

# Licensing Sub-Committee

## Supplementary Agenda A

Tuesday 4 October 2022 at 6.30 pm

This meeting will be held remotely

Watch the meeting live: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

### MEMBERSHIP

Administration:	Opposition:
Councillor Paul Alexander (Vice-Chair) Councillor Florian Chevoppe-Verdier	Councillor Aliya Afzal-Khan

**CONTACT OFFICER:** Charles Francis  
Committee Co-ordinator  
Governance and Scrutiny  
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### Public Notice

This meeting will be held remotely. Members of the press and public can watch the meeting live on YouTube: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

Speaking at Licensing meetings is restricted to those who have submitted a representation and registered to speak.

Date Issued: 03 October 2022

# Licensing Sub-Committee Agenda

4 October 2022

<b><u>Item</u></b>		<b><u>Pages</u></b>
5.	THE CHELSEA LODGE, 562 KING'S ROAD, SW6 2DZ - ADDITIONAL INFORMATION FROM A RESIDENT SUPPORTING THE REVIEW	3 - 11
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# Agenda Item 5

**From:** Charlotte Dexter

**Sent:** 30 September 2022 15:40

**To:**

**Cc:** Licensing HF: H&F

**Subject:** Further Supplementary agenda item regarding alleged spiking; Conditions, 3 PDFs attached ( Evening Standard and March 26 tickets online)

**2022/01110/LAPRR**

**Premises name: The Chelsea Lodge**

**Premises address: Mare Motto 562 King's Road London SW6 2DZ**

Two points:

1) Further to my initial representation, I would like to point out that on page 17 of the Agenda Pack, on the third page of the actual 11-page 'Review Application' form, it is stated that the London Ambulance Service was called to the Premises. Nowhere is it stated that the Police were initially/at the same time rung by the Premises.

A subsequent investigation by the Police did take place and photos submitted by residents as part of their own representations to the official Review do show police on the pavement (at some point, day unknown), so we might assume, but I do not know, that the London Ambulance Service (LAS) rang the Police at some point after LAS arrived on the scene at 562 King's Road on 26 March 2022. I mention this in relation to the suggested Condition 3), below.

I attach a 4-page PDF of the advertisement

to buy tickets through a third-party event organiser, for this March 26 event, billed as a bottomless affair, with all you can drink.

I submit this Evening Standard article which mentions the alleged spiking incident at Chelsea Lodge.

I have spoken with the Licensing Authority specifically about this 'spiking' point and I was told it would be appropriate to submit proposed Conditions to **2022/01110/LAPRR**.

Spiking (adding extra alcohol or drugs to drinks, or needle spiking) is an issue/concern around Fulham at wine bars, pubs and other licensed Premises. Residents met in June with a Premises which has seen a marked decline in the number of women entering the Premises; it is believed that there is a heightened fear of possible spiking across the board ie in any Premises.

The LGA (Local Government Agency) issued guidance on spiking on 07 Sept 2022, as a result of a Home Affairs Select Committee inquiry. <https://www.local.gov.uk/publications/lga-guidance-note-drink-spiking-prevention>

Residents are keen for these types of real issues to be addressed, especially if official, fresh guidance is out there now on 'spiking', giving an opportunity for pro-active best practice, reflected in Conditions added to the Licence being considered under the official Review of Chelsea Lodge.

We have spoken with the Licensing Authority and understand that they will be working on using this new LGA guidance to draft language for their LBHF Pool of Conditions. In the meantime, we would appreciate Conditions for Chelsea Lodge that address the top line recommendations of this new guidance, namely,

Proposed Condition 1

'To secure any drinking vessels used by the alleged spiking victim, as well as any specific vessel suspected of having the 'drug' in it, for inspection later by Authorities.'

(This might seem obvious, but it requires ongoing training/reminding, procedures and quick-thinking by the Premises staff.)

Proposed Condition 2

'The Premises will ensure appropriate training is provided to all members of staff regarding spiking and procedures to follow immediately in the case of an alleged incident.'

Proposed Condition 3

'Ensure all reports of spiking are acted upon immediately and that all incidents of alleged spiking are recorded and reported to the police immediately by ringing 999.'

Residents would appreciate the Sub-Committee's consideration of these proposed Conditions.

2) I also attach a one-page Employment Tribunal decision stating that Chelsea Lodge 'has unlawfully failed to pay salary to the claimant in March 2022'; this for info and for consideration in the overall context of the management of the Premises.

Attachments:

- PDF of 21 Aug Evening Standard
- PDF of March 26 event, 4 pages
- Employment Tribunals decision, 1 Page

Best regards

Charlotte Dexter Murray  
Barclay Rd



BREAKING

🕒 28m

Meghan and Harry given red carpet welcome as they a...

NEWS › DIARY

# Londoner's Diary: Chelsea Lodge party leaves a very nasty taste

In today's Diary: Chelsea brunch leaves a very nasty taste / Keir Starmer's fundraising woes / Keith Allen's cheesy musical / Daisy Waugh becomes a yogi / Stars come out for Banksy



VIEW COMMENTS



AA

standard.co.uk



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**S**ociety hangout Chelsea Lodge is beloved by Sloane Rangers for its bottomless brunches. But one party has cast a shadow over the venue.

In March, a brunch attended by more than 90 guests was cut short when four women fell ill. Some said they thought they had been spiked. A police investigation found insufficient evidence of spiking but one girl who got sick was found to be 17 at the time.

The manager on the day was sacked, and police told the bar to use an ID scanner on the door. Now the Licensing Authority has recommended stricter conditions, asking the bar to stop stand-up drinking and only serve alcohol with food during daytime hours. A local told us “London needs pubs and clubs but they need to be in control.”

**Keir Starmer's fundraising woes**





designmynight

an access company



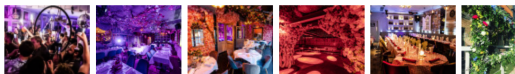
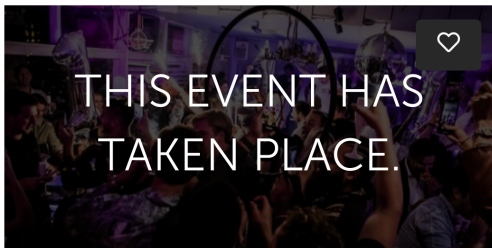
BEST RESTAURANTS

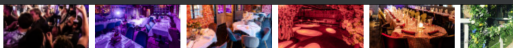
BLOG

FOOD EVENTS ➤

# XOXO BRUNCH / THE CHELSEA LODGE (26TH MARCH)

📍 The Chelsea Lodge





## LOCATION    MENUS    ORGANISER    VENUE



Bottomless Brunch, Brunch and Fun  
Time Partying



No tickets available



Chelsea



Hip Hop/RnB, House Music and Minimal  
House



Over 18



Sat, 26th Mar 2022 @ 11:30 - 16:00



11:30 - 16:00

Chelsea's latest premium boozy brunch  
hotspot has landed! 💋

Prepare yourself for an immersive dining  
experience like no other; combining  
delicious food, bottomless bubbles,  
vibrant cocktails, live entertainment, in  
the most instagrammable interiors.

Page 8

Exclusively in one of Chelsea most sought  
after locations - step into the fabulous



Exclusively in one of Chelsea most sought after locations, step into the fabulous world of XOXO! 🏰

☀️ Instagramable Interiors

👁️ Food

🍹 90 Minutes Bottomless Booze

🎤 Live Host

🎷 Live Saxophonist

🥁 Live Percussionist

🔥 Fire-Breathers

🏰 Stilt Walkers

💃 Ibiza Inspired Dancers

🕒 Event Times:

Doors / Arrival Time = 11:30am

Event / Entertainment = 12pm - 4pm

Bottomless = 12pm - 1:30pm

📍 Venue = The Chelsea Lodge, London

🎵 Music Policy - House, Rnb,

Throwbacks & Guilty Pleasures

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Brunch Club T&C / Covid

Guidelines: [bit.ly/BrunchClubTerms](https://bit.ly/BrunchClubTerms)

Event / Entertainment = 12pm - 4pm

Bottomless = 12pm - 1:30pm

 Venue = The Chelsea Lodge, London

 Music Policy - House, Rnb,



Throwbacks & Guilty Pleasures

Brunch Club T&C / Covid

Guidelines: [bit.ly/BrunchClubTerms](https://bit.ly/BrunchClubTerms)

Allergies - Please Email:

[allergies@thebrunchclub.co.uk](mailto:allergies@thebrunchclub.co.uk)

 This Event Is 18+ (Adults Only) 

Please send and email over to

[info@thebrunchclub.co.uk](mailto:info@thebrunchclub.co.uk) with your food

orders for this event

## PREVIOUS THE BRUNCH CLUB REVIEWS

★★★★★ 60% 3 

★★★★☆ 20% 1 

★★★☆☆ 20% 0 

★★☆☆☆ 0% 0 

★☆☆☆☆ 0% 0 



# EMPLOYMENT TRIBUNALS

**Claimant:** Mr J Taylor

**Respondents:** CL MGT Ltd t/a Chelsea Lodge

## JUDGMENT ON RECONSIDERATION

### Rule 21 Employment Tribunal Rules 2013

1. Following a request for reconsideration by the claimant the judgment of the tribunal is as set out below.
2. The respondent has failed to file an ET3 Grounds of Resistance in this case.
3. Having considered the ET1, REJ Wade has decided that a determination of the remaining claims can properly be made without a hearing and the Judgment of the Tribunal, made under rule 21 of the Employment Tribunals (Constitution and Rules of Procedure) Regulations 2013, is as set out below.
4. The tribunal does not have jurisdiction to award holiday pay for holiday taken within the period of unpaid wages set out below as that would offend against the principle of double recovery.
5. The respondent has unlawfully failed to pay salary to the claimant in March 2022 and for the period 1-22 April 2022 and the tribunal orders the respondent to pay him the gross sum of £3,697.22 and to account to /HMRC for any tax and NI due.

Regional Employment Judge Wade

Date\_7 July 2022\_

JUDGMENT SENT TO THE PARTIES ON

07/07/2022.

FOR THE TRIBUNAL OFFICE

# Agenda Item 6

**From:** Gary Grant  
**Sent:** 01 October 2022 19:55  
**To:** Licensing HF: H&F  
**Subject:** Chelsea Lodge Review - further submission by licence holder

Dear Licensing

On behalf of the licence holder I wish to submit the email exchange with Mr Boniface (below) as part of the evidence relied on by the licence holder in the review hearing on 4 October 2022.

Would you please circulate this in the usual way.

Thank you  
**GARY GRANT**  
*Barrister*

Begin forwarded message:  
**From:** "Boniface Simon: H&F"  
**Date:** 1 October 2022 at 18:10:10 BST  
**To:** Gary Grant  
**Subject:** RE: Chelsea Lodge FOI - FOI 5053120

Hi Gary,

I'm away at the moment, but had a chance to review your last. The Council has been in receipt of significant complaint volumes from local residents but we've not witnessed noise which has amounted to a public nuisance.

Kind regards  
**Simon Boniface**  
Principal Noise Officer  
Noise and Nuisance  
Resident services  
Hammersmith & Fulham Council

**From:** Gary Grant  
**Sent:** 30 September 2022 06:05  
**To:** Boniface Simon: H&F  
**Subject:** Re: Chelsea Lodge FOI - FOI 5053120

Dear Simon/Adrian

Thank you for this. I think it boils down to this:

Can you please confirm that on no visits by Council officers was any noise from patrons of Chelsea Lodge (as opposed to music escape) witnessed that amounted to a public nuisance in the opinion of officers? If that can be confirmed a lot of time can be saved at the review hearing Next week.

Thanks  
**GARY GRANT**  
*Barrister*

# Agenda Item 7

**From:** Gary Grant

**Sent:** 03 October 2022 10:22

**To:** Licensing HF: H&F

**Subject:** RE: Chelsea Lodge Review - further submission by licence holder

Dear Licensing

I'm sorry for the late service of the attached acoustic report from RBA Acoustics but I have only received it today. Please accept this document as further evidence relied on by the licence holder. It summarises noise monitoring carried out at the premises when it was closed on Friday nights between 8 July -12 August 2020 and concludes that compared to nights when Chelsea Lodge was open "there was no consistent additional noise due to venue operations".

Given the importance of this evidence I thought it right the licensing sub-committee had the benefit of considering it.

**GARY GRANT**

*Barrister*

# ACOUSTIC TECHNICAL NOTE

Reference:	11041.ATN01.PAT.0
To:	Chase Hunter, Chelsea Lodge, 562 Kings Road, London SW6
Date:	30 September 2022
Project:	Chelsea Lodge
Subject:	Noise Complaints

## 1.0 INTRODUCTION

Chelsea Lodge, London SW6 is a restaurant/bar on a busy section of Kings Road SW6. There have been a number of noise complaints to the venue from local residents over several years, related to alleged to plant, patron and music noise. In response to this, Chelsea Lodge have made major changes to their plant installation, relocating much of their plant items to an area which provides additional screening to local residences and partially enclosing them. Additionally, noise monitoring has been undertaken at the site since August 2021 in order to inform the venue's response to local residents' concerns. The noise monitor is situated at roof level close to a kitchen extract vent.

This report provides of an analysis of noise levels measured at the site during July-September 2022, comparing noise levels measured on weekend evenings when the venue was closed to those when the venue was operating. In addition, noise levels measured during the time of specific noise complaints will be analysed to determine whether these complaints are indeed due to noise emissions from Chelsea Lodge, or those from other sources on and around Kings Road.

## 2.0 NOISE LEVELS DURING OPENING HOURS

To assess the additional noise impact on the surrounding residential area due to operations at Chelsea Lodge, we can compare evening and night-time data from specific Fridays when the venue was closed, and then on Fridays and Saturdays when the venue was open.

The venue was closed on Fridays between 8<sup>th</sup> July and 12<sup>th</sup> August. Noise levels on these dates have been used to establish a baseline for comparison. The venue generally closes at 02:30 and dispersed by 03:00. However, during the measurement period the venue often closed earlier than this, being dispersed by as early as 01:00 in some instances.

The measured data shows typical  $L_{Aeq}$  levels are generally consistent around 53-55dBA during the evening, with a slight drop-off of 2-3dB after midnight, which is normal and unrelated to the activity of Chelsea Lodge. There are occasional periods of increased noise observed on all nights regardless of whether the venue was open, consistent with the Kings Road area where there is a lively night-time economy. Kings Road is also a major thoroughfare and there is frequent noise generated by events such as engine noise from high power motorbikes and cars, and from sirens from emergency services vehicles.

Graph 1 below shows  $L_{Aeq,30min}$  average noise levels for nights while operating and for nights when closed. The average for closed nights shows a peak around 23:30 which is due to a one-off noisy event on the 8<sup>th</sup> July. The average with this event removed from the analysis is also shown and is considered more representative of the true background noise level.

From these measurements we observe no consistent additional noise levels associated with Chelsea Lodge operations.

### 3.0 SPECIFIC NOISE COMPLAINTS

Three specific noise complaints were reported during the July-September period.

*24 September 2022*

It was reported that a group of men were shouting on Wandon Road close to the junction with Kings Road (some 40m from Chelsea Lodge) between 22:10 and 23:00 on 25 September. The measurements show no excess level at this time (see Graph 2).

*27-28 August 2022*

It was reported that a group of women were singing and shouting at the corner of Holmead Road and Kings Road (outside Chelsea Lodge) at around 21:30pm. The measurement shows no excess levels at this time (see Graph 3).

Later on, it was reported that there was raised voices on the Kings Road around 02:15. Chelsea Lodge had closed at 01:15 and dispersed by 01:30 on this night and so these particular patrons are likely to be unrelated to the Chelsea Lodge premises. The measurements show no excess level during this time. (see Graph 4).

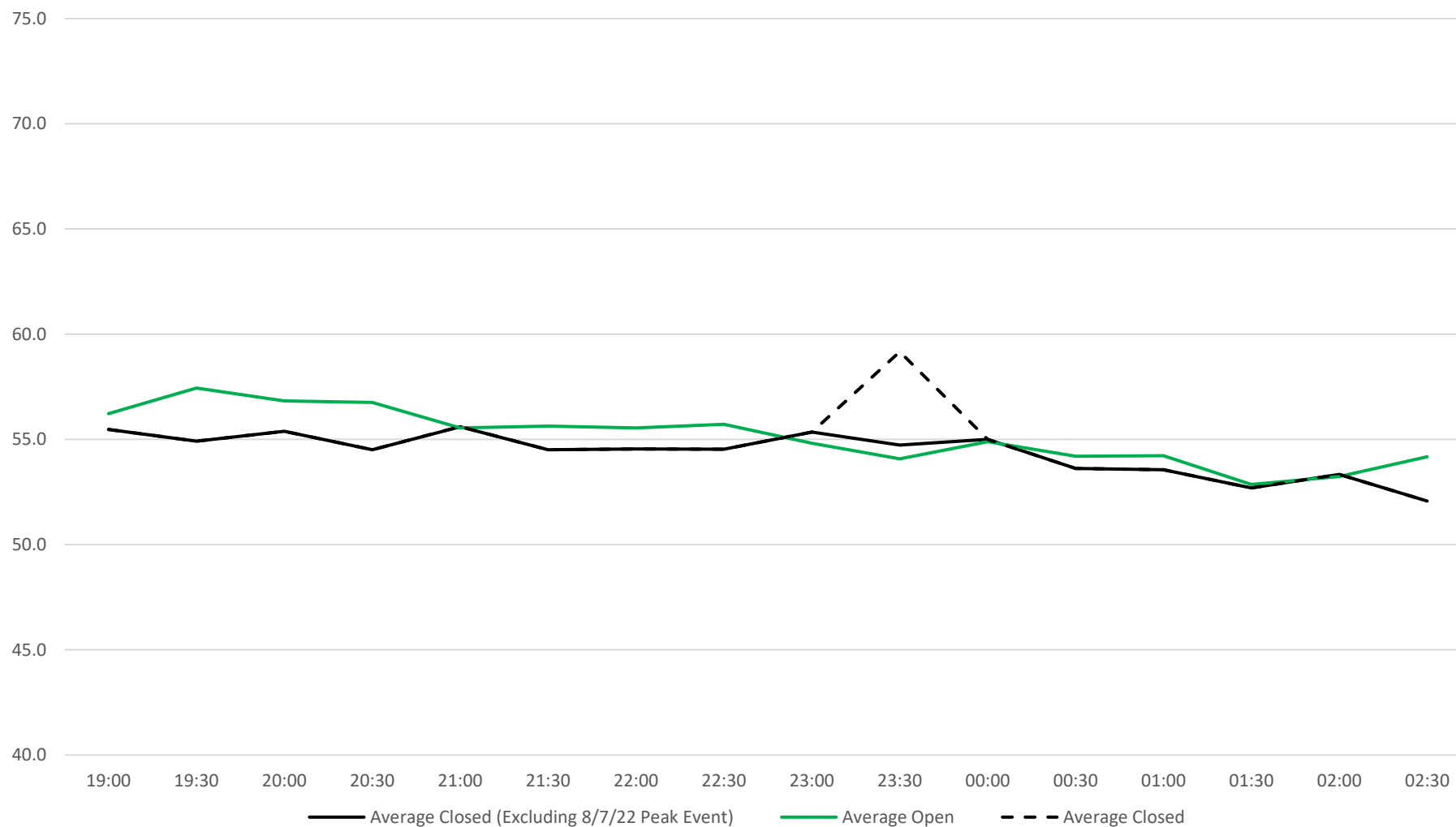
*Thursday 16 June 2022*

A complaint was made of excessive plant/extract noise which the complainant associated with the Chelsea Lodge; however, the venue was closed on this evening.

### 4.0 CONCLUSION

Noise levels have been continuously monitored at Chelsea Lodge restaurant & bar during June-September 2022. Comparison between nights when the venue was open and closed show no consistent additional noise level due to venue operations.

Reference to measured noise levels at the time of specific noise complaints shows no consistent raised noise levels at Chelsea Lodge during these times. On the evening when one noise complaint (referring to plant noise) was received, the venue was in fact closed.

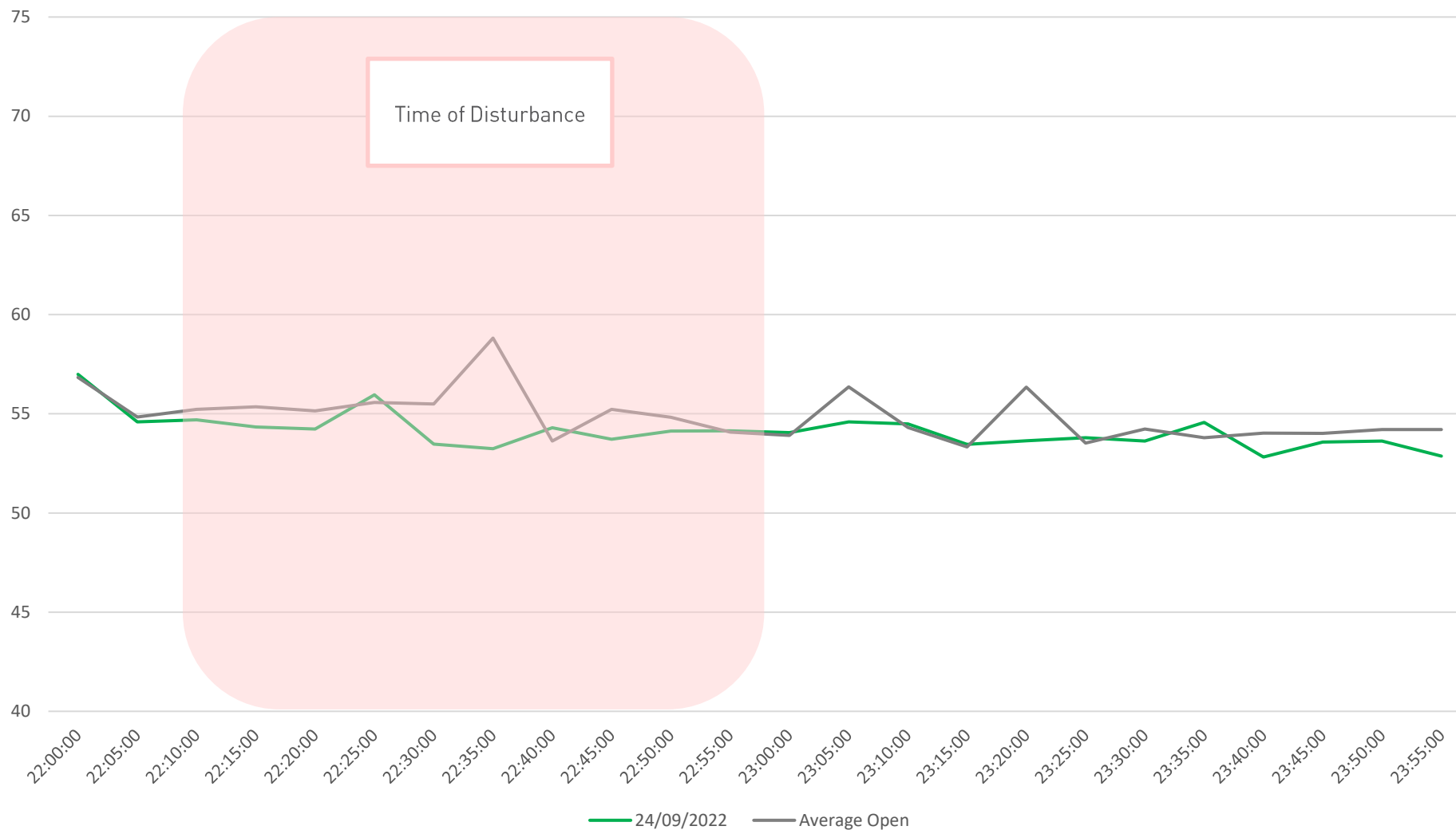


Chelsea Lodge  
 LAeq, 30min Average Noise Levels, Open and Closed  
 Project 11041

Graph 1  
 30 September 2022  
 Not to Scale



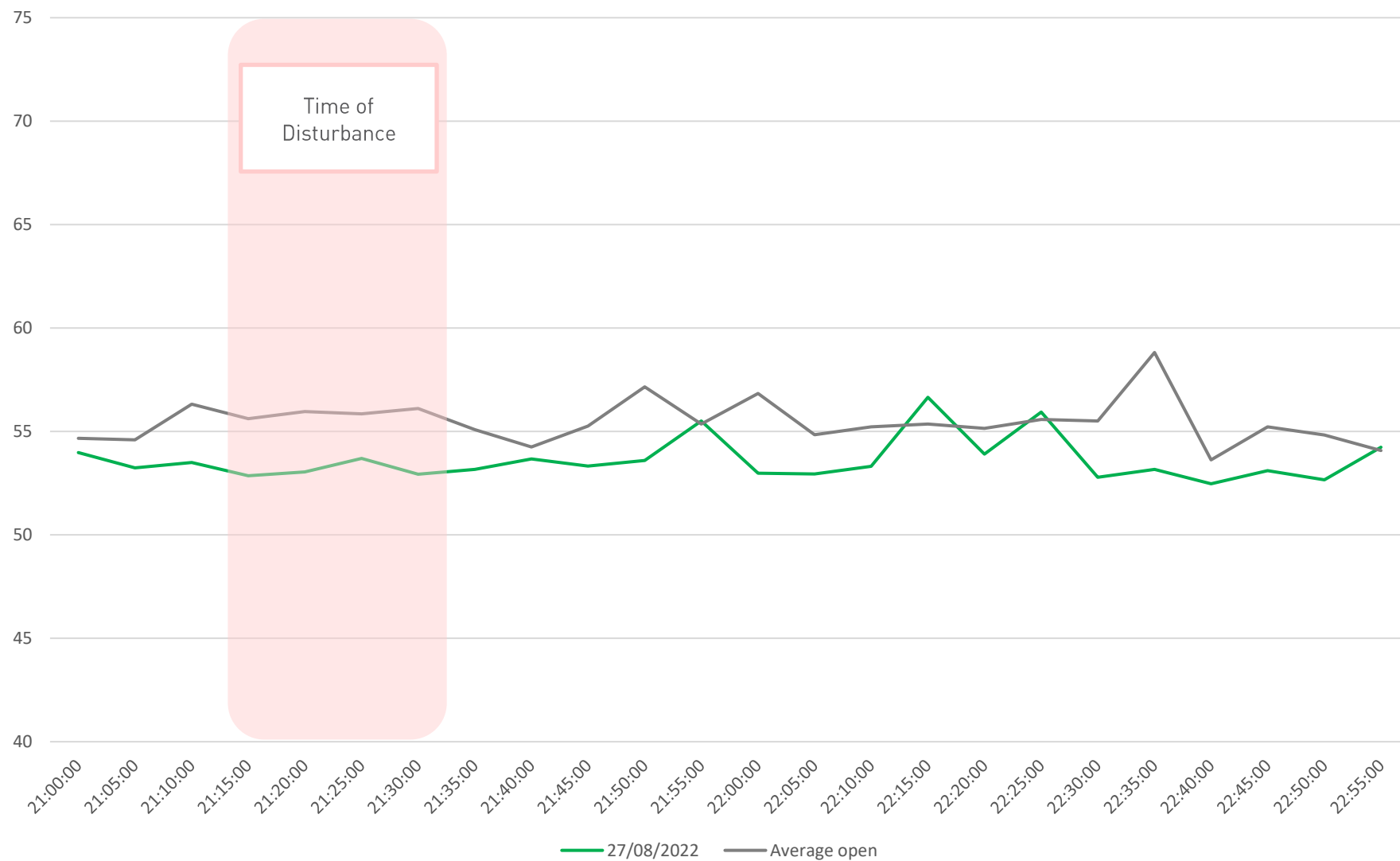




Chelsea Lodge  
 LAeq, 5min Noise Levels During 24/9/22 Noise Complaint  
 Project 11041

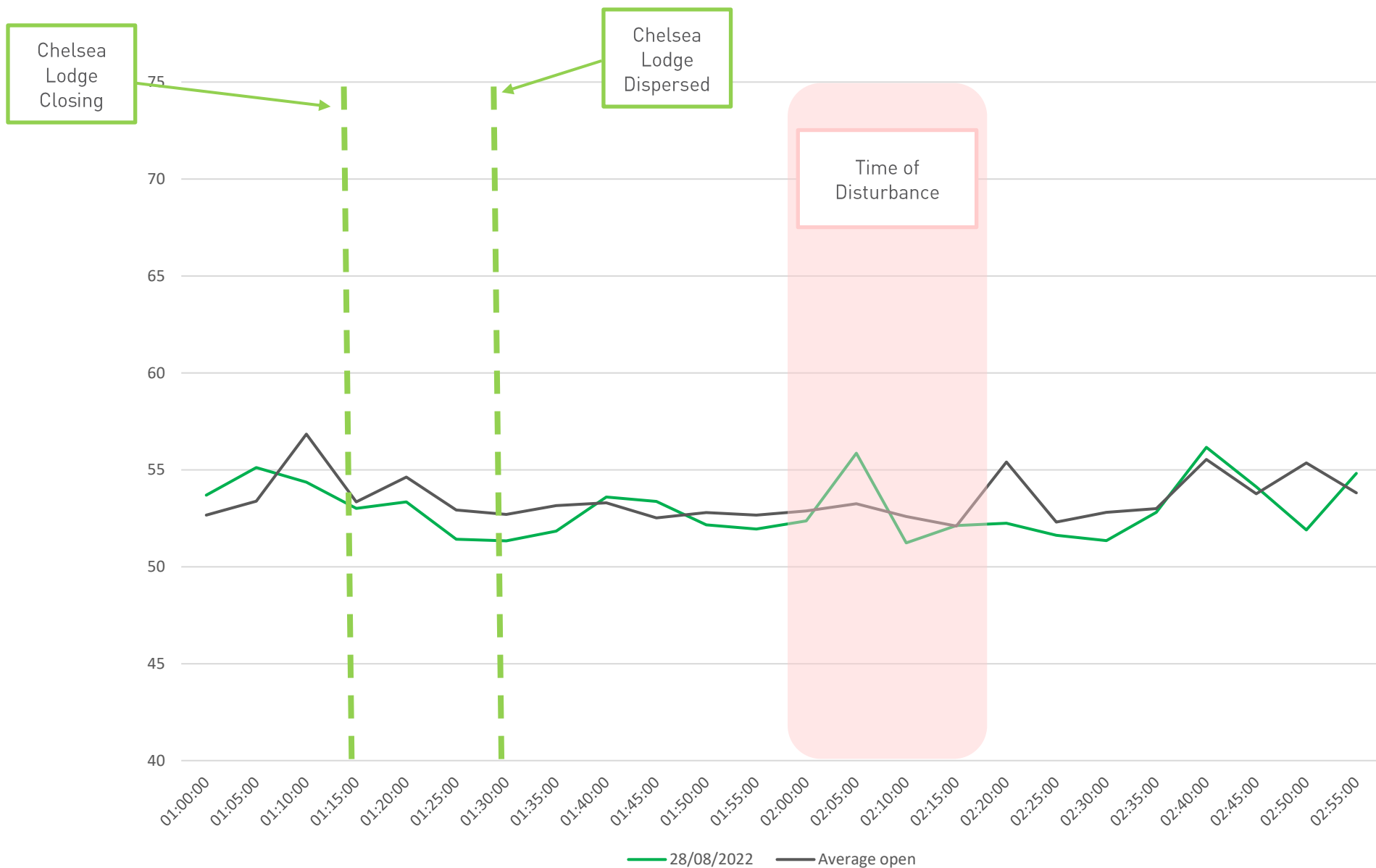
Graph 2  
 30 September 2022  
 Not to Scale





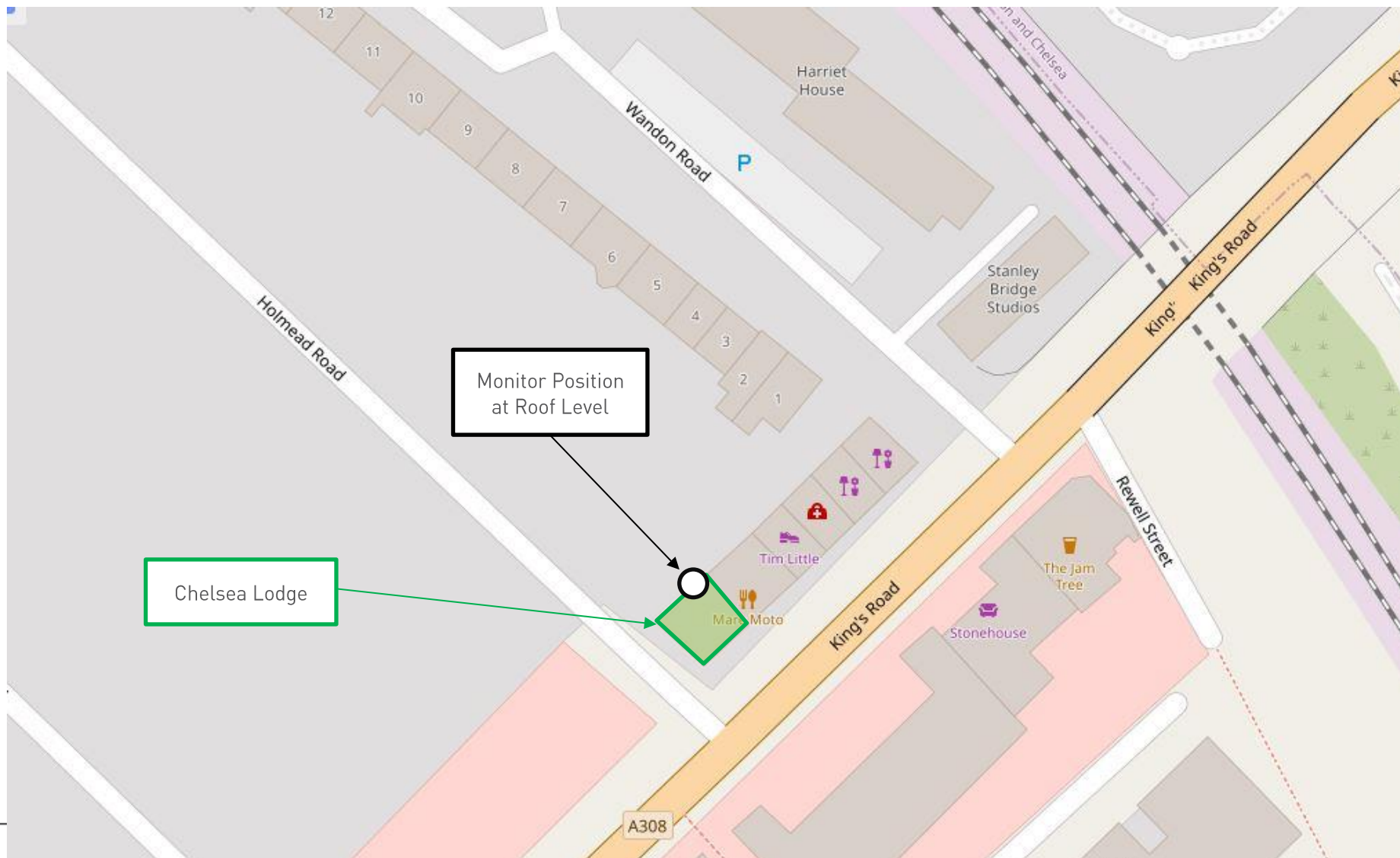
Chelsea Lodge  
 LAeq, 5min Noise Levels During 27/8/22 Noise Complaint  
 Project 11041

Graph 3  
 30 September 2022  
 Not to Scale



Chelsea Lodge  
 LAeq, 5min Noise Levels During 28/8/22 Noise Complaint  
 Project 11041

Graph 4  
 30 September 2022  
 Not to Scale







Chelsea Lodge  
Site Plan  
Project 11041

Figure 2  
30 September 2022  
Not to Scale