



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

01 February 2024

Licensing Ref No:

23/07557/LIPN - New Premises Licence

Title of Report:

Basement And Ground Floor
9 Berwick Street
London
W1F 0PJ

Report of:

Director of Public Protection and Licensing

Wards involved:

West End

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Kevin Jackaman
Senior Licensing Officer

Contact details

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	26 October 2023		
Applicant:	The Soho Social & Co Limited		
Premises:	Soho Social		
Premises address:	Basement And Ground Floor 9 Berwick Street London W1F 0PJ	Ward:	West End
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intend to trade as a cafe/restaurant		
Premises licence history:	<p>There is no licence history for the premises however a previous licence application was refused by the Licensing Sub Committee in October 2023.</p> <p>The premises have also had the benefit of a number of temporary event notices.</p> <p>A full licence history and Temporary Event Notice history for the premises appears at appendix 3.</p>		
Applicant submissions:	The applicants supporting documents appear at appendix 2		
Applicant amendments:	<p>The applicant has agreed an amended condition with The Metropolitan Police and on that basis the Police did not raise a representation to the application.</p> <p>The amended condition appears at appendix 4</p>		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On only
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	22:30
Seasonal variations/ Non-standard timings:	The premises may remain open for the sale of alcohol from the terminal hour on New Year's Eve through to the commencement time on New Year's Day.						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:0	10:00	10:00	10:00	10:00
End:	23:00	23:00	23:00	23:00	23:00	23:00	
Seasonal variations/ Non-standard timings:	The premises may remain open for the sale of alcohol from the terminal hour on New Year's Eve through to the commencement time on New Year's Day.						
Adult Entertainment:	None						

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Karyn Abbott
Received:	17 November 2023
<p>I write in relation to the application submitted for a new premises licence for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <p>Public Nuisance Prevention of Crime & Disorder Public Safety Protection of children from harm</p> <p>The application seeks the following: Supply of Alcohol On the Premises Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:30 Non-Standard Timings: From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>Opening Hours to Public Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:30</p> <p>The premises is located within the West End Cumulative Impact Area and as such various policy points must be considered, namely CIP1, HRS1 and RNT1. The Licensing Authority notes within the operating schedule that the intended use of the premises is a Café/Restaurant within core hours. Therefore, this application falls under Westminster's RNT1 (B) Policy which states. 'B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are 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 demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.

5. The application and operation of the venue meeting the definition of a restaurant as per Clause C.

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

1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.

2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.

3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.

4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

As mentioned above the application and operating schedule does fall within core hours under HSR1. This policy states '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.'

The Licensing Authority notes that the applicant has proposed the below condition within their operating schedule.

1. The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

The Licensing Authority encourages the applicant to consider an amended Westminster's model condition 66 to include the below.

MC66 The premises shall only operate as a restaurant,

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

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,

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

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary

to taking such meals.

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

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

It is noted on the plans that there is a bar area as you walk into the premises on the right. The Licensing Authority would like further submissions the operation of this bar ie is it a holding bar where people wait to be seated and will there be any seats at this bar or is it a vertical drinking bar?

The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not add to cumulative impact in the West End cumulative impact area, in accordance with policy CIP1.

The Licensing Authority notes that a previous application was submitted and refused at Licensing Sub-Committee on the 5th October 2023 as members came to the decision that the Public Nuisance Licensing Objective would be seriously undermined. Can the applicant provide further details as to how they have looked at rectifying these concerns within this application?

The Licensing Authority may reference the full decision once it has been published and submit further submissions in due course.

The Licensing Authority would like the applicant to provide answers to the questions above so the application can be assessed further and against any other relevant policy considerations.

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

Please accept this as a formal representation.

Responsible Authority:	Environmental Health
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Representative:	Anil Drayan
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Received:	22 November 2023
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I refer to the application for a new Premises Licence for the above premises which is located in the West End Cumulative Impact Zone (CIZ)

The applicant has submitted plans of the premises, dated 7 June 2023, showing the basement and licensed area on the ground floor.

The following licensable activity is being sought:

1. Supply of Alcohol 'On' the premises between 10:00 to 23:00 hours Monday to Saturday and 10:00 to 22.30 Sunday. Also New Years Eve extension through to the commencement time on New Year's Day.

I wish to make the following representations based on the plans and operating schedule

submitted:

1. The Supply of Alcohol 'On' the premises and for the hours requested may lead to an increase in Public Nuisance in the West End CIZ.

Environmental Health also makes the following further comments:

• The premises previously operated as a retail shop and this proposed use may result in nuisance from the internal transfer of noise to other users within the building block. The applicant is therefore requested to provide information, such as in an acoustic report, to demonstrate this is unlikely to occur - standards to be achieved are outlined in Appendix 11 of Westminster's Statement of Licensing Policy.

The applicant is therefore requested to contact the undersigned to discuss the above after which Environmental Health may propose additional conditions for the proposed use.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	06 November 2023 (Support)
<p>I am writing in support of the Soho Social & Co Ltd application for a Premises Licence at the Basement and Ground Floor at 9 Berwick St, London W1F 0PJ.</p> <p>Since the opening of the bar restaurant it has had a minimal impact upon me. [REDACTED] and all I can hear is very muffled noise. When the previous tenants were there I could hear their music playing all day. With regard to customers leaving the premises at night. The street already has a certain degree of noise from the other licensed premises. We do live after all in Soho and anybody living in the area must expect that there will be a certain degree of noise. I am sure that the licences will do all in their power to ensure that customers leaving their premises respect their neighbours and keep noise to a minimum.</p> <p>The area has seen a number of hospitality venues close since the end of Covid. New businesses opening should be encouraged as they are the life blood of the area. The owners of Soho Social have been extremely forthcoming about the nature of the venue and have done their best to inform their neighbours about all developments.</p> <p>I therefore strongly support their application for a licence.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	13 November 2023 (Opposed)
<p>I am a resident [REDACTED] in the application situated at 9 Berwick Street.</p> <p>I object to the application because:</p> <p>1. The application for a licence before the sub-committee is essentially the same as previously submitted by the applicant under ref 23/03810/LIPN and in the whole can be simply looked at as an 're-submission following the refusal of that application.</p>	

2. As a resident I am acutely aware of the noise and nuisance licensed premise often create and in a narrow street such as Berwick St the noise is amplified even more travelling upwards to the residential premises both above, to the side and also across the street where there are over sixty social housing flats within tens of metres of the premises.

3. The street itself is all but closed to traffic and therefore any transport by way of taxi's & licensed vehicles must congregate either in Peter Street or at the northern end of Berwick St. Both are impractical for such pick-up points.

It is my view that the original decision by the Licensing sub-committee on 5th October 2023 is correct in refusing the application specifically:

The Sub-Committee concluded that granting this application would add to cumulative impact and would specifically undermine the public nuisance licensing objective.

I submit that the Sub-Committee took the correct view that the right balance was struck when considering the needs of those residents living above and around the 9 Berwick St premises and the global impact granting such an application would have on the area as a whole.

I would further submit that the Applicant has no new grounds for further consideration as the Applicant has produced no further facts or arguments and that the facts and issues are essentially the same as were considered by the previous Licensing sub-committee. While there is a slightly earlier terminal hour than the previous application, it should be noted that the previous application was amended at the hearing to be broadly in line with what is proposed now.

The current matter before the sub-committee therefore turns on whether there are any new facts in question and whether these would be sufficient to provide an alternate decision. There are no new facts.

Accordingly, I would respectfully request that the decision of the previous sub-committee remains and that the application is rejected as there is no material difference to warrant any other outcome.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	11 November 2023 (Support)

I'm writing to offer my support for the application to permit the provision of the sale by retail of alcohol by THE SOHO SOCIAL & CO LTD at 9 Berwick Street, London, W1F0PJ.

As a local resident and an advocate for small independent businesses, I believe that establishments like THE SOHO SOCIAL will contribute significantly to the vibrant and divers character of our community.

Soho is renowned for its unique atmosphere, attracting a mix of locals and visitors alike. It is crucial to foster a balance between catering to the interests of the community and encouraging entrepreneurship. THE SOHO SOCIAL represents a positive addition to our neighborhood, and we are confident that it will enhance the cultural richness of Soho without compromising the peace and harmony of the area.

Unlike other parts of Soho, THE SOHO SOCIAL is positioned to serve the needs of the local community, providing a welcoming space for customers to socialise and enjoy the company of friends and neighbours. We appreciate that the establishment is not seeking to contribute to the saturation of late-night licenses in other parts of Soho, but rather intends to create a unique and responsibly operated venue that aligns with the preferences of local residents and visitors alike. Supporting small, independent businesses is integral to maintaining the character and charm of Soho. THE SOHO SOCIAL has demonstrated its commitment to this ethos, and we believe that granting the necessary license will not only benefit the business but also contribute positively to

the overall vitality of Soho.

We trust that the licensing authorities will consider the genuine support from local residents like us in the decision-making process. We are confident that THE SOHO SOCIAL will uphold the standards expected of a responsible business, and we look forward to the positive impact it will have on our community.

Thank you for your time and consideration.

Name:

██████████

Address and/or Residents Association:

██████████
██████████
██████████

Received:

15 November 2023 (Support)

To whom it may concern, I am writing this letter in support of Soho Social's application of alcohol license.

██████████ and can say that even during the period when constructing their restaurant and bar, i heard minimal noise from their construction, and in all encounters the Soho Social team were considerate, welcoming, and hospitable.

Having lived here for over two years, i can say that there is constant noise and bustle in the area from other local bars, pubs, and worse of all, the rick-shaws that blare music until the early hours of the morning, along with the hoards of people leaving the local clubs at 2-3am, sometimes even later.

With this in mind, i feel that Soho Social's addition to the community and the array of cafe's, bars and restaurants, and their ability to sell alcohol within licensed hours would not cause any further disruption to it's neighbouring flats, given that there is already an array of restaurants and bars serving on this very same street just doors away. Not to mention the local co-op store which encourages drinking on the streets, leading to the streets being littered with empty cans and bottles.

Given the above, i think that there should be further consideration for their application, as there should be a middle ground where both hospitality and community meet, especially here in Soho.

Name:

██████████

Address and/or Residents Association:

██████████
██████████
██████████

Received:

23 November 2023 (Opposed)

On behalf of ██████████ we strongly object to the license application for the extended hours to 11pm (10:30 on Sunday).

The premises are in a mixed use area, with a significant number of residential occupiers. ██████████ have residential units directly above the premises, including family units. We also have a number of other residential buildings in close proximity.

The proliferation of licensed premises, especially those with late licenses directly affects the amenity of local occupiers. Granting this license would only exacerbate the situation and could potentially result in residential occupiers leaving the area. The cumulative impact bringing noise, disruption, late night servicing and general loss of amenity as well as the potential health and safety issues to local residents is a huge concern.

We strongly oppose the application and ask that it to be refused.

Name:	██████████
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	04 November 2023 (Support)
Grant the license and save Berwick Street!!	
Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████████████ ██████████ ██████████
Received:	09 November 2023 (Opposed)
<p>This appears to be identical to an application made a few months ago by the same applicant that was refused. The proper approach is an appeal not to make repeated applications. This application should not proceed as its an abuse of process. Residents shouldn't have to spend half their lives appearing at 64 Victoria Street in order to be able to sleep at night. Please ask the applicant for information on whether this application differs from the one that was recently refused and then add than information to the site. If its a repeat of the same application it should be refused as nothing has changed.</p> <p>On 21 November 2023 the Interested Party submitted the following additional comments I object on the same grounds I did earlier in the year 23/03810/LIPN please refer. ... this part of berwick street has loads of residents, there is a young family living above, kemp house opposite, and there is the crime issue which is driven by all forms of over intensification as per the council's latest CIA, 2 weeks ago i awoke to yet another forensic police van on berwick street as a serious assault had taken place 10 yards from these premises, the licence should be refused on crime, public nuisance and protection of children grounds - there is a 6 month old baby living in the flat above.</p> <p>I note that:- "The Sub-Committee having carefully considered the matter and the evidence on its individual merits decided that the Applicant had not provided valid reasons for the granting of the application in the West End Cumulative Impact Zone ("West End CIZ") on 5 October. Its now November and nothing of significance has changed. So in addition this is an abuse of process - should have been an appeal.</p>	
Name:	Soho Business Alliance Board
Address and/or Residents Association:	
Received:	17 November 2023 (Support)
<p>The Soho Business Alliance would be grateful for the Licensing Authority's consideration of this representation in support of the above premises licence application, based upon the promotion of all four licensing objectives.</p> <p>The Soho Business Alliance provides a unified voice for all businesses in Soho, with the aim of protecting and growing the economic diversity of the area in which we do business, through engaging with each other, our residents, other amenity groups and Westminster City Council. We currently represent almost 100 businesses in the Soho area, with hospitality, retail and property being our current focus.</p> <p>Formed in 2020, initially as a forum to help each other face the unprecedented challenges of the</p>	

Covid-19 pandemic, we are now focused on partnership working through the Covid-19 recovery period and beyond. We are all committed to safeguarding Soho's iconic status as a world class destination for independent retail, cutting edge food, live entertainment and Soho's very special culture that defines our community and its unique heritage.

Soho Social have submitted an application with a very modest closing time of 11.00 pm and also included the full restaurant conditions which the City Council and residents would rightly and normally expect. The SBA believes that in its amended and re-submitted form, this application promotes the licensing objectives and would not have a negative impact on local amenity. It would provide further opportunities for employment and a varied food offer for visitors.

The SBA therefore makes a representation in support of the application and we would be grateful if you would keep us informed as regards its progress

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	05 November 2023 (Support)

I wholeheartedly support this application, as someone who has lived or worked i soho for 15 years i believe this is a very good addition to Soho.

As someone with a young son i have enjoyed earing there and see it as a great business. It adds to the positive character of Soho. It has the potential to be a fantastic local amenity - they are very locally and community oriented. they are a small family business - something we need far more of.

I do hope that Westminster will determine this application as a positive addition to a street that is improving positively.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	09 November 2023 (Support)

I would like to send this email in support of Soho Social to obtain their alcohol license.

Soho Social will be a great addition to our neighbourhood and to Berwick Street. Their intention is to be a neighbourhood restaurant/ bar where they are offering great discounts on food to the soho residents. As we know they would be unable to survive without the sales of alcohol so that would be a shame for them to have to close down.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	09 November 2023 (Opposed)
<p>I wish to object on the grounds of noise and anti social behaviour. (We already suffer noise from street parties on a regular basis from the shop next door Dunno Curated) It will be unbearable if it is nightly. Please be mindful that Kemp House residents are also woken up with the market setting up at 6am. It is not fair to expect us to put up with noise for up to 18 hours a day.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	09 November 2023 (Support)
<p>I would like to send this email in support of Soho Social to obtain their alcohol license.</p> <p>I was very much looking forward to a new venue on Berwick Street, it will be a great addition to our area. They are intending to be a neighbourhood restaurant and will cater towards local users. We know that they will not be able to trade successfully in this area without a licence and it would be a shame for them to face closure because of this.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	23 November 2023 (Support)
<p>With regard to the new licensing application for Soho Social, 9 Berwick Street, W1F 0PJ. Ref: 23/07557/LIPN, I note that the applicant has not applied for a license for "live music" nor for "recorded music".</p> <p>My main concern with this type of premise so close to the residential building Kemp House, where I reside, is the impact of noise disturbance, especially from music. The application also does not indicate whether outdoor table service is to be permitted or not, and if so what role music would have there.</p> <p>I would like clarification if "recorded music" as mentioned in the licensing application covers any and all forms of recorded music. In other words, without a license for "recorded music" are establishments permitted to play any sort of non-live music at all.</p> <p>The noise disturbance of music coming from existing shops at this end of Berwick Street is already a major problem, during the days and into the evenings.</p> <p>I therefore object to the granting of this license (Soho Social, 9 Berwick Street, W1F 0PJ. Ref: 23/07557/LIPN) if it means more noise disturbance from music spilling out into Berwick Street.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	20 November 2023 (Opposed)

I am contacting you in regards to the NEW licensing application, 23/07557/LIPN, which I am very concerned about.

I am repeating my objection, which I sent to you about 23/03810/LIPN since there are very few differences between this 'new' application and the previous one. Indeed the previous one was rejected by the licensing sub-committee and I fully support the decision.

It is confusing that the applicant did not appeal the previous decision and submitted a 'new' application instead, when, if I remember correctly, the hours had already been amended to the ones now proposed and still they were not granted the license. I would like to ask them to explain why this is their strategy now. While I am aware that they are allowed to apply afresh, it does feel like a waste of precious local government time and I would like to see a reasonable explanation why WCC should have to sit for a hearing again for broadly the same application.

As you can see from my address above, [REDACTED] and in Soho for 32 years.

The premises want to establish a Tapas bar, The Social. I entirely object to the application of another alcohol license in Soho, and in this very residential part of our Street, Berwick Street. I will outline my concerns about the application as per below:

1. The application seeks hours for the sale of alcohol, late night refreshment and opening hours to 10:00-23:00 Monday to Saturday and until 22:30 on Sunday. I object vehemently! a. This would only add problems to already existing antisocial behaviour taking place in conjunction with too much alcohol consumption.

b. This part of Berwick Street is residential and must not be turned into an all day and late-night hang-out for people consuming more alcohol in Soho, where people are already urinating and being sick everywhere and causing a noise nuisance as well as an increase in crime with unassuming people falling victim to all sorts of crime while being under the influence.

In order to keep our residential area liveable and peaceful I look for the cooperation of your Authority for support - before it is too late - and to prevent that our area is lost to even more noisy and alcoholised premises. Help is needed to protect this neighbourhood from nuisance and crime and venues wanting to operate very late into unsocial hours that pose a threat to peace and safety.

Also from experience there have already been issues with other premises on Berwick Street, expanding their seating to the outside area for commercial purposes by placing tables and chairs on Berwick Street without any permission to do so and causing a nuisance in the neighbourhood. This is unfortunately another very foreseeable issue that will arise undoubtedly since most premises in Soho consider themselves to be above the law and take advantage of cost cutting in the cost of living crisis and resulting in insufficient staff from Westminster Council to properly monitor and hold them to task.

Needless to say, I would clearly object any authorisation for additional tables and chairs since it would cause.

We already experience noise nuisance on Berwick Street from customers passing by and talking loudly and the narrow street echoes and amplifies the sound far and wide.

A noise nuisance from street musicians and buskers are drawn like moths to the light in great

numbers to 'entertain' customers and passers-by to establish a business patch for themselves. The knock on effect is too detrimental to our area to allow any more licenses to be dished out. Thieves and other petty criminals to be drawn to the area to home in on unassuming customers under the influence of alcoholic beverages and distractions. I would like to kindly ask you for conditions to be added, which would address this outside issue. Equally no outside drinking ought to be allowed with the premises being a restaurant!

There is always concern that the additional footfall of drunk late night punters into Berwick Street would put too much strain on the police force in the West End; they are already very stretched. Every additional bar / restaurant that opens longer creates potential mugging and assault victims - as well as perpetrators. Gangs are already very keen to pry on the vulnerable drunk late at night in my street and to prevent crime from thriving further on our doorstep such license applications must be extremely carefully considered by WCC and maintenance of law and order in Soho must be a priority when making their decision.

I am also concerned for the safety of women at night in Soho since many a drunk man will assume most women in Soho to be for purchase and a rise in sexual harassment crime as a consequence would sadly and most predictably be the result. This risk must be avoided at all cost! Women must be protected.

The West End Entertainment Catchment Stress Area currently already accounts for a total accommodation number of 99 venues within approximately a quarter mile square neighbourhood with late night licences totalling accommodation of over 26,000 people!

Soho is already most saturated; there are over 40 venues in our neighbourhood which close after 23.00;

I trust that you will sincerely consider my concerns when you decide upon the licensing application referenced **23/07557/LIPN**.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	22 November 2023 (Opposed)

I am not sure whether I actually submitted my objection to the re-application by the proprietor of this property at No 9 Berwick Street?

I would like to repeat my objections in the strongest terms possible. The effrontery of the man!

He is already operating as a fully licensed bar under the TENS licensing system. This seems to me to show a real disrespect for the reasons given in full by local residents, the Soho Society, and to the members of the Licensing Committee at the recent licensing meeting when the Counsellors first refused this application.

I hope to be allowed to present the same arguments against permitting this license, a second time?

Name:	██████████
Address and/or Residents Association:	Soho Society
Received:	23 November 2023 (Opposed)

We write to object to this second application for a new café/restaurant licence on the grounds it will fail to promote the licensing objectives and will increase cumulative impact in the West End Cumulative Impact Zone.

The Committee will be aware the first application (23/03810/LIPN) was refused at the Licensing Sub-Committee hearing on 5 October. The summary decision states:

'The Sub-Committee realises that it has a duty to strike the right balance when considering the business needs of the Applicant along with those parties that had objected to the application particularly the many long-term residents who have lived in Soho for several decades (who are effectively considered Experts in their local area in terms of their invaluable experiences both Licensing premises operating in the area coupled with local knowledge and therefore well acquainted with the many issues surrounding nuisance.

The Sub-Committee took the view that the right balance has been struck when considering the needs of those residents living above the premises and the global impact granting such an application would have on the area as a whole.'

We may submit further submissions following the publication of the full decision, however, the Sub-Committee clearly balanced the issues when determining this application. There has been a small reduction in hours and removal of off-sales but our concerns relating to noise disturbance to residents living above the premises and those living in the immediate vicinity, the impact on crime and disorder and cumulative impact has not changed.

The concern of a new licensed premises with more people consuming alcohol in the West End Cumulative Impact Zone is highlighted in the recently published draft Cumulative Impact Assessment 2023. It confirms crime levels in Westminster has reached pre-COVID levels and since the last Cumulative Impact Assessment 2020 crimes have concentrated even further in the West End.

It is extremely worrying the modelling shows an overall factor of up to 1.5, which means that for every additional licence granted the number of undesirable behaviours expected in the area would increase by up to a multiple of 1.5. **This means a 50% increase in undesirable behaviours from any one new or extended licence, similarly the figures suggest a 26% increase in reported theft for each additional licence issued for whatever type of venue: club, restaurant or café.** It is unsurprising the CIA proposes a new Licensing Authority Statement which makes it clear **granting further authorisations and variations in the West End Zone 1 would be inconsistent with the authority's duty under the Licensing Act 2003.**

In relation to noise, it concludes,

'The number of licensed premises is a significant factor in the generation of noise complaints.' The evidence is clear any addition in the number of licensed premises and the numbers of people drinking alcohol will fail to promote the licensing objectives and increase cumulative impact. (Appendix 1 Cumulative Impact, Appendix 2 Crime and Disorder).

It therefore comes as no surprise to Soho residents when the draft CIA 2023 states, 'The West End Zone 1 is the epicentre for issues associated with cumulative impact within the

borough.' Soho is at the heart of the West End's entertainment district with its **489** licensed premises which includes a large proportion being late night, **121** (25%) licensed with a terminal hour between 1am - 6am and a **capacity of 22,827**. Since 2020 the council has granted 49 'new' licensed premises (previously unlicensed premises) with a **capacity of 4,177**, and this despite of the current CIA having made it clear that any extra capacity would increase cumulative impact. The demand for licensed premises in the West End and Soho shows no tendency to reduce.

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

If this licence were to be granted, this would mean a loss to residents and the community as a whole of another general retail shop, in this case a clothes shop.

We note the proposed conditions, about which we have various concerns. We see that these include that there will be no vertical drinking, and, "the supply of alcohol on the premises shall only be to persons seated and eating substantial food". We are also concerned that there is no mention of the type of food on offer, beyond "substantial food", with no description. There is concern that this is going to be a bar and the high tables and chairs do nothing to allay our fears.

There is also no mention of the proposed numbers of people standing outside to smoke, music, etc, all points we would expect to see covered in any proposed conditions.

Other concerns with the application include the proposed opening hours, stated on the application form to be 10am when their website states the premises are open for breakfast from 8am. The capacity is stated to be 40, although the plans indicate seating for 28, and a significant increase in capacity compared to the previous applications of 16.

We would also point out that, as the Committee is no doubt aware, Berwick Street has a large number of residential properties in the immediate vicinity, between Peter Street and Broadwick Street, including four flats above the proposed restaurant.

In addition in the immediate area (opposite 9 Berwick Street) is Kemp House, a high rise block of 17 floors, with four flats on each floor. In addition many of the shops have flats above them. There are also blocks of flats on Peter Street, large blocks of flats on Hopkins Street (parallel to Berwick Street). For these reasons we feel that this is an unsuitable location for a new licensed restaurant / café.

This section of Berwick Street also has a number of licensed premises, namely the Blue Posts, My Place, Red Dog, Violet's, Mediterranean Café, Flat White, the Breakfast Café, Duck and Rice, Yauatcha, some of which have tables and chairs outside. In addition of course there is Berwick Street Market, with a large number of food stalls that operate during the day.

There are very real concerns amongst residents about the ever increasing numbers of licensed premises.

Residents have been subjected to noise disturbance and anti-social behaviour that are beyond acceptable levels. They are disturbed by the late night activity as people walk by (often shouting, or arguing), noise from pedicabs, car doors slamming, horns hooting, people vomiting and urinating in the street and in their doorways. Residents are also often disturbed even if an establishment is not located directly on their street, as customers (often noisy and intoxicated) leave premises and either carry on their night out in Soho or make their way home.

We know many residents experience sleep disturbance. The Soho Society conducted a survey

which

confirms that residents are disturbed by noise at night, and say that this is having a negative impact on their lives.

87 people responded of which 78 are Soho residents with ages spread fairly evenly from 22 to 80, 59% of whom have lived in Soho for more than ten years.

When asked about disturbed sleep, 24% of respondents say they have their sleep disturbed seven nights a week, 16% five or six nights a week, and 19% three or four nights a week.

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

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

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

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

The full survey can be found in **Appendix 3**.

In summary

This is the second application for a new café / restaurant. The first application was refused in October and we find no reason to go against the decision of the previous Sub-Committee. The onus is on the applicant to demonstrate they will not increase cumulative impact and will promote the licensing objectives. This applicant has failed to do so, and we respectfully request the Licensing Sub Committee to refuse this application.

Yours faithfully,
Licensing Committee
The Soho Society

Appendix 1 : Cumulative Impact

Appendix 2 : Crime and Disorder

Appendix 3 : Soho Society Sleep Survey Results

Appendix 4 : The Application

Appendix 5 : The Soho Society

Appendix 1 : Cumulative Impact

This area has been identified by Westminster City Council as under stress because of the cumulative effect of the concentration of licensed premises has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses. The evidence presented in the draft Cumulative Impact Assessment 2023 continues to show high levels of cumulative impact in the West End Zone 1 in 2022, it states,

'West End Zone 1 is the epicentre for issues associated with cumulative impact within the borough.' (p.50)

The proposed Licensing Authority Statement strengthens the previous 2020 CIA statement in acknowledging the increasing and detrimental impact of the large number of licensed premises in the West End, and concludes,

'It is the view of the Licensing Authority that **the number of relevant authorisations in respect**

of premises in parts of the West End is such that it is likely that it would be inconsistent with the authority's duty under section 4(1) Licensing Act 2003 to grant any further relevant authorisations or variations in respect of premises in that area. In accordance with section 5A(6) of the Licensing Act 2003 the Licensing authority will consult on its intention to publish this cumulative impact assessment prior to its final approval and publication.' (p.80)(our emphasis)

In any application for an alcohol licence in the Cumulative Impact Zone the applicant is required to demonstrate that the application will not increase the Cumulative Impact. In the draft Cumulative Impact Assessment 2023 the modelling shows an overall factor of up to 1.5, which means that for every additional licence granted the number of undesirable behaviours expected in the area in a year would increase by up to a multiple of 1.5. This means **a 50% increase in undesirable behaviours from any one new or extended licence; similarly the figures suggest a 26% increase in reported theft for each additional licence issued for whatever type of venue: club, restaurant or café.** In relation to noise, it concludes, **'The number of licensed premises is a significant factor in the generation of noise complaints.'**

The policies in relation to the cumulative impact zone are directed at the global and cumulative effects of licences on the area as a whole (D16. of the SoLP 2021).

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

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

Appendix 2 : Crime and Disorder

The draft Cumulative Impact Assessment 2023 states by September 2022 crime in Westminster had reached pre-pandemic levels. It compared the proportion of crimes that occurred in 2022 against the period of the 2020 CIA (2017 - 2019) it indicates that **'crimes within Westminster has concentrated even further within West End Zone 1.'** (p.52).

It confirmed the majority of the hotspots for the four major crime types (overnight thefts, robbery, drug offences, violence against person) were closely concentrated in the West End, stating, **'This provides further evidence to the greater prevalence of criminal offences within this area, and given the temporal nature of this analysis, also suggests that criminal activity within this area is getting worse.'** (p.47)

Overall the West End Zone 1 accounts for:

- Just under 66% of all crime in Westminster
- 47% of violent crimes - approximately 59% at night (most prior to and after midnight)
- 44% (968) of all overnight robberies
- Over 65% of sexual offences.
- 52% of all night time alcohol related ASB
- 74% drug offences, small clusters include Soho - Old Compton Street
- 57% of all ASB call details included reference to public house/nightclub, night-time transport route, station, hotel or restaurant establishment.

It confirms the majority of crime takes place on Friday / Saturday and Saturday/Sunday between 6pm - 6am. Overnight crime is identified as being particularly prevalent in Old Compton Street, Greek Street and Frith Street.

The levels of crime, disorder and anti-social behaviour continue to be a huge problem in Soho - the crime figures are high and rising. The police crime reports for April/May 2023 shows current levels of alcohol related assaults, sexual assaults and robberies within the West End area are now higher than at pre-COVID levels. The peak times for crime being between 10pm - 2am.

In Soho the majority of robberies take place at night, with people being targeted as they leave venues.

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

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

Appendix 3 : Soho Society Sleep Survey Results - 31 October 2022

The survey conducted by the Soho Society confirms that residents are disturbed by noise at night and this is having a negative impact on their lives.

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

59% have lived in Soho more than 10 years

26% between 3 and 10 years

6% between 1 and 3 years and

9% have lived here less than a year

42% own their homes

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

10 respondents have children living at home with them

58% have double glazing

37% single glazing

5% have triple glazing

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

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

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

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

20% do not have a problem with environmental noise pollution

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

The most common identified problem at 42% of respondents was people drinking and shouting in the street.

64% of respondents agreed that noise nuisance from increased commercial activity at night is the most

serious problem impacting Soho residents quality of life

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

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

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

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

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

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

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

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

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

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

Many respondents made additional comments:-

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

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

As a disabled person working from home, I find it extremely exhausting not able to have rest at night, Screams and noise of drunk people every night, The Landlord WCC does not want to change the windows to a double glazing nor allow tenants to pay privately for windows to be upgraded.

Noise at home, lack of sleep, and concentration in the day time. I have a hand held noise monitor, I recorded noise levels of 97db outside the pub at the corner of Broadwick and Berwick Streets.

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

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

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

There should be a quiet window of 11pm to 8am every day. 7am deliveries are far too early for

a lot of people if they are noisy or use cages or refrigeration.

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

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

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

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

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

Appendix 4

Application Summary

New Premises Licence

The Soho Social, café / restaurant.

Alcohol : Monday - Saturday: 10am - 11pm Sunday: 10am - 10.30pm

Opening Hours: Monday - Saturday: 10am - 11pm Sunday: 10am - 10.30pm

Capacity: 40

23/03810/LIPN - previous application

Alcohol : Mon - Sun: 10:00 - 23.30

LNR : Mon - Sun: 23:00 - 23:30

Opening Hours: Monday - Sunday : 08:00 - 00:00.

Capacity: 16 internal seats

On and Off Sales

Appendix 5

The Soho Society

The Soho Society is a charitable company limited by guarantee established in 1972. The Society is a

recognised amenity group and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	23.November 2023 (Opposed)

The bulk of my objection is the same as my objection to an earlier application for the same premises, 23/03810/LIPN, which was refused at a licensing hearing last month. It is repeated below in italics.

I note that there is a small change to the hours requested in the application, but also an increase in the maximum number of customers permitted on the premises compared with the previous application.

I do not regard these changes as materially affecting the reasons given for refusal of the previous application by the licensing sub-committee in such a way as to allow for a licence to be granted. While there is a reduction, the hours applied for would still add to the potential for noise nuisance in the immediate area, as detailed below. Over a given period, it would be likely that there would be an increased number of disturbances to sleep for residents up until at least 11.20pm, when all customers would reasonably be expected to be finally dispersed.

The increase in the proposed number of customers on the premises obviously adds to the potential for noise nuisance.

The premises has utilised TENs since the licence refusal. This is disappointing. It may be that there was the intention to demonstrate that there would be no nuisance. In my view that is an inappropriate solution to what I recognise is a significant problem for the applicant. (A much earlier finishing hour may have met a different response from some residents.) But in any case, a very brief trial period could not replicate the long term reality of a permanent licence and so should not be taken into account.

I object to the granting of a premises licence for late night refreshment and supply of alcohol for Soho Social at 9 Berwick Street on the grounds of the likelihood of increased public nuisance. I am a resident of [REDACTED] and have lived here with my family since 1997.

The application would introduce a new alcohol-based venue to a significantly residential location. The market stretch of Berwick Street has several licensed premises at the top of the market but none lower down. In this lower stretch, where 9 Berwick St is situated, there are residential properties above ground floor retail on the east side and the Kemp House tower block above retail on the west side. Residents by and large have tolerated an increase in noise from the existing licensed premises further up the street, partly due to a response to the pandemic. Even at some distance, this can have an impact. However, granting a premises licence for 9 Berwick Street would bring potential noise nuisance much closer to a larger number of residents in what is currently the quieter end of this part of the street.

Noise is often more of a problem in social housing and older flats which usually lack air conditioning. This is exactly the sort of residential accommodation in this location. When the weather is warm windows need to be opened. Any additional disturbance, especially later in the evening, will have an impact on the ability of some residents to sleep.

Visitors are often unaware of the presence of residents in the West End, and have little understanding of the impact of noise on local people. It seems that the applicant may have fallen into the same trap. The assumption often is (and councillors have been known to share

this assumption) that the West End is noisy and a little extra noise won't make much difference. This is not the case.

For one thing, noise travels further than people imagine. Ordinary conversations on Berwick Street can regularly be heard on the [REDACTED]. Passing conversations are one thing, but there is a greater impact when those talking (or worse) are static for some time. Of course, there are plenty of other sources of noise in the West End, ranging from early morning street cleaning and deliveries, through daytime construction to evening outdoor eating and drinking and late-night customers leaving hospitality and entertainment venues, together with all sorts of traffic noise, including emergency service sirens, at any hour. However, some sounds are more likely to disturb than others.

My experience is that noise from customers leaving licensed premises is one of the most common causes of disturbance. It often takes several minutes for a group to disperse. The noise level of their conversation is likely to be higher than normal due to the effect of alcohol and the volume of noise they have been exposed to within the premises they are leaving. As a result, without any intention to do so, they can disrupt the process of residents falling asleep or else actually cause residents to wake up. (Sometimes there will naturally be more than one conversation, with shouting and/or singing.) Whatever the level, these concentrated periods of sharply louder sound have a disproportionate impact, especially when the general noise level in the area has reduced.

We already experience something of this effect from the licensed premises further up the street. The effect would obviously be greater if it were to be on our doorstep. There are areas of Soho in which it might be hard to argue that a similar application would make a difference to the level of public nuisance but that is not the case here. As we are in a cumulative impact area where there is an existing residential community it would be wrong to place an additional burden onto residents.

If a licence were to be granted, however well intentioned the management at times there will inevitably be loud groups outside a premises where there has previously been no regular noise nuisance (since until recently it has been a retail shop). This is clear from experience across Soho. Similar groups to that described above are common to all licensed premises. Notices of the sort proposed in the licence conditions have little discernible effect and staff have no power to move people on.

If the council grants this application it will therefore be ignoring the impact on local residents and be responsible for increasing the number of times residents will have their sleep disturbed. It is hard to see why that should be permitted.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]
Received:	03 November 2023 (Support)

I would like to register my support for Soho Social's licencing application. It is a real shame to see the restaurant empty in the evening which leaves a gap in the vibrancy of Berwick Street. I think the council should be supportive of independent bars, restaurants and shops. Berwick Street is up and coming with some comparing it to Carnaby Street. However, where Carnaby Street has become commercialised with lots of international high street brands and chains, Berwick Street has an opportunity to have a greater mix of independent businesses and community premises.

The Soho Social is a wonderful restaurant, serving great food and makes a great addition to the

road. The owners are extremely friendly and welcoming and have made a great effort to integrate with the locals. As a neighbour I don't see it causing any additional street noise or disturbance as everything is behind the closed doors of the restaurant.

In fact as one of the quieter roads in Soho it would be nice to see a few more restaurants on the street which in many ways makes the street safer in the evenings.

Many thanks for taking time to read my comments.

3. Policy & Guidance

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

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

	<p>are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>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.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for this application as defined within this policy are:</p> <p>8. Restaurants</p> <p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p>
<p>Policy RNT1(B) applies</p>	<p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

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

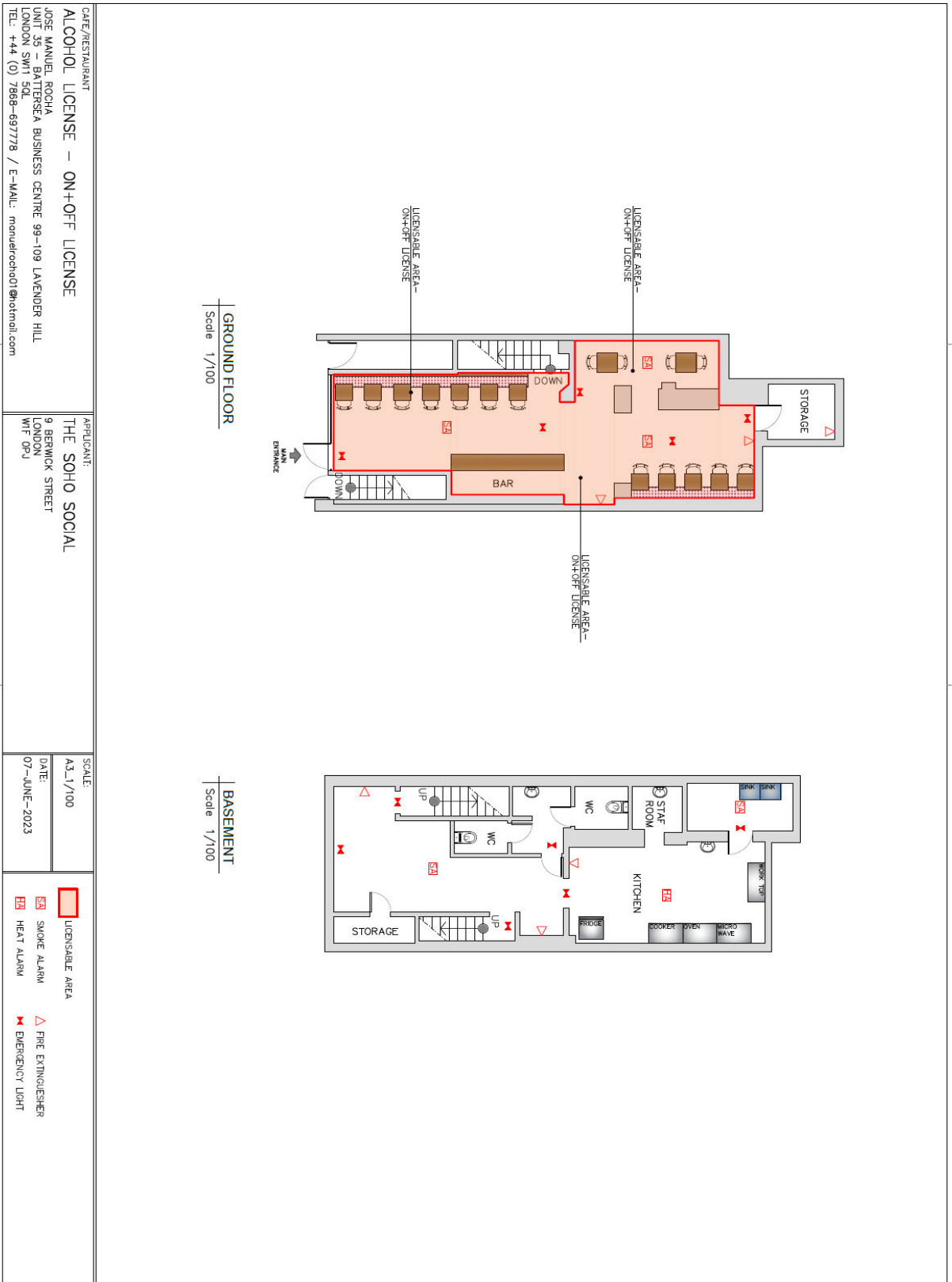
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@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	Licensing Authority representation	17 November 2023
5	Environmental Health representation	22 November 2023
6	Interested Party representation (1)	06 November 2023
7	Interested Party representation (2)	13 November 2023
8	Interested Party representation (3)	11 November 2023
9	Interested Party representation (4)	15 November 2023
10	Interested Party representation (5)	23 November 2023
11	Interested Party representation (6)	04 November 2023
12	Interested Party representation (7)	09 November 2023
13	Interested Party representation (8)	17 November 2023
14	Interested Party representation (9)	05 November 2023
15	Interested Party representation (10)	09 November 2023
16	Interested Party representation (11)	09 November 2023
17	Interested Party representation (12)	09 November 2023
18	Interested Party representation (13)	23 November 2023
19	Interested Party representation (14)	20 November 2023
20	Interested Party representation (15)	22 November 2023
21	Interested Party representation (16)	23 November 2023
22	Interested Party representation (17)	23 November 2023
23	Interested Party representation (18)	03 November 2023





**COMPLETE
LICENSING**

PROJECT NAME & LOCATION

**Environmental Health
Assessment
Version 1.0**

Client Name

DD.MM.YY

1. PERSONAL INTRODUCTION

I retired as an Environmental Health Officer at Westminster City Council in April 2023 after 41 years post qualification service. I qualified in 1982 with a Diploma in Environmental Health (EHORB). I also hold the Diploma in Acoustics & Noise Control (1984) and the BTEC Level 7 Advanced Professional Certificate in Investigative Practice (2021).

I trained and qualified at the LB Enfield (1978-1985) but have spent most of my career at Westminster City Council. I have also worked on a number of short-term contracts at: LB Southwark (24-hr Noise Team), LB Croydon (Food Team), LB Brent (Food Team), LB Camden (Food Team), LB Barnet (Food Team), LB Hillingdon (Pollution Team), LB Lambeth (Food Team).

During my time at Westminster City Council I worked as a professional enforcement officer on a variety of EH Teams: Housing, Noise, Food and Health & safety, and from 2007 – 2023 the Consultation Team as the 'Responsible Authority' (EH) under the Licensing Act 2003. During my service on the Consultation Team I dealt with applications and Reviews under the Licensing Act 2003 and provided Pre-Application Advice for operators and prospective operators of Licensed Premises. I attended and gave presentations to the City Council's Licensing Committee on numerous occasions. I was a consultee for the Licensing Service in respect of applications for Street Trading Licences in Westminster which included both 'isolated pitches' and Council operated street markets. I was also involved in the programmed inspection regime for all the street markets in Westminster.

I have been the EH representative on several Safety Advisory Groups for a number of major impact events over many years including: Notting Hill Carnival, Hyde Park Concerts, Chinese New Year, Pride, Taste London, Queen's Jubilee/Royal wedding events, various Trafalgar Square events and smaller local community events such as the Marylebone Summer Fayre and Christmas Lights events – all of which involve outdoor catering and often street-based food markets/stalls.



2. REPORT

1. I have been requested to carry out an assessment at the business trading as '*Soho Social*' at 9 Berwick Street, specifically to determine the potential for noise arising from the operation of the restaurant business in the ground floor and basement to impact on occupiers of the residential dwellings on the floors above.
2. I carried out a visit to the above premises on Saturday 9th December 2023 between 2115hrs and 2200hrs.
3. The business comprises a customer seating and dining area laid out to tables and chairs on the ground floor and toilets, kitchen and back-of-house/staff areas in the basement. The main entrance fronts onto Berwick Street. The upper floors are in residential use with occupied flats on the first, second, third and fourth floors. The building is brick-built of traditional design and construction. The front façade of the upper floors is provided with several single-glazed, traditional wooden double-hung sash windows which provide the dwellings with natural light and ventilation.
4. The capacity of the restaurant is 40 persons. I noted at the time of my arrival that every customer seat was occupied and that patrons were seated, consuming food and drink and engaging in conversation. Background music was being provided via small wall-mounted speakers and I noted that the volume of the music was generally similar to that of the customer conversations. It was possible for patrons to engage in ongoing conversations across tables without the need to shout or unduly raise their voices. I also noted on arrival at the premises that, with the front door shut, background music and customer conversations were not audible from within when I stood outside in Berwick Street. When the door was held in the open position, I noted that the conversations within were more audible.
5. On arrival at the premises, I introduced myself to the business operator. He confirmed to me that the operating arrangements at the premises were typical of a busy Saturday evening and that they were providing Licensable activities with the benefit of a Temporary Event Notice. We agreed to visit the occupier of the first-floor flat which was located directly above the ground floor restaurant dining area and accessed via a door to the left-hand side of the shop front.
6. The external entrance door to the upper floors opens to an internal staircase which provides access to the upper floors. The entrance door to the first-floor flat was located on the first-floor landing. The male occupying tenant of the first floor flat greeted us and showed us the layout of the dwelling. The footprint of the flat appeared to approximately match the footprint of the ground floor restaurant directly below. I went to the front living room and noted that the sash windows were in the



closed position. The tenant kindly switched off all sound generating appliances in the room, namely a small electric fan heater and computer gaming console.

7. While standing in the living room I noted that the only audible noise sources were the raised voices and laughter of members of the public walking along the length Berwick Street in both directions. I did not hear any amplified music or any sounds that might be emanating from the restaurant below. I could not hear any of the customer conversations that were clearly audible when I was in the ground floor restaurant.
8. I also stood in the rear bedroom and noted that this was quieter because it did not front onto Berwick Street and the external area at the rear of the dwelling was very quiet. Again, I did not hear any noise that I would associate with the activities carried on in the ground floor restaurant.
9. My overall impression was that conditions in the first-floor flat were generally very quiet and that there was no audible structure-borne noise transmitted to the dwelling from the ground floor. I concluded that the overall sound insulation provided by the separating structures between the ground floor restaurant and the first-floor dwelling were of such a standard that the occupier of the dwelling could enjoy the quiet occupation of the dwelling without risk of disturbance or nuisance whilst the restaurant was being operated as it was during my visit.
10. I also concluded that, as a result of my observations in the first floor flat, it was not likely that the occupiers of the dwellings on the second and upper floors would experience any transmitted audible noise from the ground floor restaurant as they would be too physically removed from the ground floor and are significantly separated by the first floor dwelling.
11. In my opinion, if the operator ensures that the restaurant business is carried on in the same way that it was during my visit, he can be confident that the occupiers of the dwellings above are not experiencing Public Nuisance or Statutory Nuisance. He can also be confident that with the main front door in the closed position that occupiers of dwellings on the other side of Berwick Street (e.g. Kemp House) will not be disturbed by noise breakout. It is possible to hear some customer conversation hubbub emanating from the ground floor when the front door is held in the open position but given the expected hours of operation of the business, the relatively low level of emanating noise, and the existing background noise levels which currently prevail in that part of Berwick Street, it is my opinion that this would not likely be the cause of disturbance or Public Nuisance to neighbouring residents.
12. I understand that the operator has applied for a Premises Licence from Westminster City Council (application reference above) for the Sale of Alcohol up to 2300hrs. He has not applied for Late Night Refreshment or Regulated Entertainment. I am also aware that a number of Model Conditions have



been proposed in support of the application which seek to promote the Licensing Objectives. I am of the view that what has been proposed to date is sufficient to safeguard and protect the occupiers of the dwellings above from Public Nuisance. For that reason and coupled with the fact that the premises appears to have suitable and sufficient acoustic integrity for the activities applied for and proposed by the applicant, I do not believe that any additional measures or conditions are required at this stage.

13. I am willing to attend a Hearing of the Licensing Sub-Committee and address the Committee if required.



Mediation emails

From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ
Date: 04 December 2023 11:48:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:47 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear [REDACTED]

I am writing in response to your representation against the above application.

The application falls within the RNT1b policy of the council, where there is a presumption to grant fully conditioned applications for restaurants.

The applicant has engaged with the Licensing Authorities and taken on board their comments. The proposed conditions have been agreed with the authorities as suitable for a stress area restaurant.

The applicant has also taken on board the comments of residents and yourselves and has reduced the licensed hours to finish licensable activities at 11.00 pm, before the Core Hours after which CIZ policies are usually applied.

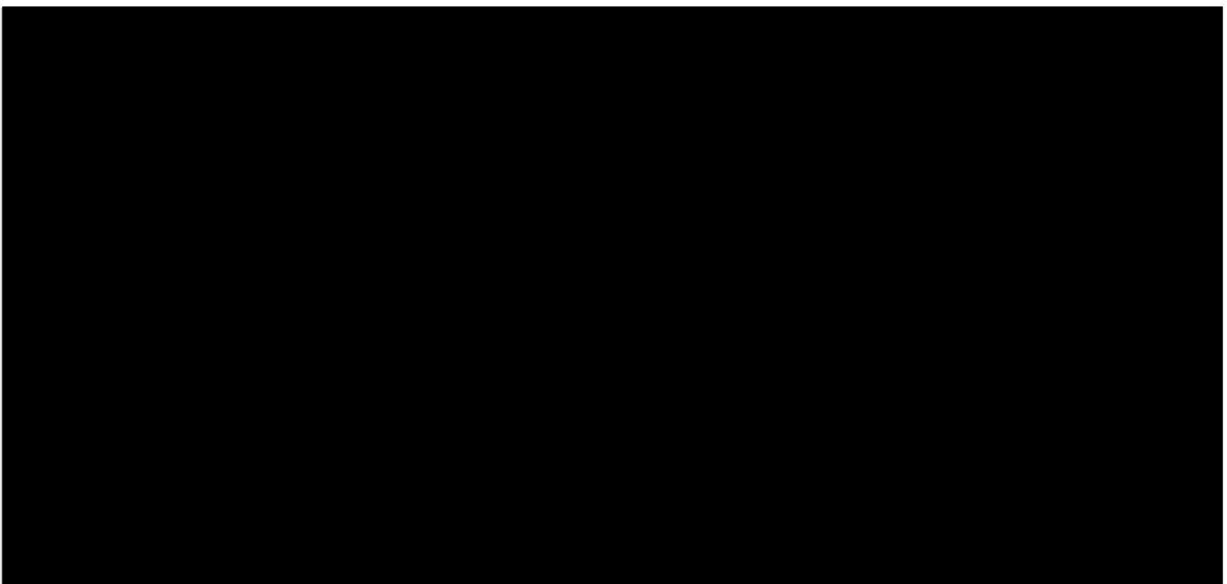
The premises already trades, lawfully, to 11.00pm. Currently there are no conditions to permit the authorities to control how the premises is run. A Premises Licence will allow the authorities to control occupants and how the premises is operated. As the premises is already trading lawfully, there will be no increase in footfall, therefore no increase in Cumulative impact.

Concern has rightly been made regarding noise levels coming from the premises. No application for regulated entertainment has been made, therefore only incidental music may be played. Notwithstanding that, further conditions have been agreed to prevent any noise nuisance.

A previous application drew a representation from a [REDACTED] who lives in the [REDACTED] above the restaurant. She was fearful of noise nuisance. The intervening months have allowed her to experience how the premises trades. As a result of this, not only has she not objected, but the [REDACTED] the restaurant and another [REDACTED] have both made representations of support, when they state that the restaurant causes less nuisance than the previous retail unit.

Other representations of support have been made by local residents who welcome this well run restaurant.

I hope that these reassurances will allow you to withdraw your representations. However if you would like to visit the premises at a mutually convenient time, we would welcome any suggestions or additional conditions you may propose.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ
Date: 04 December 2023 11:50:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:45 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear [REDACTED]

I'm writing in response to your representation against the above application.

I'd like to take this opportunity to explain the nature of the application.

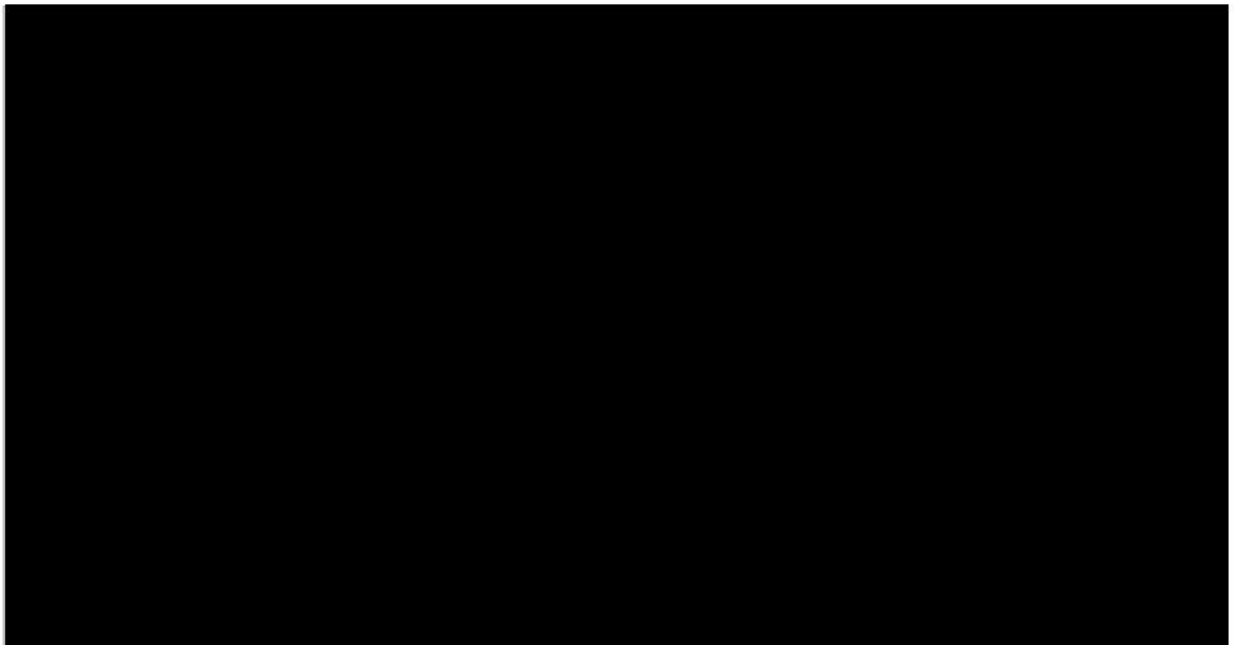
The application is for a fully conditioned restaurant, that is to say that the sale of alcohol is

restricted to people who are eating substantial meals. No application has been made to permit Regulated Entertainment.. that is to say a place where music is the reason for attending the premises. The only music played in the restaurant will be background only. To further reassure you, we have agreed conditions to prevent any other noise nuisance .

I'm not sure if you're aware, but the person in the [REDACTED] and another [REDACTED] to the premises have both made representations of support. Both state that the restaurant causes less nuisance than the previous retail shop. Notwithstanding these supporting representations, we have commissioned a noise report by an independent inspector and will act on any recommendation.

Hopefully this reassures you and allows you to withdraw your objections.

I'd like to take this opportunity to invite you to visit the premises to see how it runs and to discuss any concerns or extra conditions that you may suggest. We welcome you at a mutually convenient time. Please don't hesitate in getting in touch.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ
Date: 04 December 2023 11:52:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:44 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear [REDACTED]

I am writing in response to your representation against the above application.

I would like to explain the difference in the application to the previous one. This application has been made, having listened to the licensing authorities, including the capacity. This application describes a fully conditioned restaurant in line with the council's

definition of a restaurant . There is no application for Late Night Refreshment as no hot food will be sold before 5.00 am or after 11.00 pm. The application is to license the premises to 11.00 pm, earlier than core hours, therefore not ‘ late’ as described by the council.

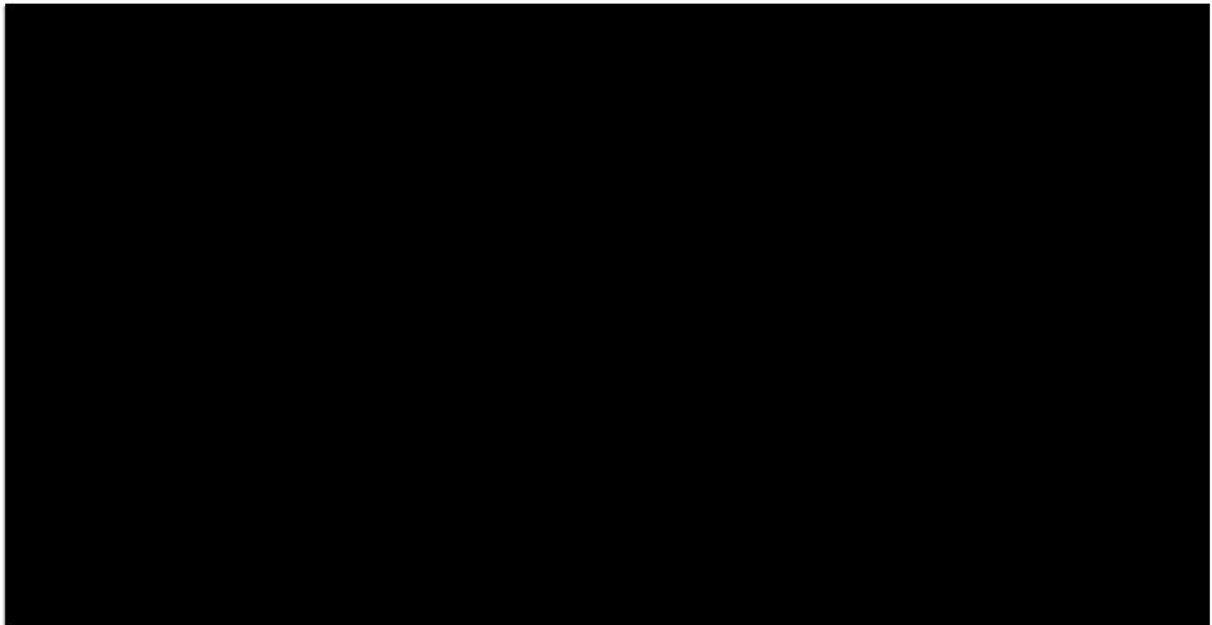
This is a food led premises, with alcohol only supplied ancillary to substantial meals.

Although restaurants can be expected to trade to later hours, the applicant has also listened to the residents and reduced the hours to mirror those of an unlicensed restaurant. Thus there is no increase in footfall... the customers are already in the area. The premises are using their entitlement to TENs, this is not to trial the licence(although undertakings are given that alcohol will only be sold along the same lines as the proposed licence). However there has been no crime, disorder or nuisance associated with the premises either with or without a TEN.

In response to your concerns about noisy customers leaving the premises, I’d like to reassure you that no application for Regulated Entertainment has been made, therefore any music played is restricted to background only. Therefore people will not be leaving the restaurant shouting at each other in the same way as they do when leaving music led premises. To further allay your fears, I’d like to point out that the occupant of the [REDACTED] [REDACTED] the premises and [REDACTED] the premises have both made supporting representations mentioning that the restaurant causes less nuisance than the previous retail unit. Notwithstanding this, a noise survey has been arranged and any appropriate action will be taken, based on the result of that inspection.

I hope that, after reading these explanations, you will be able to to withdraw your representation.

However, should you wish to visit the premises to see how it trades and to discuss any conditions you may wish to be applied to the applicant, we will be happy to meet at a mutually convenient time.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ
Date: 04 December 2023 11:55:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:42 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear [REDACTED]

I am writing in response to your representation against the above application. I would like to clear up some confusing elements of your representation.

The restaurant does not place tables and chairs on the street. Therefore no nuisance complaint has been received at the premises. There are tables sited on a private forecourt,

within the cartilage of the building. But not on the highway.

We have made an application for a fully conditioned restaurant as required by the policies of WCC. We have worked with the licensing authorities and taken on board any of their comments and at all times will work with the authorities to promote the licensing objectives.

We are not seeking a licence to use the pavement.

Our application does not contain permission to provide regulated entertainment, therefore the customers will not be subjected to music louder than background, therefore they won't be leaving the premises shouting at each other. We are not seeking outside drinking.

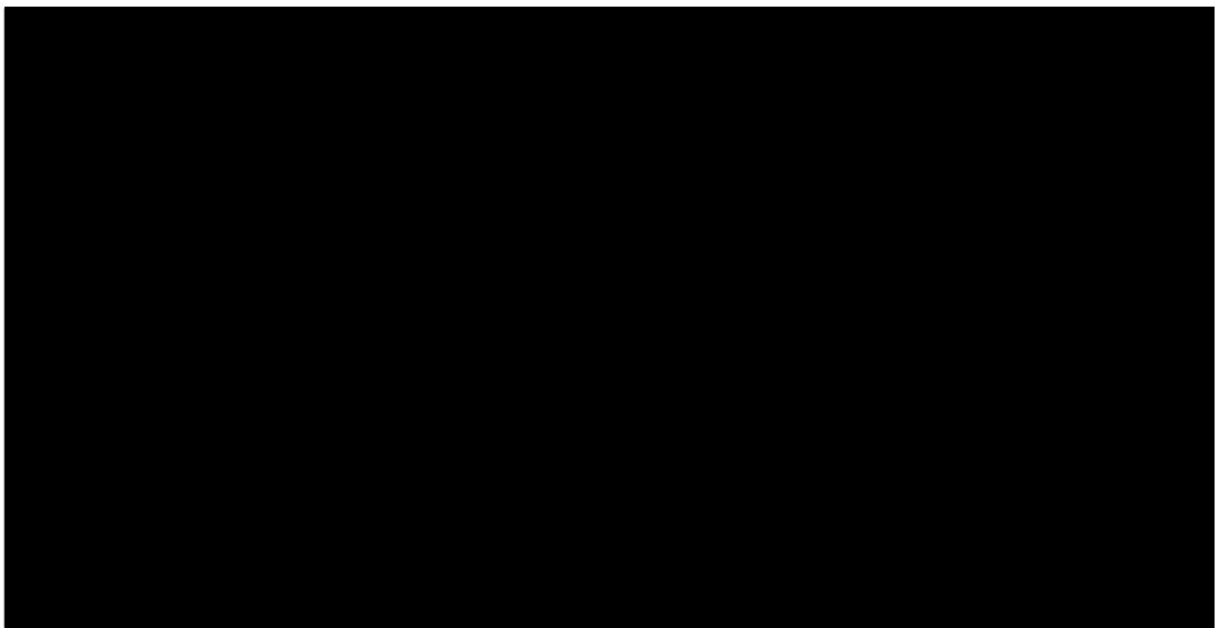
As you state, the premises has been trading for several months. The restaurant does not need a licence to trade until 11.00 pm . TENs have been used to temporarily license the restaurant along the same lines as the licence which has been applied for. No nuisance or crime has resulted from the use of the TENs.

The application has received letters of support from residents [REDACTED] and [REDACTED] of the premises who state that the restaurant causes less nuisance than the retail unit.. The restaurant and management have shown that they can operate without causing nuisance.

You mention late night crime, disorder and nuisance. The application is to license hours less than the core hours for a restaurant. There will be no increase in footfall before this. The restaurant is already trading free of restrictions. By granting a licence, the authorities will be able to restrict the currently unrestricted number of customers, along with conditions to maintain safety and prevent nuisance or crime.

I hope that this has helped to allay your fears and enable you to withdraw your objections.

If you would like to visit the premises to see how it trades and suggest any reasonable conditions, we will consider your suggestions.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]
Date: 04 December 2023 11:57:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:41 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear [REDACTED]

I am writing in response to your representation against the above application.

I would like to allay your fears.

This application differs substantially from the last application. It is now a fully conditioned

restaurant as defined by the council's policy. However, it will close earlier than the core hours which a restaurant could use and still be within policy.

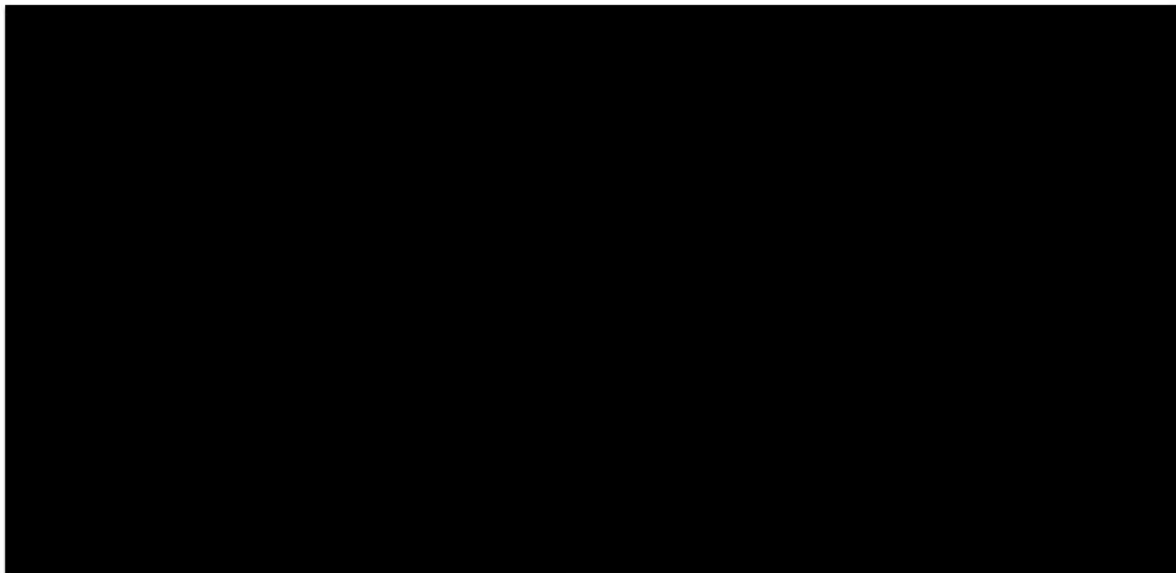
As you will be aware, the restaurant has been trading for several months, to 11.00 pm. At weekends it has used TENs to permit the sale of alcohol, with an agreement to do so in line with the conditions offered on the application. No licence is needed to sell hot food before 11.00 pm and Late Night Refreshment is not applied for. Nor is regulated entertainment, therefore any music in the premises can only be background music..

You may have been aware that a representation against the first applicant was made by a [REDACTED]. Since experiencing the restaurant and how it has traded for the last few months, she has not objected to this application as her fears have not borne out. In deed the residents in the [REDACTED] and [REDACTED] have both made representations in support of this application. Both state that the restaurant causes less noise nuisance than the previous retail unit. Notwithstanding these representations, we have commissioned an independent sound report and will make any changes it requires.

Without a licence, the restaurant can continue to trade up to 11.00 pm without a licence. There is no increase of people in the west End, they are there already. The premises currently trades without being subject to any conditions. By granting a licence as a fully conditioned restaurant, the Authorities are able to restrict the number of customers, how alcohol is sold and how nuisance and crime are controlled.

Now that the application has been explained to you, I hope that you will be reassured and able to withdraw your objections.

If you are still concerned, I'd like to take this opportunity to invite you to visit the restaurant and discuss any concerns you may have. We will consider any conditions that you may wish to attach to the licence. Please let us know when would be convenient for you.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ
Date: 04 December 2023 12:00:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:40 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear Sir,

I am writing in response to your representation against the above application.

You suggest that this is essentially the same as a previous one. Please let me reassure you that this isn't the case.

The current application differs from the previous one in that it is now fully compliant with

the council's restaurant policy. It also will cease trading before the core hours for a restaurant.

Currently the restaurant trades lawfully til 11.00 pm. No licence is needed to sell hot food up to 11.00 pm. The premises has used Temporary Event Licences to authorise the sale of alcohol up to 11.00 pm, along the same lines as the conditions offered. There is no desire to play any music, other than unregulated background music, hence there is no application for regulated entertainment.

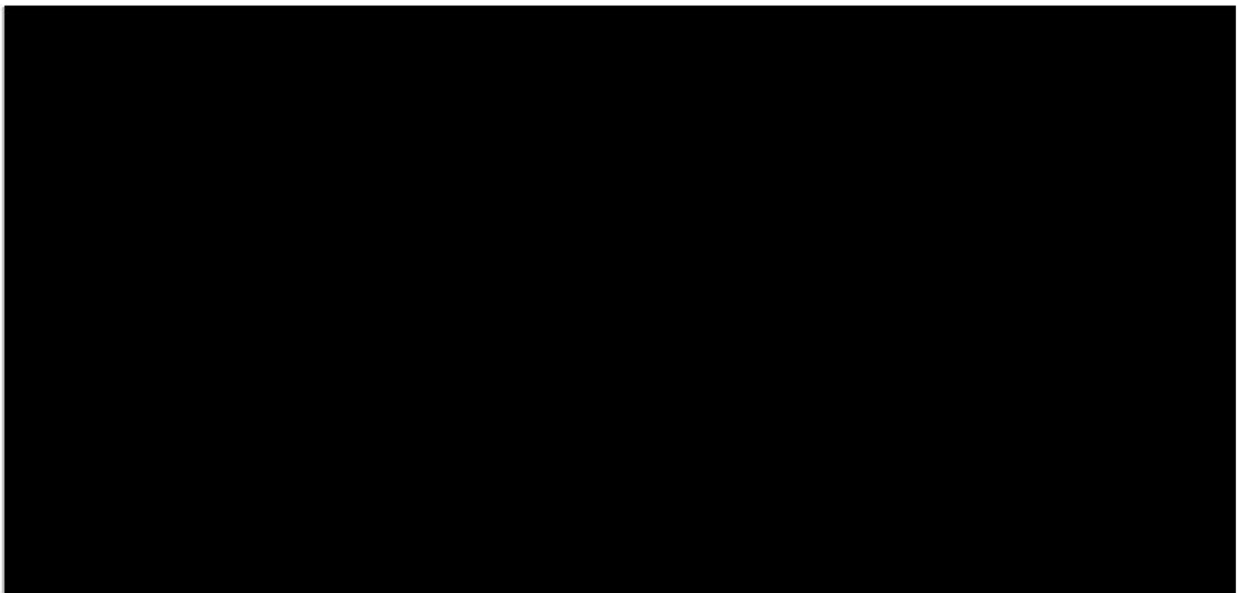
I appreciate that you live close to the venue, you will have seen how this building has been transformed from a graffiti covered abandoned shop, into an attractive restaurant.

You mention noise from the premises, but conditions have been agreed to prevent nuisance. Further, since the premises has been trading, the neighbour [REDACTED] and [REDACTED] have both made supporting representations stating that the restaurant is quieter than the previous shop. [REDACTED] who previously objected has not objected this time as her worries have not borne out.

Notwithstanding that, we have commissioned an independent sound survey and will make any changes suggested.

There is no addition to the number of people in the area, as they are already there in the unlicensed premises. The granting of a licence will allow the authorities to set a maximum capacity on the premises as well as conditions to prevent noise and nuisance and to prevent crime.

I hope that I have allayed your fears and that you will be able to withdraw your objections. However, if you would like to visit the premises in order to discuss any conditions which you feel would be appropriate, please let us know a day and time convenient to you.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]
Date: 04 December 2023 12:02:00
Attachments: [image001.png](#)

Good morning

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:39 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear [REDACTED]

I'm writing in response to your representation against the above application.

The application seeks to license just this premises, not next door and certainly not the street.

I appreciate that you live above a street which was a traditional fruit and veg market and is

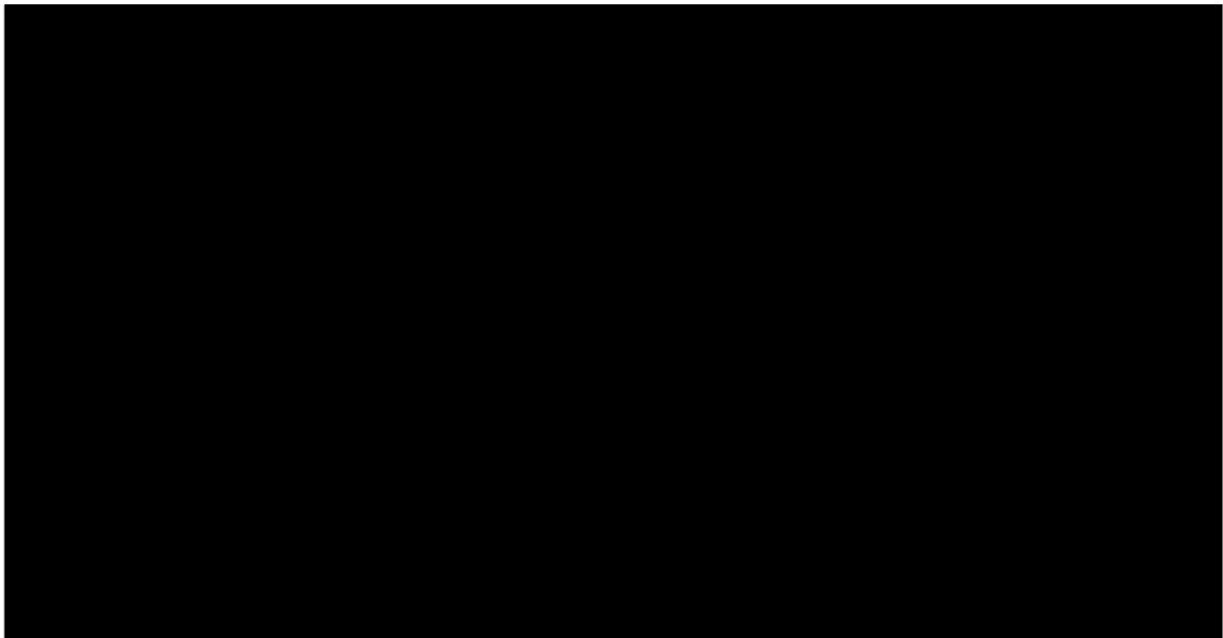
now a street food market. The applicant is not an itinerant trader, but one who has made a considerable investment into the premises. As a resident, I'm sure you were familiar with the run down state of the building, with graffiti over the outside.

To reassure you, this application is fully compliant with the council's restaurant policy. There is no application for regulated entertainment.. this is needed if they wish to play music louder than background. The hours are less than those defined by the council's restaurant policy.

The restaurant has been trading for several months, closing at up to 11.00 pm, either without alcohol or using Temporary Event Notices to authorise the sale of alcohol . This has allowed the [REDACTED] to submit letters of support for the application. The [REDACTED] who previously objected has not objected this time, as she too has seen the reality of how the restaurant trades.

The restaurant only needs a licence to trade whilst it is not selling alcohol and not selling hot food after 11.00pm. Having a licence permits the authorities to impose conditions on the licence. These conditions would prevent the behaviour of the neighbours.

I hope that your concerns have been addressed and that you will be able to withdraw your representation. If you would like to visit the premises and discuss any concerns that you have, we would like to invite you to visit the premises. Please let us know when would be convenient to you.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]
Date: 04 December 2023 12:04:00
Attachments: [image001.png](#)

Good afternoon

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:38 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

Dear Sir,

I am writing in response to your representation against the above application.

I'd like to reassure you that this is far from an identical application to an earlier one made at the same address.

The applicant has made a new application, along the lines of a fully conditioned restaurant

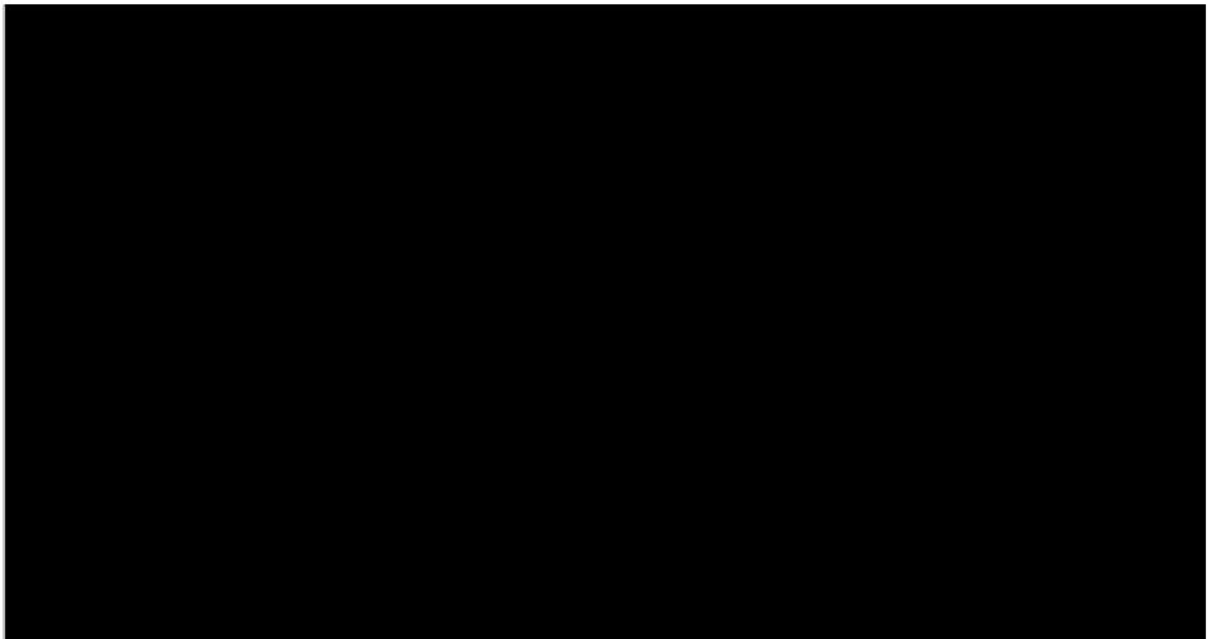
as expected by the council in its definition of a restaurant. Within that definition is an expectation that restaurants may trade up to defined 'core hours'. The new application not only is fully conditioned, but is for hours which are less than those 'generally granted' for a restaurant.

You refer to your previous objections to the licence, which were clearly raised out of genuine concern, including the possible effects on the young families within the building. In deed a representation was made by a [REDACTED] against the earlier application. However, since that time, the premises has been lawfully trading without licensable activities or with activities authorised by TENs up to these hours for many months now.

The trading of the restaurant has shown that the fear of noise transmission of the residents have not been borne out. [REDACTED] who previously objected have not done so this time. Indeed, residents [REDACTED] the premises have both made representations supporting the application, in which they comment that there is less noise from the restaurant than the previous retail unit. Notwithstanding the positive comments from the immediate neighbours, we are commissioning a noise study by an independent expert.

In light of the changes in the application with agreed conditions to prevent nuisance and in light of the support for this application by the immediate neighbours, I encourage you to reconsider your objections.

We will consider any reasonable condition that you may wish to propose and would also like to take this opportunity to visit the premises to see it in action and discuss any concerns you still have. Please let us know when would be convenient to you.



From: [Jackaman, Kevin: WCC](#)
To: [REDACTED]
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]
Date: 04 December 2023 12:08:00
Attachments: [image001.png](#)

Good afternoon

The Licensing Authority have been asked to forward the email below on behalf of the applicant.

Regards

Kevin Jackaman
Senior Licensing Officer – Premises Licensing Team - Environment, Climate and Public Protection
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



From: [REDACTED]
Sent: Monday, December 4, 2023 10:37 AM
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: 23/07557/LIPN - Basement And Ground Floor, for Basement And Ground Floor, 9 Berwick Street, London, W1F 0PJ - [REDACTED]

[REDACTED]

I'm writing in response to your representation against the application to license a restaurant at 9 Berwick Street.

Your representation refers to 'extended hours'. I'd like to assure you that the hours are not being extended. The restaurant already trades up to 11.00 pm without the sale of alcohol. The applicant has listened to previous comments and has actually made his application for

less hours than traditionally accepted by the council's restaurant policy.

You also make reference to the potential for noise to transfer through the building which may cause a nuisance to [REDACTED]. In fact, the opposite has proven to be the case. The [REDACTED] have both made representations of support for the application. Both comment that the restaurant causes less noise and disturbance than the previous shop.

A previous application also received an objection from one of your residents, [REDACTED]. She expressed similar concerns to you. However, she has not repeated her representations because her fears have not materialised.

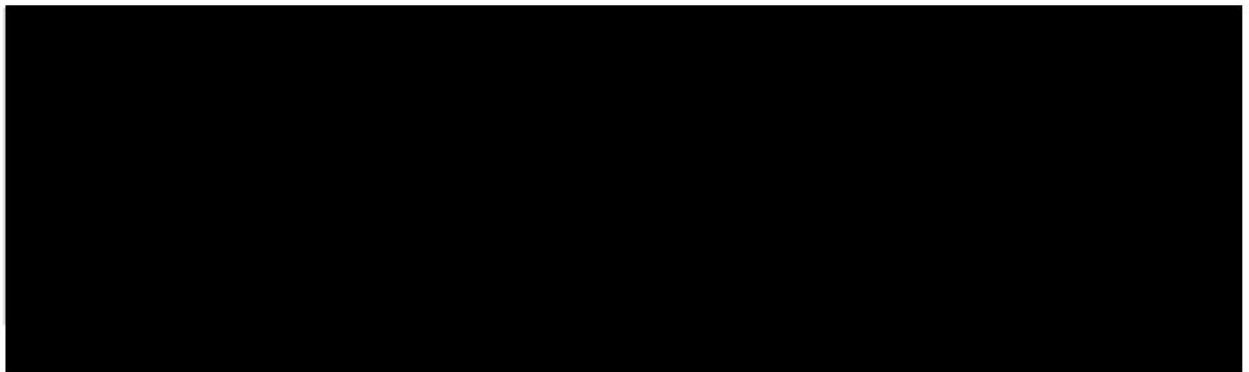
The application has a good relationship with [REDACTED] in deed the local housing officer complimented him on how well the place is being run.

Your representation goes on to say that you fear that residents will leave. However research suggests that the population of Soho has doubled since 2021. [REDACTED], now a councillor, confirms this in a pre election quote when telling people they're rude and lazy telling people to move out of their homes. The applicant is keen to be accepted as a considerate person and a long term part of the community. He has reflected this by making his application for a fully conditioned restaurant as defined by council policy, even reducing his trading hours to less than expected in the policy. He has been trading for some months now and already receiving regular trade from local people, many of whom have written letters of support.

The application is to license a moderate premises of 40 seated people. There is no application for regulated entertainment, so the only music played can only be back ground, therefore when people leave, they won't be using raised voices. The application falls within the council's policies of what is expected of a restaurant. An earlier application was refused for fear of noise nuisance. Your residents have shown that these fears have not come to light. However we will be conducting an inspection by an independent expert to confirm the situation at the premises.

Finally, you mention an increase to commutative impact. Currently the restaurant trades lawfully to 11.00 pm. Licences are only needed to sell hot food after 11.00 pm or for regulated entertainment or for the sale of alcohol. Currently there is no maximum capacity set on the premises. The granting of a licence will allow the authorities to set a capacity, figure of forty comes from the advice given by the Environment Health department at WCC. It will also allow the council to impose conditions to prevent nuisance and promote safety. The granting of a licence will actually strengthen the public's rights as any breaches of conditions could be prosecuted or the licence Reviewed.

We would like to offer you the opportunity to visit the premises and speak with the applicant regarding this application. Please could you let us know if and when you'd like to visit.



Licence & Appeal History

Application	Details of Application	Date Determined	Decision
23/03810/LIPN	New premises licence seeking Late Night refreshment: Monday to Sunday 23:00 to 23:30 Alcohol: Monday to Sunday 10:00 to 23:30	05.10.2023	Refused by Licensing Sub Committee

There is no appeal history

Temporary Event Notices

Temporary Event Notices	Date of Event	Activities/Hours	Decision
23/07702/LITENP	10.11.2023 to 11.11.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/07994/LITENP	16.11.2023 to 18.11.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/08359/LITENP	24.11.2023 to 25.11.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/08360/LITENP	30.11.2023 to 02.12.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/08713/LITENP	07.12.2023 to 09.12.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/08805/LITENP	14.12.2023 to 16.12.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/08994/LITENP	21.12.2023 to 23.12.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
23/09141/LITENP	28.12.2023 to 30.12.2023	Sale of Alcohol 10:00 to 23:00	Event permitted
24/00031/LITENP	11.01.2024 to 13.01.2024	Sale of Alcohol 10:00 to 23:00	Event permitted
24/00094/LITENP	18.01.2024 to 20.01.2024	Sale of Alcohol 10:00 to 23:00	Event permitted

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

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

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

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
10. The premises will install and maintain a comprehensive CCTV system covering all parts of the premises as per the minimum requirements of the Metropolitan Police. Further:
 - (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
 - (b) The CCTV system will continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
 - (c) All recordings will be stored for a minimum period of 31 days with date and time stamping.
 - (d) Viewing of recordings will be made available immediately upon request of the Metropolitan Police or Responsible Authority Officer throughout the preceding 31 day period, providing the request complies with the Data Protection Act or any other Primary Legislation
 - (f) A staff member from the premises who is conversant with the operation of the CCTV system will be always on the premises when the premises are open. This staff member will be able to provide Metropolitan Police or Authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested, providing the request complies with the Data Protection Act or any other Primary Legislation.
 - (g) The CCTV system will be maintained bi-annually and details of maintenance will be made available upon request to the council.
 - (h) The recording equipment and data storage devices will be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with.
 - (i) The system will be register with the Information Commissions Office.
 - (j) The system will abide by the Surveillance Camera Code of Practice.
11. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 40 persons.
12. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
13. 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.
14. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

15. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
16. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
17. 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.
18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 on the following day.
19. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
22. A log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Metropolitan Police, which will record any attempted underage alcohol purchases.

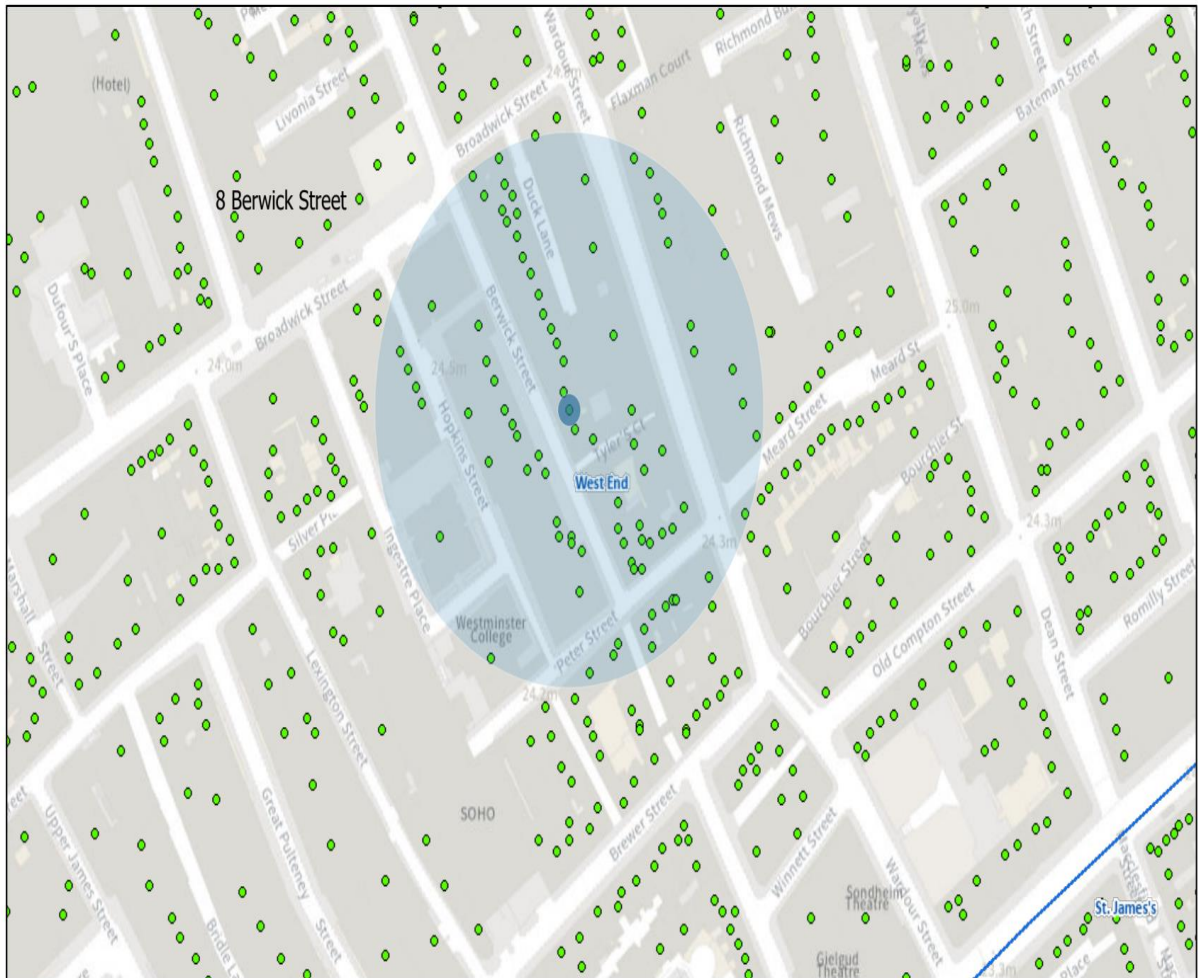
The applicant has agreed with the Metropolitan Police that this condition shall be replaced with the Council's model incident log condition as set out below:

22. 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
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
23. The premises may remain open for the sale of alcohol and the provision of late-night refreshment from the terminal hour for those activities on New Year's Eve through to the commencement time for those activities on New Year's Day.
24. The premises licence holder will ensure that all staff are trained commensurate with their roles at the premises including:
 - a) The Licensing Act 2003, responsibilities in supporting the four key objectives.
 - b) Crime Scene Preservations
 - c) Welfare and Vulnerability Engagement (WAVE) training.

Conditions proposed by the Environmental Health

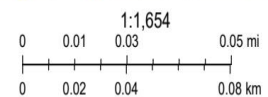
None

9 Berwick Street, London, W1



10/01/2024, 13:11:58

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 264

Licensed premises within 75m of 9 Berwick Street, London. W1				
Licence Number	Trading Name	Address	Premises Type	Time Period
22/02670/LIPDPS	The Breakfast Club	11 Berwick Street London W1F 0PL	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00

21/10111/LIPV	Amathus	Hammer House 113-117 Wardour Street London W1F 0UN	Shop	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
22/09410/LIPDPS	Banana Tree Restaurants Ltd	103 - 109 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 10:00 - 01:30
20/00815/LIPCH	Duck & Rice	90 Berwick Street London W1F 0QB	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/08576/LIPN	Shadow - Whole Premises	90 Berwick Street London W1F 0QB	Not Recorded	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
22/12056/LIPDPS	Hub By Premier Inn	90 Berwick Street London W1F 0QB	Hotel, 4+ star or major chain	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 00:00
15/06480/LIPN	Duck & Rice First Floor	90 Berwick Street London W1F 0QB	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 00:00 Friday to Saturday; 10:00 - 00:30
23/01063/LIPCH	Flat White	17 Berwick Street London W1F 0PT	Cafe	Sunday; 08:00 - 22:30 Monday to Thursday; 08:00 - 23:30 Friday to

				Saturday; 08:00 - 00:00 Sundays before Bank Holidays; 09:00 - 23:00
21/14598/LIPDPS	Co-op	104 - 105 Berwick Street London W1F 0QS	Not Recorded	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
21/13851/LIPDPS	Tortilla	88 Wardour Street London W1F 0TH	Restaurant	Monday; 08:00 - 23:30 Tuesday; 08:00 - 23:30 Wednesday; 08:00 - 23:30 Thursday; 08:00 - 23:30 Friday; 08:00 - 00:00 Saturday; 08:00 - 00:00 Sunday; 08:00 - 22:30
22/08991/LIPT	Mediterranean Cafe	18 Berwick Street London W1F 0PU	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
22/08995/LIPT	Violets	Ground Floor 19 Berwick Street London W1F 0PX	Restaurant	Monday; 10:00 - 01:00 Tuesday; 10:00 - 01:00 Wednesday; 10:00 - 01:00 Thursday; 10:00 - 01:00 Friday; 10:00 - 01:00 Saturday; 11:00 - 01:00 Sunday; 12:00 - 00:00
15/04952/LIPN	Red Dog	Basement And Ground Floor 20 Berwick Street London W1F 0PY	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/09669/LIPDPS	Yauatcha	Basement	Restaurant	Monday to

		And Ground Floor 15 - 17 Broadwick Street London W1F 0DA		Sunday; 08:00 - 01:00
11/00024/LIPDPS	Yauatcha	Basement 15 - 17 Broadwick Street London W1F 0DL	Restaurant	Sunday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Monday to Saturday; 08:00 - 01:00 Monday to Saturday; 10:00 - 23:30
19/11795/LIPDPS	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Restaurant	Sunday; 12:00 - 23:00 Monday to Wednesday; 09:00 - 02:30 Thursday to Saturday; 09:00 - 03:30
19/02509/LIREVP	100 Wardour	Ground Floor 100 Wardour Street London W1F 0TN	Not Recorded	
23/06700/LIPDPS	Hucketree Soho	Ingestre Court Ingestre Place London W1F 0JL	Office	Monday to Sunday; 08:00 - 22:00
23/04676/LIPSL	Not Recorded	Basement 84 - 86 Wardour Street London W1F 0TG	Night clubs and discos	Monday; 09:00 - 01:30 Thursday; 09:00 - 03:30 Sunday; 12:00 - 23:00 Tuesday to Wednesday; 09:00 - 02:30 Friday to Saturday; 09:00 - 04:00
21/14512/LIPN	Victor's	84 - 86 Wardour Street London W1F 0TQ	Restaurant	Sunday; 10:00 - 01:30 Monday to Thursday; 10:00 - 01:30 Friday to Saturday; 10:00 - 02:30

21/02214/LIPT	Lo-Profile	Basement 84 - 86 Wardour Street London W1F 0TG	Club or institution	Monday; 09:00 - 01:30 Thursday; 09:00 - 03:30 Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30 Tuesday to Wednesday; 09:00 - 02:30 Friday to Saturday; 09:00 - 04:00
23/04677/LIPSL	Shadow Licence	84 - 86 Wardour Street London W1F 0TQ	Premises Licence - Shadow Licence	Sunday; 10:00 - 01:30 Monday to Thursday; 10:00 - 01:30 Friday to Saturday; 10:00 - 02:30
22/06200/LIPDPS	Bone Daddies	30 - 31 Peter Street London W1F 0AP	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/04632/LIPT	Princi	Basement And Ground Floor 135 - 139 Wardour Street London W1F 0UT	Restaurant	Monday to Sunday; 00:00 - 00:00
23/04605/LIPN	My Place	Basement And Ground Floor 21 Berwick Street London W1F 0PZ	Restaurant	Sunday; 07:00 - 22:30 Monday to Thursday; 07:00 - 23:30 Friday to Saturday; 07:00 - 00:00
22/09052/LIPRW	My Place	Basement And Ground Floor 21 Berwick Street London W1F 0PZ	Cafe	Sunday; 10:00 - 22:30 Monday to Wednesday; 07:00 - 23:30 Thursday to Saturday; 07:00 - 00:00 Sundays before Bank Holidays; 10:00 - 00:00

22/08728/LIPDPS	Rudys Pizza	Ground Floor To First Floor 80-82 Wardour Street London W1F 0UN	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 00:00
23/04624/LIPSL	Not Recorded	6 Walker's Court London W1F 0BT	Not Recorded	Monday; 08:00 - 01:30 Tuesday; 08:00 - 01:30 Wednesday; 08:00 - 01:30 Thursday; 08:00 - 01:30 Friday; 08:00 - 01:30 Saturday; 08:00 - 01:30 Sunday; 08:00 - 23:00
23/06969/LIPDPS	Not Recorded	6 Walker's Court London W1F 0BT	Theatre	Sunday; 08:00 - 23:00 Monday to Saturday; 08:00 - 01:30
23/07309/LIPT	Moo	99 Wardour Street London W1F 0UF	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
23/05771/LIPDPS	Supernova	25 Peter Street London W1F 0AH	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
19/11661/LIPDPS	Temper	Former Trenchard House 19 - 25 Broadwick Street	Restaurant	Sunday; 10:00 - 22:30 Monday to Thursday; 08:00 - 23:30 Friday to

		London		Saturday; 08:00 - 00:00
22/01465/LIPT	Busaba Eathai	108-110 Wardour Street London W1F 0JL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/09379/LIPDPS	Blue Posts Public House	22 Berwick Street London W1F 0QA	Pub or pub restaurant with lodge	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
17/05557/LIPT	(Former 'Bunnychow')	74 Wardour Street London W1F 0TE	Restaurant	Sunday; 07:30 - 23:00 Monday to Saturday; 07:30 - 23:30