

**Freedom of Information request reference number:** 8976.1

**Date of response:** 16/09/2024

**Request:**

*Please send any information you have on the shed fire in Wiseton Road, Balham on 21 June 2023 at around 11am. In particular the cause of the fire and whether the nature of the fire and its severity or difficulty in handling was impacted by the presence of gin or ethanol.*

*The number of fires from home or small distilleries in London over the last 5 years. Dates, locations and severity of the fire and the impact or not of having ethanol stored at the location.*

*Any evidence you have on the safety of electric stills of gas stills for distilling alcohol.*

*Whether the LFB have visited 13 Meard Street, Soho to consider the safety issues around installing a gin distillery there.*

*Whether **[name removed]**, who gave evidence on 18 July 2024 to the Westminster council licensing committee, is a full time or part time employee of the LFB and whether he gave that evidence in the course of his employment.*

*Does the LFB support the position adopted by **[name removed]**, in his evidence that the risks of fire in a 17th wood panelled building with residential units on first and second floor can be managed. How much greater risk does a gin distillery create of fire in a residential building than a shoe shop - given presence of ethanol at high concentrations?*

*Was **[name removed]**, authorised by LFB to give evidence on the 18 July? Is **[name removed]**, authorised to provide consultancy to others for payment while employed by the LFB?*

**[Please note that names have removed from this request].**

**Response:**

We do have some information regarding the shed fire on Wiseton Road, Balham published on our website which can be viewed here: <https://www.london-fire.gov.uk/incidents/2023/june/shed-fire-balham/>. The LFB also publish incident data on the London Data Store which can be viewed here: <https://data.london.gov.uk/dataset/london-fire-brigade-incident-records>

Fire reports however are not available under the freedom of information act (FOIA) as they are considered a chargeable service and, as such, will incur a fee. As a result, they are exempt via [Section 21 of the FOIA](#) -Information accessible to applicant by other means. Regrettably this means we cannot provide you with a copy of the fire report (or the information held within it) without payment.

If you do want to go ahead and request a copy of any fire reports, I must also advise that you may not be eligible to receive a copy. However, if any eligible party (such as the owner/a tenant/local borough council/insurance firm or loss adjustor) requests the primary fire report document, and is willing to share it with you, then we would be able to provide consent for them to do this.

Further information about how to obtain a LFB incident report is published on our website and can be accessed through the following link: <https://www.london-fire.gov.uk/about-us/services-and-facilities/services-we-offer/incident-reports/>

We have two incidents recorded related to fires that occurred in either a home or small distilleries in London over the last 5 years, please see table below.

<b>Distillery</b>	<b>Incident Number</b>	<b>Date</b>	<b>Borough Name</b>	<b>Property Type</b>
1	090560-21062023	21/06/2023	WANDSWORTH	Private Garden Shed
1	110017-07072024	07/07/2024	KINGSTON UPON THAMES	Private Garden Shed

The LFB have not visited or completed a Fire Safety Audit at 13 Meard Street, London, W1F 0ES.

The LFB officer mentioned in your request did give evidence on behalf of the brigade at the LA03 Licensing Sub Committee Hearing at Westminster City Council Offices on the 18 July 2024, regarding the Premises License Application for 13 Meard Street, London, W1F 0ES.

The LFB officer was on duty at the LA03 Licensing Sub-Committee Hearing on the 18 July 2024, and acting in the capacity of a Fire Safety Inspecting Officer of the London Fire Commissioner. He was called as a witness by Westminster City Council – Environmental Health Service (as permitted under LA03 provisions for sub-committee Hearings) following their representation (objection) to the grant of this new Premises Licence.

The LFB officer is duly Authorised by the London Fire Commissioner for the purposes of:

- The Regulatory Reform (Fire Safety) Order 2005, as amended.
- Fire and Rescue Services Act 2004
- Health and Safety at Work Etc. Act 1974
- Licensing Act 2003.

However, the stated evidence written in your request was not made by the LFB officer at the LA03 Licensing Sub Committee Hearing at Westminster City Council Offices on the 18 July 2024, please see record of minutes and decision of the Sub-Committee Hearing attached below.

Personal data has been removed under section 40 of the FOIA – Personal information.

We have dealt with your request under the Freedom of Information Act 2000. For more information about this process please see the guidance we publish about making a request on our website: <https://www.london-fire.gov.uk/about-us/transparency/request-information-from-us>

**From:** [REDACTED]  
**Cc:** [REDACTED]  
**Subject:** Application for a New Premises in respect of Basement and Ground Floor, 13 Meard Street, London, W1F 0ES (Application Reference: 24/02387/LIPN)  
**Date:** 24 July 2024 21:48:25  
**Attachments:** [image001.png](#)  
[image003.png](#)  
[image004.png](#)  
[image005.png](#)  
[image006.png](#)  
[image002.jpg](#)  
[13 Meard Street Full Decision\\_Redacted.pdf](#)  
[1LS\\_2021\\_Guidance\\_Appeal information.pdf](#)  
**Importance:** High

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[EXTERNAL EMAIL] Do not click links or open attachments unless you are expecting them, even if you know the sender

Good evening,

Further to the Licensing Sub-Committee hearing on the 18 July 2024, please find the Council's full written decisions attached. Please also find attached the appeal guidance information, which I omitted to attach in my first email, apologies.

You may at any time before the expiration period of twenty-one days beginning with the date of this email appeal the decision to the Magistrates' Court at 181 Marylebone Rd London NW1 5BR.

Yours sincerely,

[REDACTED] - Senior Licensing Officer - Premises Licensing Team – Environment & Communities - Westminster City Council

15<sup>th</sup> Floor Westminster City Hall, 64 Victoria Street, London, SW1E 6QP

W: 0207 641 6500 | M: [REDACTED] | E: [Licensing@westminster.gov.uk](mailto:Licensing@westminster.gov.uk) E: [REDACTED]



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**WCC LICENSING SUB-COMMITTEE NO. 4**  
**("The Committee")**

Thursday 18 July 2024

**Application for a New Premises in respect of Basement and Ground Floor, 13 Meard Street, London, W1F 0ES (Application Reference: 24/02387/LIPN)**

Membership: Councillor [REDACTED] (Chair), Councillor [REDACTED] and Councillor [REDACTED]

Officer Support:      Legal Adviser:                      [REDACTED]  
                                 Policy Officer:                      [REDACTED]  
                                 Committee Officer:                      [REDACTED]  
                                 Presenting Officer:                      [REDACTED]

Other Parties:              [REDACTED] (Applicant)  
                                 [REDACTED] (Solicitor for the Applicant)  
                                 [REDACTED] (EHS)  
                                 [REDACTED] (London Fire Brigade), witness on behalf of EHS  
                                 [REDACTED] (Soho Society and Interested Parties)  
                                 5 Interested Parties  
                                 [REDACTED] (Soho Housing)  
                                 [REDACTED] on behalf of the owners of 17 Meard Street

**Full Decision**

**Summary of the Application**

This is an application for a new Premises Licence under the Licensing Act 2003 ("The Act") in respect of Basement and Ground Floor, 13 Meard Street, London, W1F 0ES.

The Premises intends to operate as a gin distillery and shop on the ground floor, with a tasting room in the basement.

There is a resident count of 156.

**Premises**

Basement and Ground Floor  
13 Meard Street  
London  
W1F 0ES

**Applicant**

Pontstreet9 Limited

**Ward**

West End

**Cumulative Impact Area**

West End

**Special Consideration Zone**

None

## **Representations Received**

- Environmental Health Service
- Licensing Authority (withdrawn 15 July)
- Twenty four interested parties (two withdrawn ahead of the hearing)

## **Policy Considerations**

Policies CIP1, HRS1 and SHP1 apply under the City Council's Statement of Licensing Policy ("SLP").

## **Submissions**

The Chair introduced the Members of the Sub-Committee and outlined the procedure to the Parties in attendance. The Sub-Committee Members confirmed that they had no declarations of interest to make.

The Presenting Officer, [REDACTED] Senior Licensing Officer, introduced the application for a new premises licence. She advised that a representation had been received from the Environmental Health Service who would be calling [REDACTED] from the London Fire Brigade as a witness, twenty-four representations were received from interested parties, two of which had subsequently been withdrawn following mediation and a representation from the Licencing Authority had also been withdrawn following mediation and an amendment to the application, on 15 July 2024. [REDACTED] confirmed that additional representations had been received and circulated to all parties.

[REDACTED] the Applicant, addressed the Sub-Committee explaining that they were a small business and giving a brief outline of their history to date. He stated that he wanted to be part of the community and had tried to communicate with residents.

[REDACTED] (Solicitor), representing the Applicant, addressed the Sub-Committee explaining that a previous incident which had occurred at the old premises involving a fire would not be a concern at the new premises as they had proposed new and different equipment to be used at the new site. He also advised that the distilling of alcohol was not a licensable activity and that the focus should not therefore be on distilling. The use of the property had been designed to minimise conflict opportunities with limited hours of business. He advised that a fire risk assessment had been expedited following concerns that had been raised.

In response to a question from the Sub-Committee, [REDACTED] explained how each tasting session would work, confirming that visitors would not be unattended at any time and that tasting sessions would only be pre-bookable. This would ensure that no more than 8 people attended any one session.

The Applicant was asked to provide further information regarding their engagement with the local community. [REDACTED] replied that he had met with the [REDACTED], [REDACTED], and had also put fliers through neighbours' doors providing his email address and phone number and a date he would be on site should anyone wish to discuss the application. He explained that following a meeting with the police he

revised the application, reducing hours and removing on-trade sales. He also noted that he had spoken with ██████████ over the phone. ██████████ stated that many of the residents' concerns related to his original application which included a bar in the basement, and he had replied to every objection.

In response to a question from the Sub-Committee, ██████████ confirmed that the distillery would be operational in the daytime and they would have two to three staff on site.

██████████ appearing on behalf of the Environmental Health Service addressed the Sub-Committee. He brought to the Committee's attention his memo dated the 15<sup>th</sup> July 2024 stating that the Applicant had agreed to all the conditions proposed by him and the MPS. He clarified that the maximum capacity would be 16 given the potential for there to be two tasting groups at the same time and that his view was that the tastings would constitute 'on sales' if they were part of the booking.

██████████ of the London Fire Brigade addressed the Sub-Committee. He noted that the London Fire Brigade as a responsible authority had had the opportunity to make relevant representations on the application but had not. He was attending as a witness on behalf of EHS. He stated that the London Fire Brigade have no statistical data of a large number of fires in gin distilling premises and his position on the fire at the Applicant's old premises was that it was an isolated incident. He brought condition 27 to the Sub-Committee's attention, highlighting the many steps the Applicant would have to take should the Sub-Committee grant the application. The Applicant would have to satisfy multiple pieces of legislation, including Building Regulations, to make sure that the Premises was safe for use, particularly bearing in mind the residential use above.

In response to a question from the Sub-Committee, ██████████ confirmed that he was experienced in addressing fire risk in old buildings.

██████████ addressed the Sub-Committee on behalf of a number of Interested Parties including the Soho Society and the Freeholder. He stated that the key issue was the appropriateness of the proposal for the precise locality, looked at in the round. The age of the property and the timber frame construction made it sensitive to public safety issues and public nuisance issues and it was a challenging location internally and externally, sharing an entrance with neighbours upstairs. He stated that although distilling was not a licensable activity there was clearly a nexus between the distillery and the sale of alcohol such that fire safety was a relevant consideration for the Sub-Committee. With respect to mediation, ██████████ stated that local residents had not gone to see ██████████ because they work and it was during a work day when ██████████ had offered to see them. ██████████ also stated that he agreed with EHS that paying for a tasting session meant that it was 'on sales'.

██████████, a neighbour, addressed the Sub-Committee expressing his concern regarding the distilling aspect of the business and the potential public safety issues surrounding this and the use of the basement for tastings and tours, the lack of means of escape from the basement and the use of the common parts of the building. He also raised concerns over the use of the garden and the potential disturbance to neighbours this would cause. ██████████ stated that there would be greater footfall in the street and that this would undermine public safety and cause public nuisance.

██████████ addressed the Sub-Committee explaining he had supervised restoration work previously undertaken on the building. He expressed his concern over the condition of the building and its suitability and safety, drawing particular attention to the condition of the joists, beam and floor. He believed that the building was a considerable fire risk. He stated that the previous uses of the premises did not involve the public use of the garden and communal areas and that many people would come visit the Premises as that was the entire idea behind the application.

██████████, addressed the Sub-Committee expressing his concern regarding the lack of a physical barrier between the shop and distillery. He noted the potential nuisance from the use of the communal entrances for tasting tours and felt the use of CCTV in communal areas was an unnecessary invasion of privacy. He stated that the use of the communal areas would also impact the feeling of safety for neighbours upstairs and was a potential crime risk. ██████████ stated that it was not enforceable to limit the number of people attending tours to eight and that gin drinkers could be as rowdy as anyone else.

██████████, resident ██████████, addressed the Sub-Committee expressing her deep concern of the risk of fire and lack of escape from ██████████ property. ██████████ also raised concerns around potential loitering of guests in the communal areas.

██████████, owner ██████████, addressed the Sub-Committee stating he felt the fire risk assessment was misleading including information around the number of guests on tasting tours and the storage of dangerous substances involved in distilling. He believed the whole house was a tinderbox. He also raised concerns regarding people congregating outside smoking and the direct effect this would have on neighbours on the street. He requested conditions that the Premises not be allowed to use the garden, that the licence be made personal and that there not be a shadow licence.

██████████, representing the owners ██████████, addressed the Sub-Committee. He explained that the owners were very supportive of business growth and the benefits it could bring to an area but due to the historical age of the building and the residential nature of the street they felt there was no benefit to the area or street from a distillery. From a social point of view, they believed it would be detrimental to their right to enjoy their home. They felt the large increase in footfall along this narrow street would inevitably mean more noise and nuisance. In conclusion they strongly objected and felt if the licence was to be granted it would mean a fundamental change to the way all residents on the street live.

██████████ addressed the Sub-Committee. ██████████ and ██████████ had concerns regarding cumulative impact, servicing and deliveries, crime and disorder and the impact on health and safety. He stated that this was an industrial use in a residential area and was inappropriate and unacceptable. He also noted that they had not been consulted on the application.

██████████ the Legal Advisor to the Sub-Committee proposed a small amendment to the proposed conditions on page 46 of the Additional Information Pack that could be made, should the application be granted, this was agreed by EHS and the Applicant. This was:

- Amending proposed condition 27 to state, “As a minimum Environmental Health shall require for the following satisfactory certification / information under this condition”.

In response to a question from the Legal Advisor, the Applicant also stated that they would not object to a condition limiting the number of tasting sessions to 24 a week. The Applicant explained that it would be difficult to have a daily limit because there might be more tasting sessions on the days with longer hours.

In summing up, ██████████ asked the Sub-Committee, after listening to all the residents’ concerns, to really consider what was reasonably acceptable for the area. The local residents were experts in their field, namely living on Meard Street and knowing its characteristics.

In summing up, ██████████ asked that if the Sub-Committee were minded to grant the application, the use of the garden be restricted and that a noise assessment be added to the conditions.

In summing up, ██████████ agreed to add a noise assessment to condition 27. In response to concerns raised by residents regarding the condition and safety risk of the building, he explained that if Building Control and London Fire Brigade required certain works to be done that required Listed Building Consent or Planning Permission, the applicant would have to go through that process. He went on to explain that if the structural survey showed a certain level of fire separation could not be implemented and they could not do the works then they would be unable to comply with condition 27, therefore the licence could not be used in the form that had been applied for. ██████████ stated that this was a safeguard should the Sub-Committee be minded to grant the licence.

In summing up, ██████████ stated that it was not possible for anyone to guarantee that any premises is 100% safe from any risk, in particular fire. He also re-iterated ██████████ point regarding the lengthy process the Applicant would need to go through regardless of whether a licence was granted.

In summing up, ██████████ stated that although it is a residential area, the shop had always been a shop. The Applicant accepted all proposed conditions including those that had been amended during the hearing. He stated that the previous fire was not relevant to the discussions as the still proposed for this application was an electric still. He also stated that it wasn’t a bar or restaurant, it was a small shop with an experiential element. ██████████ confirmed that the Applicant would agree to a condition restricting the use of the garden.

In summing up, ██████████ acknowledged that this was new to the area and had not been done before however there were local residents who were excited about the business.

### **Reasons and Conclusion**

1. The Sub-Committee has determined an application for a New Premises Licence under the Licensing Act 2003. The Sub-Committee realises that it has a duty to consider each application on its individual merits and did so when determining this application.



2. The Sub-Committee decided to grant the application, subject to conditions. The Sub-Committee considered that the robust conditions agreed with EHS and the Metropolitan Police would ensure that the Application would promote the licensing objectives. In reaching this conclusion, the Sub-Committee had particular regard to the fact all objections from responsible authorities had been answered (with EHS remaining neutral at the hearing). The Sub-Committee also placed considerable weight on the reasons given by the Licensing Authority for withdrawing their representation, namely that the proposal fell within policy SHP1 and it is widely recognised that premises that have a terminal hour before 21:00 hours have a lesser impact on cumulative impact. As the terminal hour is 20:00 it is considered that the Premises will not add to cumulative impact. The Sub-Committee agreed with the Applicant that the Premises would not have the adverse effect of a pub or bar; the proposal was for a small shop with an experiential element.
3. The Sub-Committee had regard to the issues raised by the interested parties. Insofar as these related to the potential need for the Applicant to obtain planning permission or listed building consent, these would be dealt with under other regimes and not the licensing regime. The Sub-Committee agreed with the submissions made by ██████████ that due to the nexus between distilling and the sale of alcohol that fire safety was relevant. However, the Sub-Committee placed considerable weight on the evidence presented by ██████████ in reaching the conclusion that public safety would not be undermined by granting the application. Condition 27 ensured that Environmental Health would have to approve a Fire Risk Assessment before any licensable activities could take place, and ██████████ had stated that there was no evidence that gin distilleries were particularly problematic or causing a disproportionate number of fires.
4. The Sub-Committee noted the concerns raised that the Premises would cause public nuisance and would undermine public safety by attracting people into the area. However, the Sub-Committee considered that the agreed conditions would mitigate against this, in particular limiting the number of people able to attend tasting sessions, restricting the use of the garden and requiring approval of a noise assessment. The Sub-Committee did not agree that these conditions were unenforceable. The Applicant had explained that the online booking system would restrict the number of people attending tasting sessions to 8.
5. The Sub-Committee did not consider it appropriate or proportionate to impose a condition making the licence a personal licence. The conditions of the licence already included conditions requiring that any alcohol sold be associated with the Applicant and that on-sales of alcohol be limited to gin sample tasting sessions. These conditions were considered sufficient to ensure that the licence could not be transferred and then used for some other purpose, such as a bar. For the same reasons, it was not considered appropriate or proportionate to impose a condition preventing a subsequent application for a shadow licence. Any shadow licence would be of limited utility given the specificity of the conditions, and it was not considered reasonable to impose a condition attempting to restrict applications for shadow licences when shadow licences are a widespread and accepted feature of licensing.

6. Finally, the Sub-Committee considered whether to impose a condition limiting the number of tasting sessions per week, as the Applicant had indicated that they would accept a condition limiting the number of tasting sessions to 24 a week. However, it was felt that the conditions agreed with the MPS and the EHS were sufficiently robust without such a condition and that it would not be proportionate to impose further restrictions, especially in light of the early closing time for the Premises and the limited capacity.
7. For the reasons given above, the Sub-Committee concluded overall that Premises would not add to cumulative impact and that the proposal accorded with policies CIP1, HRS1 and SHP1.
8. Having carefully considered the committee papers, the additional papers and the submissions made by all parties, both orally and in writing, the Committee therefore decided, after taking into account all the individual circumstances of this case and the promotion of the four licensing objectives:
  1. To grant permission for **Recorded Music (Basement)** Tuesday to Wednesday 12:00 to 18:00, Thursday to Saturday 12:00 to 20:00 and Sunday to Monday N/A.
  2. To grant permission for **Sale by Retail of Alcohol (On and Off Sales)** Monday to Wednesday 12:00 to 18:00, Thursday to Saturday 12:00 to 20:00 and Sunday N/A.
  3. To grant permission for **the Opening Hours of the Premises** Monday to Wednesday 12:00 to 18:00, Thursday to Saturday 12:00 to 20:00 and Sunday N/A.
  4. That the Licence is subject to any relevant mandatory conditions.
  5. That the Licence is subject to the following conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.
  6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
  7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.

8. Customers shall not enter or leave the premises by the main door shown as private entrance, except in the event of an emergency.
9. There shall be no sales of alcohol for consumption off the premises after 20:00 hours.
10. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. 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.
13. A Challenge 21 or 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.
14. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
15. Licensable activities at events in the Tasting Room Zone 2 Middle shall only be provided by pre-booked events.
16. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
  - a) The Police (and where appropriate, the London Ambulance Service) are called without delay
  - b) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police
  - c) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
  - d) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

17. All alcohol for on/off sales is to be restricted to alcohol associated with The Green Room Distillery Limited.
18. Alcohol shall only be sold for consumption on the premises by persons attending a pre-booked gin sample tasting session. A register of persons attending shall be kept for a minimum of 31 days and made available for immediate inspection by Police or an authorised officer of the Westminster City Council throughout the entire 31 day period.
19. Each tasting group shall consist of a maximum of 8 customers and each person in the group shall be provided a maximum of 6 shotes each consisting of a maximum of 5ml by volume.
20. The garden shall not be used at any time whilst the Premises is open for business.
21. Each tasting group shall be accompanied by a member of staff whilst traversing the communal corridor on the way down to the basement and garden areas.
22. There shall be no storage of alcohol at the premises for the purposes of maturing.
23. Only one still shall be present at the premises and this still shall only operate whilst a member of staff is present at the premises.
24. 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.
25. 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.
26. No deliveries to the premises shall take place between 23:00 hours and 08:00 hours the following day.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
29. No collection of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day unless collections are arranged during the times for the Council's own commercial waste collection service for the street.
30. 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.

31. The number of persons accommodated in the basement at any one-time (excluding staff) shall not exceed 16 persons.
32. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the Licensing Authority. If there are minor changes during the course of construction new plans shall be submitted with the application to remove this condition. As a minimum Environmental Health shall require the following satisfactory certification/information under this condition:
  - Building Control
  - Electrical
  - Emergency Lighting
  - Fire Risk Assessment
  - Ventilation
  - Sanitary Accommodation
  - Noise Assessment

**This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.**

**The Licensing Sub-Committee  
18 July 2024**

## **APPEALING AGAINST LICENSING DECISIONS OF THE COUNCIL**

### **1. WHO CAN APPEAL?**

An important change to licensing law included in the Licensing Act 2003 is that whereas previously only applicants for a licence could appeal to the Magistrates' Court if they were not happy with a decision of the Council, now both applicants and local residents can appeal. For example, if a local resident has objected to an application for a licence being granted, but the Council decides to grant with certain conditions, that resident may appeal to the court, either about the grant of the licence or to ask for different conditions to be granted by the court, such as an earlier finishing time.

### **2. CAN I RESPOND TO AN APPEAL BY THE OPERATOR IF THEIR APPLICATION HAS BEEN REFUSED?**

The Magistrates Court, where such appeals are heard, have said that you can. The Magistrates Court has decided that, where an applicant appeals against the refusal of a licence by the Council, any person who made objections to that grant has the right to respond to the appeal separately from the Council, if they wish. So objectors will be notified by the court of any appeal.

Westminster is very experienced at dealing with appeals against its licensing decisions and always contacts people who objected at the Council hearing to see if they wish to continue their objection by supporting the Council. Objectors therefore have a choice of mounting their own response to an appeal by an operator, in which case they would be responsible for any costs involved and be subject to the directions of the court about how and when the appeal hearing will take place. Or they can become witnesses of the Council, giving evidence in a written statement, and if required and willing to do so, in person, at the court.

### **3. HOW DO I APPEAL?**

Appeals must be made to the Magistrate's Court at 181 Marylebone Rd London NW1 5BR. The notice of appeal must be given in writing within 21 days of being notified of the result of the Council's licensing hearing. That usually means within 21 days of receiving written notice of the result.

### **4. CAN I GET HELP WITH AN APPEAL?**

Yes. The Westminster Citizens Advice Bureau has a specially trained adviser who may be able to help you with advice. The Licensing Adviser can be contacted on 020 8964 9704 or by e-mail on [licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)

You may also seek help about what is happening in appeals by operators that the Council is responding to by speaking to the Licensing Authority who can be contacted on 0207 641 6500 or on [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk).



Scan to visit  
[www.westminster.gov.uk/licensing](http://www.westminster.gov.uk/licensing)



**From:** [REDACTED]  
**To:** [FSR-AdminSupport](#)  
**Subject:** FW: Application 24/02387/LIPN, Basement And Ground Floor, 13 Meard Street W1F 0ES 01/175707  
**Date:** 25 July 2024 07:04:50  
**Attachments:** [image001.png](#)  
[Application for a New Premises in respect of Basement and Ground Floor 13 Meard Street London W1F 0ES \(Application Reference 2402387LIPN\).msg](#)  
[TGRD - Fire Risk Assessment DRAFT 100724.pdf](#)  
[Meard Street 13. 11. 07.24 EHO Police proposed conditions.rtf](#)  
[image002.jpg](#)

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Admin

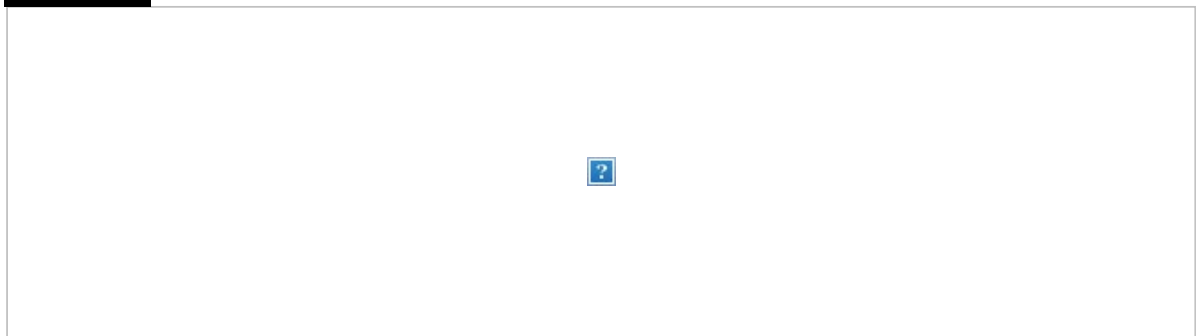
Please upload e mail chain and attached documents to FS Portal for above premises.

Kind Regards

[REDACTED]  
Fire Safety Inspecting Officer  
Fire Safety Regulation  
Westminster, Lambeth & Wandsworth Team

[REDACTED]

[REDACTED]



**From:** [REDACTED]  
**Sent:** Wednesday, July 17, 2024 8:17 AM  
**To:** [REDACTED]  
**Subject:** RE: Application 24/02387/LIPN, Basement And Ground Floor, 13 Meard Street

[EXTERNAL EMAIL] Do not click links or open attachments unless you are expecting them, even if you know the sender

Thanks [REDACTED] – yes I'll be there in person, its on the 18<sup>th</sup> floor at 10am tomorrow (18 July) – I'll get you quick entry at reception

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**From:** [REDACTED] >  
**Sent:** Wednesday, July 17, 2024 7:19 AM  
**To:** [REDACTED] >  
**Subject:** Re: Application 24/02387/LIPN, Basement And Ground Floor, 13 Meard Street

**Caution:** This email originated from outside of the organisation. Do not click links, open attachments or reply, unless you recognise the sender's email address and know the content is safe.

[REDACTED]  
I would be happy to attend.

Send me the Teams Link - are you attending in person if so I will try to attend in person also?

[REDACTED]  
Sent from [Outlook for Android](#)

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**From:** [REDACTED]  
**Sent:** Monday, July 15, 2024 1:44:00 PM  
**To:** [REDACTED]  
**Subject:** Application 24/02387/LIPN, Basement And Ground Floor, 13 Meard Street

[EXTERNAL EMAIL] Do not click links or open attachments unless you are expecting them, even if you know the sender

|

Hi [REDACTED]

Please see attached application and plans for this Premises Licence.

The applicant has since modified the application so that licensable activities end at 18:00 Mon to Thursday and 20:00 hours Friday and Saturday.

I've also attached mine and Police conditions for the proposed operation.

Following the fire at the applicant's premises in Balham it would be most helpful if you can personally attend at Committee this Thursday at 10am – I'll make sure this case is heard first etc. Otherwise we'll try to arrange a Teams connection.

Many thanks for your help

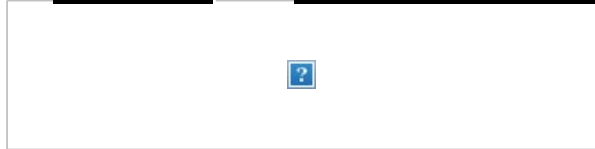
Best regards

[REDACTED]  
[REDACTED]

Environmental Health Officer | Environmental Health Consultation Team

Westminster City Council | 64 Victoria Street | SW1E 6QP

Tel: [REDACTED] Email: [REDACTED] web: [www.westminster.gov.uk](http://www.westminster.gov.uk)



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