



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

5 October 2023

Licensing Ref No:

23/04190/LIPN - New Premises Licence

Title of Report:

74 Victoria Street
London
SW1E 6SQ

Report of:

Director of Public Protection and Licensing

Wards involved:

St James's

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Jessica Donovan
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	21 June 2023		
Applicant:	Singtime Uk Ltd		
Premises:	N/A		
Premises address:	74 Victoria Street London SW1E 6SQ	Ward:	St James's
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises intends to operate as karaoke bar with provision for substantial food and musical entertainment on ground floor and basement.		
Premises licence history:	<p>The premises has had the benefit of a premises licence since August 2015.</p> <p>The current premises licence (23/02561/LIPT) can be viewed at Appendix 3 of this report.</p> <p>A full licence history and Temporary Event Notice history for the premises appears at Appendix 4.</p>		
Applicant submissions:	<p>The applicant has provided the following documents:</p> <ul style="list-style-type: none"> • Mediation with the interested party • An operational management statement • Presentation • Noise Impact Assessment <p>A copy of the documents can be found at Appendix 2.</p>		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Films:	Indoors, outdoors or both						Indoors
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	01:00	01:00	01:00	01:00	23:00
Seasonal variations/ Non-standard timings:	None						

Live Music:				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:	00:00	00:00	01:00	01:00	01:00	01:00	N/A
Seasonal variations/ Non-standard timings:		None					

Recorded Music:				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	09:00
End:	00:00	00:00	01:00	01:00	01:00	01:00	23:00
Seasonal variations/ Non-standard timings:		None					

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:	00:00	00:00	01:00	01:00	01:00	01:00	N/A
Seasonal variations/ Non-standard timings:		None					

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:	00:00	00:00	01:00	01:00	01:00	01:00	23:00
Seasonal variations/ Non-standard timings:		None					

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:	00:30	00:30	01:30	01:30	01:30	01:30	23:30
Seasonal variations/ Non-standard timings:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbriatore
Received:	19 July 2023

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

This representation is based on the Operating Schedule and the submitted plans for the ground floor and basement.

The applicant is seeking the following on the **ground floor and basement**:

1. To allow the Supply of Alcohol 'on and off' the premises Monday and Tuesday 10:00-00:00 hours, Wednesday to Saturday 10:00-01:00 hours and Sunday 10:00-23:00 hours.
2. To allow the provision of Late Night Refreshment 'indoors' Monday and Tuesday 23:00-00:00 hours and Wednesday to Saturday 23:00-01:00 hours.
3. To allow the provision of Live Music 'indoors' Monday and Tuesday 09:00-00:00 hours and Wednesday to Saturday 09:00-01:00 hours.
4. To allow the provision of Films and Recorded Music 'indoors' Monday and Tuesday 09:00-00:00 hours, Wednesday to Saturday 09:00-01:00 hours and Sunday 09:00-23:00 hours.

I wish to make the following representation in relation to the above application:

1. The provision of the Supply of Alcohol and the proposed hours may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
2. The provision of Late Night Refreshment and the proposed hours may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
3. The provision of Live Music and the hours proposed, may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.
4. The provision of Films and Recorded Music and the hours proposed, may cause an increase in Public Nuisance in the area, it may also impact on Public Safety.

The applicant did seek pre-application advice (2302903/PREAPM) which has been followed through the proposed conditions. Further conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.

The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

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

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	14 July 2023		
<p>This application is for opening hours beyond those set in Core Hours in The Statement of Licensing Policy 2021 and as such should be refused.</p> <p>Pubs, restaurants and all licensed premises should comply with the Core Hours established in the Statement of Licensing Policy to avoid issues of Public Nuisance.</p> <p>In addition once the hours have been set to Core Hours for all activities there should be an express provision in any license the prohibits the emanation of sound from any source from the inside of the premises to the surrounding external streets / neighbourhood.</p> <p>The interested party has provided additional response to the applicant's mediation emails/documents which can be found at Appendix 2.</p>			

3. Policy & Guidance

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

Policy HRS1 applies

- 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.
- 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:
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 proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
 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.
 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.
 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

	<p>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> <ol style="list-style-type: none"> 1. Casinos: Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005. 2. Cinemas, Cultural Venues and Live Sporting Premises: Monday to Sunday: 9am to 12am 3. Hotels: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours. 4. Off licences: Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm. 5. Outdoor Spaces: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 6. Pubs and bars, Fast Food and Music and Dance venues: Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am. 7. Qualifying Clubs: Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. 9. Sexual Entertainment Venues and Sex Cinemas: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. <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>Policy PB1 applies</p>	<p>A. Applications outside the West End Cumulative 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 latenight 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 meet the definition of a Public House or Bar in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within</p>

	<p>the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 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, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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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

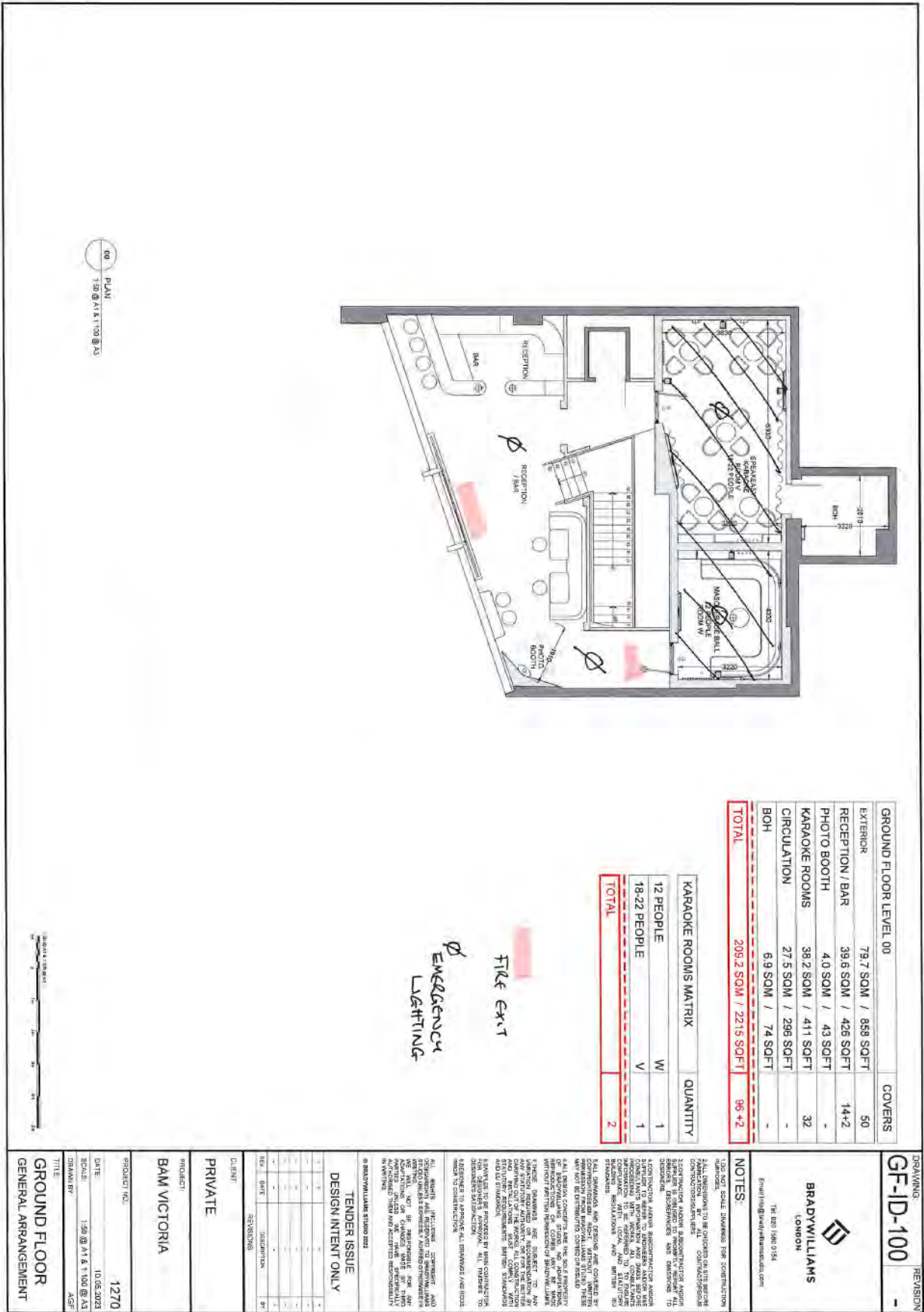
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Existing premises licence 23/02561/LIPT
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@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	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Service representation	19 July 2023
5	Interested party representation	14 July 2023



GROUND FLOOR LEVEL 00	COVERS
EXTERIOR	50
RECEPTION / BAR	14+2
PHOTO BOOTH	-
KARAOKE ROOMS	32
CIRCULATION	-
BOH	-
TOTAL	96 +2

KARAOKE ROOMS MATRIX	QUANTITY
12 PEOPLE	1
18-22 PEOPLE	1
TOTAL	2

EMERGENCY LIGHTING
 FIRE EXIT

DRAWING REVISION
GF-ID-100 -
 BRADYWILLIAMS LONDON
 74 BED LANE 0154
 Email: info@bradywilliams.com

NOTES:
 1. ALL DIMENSIONS TO BE CHECKED ON SITE BEFORE COMMENCEMENT OF WORK.
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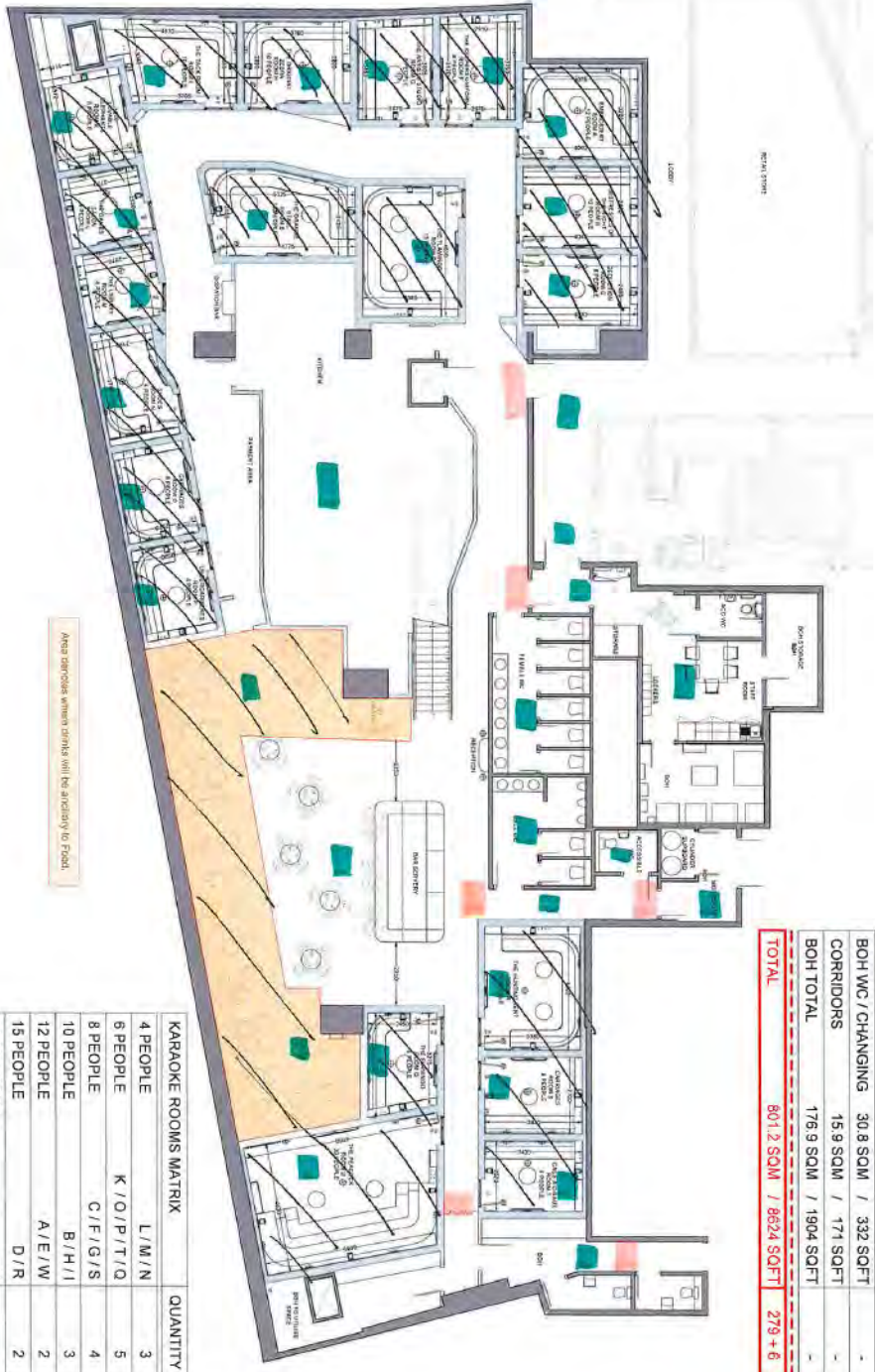
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NO.	DATE	DESCRIPTION	BY
1		ISSUED FOR TENDER	ACF
2		REVISIONS	

CLIENT: PRIVATE
 PROJECT: BAM VICTORIA
 PRODUCT NO: 1270
 DATE: 10.05.2023
 SCALE: 1:50 @ A1 & 1:100 @ A3
 DRAWN BY: ACF
 TITLE: GROUND FLOOR GENERAL ARRANGEMENT

60 PLAN
 1:50 @ A1 & 1:100 @ A3

File Exit
Emergency Lighting



01 PLAN
 1:75 @ A1 & 1:100 @ A3

LOWER GROUND FLOOR -01	COVERS	TOTAL
BAR AREA	162.0 SQM / 1636 SQFT	91 + 6
KARAOKE ROOMS	231.5 SQM / 2492 SQFT	188
EXTERIOR	- / -	50
CIRCULATION	110.6 SQM / 1190 SQFT	-
PAYMENT AREA	3.1 SQM / 33 SQFT	-
TOILETS	36.2 SQM / 390 SQFT	-
KITCHEN	85.2 SQM / 917 SQFT	-
STORAGE	45.1 SQM / 485 SQFT	-
BOH WC / CHANGING	30.8 SQM / 332 SQFT	-
CORRIDORS	15.9 SQM / 171 SQFT	-
BOH TOTAL	176.9 SQM / 1904 SQFT	-
TOTAL	801.2 SQM / 8624 SQFT	279 + 6
		373 + 8

KARAOKE ROOMS MATRIX	QUANTITY	TOTAL
4 PEOPLE	L/M/N	3
6 PEOPLE	K/O/P/T/Q	5
8 PEOPLE	C/F/G/S	4
10 PEOPLE	B/H/I	3
12 PEOPLE	A/E/W	2
15 PEOPLE	D/R	2
18-22 PEOPLE	V	1
30 PEOPLE	U	1
TOTAL	20	22

DRAWING: **SK-053** REVISION: -

BRADYWILLIAMS
 LONDON

14, 007 7581,1154
 Email: info@bradywilliams.com

NOTES:

1. ALL DIMENSIONS TO BE CHECKED AGAINST ARCHITECTURAL DRAWINGS AND CONTRACT DOCUMENTS.
 2. ALL DIMENSIONS TO BE CHECKED AGAINST ARCHITECTURAL DRAWINGS AND CONTRACT DOCUMENTS.
 3. CONTRACTOR TO VERIFY ALL DIMENSIONS AND REPORT ALL DISCREPANCIES TO PROJECT MANAGER.
 4. CONTRACTOR TO VERIFY ALL DIMENSIONS AND REPORT ALL DISCREPANCIES TO PROJECT MANAGER.

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BRADYWILLIAMS STUDIO 2023
TENDER ISSUE
DESIGN INTENT ONLY

CLIENT: PRIVATE
 PROJECT: BAMB KARAOKE
 PROJECT NO.: 12/20
 DATE: 09.05.2023
 SCALE: 1/75 @ A1 & 1/150 @ A3
 DRAWN BY: DB
 TITLE: BASEMENT LEVEL -01
 GA OPTION Z

Mediation between the applicant and the interested party

On 4 Aug 2023, at 12:14, Meloyan, Emanuela: WCC <emeloyan@westminster.gov.uk> wrote:

Hello,

Hope you are well.

Please find attached additional documents supplied by the applicant following your representation with respect to 74 Victoria Street SW1E 6SQ.

Could you confirm if you continue to maintain your representation?

Thank you

Regards,

Emanuela Meloyan

Senior Licensing Officer

Licensing Service

Public Protection and Licensing

Westminster City Council

15th Floor City Hall

64 Victoria Street

London, SW1E 6QP

From: [REDACTED]

Sent: Friday, August 4, 2023 4:33 PM

To: Meloyan, Emanuela: WCC <emeloyan@westminster.gov.uk>

Subject: Re: Mediation - 23/04190/LIPN 74 Victoria Street SW1E 6SQ

Importance: High

Dear Ms Meloyan,

Units 1 & 2 next door to this application have agreed to maintain Core Hours and have an express provision in the licensing permission that no sound shall be allowed to emanate from the premises from any aspect of the licensed activities.

Unless the same provisions are applied to this application our objections remain.

The decision on the premises next door are attached for reference. There is no reason why the above application should not have the same provisions.

Regards,

[REDACTED]

From: Meloyan, Emanuela: WCC

To: [REDACTED]

Subject: Agreed Conditions - 23/04190/LIPN 74 Victoria Street SW1E 6SQ

Date: 16 August 2023 07:36:00

Good morning [REDACTED],

I have addressed your concerns to the applicant and they confirm that the below conditions have already been agreed:

A noise limiter must be fitted to the musical amplification system and maintained

in accordance with the following criteria:

(a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,

(b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,

(c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,

(d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and

(e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

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.

Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.

All windows and external doors shall be kept closed after 18:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.

Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

Thank you

Regards,

Emanuela Meloyan

Senior Licensing Officer

Licensing Service

Public Protection and Licensing

Westminster City Council

15th Floor City Hall

From: [REDACTED]

Sent: Wednesday, August 16, 2023 9:16 AM

To: Meloyan, Emanuela: WCC <emeloyan@westminster.gov.uk>

Subject: Re: Agreed Conditions - 23/04190/LIPN 74 Victoria Street SW1E 6SQ

Thank you for your reply. I am satisfied with this condition

However, has the applicant agreed or has the council determined that the premises should keep within Core Hours as is applicable to the next door premises. Unless this is established our objection will remain.

Best regards.

[REDACTED]



Unit 3, Zig Zag Building, 74 Victoria Street, London SW1

OPERATIONAL MANAGEMENT STATEMENT

June 2023

Summary

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1- Introduction:

This Operational Management Statement ('OMS') has been prepared to set out the strategy and approach to the operation of BAM Karaoke Box ('BAM') venue proposed at Unit 3 ('the Premises') of the Zig Zag Building (the Building') at 74 Victoria Street, London SW1.

The purpose of this OMS is to give a clear overview of the proposed venue and the ethos and management strategy underpinning its operation. Due regard has been given to industry best practice within central London and specifically Westminster, BAM's experience operating in France and Spain, and other relevant Operational Management Strategies approved by Westminster.

BAM has carefully analysed site-specific considerations and built appropriate management measures into this OMS. This OMS is a document that is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours to ensure their concerns are addressed.

It is acknowledged that the OMS is an overview of the operation and is provided with the aim of furnishing all those concerned (namely the licensing and planning authorities, other responsible

authorities and other stakeholders) with a reasonable understanding of how the Premises will be operated and how the licensing objectives will be promoted.

BAM accepts that the terms of the OMS will be binding and they must adhere to it. In addition, BAM accepts that any planning permission or license granted will also contain a number of bespoke conditions.

Key aspects of this OMS and particularly the measures taken to promote the best practices will be encapsulated and expanded upon in the operations specific policies and linked risk assessments which will be developed even further. The maintenance of these policies will also be encapsulated by conditions to ensure that they are implemented and are available for inspection to the responsible authorities.

2- Outline of Concept

How we see ourselves in the entertainment industry:

Inspired by the karaoke box concept born in Asia, BAM Karaoke Box breathes new life into city entertainment with a high-end concept offering a unique customer experience through modern technology, dedicated service, and infrastructure.

Since 2014, more than 1.1 million customers have already sung with us, and we've opened 8 BAM Houses in Europe.

Customers split:

From our 9 years of operations in our 8 venues in Paris (x5), Bordeaux (x1) and Madrid (x2), **93% of our clients book karaoke boxes online through our website** (www.bam-karaokebox.com). On this website they can get more info regarding the Karaoke concept, the venues, the boxes and the food and drink menu.

Clients' description:

- Our clients are mainly women (65%) and the average group is 10 people.
- Most of our clients are aged from 20 to 45 but we also welcome younger clients.
- They tend to stay in our venue between 2 and 3 hours as the karaoke session is 2-hour long.

BAM's concept in Victoria:

For our Victoria venue, the client will have 3 choices **on the website**:

- Book one karaoke boxes (from 4 to 30 people)
- Book several karaoke boxes (from 4 to 30 people)
- Book a table to have dinner and drinks (from 2 to 20 people) and enjoy live performances (as outlined below)

We expect having approximately 90% of our reservations made online for the 3 offers.

We'll have a thorough food and beverage offer we could describe as follows:

- Food for the karaoke rooms : easy-to-share dishes/plates to have inside the box (it should be convenient and easy to share as the clients are singing) - 4 to 6 different dishes.
- Food for the restaurant area: bigger plates and extended offer as clients will have more time to eat – 10 to 14 different dishes.
- The drink menu will be focused on the BAM signature cocktails (from 15 to 20 cocktails in total) in addition to the standard drink offer (soft drinks, wine, beers, champagne).

Course of a Karaoke session:

Here is how a **karaoke session** is handled at BAM:

- The client books online from 2 months to 5min prior the beginning of the session.
- During the online purchase or after it, food and drinks can be pre-ordered.
- The day of the session, the client gets a text message to reminder with the address, and the time.
- On arrival, the client is welcomed at the door by a BAM-staff who checks that a booking is in place.
- The staff waits for the rest of the group if needed and then accompany them to the box.
- Inside the box, the staff does a quick briefing to explain how the software and room ordering system are working.
- During the 2-hour session, the clients can order food and drinks via a tablet. The order is then served directly to the box by waitresses / waiters.
- At the end of the session, the client will:
 - o Either pay and then leave the venue – it's possible to order a taxi/Uber within the premises.
 - o Or be seated and can enjoy drink or food on the restaurant/bar area.

In rare cases (around 5%), we might have walk-in clients. The process is the same, but we'll take the payment and the registration of client's information when we welcome them before the beginning of the session, so we always know who is singing in one of our boxes.

Operations of restaurant area:

The restaurant area will be located downstairs and be 97 seats on a 1239 sqft area. This area is surrounded by benches and there is a bar in the center of the area.

Operations of live performances:

This area is the exact same area as the restaurant one but will be used in a slightly different way when we have live performances. We'll have performers on stage (approx. 9 sqft) of different kinds: musicians, DJ, live karaoke, singer, magician,

Live performances might take place every day until 30 minutes before closing.

3- Stakeholders & licensing objectives:

A contact for BAM to be available at all times (both site General Manager and Operations Manager).

Who are our stakeholders?

- Residents
- Local businesses
- Guests
- Employees
- General public
- Local authorities

Our responsibilities to the stakeholders are as follows.

4- The prevention of crime and disorder

We are proactive in our approach to preventing crime and disorder both on and around the Premises. We are determined to ensure the business engages all stakeholders and works collaboratively to ensure the Premises is a positive contributor to the local area.

CCTV

We recognise that CCTV is essential in the safe operation of the Premises and is for the safety of both staff and guests. The Premises will operate a CCTV system that conforms to the General

Data Protection Regulation (EU) 2016/679 (GDPR) and is operated for the purposes the prevention and detection of crime, public safety and employee security. The Data Controller is the Head of Operations.

CCTV will be installed inside and outside the premises and will be of the specification as stipulated in the Premises License. E.g. Digital images shall be retained for at least 31 days and shall be produced to an authorised officer on demand. Notices advising that CCTV has been installed on the premises shall be posted up so that they are clearly visible to the public within the licensed premises. An authorised person will be available at all times on the premises to show CCTV images immediately or to an authorised officer on demand.

Door Supervisors & security

Door supervisors will be used or employed when a licensable activity is being carried out when considered necessary to prevent the admission and ensure the departure from the premises of drunk and disorderly persons, without causing further disorder; Keep out excluded individuals (subject to court or pub watch bans); search and exclude persons suspected of carrying illegal drugs or offensive weapons; or maintain an orderly queue outside the venue.

The number of Door Supervisors employed at the premises when licensable activities are taking place, their location within the premises and the times they will be employed will be decided in consultation with the police where appropriate. These details will be written down and regularly reviewed. Be that as it may, at least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises from 21.00 on Thursday, Friday and Saturday whilst it is open for business.

Door Supervisors will keep a duty roster, an incident register and these will be available for inspection by an Authorised Officer.

Door Supervisors will wear their SIA license where it can be seen at all times when engaging in designated licensable activities. All Door Supervisors will produce their license for inspection on the request of any constable, any member or employee of the SIA or other person authorized by the SIA CCTV & Communication.

BAM will adopt a system of risk assessment at the premises to:

- Identify hazards;
- Decide who might be harmed and how;
- Evaluate the risks and decide on precautions;
- Record findings and implement them; and
- Review and update arrangements.

		Impact →				
		Negligible	Minor	Moderate	Significant	Severe
Likelihood ↑	Very Likely	Low	Moderate	High	High	High
	Likely	Low	Moderate	Moderate	High	High
	Possible	Low	Low	Moderate	Moderate	High
	Unlikely	Low	Low	Moderate	Moderate	Moderate
	Very Unlikely	Low	Low	Low	Moderate	Moderate

Entry Policy

We accept children (under 18) from opening until 8pm only when they are accompanied by an adult.

It's imperative that only those over the age of 18 are able to purchase alcohol. As such we will adopt a Challenge 25 policy and ensure only approved forms of identification are accepted.

Once the maximum capacity is achieved entry will only be permitted on a "one in, one out" basis with guests discouraged from queuing on Victoria Street through use of a digital "wait list" application that will notify via SMS when space becomes available.

The majority of guests visiting the Premises will be booked through our online reservations platform and as such we will have a contact detail for most groups who visit the venue.

There shall be no entry or re-entry to the premises after 00:00.

Exit Policy

The smoking area will be located in the external seating area and in such a way that it does not cause obstruction to the pavement or cause nuisance for any neighbours. Any guests who are smoking will be monitored and reminded to be considerate of the environment in terms of their noise and litter. The smoking area will be closed a minimum of 15 minutes before the venue closes (end of service).

When the lights are up and the music has been turned off, the security and management will facilitate the exit-only strategy by instructing guests to collect their belongings and directing them towards the exit on Victoria Street.

Guests will be advised of the location of public transport by the security and management teams.

Guests will be reminded to be considerate of our neighbours and disperse in a quiet and prompt fashion. The security and management team will ensure guests leave the vicinity of the premises promptly and considerately.

A minimum of 2 high-visibility members of security will remain in position to facilitate the exit-only strategy and help guests continue their journey home as quickly and as quietly as possible.

Dispersal Policy

The BAM dispersal policy will be implemented to assist in the promotion of the four licensing objectives for licensing and the planning policies. This document is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours.

BAM will work hard to build and maintain good relationships with its neighbours. BAM will work closely with many partners in the local area to ensure the premises is making a positive contribution and that we keep everyone informed of our activities.

BAM is aware of the potential for neighborhood noise and disturbance at the time that customers leave at closing time. BAM has agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum disturbance or nuisance to neighbours. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

In relation to dispersing visitors or guests when BAM closes we have the following practices and procedures in place to ensure we avoid undue disturbance or nuisance to our neighbours:

- Effective management of customer behaviour whilst on the premises.

- A good staff to customer ratio.
- Duty Management presence at front of house.
- SIA trained Door Security Staff at night for dispersal
- Responsible drinking practices, e.g. small measures, properly trained staff, Challenge 21/25 policy.
- Appropriate signage at the exit points asking guests to respect our neighbours and leave quietly.
- Staff at exits to reinforce the message re leaving quietly.
- Waste disposal processes will ensure no noise is heard after hours.
- All incidents of crime or disorder or nuisance are to be reported by the Duty Manager and will be investigated immediately.
- The Designated Premises Supervisor shall ensure that the details of all complaints are recorded in the daily occurrence book and such complaints shall be investigated to see if there were ways to prevent the complaint from happening.
- BAM will not tolerate departing customers congregating outside of the premises and they will be asked to move on quickly and quietly.
- BAM will be at all times aware of activity outside of the premises and endeavor by their presence to minimise bad behavior regardless of whether they are visitors to BAM or not.
- Taxis and limousines will be allowed to pick up and drop off passengers near the entrance of the Property along Piccadilly. Staff will be available to assist where needed to reasonably ensure the smooth traffic operation.

This policy is overseen by the Designated Premises Supervisor and reviewed on a regular basis.

Crime Prevention

- Notices will be displayed throughout the Premises reminding guests to be aware of potential crime.
- All staff receive thorough, documented training before working in the Premises and are reminded during daily team briefings to be vigilant. Some of the topics covered are as follows:
 - Crime awareness
 - Alcohol consumption
 - Violent crime management
 - Containing incidents
 - Protecting the public from harm
 - Crime scene preservation policy
 - Encouraging use of coat and bag hooks
 - Spiking awareness
 - Drugs policy (zero tolerance), any suspicious behaviour to be reported immediately
 - Controlled access (door staff, management vigilance)
 - The importance of keeping doors closed/locked

5- Public safety

Public safety in this instance is primarily concerned with the physical safety of those on the premises.

BAM, as operator and employer, understands it is our responsibility to ensure the safety and wellbeing of all our guests and employees. All managers are trained to be aware of our crisis and safety policies ensuring they are followed appropriately.

The premises will comply with fire and food safety regulations and have a robust set of risk assessments specific to the Premises to ensure incidents are avoided.

All employees will also be trained on the importance of ensuring the Premises is accessible to all and will be regularly reminded of their responsibilities under the 2005 Disability Discrimination Act.

Capacity

The proposed capacity would allow for a total of 440 guests in the Premises (60 at ground floor level, 380 at the basement) including an additional 29 staff on site at any one time.

The guests would enter and exit via the main entrance located on Victoria Street. As detailed above, door staff and management shall be responsible for managing the entry and exit of guests to the Premises and ensuring that the pavement does not become obstructed.

Fire Safety

Clear evacuation procedures are to be on display for all to see, particular consideration is given to guests who are unfamiliar with the building.

All staff receive thorough, documented training before working in the Premises and are reminded during daily team briefings to be vigilant. Some of the topics covered are as follows:

- Good housekeeping, removing rubbish
- Locations of fire exits and door opening mechanisms
- Steps to take on discovering a fire or hearing an alarm
- Location of assembly point
- Location of and how to operate the fire alarm
- How to call the fire brigade
- Location of and how to use the firefighting equipment

Fire risk assessment are conducted by external contractors on an annual basis.

Regular call point and emergency light checks are carried out by the onsite management team and regular extinguisher and alarm inspections are done by external contractors.

Our teams are trained to do daily checks for any hazards or obstructions to exits, stairs etc.

It is of vital importance that every member of staff knows precisely what their responsibilities are in any emergency and the successful implementation of the fire evacuation procedures will depend upon every member of staff knowing what to do. It is therefore important and a legal requirement that regular fire and safety procedures training and evacuation drills are carried out. A full fire evacuation testing will take place every 6 months during daytime hours.

Disabled or elderly guests would be escorted by a member of staff to an alternative safe place of refuge and be accompanied at all times in an emergency situation.

Management

BAM would be responsible for all operational management within the Premises and associated common areas and will put in place a robust management structure to ensure compliance with statutory regulations and to ensure public safety.

Senior management will be contactable 24 hours a day, seven days a week to deal with any matters arising.

Management will employ an experienced and professional team for each area of business to guarantee optimum guest service standards throughout.

The overall site will operate with approximately 45 full and part time employees, and wherever possible would be drawn from the local community. Singtime UK will also hire 4 full time employees at the future London HQ. On site at any one time, there will never be more than 29 staff.

Staff are discouraged from smoking in the near vicinity of the venue and management will ensure the entrance and surrounding area is clear of cigarette/cigar ends.

Emergency exits

Escape routes and exits, including external exits, shall be maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified. Where chairs and tables are provided, internal gangways are to be kept unobstructed. All exit doors shall be easily openable and shall not require the use of a key, card, code or similar means. Doors at exits shall be regularly checked to ensure that they function satisfactorily and a record of the check will be kept. Any removable security fastenings shall be removed whenever the premises are open to the public or occupied by staff. All fire doors shall be maintained as effectively self-closing and not held open other than by approved devices (*for example, electromagnetic releases operated by smoke detectors*). Fire resisting doors to ducts, service shafts, and cupboards are to be kept locked shut. Edges of the treads of steps and stairways are maintained so as to be conspicuous.

Lighting

In the absence of adequate daylight the lighting in any area accessible to the public shall be fully operational. Fire safety signs shall be adequately illuminated. Emergency lighting shall not be altered without prior notification to the Licensing Authority. Emergency lighting batteries must be fully charged before admission of the public. In the event of failure of normal lighting, where the emergency lighting battery has a capacity of one hour, evacuation of the premises shall be possible within 20 minutes. Where the emergency lighting battery has a capacity of three hours, evacuation of the premises shall be possible within one hour.

First Aid

An adequate and appropriate supply of first aid equipment and materials shall be available on the premises. At least two suitably qualified trained first aider(s) will be on duty when the public are present. If more than one first aider is present their respective duties shall be clearly defined.

Drinks Promotions

The British Beer and Pub Associations Guidelines on On-Trade Promotions shall be adopted and complied with. The premises will not conduct drinks promotions such as 2 for 1, 3 for 2 or multiple drinks promotions.

6- The prevention of public nuisance

The Premises will prevent public nuisance by keeping windows and doors closed and ensuring there are visible signs to remind customers of the need to reduce noise can all help to avoid causing a public nuisance through noise.

Noise management

Noise from the music system to be managed at all times with the sound level monitored to ensure volumes are maintained at an acceptable level. A sound limiter will be added to the audio system and held in a locked cupboard which shall only be accessible to the DPS of the venue.

The music management system shall enable us to split the music (and therefore atmosphere) between ground floor and basement. The ground floor music will be lower.

We are engaging the services of a third party consultant (Richard Vivian, Big Sky Acoustics) to prepare a Noise Impact Assessment to ensure risk of noise pollution is limited.

The premises license holder shall take all necessary steps to ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises / nearest residential property. Prominent, clear and legible notices at all exits shall be displayed on the premises requesting patrons to respect the needs of local residents and to leave the premises and the area quietly. Any ventilation system shall be fitted with or include suitable sound attenuation.

Hours of operation

09:00 à 00:00 on Mondays and Tuesdays, 09:00 to 01:00 Wednesday to Saturday and 09:00 to 23:00 on Sundays.

Control of Noise Emissions

All external doors and ground floor windows to the premises would remain permanently closed, except for the main entrance, which will be monitored throughout the day and manned in the evening.

Decibel limiters will be in place to ensure compliance with any reasonable planning and licensing conditions and the correct levels of music are being played. All music will be switched off at closing times.

Strict compliance with statutory and licensing regulations and relevant planning conditions will be upheld.

Excess Vehicles

The Premises will not operate a delivery / take-away service which would mean that there would be no motorcycles/bikes collecting food etc.

Hours of Deliveries

A centralised loading bay is operated at the Building by the landlord, Landsec. All deliveries must be made between the hours of 07:00 and 19:00 Monday to Friday. BAM will comply with the Operational Procedures for the loading bay as set by the landlord. This will accord with the approved servicing scheme associated with the principle planning permission for development of the Building (LPA Ref: 13/10325/FULL).

Parking arrangements

No staff, guest or visitor car parking facilities would be provided on site. Staff cycle parking and showers are provided in the common areas of the Building, in accordance with the approved scheme for the Building (LPA Ref: 13/10325/FULL)

Waste Disposal

A centralised waste management facility is operated at the Building by the landlord and has been approved by planning permission 13/10325/FULL. All waste will be stored within the Premises back of house areas and sorted into the following categories before being transferred at least once a day to the waste collection area in the basement of the Building:

- Dry mixed recyclables recycled
- Food waste reprocessed
- Glass waste recycled

- Non-recyclables incinerated
- Ink toner & cartridge re used
- Battery recycling reprocessed
- WEEE recycling reprocessed

All waste collections at the building are managed by the landlord. BAM will comply with the Operational Procedures for the waste management facility as set by the landlord.

7- The protection of children from harm

Proof of age

Challenging the age of all guests who appear young through Challenge 25 we will ensure that only those of legal age are permitted to consume alcohol on the premises. Any under 18's must be accompanied by an adult and cannot access the venue after 8pm.

We have clear guidance for the employment of minors to ensure they are managed appropriately.

Children activities management

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 to:

- (a) 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) control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
- (c) take all other reasonable precautions for the safety of the children.

8- Crisis Policy

BAM has a thorough crisis policy which covers the very rare possibility of our teams having to deal with weapons, terror attacks and bombs threats.

In addition, all team members are trained on the ACT guidance on preventing terrorism and understand the importance of "Run, Hide, Tell" in the unlikely event they would find themselves in a live act of terrorism. Each employee is thoroughly briefed on the importance of vigilance and reporting anything that seems "out of the ordinary".

Management and security complete full venue walk throughs at regular intervals to ensure all non-public areas are locked and to check for unattended packages/baggage.



IBAMI
KARAOKE BOX

Concept Presentation

BAM is about feeling good & creating memories

Inspired by the karaoke box concept in Asia, the French company BAM Karaoke Box first opened its doors in Paris in 2014 reinventing karaoke with a high-end concept and a unique client experience.

Our goal is to allow people to let loose, have fun and create lasting memories with friends, family or colleagues.





Each BAM House has its own identity Making every BAM experience unique

BAM which stands for “Boîte à musique” or for “Music Box” creates unique, magical spaces. BAM has worked with renowned architects, including Pablo Peyra, CUT architectures and Michaël Malapert, for its fashionable venues. Each BAM venue is designed like a house inviting you into different spaces, each beautifully decorated, to make your own and create an immersive experience.

Open everyday BAM venues welcome small to large groups (up to 30 people) for after-work parties, birthdays, team-building events or really just any occasion to have fun.





The BAM experience is designed to achieve high customer satisfaction

Year over year, BAM prides itself on its outstanding customer service and customer satisfaction. Since BAM's first opening in 2014, it has continued to win Tripadvisor's Travelers' Choice award and has maintained an average customer rating of 4,7/5.

Beyond the incredible designs, each karaoke room is soundproofed and equipped with high-end equipment, such as Bose sound systems, high-definition TV screens and tactile screens for in-room food & drink service and in-room video recording & selfies. All bookings are easily and seamlessly made through BAM's website.





BAM Karaoke Box is the leader on the karaoke market in Europe

Since its launch in 2014, BAM has created a new market for premium karaoke boxes and has continued year after year to be a leader in this new market in Europe. As of May 2023, BAM operates 8 venues: 5 in Paris, 1 in Bordeaux and 2 in Madrid, with a total of 61 karaoke rooms for a total occupation of 650 persons. Upcoming opening : 1 venue in 2024 in Victoria.





BAM Madeleine, 4 rue de Caumartin, Paris 9e

Company Structure

BAM Karaoke Box is a brand operated by the French company Singtime SAS. Singtime is both the trading company and the tenant company on all occupational leases in France (and in Spain through its fully owned subsidiary Singtime IB).

In the UK, Singtime operates through its fully owned subsidiary Singtime Holding UK. The applicant will be Singtime UK Ltd owned 100% by Singtime Holding UK.

Singtime also owns The Songs Laboratory which produces and provides karaoke content.





About Arnaud Studer

Founder & CEO of BAM Karaoke Box

Upon graduating from EDHEC Business School and London School of Economics, Arnaud Studer starts his career working in investment banking in 2009.

An avid traveler, Arnaud goes on a trip to Tokyo in 2012 and, much to his surprise, discovers karaoke in private rooms, enjoying it so much that he goes back nearly every night during his trip, despite being a terrible singer.

Back in Paris where private karaoke rooms are nonexistent, Arnaud decides to launch a high-end karaoke box concept to deliver an upscale experience. In April 2014, Arnaud opens the first BAM venue at 30 rue Richer and the rest is history.





BAM

BAM Victoria

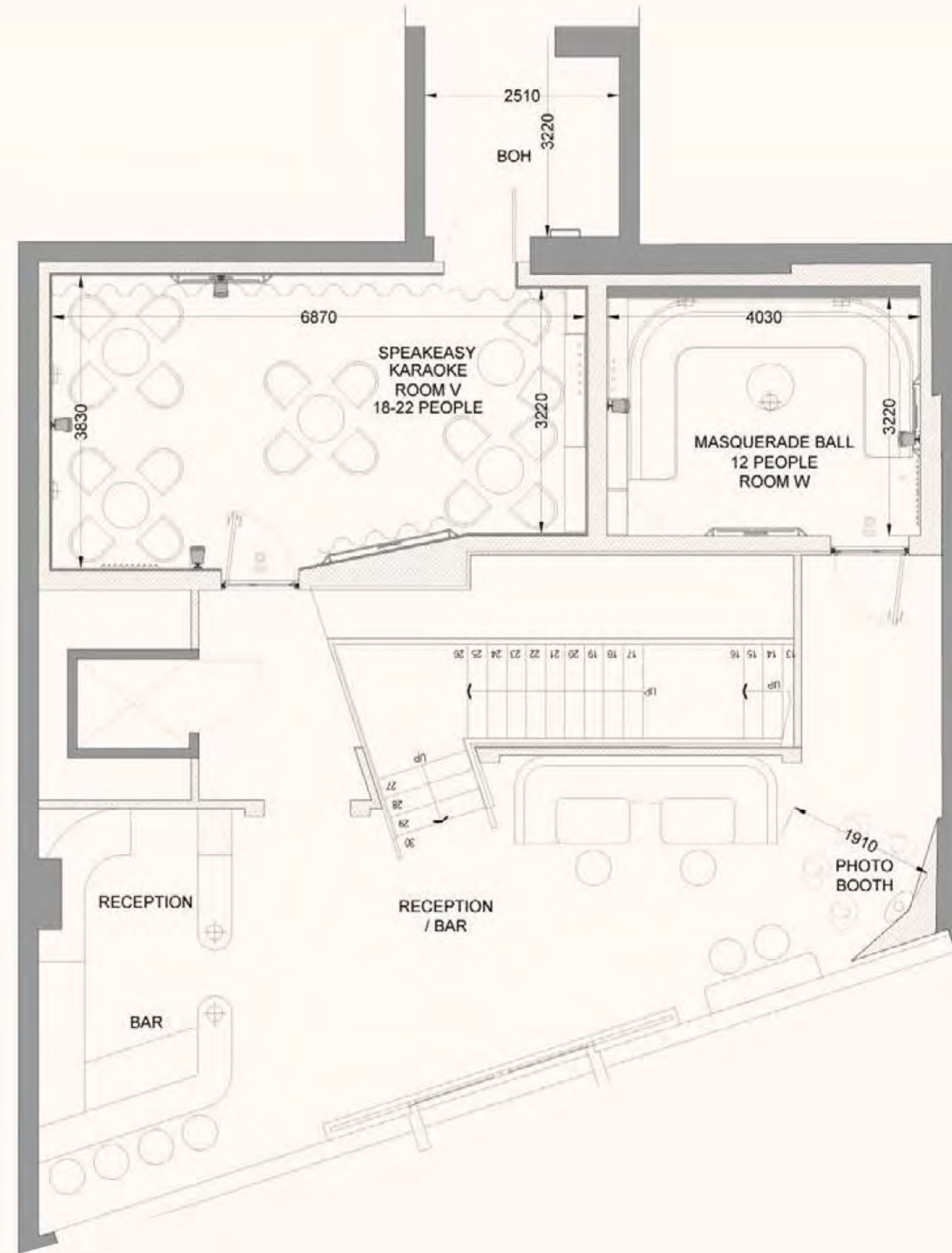
BAM Victoria is designed by the Brady Williams studio.

BAM Victoria will be most high-end karaoke venue in London. It will be made of 22 karaoke rooms and a restaurant for 100 persons.



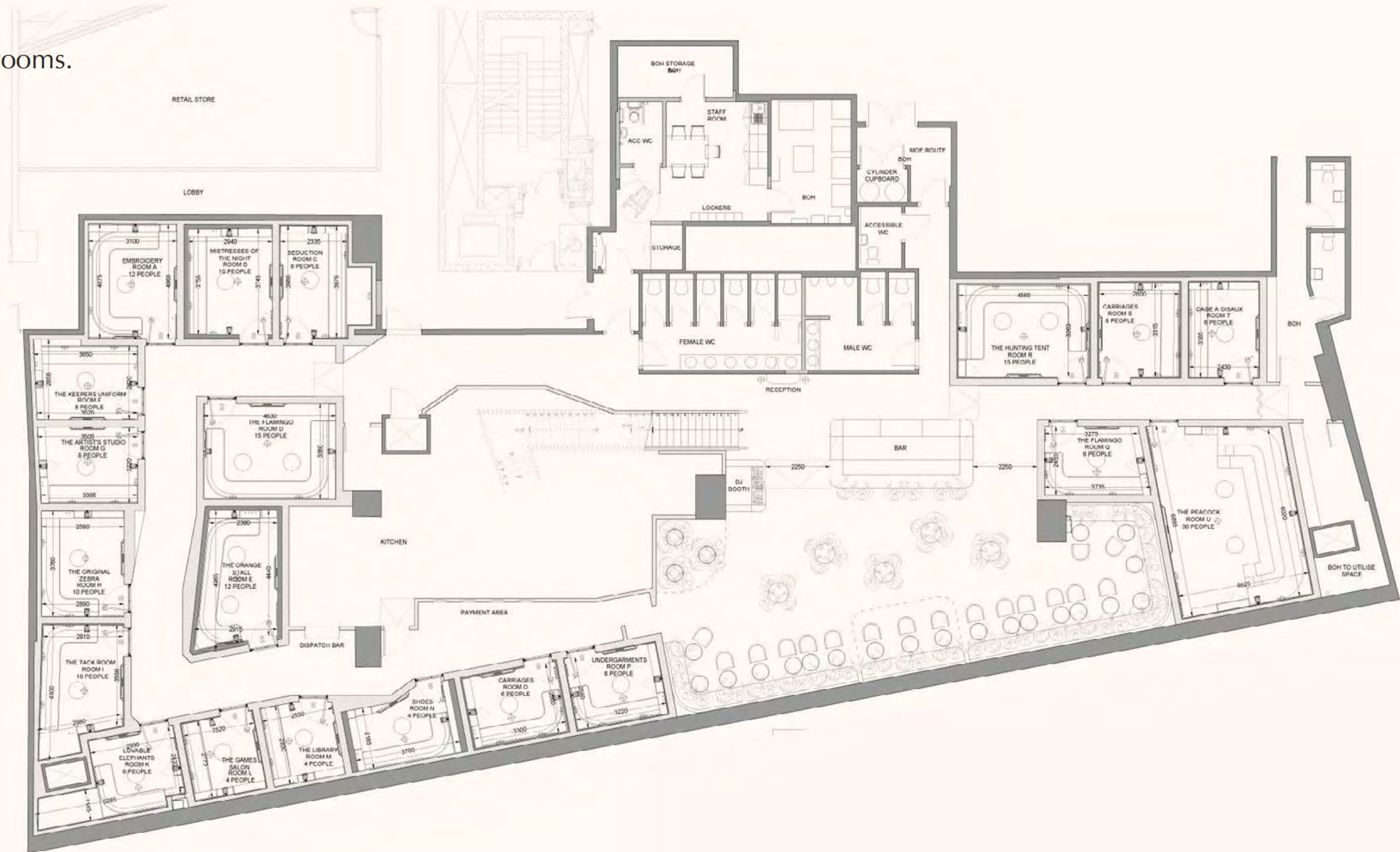
Proposed Ground Floor Plan

Reception and 2 karaoke rooms.



Proposed Basement Plan

Kitchen, restaurant and 20 karaoke rooms.



Karaoke Rooms

All our sound-proofed rooms have a different design. They include all the same BAM technology :

- Touchscreen to select your songs
- In-room ordering system
- Camera to record your memories
- ...



Food & Drinks

We create a full menu for people to eat and drink before, during and after their karaoke session.

In the rooms, it will be mostly shared dishes. At the restaurant, we will serve larger plates.

We aim to have all our products locally sourced.





BAM Karaoke Box
74 Victoria Street, London SW1E 6SQ
Noise Impact Assessment & Mitigation Strategy

Prepared by: Richard Vivian, Big Sky Acoustics Ltd
On behalf of: BAM Karaoke Box
Document Ref: 23041124
Date: 1st June 2023

Big Sky Acoustics document control sheet

Project title:	BAM Karaoke Box 74 Victoria Street, London SW1E 6SQ Noise Impact Assessment & Mitigation Strategy
Technical report number:	23041124
Site visit and inspection:	25 th April 2023
Submitted to:	██████████ ██████████████████ ██████████████████████ ██████████████████ ██████████ ██████████ acting on behalf of BAM Karaoke Box
Submitted by:	Richard Vivian Big Sky Acoustics Ltd 60 Frenze Road Diss IP22 4PB ██████████████████ ██████████████████████
Prepared by:	Richard Vivian BEng(Hons) MIET MIOA MIOL Principal Acoustic Consultant

Document status and approval schedule

Revision	Description	Date	Approved
0	Approved for issue	01/06/2023	RV

DISCLAIMER

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

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1.0 Qualifications and experience

- 1.1 My name is Richard Vivian. I am the founder and director of Big Sky Acoustics Ltd. Big Sky Acoustics is an independent acoustic consultancy that is engaged by local authorities, private companies, public companies, residents' groups and individuals to provide advice on the assessment and control of noise.
- 1.2 I have a Bachelor of Engineering Degree with Honours from Kingston University, I am a Member of the Institution of Engineering & Technology, the Institute of Acoustics and the Institute of Licensing.
- 1.3 I have over thirty years of experience in the acoustics industry and have been involved in acoustic measurement and assessment throughout my career. My professional experience has included the assessment of noise in connection with planning, licensing and environmental protection relating to sites throughout the UK. I have given expert evidence in the courts, in licensing hearings, in planning hearings and inquiries on many occasions.

2.0 Introduction

- 2.1 Big Sky Acoustics Ltd was instructed by [REDACTED] of Gardiner & Theobald LLP, acting on behalf of BAM Karaoke Box, to carry out an assessment of the impact of noise from the proposed refurbishment of a former restaurant at ground floor and basement levels (Class E) to form a karaoke bar, restaurant and live music performance space (Sui Generis).
- 2.2 This report was prepared following detailed discussions with the client team, a visit to the site, inspection of the building, examination of the existing planning consent and premises licence for the site, inspection of drawings and other documents.
- 2.3 A glossary of acoustical terms used in this report is provided in Appendix A.
- 2.4 All sound pressure levels in this report are given in dB re: 20µPa.

3.0 Site and surrounding area

- 3.1 The application site is in the Zig Zag building which was granted planning permission in 2011 and completed in 2015. The existing restaurant use (Class A3) in the basement is granted under 15/03897/FULL, with use of the ground floor as as wine merchant (Class A1) and bar area (Class A3) added under 17/06654/FULL. The site has already been assessed as a New Entertainment Use under Policy S24 of the old City Plan (November 2016).
- 3.2 The predominant land use in Victoria is commercial. There are other entertainment uses nearby but the overall number on this part of Victoria Street remains small and relatively dispersed.

- 3.3 The previous premises licence for the application site, granted in November 2021 under the Licensing Act 2003, permitted the premises to be open Sunday to Thursday from 07:00 to 00:00 and on Friday to Saturday from 07:00 to 00:30. Licensable activities included the playing of recorded music and there were standard (model) conditions for noise on the licence. There is evidence of loud music, including live music performances, being a feature of the previous restaurant use, indeed a common comment on some review websites is that the music in the restaurant was too loud for comfortable dining.
- 3.4 There is no history of noise complaints from the restaurant use other than one plant noise complaint in 2016.
- 3.5 The closest residential properties are the newly constructed apartments at Kings Gate which is a structurally separate purpose-built development approximately 100m to the east on Victoria Street.
- 3.6 I am familiar with the site and the wider area. I have carried out many noise measurement surveys and observations in the vicinity and am familiar with the location of existing noise sources and general activity in the area at all hours of the day and night.
- 3.7 The application site has excellent access to public transport and the highest PTAL¹ rating of 6b.
- 3.8 The closest entrance to Victoria Station is 180m to the west of site, and St James Park is 420m to the north-east. As a major transport hub Victoria Station provides overground and underground train services and is comprehensively served by buses including routes 2, 3, 6, 11, 13, 24, 26, 36, 38, 44, 52, 148, 170, 185, 211, 390, C1, C10 and night routes N2, N11, N26, N32, N38, N44 and N136. Many bus routes, including night bus routes, pass immediately outside the site along Victoria Street.
- 3.9 The noise climate is characterised by local road traffic on Victoria Street including private cars, taxis, and buses as well as significant pedestrian footfall. Commercial aircraft are usually noticeable up until around 23:30hrs and then again from around 05:00hrs in this part of London.
- 3.10 There are short duration noise peaks that occur at this location all through the night including emergency service sirens, police helicopters, refuse and recycling collections, and street cleansing.
- 3.11 It is important when assessing the impact of noise from the proposed change of use at this site to understand the concept of *additional* noise associated with the change. The incremental change to noise levels caused by the normal operation of the proposed karaoke concept, when compared to the previous use as a restaurant, and at a location where there is already established noise and activity, could be so

¹ The public transport accessibility level (PTAL) is a method used to assess the access level of geographical areas to public transport. The result is a grade from 1–6 (including sub-divisions 1a, 1b, 6a and 6b), where a PTAL of 1a indicates extremely poor access to the location by public transport, and a PTAL of 6b indicates excellent access by public transport.

small as to be undetectable. It is highly unlikely to impact on average noise levels at this location if noise from internal activities is contained by the building envelope and patron dispersal follows a similar pattern to the previous use.

4.0 Criteria

NPPF

- 4.1 The revised National Planning Policy Framework (NPPF) was published by the Ministry of Housing, Communities and Local Government on 20 July 2021 and sets out the government's planning policies for England and how these are expected to be applied. This revised Framework replaces the previous National Planning Policy Framework published in March 2012, revised in July 2018 and updated in February 2019.
- 4.2 Paragraph 81 of the NPPF requires that significant weight should be placed on the need to support economic growth and productivity, taking into account both local business needs and wider opportunities for development.
- 4.3 References to noise can be found in Section 15 titled "Conserving and enhancing the natural environment". The NPPF states at Paragraph 174 sub-paragraph (e) *"Planning policies and decisions should contribute to and enhance the natural and local environment by preventing new and existing development from contributing to, being put at unacceptable risk from, or being adversely affected by, unacceptable levels of soil, air, water or noise pollution or land instability. Development should, wherever possible, help to improve local environmental conditions such as air and water quality, taking into account relevant information such as river basin management plans"*.
- 4.4 The NPPF states at Paragraph 185 that *"Planning policies and decisions should also ensure that new development is appropriate for its location taking into account the likely effects (including cumulative effects) of pollution on health, living conditions and the natural environment, as well as the potential sensitivity of the site or the wider area to impacts that could arise from the development. In doing so they should: a) mitigate and reduce to a minimum potential adverse impacts resulting from noise from new development - and avoid noise giving rise to significant adverse impacts on health and the quality of life; b) identify and protect tranquil areas which have remained relatively undisturbed by noise and are prized for their recreational and amenity value for this reason"*.
- 4.5 The comments about *adverse impacts on health and quality of life* are referenced² to the Noise Policy Statement for England (NPSE) published by the Department for Environment, Food & Rural Affairs in 2010. The NPSE is intended to apply to all forms of noise, including environmental noise, neighbour noise and neighbourhood noise.

² NPPF at footnote 65

- 4.6 The NPSE sets out the Government's long-term vision to *'promote good health and a good quality of life through the effective management of noise within the context of Government policy on sustainable development'* which is supported by the following aims:
- *Avoid significant adverse impacts on health and quality of life;*
 - *Mitigate and minimise adverse impacts on health and quality of life.*
- 4.7 The NPSE defines the concept of a 'significant observed adverse effect level' (SOAEL) as *'the level above which significant adverse effects on health and quality of life occur'*. The following guidance is provided within the NPSE: *'It is not possible to have a single objective noise-based measure that defines SOAEL that is applicable to all sources of noise in all situations. Consequently, the SOAEL is likely to be different for different noise sources, for different receptors and at different times. It is acknowledged that further research is required to increase our understanding of what may constitute a significant adverse impact on health and quality of life from noise. However, not having specific SOAEL values in the NPSE provides the necessary policy flexibility until further evidence and suitable guidance is available.'*
- 4.8 The Planning Practice Guidance (PPG) on Noise published by Ministry of Housing, Communities & Local Government in March 2014 (last revised on 22 July 2019) is written to support the NPPF with more specific planning guidance on how planning can manage potential noise impacts in new development.
- 4.9 The PPG reflects the NPSE and states at Paragraph 001 that noise needs to be considered when development may create additional noise, or would be sensitive to the prevailing acoustic environment (including any anticipated changes to that environment from activities that are permitted but not yet commenced).
- 4.10 The PPG clarifies at Paragraph 002 that it is important to look at noise in the context of the wider characteristics of a development proposal, its likely users and its surroundings, as these can have an important effect on whether noise is likely to pose a concern.
- 4.11 The PPG expands upon the concept of SOAEL (together with Lowest Observed Adverse Effect Level, LOAEL and No Observed Effect Level, NOEL) as introduced in the NPSE and provides a table of noise exposure hierarchy for use in noise impact assessments in the planning system.
- 4.12 Figure 1 is reproduced from PPG Paragraph 005 and summarises the noise exposure hierarchy, based on the likely average response.
- 4.13 The PPG at Paragraph 005 considers that a noise impact with an effects level which is lower than SOAEL is acceptable but that consideration needs to be given to mitigating and minimising those effects (taking account of the economic and social benefits being derived from the activity causing the noise).

Perception	Examples of Outcomes	Increasing Effect Level	Action
No Observed Effect Level (NOEL)			
Not present	No Effect	No Observed Effect	No specific measures required
No Observed Adverse Effect Level (NOAEL)			
Present and not intrusive	Noise can be heard, but does not cause any change in behaviour, attitude or other physiological response. Can slightly affect the acoustic character of the area but not such that there is a change in the quality of life	No Observed Adverse Effect	No specific measures required
Lowest Observed Adverse Effect Level (LOAEL)			
Present and intrusive	Noise can be heard and causes small changes in behaviour, attitude or other physiological response, e.g. turning up volume of television; speaking more loudly; where there is no alternative ventilation, having to close windows for some of the time because of the noise. Potential for some reported sleep disturbance. Affects the acoustic character of the area such that there is a small actual or perceived change in the quality of life	Observed Adverse Effect	Mitigate and reduce to a minimum
Significant Observed Adverse Effect Level (SOAEL)			
Present and disruptive	The noise causes a material change in behaviour, attitude or other physiological response, e.g. avoiding certain activities during periods of intrusion; where there is no alternative ventilation, having to keep windows closed most of the time because of the noise. Potential for sleep disturbance resulting in difficulty in getting to sleep, premature awakening and difficulty in getting back to sleep. Quality of life diminished due to change in acoustic character of the area	Significant Observed Adverse Effect	Avoid
Present and very disruptive	Extensive and regular changes in behaviour, attitude or other physiological response and/or an inability to mitigate effect of noise leading to psychological stress, e.g. regular sleep deprivation/awakening; loss of appetite, significant, medically definable harm, e.g. auditory and non-auditory	Unacceptable Adverse Effect	Prevent

Figure 1: PPG Noise Exposure Hierarchy Table (revision date: 22.07.2019)

4.14 When the significant observed adverse effect level boundary is crossed noise causes a material change in behaviour such as keeping windows closed for most of the time or avoiding certain activities during periods when the noise is present. If the exposure is predicted to be above this level the planning process should be

used to avoid this effect occurring, for example through the choice of sites at the plan-making stage, or by use of appropriate mitigation such as by altering the design and layout. While such decisions must be made taking account of the economic and social benefit of the activity causing or affected by the noise, it is undesirable for such exposure to be caused.

- 4.15 At the highest extreme, noise exposure would cause extensive and sustained adverse changes in behaviour and/or health without an ability to mitigate the effect of the noise. The impacts on health and quality of life are such that, regardless of the benefits of the activity causing the noise, this situation should be avoided.

The London Plan - March 2021

- 4.16 **Policy HC5** promotes the continued growth and evolution of London's diverse cultural facilities and creative industries. It supports, where appropriate, the development of new cultural venues in town centres and places with good public transport connectivity
- 4.17 **Policy HC6** promotes the night-time economy³, where appropriate. It protects and supports evening and night-time cultural venues such as pubs, night clubs, theatres, cinemas, music and other arts venues, and encourages the management of the night-time economy through an integrated approach to planning and licensing.
- 4.18 **Policy SD4** concerns the CAZ and seeks to promote unique international, national and London-wide roles of the CAZ, based on an agglomeration and rich mix of strategic functions and local uses. The policy also states that "*the unique concentration and diversity of cultural, arts, entertainment, night-time economy and tourism functions should be promoted and enhanced*".
- 4.19 **Policy D14** concerns noise and seeks to ensure that proposals reduce, manage and mitigate noise to improve health and quality of life proposals by avoiding significant adverse impacts, along with other criteria and measures.

Westminster City Plan 2019-2040 - adopted April 2021

- 4.20 **Policy 16** addresses food, drink and entertainment uses and has superseded Policy S24 of the old City Plan which was used to assess the current use. The policy states that proposals for food and drink and entertainment uses will be of a type and size appropriate to their location and recognises that Westminster has a vibrant entertainment sector that plays a vital role in supporting the visitor economy and providing local employment opportunities.

³ The night-time economy refers to all economic activity taking place between the hours of 6pm and 6am, and includes evening uses. Night-time economic activities include eating, drinking, entertainment, shopping and spectator sports, as well as hospitality, cleaning, wholesale and distribution, transport and medical services, which employ a large number of night-time workers - paragraph 7.6.1 The London Plan.

- 4.21 **Policy 33, part C** seeks to ensure that development prevents adverse effects of noise and vibration and improve the noise environment in compliance with the council's Noise Thresholds⁴, with particular attention to: 1) minimising noise impacts and preventing noise intrusion to residential developments and sensitive uses; 2) minimising noise from plant machinery and internal activities; 3) minimising noise from servicing and deliveries; and 4) protecting the relative tranquillity in and around open spaces.

Licensing Act 2003

- 4.22 It is a material consideration that the use will require licensing under the Licensing Act 2003. The application site is already licensed and these premises licences will have to be varied to accommodate the proposed changes.
- 4.23 All activity on the site will therefore be subject to a separate, and powerful, relevant regulatory regime. Because the premises are licensed there is also an opportunity for scrutiny of the premises licence and activities at the site at any time under the review process provided by the Licensing Act 2003.
- 4.24 The Licensing Act 2003 requires Westminster City Council, in its role as Licensing Authority, to carry out its various licensing functions so as to promote the following four licensing objectives:
- The prevention of crime and disorder
 - Public safety
 - The prevention of public nuisance
 - The protection of children from harm
- 4.25 Each objective is of equal importance. It is important to note that there are no other licensing objectives, therefore these four are of paramount importance at all times. The Licensing Authority must base its decisions, in relation to determining applications and attaching any conditions to licences, on the promotion of these licensing objectives.
- 4.26 The Licensing Act 2003 further requires this Licensing Authority to publish a Statement of Licensing Policy (SLP) that sets out the policies the Licensing Authority will apply to promote the licensing objectives when making decisions on applications made under the Act. The current Statement of Licensing Policy (revision 7) has been operative since 1st October 2021.
- 4.27 The SLP seeks to balance the interests of business and residents to make sure that Westminster continues to offer a wide choice of high quality and well managed entertainment and cultural venues within an environment that is safe and attractive to residents, business and visitors.

⁴ Noise Thresholds given in Draft Noise Technical Guidance Note (September 2020), paragraph 2.3 Table 2.

- 4.28 **Policy PN1** addresses the prevention of public nuisance identifying the potential for nuisance associated with the style, characteristics and activities of the business to be carried on at the premises and the potential steps which could be taken to reduce the risk of nuisance occurring. Applicants will be expected to have included measures in their Operating Schedules that make adequate provision to restrict the generation of noise within the premises and from activities associated with the premises in the vicinity, limit the escape of noise from the premises, restricting 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, minimise and control noise from customers arriving at the premises and departing from it, minimise and control noise from staff, contractors and suppliers and their activities, minimise and control noise from vehicles associated with and providing services to the premises and their customers.
- 4.29 **Appendix 11** of the Statement of Licensing Policy provides guidance on noise.
- 4.30 When it comes to the evaluation of noise under the Licensing Act an understanding of the concept of *public nuisance* is essential. Public nuisance is not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include, in appropriate circumstances, the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises.
- 4.31 Once those involved in making licensing decisions are satisfied of the existence of a public nuisance, or its potential to exist, the question is how to address it. Home Office Guidance⁵ is useful in this regard and explains that in the context of noise nuisance conditions might be a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time, noting that conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable.
- 4.32 The guidance is clear that any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community.
- 4.33 The guidance also states that any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. (This is why there is still a need for a licence for performances of live music between 11pm and 8am even though it is deregulated at other times).

⁵ Revised Guidance issued under section 182 of the Licensing Act 2003, December 2022

- 4.34 As with all conditions, those relating to noise nuisance may not be appropriate in circumstances where provisions in other legislation adequately protects those living in the area of the premises.

Other relevant legislation

- 4.35 In addition to the protection afforded under planning controls, and the Licensing Act 2003, members of the public are protected from noise that is a nuisance.
- 4.36 The Environmental Protection Act 1990 part III deals with statutory nuisance which includes noise. This Act allows steps to be taken to investigate any complaints which may then result in the issuing of an abatement notice and a subsequent prosecution of any breach of the notice. A statutory nuisance is a material interference that is prejudicial to health or a nuisance.
- 4.37 The Clean Neighbourhoods and Environment Act 2005 deals with many of the problems affecting the quality of the local environment and provides local authorities with powers to tackle poor environmental quality and anti-social behaviour in relation to litter, graffiti, waste and noise. A fixed penalty notice can be issued when noise exceeds the permitted level at night as prescribed under the Noise Act 1996 as amended by the Clean Neighbourhoods and Environment Act. The permitted noise level using A-weighted decibels (the unit environmental noise is usually measured in) is 34dBA if the underlying level of noise is no more than 24dBA, or 10dBA above the underlying level of noise if this is more than 24dBA.
- 4.38 The Anti-Social Behaviour, Crime and Policing Act 2014 defines anti-social behaviour as "*conduct that has caused, or is likely to cause, harassment, alarm or distress to any person*"; "*conduct capable of causing nuisance or annoyance to a person in relation to that person's occupation of residential premises*"; or "*conduct capable of causing housing-related nuisance or annoyance to a person*". The Act contains a range of powers intended to support Local Authority and partner bodies deal with anti-social behaviour. These include powers of premises closure in cases of nuisance or disorder which may support primary legislation.

British Standard 8233

- 4.39 BS8233:2014 states that for steady external noise sources, it is desirable that the internal ambient noise level in dwellings does not exceed the guideline values in the table shown below.

Activity	Location	07:00 to 23:00	23:00 to 07:00
Resting	Living room	35 dB $L_{Aeq,16hour}$	-
Dining	Dining room/area	40 dB $L_{Aeq,16hour}$	-
Sleeping (daytime resting)	Bedroom	35 dB $L_{Aeq,16hour}$	30dB $L_{Aeq,8hour}$

Figure 2: Indoor ambient noise levels for dwellings (from BS8233 Table 4)

- 4.40 Annex G of BS8233 informs that windows, and any trickle ventilators, are normally the weakest part of a brick and block façade. Insulating glass units have a sound insulation of approximately 33 dB R_w and, assuming suitable sound attenuating trickle ventilators are used, the resulting internal noise level ought to be determined by the windows. If partially open windows are relied upon for background ventilation, the insulation would be reduced to approximately 15 dB.

Operational objectives

- 4.41 BAM Karaoke Box is committed to promoting good relationships with their commercial and residential neighbours and therefore, in addition to all statutory obligations, it is a primary operational objective that noise from the normal commercial operation of site will not have a detrimental impact on the neighbourhood.
- 4.42 To support this commitment operational procedures to manage noise are included in the Operational Management Statement and relevant extracts from this document can be found at Appendix C (noise) and Appendix D (dispersal). The OMS will be developed as the site evolves and will be regularly reviewed.

5.0 Balancing planning and licensing noise conditions

- 5.1 The guidance issued under Section 182 of the Licensing Act 2003 is clear in its general principles (Para 1.16) that *"[licencing conditions] should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation"*.
- 5.2 Similarly planning guidance has, for a long time, stated that additional planning conditions which duplicate the effect of other legislation should not be imposed, and current planning practice guidance is clear that conditions requiring compliance with other regulatory requirements will not meet the test of necessity and may not be relevant to planning.
- 5.3 The House of Lords in its 2017 post-legislative scrutiny of the Licensing Act found that it is not only permissible, but logical, to look at licensing as an extension of the planning process.
- 5.4 The pragmatic approach to specifying relevant requirements for noise control conditions is that the more general noise criteria relating to the principle of use of the site are applied under the planning regime and more specific requirements relating to licensable activities such as hours of operation, the requirement for controls on regulated entertainment, or the need for a dispersal policy, are more effectively implemented and enforced through the licensing process.

6.0 The BAM Karaoke Box concept

- 6.1 BAM already operates six sites in France (five of them are in Paris) and two sites in Madrid. This would be their first site in the UK. Inspired by the karaoke box concept born in Asia, BAM Karaoke Box breathes new life into city entertainment with a high-end concept offering a unique customer experience through modern technology, dedicated service, and infrastructure. Since 2014, more than 1.1 million customers have already sung in a BAM House.
- 6.2 The karaoke concept differs from a normal bar or club with customer areas open to all because, within the confines of the premises, the majority of guests are entertained in their own private boxes. For this to be operationally successful a high level of sound insulation is required between each box so that activities elsewhere on the premises, including noise from the other boxes which are sometimes adjacent to each other, does not interfere with each private party in their own space. Similarly noise from the main circulation areas and live music stage must not impact on the individual boxes, and vice versa.
- 6.3 The proposal at this site is to create 22 individual karaoke boxes with capacities ranging from the largest at 30 people, to the smallest for 4 people. Maximum total capacity of all 22 boxes is 220 persons although it is very unlikely that all boxes would be at maximum capacity concurrently. There are also general circulation areas and a live music showcase stage which includes a sound system with a limiter.
- 6.4 Noise from the karaoke singing itself is contained by each individual room construction using a design specification that was developed by Sandy Brown Associates and detailed in a separate construction report. There has been a thorough approach to venue air-handling ensuring internal spaces are ventilated without increasing cross-talk between rooms. Attenuators are used within the air handling ventilation ducts to ensure there is no noise breakout to atmosphere.
- 6.5 A further, and very important element, is the sound systems which are configured and locked (limited) so that a pre-determined maximum sound level cannot be exceeded. All sound system controls are tamperproof. This use is actually self-regulating as no individual box, or the live showcase stage, can be so loud as to impact on the other boxes. Therefore room-to-room isolation and sound system technical controls have to work in a coherent and strictly controlled way.

7.0 The existing noise climate

- 7.1 The noise climate has been well documented for this development, and in other applications in this building and the surrounding area. In addition we hold data for various noise surveys at sites in the immediate area.

7.2 The lowest background noise levels measured during the original survey⁶ for this site were $L_{A90,16\text{hour}}$ 54 dB during the daytime and $L_{A90,8\text{hour}}$ 53 dB at night. These are very typical levels for the area and correlate with surveys we, and others, have carried out in the area since.

8.0 Predicted noise of patrons leaving the premises

8.1 Unlike a music venue, theatre, or sports arena where events have a definite finish time while there is a capacity crowd, the nature of a karaoke premises operating pre-booked private karaoke boxes to patron groups of between 4-30 persons is that these groups will arrive and depart independently of others as their individual evening, in these small social groups, starts and then comes to an end.

8.2 In order to assist in the understanding of actual noise levels produced by people leaving the premises it is important to understand the effects of the noise source (i.e. people talking) and how that noise level increases as the number of people talking increases.

8.3 Referring to relevant international standards⁷ for human speech sound level, and also data held in our own library, normal conversation is typically in the range of 54-60dBA when measured at 1 metre.

8.4 In assessing for a worst-case condition then I have considered the largest group of 30 people are talking outside as they leave at the end of the evening.

8.5 In normal conversation no more than 50% of them would be talking (there will be at least one listener for each talker). If we now consider people to be talking at the upper end of the normal speaking range, and look at a worst case scenario of half of the people talking concurrently at 60dBA, then in order to calculate the total noise level we logarithmically sum 15 sources of 60dB as follows:

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

where n is the number of people talking

8.6 The formula above gives a value for total sound pressure level for a group of 30 people to be 71.8dBA⁸.

⁶ Environmental Noise Survey Report 16817/ENS2 by Hann Tucker Associates.

⁷ ISO 9921:2003 Ergonomics - Assessment of speech communication, Annex A, Table A1 shows the vocal effort of a male speaker and related A-weighted speech level (dB re 20 μ Pa) at 1 m in front of the mouth. The table indicates that relaxed vocal effort is 54dB, and normal vocal effort is 60dB.

⁸ Alternative calculation method according to Growcott, D (Consideration of Patron Noise from Entertainment Venues, Australian Association of Acoustical Consultants Guideline, Australia, 2009) using $L_{Aeq} = 21 * \log(N) + 43$ gives 74dBA and therefore shows a close correlation.

- 8.7 It is important to remember that this is a worst-case value, when 50% of the people are talking simultaneously and loudly. In reality general lulls in the conversation, smoking, or conversations where there are more than one listener to each talker mean that less than 50% of an average group will be talking simultaneously. I have also observed that groups walking in close proximity to each other will splinter into smaller groups of two, and talk with more hushed voices than static groups of people spread out, for example, in a pub beer garden seated for a long time around a large table and surrounded by other talkers.
- 8.8 Sound is attenuated in air and this effect is noticeable as the listener moves away from the source. In a free field for every doubling of distance from a noise source the sound pressure level L_p will be reduced by 6 decibels.

$$\begin{aligned} L_{p2} - L_{p1} &= 10 \log (R_2 / R_1)^2 \\ &= 20 \log (R_2 / R_1) \end{aligned}$$

where

L_{p1} = sound pressure level at location 1 (dB)

L_{p2} = sound pressure level at location 2 (dB)

R_1 = distance from source to location 1

R_2 = distance from source to location 2

A "free field" is defined as a flat surface without obstructions.

- 8.9 In calculating distance attenuation, the noise of people talking is assumed to be a number of discrete point sources so if the noise source is 72dBA at 1 metre then at 2 metres it is attenuated to 66dBA, at 4 metres 60dBA, and so on.
- 8.10 Attenuation due to distance means that a separation distance of 9 metres renders the sound of 30 people to be at the night time background noise level of 53dB L_{A90} and this typically equates to being subjectively inaudible. A further attenuation of the noise source is achieved by the insertion of any physical barrier that obscures direct line-of-sight from the receptor position to the source position.
- 8.11 Inside a residential property all external noise sources are attenuated by the glazing, by the distance from the noise source to the window, and by any physical obstruction of clear line of sight to the noise source. Furthermore the average person may wish to protect themselves from the sound of traffic and other activity in the city and so may choose to sleep away from windows on a façade to a busy public area, or with their windows closed.
- 8.12 New residential developments in the area will be required to take into account the existing noise climate and will therefore have to provide suitable internal noise levels for normal living. This is typically achieved with modern glazing and ventilation systems.
- 8.13 Calculations indicate that the resultant noise level will be below the background noise level at the façades of all noise sensitive windows and comfortably in compliance with the relevant standards and guidance, as well as being subjectively inaudible.

9.0 Mitigation strategy - remedial works to building

- 9.1 The building envelope is a modern construction purpose built for mixed commercial uses at ground floor and basement levels. The basement is very quiet and subjectively appeared fully isolated from the hubbub of Victoria Street above. Further testing of the building envelope isolation has been carried out by Sandy Brown Associates and is documented in their report.
- 9.2 Within the shell are the individual karaoke boxes which are designed to a standard that not only minimises noise breakout from the building, but also minimises noise transfer from one karaoke box to another effectively creating multiple soundproofed rooms within an already substantial masonry building.
- 9.3 The venue air-handling ensures internal spaces are ventilated without increasing cross-talk between the rooms and attenuators are used within the air handling ventilation ducts to ensure there is no noise breakout to atmosphere.
- 9.4 The karaoke box design combined with the building envelope insulation and attenuated ventilation system ensures there is no noise breakout from the karaoke boxes.



Figure 3: View of application site from Victoria Street

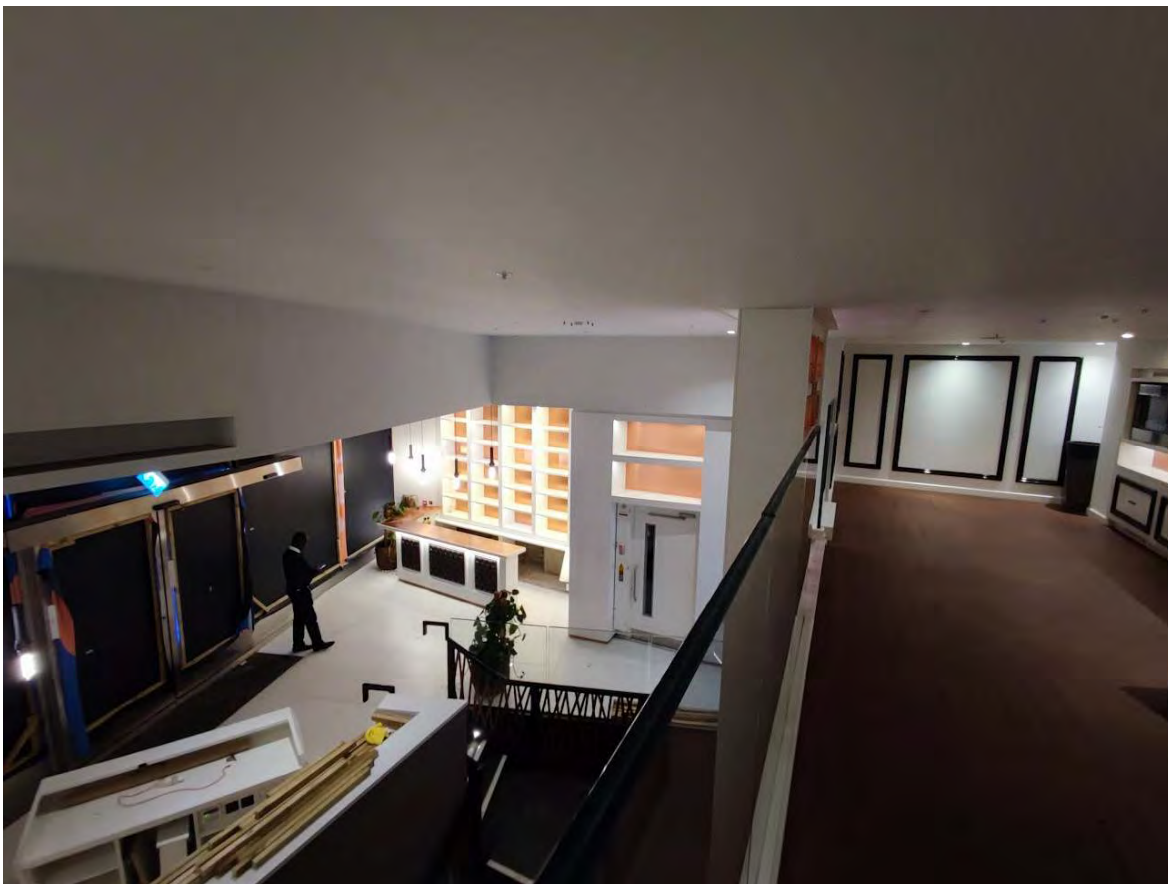


Figure 4: Entrance area, ground floor

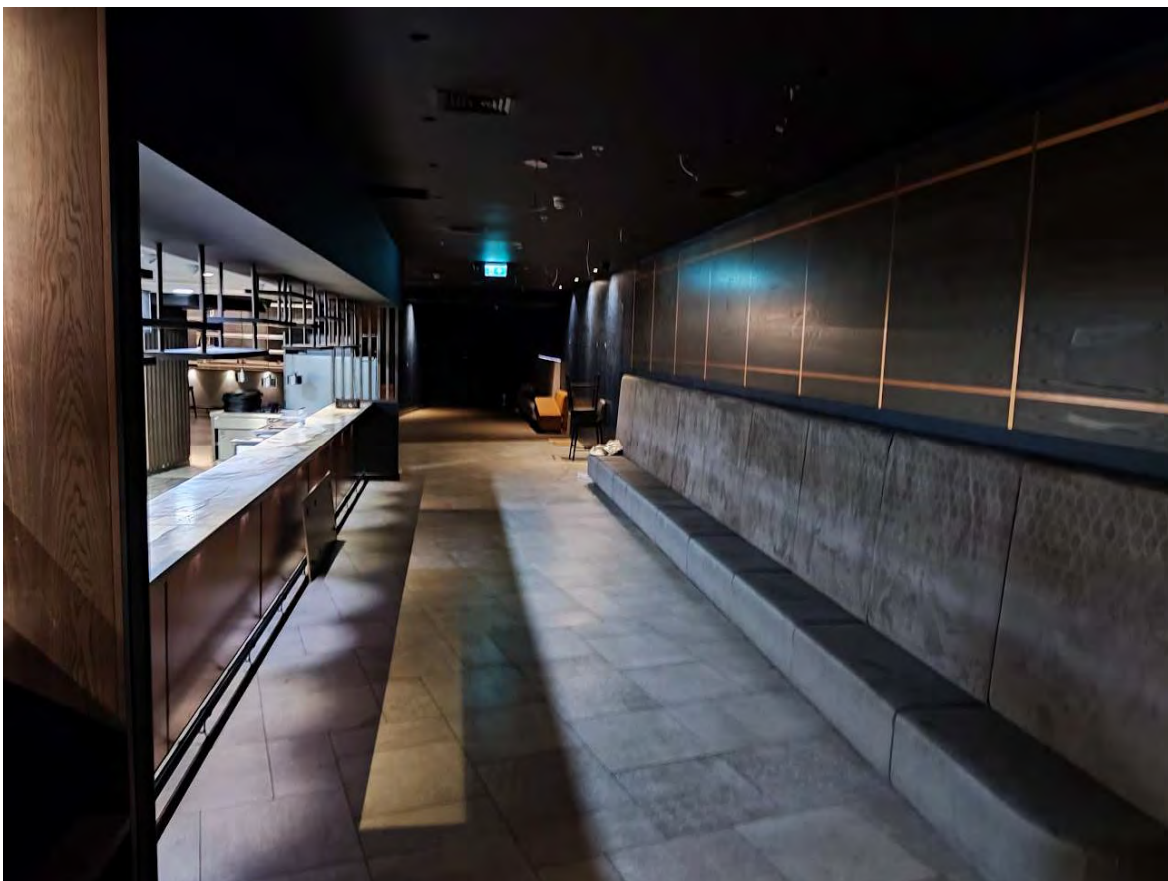


Figure 5: The main areas are subterranean and substantially isolated from outside

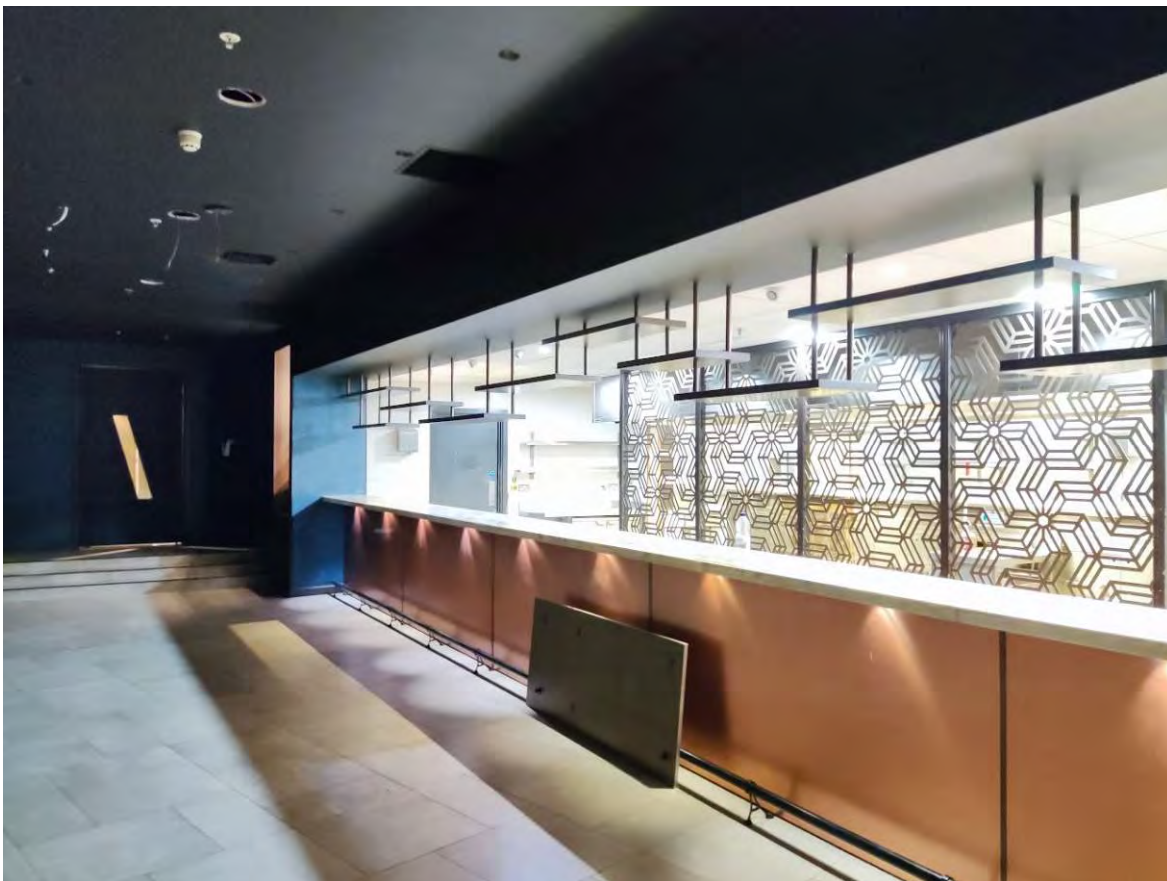


Figure 6: Further views of basement



Figure 7: Fire-doors are robust metal construction



Figure 8: View of rear service access

10.0 Mitigation strategy - sound system configuration

- 10.1 The sound equipment in the boxes consists of a computer controlled karaoke management system as the source. The loudspeakers are Bose DesignMax DM6SE [Frequency response: 70Hz-20kHz \pm 3dB, Sensitivity: 90dB, Rated power: 125W] which is a small two-way passive 6.5-inch woofer and a 1.25-inch coaxial tweeter loudspeaker, augmented with a Bose MB210-WR [Frequency response: 45Hz-180Hz \pm 3dB, Sensitivity: 90dB, Rated power: 500W] which is a 2 x 10" compact subwoofer.
- 10.2 For the showcase stage a Nexo system is proposed. This would include fully configurable DSP processing and include gain limiting and dynamics processing (maximum level limiting) on all channels. These devices can only be accessed using dedicated software on a laptop and are password protected. No user accessible controls exist and therefore the unit is highly tamperproof. No additional sound limiter device is required for this system.
- 10.3 All signal processing equipment will be secured to restrict unauthorised adjustment of controls. The sound systems will be configured so that a defined maximum operating level cannot be exceeded regardless of the input level. Once installed the sound systems should be periodically checked to ensure that the maximum operating level does not cause a nuisance at the nearest noise sensitive property. Assessment should be carried out, wherever possible, from the nearest noise

sensitive property itself at a time when ambient noise is at its lowest, but within normal operating hours of the premises.

- 10.4 In summary, the sound systems will be installed and operated to efficiently reproduce sound in the internal customer areas without causing noise elsewhere. Correct speaker locations, fixing methods and system configuration (crossover points, limiter settings, and system equalisation) can achieve high-quality sound without causing noise breakout to other areas of the building, or to outside the building.
- 10.5 A dedicated limiter device is not required if a suitable digital system controller is programmed with compression/limiting/gain functions to accurately control maximum sound level and then locked so that it cannot be adjusted, as is proposed with these sound systems.


11.0 Mitigation strategy - operational controls

- 11.1 The proposed use generates pedestrian footfall comparable to that of the previous use as a restaurant. Approximately 90% of customers are pre-booked online and therefore arrivals and departures are scheduled according to the booking time in much the same way as a restaurant. During the online booking process the client can order food and drinks which are consumed in the karaoke box during the two-hour karaoke session.
- 11.2 BAM has prepared an Operational Management Statement for the site which includes noise management and dispersal procedures based on industry best practice. These extracts can be found at Appendices C & D.
- 11.3 Noise management procedures will be an integral part of all employee training and will be regularly reviewed.

12.0 Conclusions

- 12.1 Big Sky Acoustics Ltd was instructed by Phoebe Crow of Gardiner & Theobald LLP, acting on behalf of BAM Karaoke Box, to carry out an assessment of the impact of noise from the proposed refurbishment of a former restaurant at ground floor and basement levels to form a karaoke bar, restaurant and live music performance space.
- 12.2 This assessment makes reference to the National Planning Policy Framework, the Noise Policy Statement for England, Planning Practice Guidance on Noise, Local Planning Policy, the Environmental Protection Act 1990, the Clean Neighbourhoods and Environment Act 2005, the Noise Act 1996, the Anti-Social Behaviour, Crime and Policing Act 2014, the Licensing Act 2003, City Of Westminster Statement of Licensing Policy, British Standard 8233, relevant industry guidance, and the operational objectives of the applicant.

- 12.3 All noise from activity inside the premises is contained by the building envelope and the substantially soundproofed karaoke boxes. Calculations indicate that noise from patrons as they leave will be below the existing background noise level for the area and therefore below the Lowest Observed Adverse Effect Level (LOAEL) at the nearest noise sensitive properties, and comfortably in compliance with local and national planning policy, as well as the licensing objective of the prevention of public nuisance.
- 12.4 Given this location, the style of operation, proposed controls and willingness to take on board further controls if necessary, it is my professional opinion that the normal operation of the BAM Karaoke Box concept until 01:00hrs would not result in an increase in average noise levels in the area around the application site.



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Appendix A - Terminology

Sound Pressure Level and the decibel (dB)

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

Frequency and Hertz (Hz)

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

A-weighting

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

C-weighting

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

Noise Indices

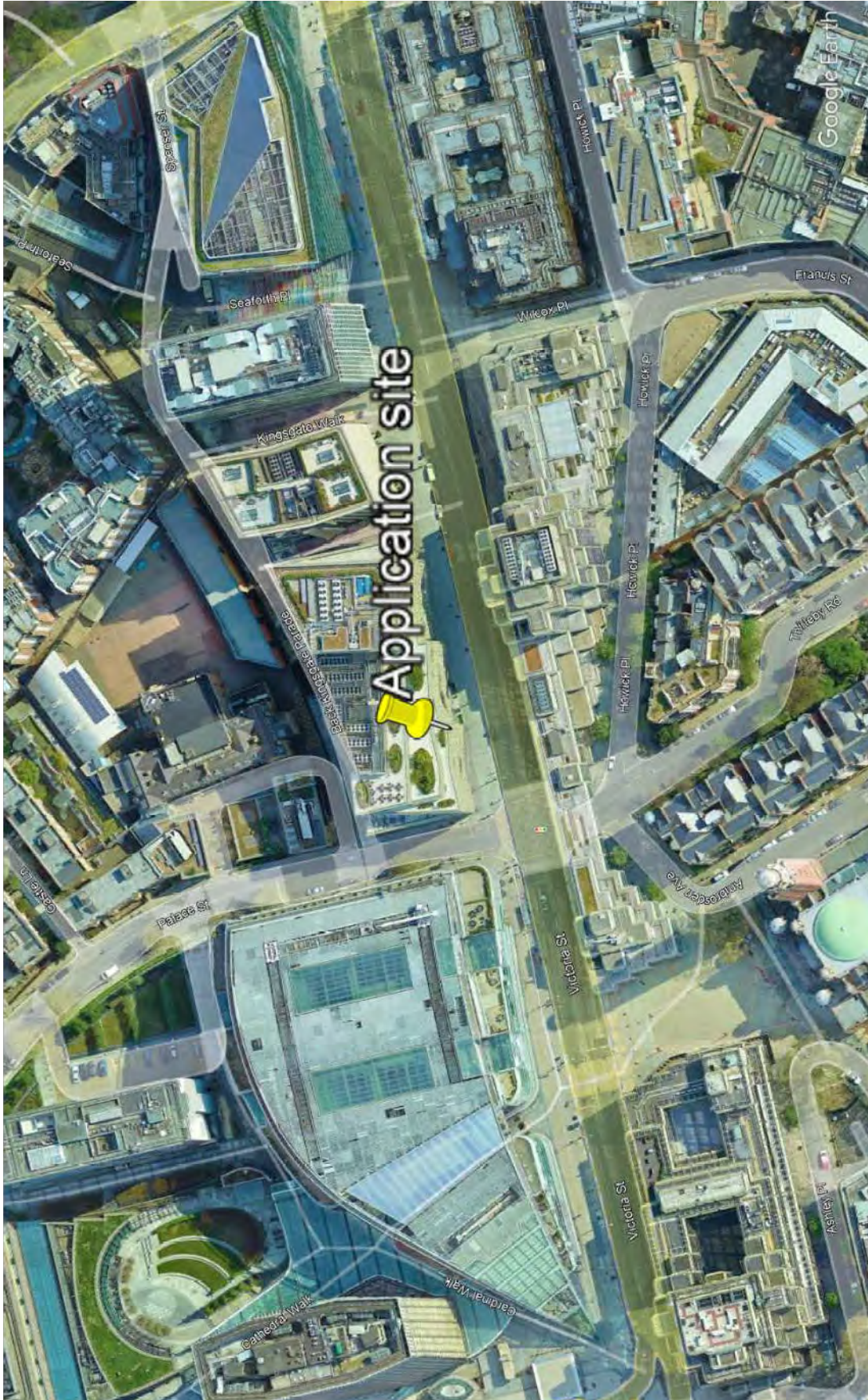
When a noise level is constant and does not fluctuate over time, it can be described adequately by measuring the dB level. However, when the noise level varies with time, the measured dB level will vary as well. In this case it is therefore not possible to represent the noise level with a simple dB value.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

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

Example noise levels:

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

Appendix B - Application site location



Appendix C - Operational Management Statement, Noise

The Premises will prevent public nuisance by keeping windows and doors closed and ensuring there are visible signs to remind customers of the need to reduce noise can all help to avoid causing a public nuisance through noise.

Noise management

Noise from the music system to be managed at all times with the sound level monitored to ensure volumes are maintained at an acceptable level. A sound limiter will be added to the audio system and held in a locked cupboard which shall only be accessible to the DPS of the venue.

The music management system shall enable us to split the music (and therefore atmosphere) between ground floor and basement. The ground floor music will be lower.

We are engaging the services of a third party consultant (Richard Vivian, Big Sky Acoustics) to prepare a Noise Impact Assessment to ensure risk of noise pollution is limited.

The premises license holder shall take all necessary steps to ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises / nearest residential property. Prominent, clear and legible notices at all exits shall be displayed on the premises requesting patrons to respect the needs of local residents and to leave the premises and the area quietly. Any ventilation system shall be fitted with or include suitable sound attenuation.

Hours of operation

09:00 to 00:00 on Mondays and Tuesdays

09:00 to 01:00 Wednesday to Saturday

09:00 to 23:00 on Sundays.

Control of Noise Emissions

All external doors and ground floor windows to the premises would remain permanently closed, except for the main entrance, which will be monitored throughout the day and manned in the evening.

Decibel limiters will be in place to ensure compliance with any reasonable planning and licensing conditions and the correct levels of music are being played. All music will be switched off at closing times.

Strict compliance with statutory and licensing regulations and relevant planning conditions will be upheld.

Excess Vehicles

The Premises will not operate a delivery / take-away service which would mean that there would be no motorcycles/bikes collecting food etc.

Hours of Deliveries

A centralised loading bay is operated at the Building by the landlord, Landsec. All deliveries must be made between the hours of 07:00 and 19:00 Monday to Friday. BAM will comply with the Operational Procedures for the loading bay as set by the landlord. This will accord with the approved servicing scheme associated with the principle planning permission for development of the Building (LPA Ref: 13/10325/FULL).

Parking arrangements

No staff, guest or visitor car parking facilities would be provided on site. Staff cycle parking and showers are provided in the common areas of the Building, in accordance with the approved scheme for the Building (LPA Ref: 13/10325/FULL)

Waste Disposal

A centralised waste management facility is operated at the Building by the landlord and has been approved by planning permission 13/10325/FULL. All waste will be sorted within the Premises into the following categories before being transferred to the waste collection area in the basement of the Building:

- Dry mixed recyclables recycled
- Food waste reprocessed
- Glass waste recycled
- Non-recyclables incinerated
- Ink toner & cartridge re used
- Battery recycling reprocessed
- WEEE recycling reprocessed

All waste collections at the Building are managed by the landlord. BAM will comply with the Operational Procedures for the waste management facility as set by the landlord.

Terrace management

The furniture will be standard chairs and tables and they will be rendered unusable by 23.00 hours each day.

Only premises' clients will be allowed to seat, and the staff will pay attention to make sure people remain seated while eating and drinking.

The Terrace will be closely managed and monitored by staff, supervisors and CCTV under the same regime as the rest of the premises.

The terrace will also be the place where smokers coming from inside the venue will be able to stand.

Appendix D - Operational Management Statement, Dispersal

The Premises will prevent public nuisance by keeping windows and doors closed and ensuring there are visible signs to remind customers of the need to reduce noise can all help to avoid causing a public nuisance through noise.

The BAM dispersal policy will be implemented to assist in the promotion of the four licensing objectives for licensing and the planning policies. This document is subject to change from time to time as it is a working best practices document that may change through discussions with interested parties and more specifically with our neighbours.

BAM will work hard to build and maintain good relationships with its neighbours. BAM will work closely with many partners in the local area to ensure the premises is making a positive contribution and that we keep everyone informed of our activities.

BAM is aware of the potential for neighbourhood noise and disturbance at the time that customers leave at closing time. BAM has agreed to implement a written dispersal policy to move customers from the premises and the immediate vicinity in such a way so as to cause minimum disturbance or nuisance to neighbours. Every effort will be made to minimise any potential nuisance and it will be the responsibility of all members of staff to support this policy.

In relation to dispersing visitors or guests when BAM closes we have the following practices and procedures in place to ensure we avoid undue disturbance or nuisance to our neighbours:

- Effective management of customer behaviour whilst on the premises.
- A good staff to customer ratio.
- Duty Management presence at front of house.
- SIA trained Door Security Staff at night for dispersal
- Responsible drinking practices, e.g. small measures, properly trained staff, Challenge 21/25 policy.
- Appropriate signage at the exit points asking guests to respect our neighbours and leave quietly.
- Staff at exits to reinforce the message re leaving quietly.
- Waste disposal processes will ensure no noise is heard after hours.
- All incidents of crime or disorder or nuisance are to be reported by the Duty Manager and will be investigated immediately.
- The Designated Premises Supervisor shall ensure that the details of all complaints are recorded in the daily occurrence book and such complaints shall be investigated to see if there were ways to prevent the complaint from happening.
- BAM will not tolerate departing customers congregating outside of the premises and they will be asked to move on quickly and quietly.
- BAM will be at all times aware of activity outside of the premises and endeavour by their presence to minimise bad behaviour regardless of whether they are visitors to BAM or not.
- Taxis and limousines will be allowed to pick up and drop off passengers near the entrance of the Property along Piccadilly. Staff will be available to assist where needed to reasonably ensure the smooth traffic operation.

This policy is overseen by the Designated Premises Supervisor and reviewed on a regular basis.



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

Schedule 12
Part A

WARD: St James's
UPRN: 100023337372

Premises licence

Regulation 33, 34

Premises licence number:

23/02561/LIPT

Original Reference:

15/03546/LIPN

Part 1 – Premises details

Postal address of premises:

M W Restaurants
Kingsgate House
66 - 74 Victoria Street
London
SW1E 6SQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Playing of Recorded Music
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 Sunday: 08:00 to 00:00

Playing of Recorded Music

Monday to Sunday: 08:00 to 00:00

Late Night Refreshment

Monday to Sunday: 23:00 to 00:00

Seasonal Details: On the day of commencement of BST the terminal hour will be an additional hour to the one state.

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

Sale by Retail of Alcohol

Monday to Sunday:	08:00 to 00:00 (On sales)
Monday to Saturday:	08:00 to 23:00 (Off Sales)
Sunday:	10:00 to 22:30 (Off Sales)

The opening hours of the premises:

Sunday to Thursday:	07:00 to 00:00
Friday to Saturday:	07:00 to 00:30

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

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

Part 2**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Ls Zig Zag Limited
100 Victoria Street
London
United Kingdom
SW1E 5JL

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

08465672

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

Name: Isaac Charilaou

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: LN/201601026
Licensing Authority: London Borough of Enfield

Date: 18 June 2023

This licence has been authorised by Jessica Donovan 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. 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

10. The venue 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 venue 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 request of police or authorised officer throughout the preceding 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 are open to the public. This staff member shall be able to show police or authorised officer a recent recording with the absolute minimum of delay when requested.
12. 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:-
 - i. all crimes reported at the venue
 - ii. all rejections of patrons
 - iii. any incidents of disorder
 - iv. any faults in the CCTV system
 - v. any refusal in the sale of alcohol
 - vi. any visit by relevant authority or Her Majesty's Service.
13. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
14. No entertainment, performance, service or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment and Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1082 as amended by the Greater London Council (General Powers) Act 1086 (whether or not locally adopted) shall be provided. The supply of alcohol between the hours 08:00 and 10:00 throughout the premises shall only be to a person taking a table meal there and for consumption by such a person ancillary to the meal.
15. A proof of age scheme, Challenge 21, shall be operated at the premises where the only forms of identification are recognised photographic identification cards; such as a driving licence, passport, PASS approved card or Military ID card.
16. Alcohol consumed in any lawfully permitted external area of the premises that is authorised by a separate tables and chairs licence shall only be consumed by patrons seated at tables.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises with the exception of premium specialist beer, lager and cider sold in glass bottles.
19. No single cans of beer, lager or cider shall be sold at the premises.

20. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises except in any lawfully permitted external area authorised by a separate tables and chairs licence
21. Loudspeakers shall not be located at any entrance to or outside of the premises building.
22. All outside tables and chairs shall be rendered unusable by 23:00 hours each day if authorised by a separate tables and chairs licence.
23. 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.
24. Waiter/waitress service shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
25. 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.
26. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
27. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed:
 - a. Ground Floor inc Mezzanine 60 persons
 - b. Basement 300 persons
28. 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.
29. 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.
30. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
31. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
32. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
33. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
34. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.

35. In the area hatched black on the basement plan the premises shall only operate as a restaurant:-
 - i. in which customers are shown to their table
 - ii. 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 takeaway 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
36. In the areas cross hatched black at basement level alcohol shall only be served to persons who are seated and by waiter/waitress service.
37. In the area cross hatched black at mezzanine level alcohol shall only be served to persons seated and by waiter/waitress service, and between the hours of 2300 and 0000 shall also only be ancillary to a table meal.
38. Throughout the premises the supply of alcohol between the hours 08:00 and 10:00 shall only be to a person taking a table meal there and for consumption by such a person ancillary to the meal.
39. When the basement is open for licensable activities there shall be seating provided for a minimum of 75% of the total occupancy.

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

None



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

Schedule 12
Part B

Premises licence
summary

WARD: St James's
UPRN: 100023337372

Regulation 33, 34

Premises licence
number:

23/02561/LIPT

Part 1 – Premises details

Postal address of premises:

M W Restaurants
Kingsgate House
66 - 74 Victoria Street
London
SW1E 6SQ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Exhibition of a Film
Playing of Recorded Music
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 Sunday: 08:00 to 00:00

Playing of Recorded Music

Monday to Sunday: 08:00 to 00:00

Late Night Refreshment

Monday to Sunday: 23:00 to 00:00

Seasonal Details: On the day of commencement of BST the terminal hour will be an additional hour to the one state.

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

Sale by Retail of Alcohol

Monday to Sunday: 08:00 to 00:00 (On sales)

Monday to Saturday:	08:00 to 23:00 (Off Sales)
Sunday:	10:00 to 22:30 (Off Sales)

The opening hours of the premises:

Sunday to Thursday:	07:00 to 00:00
Friday to Saturday:	07:00 to 00:30

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

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

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

Ls Zig Zag Limited
100 Victoria Street
London
United Kingdom
SW1E 5JL

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

08465672

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

Name: Isaac Charilaou

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

Restricted

Date: 18 June 2023

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

Licensing Act 2003

Application	Details of Application	Date Determined	Decision
15/03546/LIPN	<p>New premises licence</p> <p>Exhibition of a Film Monday to Sunday: 08:00 to 00:00</p> <p>Playing of Recorded Music Monday to Sunday: 08:00 to 00:00</p> <p>Late Night Refreshment Monday to Sunday: 23:00 to 00:00</p> <p>Sale by Retail of Alcohol Monday to Sunday: 08:00 to 00:00 (On sales) Monday to Saturday: 08:00 to 23:00 (Off Sales) Sunday: 10:00 to 22:30 (Off Sales)</p>	19.08.2015	Granted under Delegated Authority
21/08266/LIPDPS	Application to vary the Designated Premises Supervisor	10.09.2021	Granted under Delegated Authority
21/12280/LIPDPS	Application to vary the Designated Premises Supervisor	24.11.2021	Granted under Delegated Authority
23/02561/LIPT	Application to transfer the premises licence	03.05.2023	Granted under Delegated Authority

Temporary Event Notices

Temporary Event Notices	Date of Event	Activities/Hours	Decision
22/01663/LITENP	17.03.2022 to 18.03.2022	Regulated Entertainment, Late night refreshment and Retail Sale of Alcohol 00:00 to 04:00	Event allowed to proceed

There is no appeal history.

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

Conditions consistent with the operating schedule

11. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as a karaoke bar.
12. The supply of alcohol in the area hatched black on the plan shall be by waiter or waitress service only.
13. The supply of alcohol in the areas hatched black on the deposited plans shall be ancillary to the provision of entertainment and substantial food.
14. In the karaoke rooms marked on the deposited plan seating and tables shall be provided.
15. There shall be no admittance or re-admittance to the premises after 00:00 hours except for patrons permitted to temporarily leave the premises (e.g. to smoke, make a phone call) or those patrons who have pre-booked a karaoke pod.
16. After 00:00 hours there shall be a minimum of 10 karaoke pods available for booking if the ground floor or basement bar is to remain open for licensable activity.
17. 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.
18. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
19. All sales of alcohol for consumption off the premises shall be in sealed containers only, save for alcohol served by a waiter or waitress to customers who are seated at tables within the designated external seating area(s) shown on the plan.
20. All outside tables and chairs shall be rendered unusable by (23.00) hours each day.
21. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
22. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria: (a) the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses, (b) The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder, (c) The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team, (d) No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and (e) No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
23. 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.

24. Loudspeakers shall not be located in the entrance and exit of the premises or outside the building.
25. All windows and external doors shall be kept closed after 18:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
26. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
27. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
28. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
29. 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.
30. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
31. Other than when using the dedicated Zig Zag Building refuse collection areas and systems, no collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day.
32. Other than when using the dedicated Zig Zag Building delivery area and system, no deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
33. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
34. 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.
35. 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.
36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
37. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
38. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

39. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
40. A Challenge 21 or 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.
41. At least 2 SIA licensed door supervisors shall be on duty at the entrance of the premises from 21.00 on Thursday, Friday and Saturday whilst it is open for business and they must correctly display their SIA licence(s) when on duty so as to be visible.
42. 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.
43. 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.
44. 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: (a) all crimes reported to the venue (b) all ejections of patrons (c) any complaints received concerning crime and disorder (d) any incidents of disorder (e) all seizures of drugs or offensive weapons (f) any faults in the CCTV system, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.
45. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
46. No licensable activities shall take at the premises until the capacity of the premises has been determined 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. This shall be no greater than 60 persons on the ground floor and 380 in the basement (excluding staff).

Conditions proposed by the Environmental Health Service

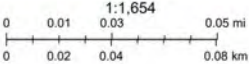
None

74 Victoria Street, London, SW1E 6SQ



19/09/2023, 15:06:37

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident count within 75 metres: 0

Licensed premises within 75 metres of 74 Victoria Street, London, SW1E 6SQ

Licence Number	Trading Name	Address	Premises Type	Time Period
22/06775/LIPDPS	Ivy Collection	66 Victoria Street London SW1E 6SQ	Restaurant	Friday to Saturday; 07:00 - 00:30 Sunday to Thursday; 07:00 - 00:00 Sundays before Bank Holidays; 07:00 - 00:30
20/06307/LIPT	Iberica	Zig Zag Building 70 Victoria Street London SW1E 6SQ	Restaurant	Friday to Saturday; 10:00 - 00:30 Sunday to Thursday; 10:00 - 00:00 Sundays before Bank Holidays; 10:00 - 00:30
23/01746/LIPN	Lane 7	Zig Zag Building 70 Victoria Street London SW1E 6SQ	Indoor bowling centre	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
23/02561/LIPT	M W Restaurants	Kingsgate House 66 - 74 Victoria Street London SW1E 6SQ	Restaurant	Friday to Saturday; 07:00 - 00:30 Sunday to Thursday; 07:00 - 00:00
23/04504/LIPDPS	Hotel Chocolat	133 Victoria Street London SW1E 6RD	Shop	Monday to Sunday; 08:00 - 23:00