St James's Conservation Trust

News Letter

Autumn 2004

VIEW OF ST. JAMES'S PALACE, TIME OF QUEEN ANNE. *(From an Old Engraving.)*

Patrons: The Hon Dominic Elliot- Lady Olga Maitland
Trustees: John Beveridge QC (Chairman)-Richard Donaldson (Vice Chairman)
Tony Hull FCA-Giles Shepard CBE-Jeremy Vaughan- Johnny Van Haeften

Bankers: Adam & Company plc- Solicitors: Morgan Cole-Accountants: Slater Maidment
Registered Office: 7 St James's Square, London SWIY 4JU-Registered Charity No. 1079166- Registered with the Civic Trust

City of Westminster

A letter from Councillor Alexander Nicholl FSA(Scot),FRSA
Chairman of the Westminster City Development Overview & Scrutiny Committee.

Member for St James's Ward

"I am delighted to contribute to the St James's Conservation Trust News Letter. Although I have served as councillor for St James's Ward on Westminster City Council for over ten years, my interest in the area extends much further back.

"Unique" is an oft misused word but in the context of a general description of the St James's area its use is wholly appropriate. Unique it is. Despite that, the character of the area is increasingly under threat. Once lost, that character is unlikely to be restored. The work of all involved in the St James's Conservation Trust and in the significant Trust Study about the area must be highlighted and I am glad that Westminster Council warmly welcomed the Study. However, it is a disappointment to many that more could not be done to reflect and protect the needs of the area in the new Council Unitary Development Plan (UDP) shortly to be finalised.

The point about the UDP reminds us that the key threats to St James's comes via unfortunate planning and licensing proposals. A number of recent decisions have already changed the atmosphere, particularly in the St James's Street area, by increasing the number of A3 (restaurants) uses in operation. A recent instance of the unlawful appearance of tables and chairs at a specific location in St James's is very worrying. I will always press the Council and others as necessary to take action when planning and licensing regulations are flouted. I know that the Trust too will always seek action when such cases arise.

The Trust Study was a landmark publication giving much support to all of us who care about historic St James's. It sets out details of how much there is to value within the streets of St James's and the continuing relevance for London of St James's and how a wider community must care about what happens in the area. Historic, yes, but also enduring. Specialist financial services companies who seem to fit in well to the area have joined he clubs and high quality shops. Change can occur but in the context of preserving the unique atmosphere of St James, or, if we fail to make a stand now, there will be nothing left to save!"

Councillor Alexander Nicholl
Member for St James's Ward
Westminster City Council

Introduction to the Autumn Newsletter

Following the warm reception enjoyed by our Spring News Letter, it has been decided to continue publishing further News Letters. It will now become a bi-annual publication and will be distributed to the Trust's principal supporters, in the hope they will be interested in learning more about the Trust and its activities. The St James's Conservation Trust (Initially "Society") was founded in 1998 and has a history of six years of actively working towards the conservation of St James's.

Area of Benefit of the Trust

The area of benefit of St James's Conservation Trust is that area bounded by Green Park to the west, the Mall to the south, the east side of St James's Square to the east and the south side of Piccadilly to the north.

Objects of St James's Trust

1 To promote high standards of planning and architecture in or affecting the area.
2 To secure the preservation, protection, development and improvement of features of historic, or public, interest, in the area.
3 To maintain the character and atmosphere of the area, with its social fabric, collection of ancient shops and gentlemen's clubs.
4 To educate the public in the geography, history, natural history and architecture of the area.

Recent activities of St James's Conservation Trust

Liaison with Westminster City Council

- A luncheon was held on 19th May for **Cllr Angela Hooper CBE DL**, Ex-officio Cabinet member and Chairman of the Planning and City Development Committee, and **Mr Malcolm Haxby**, Director of Planning Policy.

- A luncheon was held on 2nd August for **Cllr Audrey Lewis,** Cabinet Member for Community Protection and Licensing, **Cllr Alexander Nicholl**, Ward Councillor for St James's and **Mr Gordon Chard**, Director of Planning and City Development.

The cost of Trust lunches is met by the generosity of our supporters; in these cases by *Adam & Company* in Pall Mall.

Planning Issues & Objections

- **A3 Study**. A major study of A3 restaurant and bar use has been conducted, with assistance from Westminster City Council. This has resulted in the preparation of a report, which is presently in draft. Details and the conclusions of this study will feature in the Spring 2005 News Letter.

- **7-8 Bennet Street restaurant application**. The Trust supported an objection to this application by Westminster City Council by submitting a 14 page statement prepared by its Town Planning consultant, and the application was refused on 17th June. The applicants have appealed, and the Trust has again supported the City Council's objection by submitting a further 18 page statement prepared by the consultant. See page 8.

- **Shumi restaurant, St James's Street**. The Trust objected to the unauthorised use of tables and chairs on the Economist Plaza. An enforcement notice was served on the Shumi restaurant in August, and the tables & chairs were removed. The Shumi restaurant has retrospectively applied for planning permission, and the Trust has submitted an objection. See page 10

- **Air Conditioning equipment**. The Trust has consulted an acoustics expert to advise on acceptable acoustic standards for air conditioning equipment in St James's. See page 10.

Licensing Issues & Objections

- **Licensing Act 2003**. See page 6. The Trust has sought Counsels advice, and commented on the City Council's draft Statement of Licensing Policy on the grounds that parts of it may be *ultra vires*.

- **Just Oriental, St James's Street**. The Trust objected to a new Public Entertainment Licence, but this was granted by the City Council on 27th July.

- **Gaslight Club,Duke of York Street.** The Trust objected to the renewal of its Public Entertainment Licence. It was renewed on 7th September, but for only 4 months. The applicants have appealed, and the Trust has again submitted an objection.

Promotion of the Trust

- **Alfred Dunhill Ltd.** On 6th October the Chairman of the Trust presented a print of a picture of St James's Street to Mr Simon Critchell, CEO of Alfred Dunhill Ltd as token of appreciation for their generous donation to the Trust. The picture was especially painted for the Trust by *Julian Barrow* and only 25 prints of the picture exist. See picture on opposite page.

- **Leaflets.** During the Summer over 1500 leaflets promoting the Trust were distributed throughout St James's. These leaflets were produced as a result of the generosity of *Mr Johnny Van Haeften* of Duke Street.

Giles Shepard CBE

In our Spring News Letter we announced with regret the resignation of **Giles Shepard CBE**, and it was with great pleasure that in August he was unanimously re-appointed as a Trustee.

In February, Giles Shepard retired as deputy Chairman of The Ritz, and it was thought that he would be spending much more time at his home in Hampshire. This has not turned out to be the case, and he is as busy as ever in London.

Giles Shepard's encyclopaedic knowledge of St James's has been a great strength to the Trust ever since it was formed in 1998, and this has been particularly beneficial this summer. He is very well acquainted with people and organisations concerned with the Trust's work, and the Trust is most fortunate, once again, to have him as a Trustee.

Giles Shepard was educated at Eton where he was a King's Scholar and later attended the Harvard Business School in 1997. After leaving Eton, he served in the Coldstream Guards from 1955 to 1960. During his active working life he has held numerous directorships in London companies, including the Savoy, the Dorchester and The Ritz, where he was deputy Chairman. Having recently left the Ritz, he is now actively working as Chairman of Searcy Tansley & Co.

He has many connections to the City of London, such as the Fishmongers Company, where he was Prime Warden from 1987-1988, and has strong links to St James's, being a member of White's, Pratt's, and Boodle's.

On 6th October, Mr John Beveridge QC, Chairman of the St James's Conservation Trust presented a print of St James's Street to Mr Simon Critchell, CEO of Alfred Dunhill Ltd.

Licensing Act 2003

The St James's Conservation Trust is closely monitoring the possible effects of the new Licensing Act 2003 on the St James's area, and is receiving regular legal advice on the application of the Act in St James's.

The new Act received its Royal Assent on 10th July, and the long awaited "Guidance to the Local Authorities" was approved by Parliament in June this year. This Guidance obliges Westminster City Council Licensing Authority to produce its own Licensing Policy for implementing the Act in this area.

The main features of the Act are:-

- Licensing of premises and personnel will transfer from Horseferry Magistrates Court to Westminster City Council Licensing Authority.
- The six existing licences such as Alcohol and Public Entertainment will be replaced by a Premises Licence.
- 24 hour opening will be possible, but subject to law and order issues. Later opening is supported, and no pre-determined closing times will be allowed for a particular area.
- New Personal Licences will allow holders to sell alcohol where there is a Premises Licence.

Westminster City Council's Licensing Policy will be published every three years, and will be subject to prior consultancy with the Police, Fire Authority, local businesses and local residents. The St James's Conservation Society naturally intends to make its opinions heard. The Act allows Westminster City Council to include a Special Policy which has regard to the cumulative impact of licences on :-

- Prevention of crime and disorder.
- Public safety.
- Prevention of public nuisance
- Protection of children.

The transitional period for the introduction of the Act will be from:-

- **The First Appointed Day - 7th February 2005**. From this date Westminster City Council may begin to receive applications to convert existing licences to Personal Licences and Premises Licences.

- **The Second Appointed day** is expected to be **7th November 2005** when the new Licences will have effect.

Westminster City Council will process the conversion of existing licences by means of simple administrative processes. New grants for Premises Licences or applications for major variations of existing Premises Licences ,however, will be advertised to the public(including proposed Operating Schedules), who will be entitled to raise objections which will be determined at hearings.

At any stage the Police or interested parties such as residents may ask the Westminster City Council Licensing Authority to review a Premises Licence, which after a hearing, could lead to the modification of its conditions or even its revocation.

The Westminster City Council Licensing Authority is anticipating, and gearing up to, a very heavy administrative work load to cope with the conversion of existing licences and variations of Premises Licences.

The Trust is in the process of the final production of what will be the leading study of A3 restaurant, bar and night club use in the St James's area, and when that study is complete and available, the Trust will give careful consideration on the extent to which some matters, formerly relevant to the grant of a licence under the old licensing laws, will, in the future, fall to be considered under the planning laws. In this matter, the Trust will be working closely with the City Council, and the Trust will hope to influence the contents of the Supplementary Planning Guidance which is to be drafted in relation to St James's.

Spencer House in Miniature

A replica model of Spencer House, St James's made by Kevin Mulvany and his wife Susan Rogers, the art historians and designers, has been on display at the Bath Preservation Trust's museum at the Royal Crescent, Bath.

It is built to a one-twelfth scale and is valued at over £200,000. The original Spencer House stands overlooking Green Park, and was built by the first Earl Spencer, a forbear of Diana, Princess of Wales.

ining room table has perfect miniature teaspoons, beautifully crafted in silver and hand blown glasses, a few millimeters high

The 7ft wide and 5ft tall model has been commissioned for the Museum Centre in Mayesville, Kentucky and was due to be shipped to America at the end of October.

Noise

Since mid- December last year there have been eight planning applications for new air conditioning equipment, external condensers and stand-by generators in St James's. For residents, this equipment can be an intolerable nuisance preventing proper sleep. Whilst acknowledging that Westminster City Council has very strict regulations for controlling the level of noise emanating from such equipment, the Trust felt it necessary to consult an acoustic expert to establish a standard of tolerable noise for St James's at night; and in July Mr Rupert Thornely- Taylor FIOA, a Consultant in Acoustics and Noise Control produced a standard letter that could be used whenever the Trust needed to object to air conditioning, etc planning applications.

The Economist Plaza- Tables and Chairs

In June, it came to the Trust's notice that the Shumi Restaurant in St James's Street was using 10 tables and 40 chairs on the Economist Plaza as an outdoor extension to their restaurant. The Trust, nevertheless, objected to this unauthorised use. The Shumi restaurant's owners submitted a planning application only retrospectively, but it took several weeks before the matter was brought under control to the Trust's satisfaction.

The case officer had, for example, to check current planning legislation to establish whether formal permission or consent was actually required. However, the very next day the Trust was informed that the use of tables and chairs on the Economist Plaza was unauthorised, and those responsible had been advised to cease this use within 7 days pending the outcome of their planning application.

In September, the Trust submitted a letter objecting to these tables and chairs on a number of grounds. The Trust's main concerns include the potential precedent set by this unauthorised expansion of a restaurant by up to 40 extra covers in an area already considered "saturated" with bars and restaurants. In addition the Trust feels that large outdoor dining and drinking areas are a inappropriate in the St James's area and constitute an advertisement aimed at attracting customers from already unruly customers of the entertainment districts of the West End.

The position now is that the tables and chairs have been removed, and the Trust awaits a decision concerning planning permission.

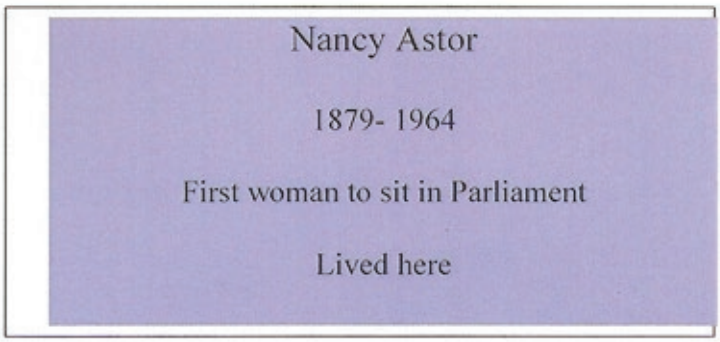
Letters to the Editor

The Trustees would welcome letters from readers concerning the history, architecture, commerce and social life of St James's for inclusion in the Spring 2005 News Letter and future editions.

It also would find most useful letters (which would not be used in the News Letters) containing evidence which could be used by the Trust to support future planning and licensing objections to Westminster City Council.

The History of St James's

St James's is an important historic and architectural asset at the heart of Westminster, which has evolved over the last four centuries, within a physical and social framework which reflects its historic importance. It is apparent from the many wall plaques that many illustrious personalities have resided in St James's. On this page, we give an example of those important links with the past. Below are the contents of the plaque at No. 4 St James's Square, now occupied by the Naval and Military Club.



Viscountess Nancy Witcher Astor of Hever Castle.

Nee Langhorne (b. May 19,1879, Danville, Va., U.S.—d. May 2. 1964, Grimsthorpe Castle, Lincolnshire, Eng.) first woman to sit in the British House of Commons, known in public and private life for her great energy and wit.

In 1897 she married Robert Gould Shaw of Boston, from whom she was divorced in 1903, and in 1906 she married Waldorf Astor, great- great- grandson of John Jacob Astor. When her husband succeeded to his father's viscountancy and thus relinquished his seat in the House of Commons, Lady Astor, who had been his constant comrade-in-arms in his constituency at Plymouth, was adopted as Unionist candidate in his place and, after a stirring campaign, was elected by a substantial majority on November 28th,1919. Lady Astor was returned for Plymouth at subsequent general elections until her retirement from parliament in 1945.

Apart from questions relating exclusively to women, her chief parliamentary work was done for a progressive educational policy, for temperance, and for the extension of the Trade Boards Acts. She constantly advocated the raising of the school- leaving age and in 1923 carried through the Intoxicating Liquor (Sale to Persons under 18) Bill. She also maintained a continuous agitation for improved conditions in certain branches of the distributive and catering trades.

No less potent was her role as hostess at Cliveden, the Astor's country house near Taplow, Buckinghamshire, where she maintained a salon that exercised considerable influence in many fields, notably foreign affairs. Members of the group were called the "Cliveden set".

Support for the St James's Conservation Trust

You who care for St James's are all too aware that this unique area is a fragile treasure which is under intense threat from destructive influences. The energies of the Trust are actively spent preserving St James's for future generations to enjoy. In running the Trust, the Trustees give their time free and, apart from a part time paid administrator, the overheads of the Trust are tiny. Most of the donations it receives are devoted to meeting the costs of essential planning and legal advice.

There are many calls on the Trust's funds. Some are predictable, but most occur on an *Ad Hoc* basis, in response to events. For example, the implications of the new Licensing Act will lead to more expenditure in fighting unwelcome licensing applications.

Over the past seven years, the Trust has received many generous donations from its friends and these funds have been used sparingly and wisely. The Trust only has small reserves and a recent fund raising campaign, started nearly a year ago by a professional fund raising adviser has, regrettably, cost the Trust more than it raised, so we are now once more appealing to our old friends for help. It is estimated that our annual expenditure will be about £ 50,000-00 and we look forward to the day when we have accumulated sufficient reserves to go some way towards producing an adequate annual income.

The Trustees of the St James's Conservation Trust would, therefore, welcome donations. All donations will be formally acknowledged and the value of donations from private individuals would be greatly enhanced if donors completed the Gift Aid form enclosed. Cheques should be made out to the St James's Conservation Trust and sent to:-

The Administrator
St James's Conservation Trust
7 St James's Square
London, SW1Y 4JU