

Licensing Sub-Committee Report

Item No:

Date:

22 November 2023

Licensing Ref No:

23/04380/LIPN - New Premises Licence

Title of Report:

Six Senses Hotel - Whiteleys

1 Redan Place

London W2 4SA

Report of:

Director of Environment, Climate & Public Protection

Wards involved:

Bayswater

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Roxsana Haq

Senior Licensing Officer

Contact details

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Email: rhaq@westminster.gov.uk

1. Application

1-A Applicant and premises					
Application Type:	New Premises Licence, Licensing Act 2003				
Application received date:	28 June 2023				
Applicant:	Whiteley Devco Limited				
Premises:	Six Senses Hotel - Whiteleys				
Premises address:	1 Redan Place London	Ward:	Bayswater		
	W2 4SA	Cumulative Impact Area:	None		
		Special	Bayswater /		
		Consideration Zone:	Queensway SCZ		
Premises description:	According to the application star and above hotel.	this premises will o	operate as a five		
Premises licence history:	This is a new premises therefore no premises licence history exits.				
Applicant submissions:	The applicant has provided a presentation which can be seen at Appendix 2 .				
Applicant amendments:	None.				

1-B Proposed licensable activities and hours							
Late Night Refreshment:			Indoors, outdoors or both			Both	
Day:	Mon	Tues	Tues Wed Thur Fri Sat Sun				
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	05:00	05:00	05:00	05:00	05:00	05:00	05:00
Seasonal	variations/	All licensab	le activities	shall be exte	nded from th	ne end of pe	ermitted
Non-stand	ard	hours on N	ew Year's E	ve to the stai	rt of permitte	d hours on	New Year's
timings:		Day.					
An additional hour to the standard and non-standard times on the o			on the day				
		when Britis	when British Summertime commences.			-	

Sale by retail of alcohol			On or off sales or both:			Both	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal	variations/	All licensab	le activities	shall be exte	nded from th	ne end of pe	ermitted
Non-stand	ard	hours on N	ew Year's Ev	ve to the stai	rt of permitte	d hours on	New Year's
timings: Da		Day.					
An additional hour to th			e standard a	nd non-stan	dard times o	on the day	
		when Britis	when British Summertime commences.				

Live Music	;			Indoors, o	utdoors or I	ooth	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal v				shall be exte			
Non-stand	ard		ew Year's E	ve to the stai	rt of permitte	d hours or	New Year's
timings:		Day.				1 10	
				e standard a ne commend		dard times	on the day
Recorded	Music			Indoors, o	utdoors or I	ooth	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal v	/ariations/			shall be exte			
Non-stand	ard	hours on N	ew Year's E	ve to the stai	rt of permitte	d hours or	New Year's
timings:		Day.					
				e standard a		dard times	on the day
		when Britis	h Summertir	ne commend			
Plays				Indoors, o	utdoors or l	ooth	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal v	/ariations/	All licensab	le activities	shall be exte	nded from th	ne end of p	ermitted
Non-stand	ard	hours on New Year's Eve to the start of permitted hours on New Year's					
timings:		Day.					
				e standard a		dard times	on the day
F:1		when Britis	n Summertin	ne commend		()-	la de con
Films				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal v				shall be exte			
Non-stand	ard		ew Year's E	ve to the star	rt of permitte	d hours on	New Year's
timings:		Day.					
				e standard a		dard times	on the day
			h Summertin	ne commend			
Performan	ce of Dance	9		Indoors, o	utdoors or l	ooth	Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal v		All licensab	le activities :	shall be exte	nded from th	e end of p	ermitted
Non-stand						•	New Year's
timings:		Day.					
				e standard a		dard times	on the day
		when Britis	h Summertin	ne commend	es.		

Anything of a similar description of music and dance			Indoors, outdoors or both			Indoors	
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal	variations/	All licensab	le activities	shall be exte	nded from th	ne end of pe	ermitted
Non-stand	lard	hours on N	ew Year's Ev	e to the star	t of permitte	d hours on	New Year's
timings: Day.							
		An additional hour to the standard and non-standard times on the day when British Summertime commences.					

Hours prei	Hours premises are open to the public						
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal v Non-stand timings:							
Adult Entertainn	nent:	None.					

2. Representations

2-A Responsible Authorities				
Responsible Authority:	Environmental Health Service			
Representative:	Sally Fabbricatore			
Received:	26 July 2023			

The Licensing Act 2003

1 Redan Place, London, W2 4SA

I refer to the application for a New Premises Licence.

The premise is situated in the Queensway and Bayswater Special Consideration Zone.

The applicant has submitted floor plans of the premises.

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

The applicant is seeking the following:

- 1. To provide the Supply of Alcohol 'On' and 'Off' the premises Monday to Sunday 24 hours for hotel residents and their guests but to limit to members of the public between 08.00 to 00.00 hours Monday to Sunday.
- 2. To provide Late Night Refreshment 'Indoors' Monday to Sunday between 23.00 to 05.00 hours to hotel residents and their guests but to limit to members of the public between 23:00 to 00:00 hours.
- 3. To provide regulated entertainment 'Indoors' comprising of:
 - Plays
 - Films
 - Live Music
 - Recorded Music
 - Performance of Dance
 - Anything of a similar description to Live Music, Recorded Music and Performance of Dance

Monday to Sunday 24 hours for hotel residents and their guests but to limit to members of the public between 08.00 to 00.00 hours Monday to Sunday.

- 4. To allow the above activities from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.
- 5. To allow the above activities for an additional hour when BST commences.

I wish to make the following representation:

- 1. The hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety.
- 2. The hours requested to permit the provision of late-night refreshment will have the likely effect of causing an increase in Public Nuisance in the area.
- 3. The hours requested to permit the provision of regulated entertainment will have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.
- 4. The seasonal variations may have likely effect of causing an increase in Public Nuisance in the area.

The applicant has provided additional information with the application which is being addressed but further conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.

The granting of the 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.

Sally Fabbricatore

Senior Practitioner Environmental Health Consultation Team

Responsible Authority:	Metropolitan Police Service
Representative:	PC Tom Stewart
Received:	26 July 2023 (withdrawn 08 September 2023)

Dear Westminster Licensing Service,

I am writing on behalf of the Commissioner of the Metropolitan Police Service ("The Police") to make representations opposing the grant of a premises licence application for <u>1 Redan Place</u>, **London**, **W2 4SA**

Following consideration of the application and how it may affect the Licensing Objectives, I wish to make the following representations:

The proposed licensable activities are likely to undermine the following licensing objectives:

The Prevention of Crime and Disorder

Considering the scale and proposed operation as a hotel the Police would like to meet with the applicant and their representative to discuss the application in further detail.

Kind Regards

Pc Tom Stewart

Following a site visit and agreement of proposed conditions the Metropolitan Police Service withdrew their objection on 08 September 2023.

2-B Other Per	sons			
Name:				
Address and/or Residents Association:		South East Bayswater Resident Association (SEBRA)		
Status:	Valid	In support or opposed:	Opposed	
Received:	20 July 2023			

I am writing on behalf of the South East Bayswater Residents' Association (SEBRA) to make a relevant representation strongly objecting to this application on the basis of the likely impact on the licensing objective of 'prevention of public nuisance'.

Introduction

SEBRA was formed in 1970 and works to protect the special character of the W2 area. A non-profit, non party-political, voluntary organisation, we represent more than 1,000 people. SEBRA is consulted by Westminster Council on both major developments and all Council activities which affect the daily lives of residents.

As a recognised amenity society we often engage in consultations with licence applicants and are pleased to confirm that we have been consulted through the planning and licensing processes, and have had many meetings with the developer.

We welcome the development, and hope that it is a success and brings footfall to the area. We note that the application submitted takes into account some issues we have already raised with the applicant.

We do not object to a premises licence being granted, but we do have a number of concerns/comments regarding the scope of the application and various conditions proposed (or not proposed).

Background

The premises is a major and important redevelopment of the former Whiteley's building. The premises is situated within the Queensway/Bayswater Special Consideration Zone.

Planning permission has been granted for a mixed use development containing residential units (Class C3), retail floorspace (Class A1 and A3) facing Queensway and arranged around a new retail arcade below re-provided central atrium and central retail courtyard, hotel (Class C1), cinema (Class D2), gym (Class D2), creche (Class D1) with associated landscaping and public realm improvements, provision of basement large residential parking spaces, cycle parking and associated basement level plant and servicing provision.

Note that there is no planning permission for serviced apartments, a separate use class.

The footprint of the premises is substantial, taking a prominent position at the north end of Queensway on the west side, with Redan Place wrapping around the northern and western sides of the building. The south side of the building is on Porchester Gardens. A gate at the Porchester Gardens end of Redan Place is closed at 10pm (to 8am daily) and restricts access to Porchester Gardens from Redan Place/Queensway after that time.

There is significant residential accommodation in the vicinity of and facing the premises. There are a number of residential flats in two blocks opposite the main entrance to the hotel on Redan Place (north side) and on Redan Place to the west is a very large block of flats. There are large residential blocks on Queensway. Porchester Gardens has and block of flats and some small houses opposite the premises and the hinterland of the surrounding area is predominantly

residential.

We understand that there will be subsequent applications for other units of the overall development on Queensway, including three large restaurants.

The application

The application seeks permission for:

Regulated entertainment on the form of plays, films, live music, recorded music, performance of dance, and anything similar – 24 hours a day

Late night refreshment – 11pm to 5am

Sale of alcohol for consumption on and off the premises – 24 hours a day

Opening to the public – 24 hours a day

These timings are subject to conditions, and augmented by two non-standard timings on the day of BST and on New Year's Eve.

The conditions include a requirement that the hotel's ancillary restaurant(s) and bar(s) must be closed to non-residents of the hotel between the hours of 24.00 (midnight) to 08.00 hours.

The plans submitted with the application show the ground floor licensed area as including an area of open courtyard.

The following areas are marked on the ground floor plan:

- Hotel Ancillary Restaurant/Brasserie
- Courtyard Reception Counter/Servery
- · Hotel Ancillary Bar
- Hotel Ancillary Café
- Welcome Area x2
- Experience Center (sic)

The following areas are marked on the first floor plan:

- Hotel Restaurant
- Six Senses Welcome Area
- Business/Co-Work
- PDR/Meeting
- Library
- Six Senses Place

There do not appear to be any large scale event spaces e.g. a dance floor.

SEBRA's position

SEBRA hopes that the hotel premises will be a genuinely world-class addition to the area. We are also very keen to ensure that the correct balance is struck between the legitimate aspirations of the applicant and the legitimate needs of residents.

The Six Senses hotel is expected to have approximately 100 rooms. The development as a whole will have 153 residential units (of which none are permitted to be serviced apartments). We note that by proposed condition 1, the licensable activities authorised under this licence shall remain ancillary to the main use of the premises as a hotel. A hotel is defined in Westminster City Council's Statement of Licensing Policy 2021 as 'a premises that is primarily used as an establishment providing overnight accommodation for customers'.

We comment below on i) the application in general; ii) the conditions specifically; and iii) additional conditions we seek.

i) General comments

The proposed hours combined with the condition relating to non-residents appears to mean that only hotel guests can use the ancillary restaurant(s) and bar(s) between midnight and 8am.

We understand why a hotel wants a 24 hour provision of alcohol for hotel residents – e.g. for minibars. However, we do not understand the purpose behind applying for all forms of regulated entertainment either at all (e.g. plays) and/or to these hours (e.g. live music) even if only for hotel residents, and ask for more detailed information on this.

Members should be aware that Redan Place is closed to through traffic from 10pm to 8am. This impacts on dispersal from the premises, as all vehicles have to enter and exit via Queensway after 10pm.

In particular, there needs to be a comprehensive plan to manage taxis/uber etc traffic dropping off and picking up from the premises.

Is there any intention for hotel services to be utilised on apps such as Deliveroo before 11pm? What are the indicative capacities for the different public areas of the hotel? We are not in favour of non-standard timings on New Year's Eve or BST.

ii) Comments on proposed conditions

1. Cond 2. The hotel's ancillary restaurant(s) and bar(s) must be closed to members of the public as set out in Condition 20 of Planning Permission 19/02449/FULL (copy attached to this application): "The hotel's ancillary restaurant(s) and bar(s) must be closed to non residents of the hotel between the hours of 24.00 (midnight) to 08.00 hours."

Comment:

We are content with the hours for non-residents of the hotel a set out in this amended condition as it means that non-residents of the hotel cannot partake of licensable activities after midnight. Although this is beyond 'core hours' on some days, we believe this maybe reasonable in this case within main hotel, although could cause confusion in and around the courtyard area, where retail units and restaurants are situated and hotel restaurant areas face each other. The retail & restaurant units are reached mainly by the main central entrance in Queensway, except for we understand two corner large restaurant, and this central entrance closes with gates at 11.30pm, as all these units will be closed by that time.

2. Cond 4. There shall be no sales of hot food or hot drink for consumption 'Off' the hotel premises after 23:00 hours save to any serviced residences or apartments within the Whitely development.

AND

Cond 5. There shall be no sales of alcohol in open containers for consumption 'Off' the hotel premises, except to persons seated at lawfully placed tables and chairs outside the boundary of the premises, or to the residences or apartments.

Comment:

Both conditions anticipate a (possibly very extensive) service of late night refreshment and alcohol to 'any serviced residences or apartments within the Whiteley development'. SEBRA has already raised with the applicant our lvery strong objection and concerns with this proposal, which are twofold:

Firstly, there are no 'serviced residences' permitted within the development. Although it is accepted that planning and licensing are separate regimes, SEBRA is concerned that the planning permission is apparently being breached in this way.

Secondly, although we understand that the off sales will be provided through internal accesses at least to what are described as the 'serviced' apartments, these are likely to be short term lets/Airbnb lets for max 90 days per year, and/or have guests. SEBRA is concerned that this provision effectively facilitates private parties in the many residences/apartments in the development. Whilst this may result in noise emanation from the properties themselves, it would have a substantial impact when guests leave the building into a residential area, potentially in

the early hours of the morning.

It could of course be said that if someone in a private residence wishes to have a party they can buy alcohol from anywhere. This is true, but they cannot necessarily easily do so at, say, 2 or 3am in the morning.

We would like more information on the intention behind these conditions.

3. Cond 23. No waste or recyclable materials from the hotel, including bottles, shall be moved, removed, or placed in outside areas between 23.00 hours and 08.00 hours or in line with the Operational Waste Strategy.

AND

Cond 24 No collections of waste or recycling materials from the hotel (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day unless it is authorised in line with the Operational Waste Strategy.

Comment:

The hours for servicing should be in line with the hours permitted in the planning permission, which were determined after extensive consideration from stakeholders. These hours are: You must use the parking, access, loading, unloading and manoeuvring areas shown on the approved plans only for those purposes. Deliveries and collections associated with the development shall only take place between the hours of 07.00 to 20.00 hours Monday to Saturday and between 10.00 and 16.00 hours on Sundays and Bank Holidays. No delivery vehicles shall wait either on Queensway or on Redan Place.

Reason:

To avoid blocking the surrounding streets and to protect the environment of people in neighbouring properties as set out in S42 of Westminster's City Plan (November 2016) and STRA 25, TRANS 20 and TRANS 21 of our Unitary Development Plan that we adopted in January 2007. (R23AC)

We also have concerns about an exemption from these times due to potential noise and disturbance to local residents, particularly in Redan Place. With reference to an 'Operation Waste Strategy'. Has this been produced?

All servicing should take place via the dedicated loading bay on Redan Place provided for that purpose, not through the hotel entrance and during the specified hours in the planning consent, so as to avoid nuisance and noise to local residents.

4. Cond 25. With the exception of fresh produce and papers, no deliveries to the hotel shall take place between 23:00 hours and 08:00 hours the following day unless it is authorised in line with a noise risk assessment.

Comment:

Same comment as above re: hours & nuisance.

All deliveries should take place via the dedicated loading bay on Redan Place provided for that purpose, not through the hotel entrance.

The reference to a 'noise risk assessment' is vague. Has this been produced?

5. Cond 29. After 11.30PM Customers of the Hotel facilities will exit via Redan Place.

Comment:

We welcome this condition as we believe it will be easier to effectively manage dispersal at night when done through a single point of exit.

However, as noted above there is significant residential accommodation on the north end of Redan Place, and we would wish for more information on how dispersal is to be managed, including the production of a dispersal policy to be provided in time for the hearing and a condition that this policy be adhered to and reviewed when necessary.

6. Cond 30. All Hotel Rooms and residential Apartments within the Whitely development are to be serviced by the Hotel via internal accessways only.

Comment:

As per comment on conditions 4 and 5.

Does this include all the residential apartments included in conditions 4 and 5?

7. Cond 31. In the 14 apartments shown edged red and coloured yellow on the licence plans, said apartments will only be considered part of the licensed premises for the periods that the owners of said apartments have exercised their option to include their apartment as part of the Hotel premises. The licence holder shall keep a written record of the exercise of such options which record shall be made available on request to an authorised officer of the City Council or the Police.

Comment:

Notwithstanding out comments above re: 'serviced' apartments, we are concerned that a condition in these terms (ie that an area is sometimes part of a licensed premises and sometimes not) is unenforceable under Licensing Act 2003.

Additional conditions

We ask for the following additional conditions:

- 8. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take drinks with them
- 9. Patrons permitted to temporarily leave and then re-enter the premises to smoke shall be restricted to a designated smoking area defined as [].
- 10. NB. Smoking will have to be outside the main entrance on Redan Place and should be within the curtilage of the premises in their demised area e.g. where taxis come in, not on Redan Place itself as there are a number of residential windows immediately opposite.
- 11. The supply of alcohol shall be by waiter or waitress service only.
- 12. Alcohol on the ground floor (including the courtyard) shall only be consumed by patrons seated at tables.
- 13. In the area marked 'ancillary hotel restaurant/brasserie' (to include the courtyard) the supply of alcohol at the premises shall only be to a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal
- 14. Guests of hotel residents shall be limited to 4 guests per hotel room.

<u>Conclusion</u>

We are very happy to continue an ongoing dialogue with the applicant and will send this representation to them so that such dialogue can continue in a timely manner.

Name:				
Address and/or Residents Association:		Bayswater Residents Association (BRA)		
Status:	Valid	In support or opposed:	Opposed	
Received:	20 July 2023			

I am writing on behalf of the Bayswater Residents' Association (BRA) to object to this application on the basis that it will likely create a public nuisance as it currently stands. We support the comments and proposed amendments made by our fellow amenity society SEBRA and would be prepared to withdraw our objection if they are accepted by the applicant.

Name:				
Address and/or Residents Association		Bayswater Ward – Westminster City Council		
Status:	Valid	In support of opposed:	Opposed	
Received:	26 July 2023			

Please could it be registered that I am in support on SEBRA's objections / concerns to this application as per above.

3. Policy & Guidance

The following policies with	nin the City of Westminster Statement of Licensing Policy apply:
Hotels Policy HOT1 applies	 A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to: 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The sale by retail of alcohol, regulated entertainment and latenight refreshment must be an ancillary function to the primary purpose of the venue as a hotel. 5. The applicant has taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone. 6. The application and operation of the venue meeting the definition of a Hotel as per Clause C. C. For the purposes of this policy a Hotel is defined as a premises that is primarily used as an establishment providing overnight accommodation for customers.
Hours 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. 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: 4. Hotels Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

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.

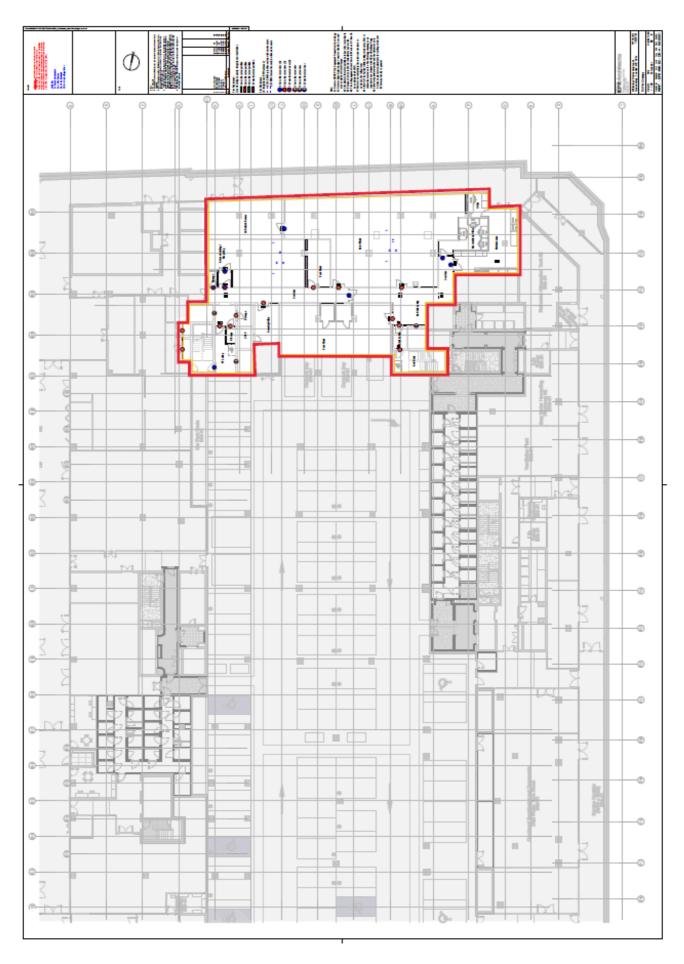
5. Appendices

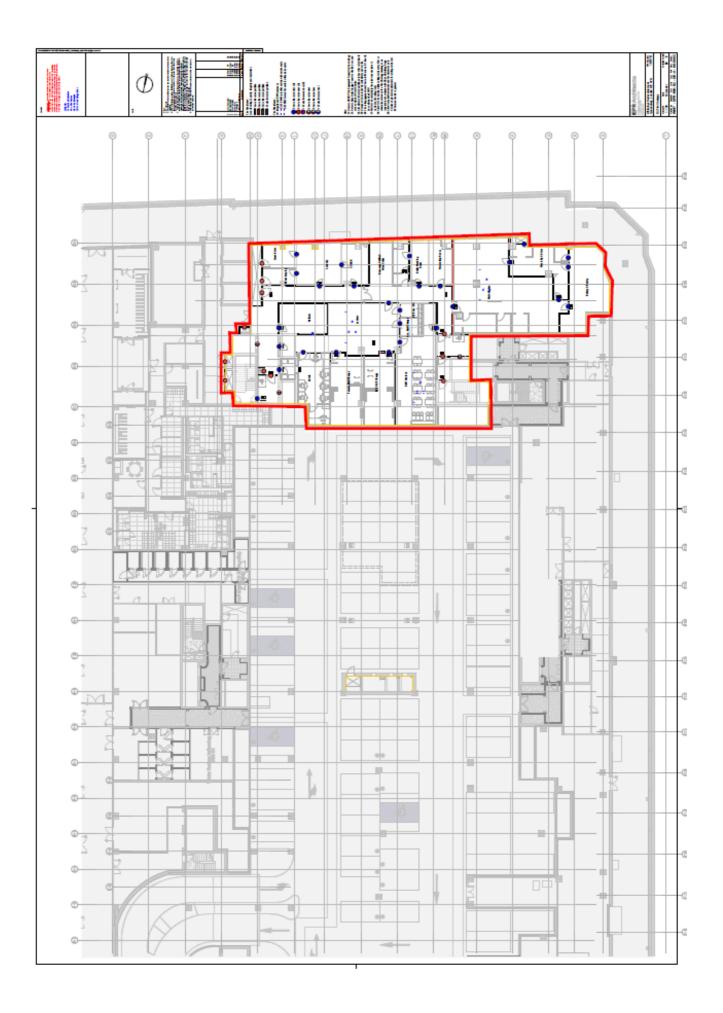
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

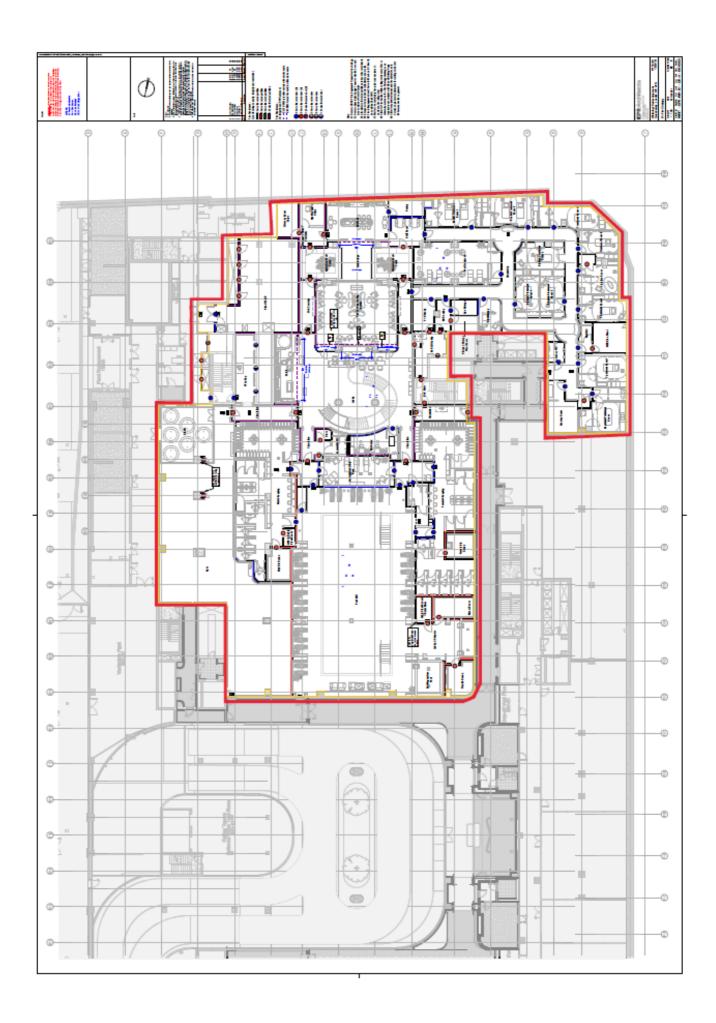
Report author:	Ms Roxsana Haq				
	Senior Licensing Officer				
Contact:	Telephone: 020 7641 6500				
	Email: rhaq@westminster.gov.uk				

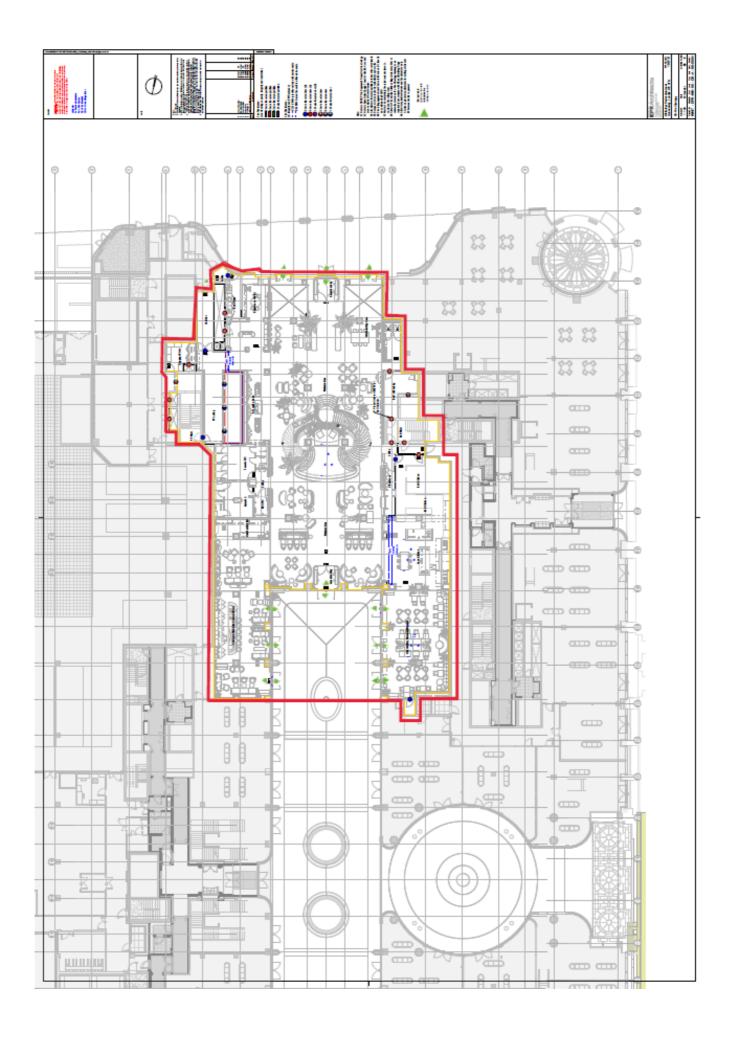
If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

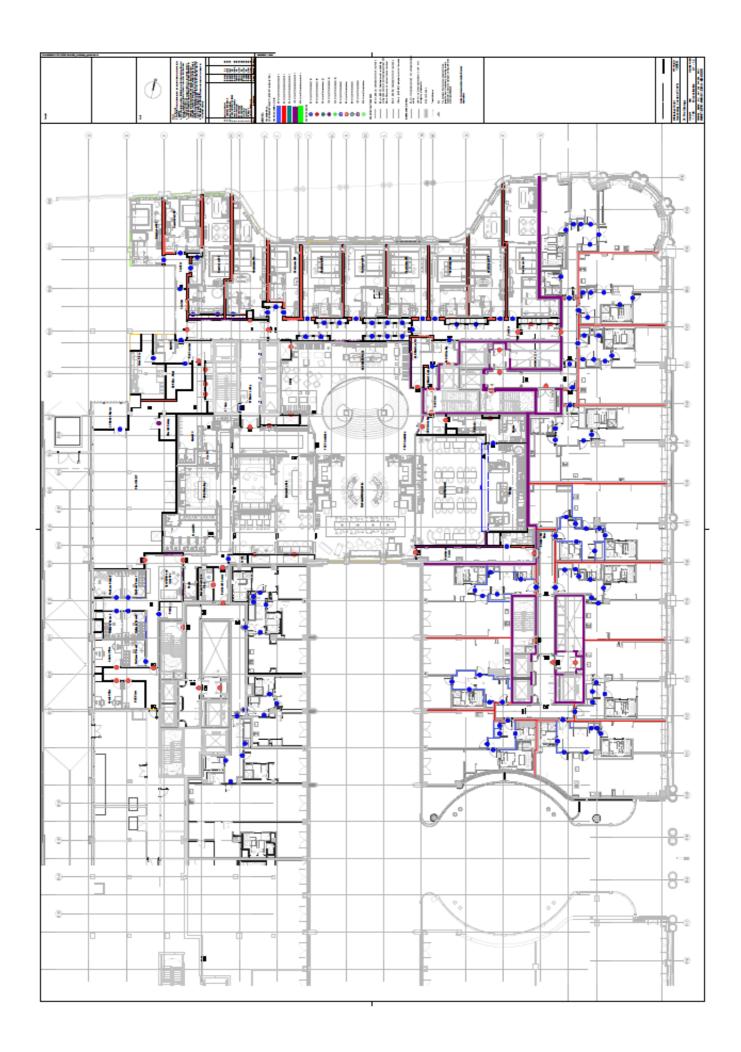
Background Documents – Local Government (Access to Information) Act 1972							
1	Licensing Act 2003	N/A					
2	City of Westminster Statement of Licensing	1 st October 2021					
	Policy						
3	Amended Guidance issued under section 182 of	December 2022					
	the Licensing Act 2003						
4	Environmental Health Service representation	26 July 2023					
5	Metropolitan Police Service	26 July 2023					
	(Withdrawn 08 September 2023)						
6	Interested party 1	20 July 2023					
7	Interested party 2	20 July 2023					
8	Interested party 3	26 July 2023					

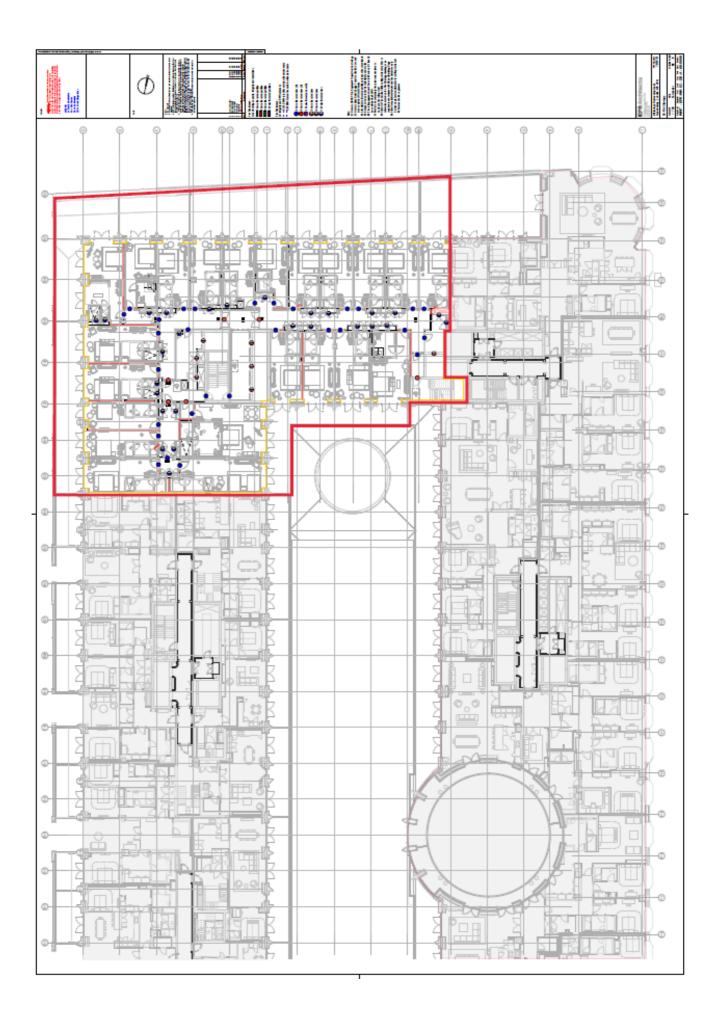


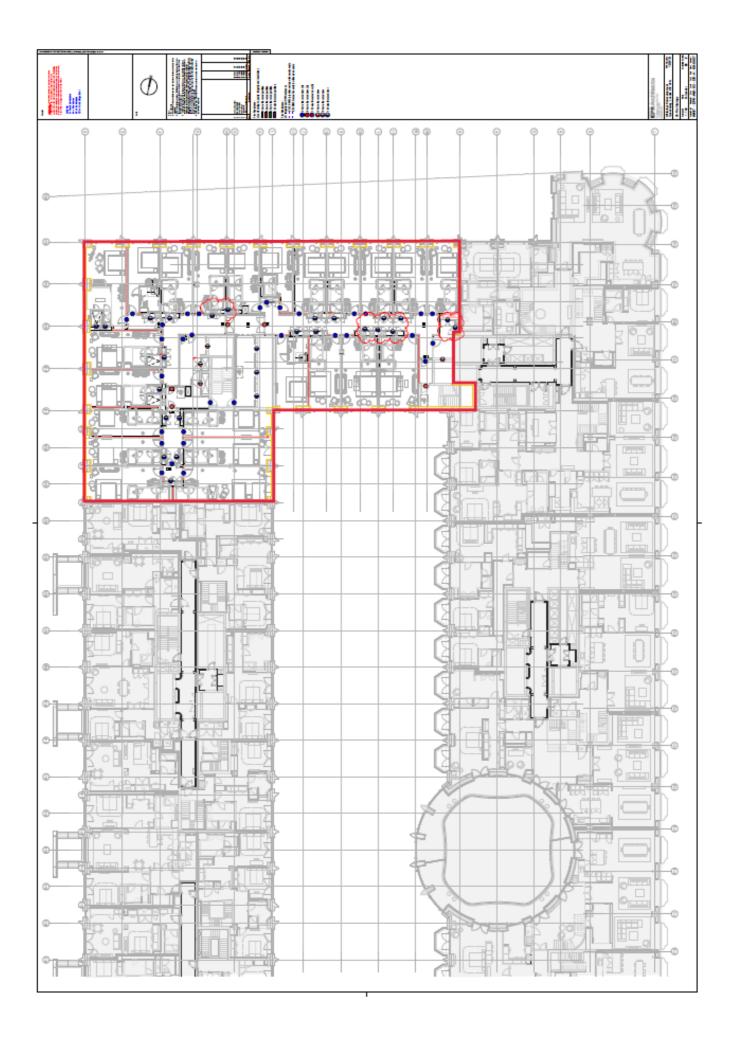


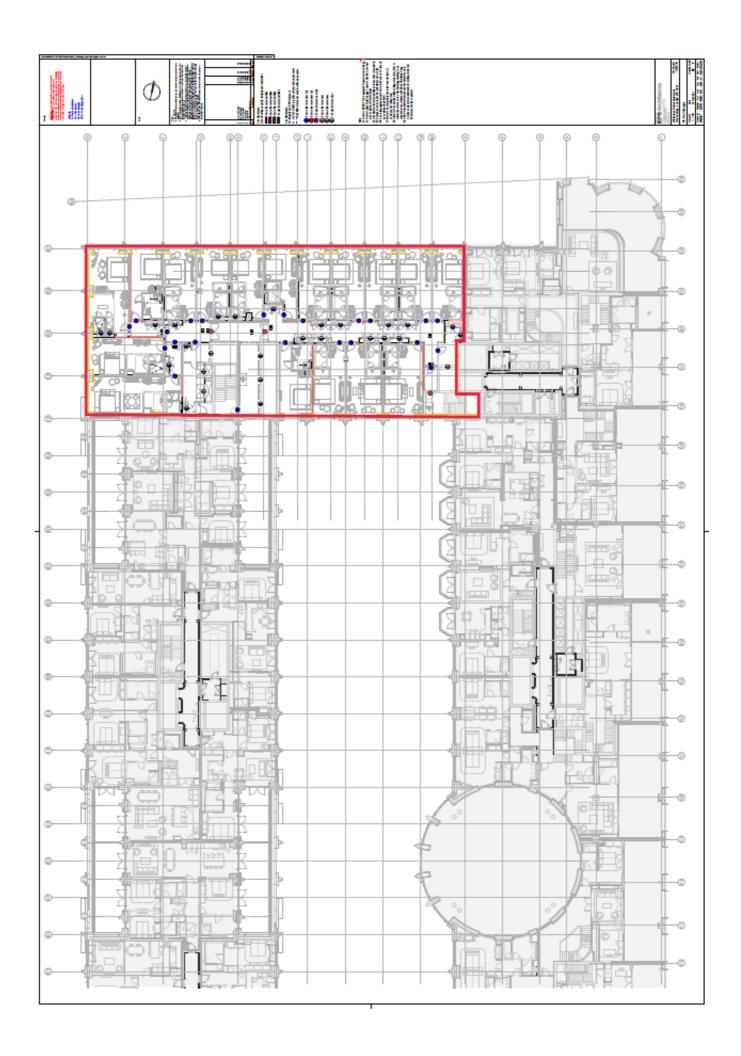


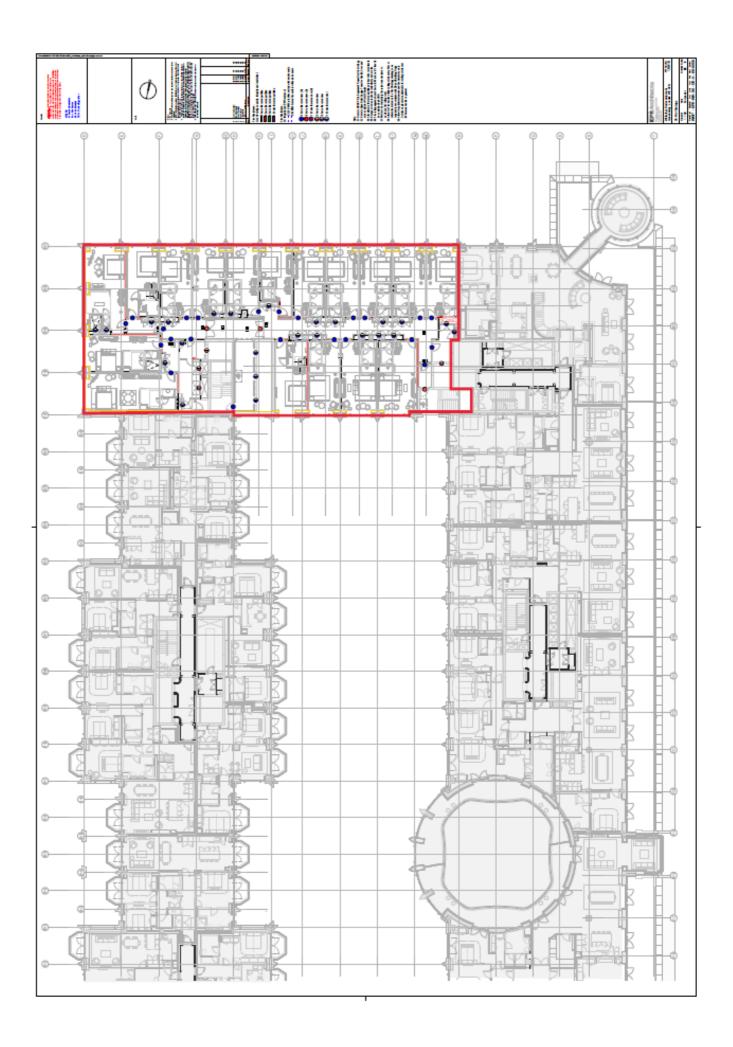


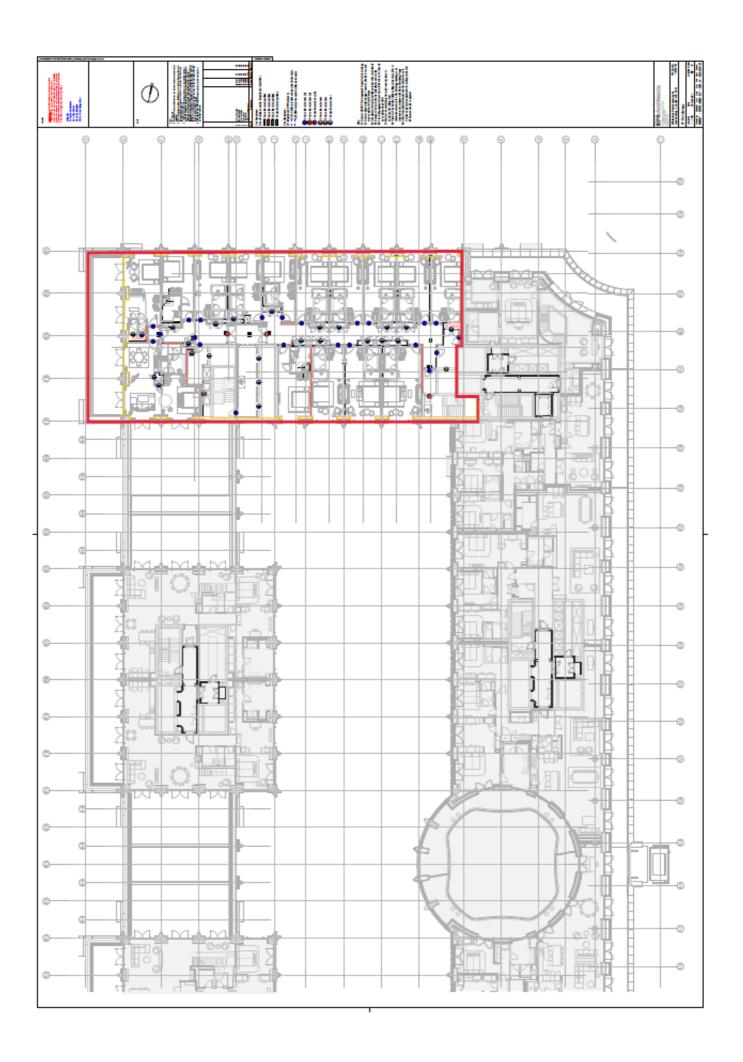


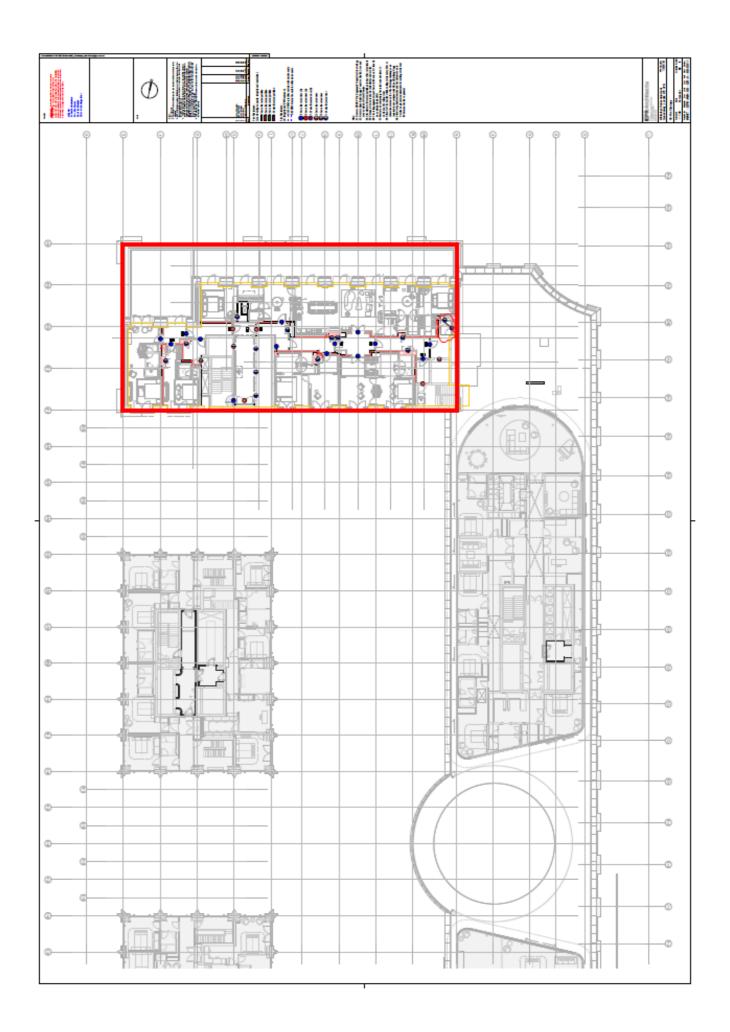












WHILE LEY

SIX SENSES HOTEL LONDON







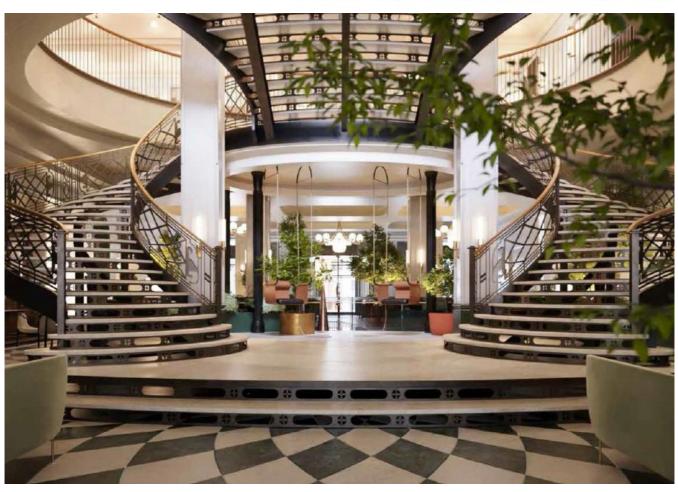
ARRIVAL





LOBBY







RESTAURANT













SIX SENSES PLACE

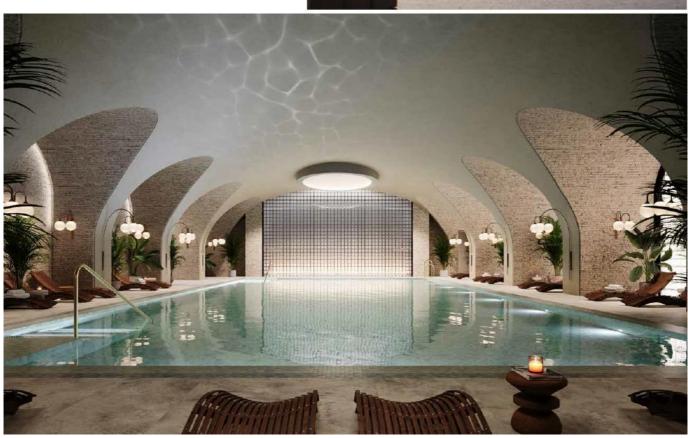






SPA





GUEST ROOM







SUITE





RETREAT SUITE



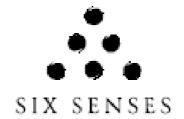




RETREAT SUITE







Marketing Suite (by appointment only)

31 St Petersburgh Place Bayswater London W2 4LA

+44 (0)20 3019 0636

Senior Development Manager

Richard Luffingham richard.luffingham@finchatton.com

September 2022



Premises History

Appendix 3

There is no licence or appeal history for the premises.

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+(DxV)

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol:
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

- 9. Licensable activities authorised under this licence shall remain ancillary to the main use of the premises as a hotel.
- 10. The hotel's ancillary restaurant(s) and bar(s) must be closed to members of the public as set out in Condition 20 of Planning Permission 19/02449/FULL (copy attached to this application):
 - a. "The hotel's ancillary restaurant(s) and bar(s) must be closed to non residents of the hotel between the hours of 24.00 (midnight) to 08.00 hours."
- 11. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the hotel where alcohol is sold or supplied for consumption on the premises.
- 12. There shall be no sales of hot food or hot drink for consumption 'Off' the hotel premises after 23:00 hours save to any serviced residences or apartments within the Whitely development.
- 13. There shall be no sales of alcohol in open containers for consumption 'Off' the hotel premises, except to persons seated at lawfully placed tables and chairs outside the boundary of the premises, or to the residences or apartments.
- 14. The hotel shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points of the hotel will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 15. A staff member from the hotel who is conversant with the operation of the CCTV system shall be on the hotel premises at all times when the hotel 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.
- 16. A Challenge 25 scheme shall be operated at the hotel where the only acceptable forms of identification are recognised photographic identification cards, such as driving licence, military ID card, passport or proof of age card with the PASS Hologram.
- 17. The requirement and number of SIA door supervisors after 21.00 hours shall be risk assessed by the premises licence holder, such risk assessment shall be kept at the hotel for a minimum of 21 days following the occasion.
- 18. An incident log shall be kept at the hotel, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - a. all crimes reported to the venue
 - b. all ejections of patrons
 - c. any complaints received regarding crime and disorder
 - d. any incidents of disorder
 - e. any faults in the CCTV system
 - f. any refusal of the sale of alcohol
 - g. any visit by a relevant authority or emergency service

- 19. No noise generated on the hotel 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.
- 20. The hotel's external doors (excluding bedrooms) at shall be kept closed after 23.00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
- 21. A noise limiter must be fitted to the hotel's musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of an authorised officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
- 22. A direct telephone number for the management team at the hotel shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
- 23. Notices shall be prominently displayed at all hotel exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 24. The approved arrangements at the hotel, 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.
- 25. The means of escape provided for the hotel shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
- 26. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
- 27. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
- 28. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
- 29. During the hours of operation of the hotel, 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 from the hotel shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 31. No waste or recyclable materials from the hotel, including bottles, shall be moved, removed, or placed in outside areas between 23.00 hours and 08.00 hours or in line with the Operational Waste Strategy.

- 32. No collections of waste or recycling materials from the hotel (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day unless it is authorised in line with the Operational Waste Strategy.
- 33. With the exception of fresh produce and papers, no deliveries to the hotel shall take place between 23:00 hours and 08:00 hours the following day unless it is authorised in line with a noise risk assessment.
- 34. All hotel glass crushing is to take place within the hotel building.
- 35. No licensable activities shall take at the hotel 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 license with a condition detailing the capacity so determined.
- 36. Before the hotel opens to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the hotel layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.
- 37. After 11.30PM Customers of the Hotel facilities will exit via Redan Place.
- 38. All Hotel Rooms and residential Apartments within the Whitely development are to be serviced by the Hotel via internal accessways only.
- 39. In the 14 apartments shown edged red and coloured yellow on the licence plans, said apartments will only be considered part of the licensed premises for the periods that the owners of said apartments have exercised their option to include their apartment as part of the Hotel premises. The licence holder shall keep a written record of the exercise of such options which record shall be made available on request to an authorised officer of the City Council or the Police.
- 40. This licence will have no effect with regard to the Basement 3 until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 41. This licence will have no effect with regard to the Basement 2 until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 42. This licence will have no effect with regard to the Basement 1 until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 43. This licence will have no effect with regard to the Basement 1M until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.

- 44. This licence will have no effect with regard to the Ground Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 45. This licence will have no effect with regard to the First Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 46. This licence will have no effect with regard to the Second Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 47. This licence will have no effect with regard to the Third Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 48. This licence will have no effect with regard to the Fourth Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 49. This licence will have no effect with regard to the Fifth Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 50. This licence will have no effect with regard to the Sixth Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 51. This licence will have no effect with regard to the Seventh Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 52. This licence will have no effect with regard to the Eighth Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.

- 53. This licence will have no effect with regard to the Ninth Floor until the Licensing Authority are satisfied that the premises is constructed or altered in accordance with the appropriate provisions of the District Surveyor's Association Technical Standards for Places of Entertainment and the reasonable requirements of Westminster Environmental Health Consultation Team.
- 54. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority.

Conditions proposed by the Metropolitan Police Service and agreed by the applicant.

- 55. The Premises shall have policy on protecting children from child sexual exploitation. The policy shall include training for all staff on the signs and indications of child sexual exploitation as well as the reporting of suspicious activity to the appropriate authorities.
- 56. Appropriate signs/posters shall be displayed in a prominent position highlighting the signs of child sexual exploitation

Residential Map and List of Premises in the Vicinity

Appendix 5

1 Redan Place, London W2 4SA



Resident Count: 225

Licensed premises within 75 metres of 1 Redan Place, London W2 4SA								
Licence Number	Trading Name	Address	Premises Type	Time Period				
	Snowflake	43 Westbourne Grove London		Friday to Saturday; 10:30 - 01:00 Sunday to Thursday; 10:30 -				
13/10301/LIPN	Snowflake Bayswater	Grove London W2 4UA	Restaurant	Thursday; 10:30 00:00				