Westminster City Council, the relevant noise limits at the worst affected existing noise sensitive premises have been set and are detailed in Section 5.2.

These limits are cumulative and apply with all plant operation under normal conditions. If plant items contain tonal or attention catching features, a penalty based on the type and impact of those features will be applied, and the limits will be more stringent than those set.

An assessment has been undertaken of operational noise levels associated with the proposed retail units demonstrating compliance with the criteria within the Westminster Licensing Policy, and other relevant criteria.

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1 Introduction

Sandy Brown has been commissioned to provide acoustic advice in relation to the proposed Lucent development, London W1.

As part of this, an environmental noise survey is required, the purpose of which is to establish the existing background sound levels in the vicinity of nearby noise sensitive premises and to set appropriate limits for noise egress from building services plant associated with the development.

This report presents the survey method, results of the environmental noise survey, and a discussion of acceptable limits for noise emission from building services plant.

An assessment of the noise impact of the retail units against the criteria within the Westminster Licensing Policy has been undertaken.

2 Site description

2.1 The site and its surrounding

The site location in relation to its surroundings is shown in Figure 1. The red pins show the locations of unattended noise loggers (L1, L2 and L3) and the yellow pins show the locations of the attended noise measurements (A1 to A6).

The site is located in the vicinity of Piccadilly Circus which is in the London Borough of Westminster. The site is in the proximity of commercial buildings, Sherwood Street, Denman Street, Shaftesbury Avenue and Piccadilly Circus Station.

The noise sources noted during the attended measurements were road traffic, pedestrians, buskers and occasional aircraft.



Figure 1 Site map (courtesy of Google Earth Pro)

2.2 Adjacent premises

Figure 2 illustrates the position of the development (blue) in relation to the nearest existing buildings.

In line with WCCs City Plan adopted in November 2016 definition of noise sensitive premises, the nearest noise sensitive locations are outlined below:

- Ham Yard Hotel, to the north (red)
- Denman Street flats, to the north (yellow)
- Hotel Café Royal, to the west (orange)
- Criterion Theatre, to the south (purple).

Investigations have indicated that the building to the north of the site (green) is 41-44 Great Windmill Street and is a commercial property. Therefore it is not considered to be of high noise sensitivity.

It is understood that the nearest premises to the east of the site are commercial and are therefore not considered of high noise sensitivity.

The Criterion Theatre is located within a mixed-use building and is situated at the lower levels with office accommodation on the upper levels.

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Figure 2 Site and surrounding premises (Courtesy of Google Earth Pro)

3 Method

Details of the equipment used, the noise indices and the weather conditions during the survey are provided in Appendix A. Further information on the specific survey method is provided in this section.

3.1 Unattended measurements

Unattended noise monitoring was undertaken at the site over 6 days to determine the existing background sound levels in the vicinity of nearby noise sensitive premises.

The unattended measurements were performed over 15 minute periods between 11:30 on 16 February 2018 and 12:15 on 21 February 2018. The equipment was installed and collected by Sam Daintree and Dilan Neumann.

The measurement positions used during the survey are indicated in Figure 1, denoted by the letters 'L'.

3.1.1 L1 monitoring position

The logger at measurement position L1 was at least 1.5 m from any reflective surfaces, as shown in Figure 3, hence the noise level measured is considered to be 'free field'. As this logger had direct line of sight to Denman Street, it is reasonably representative of the noise level experienced by the Ham Yard Hotel windows overlooking Denman Street.

It was noticed during the set up that there was audible noise from a local plant room and slightly audible noise from a kitchen extract fan, both shown in Figure 4.



Figure 3 Photograph of measurement location L1

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Figure 4 Photograph of plant room (left) and kitchen extract fan (right)

3.1.2 L2 monitoring position

The logger at measurement location L2 was approximately 1 m from the facade, as shown in Figure 5.

It was noticed during the set up that there was audible noise from nearby plant and steps were taken to screen the microphone from the plant.

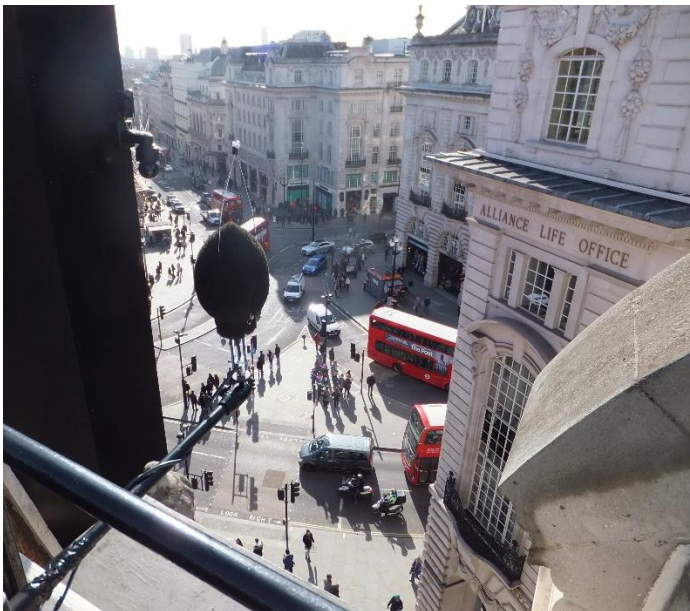


Figure 5 Photograph of measurement location L2

3.1.3 L3 monitoring position

The logger at measurement location L3 was 1 m away from the facade of the building, as shown in Figure 6.



Figure 6 Photograph of measurement location L3

3.2 Attended measurements

Attended sample measurements were performed by Sam Daintree and Dilan Neumann at a number of locations around the One Sherwood Street. These are indicated as yellow pins in Figure 1. The attended measurements were carried out on 16 February 2018 and 21 February 2018, over 5 minute periods, with the purpose of determining the existing noise levels from road traffic, pedestrians and other significant noise sources in the area.

In each case the microphone was mounted on a tripod approximately 1.5 m above the ground level and 1 m from any reflective surface.

4 Measurement results

4.1 Observations

The dominant noise sources observed at the site during the survey consisted of traffic, pedestrians and buskers.

Less significant noise sources included occasional aircraft and intermittent construction noise.

4.2 Unattended measurement results

The results of the unattended noise measurements are summarised in the following tables. A graph showing the results of the unattended measurements is provided in Appendix B.

The day, evening and night time ambient noise levels measured during the unattended survey are presented in Table 1, Table 2 and Table 3. Measurements made at L1 were free field, while measurements made at L2 and L3 were facade measurements.

Table 1 Ambient noise levels measured during the survey at L1

Date	Daytime (07:00 – 23:00) $L_{Aeq,12h}$ (dB)	Evening (19:00 – 23:00) $L_{Aeq,4h}$ (dB)	Night (23:00 – 07:00) $L_{Aeq,8h}$ (dB)
Friday 16 February 2018	-	63	61
Saturday 17 February 2018	60	64	59
Sunday 18 February 2018	60	60	57
Monday 19 February 2018	61	60	58
Tuesday 20 February 2018	61	60	57
Average	61	61	58

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Table 2 Ambient noise levels measured during the survey at L2

Date	Daytime (07:00 – 23:00)	Evening (19:00 – 23:00)	Night (23:00 – 07:00)
	$L_{Aeq,12h}$ (dB)	$L_{Aeq,4h}$ (dB)	$L_{Aeq,8h}$ (dB)
Friday 16 February 2018	-	68	65
Saturday 17 February 2018	70	74	65
Sunday 18 February 2018	68	67	61
Monday 19 February 2018	65	66	61
Tuesday 20 February 2018	66	67	63
Average	67	68	63

Table 3 Ambient noise levels measured during the survey at L3

Date	Daytime (07:00 – 23:00)	Evening (19:00 – 23:00)	Night (23:00 – 07:00)
	$L_{Aeq,12h}$ (dB)	$L_{Aeq,4h}$ (dB)	$L_{Aeq,8h}$ (dB)
Friday 16 February 2018	-	72	70
Saturday 17 February 2018	72	71	70
Sunday 18 February 2018	70	72	66
Monday 19 February 2018	68	69	65
Tuesday 20 February 2018	70	69	67
Average	70	71	68

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The minimum background sound levels measured during the unattended survey are given in Table 4, Table 5 and Table 6.

Table 4 Minimum background sound levels measured during the survey at L1

Date	Daytime (07:00 – 23:00)	Evening (19:00 – 23:00)	Night (23:00 – 07:00)
	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)
Friday 16 February 2018	57 *	59	53
Saturday 17 February 2018	56	59	53
Sunday 18 February 2018	55	56	53
Monday 19 February 2018	56	56	52
Tuesday 20 February 2018	56	57	53
Wednesday 21 February 2018	56 *	-	-

* Measurement not made over full period due to monitoring start and end time

Table 5 Minimum background sound levels measured during the survey at L2

Date	Daytime (07:00 – 23:00)	Evening (19:00 – 23:00)	Night (23:00 – 07:00)
	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)
Friday 16 February 2018	61 *	62	56
Saturday 17 February 2018	57	62	56
Sunday 18 February 2018	56	59	55
Monday 19 February 2018	60	59	55
Tuesday 20 February 2018	59	60	56
Wednesday 21 February 2018	59 *	-	-

* Measurement not made over full period due to monitoring start and end time

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Table 6 Minimum background sound levels measured during the survey at L3

Date	Daytime (07:00 – 23:00)	Evening (19:00 – 23:00)	Night (23:00 – 07:00)
	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)
Friday 16 February 2018	65 *	66	58
Saturday 17 February 2018	60	66	57
Sunday 18 February 2018	57	61	56
Monday 19 February 2018	63	63	57
Tuesday 20 February 2018	61	62	57
Wednesday 21 February 2018	62 *	-	-

* Measurement not made over full period due to monitoring start and end time

The lowest background sound levels measured during the survey are summarised in Table 7.

Table 7 Lowest background sound levels

Location	Daytime (07:00 – 23:00)	Evening (19:00 – 23:00)	Night (23:00 – 07:00)
	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)	$L_{A90,15min}$ (dB)
L1	55	56	52
L2	56	59	55
L3	57	61	56

4.3 Attended measurement results

The sound pressure levels recorded during the attended measurements are summarised in Table 8. The dominant noise sources noted during the measurements are also described in Table 8. All the attended measurements were performed over 5 minute periods, and are facade measurements unless indicated otherwise.

Table 8 Sound pressure levels from attended measurements

Position	Start time	Sound pressure levels (dB)			Noise sources
		$L_{Aeq,5min}$	$L_{AFmax,5min}$	$L_{A90,5min}$	
1	21 Feb 10:46	68	87	56	Pedestrians, traffic, construction noise
1	21 Feb 10:51	71	91	59	Pedestrians, traffic, construction noise
1	21 Feb 10:57	69	88	59	Pedestrians, traffic, construction noise
1	21 Feb 11:00	70	89	58	Pedestrians, traffic
1	21 Feb 11:05	71	91	58	Pedestrians, traffic, construction noise
1	21 Feb 11:11	68	91	57	Pedestrians, traffic, construction noise
2	21 Feb 10:17	72	91	65	Pedestrians, traffic
2	21 Feb 10:22	71	92	66	Pedestrians, traffic
2	21 Feb 10:27	71	93	66	Pedestrians, traffic, construction noise
2*	21 Feb 11:01	71	88	64	Pedestrians, traffic
2*	21 Feb 11:10	71	85	65	Pedestrians, traffic
3	16 Feb 14:14	74	94	67	Pedestrians, traffic, busker
3	21 Feb 10:30	70	84	65	Pedestrians, traffic
3	21 Feb 10:37	72	86	64	Pedestrians, traffic, siren
3	21 Feb 10:42	72	86	64	Pedestrians, traffic
4	21 Feb 10:45	71	90	65	Pedestrians, traffic
4	21 Feb 10:51	71	91	65	Pedestrians, traffic

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Position	Start time	Sound pressure levels (dB)			Noise sources
		$L_{Aeq,5min}$	$L_{AFmax,5min}$	$L_{A90,5min}$	
4	21 Feb 10:57	69	80	65	Pedestrians, traffic, construction noise
5*	16 Feb 14:33	71	90	66	Pedestrians, traffic, busker
5	21 Feb 10:18	67	80	64	Pedestrians, traffic, construction noise
5	21 Feb 10:23	67	78	64	Pedestrians, traffic, construction noise
5	21 Feb 11:15	67	76	64	Pedestrians, traffic
6	21 Feb 10:29	63	76	58	Pedestrians, traffic, construction noise
6	21 Feb 10:34	63	78	58	Pedestrians, traffic, car horn, construction noise
6	21 Feb 10:40	63	77	59	Pedestrians, traffic.

* Measurement taken was in free field

5 Building services noise egress limits

5.1 Planning conditions

Condition 16 of the planning conditions requires control of plant noise emission from the development in line with the requirements of Westminster City Council. A screenshot of the condition from the planning permission (application reference 15/07092/FULL) is shown in Figure 7.

- 16 (1) Where noise emitted from the proposed plant and machinery will not contain tones or will not be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 10 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (2) Where noise emitted from the proposed plant and machinery will contain tones or will be intermittent, the 'A' weighted sound pressure level from the plant and machinery (including non-emergency auxiliary plant and generators) hereby permitted, when operating at its noisiest, shall not at any time exceed a value of 15 dB below the minimum external background noise, at a point 1 metre outside any window of any residential and other noise sensitive property, unless and until a fixed maximum noise level is approved by the City Council. The background level should be expressed in terms of the lowest LA90, 15 mins during the proposed hours of operation. The plant-specific noise level should be expressed as LAeqTm, and shall be representative of the plant operating at its maximum.
- (3) Following installation of the plant and equipment, you may apply in writing to the City Council for a fixed maximum noise level to be approved. This is to be done by submitting a further noise report confirming previous details and subsequent measurement data of the installed plant, including a proposed fixed noise level for approval by the City Council. Your submission of a noise report must include:
- (a) A schedule of all plant and equipment that formed part of this application;
 - (b) Locations of the plant and machinery and associated: ducting; attenuation and damping equipment;
 - (c) Manufacturer specifications of sound emissions in octave or third octave detail;
 - (d) The location of most affected noise sensitive receptor location and the most affected window of it;
 - (e) Distances between plant & equipment and receptor location/s and any mitigating features that may attenuate the sound level received at the most affected receptor location;
 - (f) Measurements of existing LA90, 15 mins levels recorded one metre outside and in front of the window referred to in (d) above (or a suitable representative position), at times when background noise is at its lowest during hours when the plant and equipment will operate. This acoustic survey to be conducted in conformity to BS 7445 in respect of measurement methodology and procedures;
 - (g) The lowest existing LA90, 15 mins measurement recorded under (f) above;
 - (h) Measurement evidence and any calculations demonstrating that plant and equipment complies with the planning condition;
 - (i) The proposed maximum noise level to be emitted by the plant and equipment.

Figure 7 Condition 16 of planning condition

5.2 Limits

Based on the above criteria and the measurement results, the cumulative noise level resulting from the operation of all new plant at 1 m from the worst affected windows of the nearest noise sensitive premises, relative to the noise monitoring locations, should not exceed the limits set out in Table 9 and Table 10. As the background levels measured at position L1 are free field, a +3 dB facade correction has been added in the derivation of the limit.

Table 9 Plant noise limits at 1 m from the nearest noise sensitive premises on weekdays

Noise monitoring location	Maximum sound pressure level at 1 m from noise sensitive premises ($L_{Aeq,15min}$ dB)		
	Daytime (07:00-19:00)	Evening (19:00-23:00)	Night-time (23:00-07:00)
L1	49	49	45
L2	49	49	45
L3	51	52	47

Table 10 Plant noise limits at 1 m from the nearest noise sensitive premises on weekends

Noise monitoring location	Maximum sound pressure level at 1 m from noise sensitive premises ($L_{Aeq,15min}$ dB)		
	Daytime (07:00-19:00)	Evening (19:00-23:00)	Night-time (23:00-07:00)
L1	48	49	46
L2	46	49	45
L3	47	51	46

The limits set out in Table 9 and Table 10 do not include any attention catching features. The penalties for attention catching features may be significant and will need to be considered as the building services design progresses.

6 Operation sound level assessment

Several assessments have been undertaken to establish the likely level of impact caused by the proposed retail units:

- Unit A – core hours restaurant
 - Maximum occupancy 216 persons
- Devonshire Arms – core hours restaurant and ancillary bar
 - Maximum occupancy 300 persons
- Blackwood – core hours bar with a substantial food offer
 - Maximum occupancy 439 persons
- Rooftop – a 1:00am restaurant with ancillary bar and terrace
 - Maximum occupancy 259 persons.

The operating hours for the units are included within the assessments below.

These assessments are summarised as follows:

- Noise break-out via the unit facade
- Noise produced by patrons using the outdoor terrace
- Noise generated when patrons leave the unit.

Details of each of the assessments are included in the following sections.

6.1 Criteria

6.1.1 Westminster Council

The Westminster Council Licensing Policy provides guidance on noise, published October 2021, states that where applicable a noise report will be required to demonstrate 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').*

An environmental noise impact assessment should include:

- A. *Existing ambient and background noise climate...*
- B. *Assessment of the existing and future noise climate due to 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.*

With regards to noise transfer into noise sensitive premises:

The standard to be achieved shall be that the internal transfer of noise to noise sensitive premises shall comply with the noise criteria of NR30 (day), NR25 (night), and NR40 (LFmax)

The noise criteria stated within the policy are:

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.

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.

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.

Paragraph 19 states:

The criteria relating to:

- A. Plant, machinery and associated equipment, internally or externally installed.*
- B. Music and human voices, both amplified and unamplified.*
- C. Other activities.*

Account will be taken of:

- The type/s of events planned.*
- The number of events that take place each year.*
- The numbers of participants and people attending each event.*
- The times of day and duration of events.*
- The days/dates of events.*
- Conformity to The Noise Council's 'Code of Practice on Environmental Noise Control at Concerts', guidelines and recommended noise control procedures 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 standard 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.

Policy PN1 states the following in relation to noise:

- Restricting the generation of noise within the premises and from activities associated with the premises in the vicinity, or from an open-air site.*
- Limiting the escape of noise from the premises or open-air site.*
- Restrict noise emissions to below levels that could affect people in the vicinity going about their business, at work and when at home both while relaxing and while sleeping.*

- *Minimising and controlling noise from customers arriving at the premises, or open-air site outside it and departing from it including noise and other nuisance caused by customers' transportation and how dispersal is managed.*
- Minimising and controlling noise from vehicles associated with and providing services to the premises or open-air site and their customers (including delivery companies).

6.1.2 Institute of Acoustics guidance

The Institute of Acoustics (IOA) Good Practice Guide on the Control of Noise from Pubs and Clubs contains criteria for noise from all aspects of entertainment venues, including patrons entering/leaving the venues, stating the following:

If noise from rowdy behaviour regularly produces $L_{A_{fmax}}$ levels in excess of 70 dB 1 metre outside windows of a noise-sensitive property between 23:00 and 07:00 hours, then this may be an indication that unacceptable disturbance could occur or is occurring.

6.1.3 Institute of Environmental Management and Assessment (IEMA)

The IEMA Guidelines for Environmental Noise Impact Assessment sets out criteria based on the sensitivity of a receptor, and the change in noise level from the existing climate.

Table 7.10 in the IEMA guide presents the sensitivity of a receptor to relative change in noise level and is reproduced in Table 11.

Table 11 Sensitivity of receptor to noise level exposure

	Large	Medium	Small	Negligible
Relative change	Greater than 10 dB(A) change in sound level	5 to 9.9 dB(A) change in sound level	3 to 4.9 dB(A) change in sound level	2.9 dB(A) or less change in sound level

To determine the overall noise impact, the magnitude and sensitivity criteria are combined into a Degree of Effect matrix, presented in Table 7.11 of the IEMA guidelines and reproduced in Table 12.

Table 12 Degree of effect matrix

Magnitude of change	Importance/sensitivity			
	High	Medium	Low	Negligible
Large	Very Substantial	Substantial	Moderate	None
Medium	Substantial	Substantial	Moderate	None
Small	Moderate	Moderate	Slight	None
Negligible	None	None	None	None

Residential receptors are considered to have a high sensitivity.

6.2 Noise break-out via the unit facades

The retail units will not operate with loud amplified music. As such, it is expected that noise generated by patrons within the retail units and background music will be the most significant facade breakout noise source to consider.

The assessment of breakout noise from the retail units are based on the following:

- Measured noise levels in existing busy restaurants with background music
- The sound insulation provided by a closed single glazed window.

Measurements in busy restaurants with background music indicate noise levels will typically approach L_{Aeq} 76 dB, and is considered representative for all retail units within this assessment.

The sound insulation performance of the facade has been specified to meet a minimum sound insulation performance of R_w+C_{tr} 31 dB, which will not be opened when in operation.

The sound insulation performance for the receptors has been assumed as a partially opened window, providing a reduction of 10 dB.

The predicted noise levels 1 m from the facade of the receptors and within the receptor, as well as the lowest L_{A90} measured during proposed operating times for each of the retail units are presented in Table 13 to Table 16.

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Table 13 Noise break-out from Blackwood to Denman Street flats

Operating hours	Receptor	Lowest measured noise level during proposed operating hours (L_{A90} , dB)	Predicted noise level 1 m from the receptor facade (L_{Aeq} , dB)	Predicted noise level within the receptor (NR)
Sunday 12:00 – 23:00	Denman Street Flats	56	38	24
Monday – Thursday 10:00 – 00:00	Denman Street Flats	55	38	24
Friday & Saturday 10:00 – 00:30	Denman Street Flats	57	38	24

Table 14 Noise break-out from Devonshire Arms to Ham Yard Hotel

Retail unit/operating hours	Receptor	Lowest measured noise level during proposed operating hours (L_{A90} , dB)	Predicted noise level 1 m from the receptor facade (L_{Aeq} , dB)	Predicted noise level within the receptor (NR)
Sunday 09:00 – 23:00	Ham Yard Hotel	56	35	21
Monday – Thursday 09:00 – 00:00	Ham Yard Hotel	55	35	21
Friday & Saturday 09:00 – 00:30	Ham Yard Hotel	57	35	21

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Table 15 Noise breakout from Unit A to Hotel Cafe Royal

Retail unit/operating hours	Receptor	Lowest measured noise level during proposed operating hours (L_{A90} , dB)	Predicted noise level 1 m from the receptor facade (L_{Aeq} , dB)	Predicted noise level within the receptor (NR)
Sunday 09:00 – 23:00	Hotel Cafe Royal	54	36	23
Monday – Thursday 09:00 – 00:00	Hotel Cafe Royal	55	36	23
Friday & Saturday 09:00 – 00:30	Hotel Cafe Royal	56	36	23

Table 16 Noise breakout from Rooftop to receptors

Retail unit/operating hours	Receptor	Lowest measured noise level during proposed operating hours (L_{A90} , dB)	Predicted noise level 1 m from the receptor facade (L_{Aeq} , dB)	Predicted noise level within the receptor (NR)
Sunday 09:00 – 23:00	Criterion theatre	59	17	4
Monday – Saturday 09:00 – 01:30	Criterion theatre	59	17	4
Sunday 09:00 – 23:00	Ham Yard Hotel	56	13	-2
Monday – Saturday 09:00 – 01:30	Ham Yard Hotel	53	13	-2
Sunday 09:00 – 23:00	Hotel Cafe Royal	60	22	8
Monday – Saturday 09:00 – 01:30	Hotel Cafe Royal	59	22	8

The assessment indicates that noise break-out from all of the retail units are at least 10 dB below the lowest measured background noise level during the proposed operating hours, and fall below the internal noise criterion of NR 25 within sensitive receptors.

6.3 Noise egress from outdoor terrace

A detailed 3-dimensional model of the site and surrounding buildings has been created to predict the expected facade noise levels at the nearest noise sensitive receptors, as a result of people talking on the roof level terrace, located on the Piccadilly Circus side of the development. Computer modelling of amplified sound has not been undertaken at this stage.

The facade noise levels have been determined using CadnaA environmental prediction software, which takes account of the effects of topography, reflections, screening and distance attenuation.

The software carries out calculations of environmental noise propagation using algorithms set out in ISO 9613-2: 1996 *Attenuation of sound during propagation outdoors*.

The site and surrounding buildings are based on architects GA's, Open Street Map and Google Earth Pro.

The terrace is enclosed by a 1 m solid parapet along the western and southern perimeters, with the building providing screening to the north and east.

Noise egress from the terrace has been based on the terrace at maximum occupancy (understood to be approximately 72 persons) with one person (18 persons) at each table speaking with raised vocal effort. A source sound power level of L_{WA} 75 dB has been used.

A plan showing the terrace layout and number of tables is presented in Figure 8.

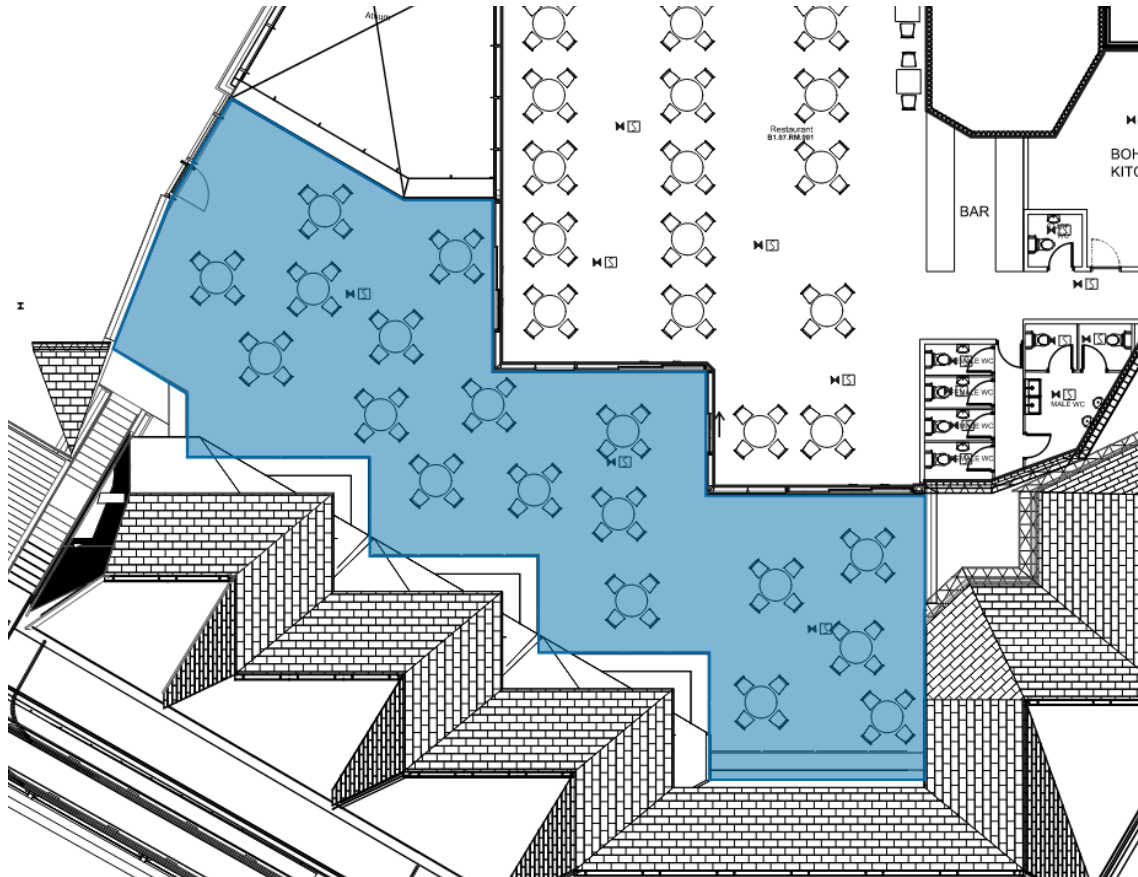


Figure 8 Proposed terrace configuration

6.3.1 Predicted noise levels

Figure 9 to Figure 11 presents the facade noise levels at the nearest noise sensitive receptors from terrace noise egress.

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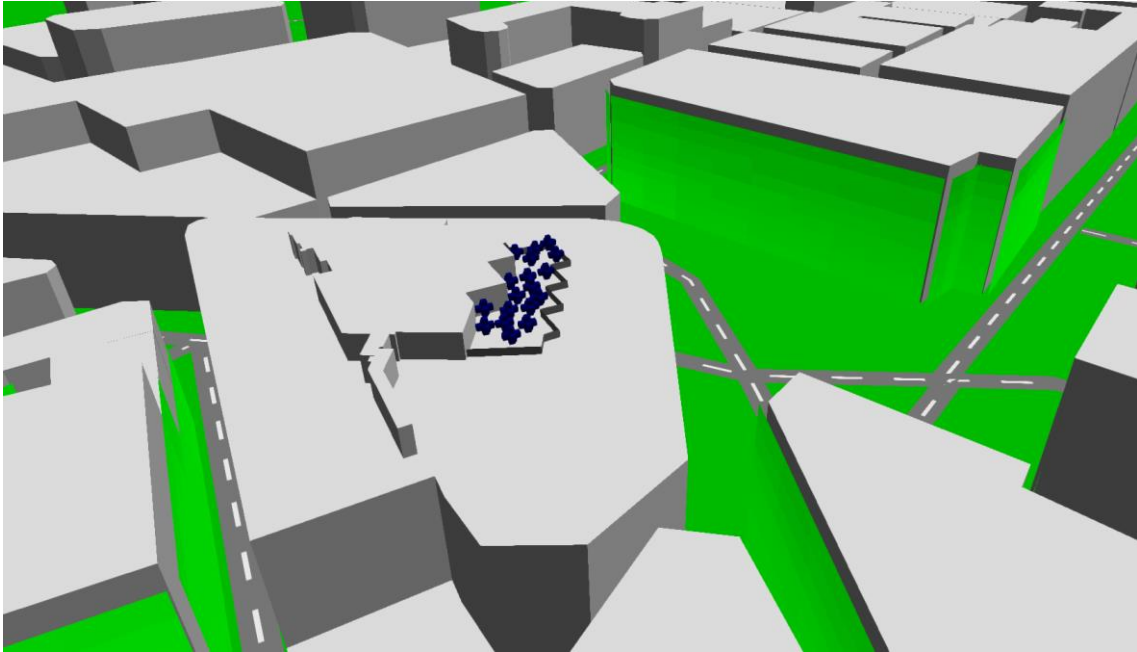


Figure 9 Terrace noise levels at Criterion Theatre

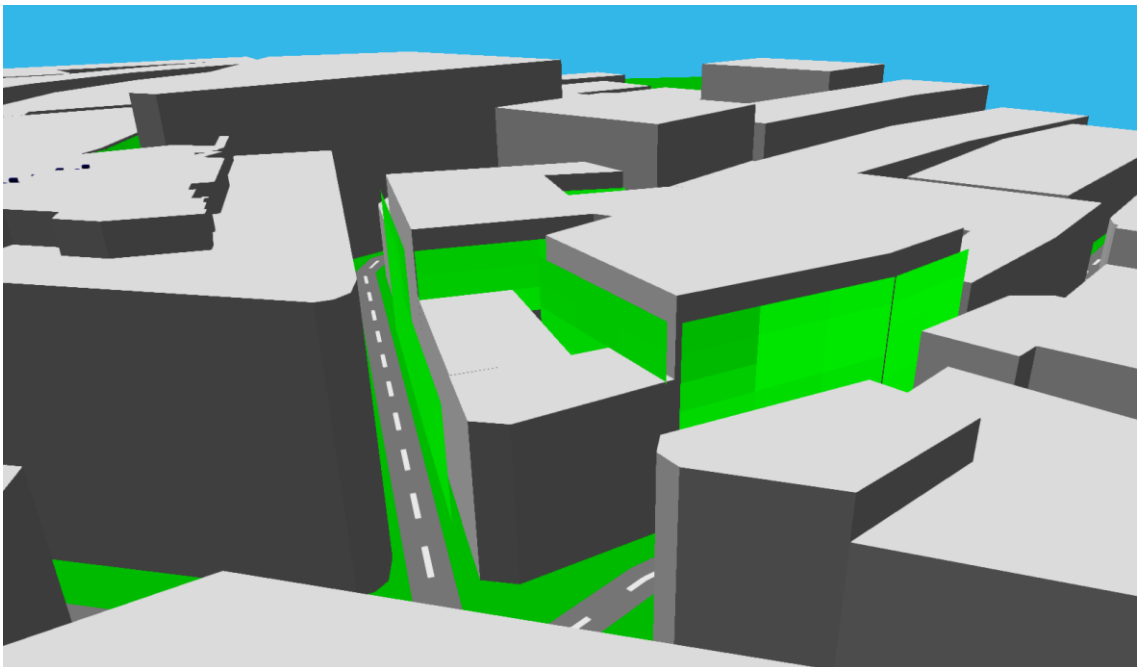


Figure 10 Terrace noise levels at Ham Yard Hotel and Denman Street flats

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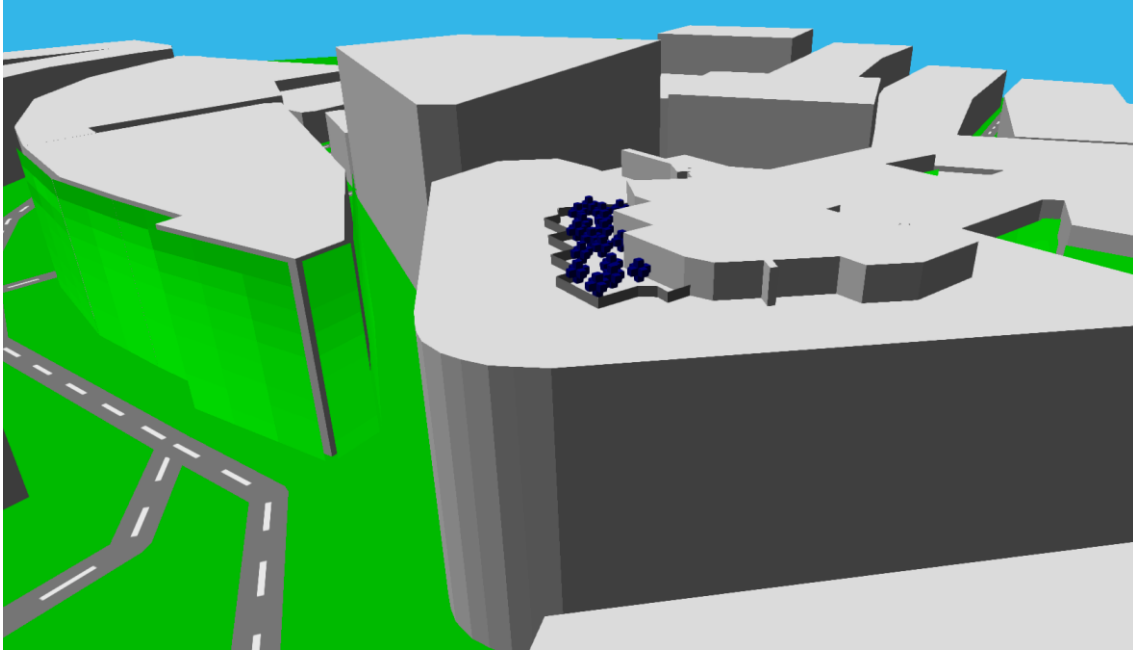


Figure 11 Terrace noise levels at Cafe Royal Hotel

The highest predicted L_{Aeq} sound pressure levels at the facades are summarised in Table 17 along with the relative increases in the existing ambient sound level.

Table 17 Highest predicted sound pressure levels

Receptor	Highest sound pressure level at 1 m from noise sensitive premises, L_{Aeq} (dB)	Existing ambient sound level with terrace noise, L_{A90} (dB)	Increase in ambient sound level with terrace noise, L_{Aeq} (dB)
Ham Yard Hotel	28	61	0
Denman Street flats	18	61	0
Hotel Cafe Royal	38	68	0
Criterion Theatre	40	71	0

6.3.2 Magnitude of impact

All of the predicted noise levels at the receptors from activity on the terrace indicate no increase to the ambient sound level, and therefore indicate a negligible impact with no significant change.

6.4 Noise generated by patrons leaving

An assessment has been undertaken for patrons leaving from each of the retail units. The assessment takes into account distance losses between the entrance of the retail units and nearest receptors. The predictions

Due to the numerous dispersion patterns that patrons could use when leaving the units the following assumptions have been made:

- Percentage of unit capacity outside the venue: 100%
- Average group size: 4.

For the assessment a normal voice effect (from BB93) was used, and is presented in Table 18

Table 18 Speech level used within assessment

	Sound power level (dB), per octave-band centre frequency (Hz)							
	63	125	250	500	1000	2000	4000	8000
Normal voice effort (ref BB93) ^[1]	-	58	68	71	65	60	55	50
Loud voices (ref CIBSE guide)	69	72	77	80	80	75	76	-

^[1] Source level has been converted from sound pressure level at 1 m to a sound power level

6.4.1 Patrons leaving the units

Based on the assumptions set out in Section 29 and speech with a normal voice effort, the predicted noise levels at the receptors have been calculated, and are presented in Table 19.

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Table 19 Predicted noise levels and increase in ambient noise levels from patrons leaving the units

Retail Unit/operating hours	Receptor	Ambient noise level noise level during proposed operating hours (L_{Aeq} , dB)	Predicted noise level 1 m from the receptor facade (L_{Aeq} , dB)	Increase in ambient noise level
<i>Blackwood</i>				
Sunday 12:00 – 23:00	Denman Street Flats	69	66	1.6
Monday – Thursday 10:00 – 00:00	Denman Street Flats	66	66	2.8
Friday & Saturday 10:00 – 00:30	Denman Street Flats	66	66	2.8
<i>Devonshire</i>				
Sunday 09:00 – 23:00	Ham Yard Hotel	69	58	0.3
Monday – Thursday 09:00 – 00:00	Ham Yard Hotel	66	58	0.6
Friday & Saturday 09:00 – 00:30	Ham Yard Hotel	66	58	0.6
<i>Unit A</i>				
Sunday 09:00 – 23:00	Hotel Cafe Royal	69	60	0.5
Monday – Thursday 09:00 – 00:00	Hotel Cafe Royal	66	60	1.0
Friday & Saturday 09:00 – 00:30	Hotel Cafe Royal	66	60	1.0

Retail Unit/operating hours	Receptor	Ambient noise level noise level during proposed operating hours (L_{Aeq} , dB)	Predicted noise level 1 m from the receptor facade (L_{Aeq} , dB)	Increase in ambient noise level
<i>Rooftop</i>				
Sunday 09:00 – 23:00	Criterion theatre	75	46	0.0
Monday – Saturday 09:00 – 01:30	Criterion theatre	73	46	0.0

The predicted noise levels for all units show an increase in ambient noise level of <3 dB for all receptor, and is therefore considered a negligible impact.

6.4.2 Single patron maximum noise event

An assessment has been undertaken for a loud noise event from a single patron at each of the retail units. The IoA GPG does not provide clear guidance or criteria for assessing patron noise other than those associated with rowdy behaviour after 23:00, where L_{AFmax} 70 dB 1 m from the facade of the noise sensitive properties is not to be exceeded. As such, this criterion has been applied.

The assessment has been based on a single patron talking with a loud voice from Table 18 immediately outside of the retail units.

The predicted level at the receptors are presented in Table 20.

Table 20 Predicted noise levels 1 m from the receptor facades from a single patron

Retail Unit	Receptor	Predicted sound pressure level 1 m from the receptor facade (L_{AFmax} , dB)
Blackwood	Denman Street flats	59
Devonshire Arms	Ham Yard Hotel	52
Unit A	Hotel Cafe Royal	56
Rooftop	Criterion Theatre	42

The predicted noise levels are all below the L_{AFmax} 70 dB criterion.

6.5 Discussion of results against criteria

6.5.1 *Westminster council*

All predictions indicate that noise levels will meet the Westminster Licensing Policy, including operational noise breakout meeting NR25 within the noise sensitive receptors.

It is likely that the identified receptors will have sealed facades, rather than openable windows, which will aid in further reducing the experienced noise levels.

6.5.2 *Magnitude of impact*

All predictions relating to the increase of the existing ambient noise level demonstrated an increase of <3 dB, or negligible impact.

It should also be noted that the Jewel 500-person night club, which used to be located within the location of the proposed location of unit A and open until 1:00 am will no longer be in operation.

There will potentially be an improvement in the noise climate at the nearby noise sensitive receptors due to fewer patrons exiting the development at 01:30.

7 Conclusion

A noise survey has been carried out to determine the existing background sound levels in the vicinity of the site and surrounding noise sensitive premises.

On the basis of the requirements of Westminster City Council, the relevant plant noise limits at the worst affected existing noise sensitive premises have been set and is detailed in Section 5.2.

These limits are cumulative and apply with all plant operating under normal conditions. If plant items contain tonal or attention catching features, the limits will be more stringent than those set out above. If plant items contain tonal or attention catching features, a penalty based on the type and impact of those features indicated in Section 5.1 will be applied, and the limits will be more stringent than those set out above.

An assessment has been undertaken of operational noise levels associated with the proposed retail units demonstrating compliance with the criteria within the Westminster Licensing Policy, and other relevant criteria.

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Consultants in Acoustics, Noise & Vibration

Appendix A

Survey details

Equipment

Brüel & Kjaer 2260 and Brüel & Kjaer 2250 sound level meters were used to undertake the unattended measurements. The attended measurements were carried out using a Rion NL-52 sound level meter. The calibration details for the equipment used during the survey are provided in Table A1.

Table A1 Equipment calibration data

Equipment description	Type/serial number	Manufacturer	Calibration expiry	Calibration certification number
Sound level meter	2260/2044340	Brüel & Kjaer	24 May 18	09192
Microphone	4189/1939929	Brüel & Kjaer	24 May 18	09192
Pre-amp	ZC0026/n/a	Brüel & Kjaer	24 May 18	09192
Calibrator	4231/2039393	Brüel & Kjaer	16 May 18	09169
Sound level meter	2250/3011096	Brüel & Kjaer	16 Mar 19	UCRT17/1150, UTRC17/1152
Microphone	4189/3060575	Brüel & Kjaer	16 Mar 19	UCRT17/1150, UTRC17/1152
Pre-amp	ZC0032/25430	Brüel & Kjaer	16 Mar 19	UCRT17/1150, UTRC17/1152
Calibrator	4231/3017675	Brüel & Kjaer	10 Mar 19	UCRT17/1122
Sound level meter	NL-52/00320633	Rion	11 May 18	1605234
Microphone	UC-59/03382	Rion	11 May 18	1605234
Pre-amp	NH-25/10641	Rion	11 May 18	1605234
Calibrator	N7-74/34125430	Rion	3 May 18	1605223
Sound level meter	NL-52/00264531	Rion	14 Jul 18	09292
Microphone	UC-59/09678	Rion	14 Jul 18	09292
Pre-amp	NH-25/64656	Rion	14 Jul 18	09292
Calibrator	NC-74/34367630	Rion	14 Jul 18	09287

Equipment description	Type/serial number	Manufacturer	Calibration expiry	Calibration certification number
Sound level meter	NL-52/00264550	Rion	14 Jul 18	09293
Microphone	UC-59/09698	Rion	14 Jul 18	09293
Pre-amp	NH-25/64675	Rion	14 Jul 18	09293
Calibrator	NC-74/34367631	Rion	14 Jul 18	09288

Calibration of the sound level meters used for the tests is traceable to national standards. The calibration certificates for the sound level meters used in this survey are available upon request.

The sound level meters and microphones were calibrated at the beginning and end of the measurements using their respective sound level calibrators. No significant deviation in calibration occurred.

Noise indices

The equipment was set to record a continuous series of broadband sound pressure levels. Noise indices recorded included the following:

- $L_{Aeq,T}$ The A-weighted equivalent continuous sound pressure level over a period of time, T.
- $L_{AFmax,T}$ The A-weighted maximum sound pressure level that occurred during a given period with a fast time weighting.
- $L_{A90,T}$ The A-weighted sound pressure level exceeded for 90% of the measurement period. Indicative of the background sound level.

The L_{A90} is considered most representative of the background sound level for the purposes of complying with any local authority requirements.

Sound pressure level measurements are normally taken with an A-weighting (denoted by a subscript 'A', eg L_{A90}) to approximate the frequency response of the human ear.

A more detailed explanation of these quantities can be found in BS7445: Part 1: 2003 *Description and measurement of environmental noise, Part 1. Guide to quantities and procedures.*

Weather conditions

During the attended measurements carried out on 21 February 2018, the weather was generally clear and dry and no rain occurred. Wind speeds varied between approximately 3 m/s and 5 m/s.

During the unattended noise measurements between 16 February 2018 and 21 February 2018, weather reports for the area indicated that temperatures varied between 2°C at night and 8°C during the day, and the wind speed was less than 7 m/s.

These weather conditions are considered suitable for obtaining representative measurements.

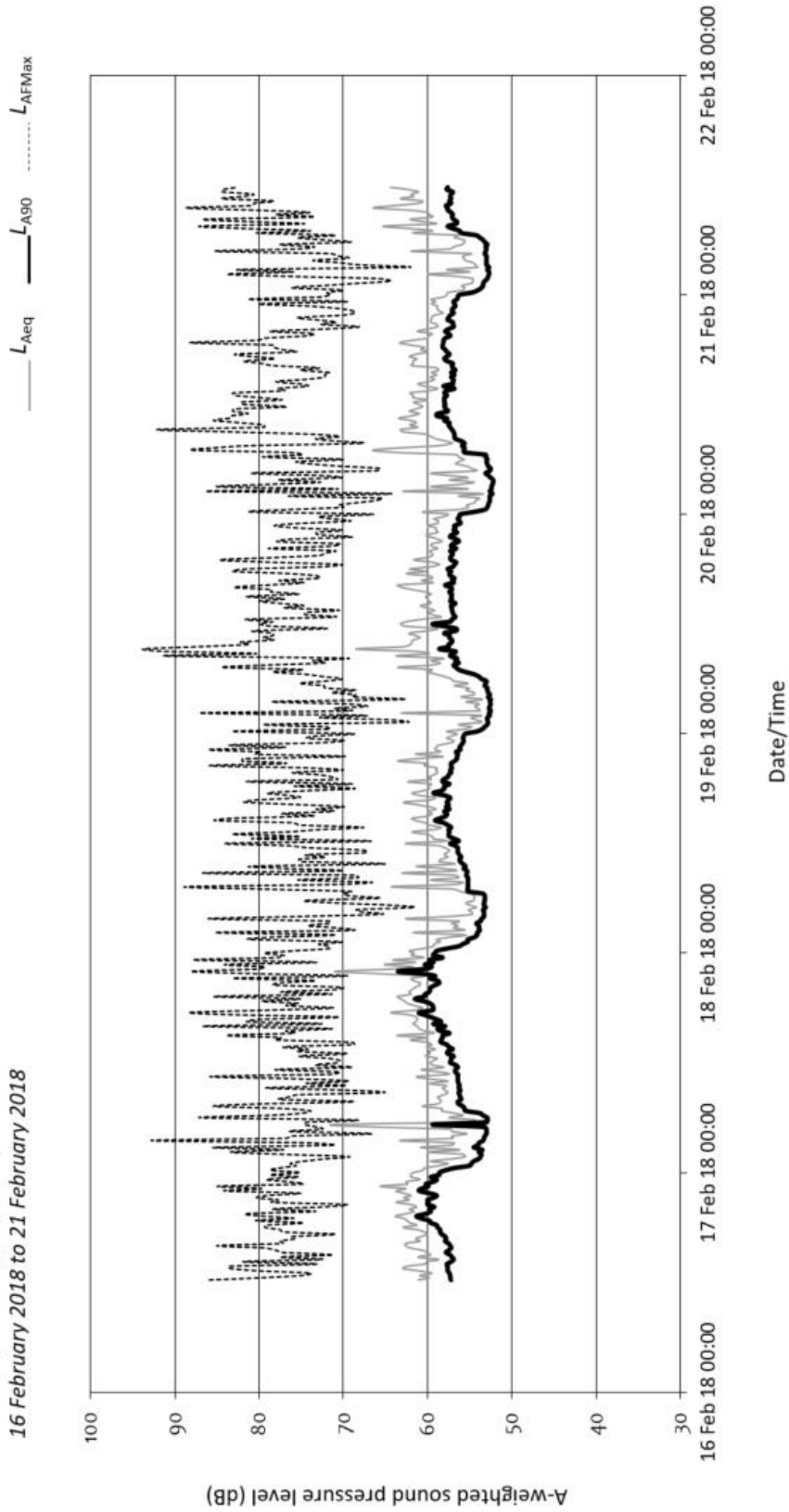
Appendix B

Results of unattended measurements at Location L1

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Consultants in Acoustics, Noise & Vibration

One Sherwood Street Results of noise logging survey at L1 16 February 2018 to 21 February 2018



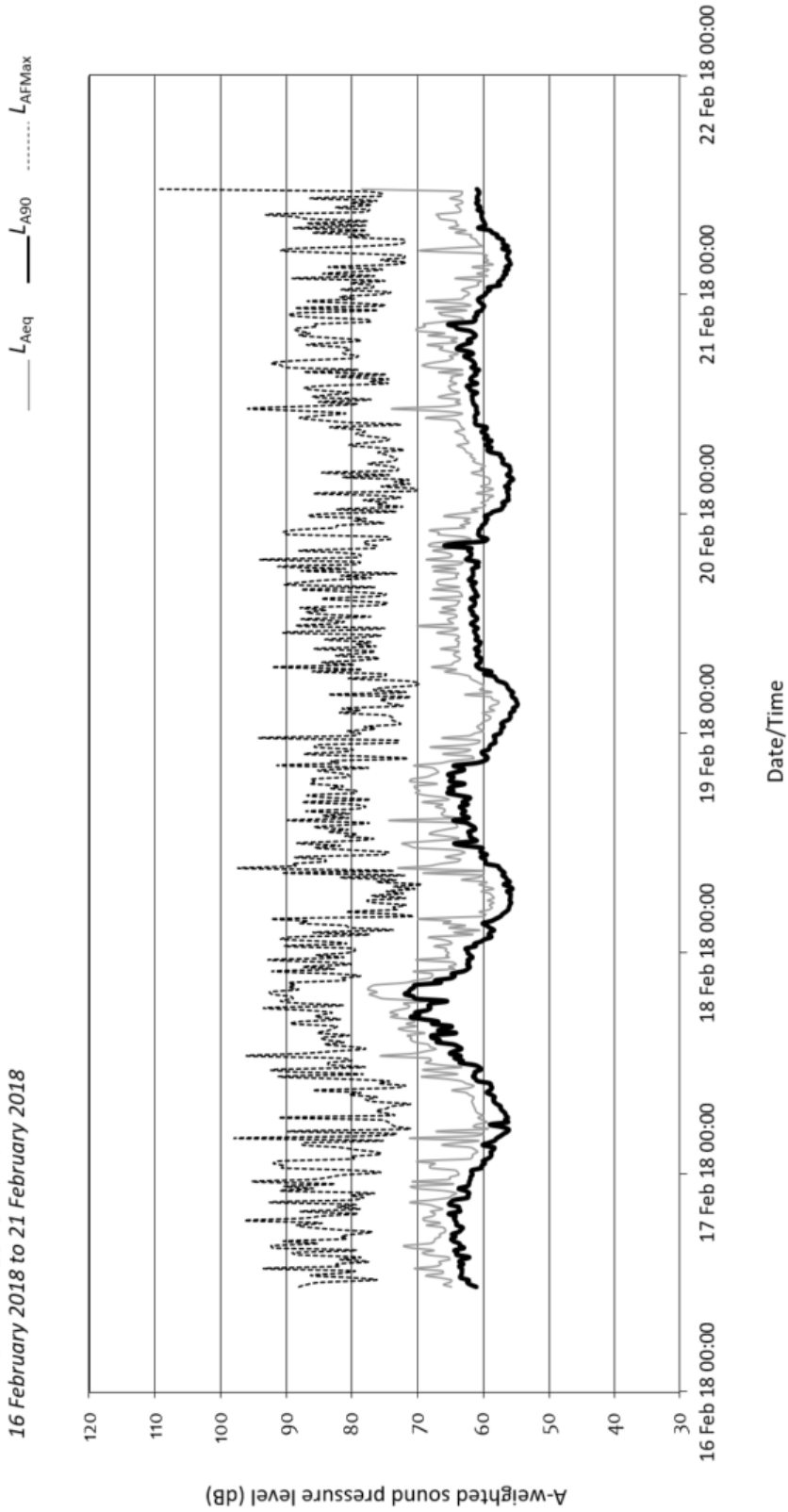
Appendix C

Results of unattended measurements at Location L2

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One Sherwood Street
Results of noise logging survey at L2
16 February 2018 to 21 February 2018



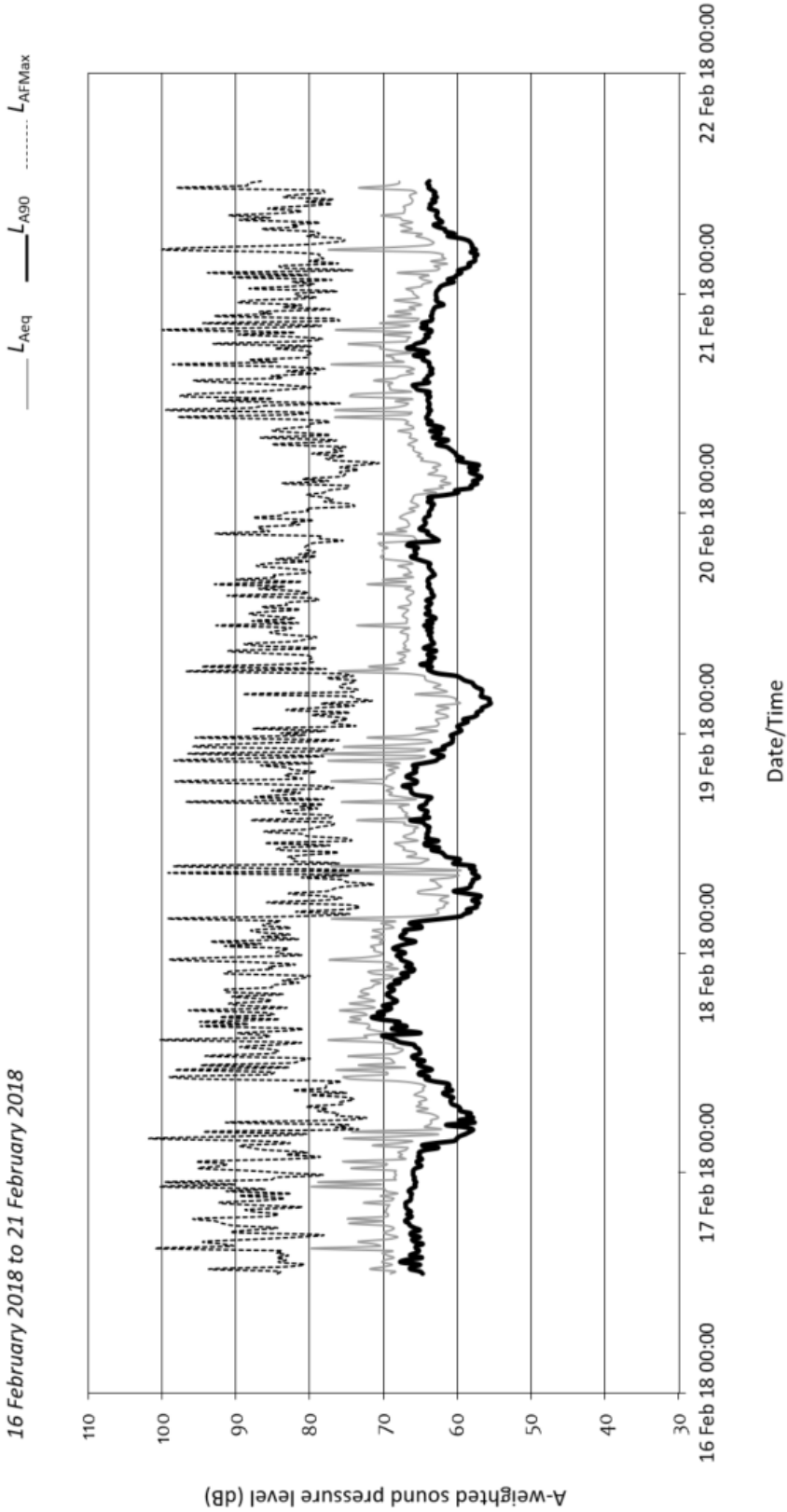
Appendix D

Results of unattended measurements at Location L3

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One Sherwood Street
Results of noise logging survey at L3
16 February 2018 to 21 February 2018



RETAIL
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AND JUST MINUTES' WALK FROM
LONDON'S FAMOUS WEST END THEATRES,
RESTAURANTS, ART GALLERIES, SHOPPING
DESTINATIONS AND PARKS.



PERFECTLY POSITIONED IN
**CENTRAL
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RESTAURANT AND A SPECTACULAR
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LESS THAN
10 MINUTES'
WALK

FROM THE ENTERTAINMENT HUB OF THE WEST END, THE SHOPPING HUBS OF SOHO, COVENT GARDEN AND MAYFAIR, THE ARTISTIC HUBS OF THE ROYAL ACADEMY, OF ARTS, NATIONAL PORTRAIT GALLERY AND NATIONAL GALLERY, AND FAMOUS PARKS GREEN PARK, ST JAMES' PARK AND HYDE PARK. WORLD RENOWNED RESTAURANTS THE IVY, THE PALOMAR, THE DEAN STREET TOWNHOUSE AND MANY, MANY MORE - RIGHT ON YOUR DOORSTEP.

**A CULTURAL
 DESTINATION**

LOCATION MAP

WELCOME TO W1, LONDON

CULTURE

- 1 Royal Academy of Arts
- 2 Ronnie Scott's
- 3 BAFTA Piccadilly
- 4 Jermyn Street Theatre
- 5 Lyric Theatre

RETAIL

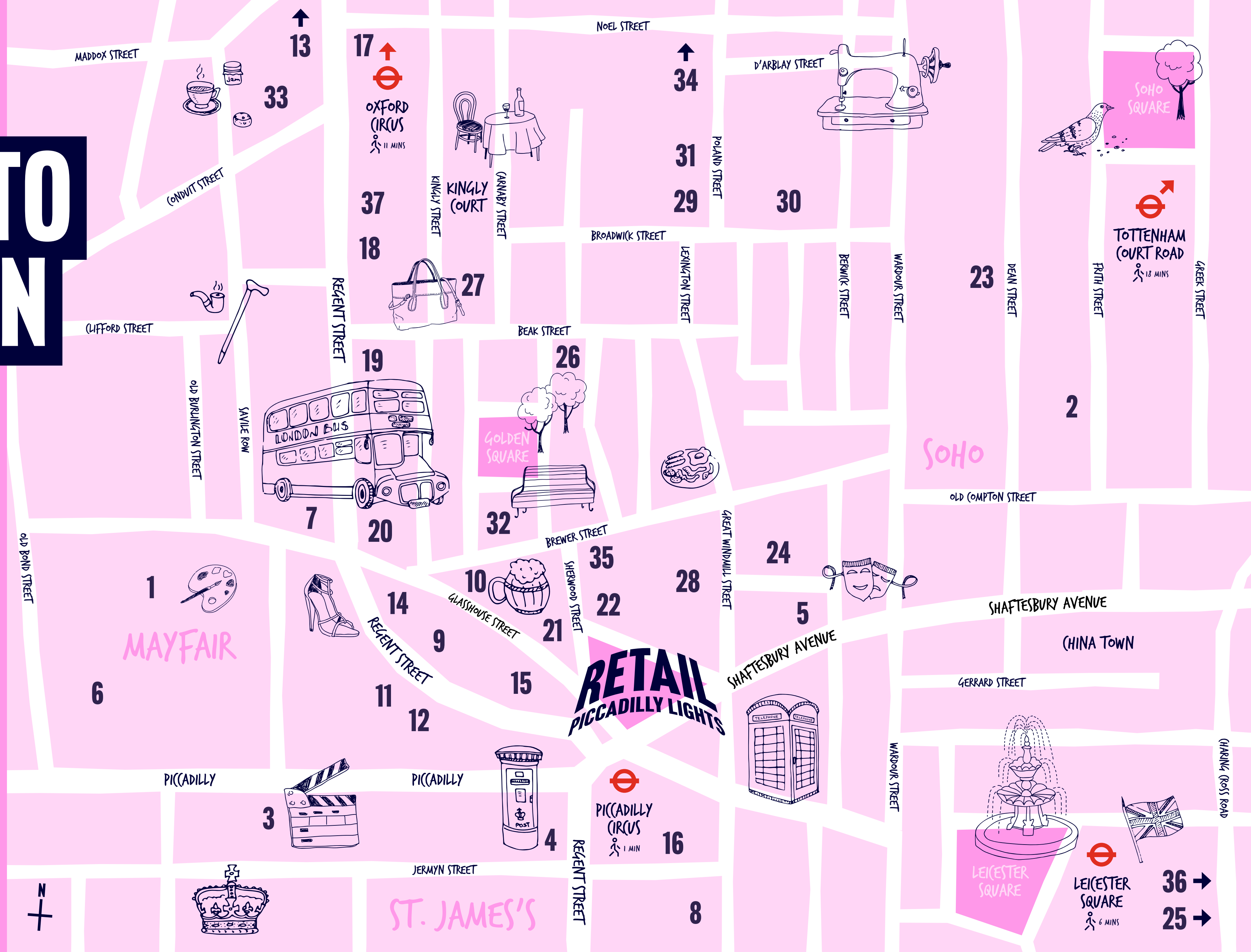
- 6 Burlington Arcade
- 7 Burberry
- 8 St James's Market
- 9 Uniqlo
- 10 Rapha
- 11 Barbour
- 12 Hollister
- 13 Apple
- 14 Mulberry
- 15 Nespresso
- 16 Lillywhites
- 17 Liberty
- 18 Levi's
- 19 Tommy Hilfiger
- 20 Zara

FOOD & DRINK

- 21 Whole Foods Market
- 22 Cricket
- 23 Dean Street Town House
- 24 Bocca di Lupo
- 25 J Sheekey
- 26 Bob Bob Ricard
- 27 Kingly Court
- 28 Ham Yard Hotel
- 29 Brindisa Soho
- 30 The Ivy
- 31 Social Eating House
- 32 Bancone
- 33 Sketch

GYMS

- 34 Soul Cycle
- 35 Third Space
- 36 Gymbox
- 37 Barry's Bootcamp





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ULBERRY UN
IA BARRBO LI
I'S ZARA UR
ULBERRY UN



CGI OF RESTAURANT ROOF TERRACE

FLOORPLANS

BASEMENT LEVEL

SCHEDULE OF AREAS	SQ FT
UNIT A	3,186 (EXTRACT*)
UNIT B	3,746 (EXTRACT*)
UNIT G	3,068 (EXTRACT*)
UNIT 1	3,183
UNIT 2	3,060
UNIT 3	3,588



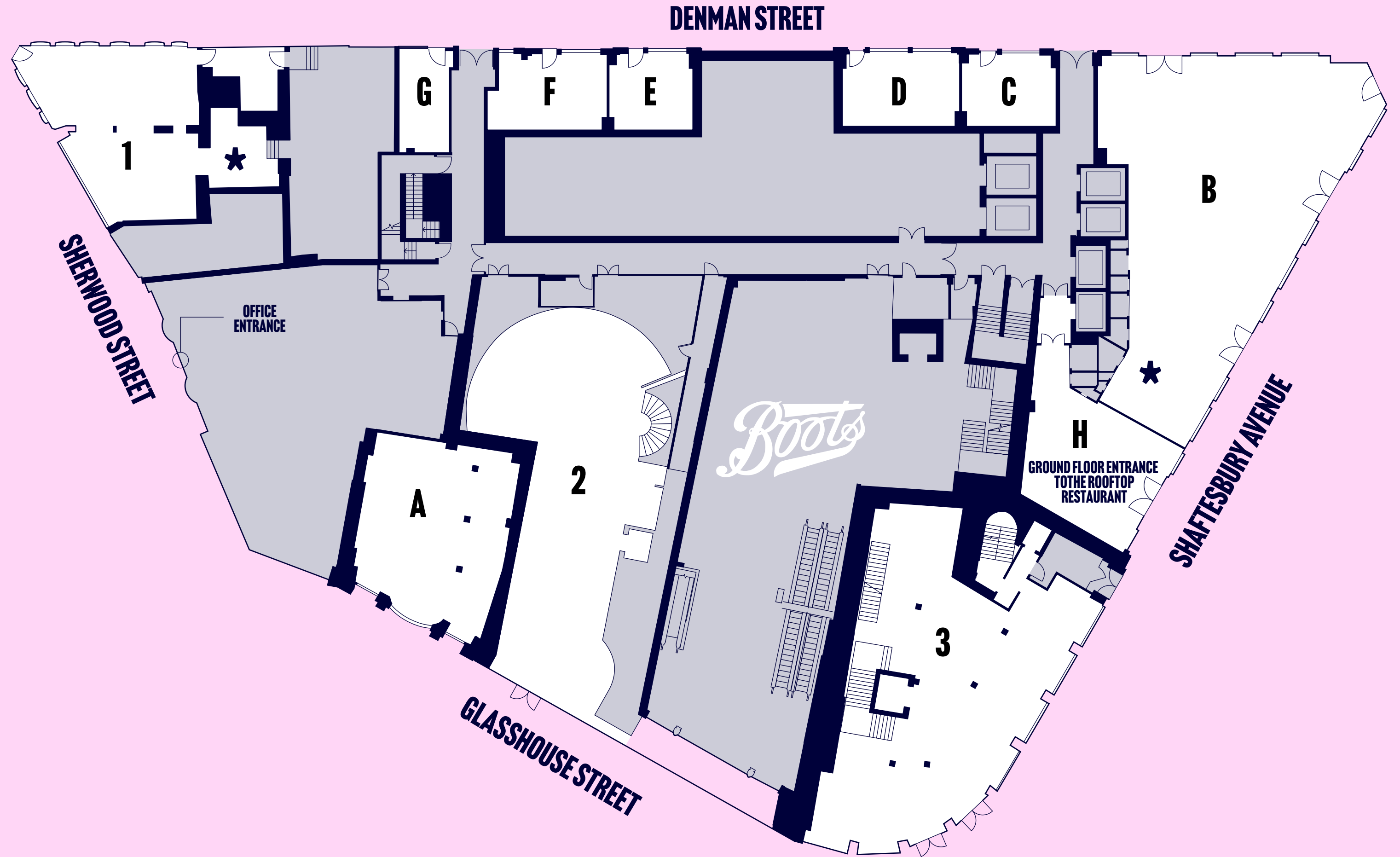
*APPROX NIA
PLANS ARE INDICATIVE ONLY AND NOT TO SCALE.



FLOORPLANS

GROUND LEVEL

SCHEDULE OF AREAS	SQ FT
UNIT A	1,033
UNIT B	3,221 (EXTRACT*)
UNIT C	323
UNIT D	431
UNIT E	258
UNIT F	431
UNIT G	43
UNIT H (ROOFTOP ENTRANCE)	761
UNIT 1	2,306 (EXTRACT*)
UNIT 2	3,603 +1,043 MEZZANINE
UNIT 3	2,717 +709 MEZZANINE



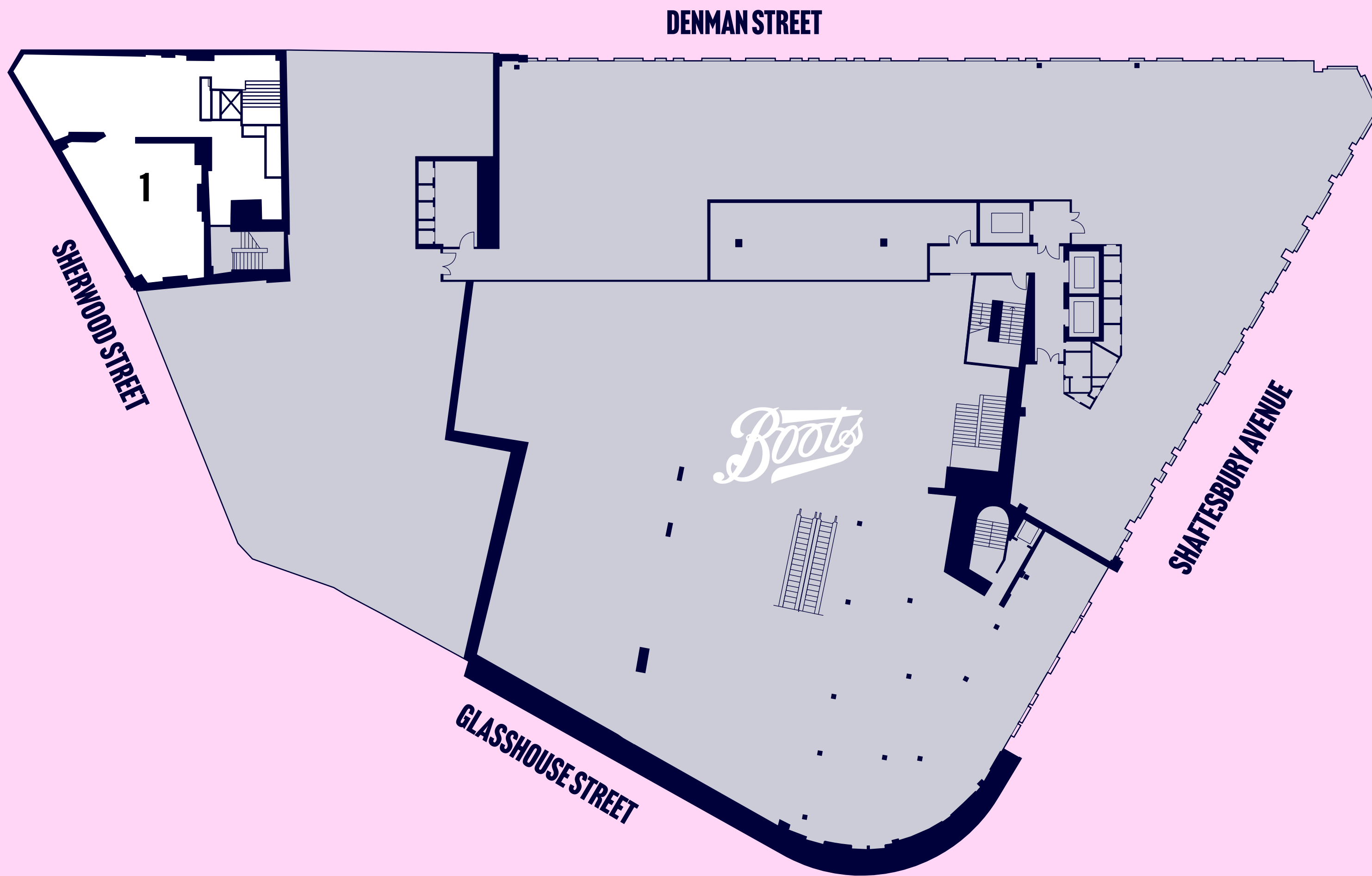
*APPROX NIA
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FLOORPLANS

FIRST LEVEL

SCHEDULE OF AREAS	SQ FT
UNIT 1	1,853



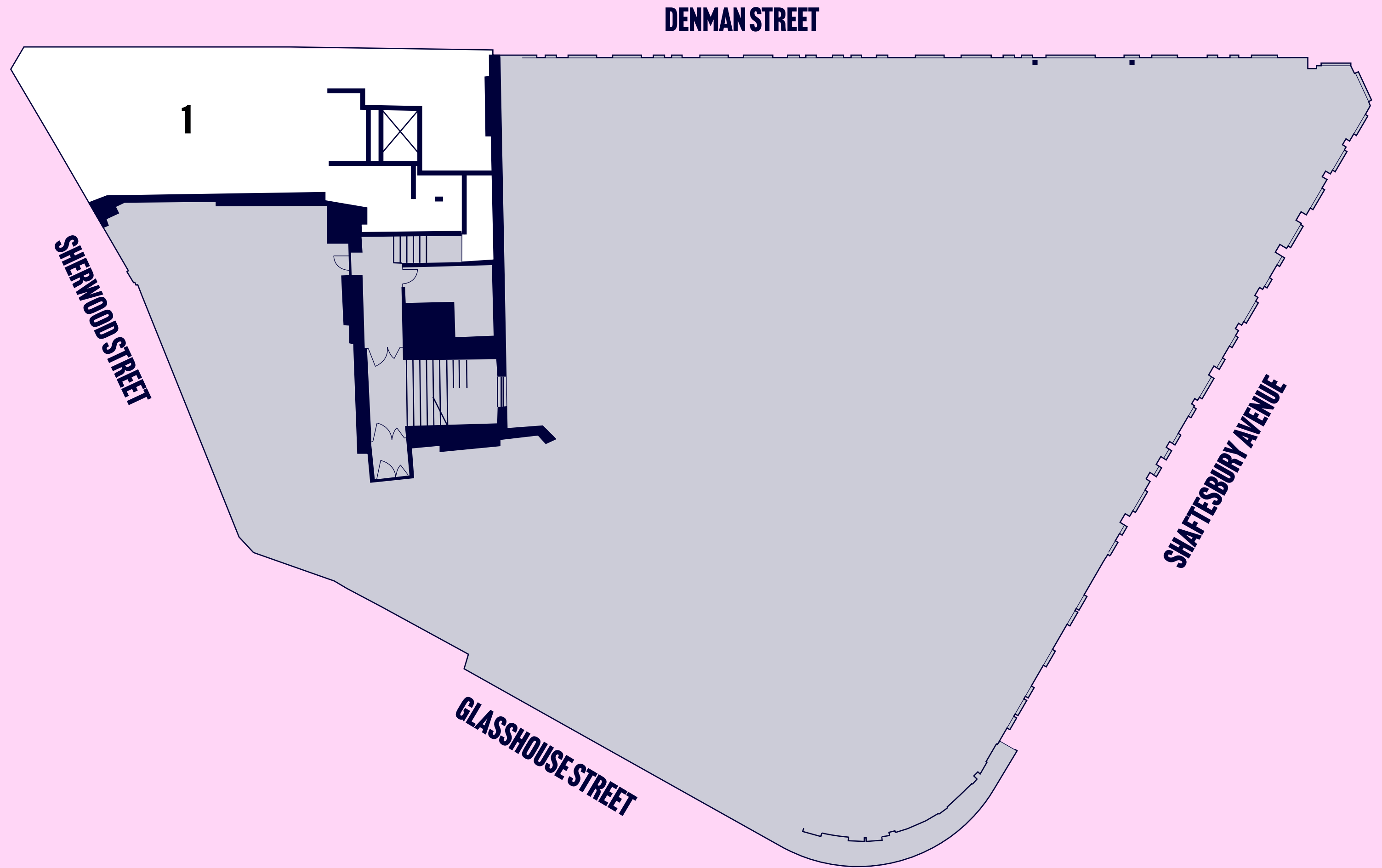
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FLOORPLANS

SECOND LEVEL

SCHEDULE OF AREAS	SQ FT
UNIT 1	1,799



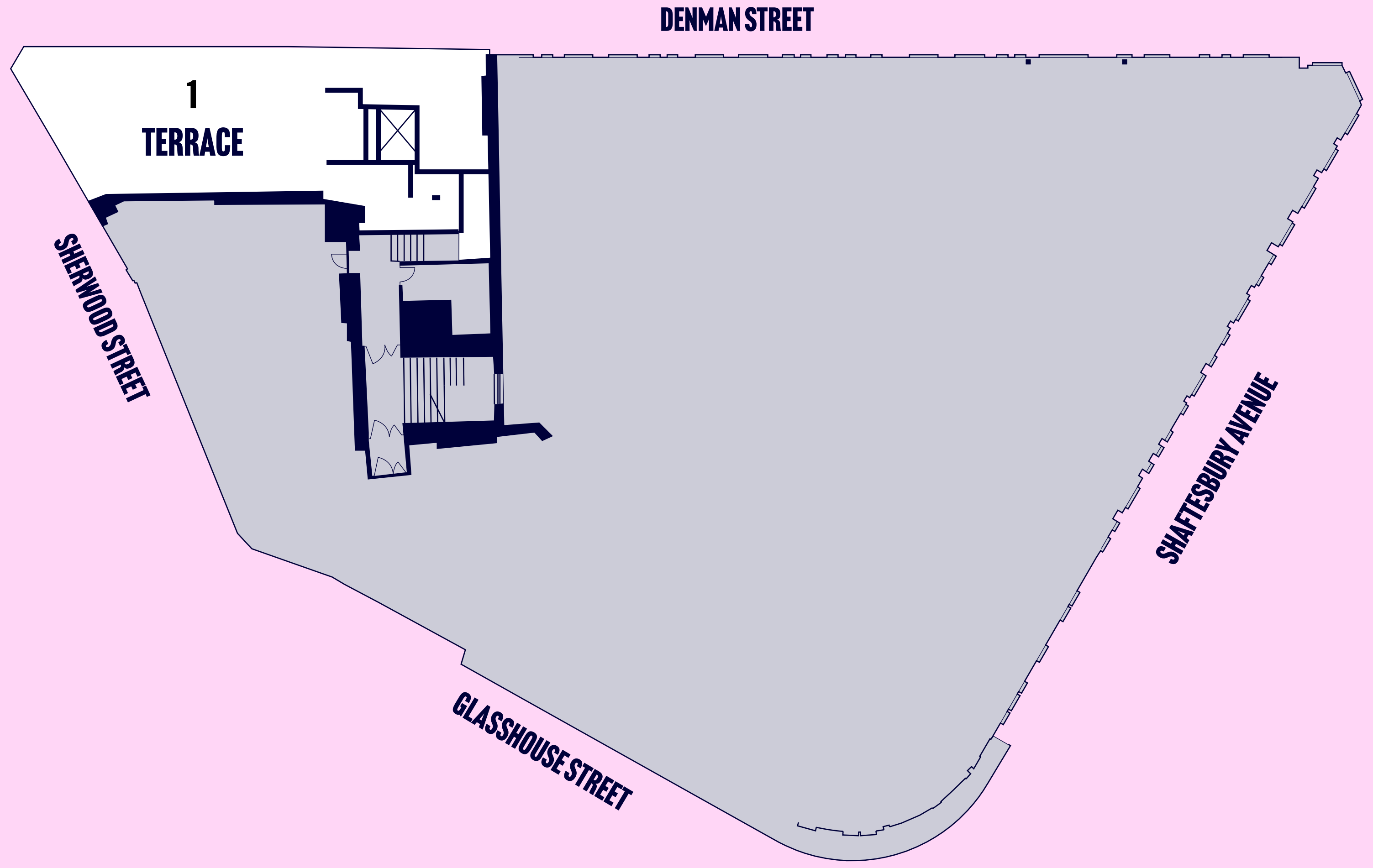
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FLOORPLANS

THIRD LEVEL

SCHEDULE OF AREAS	SQ FT
UNIT 1 (EXTERNAL TERRACE)	1,093



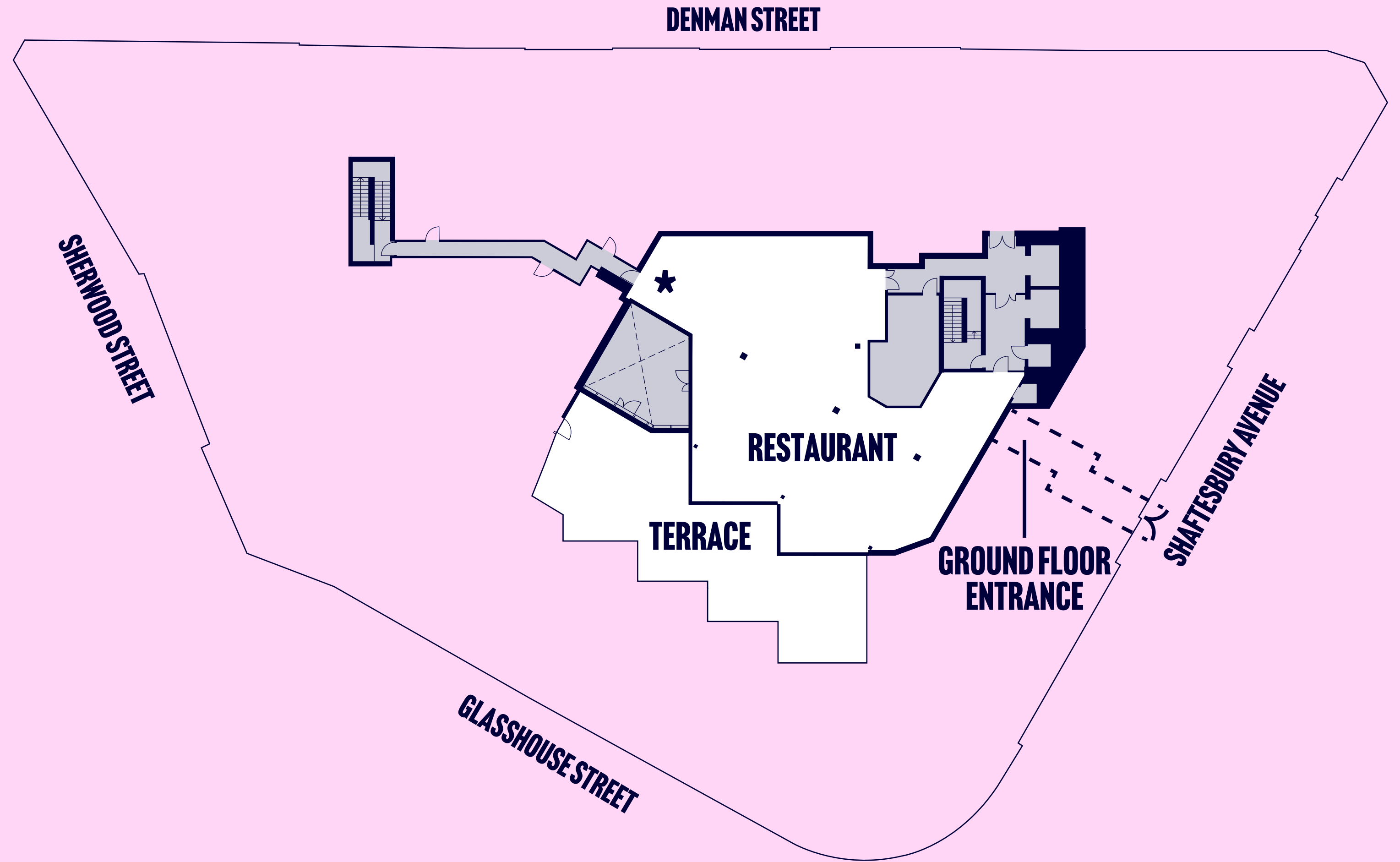
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FLOORPLANS

ROOFTOP BAR & TERRACE

SCHEDULE OF AREAS	SQ FT
RESTAURANT	3,843 (EXTRACT*)
TERRACE	1,991



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City of Westminster

Office Name: Dave Nevitt
 Designation: EHO
 Date: 10.03.2023
 Contact number: 07971 616281
 Email: dnevitt@westminster.gov.uk

Uniform Reference: 21/06222/PREAPM

Trading name of business and Address: DEVELOPMENT SITE AT 4 - 6 Glasshouse Street		
Licences: JEWEL: 20/01636/LIPT COQBUL: 21/04445/LIPDPS	Applicant: Jack Spiegler <JSpiegler@tandtp.com>	Cumulative Impact Area: WEST END
Type of Business: see description below		
<p><u>PROPOSED:</u></p> <p><i>'The applicant is a developer. Their site includes 2 licensed premises Jewel 4-6 Glasshouse Street Coqbull 17 Denman Street The applicant seeks pre application advice on new premises licence applications within the development site.'</i></p> <p><u>EH COMMENTS:</u></p> <p>The two main Issued Licenses in place at the site are:</p> <p>COQBUL:</p> <p>Restaurant with the following hours for licensable activities and capacities: <u>Late Night Refreshment</u> Monday to Thursday: 23:00 to 23:30 Friday to Saturday: 23:00 to 00:00 Sundays before Bank Holidays: 23:00 to 00:00 <u>Sale by Retail of Alcohol</u> Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30 Sundays before Bank Holidays: 12:00 to 00:00</p> <ul style="list-style-type: none"> o Basement - 60 o Ground Floor - 120 o Ground Floor external area - 30 o First Floor - 70 o Second Floor - 90 o Roof Terrace – 70 		

(TOTAL = 440)

JEWEL:

Nightclub with Reg Ent and vertical drinking:

Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)

Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Performance of Live Music

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)

Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Playing of Recorded Music

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)

Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Late Night Refreshment

Monday to Saturday: 23:00 to 01:30

Sunday: 23:00 to 01:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00

Sunday: 12:00 to 00:30

The number of persons (excluding staff) accommodated at any one time in the premises shall not exceed 500.

The applicant seeks to redevelop the site and apply for new premises licences for the following newly created units (summary):

1. Unit A, 4 Glasshouse Street W1B 5DQ – a core hours restaurant licence. Capacity shall not exceed **216 persons**
2. The Devonshire Arms, Unit 1, 5/6 Sherwood Street, W1F 7BW and 18/19 Denman Street W1D 7HW – a core hours restaurant and ancillary bar. The first, second and third floors of the premises shall operate as a restaurant. The capacity shall not exceed **300 persons**.
3. Blackwood, 21-23 Shaftesbury Avenue W1D 7EF – a core hours bar/traditional style Public House with a substantial food offer. The capacity shall not exceed **439 persons**.
4. The Rooftop restaurant, Unit H, 19 Shaftesbury Avenue W1D 7EF – a 1.00 am restaurant with ancillary bar and terrace. Except for a maximum of [X] persons [not exceeding 20% of the premises capacity] the premises shall only operate as a restaurant. The capacity shall not exceed **259 persons**.

The applicant will surrender the following issued Licences:

- *Jewel Piccadilly 4-6 Glasshouse Street, W1B 5DQ Premises Licence reference 20/01636/LIPT– a 1.00 am, 500 capacity destination nightclub with vertical drinking and regulated entertainment.*
- *Coqbull 17 Denman Street, W1D 7HW Premises Licence reference 22/01201/LIPDPS– a former pub but currently a core hours 440 capacity restaurant with bar area.*

In addition, two historical Premises Licences were in place within 19 Shaftesbury Avenue W1D 7ED, being Jamie Oliver's Diner and the Japan Centre

The applicant submits the following statement:

'The new uses are strategically spread across the development with comprehensive estate management controls and an internal servicing yard provided by our client. If granted, the hours across the scheme will reduce from 1.00 am to Core Hours, save for the flagship restaurant overlooking Piccadilly Circus.'

The advantages of the applications are as follows:

1. **New and improved Public Safety arrangements in newly-built modern units;**
2. **Replacement of a large capacity (500 persons) 'vertical drinking' 'destination' nightclub in the CIA with a 'hard departure' and a closing time exceeding the 'Core Hours' in a single location with patrons distributed across 4 businesses mainly operating to Core Hours and with reduced risk activities namely significant restaurant/food led use;**
3. **Replacement of older/outdated Licence Conditions with up to date Model Conditions i.e. Better Regulation;**
4. **Comprehensive 'estate management controls' and an internal servicing yard;**
5. **The new units are located in positions that seek to reduce overall risk of impact to local residents e.g. the Rooftop is located in a position where the external area is effectively screened from nearby residential dwellings;**
6. **A reduced number of patrons retained in the CIA after the Core Hours;**
7. **A reduction in 'vertical drinking': the City Council's Policy states: 'The introduction of measures to reduce the extent of or remove opportunities for vertical drinking can address the underlying reasons for the special policies for cumulative impact. This can be by introducing fixed seating and conditions to provide a minimum number of seats at all times and limiting sales to be by waiter or waitress service only.'** (D17 p.49).

The applicant will seek the following 'relaxations' in exchange for the benefits and gains:

- **Hours for licensable activities that are in excess of the Core Hours for some aspects – namely the Rooftop (Unit H)**
- **Some 'bar use' in the new restaurants and bar use in the new Blackwood PH**

It is considered that this is an acceptable approach in terms of Policy and taking into account the likely reduction in Cumulative Impact arising from the replacement of the former premises for new operations. The applicant will submit a list of proposed conditions from the Council's list of Model Conditions to accompany the applications in order to promote the Licensing Objectives and reduce Cumulative Impact.

The applications are likely to attract Representations from the Licensing Authority, the Police, EH and local residents. It is likely that the applications will need to be adjudicated at a Hearing of the Licensing Sub Committee. The Committee will need to approve the net effect and respective advantages as outlined above compared with what will be surrendered.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

20/01636/LIPT - Jewel Piccadilly 4-6 Glasshouse Street, W1B 5DQ



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

Schedule 12
Part A

WARD: West End
UPRN: 010033569481

Premises licence

Regulation 33, 34

Premises licence number:

20/01636/LIPT

Original Reference:

05/08670/LIPCV

Part 1 – Premises details

Postal address of premises:

Jewel Piccadilly
Basement And Ground Floor And Part First Floor
4 - 6 Glasshouse Street
London
W1B 5DQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)
Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Performance of Live Music

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)
Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Playing of Recorded Music

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)
Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Late Night Refreshment

Monday to Saturday: 23:00 to 01:30
Sunday: 23:00 to 01:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 09:00 to 01:30
Sunday: 09:00 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:**

LS1 Sherwood Ltd
100 Victoria Street
London
SW1E 5JL

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

04161279

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

Name: Simon Thomas Gamble

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: 1200958LAPER
Licensing Authority: London Borough Of Bromley

Date: 7 April 2020

This licence has been authorised by Angela Seward on behalf of the Director - Public Protection and Licensing.

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 must 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—
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol 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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) 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 either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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.

8(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.

8(ii) For the purposes of the condition set out in paragraph 8(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.
- 8(iii). Where the permitted price given by Paragraph 8(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.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(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.
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.

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect.

Conditions relating to regulated entertainment (basement and ground floor)

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
12. Notwithstanding the provisions of Rule of Management No 6 the premises may remain open for the purposes of this licence from 23:00 on each of the days Monday to Saturday to 01.00am the day following and from 23:00 on Sunday to 00:30am.
13. The last entry to the premises shall be at 12 midnight, or such other time as may be agreed in writing by Westminster City Council.
14. The entertainment to be provided under this licence shall be restricted to live music or live performers, disc jockey and dancing. The number of performers in the premises shall not exceed 5 at any one time.
15. No glass bottles shall be disposed of outside the premises between 12 midnight and 07:00am.

16. A noise limitation device shall be fitted to the musical amplification system in agreement with and to the satisfaction of officers from the City Council's Environmental Health Department's Noise Section prior to the provision of any entertainment under this licence.
17. The noise limitation device shall be maintained in agreement with and to the satisfaction of officers from the City Council's Environmental Health Department's Noise Section. The operational panel shall be secured and the system shall not be altered without prior written agreement of the City Council.
18. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Department.
19. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limitation device.
20. No speakers shall be located in the acoustic lobby area.
21. Emergency doors onto the roof of the shared lightwell shall be kept closed at all times to prevent staff or customers using the roof for meetings, drinking, smoking or mobile phone calls or other recreational purposes and that the flat roof and fire escapes be used for emergencies, maintenance and repairs only.
22. No noise generated from the inside of the premises and associated plant will be audible in any residencies.
23. Music and dance will not take place in the basement level of the premises without the prior approval of the Council.
24. At the close of business each day the premises are open for business, the licensee shall ensure that the pavement from the building line to the kerb edge immediately outside the premises, and to include the gutter / channel at its junction with the kerb edge, is swept and litter and sweepings collected and stored in accordance with the approved storage arrangements.
25. The pavement from the building line to the kerb edge, and to include the gutter / channel at its junction with the kerb edge, in the vicinity of the premises is swept at regular intervals whilst customers are queuing to enter the premises, and litter and sweepings collected and stored in accordance with the approved storage arrangements.
26. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is inscribed or fixed upon the surface of the highway, or upon any building, structure, works, street furniture, tree or any other property, or is distributed to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services, other than newspaper and magazine advertisements or leaflets or menus available for or sent to existing customers or posted through letterboxes of business or local residents, or via e-mail or other electronic / telegraphic media.
27. No draught beer, lager or cider to be served after 23:00.
28. Attendants will be situated in WC's after 23:00.
29. Table service shall be available at all times.
30. That the part of the premises shown as the Kitchen on the deposited plan is to be used only as such and is not to be used as a bar area.

31. The flat roof and rooflight above the ground floor of the premises and to the rear of 19-20 Denman Street is to be soundproofed to the satisfaction of the Environmental Health Officer of the City Council so as to prevent the egress of sound from the premises.
32. All speakers fixed to walls and ceilings in the premises are to be double-decoupled by the use of neoprene hangers.
33. No speakers emitting low-end frequencies are to be fixed to the main spine wall of the premises as shown on the deposited plan.
34. All external ventilation, extraction and air conditioning plant is to be installed following the receipt of planning permission to the satisfaction of the Environmental Health Officer of the City Council and is thereafter to be regularly maintained in good and proper working order.
35. The existing kitchen extract ducting will, if required by the Environmental Health Officer of the City Council, be extended to a higher level to assist with the dispersal of extracted air.
36. The entrance at the Sherwood Street frontage is to be used only for emergency escape after 23.30 hours.
37. All deliveries to the premises and all refuse disposal be made via the rear service yard accessed from Denman Street not earlier than 07:00am and not later than 18:00. Deliveries shall occur only during the hours permitted by the planning permission.
38. No kegs or other supplies are to be kept on the rear roof to the rear of 19-20 Denman Street.
39. That the premises directly beneath the bedrooms of 20 Denman Street be restricted to office, storage or kitchen use with notices displayed instructing staff not to shout or play music.
40. Signs and notices shall be placed prominently in the premises requesting customers to leave quietly.
41. The licensees shall maintain a contract with a local licensed mini-cab firm. The licensees shall use reasonable endeavours to notify customers of the said service and of its telephone number and give customers reasonable assistance in ordering such minicabs.
42. On any evening when the premises are open beyond 23:00 registered door supervisors shall be stationed at the main entrance and inside the premises.
43. The registered door supervisors shall request customers to leave the premises quietly, and shall also patrol outside the premises as part of their standard duties.
44. The licensees shall use reasonable endeavours to discourage illegal taxi touts and request them to move on.
45. The licensees shall ensure that all staff understand the need to operate the premises so as to minimise any disturbance to local residents.
46. The licensees shall supply all residents at 19-20 Denman Street with the mobile number of a designated premises supervisor and an owner. A designated premises supervisor shall be contactable on the number at all times when the premises are open for trade.

47. The number of persons (excluding staff) accommodated at any one time in the premises shall not exceed 500.

Conditions for Sale of Alcohol

48. 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.
49. In the areas hatched on the deposited plans intoxicating liquor shall not be sold or supplied prior to midnight otherwise than to persons taking table meals there and for consumption by such persons as ancillary to their meal.
50. There shall be a minimum of 140 covers, of which at least 40 shall be in the areas hatched black, in place during the whole of the permitted hours.
51. Waiter/Waitress service shall be available to all persons seated at tables.
52. No striptease, no nudity and all persons to be decently attired at all times.
53. No payment shall be made by or on behalf of the licensees to any persons, who may cause harassment or obstruction, whilst operating as touts, for the purpose of bringing customers onto the premises.
54. No gaming on the premises other than by machines authorised by Part III (section 34) of the gaming of the Gaming Act 1968.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments

Part First Floor

55. (i) Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10.00 to 23.00.
 - (b) On Sundays, other than Christmas Day or New Year's Eve, 12.00 noon to 22.30.
 - (c) On Good Friday, 12.00 to 22.30.
 - (d) On Christmas Day, 12.00 to 15.00 and 19.00 to 22.30.
 - (e) On New Year's Eve, except on a Sunday, 10.00 to 23.00.
 - (f) On New Year's Eve on a Sunday, 12.00 to 22.30.
 - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, 00.00 midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (iii) (a) Alcohol may be sold or supplied until 01:00 in the morning following Monday to Saturday (other than Good Friday and Christmas Day) and 00:30 in the morning following Good Friday to persons taking table meals in the premises in a part

of the premises usually set apart for the service of such persons and for consumption by that person in that part of the premises as an ancillary to the meal.

- (b) That part of the premises must also be used for the provision of entertainment by persons present and performing to which the sale or supply of alcohol is also ancillary.
- (c) The alcohol must be sold or supplied at a time before (i) the provision of entertainment by persons present and performing or (ii) the provision of substantial refreshment, has ended. For other purposes or in other parts of the premises the hours set out above shall continue to apply.
- (d) This condition does not authorise any sale or supply to any person admitted to the premises either after midnight (23.00 on Sunday) or less than half an hour before the entertainment is due to end, except in accordance with condition number 54(ii) above.

Basement and Ground Floor:

56. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 (12:00 on Christmas Day and Good Friday) and extend until 01:00 on the morning following, except that -
- (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
 - (ii) on any day that music and dancing end between 00:00 midnight and 01:00, the permitted hours shall end when the music and dancing end;
- (b) Except on Sundays immediately before bank holidays (apart from Easter Sunday), the permitted hours on Sundays shall extend until 00:30 on the morning following, except that-
- (i) the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not provided after midnight;
 - (ii) where music and dancing end between 00:00 midnight on any Sunday and 00:30, the permitted hours on that Sunday shall end when the music and dancing end.
- (c) On Sundays immediately before bank holidays (other than Easter Sunday), the permitted hours shall extend until 01:00 on the morning following, except that-
- (i) the permitted hours shall end at 00:00 midnight on any Sunday on which music and dancing is not provided after 00:00 midnight;
 - (ii) where music and dancing end between 00:00 midnight on any Sunday and 01:00, the permitted hours on that Sunday shall end when the music and dancing end.
- (d) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (e) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day, or if there are no permitted hours on 1 January, to 24:00 on New Year's Eve.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;

- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) during the first thirty minutes after the above hours (in part First Floor only) the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) 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;
- (h) the taking of alcohol from the premises by a person residing there;
 - (i) 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;
 - (j) 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 liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

57. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
- (a) He is the child of the holder of the premises licence.
 - (b) He resides in the premises, but is not employed there.
 - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
 - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

58. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of this premises licence / club premises certificate:

- (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
59. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

60. A challenge 25 proof of age scheme shall be operated at the premises where the only forms of identification are recognised photographic identification cards, such as driving licence, passport or proof of age card with the PASS Hologram.
61. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
62. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.

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

63. Food and drink purchased on the premises shall not be consumed immediately outside the premises save for in the areas and times authorised for the use of tables and chairs by Westminster City Council and subject to customers being seated and taking food '.
64. Service to areas hatched on the deposited plan and to the outside areas of the premises shall be by waiter/waitress service only.
65. 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 and the flat roof area to the rear of 19-20 Denman Street 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.
66. 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 must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
67. 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
 - (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.



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

Schedule 12
Part B

WARD: West End
UPRN: 010033569481

Premises licence
summary

Regulation 33, 34

Premises licence number:

20/01636/LIPT

Part 1 – Premises details

Postal address of premises:

Jewel Piccadilly
Basement And Ground Floor And Part First Floor
4 - 6 Glasshouse Street
London
W1B 5DQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
Late Night Refreshment
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

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

Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)

Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Performance of Live Music

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)

Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Playing of Recorded Music

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

Monday to Saturday: 09:00 to 01:00 (Basement and Ground Floor)

Sunday: 09:00 to 00:30 (Basement and Ground Floor)

Late Night Refreshment

Monday to Saturday: 23:00 to 01:30
Sunday: 23:00 to 01:00

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit

Sale by Retail of Alcohol

Monday to Saturday: 10:00 to 01:00
Sunday: 12:00 to 00:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 09:00 to 01:30
Sunday: 09:00 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:

LS1 Sherwood Ltd
100 Victoria Street
London
SW1E 5JL

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

04161279

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

Name: Simon Thomas Gamble

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

RESTRICTED

Date: 7 April 2020

This licence has been authorised by Angela Seaward on behalf of the Director - Public Protection and Licensing.

Premises Licence - 22/01201/LIPDPS (New Reference 23/00820/LIPT) –
Coqbull 17 Denman Street, W1D 7HW



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: West End
UPRN: 100022741667

Premises licence

Regulation 33, 34

Premises licence number:

23/00820/LIPT

Original Reference:

12/02495/LIPN

Part 1 – Premises details

Postal address of premises:

Coqbull Piccadilly Ltd
17 Denman Street
London
W1D 7HW

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Thursday:	08:00 to 00:00
Friday to Saturday:	08:00 to 00:30
Sunday:	08:00 to 23:30
Sundays before Bank Holidays:	12:00 to 00:00

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:

Ls 1 Sherwood Street Limited
100 Victoria Street
London
United Kingdom
SW1E 5JL

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

04161279

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

Name: Benjamin Alan Donovan

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: PER01362
Licensing Authority: Huntingdonshire District Council

Date: 24 February 2023

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

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 must 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
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol 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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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 either -
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must 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;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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.

- 8 (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.
- (ii) For the purposes of the condition set out in paragraph 8(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.
- (iii). Where the permitted price given by Paragraph 8(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.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(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.
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. 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.

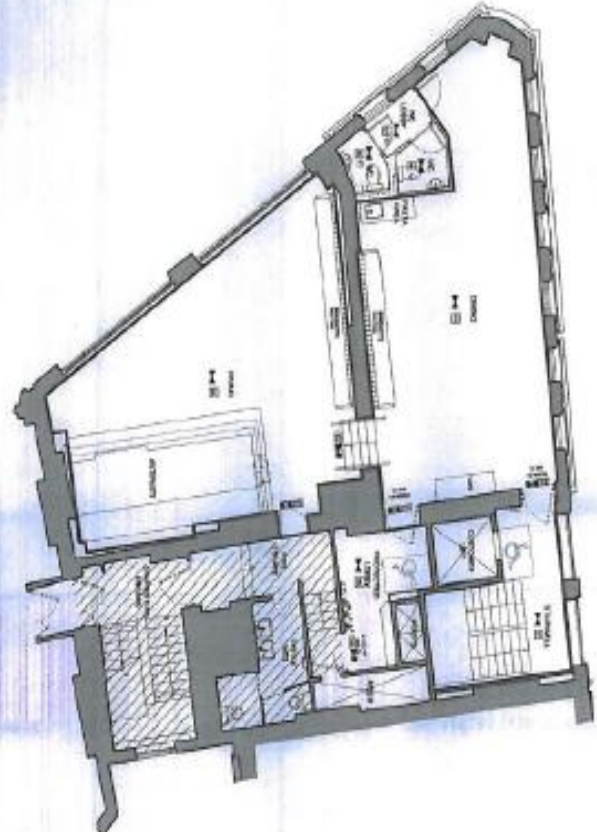
Notwithstanding the above restaurant condition, alcohol may be supplied and consumed prior or post meal in the designated bar area, by up to a maximum at any one time of 30 persons dining at the premises.

11. 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.
12. 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 must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
13. 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
 - (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.
14. Staff shall be trained in licensing law and this will include the law in relation to children and alcohol and the procedures that shall be adopted if it is considered that an individual may be under the age of 18. A record of the staff training shall be maintained and can be inspected by the Police of Licensing Authority.
15. The premises shall join the local pub watch or other local crime reduction scheme approved by the Police and local radio scheme if available.
16. The Highway and public space in the vicinity of the premises shall be kept free of litter from the premises at all material times to the satisfaction of the Council.

17. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
18. Notices shall be prominently displayed requesting persons to respect the needs of local residents and to leave the premises quietly.
19. No entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1988 (whether or not locally adopted), shall be provided.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
21. The roof terrace will not be used by customers at all outside 09:00 hours and 22:00 hours on Monday to Sundays and no members of staff will be allowed to use the terrace after 22:30 hours on any day.
22. All sales of alcohol for consumption off the premises shall be in sealed containers only.
23. The provision of films shall be ancillary to other licensable activities and there shall be no cinema style showing of films.
24. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours
25. No deliveries shall take place between 23:00 and 07:00 hours.
26. No collections, including refuse and recyclable food waste, shall take place between 23:00 and 07:00 hours.
27. The number of persons permitted at the premises at any one time (excluding staff) shall not exceed the following:
 - o Basement - 60
 - o Ground Floor - 120
 - o Ground Floor external area - 30
 - o First Floor - 70
 - o Second Floor - 90
 - o Roof Terrace - 70
28. All external tables and chairs shall be removed or rendered unusable by 23.00 each day.
29. The premises licence holder shall ensure that any patrons using the external area of the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

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NO. 10



11-10-DRAWING SET, 3-8-2008 BY ST. LOUIS ARCHITECTS



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City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

Premises licence
summary

WARD: West End
UPRN: 100022741667

Regulation 33, 34

Premises licence number:

23/00820/LIPT

Part 1 – Premises details

Postal address of premises:

Coqbull Piccadilly Ltd
17 Denman Street
London
W1D 7HW

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Late Night Refreshment
Sale by Retail of Alcohol

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

Exhibition of a Film

Monday to Thursday:	09:00 to 23:30
Friday to Saturday:	09:00 to 00:00
Sunday:	09:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00

The opening hours of the premises:

Monday to Thursday:	08:00 to 00:00
Friday to Saturday:	08:00 to 00:30
Sunday:	08:00 to 23:30
Sundays before Bank Holidays:	12:00 to 00:00

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:

Ls 1 Sherwood Street Limited
100 Victoria Street
London
United Kingdom
SW1E 5JL

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

04161279

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

Name: Benjamin Alan Donovan

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

Restricted

Date: 24 February 2023

This licence has been authorised by Ola Ajose-Adeogun on behalf of the Director - Public Protection and Licensing.

Premises History

Appendix 4

There is no licence or appeal history for the premises.

Appendix 5

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new 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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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 must 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—
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;

- (d) 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;
 - (e) dispensing alcohol 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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) 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 either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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.

8(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.

8(ii) For the purposes of the condition set out in paragraph 8(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.

8(iii). Where the permitted price given by Paragraph 8(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.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(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.

Conditions consistent with the operating schedule

9. The first, second and third floors of the premises shall operate as a restaurant: (a) in which customers are shown to their table or the customer will select a table themselves, (b) where the supply of alcohol is by waiter or waitress service only, (c) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table, (d) which do not provide any takeaway service of food or drink for immediate consumption off the premises, (e) 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.

For the purposes of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

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

10. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
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. 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.
12. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for in the designated external areas.
15. The designated external areas shall not be used by customers after 23:00 save for customers temporarily leaving the premises to smoke.
16. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

17. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times, except for waste collected within the internal servicing yard.
18. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 07.00 hours on the following day.
19. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
20. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
21. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 hours on the following day, except for collections taking place within the internal servicing yard.
22. A 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.
23. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record 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.
24. 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. It must be completed within 24 hours of the incident and will record the following:
 - (f) all crimes reported to the venue
 - (g) all ejections of patrons
 - (h) any complaints received concerning crime and disorder
 - (i) any incidents of disorder
 - (j) all seizures of drugs or offensive weapons
 - (k) any faults in the CCTV system
 - (l) any refusal of the sale of alcohol
 - (m) any visit by a relevant authority or emergency service.
25. No deliveries to the premises shall take place between 23.00 and 07.00 hours on the following day, except for deliveries taking place within the internal servicing yard.
26. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 07:00 hours on the following day.
27. 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.
28. 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.
29. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.

30. No licensable activities shall take place at the premises 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 shall be removed from the licence by the licensing authority. Where there have been minor changes to layout updated plans shall be provided to the Licensing Authority.
31. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 300 persons subject to the final capacity of the premises being agreed by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
32. No licensable activities shall take place at the premises until premises licences reference 20/01636/LIPT and 23/00820/LIPT (or such other number subsequently issued for the premises) have been surrendered.

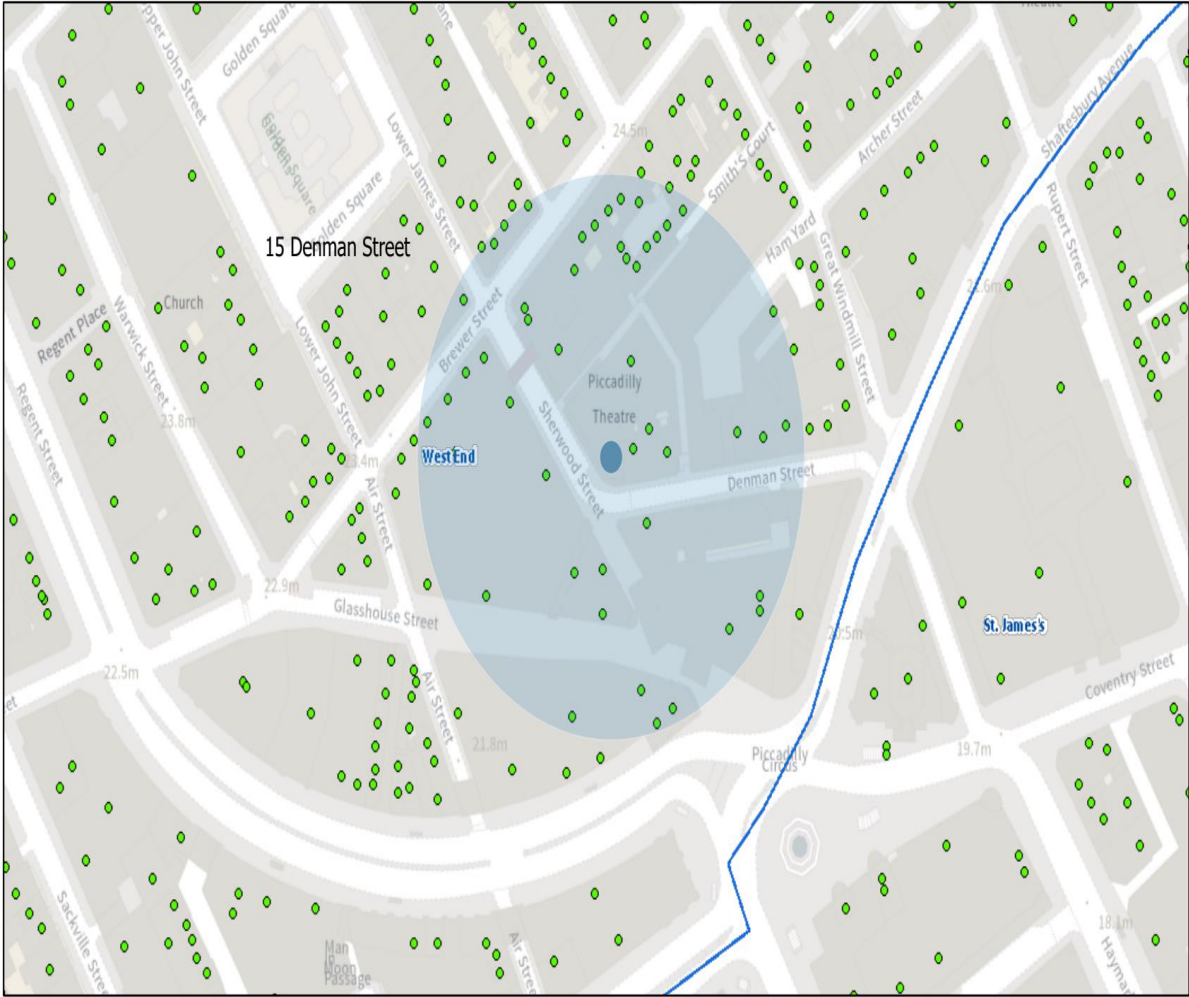
Conditions proposed by the Environmental Health Service.

None

Conditions proposed by the Metropolitan Police Service.

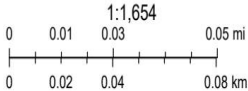
None

The Devonshire Arms



25/05/2023, 15:49:36

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident count: 55

Licensed premises within 75m of Unit 1, 5/6 Sherwood Street W1F 7BW and, 18/19 Denman Street W1D 7HW

Licence Number	Trading Name	Address	Premises Type	Time Period
22/09388/LIPDPS	The Queens Head	15 Denman Street London W1D 7HN	Public house or pub restaurant	Monday to Sunday; 10:00 - 00:00
20/03768/LIPV	Dirty Bones	Ground Floor 14 Denman Street London W1D 7HJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:00
21/06014/LIPVM	Masters Club	Basement 12 - 14 Denman Street London W1D 7HL	Night clubs and discos	Monday; 09:00 - 03:30 Tuesday; 09:00 - 03:30 Wednesday; 09:00 - 03:30 Thursday; 09:00 - 03:30 Friday; 09:00 - 03:30 Sunday; 09:00 - 23:00
16/09243/LIPV	Kricket Soho	12-14 Denman Street London W1D 7HJ	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
23/00820/LIPT	Coqbull Piccadilly Ltd	17 Denman Street London W1D 7HW	Restaurant	Sunday; 08:00 - 23:30 Monday to Thursday; 08:00 - 00:00 Friday to Saturday; 08:00 - 00:30 Sundays before Bank Holidays; 12:00 - 00:00
20/10110/PREAPM	Not Recorded	17 - 19 Denman Street London W1D 7HW	Not Recorded	
22/04554/LIPDPS	Piccadilly Theatre	Piccadilly Theatre Denman Street London W1D 7DY	Theatre	Monday to Friday; 09:00 - 03:00 Saturday to Sunday; 09:00 - 04:00
22/01014/LIPN	Shadow Licence	20 Sherwood Street London W1F 7ED	Restaurant	Monday to Sunday; 08:00 - 01:00
22/06618/LIPCH	Brasserie Zedel	20 Sherwood Street London W1F 7ED	Restaurant	Monday to Sunday; 08:00 - 01:00
21/07470/LIPDPS	Park Row	77 Brewer Street London W1F 9ZN	Restaurant	Monday to Sunday; 11:30 - 01:30

22/11995/LIPRW	The Grand Cafe, Unit 2B, 1 Glasshouse Street	4 Glasshouse Street London W1B 5DQ	Restaurant	Sunday; 08:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/01636/LIPT	Jewel Piccadilly	Basement And Ground Floor And Part First Floor 4 - 6 Glasshouse Street London W1B 5DQ	Restaurant	Sunday; 09:00 - 01:00 Monday to Saturday; 09:00 - 01:30
18/12780/LIPDPS	The Velvet Rooms	Part First Floor To Fifth Floor 4 - 6 Glasshouse Street London W1B 5DQ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 09:00 - 00:30
06/05475/WCCMAP	Taro Kaz Restaurant	61 Brewer Street London W1F 9UW	Restaurant	Sunday; 09:00 - 00:00 Monday to Saturday; 09:00 - 01:00
22/05797/LIPT	Chilli Shaker Indian Cuisine	4 Denman Street London W1D 7HD	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/12118/LIPDPS	Glasshouse Stores Public House	55 Brewer Street London W1F 9UJ	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
22/05811/LIPDPS	The Crown	The Crown 64 Brewer Street London W1F 9TP	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:00
15/12078/LIPDPS	Engawa	2 Ham Yard London W1D 7DT	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
22/04177/LIPDPS	Not Recorded	Ham Yard Hotel 1 Ham Yard London W1D 7DT	Hotel, 4+ star or major chain	Not Recorded; XXXX - XXXX
16/14006/LIPRW	Kiln	58 Brewer Street London W1F 9TL	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00