

The comprehensive and robust conditions proposed with the applications will remain to ensure a professional and responsible management of the restaurants.

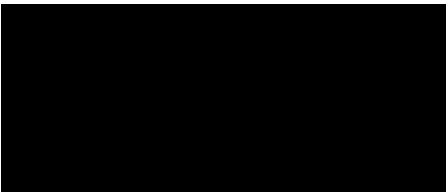
In addition, the development's thoughtful servicing and management plan will implement tight controls on how the restaurants manage their waste, deliveries and general servicing. Waste will be taken directly to internal subterranean waste refuse areas before being taken up to ground floor level by the estate team ahead of scheduled collection times. Deliveries will be made via an internal loading bay before being distributed internally via servicing corridors.

We are also mindful of your concerns in respect of the proximity of the unit to the school. We will carefully select and vet any future tenant to ensure it is an appropriate restaurant for the location and remind management of the importance of safeguarding.

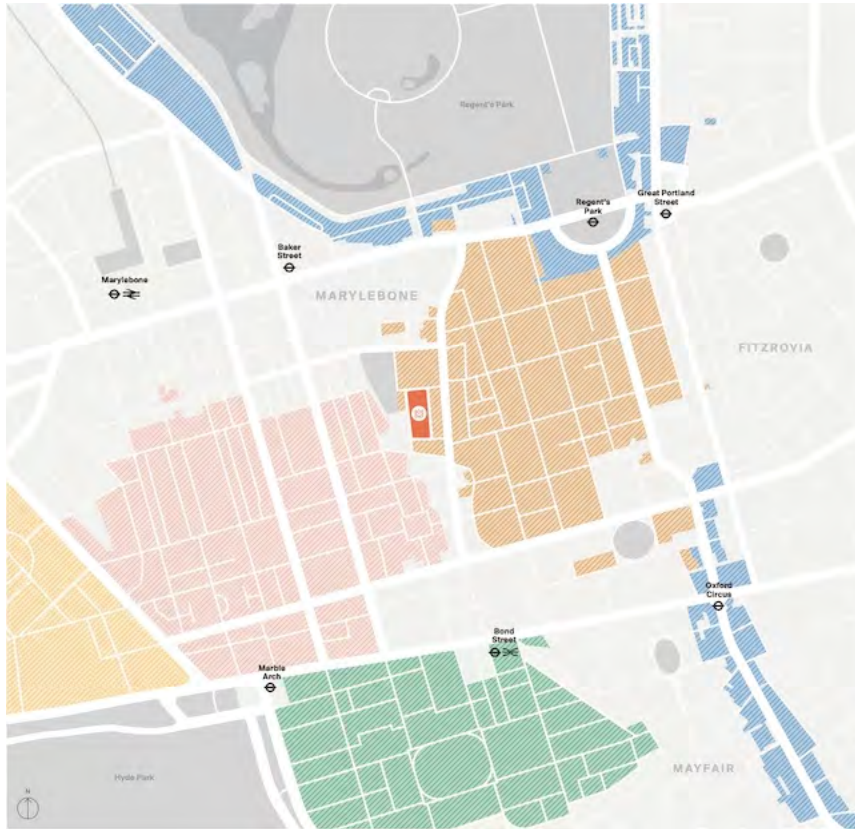
Thank you for your consideration of this letter. We hope that it has helped to address some of the concerns that you have raised. Please do not hesitate to contact us if you would like to discuss our proposals further.

Finally, may I please take the opportunity to wish you and your family a Happy New Year.

Yours sincerely



## Marylebone Square Restaurants



## ***DRAFT* Development Dispersal Policy & Appendix 11 Submission**

February 2024

Thomas & Thomas Partners LLP

Solicitors for the Applicants

## **1 Introduction**

- 1.1 This document is submitted by the Marylebone Square developer and applicant for the following Core Hours restaurant premises licences:
  - 1.1.1 Unit 2, 26 Aybrook Street London W1U 4AN reference 23/08470/LIPN
  - 1.1.2 Unit 3, 3 Cramer Street London W1U 4EA reference 23/08472/LIPN
  - 1.1.3 Unit 9, 1A St Vincent Street London W1U 4DA reference 23/08471/LIPN
- 1.2 Development management will be trained in its implementation and all licensed tenants will have to commit to the overarching operating procedures contained herein.
- 1.3 The Development is encompassed by Aybrook Street, Moxon Street, Cramer Street and St Vincent Street Marylebone W1U.
- 1.4 The Applicant is committed to a high standard of professional and responsible management to ensure that all occupiers of the Development co-exist harmoniously and that there is no adverse impact on the existing Marylebone community. The management systems will ensure that the licensed restaurants within the Development are operated sympathetically to neighbouring residents and businesses.
- 1.5 The Policy will be reviewed regularly and whenever the Development management become aware of feedback associated with the operation of the licensed premises generally or the dispersal of patrons.

## **2 Planned Management Measures for Control of Noise**

- 2.1 Robust and planned management of the dispersal process will control any noise impact associated with patrons leaving the Development, especially at night.
- 2.2 The significant majority of patrons will depart in a controlled manner across various dispersal points across the Development within Core Hours. All customers will be directed to the main public thoroughfares and nearby transport links. Dispersal will be away from the local residents and towards main transport thoroughfares.
- 2.3 All dispersal will be thoughtfully managed and coordinated by all licence holders working in partnership with the Development management.

## **3 General Operational Controls**

- 3.1 The Development management team and licensed tenants will be required to take their responsibilities as a neighbour very seriously. Management controls shall include:
  - 3.1.1 Extensive employee induction and on-going refresher training, including:

- 3.1.1.1 Responsibilities in the local area and towards local residents.
  - 3.1.1.2 Customer care and hospitality.
  - 3.1.1.3 Complaint handling.
  - 3.1.1.4 Food Safety.
  - 3.1.1.5 Health and Safety.
  - 3.1.1.6 Fire Safety.
  - 3.1.1.7 Security awareness under Met. Police “Project Argus” programme.
  - 3.1.1.8 Counter terrorism training.
  - 3.1.1.9 Safeguarding and welfare engagement training, for example WAVE training in partnership with the Westminster Police Licensing Team, drink spiking and “Ask for Angela”. Training focus on the Development’s proximity to a local school.
  - 3.1.1.10 Obligations under the Licensing Act 2003.
- 3.2 Operational procedures to mitigate nuisance in the local area, including:
- 3.2.1 Responsible management of patrons both within internal and external areas of the Development.
  - 3.2.2 Controlled management of the arrival and departure of patrons, including encouraging departing patrons to disperse quickly and quietly to their onwards direction of travel.
  - 3.2.3 Advice and recommendations from Clarke Saunders Acoustics.
  - 3.2.4 Sympathetic servicing of the Development, see section 5.
  - 3.2.5 Internal CCTV coverage including full frontal imaging of anyone entering the licensed premises within the Development.

## **4 People Arriving, Departing & in the Vicinity**

### **Dispersal Policy**

- 4.1 The objective of the Dispersal Policy is to ensure a quiet, controlled and swift dispersal of all patrons visiting the licensed premises within the Development.
- 4.2 The Dispersal Policy shall promote a professional and responsible management of patrons as they leave the Development to ensure they make their onward journey, without any adverse impact on local residents.

### **Entrances and Exits**

- 4.3 All access and egress points will be suitably staffed and monitored throughout the day and evening.

### **Dispersal**

- 4.4 Towards closing time of the licensed premises, the following measures, where appropriate, are taken to ensure a gradual and quiet dispersal:

4.4.1 Politely reminding patrons that the relevant premises is about to close.

4.4.2 Advising patrons that require a taxi to wait inside the premises.

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

### **Transport**

- 4.6 Patrons may arrive and depart by various modes of transport, including by foot and private car taxis.

- 4.7 The Development is also well serviced by various public transport options, as set out below. Staff will be familiar with the transport links so they may direct patrons, when required, to nearby transport links, as outlined below: -

### **Tube**

- 4.8 Bond Street (Central / Jubilee Lines) is located within an easy due South walk from the Development. The Central and Jubilee Lines run the Night Tube service on Friday and Saturday evenings throughout the night.

- 4.9 Oxford Circus (Victoria / Central / Bakerloo Lines) is located a few minutes' walk away or one stop from Bond Street. The Central and Victoria Lines run the Night Tube service on Friday and Saturday evenings throughout the night.

- 4.10 Marble Arch (Central Line) is located within walking distance from the Development. The Central Line runs the Night Tube service on Friday and Saturday evenings throughout the night.

- 4.11 Regents Park (Bakerloo Line) is located within walking distance from the Development.

### **Rail**

- 4.12 The Development is also located within walking distance of Marylebone Railway station where various railway lines are available serving North London, the West and beyond.

- 4.13 Other mainline Railway Stations are easily accessed by tube, bus or taxi.

### **Buses**

- 4.14 The Development is served by TFL public buses, including night buses. Routes include: 2, 13, 30, 74 113, 139, 189, 274, N2, N74 and N113.

### **Taxi**

- 4.15 Black cabs are readily available and highly accessible throughout the day and night in the area.

### **Private Car Service**

- 4.16 Private hire services are readily available throughout the day and night in the area. Where taxis are pre-arranged by the licensed premises for patrons, the taxi can be directed to wait in a designated area and arrangements can be made with Uber and the like to 'geofence' the pick-up location.
- 4.17 Patrons can wait inside until their taxi has arrived to ensure a quick and quiet dispersal, particularly at the later hours.

## **5 Deliveries & Servicing**

- 5.1 Deliveries and servicing will take place within the Development's purpose built and self-contained servicing and deliveries areas.
- 5.2 The Development's thoughtful servicing and management plan will implement tight controls on how the licensed tenants manage their waste, deliveries and general servicing. Waste will be taken directly to internal subterranean waste refuse areas before being taken up to ground floor level by the Development team ahead of scheduled collection times. Deliveries will be made via an internal loading bay before being distributed internally via servicing corridors. Full details of which were outlined during the Development's planning application and authorised by the City's Council's Planning Authority.
- 5.3 Where possible, multiple deliveries and/or collections will be combined to avoid high numbers of vehicles at any one time. In order to avoid disturbing local residents, late night and early morning delivery and collection times will be avoided.
- 5.4 Servicing vehicles shall be encouraged to load and unload goods quickly so as to ensure vehicle waiting time is limited.
- 5.5 Drivers shall be requested to turn engines off when able to reduce noise and pollution.

## **6 Smoking**

- 6.1 A small proportion of members of the public will at times wish to temporarily leave and re-enter the licensed premises within the Development to smoke. Designated smoking areas will

kept under constant review and provisionally positioned directly outside each restaurant unit where smokers can be monitored by staff.

6.2 Management controls include:

- 6.2.1 Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
- 6.2.2 The Development external perimeter will be monitored and walks conducted at regular intervals to promote security and maintenance.

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**GENERAL NOTES**  
 1 All dimensions to be checked on site.  
 2 Use figured dimensions only. Queries to be directed to the Architect.  
 3 Refer to Structural Engineer's drawings for details relating to structure.  
 4 Any discrepancies between the Architect's drawings and those by any other party to be reported immediately.  
 5 All drawings are not for construction unless explicitly marked for this purpose.

**GENERAL NOTES ON MATERIALS**  
 Materials to comply with appropriate British Standards or Agreement Certificate stamped and independently certified or otherwise to show their suitability. Materials should be in accordance with BS8000 series of documents and other accepted good practice (e.g. Quality assured to ISO9000).

- KEY**
- AREA OF LICENSABLE ACTIVITIES
  - ▭ LINEAR LUMINAIRE, SELF CONTAINED
  - ▭ LINEAR LUMINAIRE, SELF CONTAINED, EMERGENCY
  - ⊠ LUMINAIRE, SELF CONTAINED, EMERGENCY
  - ▲ EXTINGUISHER, WATER
  - ▲ EXTINGUISHER, FOAM
  - ▲ EXTINGUISHER, CO2
  - FIRE BLANKET
  - ⊕ FIRE MAIN, WET
  - ⊖ FIRE MAIN, DRY
  - ⊕ AURAL & VISUAL SOUNDERS
  - ⊠ DETECTOR, HEAT
  - ⊠ DETECTOR, SMOKE
  - ⊠ MANUAL CALL POINT
  - ⊠ IN EVENT OF FIRE, AVOID USE OF LIFT
  - ⊠ FIRE DOOR, KEEP SHUT
  - ⊠ FIRE DOOR, KEEP LOCKED
  - ⊠ FIRE ESCAPE, KEEP CLEAR
  - ⊠ FIRE EXIT
  - ⊠ PUSH BAR TO OPEN
  - ⊠ DIRECTIONAL ARROW (GREEN)
  - ⊠ FIRE ALARM CALL POINT
  - ⊠ GANGWAY KEEP CLEAR
  - ⊠ PUSH BAR IRONMONGERY
  - VISION PANEL
  - SELF CLOSING
  - SMOKE RESISTING
  - 60 MINUTES FIRE RESISTANCE
  - 30 MINUTES FIRE RESISTANCE
  - INTERNAL REPEATER PANEL
  - EXTERNAL REPEATER PANEL
  - FREE FROM FASTENINGS
  - - - 30 MINUTES FIRE RESISTING CONSTRUCTION
  - - - 60 MINUTES FIRE RESISTING CONSTRUCTION

NON FIXED FURNITURE AND THE POSITIONING OF FIRE SAFETY EQUIPMENT IS INDICATIVE ONLY

PO2	20.12.22	FOR INFORMATION
PO1	02.12.22	FOR INFORMATION
-	10.10.22	FOR INFORMATION

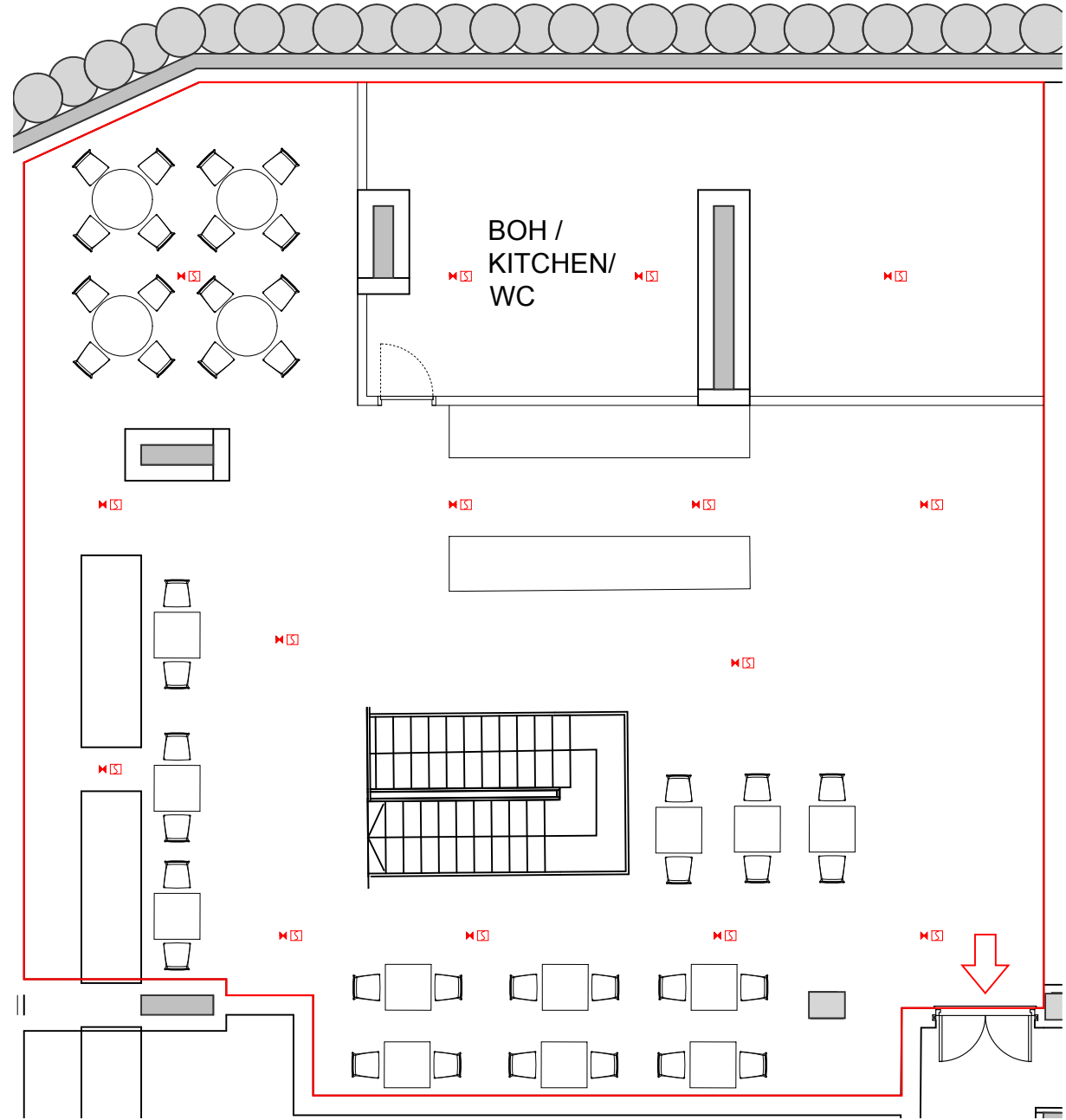
rev	date	amendment
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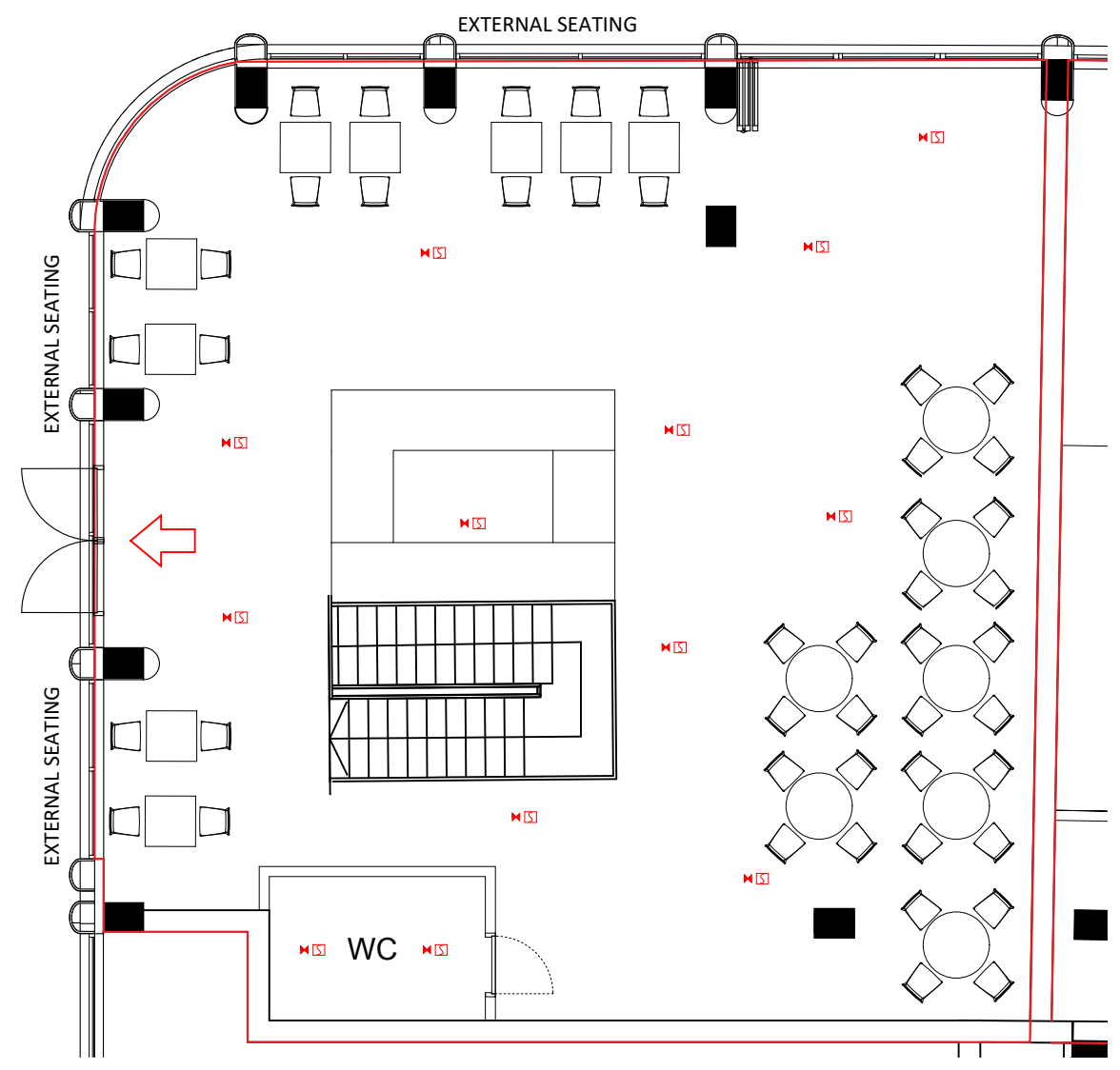
Job title  
 MOXON ST W1

drawing title  
 LICENSE DRAWING - UNIT 2

status	INFORMATION	drawing no.	revision
scale	1:100 @A3 1:50 @A1	001	P02
job no.	A570		



LOWER GROUND FLOOR



GROUND FLOOR





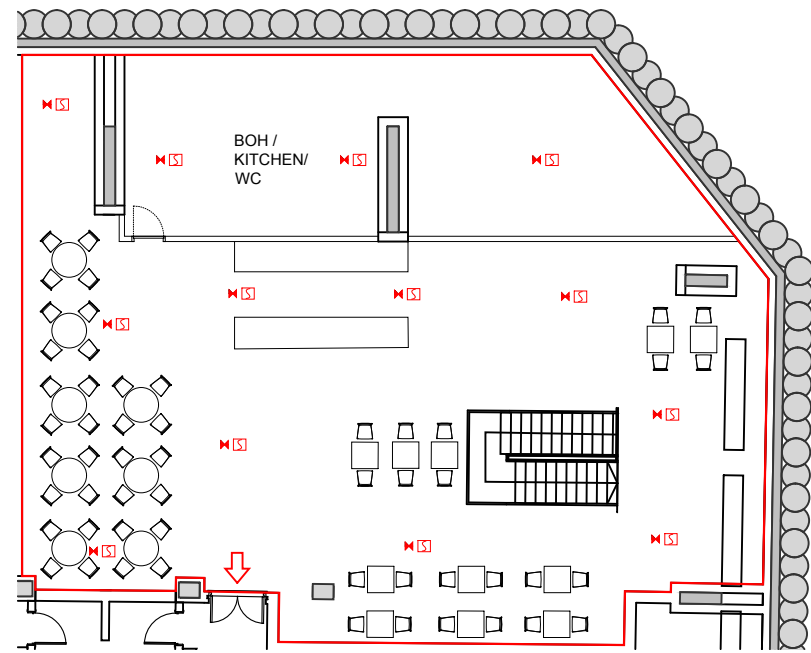
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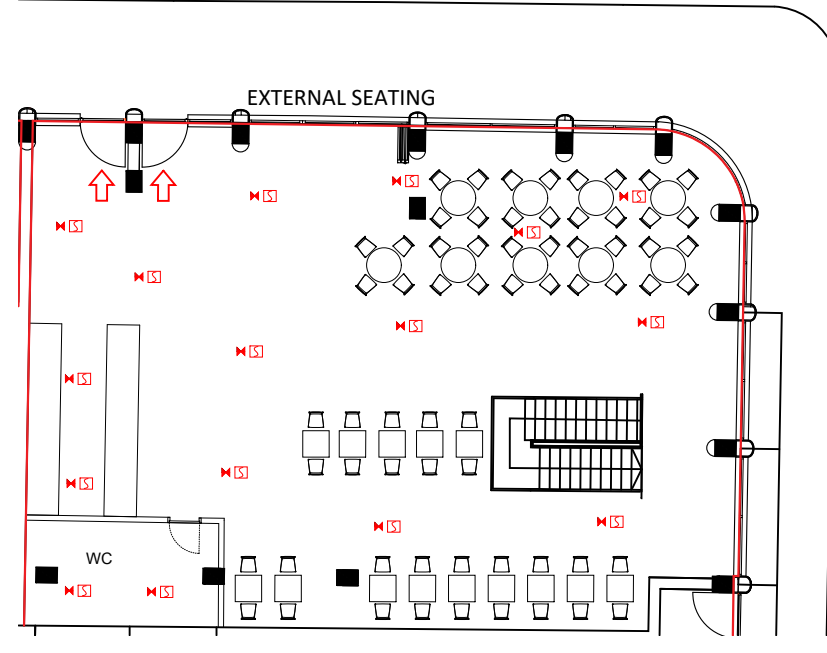
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job title  
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drawing title  
 LICENSE DRAWING - UNIT 3

status	INFORMATION	drawing no.	revision
scale	1:200 @A3 1:100 @A1	002	P02
job no.	A570		



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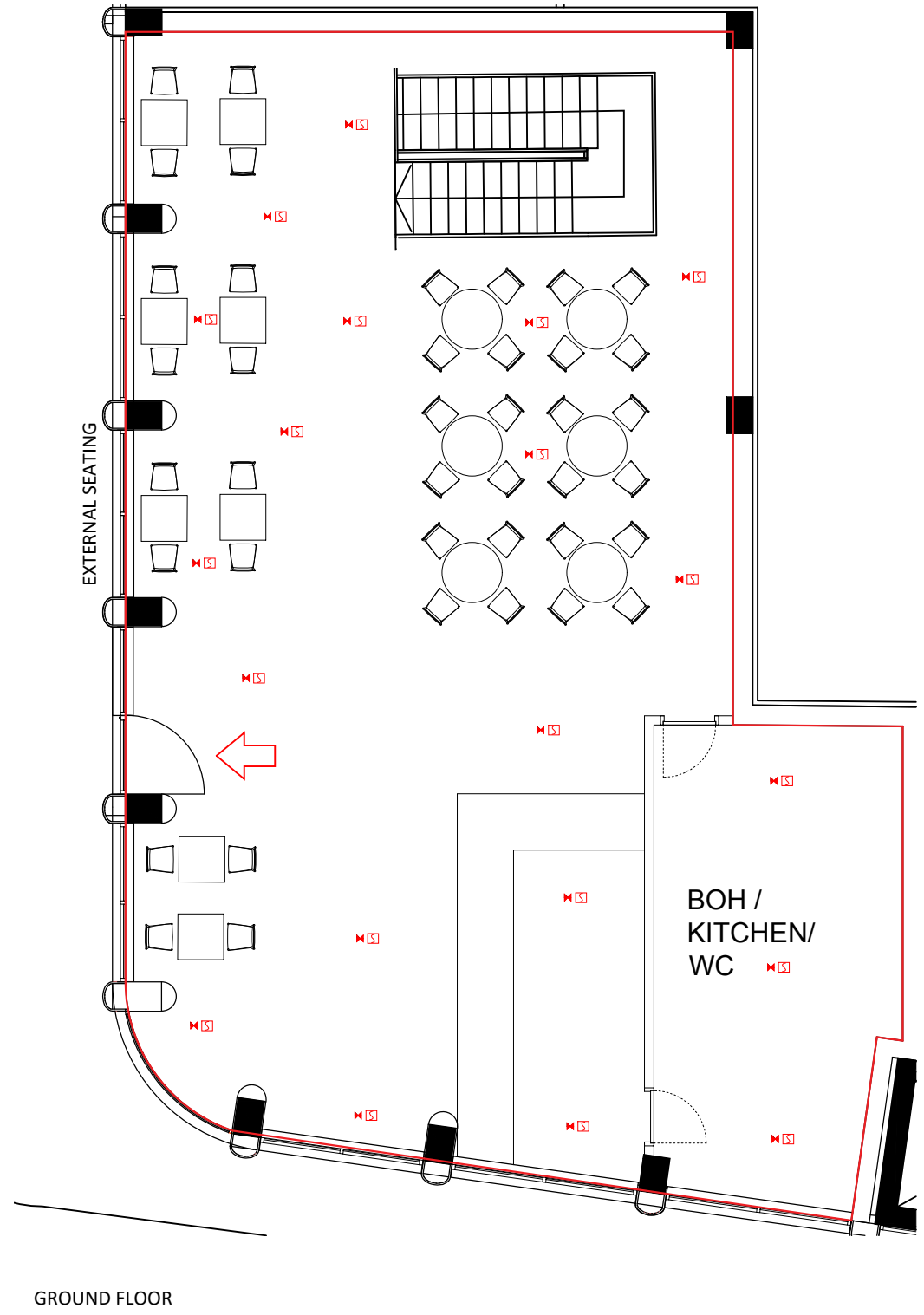
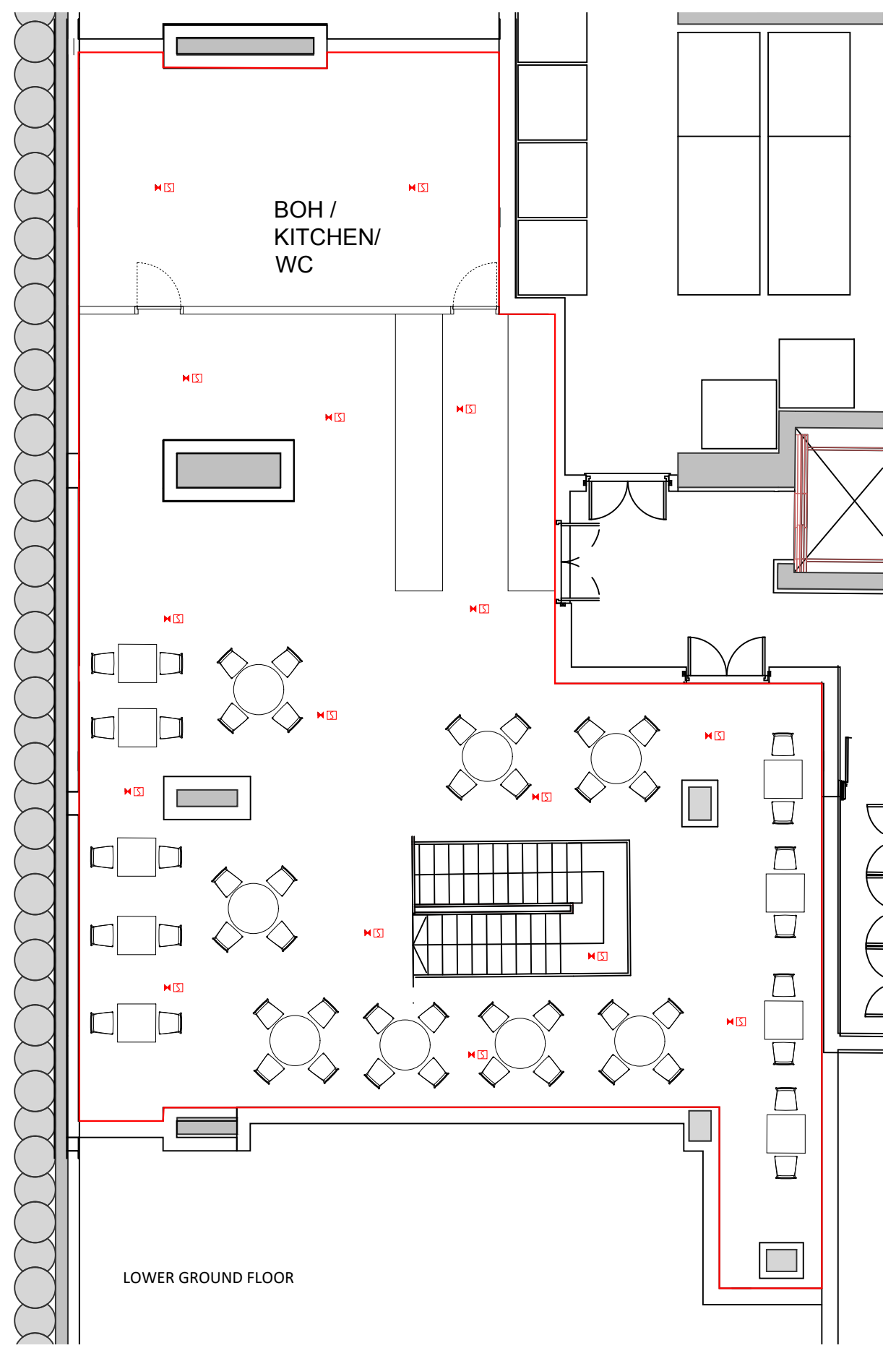
rev date amendment

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job title  
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drawing title  
 LICENSE DRAWING - UNIT 9

status	INFORMATION	drawing no.	003	revision	P03
scale	1:100 @A3 1:50 @A1	job no.	A570		





Marylebone Square  
LONDON W1

# Restaurants & Retail





# Overview

Marylebone has it all. Community get-togethers – whether it’s the farmers’ market on a Sunday or an outdoor concert at Manchester Square Gardens. Today, the story of Marylebone is still being told.

Located between the Portman Estate to the west and the Howard de Walden Estate to the east, Marylebone Square captures the grandeur of its surroundings, while maintaining the sensitive approach to stewardship characteristic of the area’s famous landlords.



Corner Elevation, Aybrook St / St Vincent St





Corner Elevation, Moxon St / Cramer St





Aybrook St

Moxon St

Cramer St

St Vincent St

Marylebone High St





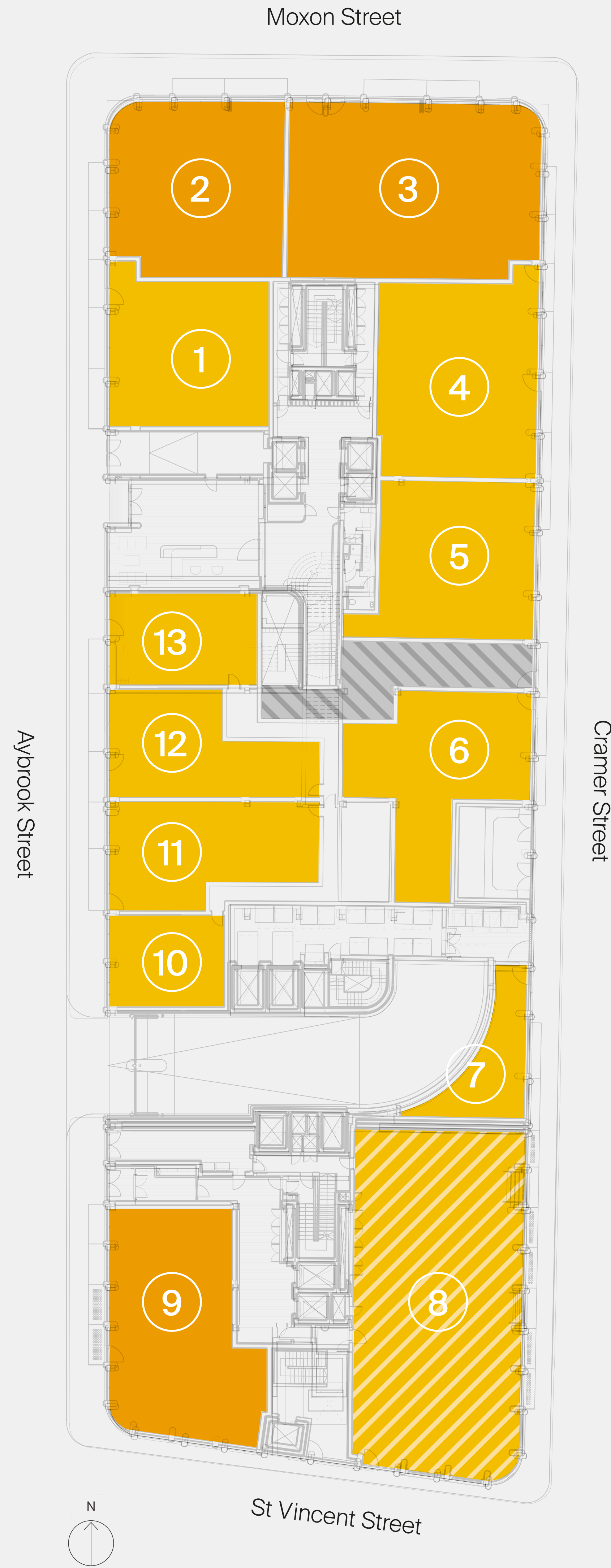
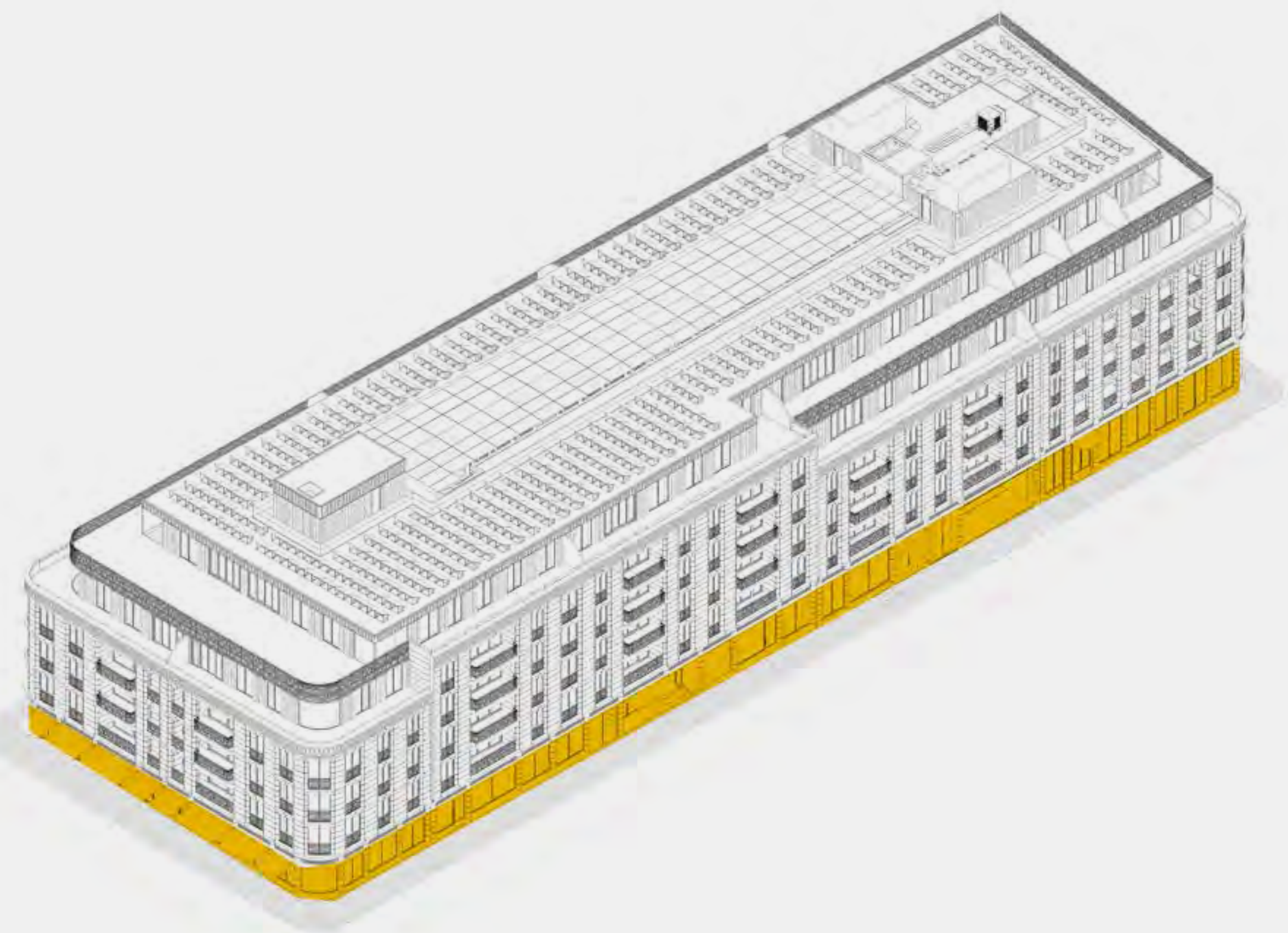
At Marylebone, you are perfectly placed. Paddington and Euston stations are a short ride away, while Baker Street and Marylebone stations are right on your doorstep. Bond Street underground is a five-minute walk down the road, where the Elizabeth line will connect you to Heathrow Airport or Paris via the Eurostar.





# The Space

The restaurant and retail units are each arranged on the ground and lower ground floors, linked via a stair and lift which can be installed by opening up defined soft spots in the ground floor slab.



Unit #		GIA (GF)	GIA (LG)	GIA (Total)
1	m <sup>2</sup>	147	210	345
	sqft	1582	2257	3714
2	m <sup>2</sup>	191	248	407
	sqft	2056	2669	4381
3	m <sup>2</sup>	191	229	540
	sqft	2056	2461	5813
4	m <sup>2</sup>	162	86	248
	sqft	1748	926	2674
5	m <sup>2</sup>	148	165	318
	sqft	1597	1776	3373
Health Club	m <sup>2</sup>	97	402	459
	sqft	1044	4327	4941
6	m <sup>2</sup>	134	0	134
	sqft	1442	0	1442
7	m <sup>2</sup>	50	0	50
	sqft	538	0	538
8	m <sup>2</sup>	315	123	457
	sqft	3391	1324	4919
9	m <sup>2</sup>	174	260	329
	sqft	1873	2799	3541
10	m <sup>2</sup>	59	0	59
	sqft	635	0	635
11	m <sup>2</sup>	101	84	218
	sqft	1087	903	2347
12	m <sup>2</sup>	91	0	100
	sqft	974	0	1076
13	m <sup>2</sup>	77	0	77
	sqft	829	0	829

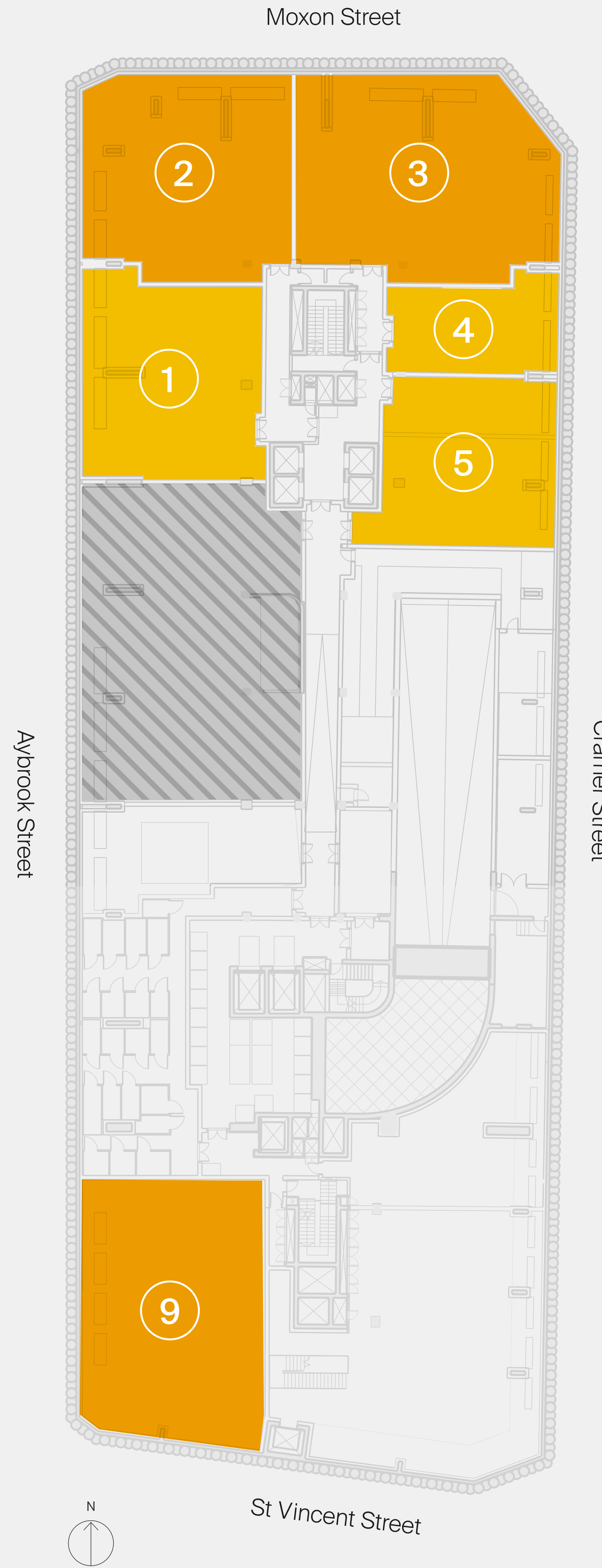
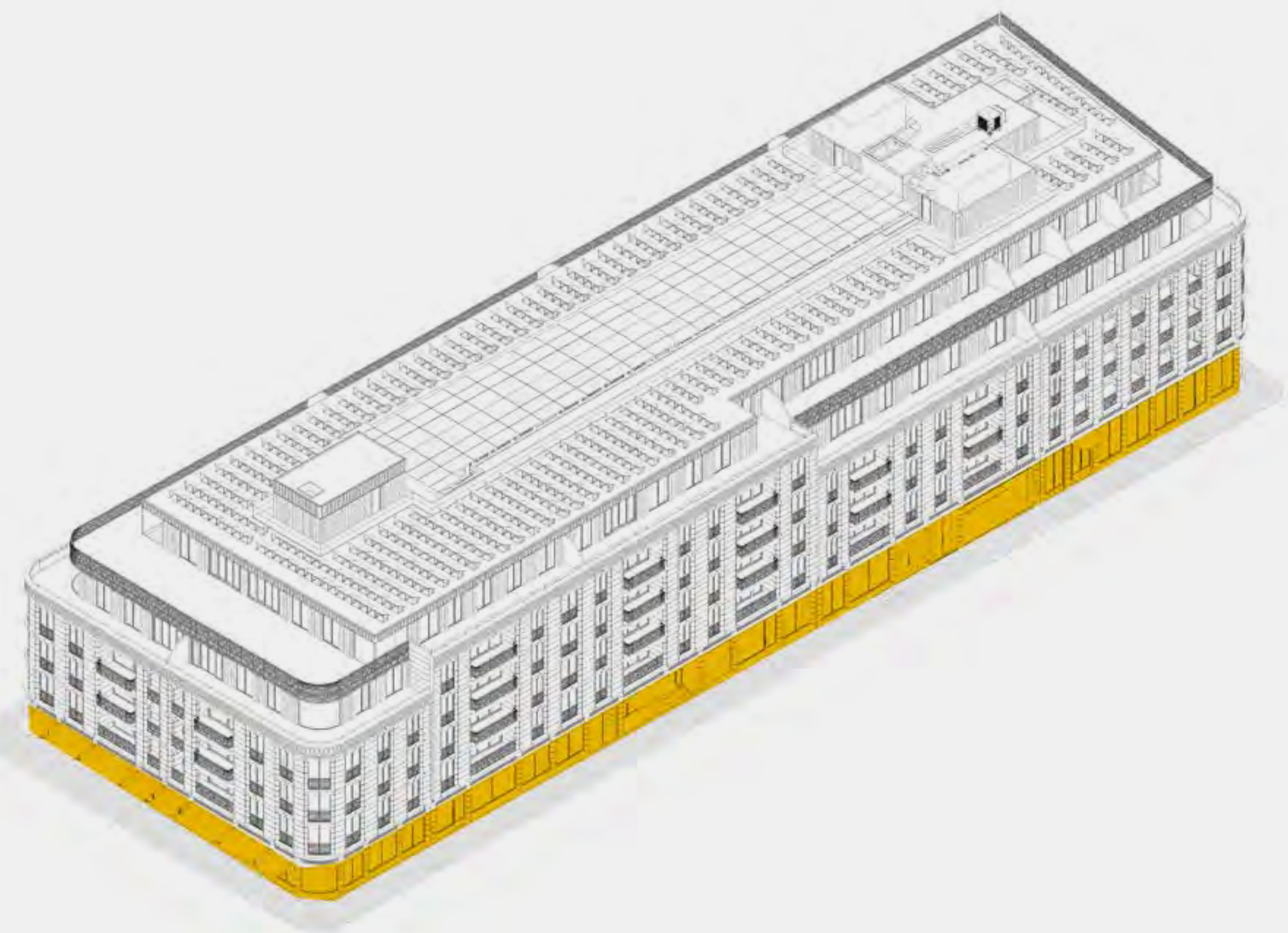
	Retail		Community Use
	Restaurant		Health Club





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	Retail		Community Use
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**Student Identifier** [REDACTED]**Assessment Guidance when marking work of work of students identified as dyslexic and/or dyspraxic<sup>1</sup>.****Dyslexia:**

Can affect ability to plan and organise work, structuring difficulties  
Word recognition, spelling accuracy and fluency  
Numeracy  
Short term memory

**Dyspraxia:**

Similar to dyslexia - causes difficulties in terms of spatial recognition  
Can affect ability to follow instructions  
Ability to plan and organise work, sequencing, structuring difficulties  
Word recognition, spelling accuracy and fluency  
Numeracy  
Short term memory

**General Advice:**

Markers might find it easier to skim the assignment quickly first before a closer reading. This may allow the ideas the student is presenting to come through.

Mark for ideas and knowledge, rather than presentation. As far as possible, discount errors in spelling, grammar and punctuation and instead mark for content and ideas and critical acumen. Allowances should also be made for unorthodox narratives and for problems with structure / organisation but only where these do not hinder understanding of the content. You are not expected to give marks for what is not there or what is so unclear that no sense can be made of it.

Some dyslexic / dyspraxic students' difficulties with written expression can mean that understanding the work is extremely difficult. In such cases, lecturers should give some detailed feedback and guidance.

It may be helpful to both marker and student to use two pens when marking assessments (with this form attached). Use one colour to comment on the content/material and the use of ideas and the other for comments on use of Standard English.

**Note:**

- Marking for content over form may require re-reading the assessment.
- Marking the work of a dyslexic student is likely to take longer than marking the work of other students.

**Feedback to student:**

Comments will be most effective if they are clear explanations of what is wrong and what could be done to rectify error. Dyslexic/Dyspraxic students appreciate explicit guidance on what is good in the essay as well as what is wrong. Such students are unlikely to find general statements such as 'a point needs developing' as helpful (due to their disability).

**Academic Standards:**

It is recognised that accurate spelling, grammar, punctuation and structure (i.e. Standard English) may form explicit parts of the assessment. It is likely that most programmes will require students to demonstrate the use of Standard English as implicit 'programme' learning outcome. This should, however, be stated explicitly in programme specifications. If you are unsure whether the use of 'standard English' is a requirement in the assessment you are marking, you should seek advice from your department.

Whilst departments may utilise explicit marking criteria for the use of 'Standard English' for coursework, it may not be a requirement for take home papers, exams etc).

If the use of 'standard English' has not been cited within the marking criteria for the assessment you are marking you should follow the guidance above.

<sup>1</sup> Please consult with the disability office if you are unsure about the nature of the disability and the likely effect that it may have on academic performance – ext 2292.  
Disability Team April 2008

LICENSE APPLICATION 23/08470/LIPN – Sub-committee 22<sup>nd</sup> February

*I want to preface my note by saying I struggle with both diagnosed dyslexia and attention deficit hyperactivity disorder (ADHD) when producing representations such as this. I have attached the cover page I used through out university, which I hope will provide guidance for reading this document and provide some context to why my submission may be different and inferior in quality to those of most others. I want to convey to you I have done my sincere best in writing this.*

Now I want to come to the subject of **through fare**. If only 25% of those who visit the restaurant arrive by or are collected by car, the other 75% will arrive and leave on foot. If 50% by car, then 50% by foot. Cars pulling up to drop off residents or park, and visitors on foot, both present significant public nuisance for residents **who have previously have never had restaurants here**. Especially considering the size and the scale of these restaurants (flagship) as opposed to the small boutiques shops which are the largest size permitted by the Westminster Council tender. We are still waiting for any indication of the capacity of these two story restaurants, (what X, determined by \_\_\_\_ is) but on the plans their capacity is 150 with outdoor seating.

With two requested two story restaurant licenses (which both breach the **ground floor only** specified within the Westminster Council tender) we have up to 300 people total coming to the area per table cycle (the time it takes to queue, eat a meal and drink, and leave), or 150 per restaurant. Within these hours (and in order to achieve the types of profit required to rent these spaces) we are looking at potentially 2700 diners brought to the area by the two restaurants, 1350 per restaurant per day every day, making noise, queueing outside, walking through the quiet area late at night, arriving to and leaving the restaurant. This will bring a huge amount of footfall traffic down the previously silent, entirely residential mews street of Ossington Buildings.

When they leave the Aybrook Street restaurant and walk north, diners can either go up Ashland place, up Ossington Buildings or through Paddington Gardens. When they leave the Cramer Street restaurant and walk north they can go up Garbutt Place or Ossington Buildings or through Paddington Gardens. However, Paddington Gardens closes at dark (between 16:30 and 20:00/21:00

depending on the season). Assume for the sake of argument that of 240 to 300 people, a third go north, a third east and a third south, and of those heading north half travel up Ossington Buildings, that's 40-50 people making noise walking in groups down a previously entirely residential, peaceful and basically unused thoroughfare mews every 90 minutes. If you take examples of other mews streets in in the Marylebone area, (e.g. South Devonshire Mews, Gloucester Place Mews) you would not dream of diverting high spirited dining traffic down them, or indeed any other of the many residential mews located around Marylebone (Harley St, West of Baker Street, etc.). You just wouldn't dream of putting a restaurant of any kind in them, let alone a **flagship** restaurant (flagship restaurant means "*a brand's showpiece location...it's often the largest restaurant and in a visible and high-trafficked area*"). In fact, if you even loiter in mews streets, someone will look out of the window or ask you what you are doing and ask you to move on because these are peaceful streets and not places for residential traffic. We get people sitting opposite our house on the [REDACTED], often young kids or guys or couples and mostly to smoke cannabis. I ask them to move on partly to frighten off criminals and partly because I know the way to stop it becoming "the spot" is to ask people to move the first time they congregate there. But mostly it is because the noise of their voices is incredibly loud and intrusive within the noise canyon which is Ossington Buildings, it disturbs me. And my mother often comments about there being people outside so I do it for her too.

**Why is there any question that the Ossington Buildings mews be treated any differently to any other residential mews in Marylebone?**

**How can it be acceptable within the Westminster Licensing Act to place a Flagship restaurant, two Flagship restaurants, in a residential area?(!?)**

**When the Westminster Council tender stated, 5.49 major retail developments unacceptable, and 5.43 small scale retail units, ground floor only, how can Westminster consider licensing "Flagship Restaurants", two side by side? Given the small space and population density this can only be considered Major Retail Developments. The costs of renting the units shows they are major retail, you do not spend that much annually and it not be Major Retail.**

**If the developer has gone against the Westminster Council tender in this way, is the planning permission itself not void?**

Has any kind of noise impact assessment been done as per environmental health? If so, let us see it. If not, one needs to be done. Is there a legal requirement for a noise impact/noise pollution study to be carried out before a license can be granted? How do the members of the licencing committee propose to evaluate the impact of the public nuisance caused by licensing a restaurant/restaurants here? A license for which we don't even know the eventual premises user! Many of you will be familiar with the Chiltern Fire House, opened initially as a hotel, but operating mostly as a highly trendy restaurant and late night entertainment venue and bar for A-listers. You will be aware of the havoc this has caused in the lives of residents and their opposition to wanting to extend the premises to outdoor dining. Before the Chiltern Fire House opened, this was an utterly peaceful, quiet street.

Exactly the same underhanded or misleading process is being carried out here on these two sites (as I have demonstrated above). With residents first being told they are for retail, without any clear expression that they are in fact not for retail but for Flagship, two story restaurants operating until 23:30 Monday to Thursday and midnight Friday and Saturday and 22:30 on Sunday. "Oh yes, that's retail" the architect told my mother, and the proposed plan below clearly shows a shop.

Clearly no outside dining. Clearly people window shopping. Clearly showing goods inside. Clearly not showing a high end restaurant, with menus outside, a host/hostess, etc.

They have lied to us.

Does the fact that they have lied to, or at the very least *mised* residents, mean that you yourselves cannot grant licenses for these premises, since residents were told these would be for small ground floor retail shops?



*Figure 07: Aybrook Street - Proposed Scheme*

### **3.0 BRE GUIDELINES (2011) – DAYLIGHT AND SUNLIGHT**

#### **Introduction**

3.1 In the Introduction of 'Site Layout Planning for Daylight and Sunlight'

It really boggles my mind anyone could entertain granting a premises license here. The end user could be anyone.

A silent, private, peaceful mews street will end up with a potential 4000% increase in footfall traffic and think of forty to fifty additional cars pulling up every table cycle to park or drop people off and the amount traffic noise this will bring.

A final note on thoroughfare. Have you ever suddenly felt as if you were being watched? Only to look around and see someone staring at you? Or consider the feeling when you get out of the city and stand in a natural park or somewhere in the beautiful British countryside, the sense of bliss at the peace of it and the serenity of being alone. We have that here on Ossington Buildings. Blissful tranquillity.

Now consider being in such a crowded place, Wimbledon Tennis crowds or a busy street carnival. Adding such a large increase of footfall, as that which derives from one or two Flagship restaurants, removes the serenity of being in one's house. Adding a restaurant which looks at my front door and will almost certainly be granted outdoor dining due to COVID legislation which has not yet been repealed removes the serenity of living in a private street. These flagship restaurants create the stress of being around loads of people that lead one to want to go home and rest and have one's nervous system return to normal. This is a request to permanently turn a tranquil space into something which is busy with people 75-80% of the time. I have video evidence to prove this if in doubt. Ossington Buildings being silent from 17:00 at night onwards because the other few nearby shops are closed and the traffic remains on Marylebone High Street.

It must also be considered that we have a late night pub, which is a hugely popular night spot on Thursdays, Fridays and Saturdays, on the corner of Marylebone High Street and Moxon Street. We are talking about two hundred or more people in the pub. Yes, two hundred. Outside, inside. Absolutely packed. Extreme drunkenness. They have a DJ playing music until midnight on Friday and Saturday night and a dancefloor and nightclub lighting. I have sometimes heard residents screaming at people about the noise from their windows as I have walked past to catch Waitrose before it closes at 22:00. It is

my opinion they are taking advantage of their license, so that although they are licensed to be open until midnight, they operate in a manner never considered when their original license was granted. I believe we are at extreme risk of this happening to us. Where an initial restaurant fails because of the high rental cost and undesirable location. Faced with needing to find a new tenant, a new operator takes over the establishment with a much heavier focus on selling alcohol and providing late night entertainment. **(Consider the Prevention of Public Nuisance Policy PN1!)**

Currently, the people who come to the Marylebone to party, dance, get drunk, pick up a partner on busy nights do not come down Moxon Street into the private residential place, however, if you grant a license to the Cramer Street or Aybrook Street restaurants, it will encourage and in a sense grants the permission for them, to come onto Moxon Street and Ossington Buildings late at night. And I will not allow that to happen. With the Marylebone operating the way that it does, creating severe public nuisance for residents will be unavoidable with the granting of these licenses.

If you grant this license, we will lose our tranquillity. Every day. For the rest of our lives. You cannot inflict this on people who don't want it. Prevention of Public Nuisance Policy PN1.

This note on thorough fare needs to be taken in consideration alongside the already huge change which existing residents are already going through. Over seventy flats are sold or up for sale. That is an already massive rise in new residents added to the densely populated area. Add to that, the new public car park and all the cars it brings driving down Aybrook Street and Moxon street, as well as people parking up, visitors, deliveries, and all that may bring. The new use of space in the area will create enormous change.

Say, on average three people per house, then that is one hundred and sixty two extra people, and an enormous increase traffic (on an already tiny street serving Waitrose, the ginger Pig, Aubaine, La Fromagerie for deliveries as well as all the existing residents for food an parcel deliveries). These residents will want to invite people, perhaps a lot of people, over to entertain or to visit, etc. So you cannot grant licenses until those people have settled and the residents and the area have been able to acclimatise to the already huge increase in population and traffic.



Speaking of noise pollution, I must also raise the issue of **light pollution**. I have just been speaking to our friends at the Ginger Pig and they say it is going to be terrible for us residents. They have highlighted to me that light pollution is a huge issue to consider. The impact of restaurant lighting constantly shining into people's windows and dark, peaceful mews streets. Disrupting natural circadian rhythms. Destroying people's ability to rest in their homes.

In terms of **crime**, the extremely high price and high end living which goes along with the area makes Marylebone an increasing target for crime. You must also strongly consider who, what and where you are licensing within Marylebone as the area is potentially at most greater risk of crime due to its affluence and gentle nature. Waitrose is currently stolen from often several times a day, which I know as I talk to the staff has had a detrimental effect on the area's supermarket and on the psychological wellbeing of the staff. Many of the elderly people from the neighbourhood are frightened about going out at night, when pre-covid they weren't. Groups who seek to steal or mug or pickpocket or other gangs could well be drawn to the area. The granting of a flagship restaurant or flagship restaurants make the many dark corners or dark streets of Ossington Buildings and the wider Marylebone area increasingly appealing places to carry out robberies.

It is without doubt that licensing these restaurants will make the area immediately around my home increasingly difficult to police and at greater risk to crime. These Flagship restaurants and the far reaching advertising and marketing which are essential to Flagship stores, draw attention to the area, brings more people into the area, brings different kinds of people to the area and this will be more likely to bring people seeking to carry out crime or, through gossip, pass this information on to criminals. Our way of life is under attack. At our borders but also from within. With no idea who the end user of this restaurant site will be (and as I have already pointed out, the fact it will not be a commercially viable location for a Michelin Star restaurant and will only work as a loud, noisy large scale wine bar,) licensing this restaurant is going to draw my home to the attention of more criminals and make my house less easy to protect. This is an undeniable fact that, as a dyslexic/adhd class neurodiverse individual I struggle to articulate but if you just see the area, you will see exactly what I mean. You have to be extremely careful what you put in this site

because it could well be a jump off spot for criminals to operate in the area or a cover for criminals to operate in the area.

In terms of **disorder**, people speaking at night or in high numbers or car traffic or footfall through a previously peaceful mews street is all public disorder. At the checkout at Waitrose today, one of the incredibly hard working ladies at the check out that I see regularly told me in response to my raising the subject of the restaurant licensing representation that they increasingly see more problematic people being brought to Marylebone. On Saturday they had a violent woman trying to kick off and start a fight when she was stopped trying to shoplift because she was high on drugs. She called one of the female staff a "stupid effing bitch". Waitrose is increasingly targeted by shop-lifters who see Waitrose as helpless and a soft touch. Marylebone and Baker Street are increasingly becoming areas known to criminals and the site of scene of drunken disorder.

The Marylebone, which used to be a neighbourhood pub is now a de facto nightclub. The last time I went in there you couldn't actually move. There must have been close to two hundred or more people on a Friday night. It was so packed, I had to take my beer outside straight away, you actually could not stand in there. We currently are lucky that we have very few people passing through Ossington buildings. Now they have stopped building, it has returned to being peaceful and lovely again, for the first time in five years that we don't have constant building work.

However, the Marylebone (the pub) and the area is at a tipping point. I feel it may be necessary to challenge them for a breach of their license agreement, as it seems to upset local residents, it is getting a real reputation with people from outside the area ("it's a meat market"), including some very unpleasant people ("it would be easy to spike drinks in there").

It shows how Marylebone is on a slippery slope. So granting licenses to New Premises is going to bring more disorder and make the area, and the houses around here, at greater risk of crime. Currently, no-one has any reason to loiter around here and if they do, they're easy to be asked to move on and if they are up to no good, it is easy to inform the police. Now, people can just say, oh I am on my way to the restaurant. Their presence is harder to detect. This allows people to case houses or for houses to come to the attention of criminals. It is

putting my home at security risk. **It is therefore extremely important what restaurants and bars and how many are licensed where, at what scale and operated by whom.**

**If you grant a late night license or alcohol license to these huge sites, which will be incredibly, astronomically difficult to make successful at the annual rents being asked for, who is to say what will be using that site in two years time. What of the effect on crime and disorder.**

I am aware that there is an escalating level of public nuisance and by licensing these two Flagship restaurants, you will exacerbate this issue, by bringing the people who are currently only on Marylebone High Street. It is an invitation further into currently silent, residential streets (see supporting video evidence). Because I counsel, you as someone born in this area and who has lived here for three decades, somewhat young (mid-thirties), I can tell you Marylebone is at a tipping point.

Anthropologists/Sociologists studying the urban environment have long hypothesised that space is socially constructed and socially produced. By putting Commercial Premises in a previously residential block, you change the very nature of how the space is perceived and used. This has myriad impacts for noise and light nuisance, for crime and for disorder. And this will especially be true for the Spring/Summer/Autumn.

In continuing on crime, opposite our home there is a set of steps where people like to come and congregate and smoke weed and talk loudly. I can move them on when I feel in reasonable self-esteem but when you have a restaurant:

- it will attract people from the Marylebone to the area.

- It gives people permission to walk up there late at night as if it were a public place

- It won't be possible to move the groups who congregate on the stairs on because there will be other people being active, dining, making noise outside the proposed licensed restaurant. Young people will feel, perhaps justifiably, if these wealthy people can be out dining and awake, why can't we be out smoking weed and awake and playing music on our phones etc.

The restaurants will encourage people to walk home along Moxon street and down the private mews street, where as currently, after Aubaine is a "no-mans land" as far as people are concerned late night. You can make noise on the high

street (and they do) but not in the private mews. Long may the peace of Moxon Street and Ossington Buildings continue (now that we have survived five years of continuous building, by the Howard De Walden estate and then the Marylebone Square Development).

I am also concerned for both my safety, my health and wellbeing and the safety of my home. There will inevitably be high spirited people congregating outside, around the restaurant or walking around nearby. When they are making noise late at night I am not going to feel alright just allowing that to happen, allowing my space and my peace to be violated. I also have huge love and concern for my Mother, who is retired, and gets upset because of what she had to live through with Howard House and the aggressive students. I get upset too.

So what is going to happen if every Friday or Saturday night I have to assert our right to peace and a decent night's sleep, and come out and tell people to be quiet, to stop their shouting or screaming (probably occasionally losing my temper), stop their drunken high-spirited conversations fuelled by food, alcohol and summer sun? I have the right to assert myself. But, eventually someone is going to target my home in an act of spite or threaten me with aggressive language or perhaps with physical violence. And where does that lead to? A man has the right to defend his peace of mind, his home, his dignity and his family but if you license restaurants on Moxon Street, you are effectively telling me I no longer have the right to do so. That I don't have those rights in this area as a home owner. It is setting me on a collision course with whoever ends up managing, owning and working at the restaurant and with restaurant patrons. This will inevitably create, at best, conflict, bitterness and bad feeling, and at worst, incidents of real crime. And the truth is, it isn't my job to protect my home in this way, it's yours. There are many incidents of people who stand up for themselves against bad behaviour who ended up hospitalised, dead or targets of vicious campaigns.

I don't think anything I am saying here is unreasonable. I know it is not. You would not inflict this on someone in Gloucester Place Mews or South Devonshire Mews. You would not dream of it. Yet we are as quiet as a mews here and we are as protected.

I have come to understand about the subject of **trauma** is that its effect on an individual is that it removes choice. This happens at a neurological level. We, the family that live in Montagu House, Ossington Buildings have been severely traumatised by the use of the space in Howard House during the eighties. We

have been traumatised by five years of non-stop building during the pandemic. I can only speak for myself here, but the proposed licensing of two huge late night restaurants, one only forty feet from my home is traumatising. As a traumatised person, I do not have a choice about my reaction to it. At least, not according to the leading authorities on trauma. Every time I leave my house and see these restaurant, I am going to feel the way I feel about them. Every time I hear the noises of the diners, encounter the groups of diners arriving to or leaving the restaurant I am going to have the same reaction. Please do not make a mistake, side with the developers and ignore the needs of the residents.

A final point I want to make is one of **Commercial viability**. These enormous, each more than twice the size of Aubaine and bigger than the invisible *le Vieux Comptoir*, *La Fromagerie*, and *Ginger Pig* COMBINED, are situated within an extremely expensive luxury development. I have heard people call it 7\* (seven star). How much are the landlords charging per space? I know that for the site opposite The Marylebone, on the corner of Moxon Street and Marylebone High Street, the Howard De Walden estate was charging one million pounds per year, several years before the Covid-19 pandemic and the recent inflationary pressures. Is the Landlord asking one million pounds per year rent? One point two five million? One point five million? I have heard it could be as much as £8,000 per square metre. That is four million per year.

There is no way the type of restaurant they are proposing will be able to turn a profit, given the location is not prime real estate. It is likely to be significantly higher than one million pounds per year but even given that estimate, that means £2,740 per day every day just to cover the rent. Not including staff costs, recovering initial outlay, advertising budgeted, cost of ingredients. If it is eight thousand per square metre, that requires £10,960 per day turnover. It is simply not viable for those pieces of land. The whole thing is a cash grab.

When you look at the Marylebone Square website they claim that Marylebone's rich "history starts in 1086 when the area was acquired by five aristocratic families over the course of 700 years...a rare opportunity to own a piece of Central London's rich history", yet why have they built such a monstrously out of touch building, which is totally unsympathetic to the surrounding architecture and history of the area. We live in these Victorian Tenement buildings which are more than two hundred years old and instead of

building something that would actually appeal to someone like Michel Roux Jr., captivating magic, inspiring magical inspiration, a trip back through history, they have made something which is superficial, fake and actually undesirable. It is fantasy to think they will attract Michelin star chefs to establish flagship restaurants here and any restaurant owners and patrons are going to find themselves in constant argument and confrontation with disgruntled residents.

What the developer is trying to market is Marylebone High Street. They are trying to create a cheap copy of the carefully constructed Marylebone High Street, diligently honed by the Howard De Walden estate. It has taken the estate careful work over six decades to make it approaching something akin to a mini Bond Street. The sought after addresses are Marylebone High Street. People do not want poxy Moxon Street. There's no lustre.

This is the point. The only commercially viable way of making the Aybrook Street or Cramer Street sites turn any kind of profit is for it to be a bar, *de facto nightclub*, pulling in punters from all around zones one, two and three to come and party.

### **Incongruous/Fantastical Nature of the proposed License Conditions**

I have spoken above generally about why these premises can never lawfully be licensed. I will now make the case that this particular license can never be granted.

The License Application for the Premises contain License Conditions that are, in reality and in practise, contradictory and a piece of fantasy. They appear to make sense in theory but completely fall apart at closer inspection. They are nothing more than a way of getting these huge restaurants a license and then the restaurants will stretch the conditions as far as they can and in some cases ignore them, as with The Marylebone or the Chiltern Firehouse. They will clearly lead to constant friction and battle between residents and the site's owners. The developers are interested in £800,000 per square metre.

Point 7. The existence and requirement for an incident log implies that licensing the premises will create incidents of crime and disorder and public nuisance. This incident log will only apply to those incidents on the premises and not include those that occur away from the restaurant grounds. Therefore, why not just not grant the license in the first place. The police say 75% of their work is caused through drugs, alcohol and mental health/illness. Yet, you want to start selling alcohol, in a residential area, at the end of my quiet and at