

Licensing Sub-Committee Report

Item No:	
Date:	28 June 2018
Licensing Ref No:	18/04834/LIPN - New Premises Licence
Title of Report:	Co-Operative 108 Westbourne Grove London W2 5RU
Report of:	Director of Public Protection and Licensing
Wards involved:	Bayswater
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Daisy Gadd
Received:	24 May 2018
<p>I write in relation to the application submitted for a New Premises Licence for 108 Westbourne Grove.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none">• Public Nuisance• Prevention of Crime & Disorder• Public Safety• Protection of children from harm <p>This application seeks the following:</p> <ul style="list-style-type: none">• Sale by retail of alcohol for consumption off the premises Monday to Sunday from 08:00 to 23:00. <p>The premises is located within the Bayswater Cumulative Impact area and as such various policy points must be considered, namely CIP1, HRS1 and OS2.</p> <p>At present, the operating hours applied for licensable activities currently fall outside of Westminster's core hours. For premises for the supply of alcohol for consumption off the premises, Westminster's core hours are as follows:</p> <p>Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30</p> <p>The Licensing Authority would encourage the applicant to consider reducing the operating hours for licensable activities to be in line with those of Westminster's core hours.</p> <p>The Licensing Authority acknowledges that the applicant has offered conditions that go some way in mitigating the potential adverse effects on the licensing objectives, however the applicant must demonstrate that they will not add to cumulative impact in the Cumulative Impact Area. Unless the applicant can satisfy the concerns of the Licensing Authority by demonstrating that the application will not add to cumulative impact if granted, it will be for Licensing Sub-Committee Members to determine this application, given its location with the Bayswater Cumulative Impact area.</p> <p>Please accept this as a formal representation.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	18 May 2018

The premises is located in the Queensway/Bayswater Cumulative Impact Area.

The application seeks hours for the Sale of Alcohol which exceed the Core Hours as defined by the City Council's Licensing Policy. I recommend that the application is amended with respect to the hours sought for Sundays to match the Core Hours for 'Off' Sales:

Sundays 1000hrs-2230hrs

The application includes some proposed conditions and I make the following comments:

Conditions 1.1 – 1.7 should be replaced with:

MC01 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.

MC02 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.

Conditions 2.1 and 2.2 should be replaced with:

MC47 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.

Conditions 3.1 – 3.3 should be discussed with the Police who may prefer MC48 and/or MC49.

Condition 4.1 should be replaced with:

MC29 No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

Condition 5.1 should be replaced with:

MC31 No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

Condition 5.2 should be replaced with:

MC32 There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

Condition 5.3 should be replaced with:

MC28 Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked

grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

Condition 5.4 should be discussed with the Police

I also propose the following Conditions:

MC17 All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

MC27 All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

MC33 Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

MC35 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.

MC43 No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day.

MC65 No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.

MC81 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.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	11 April 2018

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting to this application as it is our belief that if granted the application would undermine the Prevention of Crime and Disorder and Protection of children from harm objectives.

The venue is situated in the Queensway/Bayswater Cumulative Impact, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems in an already demanding area.

The hours sought exceed Westminster's Core Hours Policy.

There is insufficient detail within the operating schedule to promote the Licensing Objectives.

An officer from this unit will be in contact with you shortly to discuss the application. However it is for the applicant to prove that this application will not add to the problems already experienced in this area.

It is for these reasons that we are objecting to the application.

2-B Other Persons**Representation 1****Received:** 15 May 2018

As a resident of the building and living right above the proposed location I would like to object to this application for the following reasons:

Increased noise from deliveries to the residents. Frequent out of hours deliveries are very likely to be a nuisance to residents in the floors above.

Increased noise from additional footfall.

Inadequate provision for deliveries. Deliveries to a supermarket through the garage, which is primarily for residential use is not feasible, particularly as this may not occur during work hours. The garage is not staffed out of hours, and deliveries to existing restaurants leave garage doors open for large periods of time, posing a security risk.

Increased amounts of rubbish. The building already has several restaurants, which generate large amounts of rubbish; bin rooms are already full to capacity.

Representation 2**Received:** 16 May 2018

As a resident of the building I would like to object to this application for the following reasons:

Increased noise from deliveries to the residents. Frequent out of hours deliveries are very likely to be a nuisance to residents in the floors above.

Increased noise from additional footfall. There is likely to be a substantial increase in footfall at all times.

Inadequate provision for deliveries. Deliveries to a supermarket through the garage, which is primarily for residential use is not feasible, particularly as this may not occur during work hours. The garage is not staffed out of hours, and deliveries to existing restaurants leave garage doors open for large periods of time, posing a security risk.

Increased amounts of rubbish. The building already has several restaurants, which generate large amounts of rubbish; bin rooms are already full to capacity.

Representation 3**Received:** 16 May 2018

I own a flat at the Gate Apartments block, right above the address property where an application to set up a Co-operative supermarket has been made.

I am writing to ask the Westminster Council to refuse this planning application from Co-operative Group Food Limited. Herein are my comments and objections regarding this project:

-The Supermarket will increase the noise on an already busy and congested road such as Westbourne Grove. This will lead to a loss of privacy and will certainly impact on the peaceful enjoyment of our properties.

-This Supermarket might also increase the risk of security because there is not an adequate provision for deliveries. This might create an obstacle to the primary purpose of the garage,

which is for residential use, by blocking the garage doors with trucks and vans or leaving the garage's doors opened for long period of time to let goods dropping.
-Last but not least is the rubbish problem. Waste will for sure increase and since there is insufficient space for waste, this might create not only a rubbish issue but also a hygiene issue.

Representation 4

Received: 25 May 2018

3:06 PM on 25 May 2018 As a resident of the building I would like to object to this application for the following reasons:

Increased noise from deliveries to the residents. Frequent out of hours deliveries are very likely to be a nuisance to residents in the floors above.

Increased noise from additional footfall. There is likely to be a substantial increase in footfall at all times.

Inadequate provision for deliveries. Deliveries to a supermarket through the garage, which is primarily for residential use is not feasible, particularly as this may not occur during work hours. The garage is not staffed out of hours, and deliveries to existing restaurants leave garage doors open for large periods of time, posing a security risk.

Increased amounts of rubbish. The building already has several restaurants, which generate large amounts of rubbish; bin rooms are already full to capacity.

Representation 5

Received: 21 May 2018

We object to this licence as hours applied for on Sundays (& bank holidays) are outside WCC 'core hours'

We would require hours to be reduced to 10.00 to 22.30 on Sundays and Bank Holidays.

We have concern on deliveries & refuse/recycling to premises as right by bus stop but are facilities opposite & in adjacent Hereford Road where hours would need to be in line with present parking arrangements (Monday to Friday 8.30 am to 6.30 pm and Saturdays 8.30 am to 1.30 pm and none on Sundays & bank holidays) planning application presently under consideration very good on loading proposals.

As always happy to discuss matter with applicant or their agent or meet up on site if necessary and hopefully hearing will not be necessary

We do not wish sale of 'miniatures' 20cc of alcohol to be sold as street drinking problem etc.

We note recent licence granted by WCC to the Co-operative at Merchant Square W2 and many 'model' conditions on that applicable - especially as similar circumstances with residential units over shop unit.

Assume usual conditions on CCTV etc.

Await to see EH & Police conditions to check everything covered

Representation 6

Received: 23 May 2018

Our building is not ready and built to support a supermarket. First, We have already reach the limit in terms of waste storage with Cote Brasserie, some galleries and other shops. Without the permanent pressure of residents on commercial activities, we will be out of basic hygienic rules as rubbish capacities are well undersized for the existing activities and I do not see how it can face the additional charge of a supermarket. Second, supermarket deliveries are at any time of the day will seriously increase noise disturbances at night and will significantly complicate the traffic on Westbound Grove or Hereford road. Lastly, we are facing more and more security issues as shop staff are not respecting basic safety rules, such as closing street doors or parking access. For all these points, I believe that a supermarket activity is not compatible with the family values, such as safety, cleanliness and calm that we try to protect in our residence.

Representation 7

Received: 24 May 2018

As a resident of the building I would like to object to this application for the following reasons: Increased noise from deliveries to the residents. Frequent out of hours deliveries are very likely to be a nuisance to residents in the floors above.

Increased noise from additional footfall. There is likely to be a substantial increase in footfall at all times.

Inadequate provision for deliveries. Deliveries to a supermarket through the garage, which is primarily for residential use is not feasible, particularly as this may not occur during work hours. The garage is not staffed out of hours, and deliveries to existing restaurants leave garage doors open for large periods of time, posing a security risk.

Increased amounts of rubbish. The building already has several restaurants, which generate large amounts of rubbish; bin rooms are already full to capacity.

Representation 8

Received: 14 May 2018

As a resident of the building I would like to object to this application for the following reasons: Increased noise from deliveries to the residents. Frequent out of hours deliveries are very likely to be a nuisance to residents in the floors above.

Increased noise from additional footfall. There is likely to be a substantial increase in footfall at all times.

Inadequate provision for deliveries. Deliveries to a supermarket through the garage, which is primarily for residential use is not feasible, particularly as this may not occur during work hours. The garage is not staffed out of hours, and deliveries to existing restaurants leave garage doors open for large periods of time, posing a security risk.

Increased amounts of rubbish. The building already has several restaurants, which generate large amounts of rubbish; bin rooms are already full to capacity.

Received: 4:09 PM on 25 May 2018

I would like to add a supplement to the objection I submitted on 14th May 2018.

I have a particular concern around deliveries to the proposed convenience store; my flat is on the first floor and has bedrooms that face onto Hereford road; one possible area where deliveries will take place. There are already a number of deliveries during the week which are a nuisance, especially larger refrigerated vehicles that are parked for long periods of time -

these are so noisy that we have to keep our windows closed during these times. A convenience store will increase the number of deliveries and therefore noise.

In addition, delivery vehicles will be competing for the very small space in this area which is often occupied by other cars, and it's not clear whether any contingency delivery area is available in case the Hereford road area is not usable (for example, this is currently closed off to carry out pavement works along Hereford road).

I am also very concerned that the main entrance to our building will frequently have delivery vehicles standing in front of it. It is not clear how delivered goods will be moved to the convenience store from drop off, having trolleys rolled across the narrow pavement will be both noisy and unsightly, and going through the garage in the building (as I have raised previously) is a security concern and likely to be disruptive to residents.

We already have an issue with staff from commercial units smoking and leaving trash outside the residential entrance, and the large number of staff (including delivery) that will be required for a convenience store I believe will exacerbate this problem.

Finally, I would like to add that myself and my wife are the owners of [REDACTED] in this building, which is currently rented out. We are concerned that the noise and issues raised above will be detrimental to the rental prospects of our property.

Representation 9

Received:	15 May 2018
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As a resident of the building I would like to object to this application for the following reasons: Increased noise from deliveries to the residents. Frequent out of hours deliveries are very likely to be a nuisance to residents in the floors above.

Increased noise from additional footfall. There is likely to be a substantial increase in footfall at all times.

Inadequate provision for deliveries. Deliveries to a supermarket through the garage, which is primarily for residential use is not feasible, particularly as this may not occur during work hours. The garage is not staffed out of hours, and deliveries to existing restaurants leave garage doors open for large periods of time, posing a security risk.

Increased amounts of rubbish. The building already has several restaurants, which generate large amounts of rubbish; bin rooms are already full to capacity.

Representation 10

Received:	24 May 2018
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We are writing to you as SEBRA members as well as members of the Hereford Road Association and the Hereford Mansions Residents association. We object to this application for a licence on all the same grounds as fully outlined in [REDACTED] email message to you dated May 21, 2018. Hereford Road is mainly a residential street, with family homes with children, busy professionals, and houses for vulnerable people. We are in a designated stress area, as well as a conservation area, and people need their sleep at night and some peace and quiet during the daytime. The HRA has over 100 members, and the Hereford Mansions Residents Association represents the residents of 16 freehold flats, which are all occupied, some by elderly people. Extending the licensing hours would cause distress with all the extra noise involved, and street drinking could create a public nuisance and pose a danger to small children, of which there are many in this neighbourhood.

We fully endorse SEBRAs concerns about deliveries in Hereford Road, which is already very congested especially near the junction with Westbourne Grove.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p>For premises for the supply of alcohol for the consumption off the premises:</p> <p>Monday to Saturday: 08:00 to 23:00 Sundays: 10:00 to 22:30</p>
Policy CIP1 applies	<p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy OS2 applies	<p>Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.</p>

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

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

Report author:	Mrs Shannon Pring Senior Licensing Officer
Contact:	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Licensing Authority	24 May 2018
5	Environmental Health Service	18 May 2018
6	Metropolitan Police Service	11 April 2018
7	Representation 1	15 May 2018
8	Representation 2	16 May 2018
9	Representation 3	16 May 2018
10	Representation 4	25 May 2018
11	Representation 5	21 May 2018
12	Representation 6	23 May 2018
13	Representation 7	24 May 2018
14	Representation 8	14 May 2018
15	Representation 9	15 May 2018
16	Representation 10	24 May 2018

There are no supporting documents from the Applicant.

This is a new premises licence application with a different operator and operation; however, the premises has previously operated as a Carluccio's restaurant since 2005. The premises history is as follows:

Application	Details of Application	Date Determined	Decision
05/09639/LIPN	Application for a new premises licence	08/11/2005	Granted by Licensing Sub-Committee
06/00564/LIPDPS	Application to vary the designated premises supervisor	28/02/2006	Granted under Delegated Authority
06/08580/LIPDPS	Application to vary the designated premises supervisor	12/09/2006	Granted under Delegated Authority
06/10268/LIPDPS	Application to vary the designated premises supervisor	23/10/2006	Granted under Delegated Authority
07/06514/LIPDPS	Application to vary the designated premises supervisor	17/09/2007	Granted under Delegated Authority
07/08743/LIPDPS	Application to vary the designated premises supervisor	02/11/2007	Granted under Delegated Authority
07/10512/LIPDPS	Application to vary the designated premises supervisor	02/11/2007	Granted under Delegated Authority
08/02211/LIPDPS	Application to vary the designated premises supervisor	07/03/2008	Granted under Delegated Authority
06/09235/WCCMAP	Master Licence	15/04/2008	Granted under Delegated Authority
08/06292/LIPCH	Application to change the Premises Licence Holder details	26/06/2008	Granted under Delegated Authority
09/03598/LIPDPS	Application to vary the designated premises supervisor	22/05/2009	Granted under Delegated Authority
10/08672/LIPDPS	Application to vary the designated premises supervisor	12/11/2010	Granted under Delegated Authority

11/00021/LIPCH	Application to vary the designated premises supervisor	04/01/2011	Granted under Delegated Authority
11/05007/LIPDPS	Application to vary the designated premises supervisor	03/06/2011	Granted under Delegated Authority
11/07503/LIPDPS	Application to vary the designated premises supervisor	03/08/2011	Granted under Delegated Authority
12/03460/LIPDPS	Application to vary the designated premises supervisor	18/05/2012	Granted under Delegated Authority
13/04605/LIPVM	Application for a minor variation	17/07/2013	Granted under Delegated Authority
14/01429/LIPDPS	Application to vary the designated premises supervisor	03/03/2014	Granted under Delegated Authority
14/09128/LIPDPS	Application to vary the designated premises supervisor	11/02/2015	Granted under Delegated Authority
15/12081/LIPDPS	Application to vary the designated premises supervisor	22/02/2016	Granted under Delegated Authority
16/13905/LIPDPS	Application to vary the designated premises supervisor	20/03/2017	Granted under Delegated Authority
18/00110/LIPDPS	Application to vary the designated premises supervisor	22/02/2018	Granted under Delegated Authority
18/06350/LIPT	Application to transfer the premises licence	20/06/2018	Granted under Delegated Authority

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

- 6. A CCTV system shall be installed and maintained at the premises which gives coverage of all areas, including the entrance and exit, to which the public have access.
- 7. The CCTV system shall be recording at all times the licensable activities are taking place at the premises.
- 8. The CCTV system shall provide clear images at all times.
- 9. The CCTV footage shall be retained for a minimum of 31 days.

10. A member of staff must be present at the premises at all times when open to the public who can operate the CCTV system and provide copies of images on request to the Police or an authorised Officer of the Council.
11. CCTV images shall record the correct date and time, such information shall be checked regularly to ensure accuracy.
12. CCTV images must be retained in an easily downloadable format.

Proposed amendment by Environmental Health – Conditions 6-12 be replaced by the following two conditions:

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.

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.

13. The premises shall operate an age verification scheme, such as Challenge 25, whereby any person attempting to buy alcohol who appears to be under the relevant age shall be asked for identification.
14. The only forms of identification which shall be acceptable for the purposes of age verification shall be a valid passport, a UK driving licence with photograph, photographic military identification or a Proof of Age card bearing the PASS hologram or any other form of identification from time to time approved by the Secretary of State.

Proposed amendment by Environmental Health – Conditions 13-14 be replaced by:

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.

15. An incident log (whether kept in written or electronic form) shall be retained at the premises and shall be made available on request to the Police or an authorised Officer of the Council.
16. Incidents must be recorded in the log within 24 hours of their occurrence. The incident log shall record:
 - i. all crimes reported to the premises
 - ii. any faults in the CCTV system
 - iii. any refusal to sell alcohol ; and

- iv. any visit by a Responsible Authority in connection with the licensable activity conducted the premises.

Proposed amendment by Environmental Health – Conditions 15-16 be replaced by either of the following conditions:

A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

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.

17. No beer, lager or cider with an ABV of 5.5% or more shall be sold at the premises save that this prohibition shall not apply to premium beer, lager or cider.

Proposed amendment by Environmental Health – Conditions 17 be replaced by:

No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles.

18. All relevant staff shall be trained in relation to their responsibilities under the Licensing Act 2003.
19. Training Records shall be correct and made available for inspection upon receipt of request from the Police or an Authorised Officer of the Licensing Authority.
20. No more than 15% of the sales area shall be used at any one time for the sale or display of alcohol.

Proposed amendment by Environmental Health – Condition 20 to be replaced by:

No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

21. There shall be no self-service of spirits on the premises save that this prohibition shall not apply to spirit mixtures.

Proposed amendment by Environmental Health – Condition 21 to be replaced by:

There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

22. Outside of the hours permitted for the sale of alcohol, and whilst the premises are open to the public, the Premises Licence Holder shall ensure that all alcohol on display in the premises is secured behind locked screens or cabinet doors so as to prevent access by customers.

Proposed amendment by Environmental Health – Condition 22 to be replaced by:

Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

23. On the Sunday and Monday of the Notting Hill Carnival the following conditions will apply:
- i. There shall be no sale of alcohol in glass bottles, save that this prohibition shall not apply to wine.
 - ii. There shall be no external advertising of alcohol promotions at the premises.
 - iii. The sale of alcohol shall cease at 20:00hrs.

Proposed amendment by the Police – Condition 23 to be replaced by:

On the Sunday and Monday of the Notting Hill Carnival:

- a) There will be no sale of alcohol in glass vessels from the premises; and
 - b) There will be no external advertisement of alcohol promotions at the premises.
 - c) There shall be no sale of alcohol from the premises after 20:00 hours.
24. A notice must be displayed in the premises explaining that it is an offence for persons under the age of 18 to purchase alcohol.
25. A panic alarm and system shall be installed and maintained at the premises.
26. A burglar alarm system shall be installed and maintained at the premises.
27. An electronic till prompt system shall be installed and maintained at the premises which reminds staff to ask for age verification.
28. No spirit measures of less than 20cl shall be sold at the premises, save that this prohibition shall not apply to mixed spirits.

Proposed amendment by SEBRA – Condition 28 to be replaced by:

No spirit measures of less than 20cl shall be sold at the premises.

29. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a public nuisance.
30. No deliveries to the premises shall take place between 23:00 and 07:00 on the following day save that this restriction does not apply to newspapers and magazines or diary or bakery products.

Proposed amendment by Environmental Health – Condition 30 to be replaced by:

No deliveries to the premises shall take place between (23.00) and (08.00) on the following day.

31. No licensable activity shall be permitted at the premises until the premises have been inspected by the Environmental Health Consultation Team and they have confirmed that policies and procedures are in place which enables the Premises Licence Holder to fulfil the conditions attached to this licence.

Proposed amendment by Environmental Health – Condition 31 to be replaced by:

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.

32. The inspection of the premises shall be concluded within 3 working days of Environmental Health Consultation Team being notified by the Premises Licence Holder that the premises is about to open.
33. Environmental Health Consultation Team shall notify the Premises Licence Holder that they are so satisfied, or what steps need to be taken to rectify any inadequacies, within 24 hours of the inspection taking place.
34. If Environmental Health Consultation Team do not fulfil the requirements of 8.2 and 8.3 then the Premises Licence Holder may, in any event, conduct licensable activities.

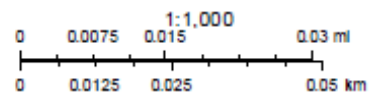
Conditions proposed by the Environmental Health

35. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
36. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
37. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
38. 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.
39. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) on the following day.

Co-op, 108 Westbourne Grove



June 15, 2018



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Resident count: 177

Premises with a 75 metre radius of Co-Operative, 108 Westbourne Grove, W2 5RU				
Licence Number	Trading Name	Address	Premises Type	Time Period
18/00110/LIPDPS	Carluccios	Unit 3 108 Westbourne Grove London W2 5RU	Restaurant	Monday to Saturday; 08:00 - 00:30 Sunday; 09:00 - 00:00
14/07833/LIPN	Perfetto	Basement Floor And Ground Floor 112 Westbourne Grove London W2 5RU	Cafe	Monday to Saturday; 07:00 - 23:30 Sunday; 07:00 - 23:00
17/04791/LIPDPS	Cote	Unit 7 98 Westbourne Grove London W2 5RU	Restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 23:30
17/09071/LIPCHD	Pomona's	The Commander 47 Hereford Road London W2 5AH	Restaurant	Monday to Wednesday; 08:00 - 23:30 Thursday to Friday; 08:00 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 23:00 Sundays before Bank Holidays; 09:00 - 00:00
16/07092/LIPDPS	Commander	The Commander 47 Hereford Road London W2 5AH	Restaurant	Monday to Wednesday; 10:00 - 23:30 Thursday to Saturday; 10:00 - 00:00 Sunday; 12:00 - 23:00 Sundays before Bank Holidays; 12:00 - 00:00
16/01914/LIPN	Not Recorded	Basement And Ground Floor 115 Westbourne Grove London W2 4UP	Restaurant	Monday to Sunday; 10:00 - 23:30
15/08481/LIPT	Otto Pizza	6 Chepstow Road London W2 5BH	Restaurant	Monday to Friday; 12:00 - 15:00 Monday to Friday; 17:30 - 23:00 Saturday; 12:00 - 23:00 Sunday; 12:00 - 22:00

16/09990/LIPDPS	Franco Manca	111 Westbourne Grove London W2 4UW	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
06/11786/WCCMAP	Rodizio Rico	111 Westbourne Grove London W2 4UW	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
15/00554/LIPDPS	Sainsbury's	Grove House 88 - 94 Westbourne Grove London W2 5RT	Shop	Monday to Sunday; 07:00 - 23:00
16/03507/LIPN	Sainsburys Supermarkets Limited	Grove House 88 - 94 Westbourne Grove London W2 5RT	Food store (large)	Monday to Sunday; 07:00 - 23:00
16/10441/LIPDPS	Sainsburys Supermarkets Limited	Grove House 88 - 94 Westbourne Grove London W2 5RT	Food store (large)	Monday to Sunday; 07:00 - 23:00
18/03332/LIPDPS	Shack 107	107 Westbourne Grove London W2 4UW	Restaurant	Monday to Saturday; 12:00 - 00:00 Sunday; 12:00 - 23:00
06/11814/WCCMAP	Durbar Tandoori Restaurant	24 Hereford Road London W2 4AA	Restaurant	Monday to Saturday; 12:00 - 00:30 Sunday; 12:00 - 00:00