



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (1)**

Meeting Date: **Thursday 25th September, 2014**

Time: **10.00 am**

Venue: **Rooms 5, 6 & 7 - 17th Floor, City Hall**

Members: **Councillors:**

Tim Mitchell (Chairman)
Susie Burbridge
Shamim Talukder

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda

Admission to the public gallery is by ticket, issued from the ground floor reception at City Hall from 6.00pm. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.



An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.

**Email: jdeacon@westminster.gov.uk Tel: 020 7641 2783
Corporate Website: www.westminster.gov.uk**

Note for Members: Members are reminded that Officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. With regard to item 2, guidance on declarations of interests is included in the Code of Governance; if Members and Officers have any particular questions they should contact the Head of Legal & Democratic Services in advance of the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

The Head of Legal and Democratic Services to report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of any personal or prejudicial interests in matters on this agenda.

Licensing Applications for Determination

1. SOHO GRIND 19 BEAK STREET

(Pages 1 - 58)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
1.	West End / West End	Soho Grind, 19 Beak Street, W1	New	14/06662/LIPN

2. DELICIAS DE PORTUGAL 43 WARWICK WAY

(Pages 59 - 104)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
2.	Warwick / Not Applicable	Delicias De Portugal, 43 Warwick Way, SW1	Variation	14/01940/LIPV

3. KUPP 5 MERCHANT SQUARE WEST

(Pages 105 - 148)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
3.	Hyde Park / Not Applicable	Kupp, Unit 53, 5 Merchant Square West, W2	New	14/06394/LIPN

4. PICCOLA CUCINA RESTAURANT 89 GEORGE STREET

(Pages 149 - 210)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
4.	Marylebone High Street / Not Applicable	Piccola Cucina Restaurant, 89 George Street, W1	New	14/06468/LIPN

5. AM 2 PM 122-124 CHIPPENHAM ROAD

(Pages 211 - 292)

App No	Ward/ Stress Area	Site Name and Address	Application	Licensing Reference Number
5.	Harrow Road / Not Applicable	AM 2 PM, 122-124 Chippenham Road, W9	Review	14/06486/LIRE VP

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

POLICY CONSIDERATIONS

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

GUIDANCE CONSIDERATIONS

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

PERMITTED TEMPORARY ACTIVITIES

The licensee of any premises is entitled under the Licensing Act 2003 to apply for permission to hold temporary events, authorising licensable activities instead of or in addition to any activities that may be authorised by a premises licence, subject to the following restrictions:

- 1) No more than 12 events over a total of 21 days may be held at any one premises in any year
- 2) Each event must last for no more than 168 hours
- 3) There must be 24 hours between each event
- 4) The number of people at each event must be less than 500.

A Temporary Event Notice for each event (a TEN) is required to be given to the licensing authority, the police and environmental health service no later than 10 working days before the event for a 'standard' TEN or 5 to 9 working days before the event is due to begin for a 'late' TEN. The licensing authority is required to send an acknowledgement by the next working day.

Once a Temporary Event Notice is given the police and environmental health service have a right to object to the event if they are satisfied that the event will undermine any of the licensing objectives of preventing crime and disorder, prevention of public nuisance, protection of children from harm and promotion of public safety. They must serve an objection notice stating their reasons as to why the objectives would be undermined to the licensing authority and the premises user within 3 working days of receiving a copy of the TEN. The licensing authority is required to hold a hearing and may issue a counter notice which will prevent the event taking place.

LIVE MUSIC ACT 2012

The Live Music Act amends the Licensing Act 2003 by:

- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons on premises authorised by a premises licence or club premises certificate to supply alcohol for consumption on the premises (at a time when those premises are open for the purposes of being used for the supply of alcohol for consumption on the premises), subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate
- removing the licensing requirement for amplified live music taking place between 8am and 11pm before audiences of no more than 200 persons in workplaces not otherwise licensed under the 2003 Act (or licensed only for the provision of late night refreshment)
- removing the licensing requirement for unamplified live music taking place between 8am and 11pm in any place, subject to the right of a licensing authority to impose conditions about live music following a review of a premises licence or club premises certificate relating to premises authorised to supply alcohol for consumption on the premises
- removing the licensing requirement for the provision of entertainment facilities
- widens the licensing exemption for live music that is integral to a performance of Morris dancing or dancing of a similar type, so that the exemption applies to both live or recorded music instead of just unamplified live music in that instance.

CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES

(As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight

Sundays immediately prior to Bank Holidays: Midday to midnight

Other Sundays: Midday to 22:30

Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00

Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight

Sundays immediately prior to Bank Holidays: 09.00 to midnight

Other Sundays: 09.00 to 22.30

Monday to Thursday: 09.00 to 23.30.



City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/06662/LIPN
Date:	25 September 2014
Classification:	For General Release
Title of Report:	Soho Grind 19 Beak Street London W1F 9RP
Report of:	Operational Director of Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Sumeet Anand-Patel, Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 2737 E-mail: sanandpatel@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	New premises licence under the Licensing Act 2003.		
Applicant:	Grind & Co. Ltd	Date Application Received:	06.08.14
Premises Name and Address:	Soho Grind 19 Beak Street London W1F 9RP		
Ward Name:	West End	Stress Area:	West End
Description of Premises:	The premises shall operate as a restaurant on ground floor and basement levels.		
Preliminary Note 1:	Although this premises has not been previously licensed they have been trading under temporary event notices for a few weeks. Please refer to Appendix C for the full licensing history.		
<i>Note: Where the committee is minded to grant the application it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1.	<p>Late Night Refreshment: Indoors</p> <p>Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:30</p> <p>Relevant representations and policies applicable:</p> <p>1A The Metropolitan Police have confirmed they have no representation to this application. Please refer to Appendix B1.</p> <p>1B Environmental Health Consultation Team have submitted an adverse representation to this proposal stating that the proposals will lead to an increase in public nuisance and may impact on public safety in the West End Stress Area. Please refer to Appendix B2 for further information. Environmental Health have proposed conditions which are attached at Appendix D.</p> <p>1C 10 local residents have made adverse representations to this application on the grounds of crime and disorder, public safety, public nuisance and cumulative impact. All the residents believe that the proposals will lead to an increase to the ongoing issues within the Stress Area. Please refer to Appendices B3 to B12.</p> <p>1D Two residents' associations have submitted an adverse representation against this application on the grounds of public nuisance, crime and disorder and the cumulative impact of this application on the West Ends Stress Area. Please refer to Appendices B13 and B14 for further information.</p> <p>1E The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1) Public Safety (PS1) Prevention of public nuisance (PN1) Protection children from harm (CH1) Hours (HRS1) Stress Areas (STR1) Restaurants within the Stress Areas (RNT2)</p>		<p>Metropolitan Police no representation</p> <p>Environmental Health Service representation and conditions</p> <p>10 resident representations</p> <p>Residents' Association representations</p> <p>Policies applicable</p>

	<p>1F Policy HRS1 applies:</p> <p>(i) Applications for hours within the core hours set out 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 in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy.</p> <p>1G Policy STR1 applies:</p> <p>(i) It is the Licensing Authority's policy to refuse applications in the Stress Areas for: pubs and bars; fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Stress Areas will be subject to other policies and must demonstrate that they will not add to cumulative impact in the Stress Areas.</p> <p>1H Policy RNT2:</p> <p>Applications will be granted subject to other policies and subject to relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Stress Areas.</p> <p>1I The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	Summary
<p>2.</p>	<p>Late Night Refreshment: Indoors</p> <p>Monday to Thursday 23:00 to 23:30 Friday to Saturday 23:00 to 00:00</p> <p>Relevant representations and policies applicable:</p> <p>2A Please refer to 1B to 1H above.</p> <p>2B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by EH, 10 local residents and 2 residents' associations</p> <p>Summary</p>
<p>3.</p>	<p>Opening Hours:</p> <p>Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:30</p> <p><i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i></p>	

	<p>Relevant representations and policies applicable:</p> <p>3A Please refer to 1B to 1H above.</p> <p>3B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by EH, 10 local residents and 2 residents' associations</p> <p>Summary</p>
<p>4.</p>	<p>Non Standard Timings:</p> <p>For all licensable activities and opening hours:</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p> <p>Relevant representations and policies applicable:</p> <p>4A Please refer to 1B to 1H above.</p> <p>4B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by EH, 10 local residents and 2 residents' associations</p> <p>Summary</p>
<p>Current Licensing Position</p>	<p>The premises has not been previously licensed.</p> <p>Full licence history is provided at Appendix C.</p>	
<p>Current Planning Position</p>	<p>Planning information has been requested.</p>	
<p>Residential Density:</p>	<p>6 of the 207 units within a 75m radius of the premises are residential, proposed residential and residential under construction (3%), refer to Appendix E</p> <p><i>N.B Please note, the figures shown above are not a true reflection of the number of residents living within the 75m radius. This data is provided by the Planning department and it has been confirmed that the data has not been updated for a number of years. The Licensing department have requested that the residential data is updated as a matter of urgency. The residents who have made representations to this applications have not been captured in the figures above however their addresses have been plotted on the map attached at <u>Appendix E</u>.</i></p>	

List of Appendices:	A1 – Application Form A2 – Current Licence B1 – Metropolitan Police not making a representation B2 – Environmental Health representation and conditions B3 to B12 – 10 local resident representations B13 to B14 – Residents' Association representations C – Premises Licence History and Decision of 27.03.14 D - Conditions E – Residential Map and list of premises in the vicinity F – Photo of premises
Relevant Representations:	Environmental Health 10 x local residents 2 x local residents' associations

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendix A1**.

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

APENDIX A1

Thomas & Thomas

PREMISES MANAGEMENT
LICENSING SERVICE

06 AUG 2014

CITY OF WESTMINSTER

Application for a premises licence to be granted
under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Grind & Co Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Soho Grind 19 Beak Street			
Post town	London	Postcode	W1F 9RP

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£44,750

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- | | | |
|---|-------------------------------------|-----------------------------|
| a) an individual or individuals * | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual * | | |
| i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over					<input type="checkbox"/> Please tick yes
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Grind & Co Ltd
Address 3RD FLOOR 26 GANTON STREET LONDON W1F 7QZ
Registered number (where applicable) 08794400
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
┌┐	┌┐	┌┐┌┐┌┐┌┐

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
┌┐	┌┐	┌┐┌┐┌┐┌┐

Please give a general description of the premises (please read guidance note 1)

Coffee shop

The application is for restaurant use to core hours in accordance with the City Council's statement of policy and follows pre-application advice.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

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What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Fri					
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed					
			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 3)					
Mon								
Tue								
Wed						State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat								
Sun								

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed					
Thur					
			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	23.00	23.30			
Tue	23.00	23.30			
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed	23.00	23.30			
Thur	23.00	23.30			
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	23.00	00.00			
Sat	23.00	00.00			
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10.00	23.30			
Tue	10.00	23.30			
Wed	10.00	23.30			
Thur	10.00	23.30	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.		
Fri	10.00	00.00			
Sat	10.00	00.00			
Sun	12.00	22.30			

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).
 None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	10.00	00.00	<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.</p>
Tue	10.00	00.00	
Wed	10.00	00.00	
Thur	10.00	00.00	
Fri	10.00	00.30	
Sat	10.00	00.30	
Sun	12.00	23.00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Following the recent pre-application advice and site meeting with Ms S White the application is for a Licence in accordance with Policy RNT2 and in accordance with Core Hours and appropriate Model Conditions.

See attached proposed conditions.

b) The prevention of crime and disorder

See above

c) Public safety

See above

d) The prevention of public nuisance

See above

e) The protection of children from harm

See above

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11). **If signing on behalf of the applicant, please state in what capacity.**

Signature	Thomas & Thomas
Date	6/8/14
Capacity	SOLICITORS ON BEHALF OF THE APPLICANT

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Thomas & Thomas Partners LLP
38a Monmouth Street

Post town	London	Postcode	WC2H 9EP
-----------	--------	----------	----------

Telephone number (if any)	020 7042 0417
---------------------------	---------------

If you would prefer us to correspond with you by e-mail, your e-mail address (optional)
rhepworth@tandtp.com

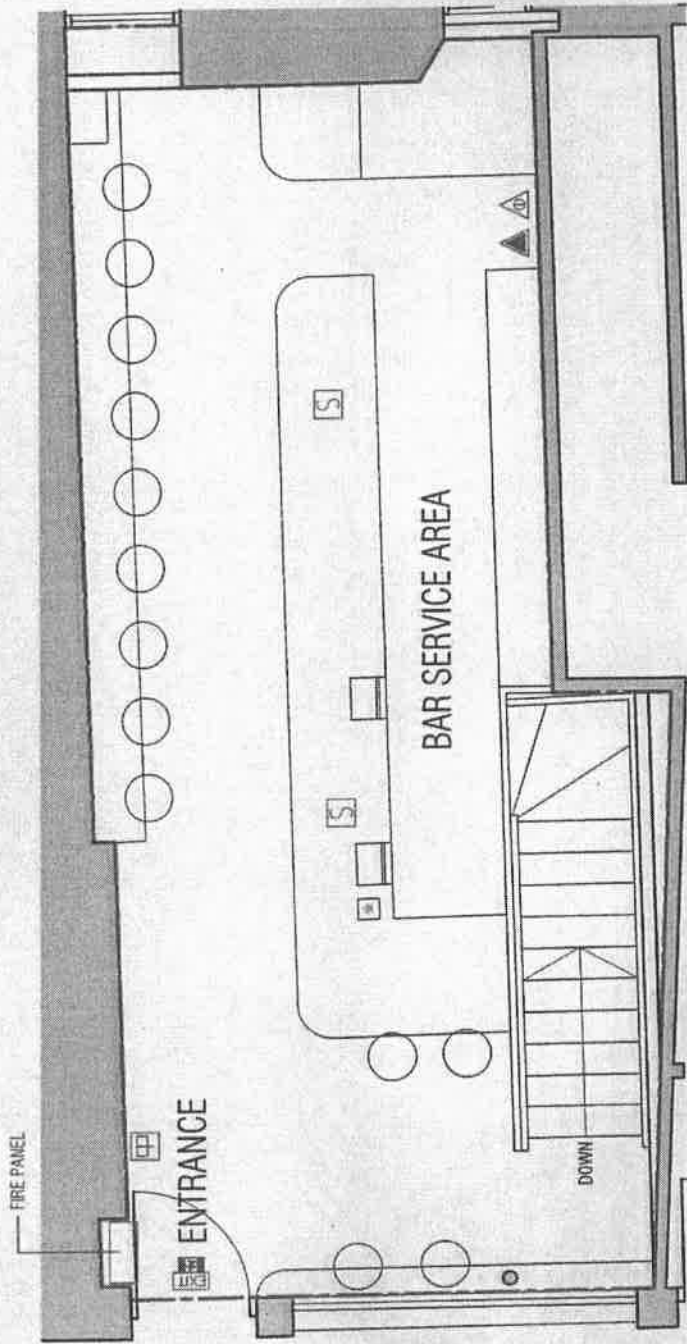

CONDITIONS FOR 19 BEAK STREET

- 1) The premises shall only operate as a restaurant
 - (i) Where the supply of alcohol is by waiter or waitress service only,
 - (ii) which do not provide any take away service of food or drink after 23.00, and
 - (iii) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal
- 2) Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 3) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. 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 preceding 31 day period.
- 4) 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.
- 5) All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
- 6) No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 7) 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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system or searching equipment or scanning equipment

- (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service.
-
- 8) There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
 - 9) No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 on the following day.
 - 10) The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 50 persons.
 - 11) Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
 - 12) A Challenge 21 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.
 - 13) No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
 - 14) 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.

APENDIX A2



— AREA FOR LICENSABLE ACTIVITIES

	FIRE ALARM CALL POINT
	CARBON DIOXIDE FIRE EXTINGUISHER
	WATER FIRE EXTINGUISHER
	SMOKE ALARM
	EXIT SIGN



FROM THE DESK OF:
Biasol: Design Studio
 biasol.com.au

PROJECT:
 Licensing Plan - Ground Floor
 Hotel Soho Grand - London

CLIENT:
 Kas Jones
 David Abramamovich

DATE:
 19.06.2014

SCALE:
 1:50
 Print Size: A1
 Orientation: N

DESIGNED BY:
 R1 P011

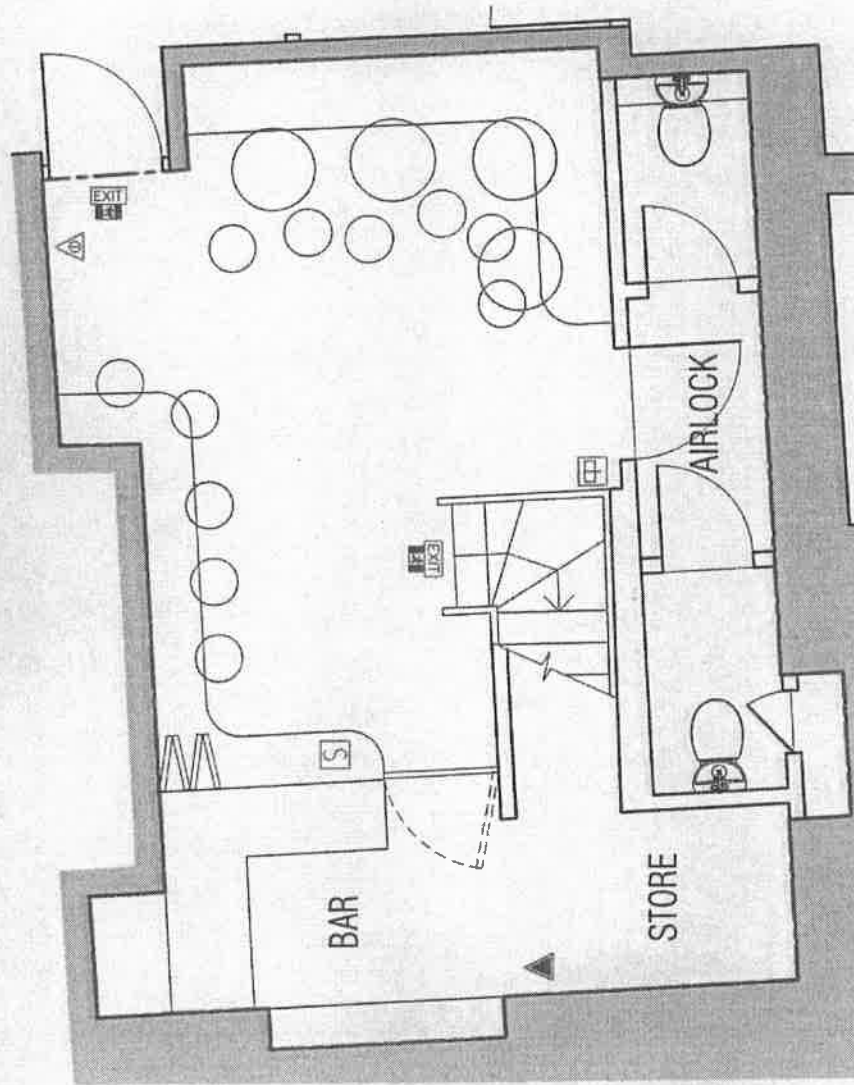
CHECKED BY:
 TN / JP /

AUTHORIZED BY:

NOTES:
 All work is to be undertaken in accordance with the relevant Australian Standards and the relevant Building Code of Australia. The licensor shall be responsible for ensuring that the licensor is aware of any changes to the relevant standards and codes of practice. The licensor shall be responsible for ensuring that the licensor is aware of any changes to the relevant standards and codes of practice. The licensor shall be responsible for ensuring that the licensor is aware of any changes to the relevant standards and codes of practice.

REVISIONS:

NO.	DESCRIPTION	DATE	BY



	FIRE ALARM CALL POINT
	CARBON DIOXIDE FIRE EXTINGUISHER
	WATER FIRE EXTINGUISHER
	SMOKE ALARM
	EXIT SIGN



REVISION: DISCUSSIONS DATE: 01/11/14

NOTES:
 1. Client to be responsible for obtaining all necessary permissions and approvals for the building and its use.
 2. All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 3. All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 4. All work to be carried out in accordance with the Building Regulations and the Building Act 2004.
 5. All work to be carried out in accordance with the Building Regulations and the Building Act 2004.

DRAWING:
 R1 P012
 19.08.2014
 Drawn By: TN /
 Checked By: Jpr / -
 Authorised By: N

Scale: 1:50
 Print Size: A4
 Orientation: N

PROJECT:
 Licensing Plan - Basement
 HQ13 Sono Gard - London
 Kaz James
 David Abramovitch
 19 Beak Street
 London

FROM THE OFFICE OF:
Blasol: Design Studio
 PO Box 327
 Prashun Vm 5181
 Australia
 T: +61 3 9949 3961
 M: +61 422 773 773
 info@blasol.com.au
 blasol.com.au

APENDIX B1

08/09/2014 09:49:51

From: "Sollars, Jim" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=JSOLLARS>
Sent: 01/09/2014 10:08:04
To: idoxlicensing </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=IDOXLICENSING>
Cc: idoxlicensing; Anand-Patel, Sumeet
Subject: 14/06662/LIPN SOHO GRIND, BEAK ST

Rachel,

Alun,

Just a quick confirmation that police have no representation against the above application.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

APENDIX B2

CITY OF WESTMINSTER

MEMORANDUM

TO Sumeet Anand-Patel

REFERENCE 14/06662/LIPN

FROM EH Consultation Team, 4th Floor, City Hall
REFERENCE EHCT/LXJ/ 14/034323/EHCT
BEING DEALT WITH BY Louise Joyce
TELEPHONE/EMAIL 020 7641 1773/ljoyce@westminster.gov.uk
DATE 13th August 2014

The Licensing Act 2003

Re: Soho Grind, 19 Beak Street, W1F 9RP

I refer to the application for a new Premises Licence. The premises has not previously benefited from a Premises Licence.

The applicant has submitted Basement and Ground floor plans, dated 19.06.2014 drawing numbers R1 P011 and R1 P012.

This representation is based on the plans submitted and supportive Operating Schedule.

The applicant is seeking the following licensable activities on the premises:

1. To permit the Supply of Alcohol "On" the premises on Monday to Thursday from 10:00 – 23:30 hours, Friday to Saturday from 10:00 – 00:00 hours and Sunday 12:00 to 22:30.
2. To provide facilities for late night refreshment 'On' the premises Monday to Thursday 23:00 to 23:30 and Friday to Saturday 23:00 to 00:00.

I wish to make the following representations in relation to the above application:

1. The hours requested to provide regulated entertainment will have a likely effect of causing an increase in Public Nuisance and impact on Public Safety within the West End Stress Area.
2. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance in the stress area.

Any new Premises Licence granted will be subject to conditions to address the licensing objectives of Prevention of Public Nuisance and Promoting Public Safety.

The granting of the New Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

Should you wish to discuss the matter further please do not hesitate to contact me.

Louise Joyce
Environmental Health Officer

08/09/2014 09:50:40

From: "Joyce, Louise" </O=CITYOFWESTMINSTER/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=LJOYCE>
Sent: 28/08/2014 17:31:33
To: "Anand-Patel, Sumeet" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=SANAND>
Cc: Anand-Patel, Sumeet
Subject: 19 Beak street Conditions

Hi Alun,

Please see attached conditions for Soho Grind 19 Beak Street. Please let me know your feelings on these. There has been a lot of residents objections to the application.

Regards,

Louise Joyce
Environmental Health Officer
Environmental Health Consultation Team

Premises Management

Westminster City Hall - 4th Floor
64 Victoria Street
London SW1E 6QP

Tel: 020 7641 1773
Fax: 020 7641 3436

Email: ljoyce@westminster.gov.uk <<mailto:ljoyce@westminster.gov.uk>>
www.westminster.gov.uk <<http://www.westminster.gov.uk>>

http://partnerweb/builtenvironment/communityprotection/premises/Shared%20Documents/Premises%20Management/External%20Training%20Programme/WCT%20Logo,%20Banners%20etc/WCC1243_PremisesManagementEmailSignOff2.jpg

TO Sumeet Anand-Patel
REFERENCE 14/06662/LIPN

FROM EH Consultation Team, 4th Floor, City Hall
BEING DEALT WITH BY Louise Joyce
TELEPHONE 0207 641 1773
DATE 18th August 2014

Re: Basement And Ground Floor, 19 Beak Street, London

These conditions take into account the conditions and undertakings proposed by the applicant in the operating schedule.

1. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
2. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
4. 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 preceding 31 day period.

5. 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.
6. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
7. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
8. 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, which 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 or searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
9. 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.
10. After 23:00 hours patrons permitted to temporarily leave and then re-enter the premises, eg to smoke, shall not be permitted to take drinks or glass containers with them.
11. Notices shall be prominently displayed at all exits and all areas used for smoking requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. After 23:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
13. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.
14. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.

15. 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.
16. A Challenge 21 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.
17. The number of persons permitted in the premises at any one time (including staff) shall not exceed 30 persons.

Should you wish to discuss the matter further please do not hesitate to contact me.

Louise Joyce
Environmental Health Officer

APENDIX B3

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr Anthony Jacobs

Address: Flat 1 6 Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 12:31 AM on 15 Aug 2014 I object to this license application on the grounds that the cumulative impact of late night revellers will cause disproportionately more nuisance by way of noise, crime and public disorder in this recognised stress area.

I further object to the unauthorised reclassification of these premises from retail to leisure. I believe that there could be no less appropriate substitution from what was formerly a toy shop than the proposed snazzy cocktail bar.

APENDIX B4

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mrs Lorna Jacobs

Address: Flat 1 6 Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:8:08 AM on 15 Aug 2014 I thoroughly object to the council granting yet another license to serve alcohol in the vicinity of my home. The area is already saturated with such establishments and has attracted huge numbers to drunken revellers to the pavements of Kingly Court, Kingly Street and Beak Street. Cigarette ends, take-away debris, bicycles tied to railings and lamp-posts, people urinating against our front door, loud screaming shouting and fighting, accumulation of rubbish bags are everyday occurrences in most parts of Soho. People do try to live there and it's about time the council took a stance on our side with the cessation of all new licenses to serve alcohol in our neighbourhood.

APENDIX B5

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr Steve Parish

Address: Penthouse 6 Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 5:54 PM on 18 Aug 2014 I object to a licence for Soho Grind on the grounds of cumulative impact, Prevention of Public Nuisance and Public Safety.

I live within 20 metres of the site which is visible from my window.

Kingly Court, Beak Street and nearby Kingly Street are already crammed with restaurants and other licensed premises. To add yet another licensed premises to this already dense area is unwise. In the past we have had a number of violent incidences including two murders; we don't want to return to these days.

The narrow pavements on Beak Street cannot support the outspill from a restaurant. Please reinstate an A1 retail unit on these premises.

APENDIX B6

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mrs lindy ackrim

Address: flat 9, 6 upper john street london

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:8:35 AM on 16 Aug 2014 I object to a licence for Soho Grind on the grounds of cumulative impact, Prevention of Public Nuisance and Public Safety.

I live within 20 meters of the site which is visible from my window.

Kingly Court, Beak Street and nearby Kingly Street are already crammed with restaurants and other licensed premises. To add yet another licensed premises to this already dense area is unwise. In the past we have had a number of violent incidences including two murders; we don't want to return to these days.

The narrow pavements on Beak Street cannot support the outspill from a restaurant. Please reinstate an A1 retail unit on these premises.

APENDIX B7

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr raheel ackrim

Address: flat 9, 6 upper john street london

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:8:33 AM on 16 Aug 2014 I object to a licence for Soho Grind on the grounds of cumulative impact, Prevention of Public Nuisance and Public Safety.

I live within 20 meters of the site which is visible from my window.

Kingly Court, Beak Street and nearby Kingly Street are already crammed with restaurants and other licensed premises. To add yet another licensed premises to this already dense area is unwise. In the past we have had a number of violent incidences including two murders; we don't want to return to these days.

The narrow pavements on Beak Street cannot support the outspill from a restaurant. Please reinstate an A1 retail unit on these premises.

APENDIX B8

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr Duncan McCall

Address: Flat 14 6Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:7:47 AM on 16 Aug 2014 I am a resident in the block a few metres from this premises. This premises is unsuitable for an alcohol license. The area is already over-provided with licensed premises, and several have caused problems (noise, taxi queues, drunkenness) to local residents. The nature of this premises appears to be more of a coffee shop than a restaurant, which increases the concern that this proposed license is not appropriate.

APPENDIX B9

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr Pierre-Yves Guerber

Address: 6 Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:10:24 PM on 20 Aug 2014 I object to a licence for Soho Grind on the grounds of cumulative impact, Prevention of Public Nuisance and Public Safety.

I live within 20 meters of the site which is visible from my window.

Kingly Court, Beak Street and nearby Kingly Street are already crammed with restaurants and other licensed premises. To add yet another licensed premises to this already dense area is unwise. In the past we have had a number of violent incidences including two murders; we don't want to return to these days.

The narrow pavements on Beak Street cannot support the outspill from a restaurant. Please reinstate an A1 retail unit on these premises.

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mrs Liz Callingham

Address: Flat 2 6 Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 11:26 AM on 21 Aug 2014 I object to a licence application ref: 14/06662/LIPV for Soho Grind, 19 Beak Street, London W1F 9RP on the grounds of Cumulative Impact, Prevention of Public Nuisance and Public Safety.

I live within 20 meters of the site which is visible from my window.

Kingly Court, Beak Street and nearby Kingly Street are already crammed with restaurants and other licensed premises. To add yet another licensed premises to this already dense area is unwise.

Anyone who tries to pick their way through the Kingly Court entrance from Beak Street already knows the congestion that is there in the evening. An additional fact is that Beak Street pavements are very narrow and pedestrians already have to step into a busy road in order for these many licensed businesses to operate. I note that there is no proposed limit on smokers outside.

In the past we have had a number of violent incidences including two murders connected with licensed premises; we don't want to return to these days.

We would like the panel to know that with all the other licensed premises in Kingly Court, Shaftesbury have held meetings with residents here before applying for a licence.

On this licence, we heard nothing and a bar was covertly built in the basement. In addition, web based advertising to support the presence of a cocktail bar was created.

There have been a number of TENS licences, some of which we were not informed.

We consider all this most unhelpful.

We have had a lengthy meeting with the leaseholder and solicitor in July. Sadly no agreement could be reached, and so we must make a representation.

Following this meeting we realised that Soho Grind appeared to be operating as A3 whereas it is currently A1, having formally been a shop.

As a result we lodged a Planning Complaint to Westminster. We now understand that A3 Planning is being sort, which we will strongly oppose when or if we receive notification

APPENDIX B11

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr Martin Callingham

Address: Flat 2 6, Upper John Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:8:51 PM on 26 Aug 2014 I object to this application on the grounds of prevention of crime and disorder, public nuisance and safety. There are many licenced premises in the immediate locality leading to the area, and particularly the pavement, being over crowded to a degree that pedestrians have to walk in the road. This is a Westminster Stress area for good reason: we have had problems in the past and don't want them back again, and crowds provide cover for such problems. I find it astonishing that a toy shop can become a licenced restaurant operating on two days a week without prior notification to the residents and apparently without the Planning permission required in a listed building.

APPENDIX B12

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Mr David Jobbins

Address: Hello House 135 Somerford Road Christchurch

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment: 1:38 PM on 02 Sep 2014 Dear Sir/Madam,

On behalf of the owners of Flats 12 and the Penthouse, 6 Upper John Street, I would like to make the following objections to the proposed licence application.

Firstly, I believe that a change of use has occurred from Class A1 (retail) to Class A3 (Food & Drink). This requires planning permission which has not yet been sought by the owners of the property.

Notwithstanding the above, the property is located within the West End Stress Area which has been designated in recognition of the cumulative impact of licensed premises on public safety and public nuisance and the resulting adverse impact upon the objectives of Licensing Policy.

The proposed use (and proposed hours of use beyond core hours) will result in severe noise and disturbance to residents in the local area which would be contrary to the Council's Licensing Policy and to public safety and public nuisance by increasing alcohol sales within a stress area. The use of the premises for the sale of alcohol, particularly late at night, would cumulatively result in additional harm to residential amenity and would also exacerbate nuisance, potential for crime and disorder and unsocial activity.

As the proposals are contrary to the objectives of the Stress Area, do not benefit from planning permission and are also beyond core hours, it is requested that the licence is refused.

Thank you for considering these objections.

Yours faithfully,

David Jobbins

APPENDIX B13

Comments for Licensing Application 14/06662/LIPN

Application Summary

Application Number: 14/06662/LIPN

Address: Basement And Ground Floor 19 Beak Street London W1F 9RP

Proposal: Premises Licence - New

Case Officer: Mrs Sumeet Anand-Patel

Customer Details

Name: Ms Annika Blixt

Address: Farrar Property Management The Studio London

Comment Details

Commenter Type: Residents Association

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:9:17 AM on 18 Aug 2014 I object to a licence for Soho Grind on the grounds of cumulative impact, Prevention of Public Nuisance and Public Safety.

I manage a block of flats within 20 meters of the site.

Kingly Court, Beak Street and nearby Kingly Street are already crammed with restaurants and other licensed premises. To add yet another licensed premises to this already dense area is unwise. In the past we have had a number of violent incidences including two murders; we don't want to return to these days.

The narrow pavements on Beak Street cannot support the outspill from a restaurant. Please reinstate an A1 retail unit on these premises.

APENDIX B14

08/09/2014 09:53:23

From: "David Gleeson" <dgleeson@live.co.uk>
Sent: 02/09/2014 09:45:31
To: Premises Licensing
Cc: Marina Tempia; Margaret Bloomer; John Raynham; Richard Utting; Richard Brown
Subject: Objection: Soho Grind, 19 Beak Street, Soho

Objections

Westminster Licensing Service

4th Floor (West) City Hall

64 Victoria Street

London SW1E 6QP

02 September 2014

Dear Sir/Madam

Ref: 14/06662/LIPN Soho Grind, 19 Beak Street, W1

I write to make a relevant representation to the above application on behalf of the Soho Society.

The Soho Society is a charitable company limited by guarantee established in 1972. The Society is a recognised amenity society and was formed to make Soho a better place to live, work or visit by preserving and enhancing the area's existing diversity of character and uses, and by improving its facilities, amenities and environment. In particular, the Society supports the City Council's policies, including the cumulative impact policy, as set out in the Statement of Licensing Policy.

The Society objects to this application as it is currently presented, on the grounds of prevention of public nuisance, prevention of crime and disorder and cumulative impact in the West End Stress Area.

Although applying for alcohol sales within core hours, the application appears to seek a terminal opening time of 12 midnight on Mon-Thur, 12.30 Fri-Sat and 11pm on Sunday. Why this premises wishes to seek an extra half hour beyond stated core hours every night is mysterious, particularly as it is situated across the street from a residential block of flats on the corner of Beak and Upper James Street. Residents in these flats and elsewhere on Beak Street have seen a huge increase in licensed premises in the immediate area over the last few years.

This area has been identified by the City Council (2.4.1 of the Statement of Licensing Policy, as amended) as under stress because the cumulative effect of the concentration of late night and drink led premises and night cafes has led to serious problems of disorder and/or public nuisance affecting residents, visitors and other businesses.

The policies in relation to the Stress Areas are directed at the global and cumulative effects of licences on the area as a whole (2.4.5 of the Policy). The policies are intended to be strict and will only be overridden in genuinely exceptional circumstances (2.4.2 of the Policy). The growth in the entertainment industry in Soho has led to a marked deterioration in the quality of life and well-being of local residents and it has jeopardised the sustainability of the community. Soho has a substantial residential community and many of these residents suffer from problems such as, but not limited to, high levels of noise nuisance, problems with waste, urinating and defecating in the streets, threats to public safety, anti-social behaviour, crime and disorder and the change in character of historic areas.

The website for this premises (www.sohogrind.com/cocktails/ <<http://www.sohogrind.com/cocktails/>>) currently offers: "...our speciality Espresso-based cocktails..." I am also surprised to see an announcement that the cocktail bar opened on 04 July (www.quintessentially.com/insider/soho-grinds-new-cocktail-bar <<http://www.quintessentially.com/insider/soho-grinds-new-cocktail-bar>>). Finding it strange that an applicant should be serving these whilst applying for a licence, I went along and asked for one yesterday but was informed that: "We've stopped serving them whilst we apply for our licence".

For the reasons I have set out, we believe that the application, if granted in its present form, would fail to promote the licensing objectives of prevention of public nuisance and prevention of crime and disorder. I respectfully urge the Sub-Committee to reject this application

Yours faithfully,

David Gleeson

Licensing Chair, The Soho Society
55 Dean Street
Soho
London W1D 6AF

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New Application 14/05355/LIPN	Application for late night refreshment and the sale of alcohol	25.06.2014	Application withdrawn by applicant
Temporary Event Notice 14/05463/LITENP	Application for late night refreshment and sale of alcohol on 4 th and 5 th July, 10:00 to 00:00 on each day	09.07.2014	Notice Granted
Temporary Event Notice 14/05464/LITENP	Application for late night refreshment and sale of alcohol on 10 th July from 10:00 to 23:30, 11 th and 12 th July, 10:00 to 00:00 on each day	09.07.2014	Notice Granted
Temporary Event Notice 14/05466/LITENP	Application for late night refreshment and sale of alcohol on 17 th July from 10:00 to 23:30, 18 th and 19 th July, 10:00 to 00:00 on each day	09.07.2014	Notice Granted
Temporary Event Notice 14/05472/LITENP	Application for late night refreshment and sale of alcohol on 31 st July from 10:00 to 23:30, 1 st and 2 nd August, 10:00 to 00:00 on each day	09.07.2014	Notice Granted
Temporary Event Notice 14/05474/LITENP	Application for late night refreshment and sale of alcohol on 7 th August from 10:00 to 23:30, 8 th and 9 th August, 10:00 to 00:00 on each day	09.07.2014	Notice Granted
Temporary Event Notice 14/06546/LITENP	Application for late night refreshment and sale of alcohol on 14 th August from 10:00 to 23:30, 15 th and 16 th August, 10:00 to 00:00 on each day	07.08.2014	Notice Granted
Temporary Event Notice 14/06550/LITENP	Application for late night refreshment and sale of alcohol on 21 st August from 10:00 to 23:30 and 22 nd August from 10:00 to 00:00	08.08.2014	Notice Granted
New Application 14/06662/LIPN	Current Application	Pending	
Temporary Event Notice 14/06713/LITENP	Application for late night refreshment and sale of alcohol on 23 rd August from 10:00 to 00:00	15.08.2014	Notice Granted

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

When determining an application for variation of 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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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 responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or

glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7.
 - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
8. The responsible person shall ensure that;
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9.
 - (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.
 - (ii) For the purposes of the condition set out in paragraph 9(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.
- (iii) Where the permitted price given by Paragraph 9(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.
- (iv) (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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

10. The premises shall only operate as a restaurant

- (i) Where the supply of alcohol is by waiter or waitress service only,
- (ii) which do not provide any take away service of food or drink after 23.00, and
- (iii) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

An alternative to this condition has been proposed by Environmental Health as follows:

The premises shall only operate as a restaurant:

- (i) in which customers are shown to their table,*
- (ii) where the supply of alcohol is by waiter or waitress service only,*
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,*
- (iv) which do not provide any take away service of food or drink for immediate consumption,*
- (v) which do not provide any take away service of food or drink after 23.00, and*
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.*

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.

This condition above has also been proposed by Environmental Health as well as the following:

Notices shall be prominently displayed at all exits and all areas used for smoking requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

12. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Metropolitan Police Crime Prevention Officer. 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 preceding 31 day period.

This condition above has also been proposed by Environmental Health

13. 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.

This condition above has also been proposed by Environmental Health

14. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

This condition above has also been proposed by Environmental Health

15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

This condition above has also been proposed by Environmental Health

16. 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, which will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any refusal of the sale of alcohol
- (g) any visit by a relevant authority or emergency service.

This condition above has also been proposed by Environmental Health

17. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.

18. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 07.00 on the following day.

Two alternatives to this condition have been proposed by Environmental Health:

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.

and

No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 23.00 hours and 08.00 hours.

19. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 50 persons.

An alternative to this condition has been proposed by Environmental Health:

The number of persons permitted in the premises at any one time (including staff) shall not exceed 30 persons.

20. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

An alternative to this condition has been proposed by Environmental Health:

After 23:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

Also suggested by Environmental Health is:

After 23:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.

21. A Challenge 21 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.

This condition above has also been proposed by Environmental Health

22. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.

An alternative to this condition has been proposed by Environmental Health:

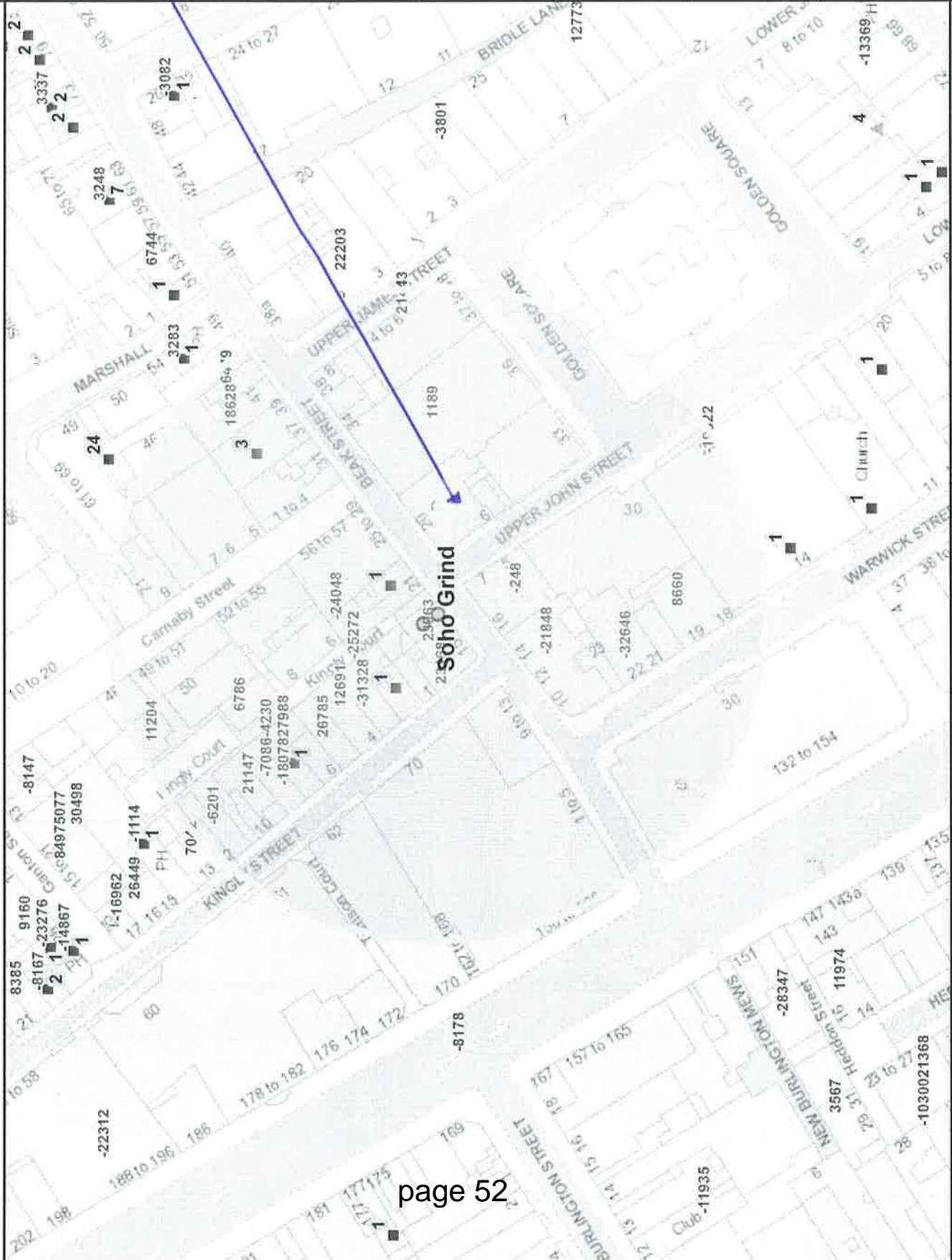
No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.

23. 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.

This condition above has also been proposed by Environmental Health

Other condition proposed by Environmental Health

24. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.



MR JUBBINS (12, PENTHOUSE)
 MR JACOBS
 MRS JACOBS
 MR PARISH
 MRS ACKEM
 MR ACKEM
 MR McCALL
 MR GUERBER
 MRS CALLINGHAM
 MR CALLINGHAM

APENDIX E

Residential / Proposed Residential	6
Under Construction	0
Other Uses	201
Proportion Residential of all Uses	3%

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Data Source: Uniform Database

Date: 09/09/2014

Premises within 75 metres of: 19 Beak Street, London, W1F 9RP

p / n	Name of Premises	Premises Address	Opening Hours
12691	Shampers Wine Bar	Ground Floor 4 Kingly Street London W1B 5PE	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
26785	Cinnamon	5 Kingly Street London W1B 5PF	Sunday 09:00 - 01:00 Monday to Saturday 09:00 - 01:10
27988	Units 1.14 - 1.16	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-31328	Two Floors	Ground Floor 3 Kingly Street London W1B 5PD	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 23:00
-21848	Gem	10 Beak Street London W1F 9RA	Monday 09:00 - 03:00 Sundays before Bank Holidays 09:00 - 03:00 Tuesday to Thursday 09:00 - 03:30 Friday to Saturday 09:00 - 04:30
-18078	The Rum Kitchen Carnaby	First Floor Units 12 And 13 Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-6201	Pizza Pilgrims	11 Kingly Street London W1B 5PL	Monday to Sunday 08:00 - 00:30
-248	Byron	Hardy House 16-18 Beak Street London W1F 9RD	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
1189	M & C Saatchi	36 Golden Square London W1F 9EE	Monday to Sunday 00:00 - 00:00
8660	Sanclum Soho Hotel	18-20 Warwick Street London W1B 5NF	Monday to Sunday 00:00 - 00:00 Monday to Saturday 09:00 - 01:00 Sundays before Bank Holidays 12:00 - 00:00 Sunday 12:00 - 22:30
11204	Disco	Unit G 13 Kingly Court London W1B 5PW	Sunday 09:00 - 00:00 Monday to Wednesday 09:00 - 03:00 Thursday to Saturday 09:00 - 03:30
18628	Polpo	Ground Floor 41 - 43 Beak Street London W1F 9SB	Friday to Saturday 10:00 - 00:00 Monday to Thursday 10:00 - 23:30 Sunday 12:00 - 23:00
21147	Bag O' Nails	9 Kingly Street London W1B 5PH	Monday to Friday 09:00 - 03:30 Saturday 09:00 - 23:30 Sunday 12:00 - 23:00
21443	Pizza Express	6 Upper James Street London W1F 9DQ	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
23168	Myung Ga Restaurant	15 Beak Street London W1F 9SX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
23963	Flat Iron	17 Beak Street London W1F 9RW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-32646	NOPI	21-22 Warwick Street London W1B 5NF	Monday to Saturday 10:00 - 01:00 Sunday 12:00 - 00:00
-25272	Open Space	Kingly Court London	Monday to Sunday 00:00 - 00:00
-24048	Bittersweet	Basement And Ground Floor 4 Kingly Court London W1B 5PW	Sunday 09:00 - 01:00 Sundays before Bank Holidays 09:00 - 01:30 Monday to Saturday 09:00 - 03:30
-19322	Columbia Pictures Corporation Limited	25-29 Golden Square London W1F 9JS	Monday to Saturday 10:00 - 23:30 Sunday 12:00 - 23:00
-16241	Life Goddess	Unit 1.9 Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-11065	Shoryu	Unit G3 Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-7086	Units 1.7 And 1.8, First Floor	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
-4230	Units 1.1, 1.2 & 1.3, First Floor	Kingly Court Kingly Court London W1B 5PW	Monday to Thursday 10:00 - 00:00 Friday to Saturday 10:00 - 00:30 Sunday 12:00 - 23:00
6449	Regent News	Basement And Ground Floor 45 Beak Street London W1F 9SD	Monday to Friday 06:30 - 20:00 Saturday to Sunday 10:00 - 16:00

6786	Units G2, 1.4, 1.5 & 1.6	Ground Floor Unit G2 Kingly Court London W1B 5PW	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
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APENDIX F











City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/01940/LIPV
Date:	25 September 2014
Classification:	For General Release
Title of Report:	Delicias De Portugal 43 Warwick Way London SW1V 1QS
Report of:	Operational Director of Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Sumeet Anand-Patel, Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 2737 E-mail: sanandpatel@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	Vary the premises licence under the Licensing Act 2003.		
Applicant:	Atlantico UK Ltd	Date Application Received:	7 March 2014
Premises Name and Address:	Delicias De Portugal 43 Warwick Way London SW1V 1QS		
Ward Name:	Warwick	Stress Area:	No
Description of Premises:	<p>The premises operate as a delicatessen/sandwich bar on the ground floor with outside seating.</p> <p>The premises have no Tables and Chairs licence and appears not to have a private forecourt according to the Council's database. See Appendix G</p>		
Summary of Variation	To permit sale of alcohol for consumption on the premises.		
Preliminary Note 1:	This application was scheduled for LSC on 8 th May but an adjournment was agreed by all parties on the request of Environmental Health to resolve an issue around toilets in the premises. This issue still remains unresolved. See Appendices B1 and B1a.		
Preliminary Note 2:	The commencement hours sought have been reduced as agreed with the Police. See Appendix A3		
<i>Note: Where the committee is minded to grant the application it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1.	<p>Sale of Alcohol (On the Premises)</p> <p>To permit sale of alcohol on the premises (Off Sales currently permitted)</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 12:00 to 22:30</p> <p>Relevant representations and policies applicable:</p> <p>1A The representation against the application by the Metropolitan Police has been withdrawn following the agreement of their conditions by the applicant. See Appendices A3 and D</p> <p>1B An adverse representation has been against the application by the Environmental Health stating that the proposal proposals are likely to increase Public Nuisance and may impact upon Public Safety. They are also concerned with the lack of public toilets at the premises. Following conversations between the applicant and Environment Health, the applicant has stated that they are not in a position to put in any toilets therefore Environmental Health are maintaining their representation. See Appendices B1 and B1a</p> <p>1C An adverse representation has been made against the application</p>		<p>Police representation, conditions and withdrawal</p> <p>Environmental Health Service representation</p> <p>Local business</p>

by a local business stating that the grant of the application will lead to an increase in noise nuisance by their patrons when outside the premises. **See Appendix B2**

representation

1D The following policies within the City Of Westminster Statement of Licensing Policy apply:
 Prevention of crime and disorder (CD1)
 Public Safety (PS1)
 Prevention of public nuisance (PN1)
 Protection children from harm (CH1)
 Hours (HRS1)
 Restaurants and late night refreshment premises outside the Stress Areas (RNT1)

Policies applicable

1E Policy HRS1 Applies:
 (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
 (ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:

1F Policy RNT1 Applies:
 Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

1G The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:

Summary

- prevention of public nuisance,
- prevention of crime & disorder,
- public safety and
- protection of children from harm.
-

Existing Premises Licence	Proposed Licensable Activities
Regulated Entertainment: Not applicable	Regulated Entertainment: No change
Late Night Refreshment: Not applicable	Late Night Refreshment: No change
Sale of Alcohol: Off the premises Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30	Sale of Alcohol: On and Off the premises No change for consumption off the premises Consumption on the premises Monday to Saturday 10:00 to 23:00 Sunday 12:00 to 22:30
Non Standard Timings: Not applicable	Non Standard Timings: No change

Capacity:	Not applicable	Capacity:	No more than 6 persons
Opening Hours:	Monday to Sunday: 08:00 to 23:00	Opening Hours:	No change
Current Licensing Position	The premises are currently licensed, please refer to the licence at Appendix A2 . Full licence history is provided at Appendix C .		
Current Planning Position	Planning comments will be provided at the hearing.		
Residential Density:	153 of the 293 units within a 75m radius of the premises are residential and proposed residential (52%), refer to Appendix E		
List of Appendices:	A1 – Application Form A2 - Existing Premises Licence A3 – Police representation, conditions and withdrawal B1 - Environmental Health representation B1a – Applicant discussion with EH and Licensing re: toilets B2 – Local Business representation C – Premises Licence History D - Conditions E – Residential Map and list of premises in the vicinity F – Photo of premises		
Relevant Representations:	Environmental Health Local Business		

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in Section 16 of **Appendix A1**.

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

* required information

Section 1 of 17

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

* Is the applicant's business registered in the UK with Companies House? Yes No

* Registration number

* Business name If the applicant's business is registered, use its registered name.

* VAT number Put "none" if the applicant is not registered for VAT.

* Legal status

Continued from previous page...

* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private Individual acting as an agent

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

Section 2 of 17

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 17

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

Continued from previous page...

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

DELICIAS DE PORTUGAL IS A DELICATESSEN/ SANDWICH BAR. WE ARE APPLYING FOR A VARIATION TO THE EXISTING LICENSE TO BE ABLE TO SELL ALCOHOL BOTH ON AND OFF THE PREMISES, OUR CURRENT LICENSE ONLY ALLOWS FOR THE SALE OF ALCOHOL OFF THE PREMISES. WE ONLY WISH TO BE ABLE TO SELL ALCOHOL ON THE PREMISES WITH FOOD, AS A WAY OF PROMOTING OUR PRODUCTS.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

- Yes No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

- Yes No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes No

Continued from previous page...

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 17

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Provide timings in 24-hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="22:30"/>
Start	<input type="text"/>	End	<input type="text"/>

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Continued from previous page...

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

ALL STAFF TO RECEIVE REGULAR TRAINING REGARDING THE REQUIREMENTS OF THE FOUR LICENSING OBJECTIVES OF THE LICENSING ACT 2003 WITH APPROPRIATE TRAINING RECORDS MAINTAINED. WE WILL IMPLEMENT ANY RECOMMENDATIONS GIVEN BY THE AUTHORITIES TO IMPLEMENT AND PROMOTE THE FOUR LICENSING OBJECTIVES. REGULAR STAFF TRAINING TO TAKE PLACE REGARDING THE REQUIREMENTS AND RESPONSIBILITIES OF THE LICENSING ACT 2003, STAFF WILL BE TRAINED TO USE THE INCIDENT LOGS. CCTV IS IN PLACE WITH 31 DAYS RECORDING, CHALLENGE 25 POLICY BE OPERATED ON THE PREMISES. EVERY SUPPLY OF ALCOHOL UNDER THIS LICENSE WILL BE MADE OR AUTHORISED BY A PERSON WHO HOLDS A PERSONAL LICENCE.

b) The prevention of crime and disorder

Continued from previous page...

CCTV IS CAPABLE OF HOLDING RECORDINGS FOR 31 DAYS, AND WILL BE MADE AVAILABLE UPON REQUEST TO SUITABLY AUTHORISED OFFICERS. DRUNK AND VIOLENT PERSONS WILL NOT BE SERVED OR ALLOWED IN OUR PREMISES. POSTERS AND SIGNAGE WILL BE PLACED; STAFF WILL BE TRAINED IN ACCORDANCE. WE WILL IMPLEMENT ANY RECOMMENDATIONS GIVEN BY THE POLICE OR OTHER AUTHORITIES. AN INCIDENT LOG BOOK WILL BE MAINTAINED AT THE PREMISES WHERE STAFF WILL BE RESPONSIBLE FOR ENTERING DETAILS OF ANY INCIDENT OF A VIOLENT/ DISORDERLY NATURE.WE WILL PARTICIPATE IN THE LOCAL PUB WATCH & HAVE REGULAR MEETINGS WITH NEIGHBOURS. STAFF WILL BE TRAINED IN DRUGS AWARENESS AND TRAINING WILL BE MAINTAINED.

c) Public safety

WE WILL IMPLEMENT ANY REASONABLE RECOMMENDATIONS GIVEN BY THE POLICE AND OTHER RESPONSIBLE AUTHORITIES. VIOLENT AND DRUNK PEOPLE SHALL NOT BE SERVED, STAFF WILL BE FURTHER TRAINED. THE UNDER 25 CHALLENGE WILL BE IMPLEMENTED. THE PREMISES LICENSE HOLDER WILL ENSURE COMPLIANCE OF CURRENT FIRE AND SAFETY REGULATIONS AND VENTILATION AND AIR CONDITIONING TO BE WELL MAINTAINED AND IN GOOD CONDITION.

d) The prevention of public nuisance

CUSTOMERS WILL BE ASKED TO LEAVE THE VICINITY PROMPTLY, QUIETLY AND RESPECTFULLY. CLEAR AND LEGIBLE NOTICES WILL BE PROMINENTLY DISPLAYED AT ALL EXITS ASKING CUSTOMERS TO RESPECT LOCAL RESIDENTS AND TO LEAVE QUIETLY. LOCAL TAXI NUMBERS WILL BE MADE AVAILABLE. MUSIC WILL BE KEPT TO A REASONABLE LEVEL TO AVOID NUISANCE TO NEIGHBOURING PROPERTIES.

e) The protection of children from harm

STAFF WILL BE TRAINED REGARDING PROTECTION OF CHILDREN FROM HARM OBJECTIVE.
NO ID, NO SALE. THE UNDER 25 CHALLENGE WILL APPLY.
STAFF WILL BE TRAINED TO RECOGNISE ID PROOF AND CHALLENGE 25.
REFUSAL BOOK,STAFF TRAINING RECORDS WILL BE AVAILABLE FOR THE AUTHORITIES.

Section 17 of 17

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands 'D' or 'E' and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00

Continued from previous page...

Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

Date (dd/mm/yyyy)

Once you're finished you need to do the following:
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/westminster/change-1> to upload this file and continue with your application.
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Warwick
UPRN: 999000145017

Premises licence

Regulation 33, 34

Premises licence number:

07/00558/WCCMAP

Part 1 – Premises details

Postal address of premises:

Delicias De Portugal
43 Warwick Way
London
SW1V 1QS

Telephone Number: 0207 6305597

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol: Monday to Saturday - 08:00 to 23:00
Sale by Retail of Alcohol: Sunday - 10:00 to 22:30

The opening hours of the premises:

Monday to Saturday - 08:00 to 23:00
Sunday - 08:00 to 23:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Off

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Atlantico UK Ltd
Unit 10, Commerce Park
Commerce Way
Croydon
CR0 4ZS
Telephone Number : 020 7630 5597

Registered number of holder, for example company number, charity number (where applicable)

3076022

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Ivandra Rosinha
Address: 86, Frensham Drive
New addington
Croydon
CR0 0QY
Phone: Not Supplied

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: Not Supplied
Licensing Authority: Not Supplied

Date:

28 May 2004

Signed:

[Signature]
Director of Legal & Administrative Services

Annex 1 – 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.

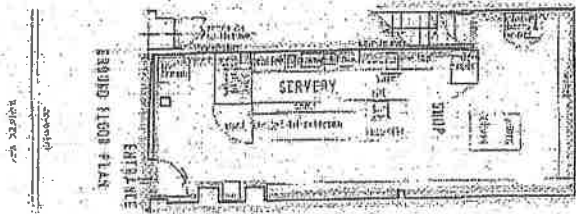
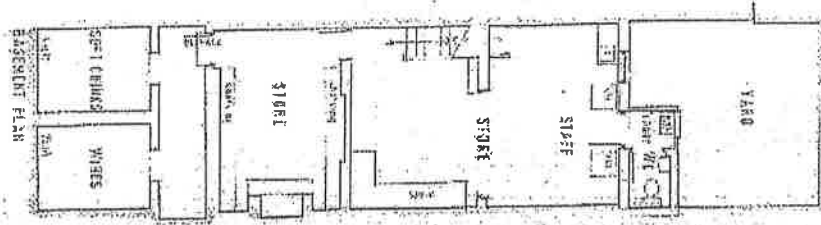
Annex 2 – Conditions consistent with the operating Schedule

None

Annex 3 – Conditions attached after a hearing by the licensing authority

4. No beer or cider to be sold above 5.5% Alcohol By Volume, excepting premium beers in glass bottles, such premium beers to be identified on request to the Licensing Authority and the Police with no self service and will only be exposed for sale or display with the spirits, located behind the counter on the deposited plan.
5. No self service of spirits
6. In the judgement of the Designated Premises Supervisor, to maintain at all times levels of staff, so as not to undermine the Crime and Disorder objectives, to be disclosed on request to the Licensing Authority and the Police.
7. That a comprehensive CCTV system be maintained that ensures all areas of the licensed premises are monitored including all entry and exit points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice.
8. All deliveries and collections will only be scheduled between the hours of 0700 and 1900.
9. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Annex 4 – Plans



LEGEND
 [Symbol] Fire Exit

DELICIAS DE PORTUGAL
 43 WARWICK WAY
 LONDON SW11
 PLANS OF PREMISES

Scale 1:100
 Drawing no. 00072
 Date Aug 2005

JOHN BEST
 Designer
 97 WINDERMERE ROAD
 EALING W5 5TN
 Tel: 0181 567 1539



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: Warwick
UPRN: 999000145017

Premises licence
summary

Regulation 33, 34

Premises licence number:

07/00558/WCCMAP

Part 1 – Premises details

Postal address of premises:

Delicias De Portugal
43 Warwick Way
London
SW1V 1QS

Telephone Number: 0207 6305597

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Sale by Retail of Alcohol: Monday to Saturday - 08:00 to 23:00
Sale by Retail of Alcohol: Sunday - 10:00 to 22:30

The opening hours of the premises:

Monday to Saturday - 08:00 to 23:00
Sunday - 08:00 to 23:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Off

Name and (registered) address of holder of premises licence:

Atlantico UK Ltd
Unit 10, Commerce Park
Commerce Way
Croydon
CR0 4ZS

Registered number of holder, for example company number, charity number (where applicable)

3076022

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Ivandra Rosinha

State whether access to the premises by children is restricted or prohibited:

Restricted

Date:

28 May 2007

Signed:

[Signature]
Director of Legal & Administrative Services

Owojori, Olaposi

From: Deweltz, Adam
Sent: 03 April 2014 12:06
To: Manuel Rocha
Cc: idoxlicensing
Subject: RE: Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV

Manuel,

Thank you for getting back to me.

The Metropolitan Police, as a reasonable authority, withdraw their representation.

Kindest regards

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

From: Manuel Rocha [mailto:manuelrocha01@hotmail.com]
Sent: 03 April 2014 12:03
To: Deweltz, Adam
Subject: Re: Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV

Hi Mr Adam , hope you well.

Sorry about the delay in replying to your email. And yes we agree with all the Conditions proposed in your email.

Kind Regards
Manuel

Sent from my iPad

On 3 Apr 2014, at 11:48, "Deweltz, Adam" <adeweltz@westminster.gov.uk> wrote:

Hello Manuel,

I am still waiting for you to reply and get in contact with me regarding the application you submitted to WCC.

I have also emailed the applicant, Mr Jose Cruz and he too has failed to get in contact.

I visited the venue on Wed 2nd April and spoke with the manager Magno Santos. I explained to him that in order for the minor variation to proceed, the applicant needs to agree to the conditions I have asked for. These are below.

I left my number with Magno to pass onto the applicant. I have not had a phone call yet.

At this time, I maintain my representation.

Kindest regards,

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

From: Deweltz, Adam
Sent: 12 March 2014 13:24
To: manuelrocha01@hotmail.com
Subject: FW: Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV

From: Deweltz, Adam
Sent: 11 March 2014 17:06
To: manuelrocha01@hotmail.com
Cc: idoxlicensing
Subject: Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV

Dear Manuel

- **Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV**

I acknowledge receipt of your application for a variation to your premises licence.

I have been through your operating schedule and in order for the variation to be granted I will need the following conditions to go on your licence:

- 1) 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 preceding 31 day period.

- 2) 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.
- 3) The supply of alcohol shall be by waiter or waitress service only.
- 4) A 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.
- 5) 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.
- 6) All sales of alcohol for consumption off the premises shall be in sealed containers only.
- 7) The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
- 8) Westminster Core hours for the sale of alcohol **ON** the premises are:

Mon to Thur - 10:00 to 23:30
Fri and Sat - 10:00 to Midnight
Sun - Midday to 22:30

Please can you change the start times for the supply of alcohol **ON** the premises to reflect the above.

I would be happy to attend and speak with you in person if you have any questions.

I look forward to your prompt response.

Many thanks

Adam

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London

Say thank you to your local hero by nominating them for a Westminster Community Award. Deadline for nominations is 31 March. www.volunteer.co.uk/awards

Got an opinion? Get heard. Register to vote at <http://www.changethingsnow.co.uk/>

Westminster City Council switchboard: +44 20 7641 6000.

www.westminster.gov.uk

This E-Mail may contain information which is privileged, confidential and protected from disclosure.

If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.

You should not disclose the contents to any other person or take copies.

CITY OF WESTMINSTER

MEMORANDUM

TO Licensing Officer

REFERENCE 14/01940/LIPV

FROM EH Consultation Team, 4th Floor (West) City Hall
REFERENCE 14/009117/EHCT
BEING DEALT WITH BY David Nevitt
TELEPHONE 3188
DATE 11.3.2014

LICENSING ACT 2003**APPLICATION FOR A VARIATION TO A PREMISES LICENCE****DELICIAS DE PORTUGAL, 43 WARWICK WAY, SW1**

I refer to the above application which seeks a Variation to Premises Licence 07/00558/WCCMAP to include the following:

Supply of Alcohol 'On' the premises Monday to Saturday 0800hrs-2300hrs and Sunday 1000hrs-2230hrs.

The applicant has proposed Conditions which are under consideration.

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.

Should you wish to discuss the matter further please do not hesitate to contact me.

David Nevitt
 Environmental Health Officer

Owojori, Olaposi

From: Nevitt, Dave
Sent: 17 April 2014 07:21
To: Jose Manuel Rocha; Owojori, Olaposi
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Mr. Rocha, the consumption of alcohol has a very different effect on the body to soft drinks. Consumers are much more likely to need the use of a toilet. Our usual and consistent approach is to apply the minimum standards set out in BS6465 table 10.

Sent from my Windows Phone

From: Jose Manuel Rocha
Sent: 16/04/2014 17:19
To: Nevitt, Dave; Owojori, Olaposi
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Hi Mr Dave

There are no obligations on The License Act 2003 for Premises to have toilet facilities for customers. I have carried over 200 successful application throughout the last 6 years and a number of those were for premises that did not have toilet facilities. At no time was the lack of toilets an issue, we don't stop selling water or soft drinks in cafes and coffee shops just because there are no toilet facilities.

Also we have a limited seating area and we don't predict more than 4/6 costumers seating on the facilities at same time.

We are a cafe / deli, not a Disco or a Pub.

Kind Regards
Manuel Rocha

From: dnevitt@westminster.gov.uk
To: owojori@westminster.gov.uk; manuelrocha01@hotmail.com
Date: Wed, 16 Apr 2014 15:49:51 +0100
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

I will be maintaining my Rep as it appears that the premises does not appear to have any customer toilets.

From: "Jose Manuel Rocha" <manuelrocha01@hotmail.com>
Sent: 27/05/2014 11:15:19
To: "Owojori, Olaposi" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR>
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Dear Mr Ow ojori,

We've draw n up some possibilities for the toilets, we were waiting for Atlantico to choose which toilet positioning they felt was most appropriate for them in order to send it to you. I've attached the 3 proposals so you can have a look.

Kind Regards
Manuel Rocha

From: oow ojori@westminster.gov.uk
To: manuelrocha01@hotmail.com
CC: dnevitt@westminster.gov.uk
Date: Tue, 27 May 2014 10:54:59 +0100
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Dear Mr Rocha,

We are still waiting for the revised plan and if this is not available by the end of the week, do you wish to consider withdrawing this application and resubmit at a later date.

Regards

Mr Ola Ow ojori
Environmental Health Case Officer
Environmental Health Licensing Consultation - Premises Management

Westminster City Council
4th Floor South
City Hall
64 Victoria Street
London
SW1E 6QP

Telephone 020 7641 7830
Fax 020 7641 7815
email: oow ojori@westminster.gov.uk
Web: www.westminster.gov.uk

cid:image003.jpg@01CD3505.A8C05CE0
<<http://www.westminster.gov.uk/services/environment/environmentalhealth/environmental-health-training/>>
Signature images 3.jpg
<<http://idoxpa.westminster.gov.uk/online-applications/search.do?action=implesearchType=LicencingApplication>>

You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit www.westminster.gov.uk/licensing <<http://www.westminster.gov.uk/licensing>> and following the relevant links to apply.

P please don't print this e-mail unless you really need to

15/08/2014 14:10:04

Sent: 13 May 2014 16:28

To: Ow ojori, Olaposi

Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Dear Mr Ola

Hopefully at the end of this week. The person who is dealing the Plan is out of the country until Thursday.

Kind Regards
Manuel

From: oow ojori@westminster.gov.uk
To: manuelrocha01@hotmail.com; dnevitt@westminster.gov.uk
<mailto:dnevitt@westminster.gov.uk>
Date: Tue, 13 May 2014 16:18:33 +0100
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Dear Mr Rocha,

When should I be expecting the plan for the proposed layout as we need to get this sorted asap.

Regards

Mr Ola Ow ojori
Environmental Health Case Officer
Environmental Health Licensing _ Consultation - Premises Management

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4th Floor South
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SW1E 6QP

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<<http://www.westminster.gov.uk/services/environment/environmentalhealth/environmental-health-training/>>
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You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit www.westminster.gov.uk/licensing and following the relevant links to apply.

P please don't print this e-mail unless you really need to

15/08/2014 14:10:04

Sent: 06 May 2014 11:15

To: Nevitt, Dave; Ow otori, Olaposi

Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Dear Mr Dave

Sorry my mistake. We have toilet facilities for staff in the Basement. I agree that we should adjourn the Hearing and in meantime we can meet at Delicias de Portugal at your convenience to discuss this matter. We will also prepare an updated Plan of the Premises with the proposed Customer toilets included.

Kind Regards
Manuel Rocha

From: dnevitt@westminster.gov.uk <mailto:dnevitt@westminster.gov.uk>
To: manuelrocha01@hotmail.com; oow otori@westminster.gov.uk <mailto:oow otori@westminster.gov.uk>
Date: Tue, 6 May 2014 10:07:08 +0100
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Ola, I note from the email below that the applicant wishes to make toilets available for customers. I don't think there are toilets on the Ground Floor – I think he may mean the Basement. I will need to visit the premises and check the suitability of such an arrangement because it seems from the plans that customers will need to pass through staff areas to access the Basement WC. Also, they seem to have plans to build additional toilets at the premises. I am wondering if it would be best to adjourn this matter (it is due at Sub Ctee this Thursday) in order for me to meet with them and discuss the options.

From: Jose Manuel Rocha [mailto:manuelrocha01@hotmail.com]
Sent: 02 May 2014 17:36
To: Nevitt, Dave; Ow otori, Olaposi
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Mr David

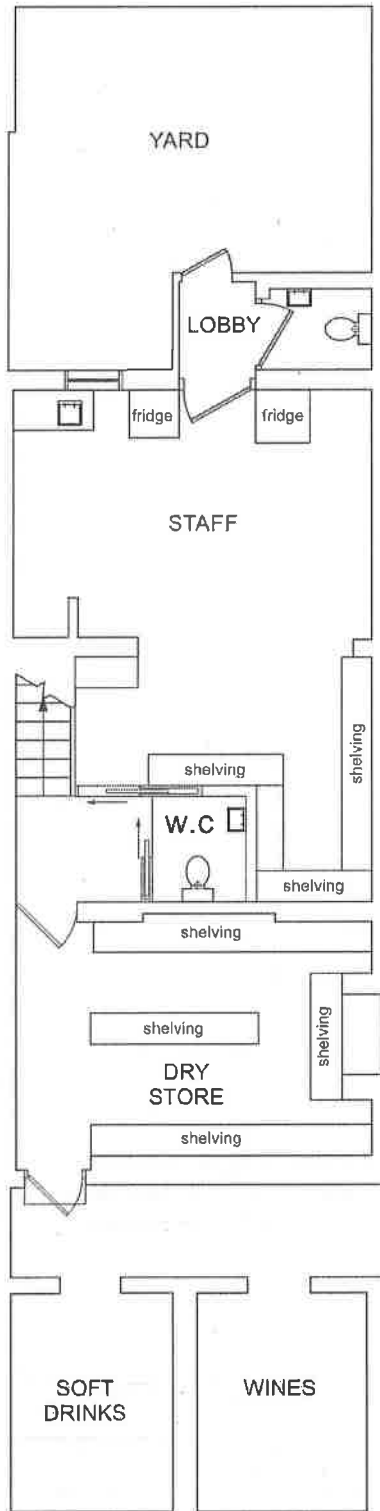
We have toilet facilities for staff on the ground floor, and they are available for customers for use upon request. A staff member will escort the customer to the toilet facilities

Also is in our plan to build permanent toilet facilities for customers in the next few months.

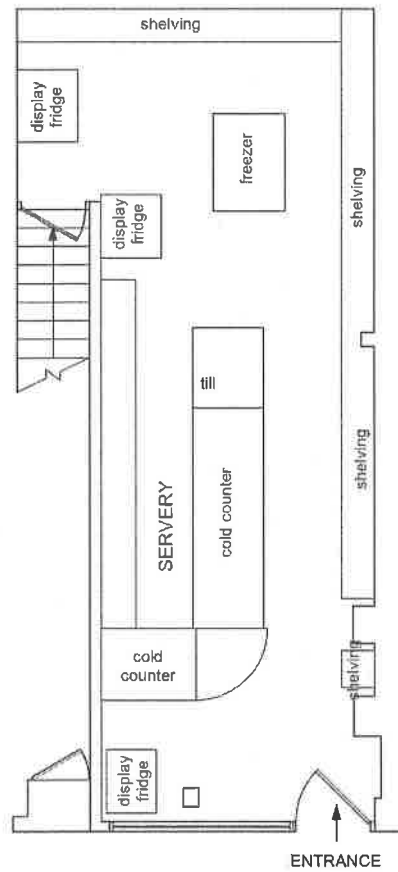
Regards
Manuel Rocha

From: dnevitt@westminster.gov.uk <mailto:dnevitt@westminster.gov.uk>
To: oow otori@westminster.gov.uk; manuelrocha01@hotmail.com
Date: Wed, 16 Apr 2014 15:49:51 +0100
Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

I will be maintaining my Rep as it appears that the premises does not appear to have any customer toilets.



EXISTING BASEMENT FLOOR PLAN

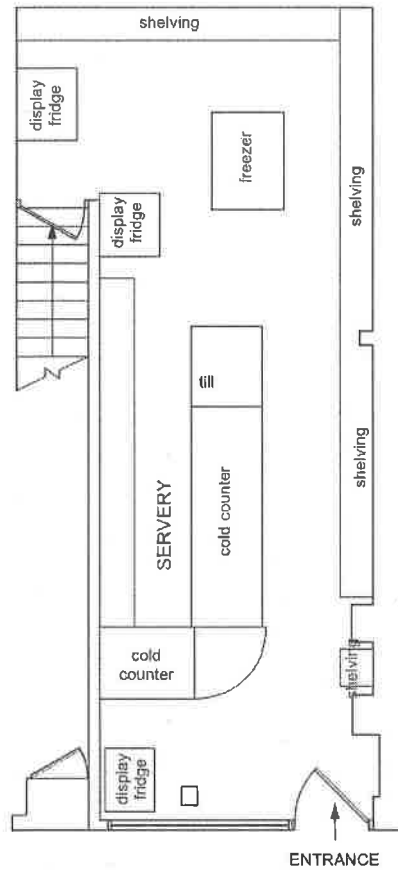


EXISTING GROUND FLOOR PLAN

**DELICIAS DE PORTUGAL
VICTORIA
PROPOSAL 1**



EXISTING BASEMENT FLOOR PLAN

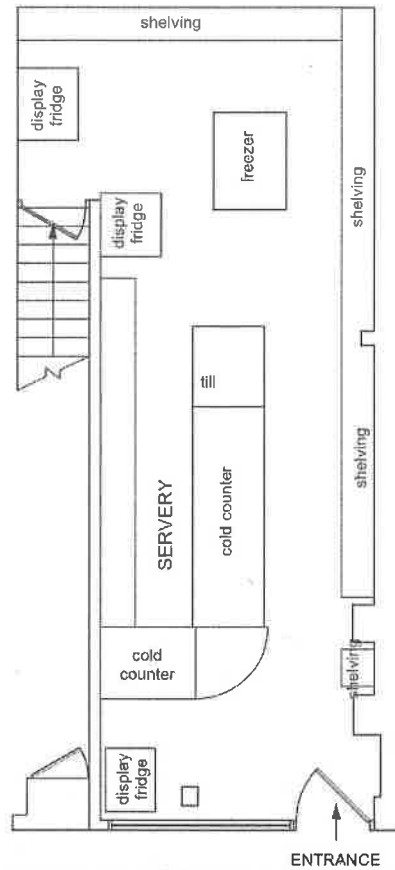


EXISTING GROUND FLOOR PLAN

**DELICIAS DE PORTUGAL
VICTORIA
PROPOSAL 2**



EXISTING BASEMENT FLOOR PLAN



EXISTING GROUND FLOOR PLAN

**DELICIAS DE PORTUGAL
VICTORIA
PROPOSAL 3**

From: Cafe Mignon [omebtouche@btconnect.com]
Sent: 24 March 2014 13:05
To: Premises Licensing
Subject: 14/01940/LIPV

Follow Up Flag: Follow up
Flag Status: Completed

Dear Licensing Service,

I have received a letter from you informing me that the delicatessen/sandwich bar (Delicias de Portugal) that neighbours my coffee shop (Café Mignon) is asking for authorisation to sell alcohol on it's premises. Firstly, upon opening their Delicatessen, it was clear that it was not a sandwich bar. The owners are constantly changing their shop, alcohol will turn it into a restaurant, which is not their contract. I am writing this email, as I am concerned that you will in fact authorise it. I have owned Café Mignon for the past 25years, and ever since Delicias de Portugal has arrived, I have had a few complaints from my own clients, and even the public, because their clients stand outside the bar, make a lot of noise and are very disruptive. I am concerned that if you grant them alcoholic drinks (Wine & spirits) on premises would do nothing more than aggravate the situation. There are sufficient bars/pubs in the area and for the safety of the Westminster Borough, and the general public granting them alcohol could lead to dangerous behaviour. I have asked my regular customers if they thought it was a good idea and they have all agreed with me. I would like to emphasise that although my coffee shop is next-door to the sandwich bar, their clients attitude does not affect my business whatsoever, writing to you is simply a question of principles and looking out for the borough I work in.

I would be grateful if you considered this email as my opposition to the application given by Delicias de Portugal.

Many thanks

Omar Mebtouche.
Owner of Café Mignon
41 Warwick Way
London SW1V 1QS

Sent from my iPhone

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
New 07/00558/WCCMAP	Application for sale of alcohol for consumption off the premises.	16.2.06	Granted by Licensing Sub Committee
New 14/01940/LIPV	Current Application		Pending <i>Note: this application was adjourned on 8th May 2014 and 4th September 2014.</i>

No appeal history

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

When determining an application for variation of 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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

Conditions on Existing Licence

Annex 1 – 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 hold a personal licence.

Conditions attached after a hearing by the licensing authority

4. No beer or cider to be sold above 5.5% Alcohol By Volume, excepting premium beers in glass bottles, such premium beers to be identified on request to the Licensing Authority and the Police with no self service and will only be exposed for sale or display with the spirits, located behind the counter on the deposited plan.
5. No self service of spirits.
6. In the judgement of the Designated Premises Supervisor, to maintain at all times levels of staff, so as not to undermine the Crime and Disorder objectives, to be disclosed on request to the Licensing Authority and the Police.
7. That a comprehensive CCTV system be maintained that ensures all areas of the licensed premises are monitored including all entry and exit points and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. **(To be replaced with condition 19)**

8. All deliveries and collections will only be scheduled between the hours of 0700 and 1900.
9. All waste to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Mandatory Condition to be added

10. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) 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 a holographic mark.

Mandatory Conditions if granted

11. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
12. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

13. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
14. The responsible person shall ensure that;
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Conditions proposed by the applicant

15. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
16. Sale by retail of alcohol shall be made or authorised by a personal licence holder.
17. Local taxi numbers shall be made available to patrons.
18. No music shall emanate from the premises which give rise to a nuisance.

Conditions agreed with the Police

19. 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 preceding 31 day period.
20. 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.
21. The supply of alcohol shall be by waiter or waitress service only.
22. A 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.
23. 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

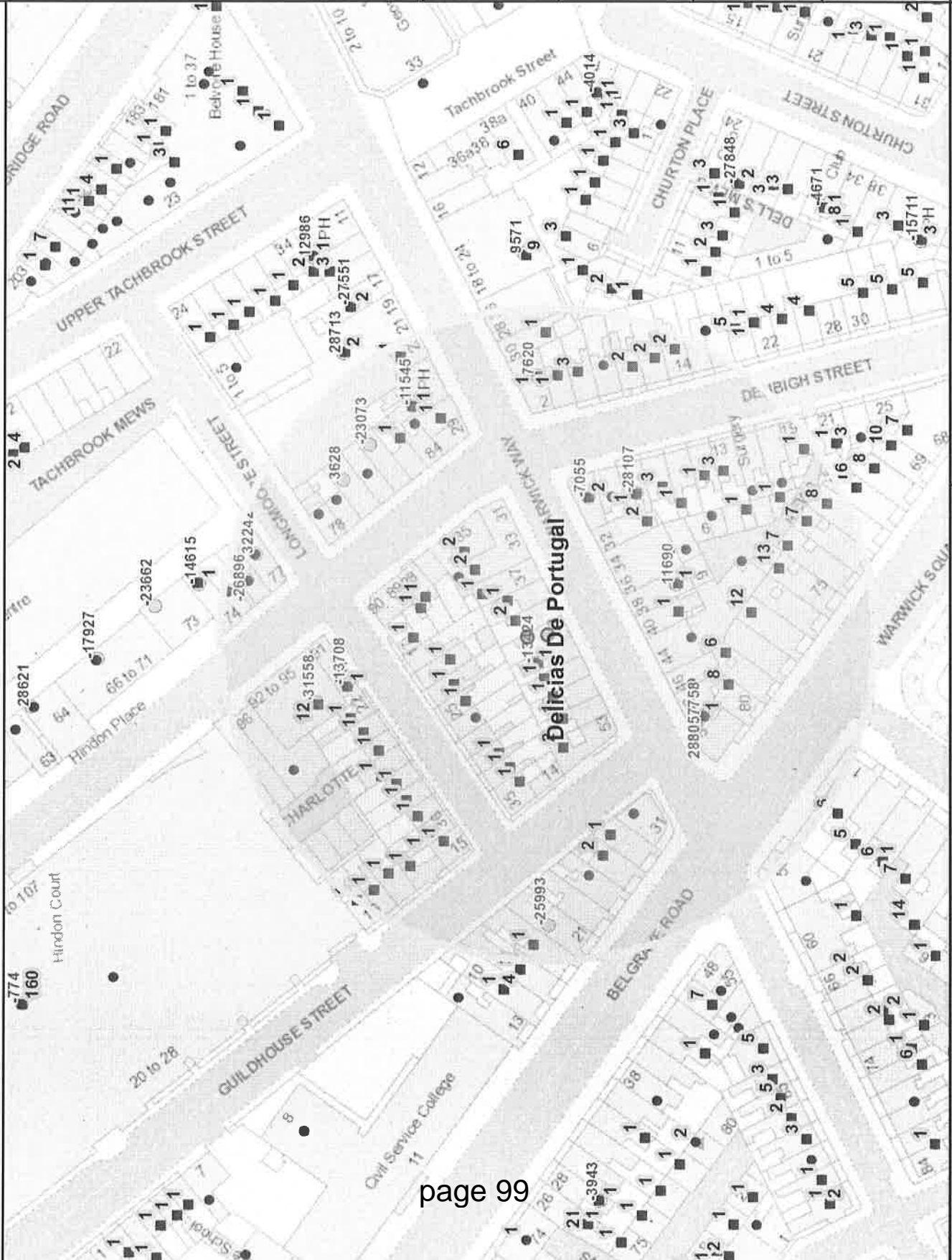
record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.

24. All sales of alcohol for consumption off the premises shall be in sealed containers only.

25. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.



Delicias De Portugal



Residential / Proposed Residential	153
Under Construction	0
Other Uses	140
Proportion Residential of all Uses	52%

APPENDIX E

Premises within 75 metres of: Delicias De Portugal

p / n	Name of Premises	Premises Address	Opening Hours
-11545	Warwick	25 Warwick Way London SW1V 1QT	Sunday to Wednesday: 08:00 to 23:30 Thursday to Saturday: 08:00 to 01:30
-13424	Cyprus Mangal	45 Warwick Way London SW1V 1QS	Sunday to Thursday: 12:00 to 00:00 Friday to Saturday: 12:00 to 01:00
-13708	The Prince Of Wales Public House	Prince Of Wales 91 Wilton Road London SW1V 1DN	Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 23:00 Sundays before Bank Holidays: 10:00 to 00:00
-22841	Delicias De Portugal	43 Warwick Way London SW1V 1QS	Monday to Saturday - 08:00 to 23:00 Sunday - 08:00 to 23:00
-23073	About Thyme Restaurant	82 Wilton Road London SW1V 1DL	Monday to Saturday - 10:00 to 23:30 Sunday - 12:00 to 23:00
11690	Night Spot	38 Warwick Way London SW1V 1RY	Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30
7758	Marquis Of Westminster	50 Warwick Way London SW1V 1RY	Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30
3628	Seafresh Restaurant	80-81 Wilton Road London SW1V 1DL	Monday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00
-25993	Victoria Stanley House Hotel	19-21 Belgrave Road London SW1V 1RB	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00 24 hours for residents and their bona fide guests
-26896	Spicy World	76 Wilton Road London SW1V 1DE	Monday to Saturday - 10:00 to 00:00 Sunday - 12:00 to 00:00
7620	Oddbins	2 Denbigh Street London SW1V 2ER	Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30
-7055	Uno Restaurant	Ground 1 Denbigh Street London SW1V 2HF	Monday to Saturday: 10:00 to 23:30 Sunday: 12:00 to 23:00
32242	Kazan Kitchen	77 Wilton Road London SW1V 1DE	Monday to Saturday: 10:00 to 00:00 Sunday: 10:00 to 23:30 Sundays before Bank Holidays: 10:00 to 00:00
28805	Marquis Of Westminster Public House	50 Warwick Way London SW1V 1RY	Monday to Thursday 10:00 – 23:30 Friday & Saturday 10:00 – 00:00 Sunday 12:00 – 22:30
-28107	Paradise Indian Restaurant	5 Denbigh Street London SW1V 2HF	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00
-31558	Kazan	93-94 Wilton Road London SW1V 1DW	Monday to Saturday - 10:00 to 23:30 Sunday - 12:00 to 23:00

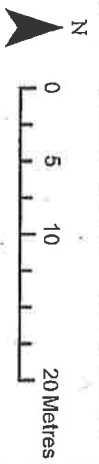
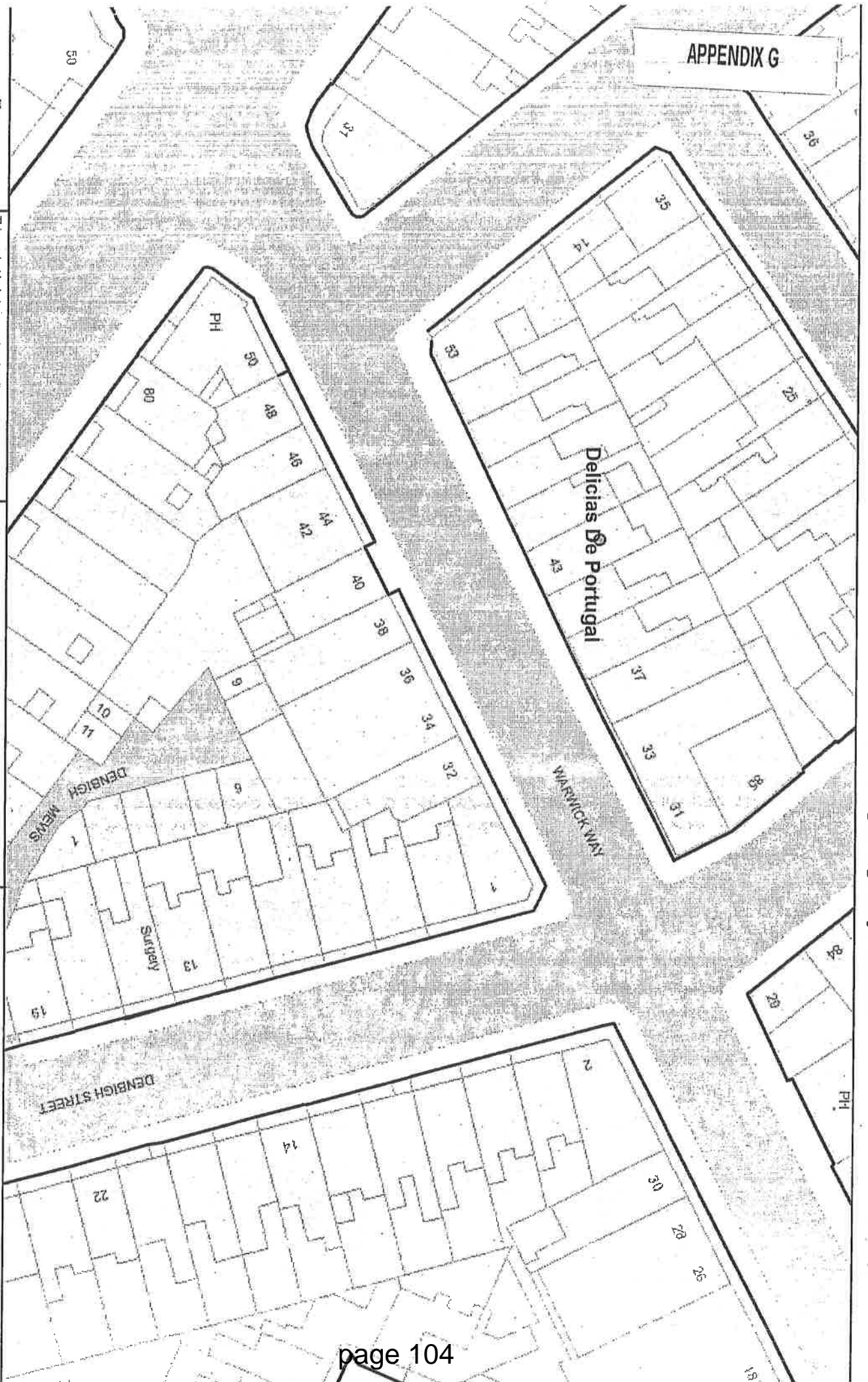






APPENDIX G

Delicias De Portugal Highways Extent





City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/06394/LIPN
Date:	25 September 2014
Classification:	For General Release
Title of Report:	Kupp Unit 53 5 Merchant Square West London W2 1AS
Report of:	Operational Director – Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Sharon Bamborough, Assistant Service Manager
Contact Details:	Telephone: 020 7641 7824 E-mail: sbamborough@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	New application for a premises licence under the Licensing Act 2003.		
Applicant:	Faucet Inn Limited	Date Application Received:	29 July 2014
Premises Name and Address:	Kupp Unit 53 5 Merchant Square West London W2 1AS		
Ward Name:	Hyde Park	Stress Area	None
Premises Description:	The premises intend to operate as a restaurant/bar		
<i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1	<p>Regulated Entertainment: Indoors</p> <p>Films) Monday to Sunday 10:00 to 01:00 Indoor Sports) Live Music) Recorded Music) Performance of Dance)</p> <p>Relevant representations and policies applicable:</p> <p>1A An adverse representation has been made against the application by the Environmental Health Service stating that the proposal will have the likely effect of causing an increase in public nuisance and may affect public safety. Conditions have been proposed, the majority of which have been agreed. Please refer further to Appendix B1</p> <p>1B An adverse representation was made against the application by the Metropolitan Police Service stating that the application as presented undermines the Licensing Objectives. However, following negotiation of conditions, the Police have withdrawn their representation Please refer to Appendix B2</p> <p>1C 2 Local residents Associations have made adverse representations to this application on the grounds of the licensing objectives. Their concerns are as follows:</p> <ul style="list-style-type: none"> • They are concerned about the hours sought, and would suggest core hours only are appropriate. • They are concerned about the use of a large outside area and the associated noise it will create. • They do not feel the proposed conditions will adequately promote 		<p>Environmental Health representation</p> <p>Metropolitan Police Service - <u>withdrawn</u></p> <p>2 Local Residents Associations</p>

the licensing objectives (and have suggested some)
Please refer further to Appendices B3 & B4

- 1D** The following policies within the City of Westminster Statement of Licensing Policy apply:
- Prevention of crime and disorder (CD1)
 Public Safety (PS1)
 Prevention of public nuisance (PN1)
 Protection children from harm (CH1)
 Hours (HRS1)
 Restaurants outside the Stress Area (RNT1)
 Pubs and Bars outside the Stress Area (PB1)
- 1E** **Policy HRS1:** (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.
 (ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy.
- 1F** **Policy RNT1:** Applications will generally be granted and reviews determined subject to the relevant criteria in policies CD1, PS1, PN1 and CH1.
- 1G** **Policy PB1 Applies:** Applications will generally be granted, if it can be demonstrated that the proposals meets the relevant criteria in policies CD1, PS1, PN1 and CH1
- 1H** The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:
- prevention of public nuisance,
 - prevention of crime & disorder,
 - public safety and
 - protection of children from harm.

Policies applicable

Summary

2 Late Night Refreshment: Indoors and Outdoors

Monday to Sunday 23:00 to 01:00

Relevant representations and policies applicable:

- 2A** Please refer to 1A to 1G above
- 2B** The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:
- prevention of public nuisance,
 - prevention of crime & disorder,
 - public safety and

**Opposed by
 Environmental
 Health Service and 2
 Local Resident
 Associations**

	<ul style="list-style-type: none"> • protection of children from harm. 	
3	<p>Sale of Alcohol: On and Off the premises</p> <p>Monday to Sunday 10:00 to 01:00</p> <p>Relevant representations and policies applicable:</p> <p>3A Please refer to 1A to 1G above</p> <p>3B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by Environmental Health Service and 2 Local Resident Associations</p>
4	<p>Non Standard Timings & seasonal Variations</p> <p>Regulated Entertainment, Late Night Refreshment and Sale of Alcohol for consumption on and off the premises</p> <p>From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p> <p>Relevant representations and policies applicable:</p> <p>4A Please refer to 1A to 1G above</p> <p>4B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by Environmental Health Service and 2 Local Resident Associations</p>
5	<p>Opening Hours</p> <p>(i) Monday to Sunday 10:00 to 01:30</p> <p>(ii) From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day</p> <p><i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i></p>	<p>Opposed by Environmental Health Service and 2 Local Resident Associations</p>

Relevant representations and policies applicable:	
5A	Please refer to 1A to 1G above.
5B	<p>The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm.
Current Licensing Position	The premises has no licensing history
Current Planning Position	There is no planning history for this address (query with planning outstanding)
Residential Density:	213 of the 218 units within a 75m radius of the premises are residential and proposed residential (98%), refer to Appendix E
List of Appendices:	<p>A1 – Application Form A2 – Proposed Plan B1 – Environmental Health Service representation B2 – Metropolitan Police representation with conditions and withdrawal of rep B3 to B4 – local residential representations C – Licence History D - Proposed Conditions E – Residential Map and list of premises in the vicinity F – Photograph of the premises</p>
Relevant Representations:	<p>Environmental Health Service 2 Local Residents Associations</p>

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendices A1 & A2**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

Application for a premises licence to be granted under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

We, Faucet Inn Limited, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description	
Kupp Restaurant / Bar, (Unit 53)	
5 Merchant Square, Paddington Basin	
Post town London	Post code W2

Telephone number of premises (if any) NOT KNOWN

Non-domestic rateable value of premises £ NOT KNOWN

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

- | | | |
|--|---|--|
| <p>a) An individual or individuals*</p> <p>b) a person other than an individual*</p> <p style="margin-left: 20px;">i. as a limited company</p> <p style="margin-left: 20px;">ii. as a partnership</p> <p style="margin-left: 20px;">iii. as an unincorporated association or</p> <p style="margin-left: 20px;">iv. other (for example a statutory corporation)</p> <p>c) a recognised club</p> <p>d) a charity</p> | <p>Please tick ✓</p> <p><input type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> <p><input type="checkbox"/></p> | <p>please complete section (A)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> <p>please complete section (B)</p> |
|--|---|--|

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick / yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - Statutory function or
 - A function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname

First names

I am 18 years old or over

Please tick

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title (For example, Rev)

Surname

First names

I am 18 years old or over

Please tick

Current postal address if different from premises address

Post Town

Postcode

Daytime contact telephone number

Email address (optional)

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name Faucet Inn Limited
Address Union, 88-90 George Street, London, W1U 8PA
Registered number (where applicable) 06824966
Description of applicant (for example, partnership, company, unincorporated association etc.) Private Limited Company
Telephone number (if any) 02074865175
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

Day Month Year

As soon as possible; the licence is to be effective on completion of the works.

--	--	--	--	--	--	--	--	--	--

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day Month Year

--	--	--	--	--	--	--	--	--	--

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

Please give a general description of the premises (please read guidance note 1)

The applicant is proposing to develop premises to be known as Kupp Restaurant / Bar, (Unit 53) part of a development at 5 Merchant Square, Paddington Basin, London.

It is intended that the current site will be refurbished and opened in the manner of a traditional licensed premises with a significant food offering. It is intended that the premises will appeal to a wide demographic of clientele including families. A substantial quality food offering will be available and there will be a provision of limited regulated entertainment.

The layout is proposed in accordance with the plans deposited with the Licensing Authority with this application, being: -

- Site location plan
- Plan no. 07/01 dated July 2014 showing the proposed layout of the ground floor.
- Plan no. 07/02 dated July 2014 showing indicative layout for the basement area.

All licensable activities are to take place internally in the area outlined in red. The licensable activities limited to sale by retail of alcohol and late night refreshment only are proposed to be permitted to the external areas.

The applicant operates a number of licensed premises. On opening the premises will trade under the applicant's new style brand with premium food offering. There will be high levels of service and some waitress provision to the dining areas.

Other licensable activities, in particular regulated entertainment will be ancillary to the provision of food and alcohol.

Appropriate noise attenuation measures are included within the structure of the building and it is not anticipated that any issues will arise in relation to noise to local residents. The Operating Schedule has been completed on this basis.

The name of the premises will be Kupp.

Consequently, the following permitted licensing hours for these premises would apply for on and off sales on opening are: -

Monday to Sunday 10:00 to 01:00 the following morning.

This application seeks to obtain authorisation under the Licensing Act 2003 for the following activities: -

- 1) To permit regulated entertainment comprising live music and amplified voice, recorded music by juke box and music systems, performance of dance, comperes for functions and quizzes and similar forms of entertainment, indoor pub games comprising a sporting event in the presence of an audience, exhibition of a film principally video entertainment on screens and TV screens on an occasional basis and only ancillary to the principal licensable activities.
- 2) To permit sale of alcohol and such regulated entertainment on New Year's Eve to operate from 10:00 on the 31st December until 01:00 on the 2nd January, thereby providing extended hours.
- 3) To allow sale of alcohol and such regulated entertainment as follows: -
Monday - Sunday - 10:00 - 01:00 the following morning
- 4) To permit provision of refreshment after 23:00.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- a) Plays (if ticking yes, fill in box A)
- b) Films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (If ticking yes, fill in box I)

Supply of alcohol (If ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed					
Thur			State any seasonal variations for performing plays (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	01:00	Please give further details here (please read guidance note 3) Exhibition of a film principally video entertainment on screens and TV screens. There shall be no films shown to a close seated audience	Both	
Tue	10:00	01:00			
Wed	10:00	01:00	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	10:00	01:00			
Fri	10:00	01:00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	10:00	01:00			
Sun	10:00	01:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3) As stated in Part 3 above and restricted to traditional pub games in the presence of an audience, including (but not limited to) darts, pool, snooker, dominos and similar
Day	Start	Finish	
Mon	10:00	01:00	State any seasonal variations for indoor sporting events (please read guidance note 4) N/A - save as below
Tue	10:00	01:00	
Wed	10:00	01:00	Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)
Thur	10:00	01:00	
Fri	10:00	01:00	
Sat	10:00	01:00	
Sun	10:00	01:00	

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick {Y}(please read guidance note 2).	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above and to include live music which may be amplified or unamplified. State any seasonal variations for the performance of live music (please read guidance note 4) N/A – save as below Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00			

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) Recorded music, including juke box, with or without a DJ, during normal business hours or as part of functions and including audience participation as specified in part 3 above. State any seasonal variations for playing recorded music (please read guidance note 4) N/A – save as below Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 3) As stated in Part 3 above and to include performance of a dance or a similar activity. State any seasonal variations for the performance of dance (please read guidance note 4) N/A – save as below Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5) When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		
Mon	10:00	01:00			
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00			
Fri	10:00	01:00			
Sat	10:00	01:00			
Sun	10:00	01:00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3) State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4) Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick {Y} (please read guidance note 2).	Indoors	
				Outdoors	
Day	Start	Finish		Both	✓
Mon	23:00	01:00	Please give further details here (please read guidance note 3) As stated in Part 3 above and to include the provision of hot food and drinks for consumption on and off the premises at the Manager's discretion and in the areas identified.		
Tue	23:00	01:00			
Wed	23:00	01:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4) N/A – save as below		
Thur	23:00	01:00			
Fri	23:00	01:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Sat	23:00	01:00			
Sun	23:00	01:00	When hours for sale of alcohol are extended hereunder these hours are also extended (see box J below)		

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	
				Off the premises	
Day	Start	Finish		Both	✓
Mon	10:00	01:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	10:00	01:00			
Wed	10:00	01:00			
Thur	10:00	01:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	10:00	01:00			
Sat	10:00	01:00	To permit the sale of alcohol and such regulated entertainment authorised hereunder on New Years Eve commencing 10:00 until 01:00 on the 2 nd January.		
Sun	10:00	01:00			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor	
Name:
Address:
Postcode:
Personal Licence number (if known):	05/09248/LIPERS.....
Issuing licensing authority (if known):	City of Westminster.....

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4) Please see box J above
Day	Start	Finish	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5) The premises will close 30 minutes after the end of the non-standard timings identified in box J above.
Mon	07:00	01:30	
Tue	07:00	01:30	
Wed	07:00	01:30	
Thur	07:00	01:30	
Fri	07:00	01:30	
Sat	07:00	01:30	
Sun	07:00	01:30	

M

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

Faucet Inns operate a number of premises within London and on this occasion, the proposed site is intended to operate as a traditional licensed premises with a substantial food offering and approximately 200 covers.

b) The prevention of crime and disorder

The applicant has undertaken a risk assessment in connection with the operation of this unit taking into consideration the area in which it is located and their previous experience of units of this nature and their operation and impact on the immediate vicinity.

With regards to the prevention of crime and disorder the applicant would offer the following steps in order to address this issue: -

1. Alcoholic drinks may not be removed from the premises in open containers saved for consumption in external areas provided for that purpose.

2. No customers carrying opened bottles of alcoholic drink upon entry shall be admitted to premises at anytime the premises are open to the public.
3. It is considered that for the nature of the operation door supervisors will not be required however, the Designated Premises Supervisor will undertake a risk assessment should unusual events takes place and if they consider it appropriate will employ the same.
4. Any persons exercising security (as defined by paragraph 21a of schedule 2 of the Private Security Act 2001) shall be licensed by the Security Industry Authority.
5. Such person will be employed at the premises at the discretion of the designated premises supervisor/holder of the premises licence.
6. CCTV will be installed with recording facilities such recordings shall be retained for a period of 31 days and made available within a reasonable time upon request by the police, such as to cover the main entrance to the premises.

c) Public safety

The applicant has undertaken a risk assessment with regard to public safety.

As this is an effective 'new build' all equipment will be to the latest standard and will be British Standard approved.

The applicant will ensure that fixtures and fittings provided to the premises will be of an appropriate nature.

The applicant undertakes to comply with reasonable requirements of the Building Control Officer. In any event, the approval of these statutory authorities will be required before the premises can open to the public.

Proposed condition :-

- 1) The Premises Licensee will comply with the reasonable requirements of the Fire Officer from time to time.

d) The prevention of public nuisance

The applicant has undertaken a risk assessment with regards to public nuisance.

The applicant proposes conditions as follows: -

- 1) Where appropriate prominent and legible notices shall be displayed at all exists requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
- 2) The doors and windows to the premises are to be double glazed

e) The protection of children from harm

The restrictions set out in the Licensing Act 2003 will apply. No unusual or additional risks of harm to children have been identified.

- 1) No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
- 2) Children under the age of 16 shall not be permitted to enter or remain at the premises after 22:00 unless resident, dining with an adult or attending a pre booked function.

Please tick ✓ Yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent. (Please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date: 25 July 2014.....

Capacity: Solicitors.....

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (Please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature: John Gaunt & Partners.....

Date:

Capacity: Solicitors.....

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) John Gaunt & Partners Omega Court 372 Cemetery Road	
Post town Sheffield	Post code S11 8FT

CITY OF WESTMINSTER

MEMORANDUM

TO REFERENCE	Licensing Officer 14/06394/LIPN
<hr/>	
FROM	Environmental Health Consultation Team 4 th Floor West, City Hall
REFERENCE	14/032710/EHCT
TELEPHONE	0207 641 2788
BEING DEALT WITH BY	Sally Thomas sthomas4@westminster.gov.uk
DATE	22 nd August 2014

Licensing Act 2003Kupp Restaurant/Bar, Unit 53, 5 Merchant Square, London, W2 1AS

I refer to the application for a new Premises Licence for the above premises.

The applicant has submitted the floor plans for the ground floor, drawing number 07/01 and dated July 2014 and the basement, drawing number 07/02 and dated July 2014.

This representation is based on the plans and Operating Schedule submitted.

The applicant is seeking the following licensable activities on the **ground floor**:

1. The Supply of Alcohol for consumption both 'on' and off the premises Monday to Sunday 1000 to 0100 hours.
2. The Provision of Late Night Refreshment both 'indoors' and 'outdoors' on Monday to Sunday 2300 to 0100 hours. Also to allow an extra hour on the day of the start of British Summer Time,
3. To provide the following Regulated Entertainment indoors from 1000-0100 hours: Films, Indoor Sporting Events, Live Music, Recorded Music, Performance of Dance and anything similar.
4. To provide the above activities from 10:00 hours on 31st December to 01:00 hours on 2nd January.

I wish to make the following representations in relation to the above application:

1. The Supply of Alcohol and the hours requested will have the likely effect of causing an increase in Public Nuisance in the area, and may impact upon Public Safety.
2. The provision of Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance in the area.
3. The provision of Regulated Entertainment will have the likely effect of causing an increase in Public Nuisance in the area, and may impact upon Public Safety.
4. The seasonal variations for the above activities may have the likely effect of causing an increase of Public Nuisance in the area.

The applicant has provided additional information and conditions with the operating schedule which are being considered but does not fully address the concerns of Environmental Health.

The granting of the new Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

Should you wish to discuss the matter further please do not hesitate to contact me.

Sally Thomas
Environmental Health Officer

Kupp, Unit 53, 5 Merchant Square – 14/06394/LIPN
Proposed Environmental Health Conditions
11/09/13

1. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
2. There shall be no take away of hot food or hot drink after 23.00 hours.
3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
4. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
5. There shall be no admittance or re-admittance to the premises after 23.00 hours save for smokers.
6. All external tables and chairs shall be rendered unusable after 23.00 hours Monday to Sunday.
7. After 23.00 hours the use of the outside area shall only be limited to people temporarily leaving to smoke in the designated area.
8. No drinks shall be permitted to be taken outside after 23.00 hours.
9. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
10. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
11. All external doors and windows shall be kept closed whilst regulated entertainment is taking place and in any case after 23:00 hours except for immediate access and egress of persons.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. There shall be no regulated entertainment in the outside area.

14. Loudspeakers shall not be located in the entrance or exits areas or outside the premises building.
15. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
16. There shall be no amplified live music.
17. There shall be cinema style seating at the premises
18. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
19. Deliveries to the premises shall only take place between 0800 and 2300 hours.
20. During the hours of operation 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 the aforementioned 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.
21. A Challenge 21 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.
22. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
 - i. Ground Floor – 303
 - ii. External Area -66
23. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.

24. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
25. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
26. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
27. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
28. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
29. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
30. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fireworks
 - firearms
 - lasers
 - explosives and highly flammable substances
 - real flame
 - strobe lighting
31. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any permanent or temporary emergency lighting battery or system
 - Any permanent or temporary electrical installation
 - Any permanent or temporary emergency warning system
32. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

33. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required.

APPENDIX B2

Your TAS/fau/MER67

Our 14/06394/LIPN

Date: 20th Aug 2014



JG&P

**METROPOLITAN POLICE
SERVICE**

Bryan Lewis PC4161CW
Westminster Police Licensing Team
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Telephone: 020 7641 3347

mob

Facsimile: 020 7641 2436

Email:blewis1@westminster.gov.uk

Dear Sir

Re: Application for a new Premises Licence
Kupp, 5 Merchant Square West, W2 1AS

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for a New Premises Licence as it is our belief that if granted the application would undermine the Licensing Objectives.

Our objections relate to the following:

- There are insufficient conditions being offered to promote the Licensing Objectives. This fails to promote the Prevention of Crime and Disorder. I will send you a list of proposed conditions in order to address our concerns.
- Hours proposed for Licensable activities are beyond core hours (WCC Statement of Licensing Policy 2011)

Yours sincerely

Bryan Lewis PC4161CW

Westminster Police Licensing Team

APPLICATION FOR A NEW PREMISES LICENCE

KUPP RESTAURANT,
5 MERCHANT SQUARE LONDON W2

AGREED POLICE CONDITIONS

1. 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 preceding 31 day period.
2. 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 are 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
3. 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, which 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) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
4. Door supervisors will be employed by the Premises Licence Holder on a risk assessed basis. A suitable Risk Assessment will be undertaken and documented on a daily basis, in relation to whether or not door supervisors are to be employed on specific occasions. On occasions when door supervisors are employed they shall display their SIA Licence at all times, worn with a high visibility arm band.
5. All tables and chairs shall be removed from the outside area or rendered unusable by (23.00) each day.
6. Food and suitable beverages other than intoxicating liquor shall be available during the whole of permitted hours in all parts of the premises where intoxicating liquor is sold and supplied.

7. The layout of the licensed area both internally and externally as shown on the approved plan at the ground floor layout shall be substantially laid out for tables and chairs as indicated on the approved licensing drawing.
8. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
9. Patrons permitted to temporarily leave and then re-enter the premises after 23:00 hours, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
10. There shall be no new customer entries to the premises after midnight on each evening until closure of the premises.

Bamborough, Sharon

From: Lewis, Bryan
Sent: 18 September 2014 12:59
To: Bamborough, Sharon
Cc: idoxlicensing; Tim Shield
Subject: FW: 14/06394/LIPN - Kupp, 5 Merchant Sq W2 1AS
Attachments: AGREED POLICE CONDITIONS.DOC

Hi Sharon

Conditions agreed re Kupp, Police objection withdrawn

Thanks

Bryan

From: Carron Mather [<mailto:CMather@john-gaunt.co.uk>] **On Behalf Of** Tim Shield
Sent: 18 September 2014 11:31
To: Lewis, Bryan
Subject: RE: 14/06394/LIPN - Kupp, 5 Merchant Sq W2 1AS

Dear Bryan,

Please see attached a document which I believe crystallises all the proposed conditions. I have altered the numbering to reflect the agreed conditions so that condition 1 – 3 are as in your letter of 9th September but the numbering then changes to deal with the additional agreed conditions.

If you are happy perhaps you could confirm and then e-mail Licensing and myself to reflect the agreement.

Kind Regards,

Tim Shield

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Partners: John Gaunt (569711) Katharine Redford (569712) Tim Shield (569713) Michelle Hazlewood (569714)
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Executive Manager: Jonathan Pupius

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Patron – The Viscount Norwich
President- Michael Bond
Chairman- Elizabeth Virgo
Hon Treasurer- Anne von Bennigsen
Hon Secretary –Hazel Hindler

Licensing Objections
Westminster City Council
4th Floor (West)
64 Victoria Street
London SW1E 6QP

18th August 2014

Dear Sirs

**REPRESENTATION FROM
THE PADDINGTON WATERWAYS AND MAIDA VALE SOCIETY IN RESPECT OF
Ref 14/06394/LIPN Kupp 5 Merchant Square, London W2**

As a Recognised Amenity Society, we are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues). We are concerned with the well-being and sense of community of its residents but are aware that that this site will have to be a viable operation, providing services for locals as well as people who are not residents of this area.

Cause a public nuisance and add to Crime and Disorder

We are anxious that the WCC Licensing Objectives should be adhered to in this area (which does have residents living nearby, some with children), and strongly object to the hours proposed, both for opening and for serving alcohol. We consider it should operate within the appropriate Core Hours, ending at 23.00, with the usual cutback on Sundays. We do not consider it enough to provide "some waitress service" and would like to see all alcohol served seated by waiter/waitress and ancillary to food. We are also concerned at the amount of outside seating proposed and indeed the very high number of patrons indicated.

We feel that there should be no drinking outside unless seated (meaning no one can take drinks outside and "wander") and the use of tables and chairs outside should stop at 23.00. We wonder whether outside service of alcohol should be limited to plastic glasses and are concerned about smoking outside. We understand that the design will minimise the amount of noise caused by both live and recorded music, but are apprehensive that with so many patrons seated outside, there will be significant noise escaping from the building itself. We feel the licensable hours for these activities need to be curtailed significantly from those proposed.

In the matter of off-sales, we would wish to see no beer, nor cider, over 5.5% and the standard hours for this activity.

We would ask the committee to require the standard conditions on CCTV, customers leaving the premises at night, rubbish collection etc , noting that there should be no servicing on Sundays.

Should there be a hearing, we will endeavour to attend.

Yours faithfully

Elizabeth M Virgo -Chairman
Paddington Waterways and Maida Vale Society
4 Browning House, 19-21 Formosa Street, London W9 2JS

11/09/2014 16:59:49

APPENDIX B4

From: "John Zamit, Chairman, SEBRA" <Chairman@SEBRA.org.uk>
Sent: 18/08/2014 10:13:39
To: Premises Licensing
Cc: ELIZABETH VIRGO; Chairman, SEBRA John Zamit
Subject: Fw: Kupp, Merchant Square W2

SEBRA (South East Bayswater Residents Association) fully supports objection submitted by PWMV Society

We are the adjoining residents association and have very serious concerns on this application in terms of hours sought, high numbers of customers, any 'bar' led operation and the effect on the local community in terms of noise, crime etc

John Zamit
Chairman
SEBRA (South East Bayswater Residents' Association)
2 Claremont Court
Queensway
LONDON
W2 5HX

Tel: 020 7727 6104
Mobile: 07768 068277

Email: Chairman@SEBRA.org.uk
Website: www.sebra.org.uk

From: ELIZABETH VIRGO [mailto:elizabethvirgo@btinternet.com]
Sent: 18 August 2014 9:19 AM
To: Licensing Objections (premiseslicensing@westminster.gov.uk)
Cc: John Zamit, Chairman, SEBRA (johnzamit@gmail.com)
Subject: Kupp, Merchant Square W2

Attached is our objection.

We will endeavour to attend a hearing, should there be one. If unable to, we will ask John Zamit to represent us.

Elizabeth Virgo

Chair Paddington Waterways and Maida Vale Society

APPENDIX C

Licence & Appeal History

Application	Details of Application	Date determined	Decision
-------------	------------------------	-----------------	----------

There is no licensing or appeal history

APPENDIX D

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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate 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

Conditions:

Mandatory:

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 responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;

(i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8. The responsible person shall ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.

9(iii). Where the permitted price given by Paragraph 9(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.

9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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.

10. Admission of children to the premises must be restricted in accordance with the film classification recommended by the British Board of Film Classification or recommended by this licensing authority as appropriate.

11. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

12. Alcoholic drinks may not be removed from the premises in open containers save for consumption in external areas provided for that purpose.

13. No customers carrying opened bottles of alcoholic drink upon entry shall be admitted to premises at anytime the premises are open to the public.

14. It is considered that for the nature of the operation door supervisors will not be required however, the Designated Premises Supervisor will undertake a risk assessment should unusual events takes place and if they consider it appropriate will employ the same.

15. Where appropriate prominent and legible notices shall be displayed at all exits requesting the public to respect the needs of the local residents and to leave the premises and area quietly.
16. The doors and windows to the premises are to be double glazed
17. No films or videos of any description will be shown so that they can be viewed by persons under the age of any applicable BBFC/Local Authority certification.
18. Children under the age of 16 shall not be permitted to enter or remain at the premises after 22:00 unless resident, dining with an adult or attending a pre booked function.

Conditions proposed by Police and agreed with applicant

19. 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 preceding 31 day period.
20. 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 are 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
21. 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, which 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) any faults in the CCTV system
 - (f) any refusal of the sale of alcohol
 - (g) any visit by a relevant authority or emergency service
22. A minimum of (1) SIA licensed door supervisors shall be on duty at the premises on Fridays and Saturdays from 20:00 until close of business. The door supervisor shall display their SIA licence at all times, worn within a yellow high visibility arm band.
23. All tables and chairs shall be removed from the outside area or rendered unusable by **23.00** each day.
24. Food and suitable beverages other than intoxicating liquor shall be available during the whole of permitted hours in all parts of the premises where intoxicating liquor is sold and supplied

Note – a slightly stronger version of this has been proposed by Environmental Health and will need confirmation as to whether or not it is agreed by the applicant:

Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of permitted hours in all parts of the premises where intoxicating liquor is sold and supplied

28. The layout of the licensed area both internally and externally as shown on the approved plan at the ground floor layout shall be substantially laid out for tables and chairs as indicated on the approved licensing drawing.
29. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
30. Patrons permitted to temporarily leave and then re-enter the premises after 23:00 hours, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
31. There shall be no new customer entries to the premises after midnight on each evening until closure of the premises.

Proposed conditions from Environmental Health agreed by applicant:

32. There shall be no take away of hot food or hot drink after 23.00 hours.
33. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
34. All external tables and chairs shall be rendered unusable after 23.00 hours Monday to Sunday.
35. After 23.00 hours the use of the outside area shall only be limited to people temporarily leaving to smoke in the designated area.
36. No drinks shall be permitted to be taken outside after 23.00 hours.
37. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
38. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
39. All external doors and windows shall be kept closed whilst regulated entertainment is taking place and in any case after 23:00 hours except for immediate access and egress of persons.
40. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
41. There shall be no regulated entertainment in the outside area.
42. Loudspeakers shall not be located in the entrance or exits areas or outside the premises building.
43. A noise limiter must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service, Premises Management so as to ensure that no noise nuisance is caused to local residents or businesses. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of officers from the Environmental Health Service and access shall only be by persons authorised by the Premises Licence holder. The limiter shall not be altered without prior agreement with the Environmental Health Service. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Service. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.

44. There shall be no amplified live music.
45. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
46. During the hours of operation 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 the aforementioned 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.
47. A Challenge 21 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.
48. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
49. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
50. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
51. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
52. All fabrics, curtains, drapes and similar features including materials used in finishing and furnishing shall be either non-combustible or be durably or inherently flame-retarded fabric. Any fabrics used in escape routes (other than foyers), entertainment areas or function rooms, shall be non-combustible.
53. Curtains and hangings shall be arranged so as not to obstruct emergency safety signs or emergency equipment.
54. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
55. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 10 days prior notice being given to the Licensing Authority where consent has not previously been given.
 - dry ice and cryogenic fog
 - smoke machines and fog generators
 - pyrotechnics including fireworks
 - firearms
 - lasers
 - explosives and highly flammable substances
 - real flame
 - strobe lighting
56. The certificates listed below shall be submitted to the Licensing Authority upon written request.
 - Any permanent or temporary emergency lighting battery or system

- Any permanent or temporary electrical installation
- Any permanent or temporary emergency warning system

57. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
58. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required.

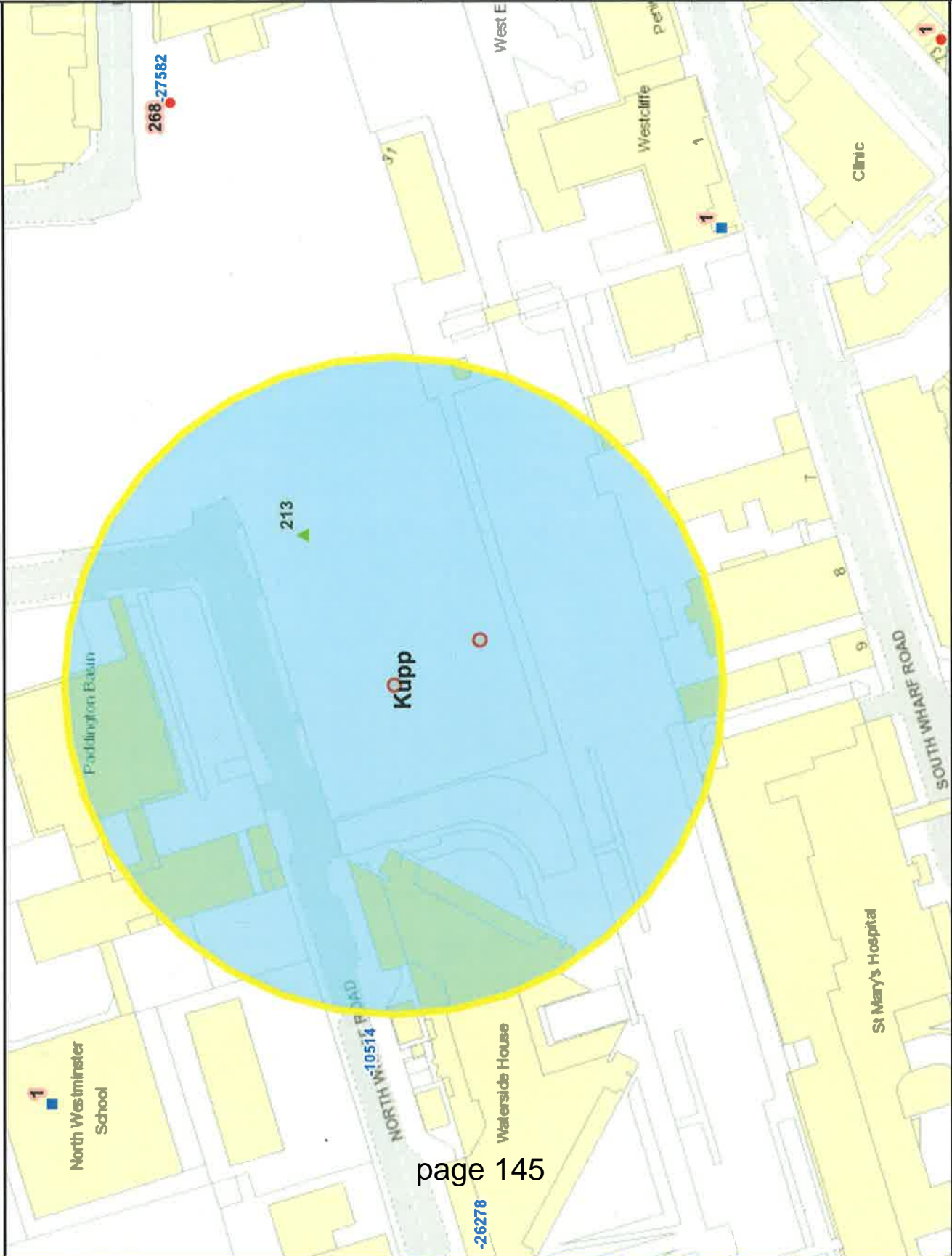
Conditions proposed by Environmental Health not agreed/to be discussed with applicant

59. There shall be no admittance or re-admittance to the premises after 23.00 hours save for smokers.
60. There shall be cinema style seating at the premises
61. Deliveries to the premises shall only take place between 0800 and 2300 hours.
62. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
- i. Ground Floor – 303
 - ii. External Area -66

Conditions proposed by Residents Associations

63. All alcohol should be served to seated patrons by waiter/waitress and shall be ancillary to food
64. There shall be no drinking outside unless seated
65. There shall be no off sales of beer & cider over 5.5%ABV

Kupp, Unit 53, 5 Merchant Square West, W2 1AS



Residential / Proposed Residential	213
Under Construction	
Other Uses	5
Proportion Residential of all Uses	98%

Data Source: Uniform Datab:
Date: 12/09/2014

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/06468/LIPN
Date:	25 September 2014
Classification:	For General Release
Title of Report:	Piccola Cucina Restaurant 89 George Street London W1U 8NL
Report of:	Operational Director of Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Bina Patel, Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 2125 E-mail: bpatel@westminster.gov.uk

1. APPLICATION DETAILS

Application Type:	A new premises licence application under the Licensing Act 2003.		
Applicant:	87 George Limited	Date Application Received:	29 July 2014
Premises Name and Address:	Piccola Cucina Restaurant 89 George Street London W1U 8NL		
Ward Name:	Marylebone High Street	Stress Area:	No
Description of Premises:	<p>The premises will be operated as a restaurant.</p> <p>The premises comprises of a Basement Floor and Ground Floor with an ancillary bar for waiting customers</p> <p>Please Note: Correspondence has been received from the applicants amending their application. They are now seeking the following hours for licensable activities:</p> <p>New Year's Eve From the end of permitted hours on New Year's Eve to 03:00 on the following day</p> <p>Late Night Refreshment Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p> <p>Sale of Alcohol Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p> <p>Opening Hours Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p>		
<p><i>Note: Where the committee is minded to grant the licence it will be granted subject to the mandatory conditions and conditions consistent with the operating schedule modified to such extent as the authority considers appropriate for the promotion of the licensing objectives detailed in Appendix D to this report.</i></p>			
Proposed Licensable Activities, Proposed Hours:			References / Notes
1.	<p>Late Night Refreshment: Indoors</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p> <p>Please note: The provision of Late Night Refreshment is only licensable after 23:00. Therefore, there is no need to consider this proposal</p>		No need to consider

<p>2</p>	<p>Sale of Alcohol: On the premises</p> <p><i>Monday to Saturday 10:00 to 23:00</i> <i>Sunday 10:00 to 22:00</i></p> <p>Relevant representations and policies applicable:</p> <p>2A The Environmental Health Service has made an adverse representation on the grounds of causing an increase in Public Nuisance and impact on Public Safety area. Conditions have been proposed to the applicants for their consideration. Please refer to Appendix B1.</p> <p>2B The Metropolitan Police Service had made an adverse representation to this application. However, following the application being amended and condition agreed with the applicants, they have subsequently withdrawn their representation. Please refer to Appendix B2</p> <p>2C 2 local residents have made adverse representations to this application. One resident has stated that they believe an 11pm licence Monday to Saturday is late enough and raise no objection to the hours for Sunday.</p> <p>Another resident has stated that whilst they do not object to the application as a whole, they raise an objection to the hours sought over the New Year's Eve period and would have thought a 3am terminal hour would be more appropriate. Please refer to Appendices B3 to B4</p> <p>2D The following policies within the City Of Westminster Statement of Licensing Policy apply:</p> <p>Prevention of crime and disorder (CD1) Public Safety (PS1) Prevention of public nuisance (PN1) Protection children from harm (CH1) Hours (HRS1) Restaurants outside the Stress Area (RNT1) Pubs and Bars outside the stress area (PB1)</p> <p>2E Policy HRS1 applies: (i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:</p> <p>2F Policy RNT1 applies: Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1</p> <p>2G Policy PB1: Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.</p> <p>2H The Licensing Sub-committee may refuse, grant in full or grant in</p>	<p>Environmental Health Service Representation</p> <p>Metropolitan Police Service Comments & withdrawal</p> <p>2 residential representations</p> <p>Policies applicable</p> <p>Summary</p>
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	<p>part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	
<p>3</p>	<p>Seasonal Variations and Non-Standard Timings</p> <p>(i) Sale of Alcohol: On the premises</p> <p>Good Friday 10:00 to 23:30 Christmas Day 10:00 to 15:00 and 19:00 to 23:30</p> <p>(ii) Late Night Refreshment and Sale of Alcohol for consumption on the premises</p> <p>From the end of permitted hours on New Year's Eve to 03:00 on the following day</p> <p>3A Please refer to paragraphs 2A and 2G</p> <p>3B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by Environmental Health Service and 2 local residents</p>
<p>4</p>	<p>Opening Hours:</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p> <p><i>(Note: Opening hours are not a licensable activity under the Licensing Act 2003, however they can still be taken into consideration when assessing the application's effect on the licensing objectives.)</i></p> <p>4A Please refer to paragraphs 2A and 2G.</p> <p>4B The Licensing Sub-committee may refuse, grant in full or grant in part this proposal, having taken into account the representations received and Westminster's Statement of Licensing Policy. The decision taken should promote the licensing objectives of:</p> <ul style="list-style-type: none"> • prevention of public nuisance, • prevention of crime & disorder, • public safety and • protection of children from harm. 	<p>Opposed by Environmental Health Service and 2 local residents</p> <p>Summary</p>

<u>Licensable activities permitted on the Previous Premises Licence (12/11054/LIPN)</u>	<u>Proposed Licensable Activities under new application</u>
<p>Regulated Entertainment</p> <p>None</p>	<p>Regulated Entertainment</p> <p>Not applied for</p>
<p>Late Night Refreshment</p> <p>Monday to Thursday 23:00 to 23:30 Friday to Saturday 23:00 to 00:00</p>	<p>Late Night Refreshment</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p> <p><i>Please note: The provision of Late Night Refreshment is only licensable after 23:00. Therefore, there is no need to consider this proposal</i></p>
<p>Sale of Alcohol: On the premises</p> <p>Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:00</p>	<p>Sale of Alcohol: On the premises</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p>
<p>Non Standard Timings:</p> <p>None</p>	<p>Non Standard Timings:</p> <p><i>Sale of Alcohol: On the premises</i> Good Friday 10:00 to 23:30 Christmas Day 10:00 to 15:00 and 19:00 to 23:30</p> <p><i>Late Night Refreshment and Sale of Alcohol for consumption on the premises</i> From the end of permitted hours on New Year's Eve to 03:00 on the following day</p>
<p>Capacity</p> <p>The number of persons accommodated at any one time (excluding staff) shall not exceed the following:</p> <ul style="list-style-type: none"> - Basement - 38 - Ground Floor - 68 - External - 24 	<p>Capacity</p> <p>Not proposed</p>
<p>Opening Hours</p> <p>Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:00</p>	<p>Opening Hours</p> <p>Monday to Saturday 10:00 to 23:00 Sunday 10:00 to 22:00</p>
<p>Current Licensing Position</p>	<p>The premises previously held a premises licence 12/11054/LIPN. The licensee Quintillion Restaurants Limited surrendered this licence on 1st April 2014. Please refer to Appendix A4</p>

Current Planning Position	<p>Planning history reveals the following:</p> <p>(11/08130/FULL – granted on 09.02.2012) - Use of basement and ground floor as mixed restaurant, bar and bakery (sui generis). Installation of three retractable awnings, access ramp and goods lift in front lightwell and associated plant at roof level.</p> <p>The following conditions was added to the permissions</p> <p>Customers shall not be permitted within the premises before 07.00 or after 23.30 on Monday to Thursday, before 07.00 or after midnight on Friday and Saturdays (not including bank holidays and public holidays) and before 10.00 or after 22.00 on Sundays, bank holidays and public holidays. (C12BD)</p> <p>Restaurant Use - We cannot grant planning permission for unrestricted use in this case because it would not meet ^IN; of our Unitary Development Plan that we adopted in January 2007. (R05AB)</p> <p>The retail shop and bakery area at ground floor level shall be provided and maintained in the layout shown on drawing GA-02C for retail purposes only at all times in the location shown and you must maintain a retail display as part of the shop frontage at no. 85 George Street.</p> <p>You can only use the external tables and chairs on the private forecourt for customer seating between 10.00 and 21.00 hours</p>
Residential Density:	249 of the 357 units within a 75m radius of the premises are residential or proposed residential, (70%), refer to Appendix E.
List of Appendices:	<p>A1 – Application form</p> <p>A2 – Applicant submissions: conditions agreed with police</p> <p>A2(i) –amended application hours for all licensable activities</p> <p>A3 – Plans</p> <p>A4 – Surrendered Premises Licence 12/11054/LIPN</p> <p>B1 – Environmental Health Service Representation</p> <p>B2 – Metropolitan Police Service representation, conditions and withdrawal</p> <p>B3 to B4 – local residential representations</p> <p>C – Premises Licence History</p> <p>D - Conditions</p> <p>E – Residential Map and list of premises in the vicinity</p> <p>F – Photo of premises</p>
Relevant Representations:	<p>Environmental Health Service</p> <p>2 local residents</p>

2. APPLICANT SUBMISSIONS AND EVIDENCE

2.1 The evidence submitted by the applicant in support of the Licensing Objectives is provided in **Appendices A1 & A2.**

3. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

3.1 Any applications under the Licensing Act 2003 are set out in Appendix C

3.2 Any chronology relating to appeals is set out in Appendix C.

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

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)

2

Westminster City Council

Licensing Service
4th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

020 7641 8549
westminster.gov.uk



City of Westminster



Application for a premises licence to be granted under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We 87 GEORGE LIMITED

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description PICCOLA CUCINA RESTAURANT GROUND FLOOR AND BASEMENT 89 GEORGE STREET			
Post town	LONDON	Postcode	W1U 8NH

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£NOT YET RATED

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as

Please tick as appropriate

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)

- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a

statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name 87 GEORGE LIMITED
Address 18 WOODCOCK DELL AVENUE KENTON HARROW MIDDLESEX HA3 0NS
Registered number (where applicable) 08930681
Description of applicant (for example, partnership, company, unincorporated association etc.) COMPANY
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD	MM	YYYY
3	0	8
2	0	1
4		

If you wish the licence to be valid only for a limited period, when do you want it to end?

DD	MM	YYYY
+	+	+
+	+	+
+	+	+

Please give a general description of the premises (please read guidance note 1)
RESTAURANT ON GROUND FLOOR AND BASEMENT WITH ANCILLARY BAR FOR WAITING CUSTOMERS

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick any that apply

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)



Provision of late night refreshment (if ticking yes, fill in box I)



Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)		Indoors	<input type="checkbox"/>	
					Outdoors	<input type="checkbox"/>	
Day	Start	Finish	Both				<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)				
Tue							
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)				
Thur							
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)				
Sat							
Sun							

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23:00	23:30			
Tue	23:00	23:30			
Wed	23:00	23:30	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Thur	23:00	23:30			
Fri	23:00	00:00			
Sat	23:00	00:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5) FROM THE END OF THE AUTHORISED HOURS ON NEW YEAR'S EVE TO THE START OF THE AUTHORISED HOURS ON THE FOLLOWING DAY		
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption – please tick (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	10:00	23:30			
Tue	10:00	23:30			
Wed	10:00	23:30			
Thur	10:00	23:30			
Fri	10:00	00:00			
Sat	10:00	00:00			
Sun	10:00	22:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
			GOOD FRIDAY 10:00 – 23:30 CHRISTMAS DAY 10:00 – 15:00 and 19:00 – 23:30		
			FROM THE END OF THE AUTHORISED HOURS ON NEW YEAR'S EVE TO THE START OF THE AUTHORISED HOURS ON THE FOLLOWING DAY		

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor:

Name ANDREA REITANO	
Address	
Postcode	
Personal licence number (if known) 14/02178/LIPERS	
Issuing licensing authority (if known) WESTMINSTER CITY COUNCIL	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8).

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	10:00	23:30	<p><u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)</p>
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00	23:30	
Fri	10:00	00:00	
Sat	10:00	00:00	
Sun	10:00	22:00	

M Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

NONE

b) The prevention of crime and disorder

The licensee shall ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the operating schedule.

The licensee shall ensure that person selling or supplying alcoholic drink under the authority of a personal licence holder asks for a photo ID proof of age where they have a reason to suspect that the individual may be under the age of 18.

Compliance with police guidance

1. The management of the premises shall maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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 venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be able to show Police recent data or footage with the absolute minimum of delay when requested.

Incident/Refusals Book

3. An incident/refusals book will be maintained and used at the premises. Upon request, it will be readily available for inspection by the police or local authority officer.

Security Personnel

4. All reasonable efforts are to be employed by the management and/or security personnel to keep customers quiet and orderly prior to entry and upon leaving the Premises.

Excluded Persons

5. The Premises are to permanently exclude any person found with weapons or illegal drugs at

the premises as well as customers known to have contributed to crime or serious disorder in the premises.

6. No person found with, or using, a weapon or illegal drugs may enter or remain on the premises.
7. The Premises are to take all reasonable steps to make security and other staff members aware of the identities of excluded persons.

Co-operation with authorities

8. Any information regarding crimes committed within the premises, including suspected drug dealing and violence, should be reported to the police immediately or as soon as is reasonably practicable.
9. The Premises are to keep a record of all excluded persons. This record is to be made available to police officers and local authority officers on request.

Open bottles

10. No customers carrying open bottles shall be admitted to the premises. No customers shall be allowed to leave the premises whilst carrying open drinking vessels.

c) Public safety

The licensee will ensure that escape routes and exits including external exits, are maintained to ensure that they are not obstructed, in good order with non-slippery and even surfaces, free of trip hazards and clearly identified.

The licensee shall ensure that all exit doors are easily opened and do not require the use of key, card, code or similar mean.

The licensee shall ensure that doors at such exits are regularly checked to ensure that they function satisfactorily and a record of such check is kept.

The licensee shall ensure that adequate arrangements shall be in place to enable the safe evacuation of disabled visitors in the event of an emergency and that disabled visitors are made aware of these arrangements.

The premises licence holder shall ensure an adequate and appropriate supply of first aid equipment and materials is available on the premises.

The licensee shall ensure that valid public liability insurance is in force and that a copy of the insurance certificate is made available upon request for inspection by an authorised officer.

The licensee shall ensure that there is free drinking water available at all times the premises is

open to the public.

The licensee shall make sure that when tables and chairs are provided, clear gangways to exit are maintained.

d) The prevention of public nuisance

The licensee shall ensure that noise or vibration is not noticeable at the façade of any noise sensitive premises.

The removal of bottles from the licensed premises and the placing of refuse such as bottles into receptacles outside the premises shall take place at times that will minimise disturbance to nearby property.

The licensee shall ensure that during the final hour of opening the music is discernibly quieter.

The licensee shall not permit the playing of live or recorded music in external areas of the property.

The licensee shall ensure that any request by an authorised officer of the council in relation to reducing noise levels is complied with.

The licensee shall nominate a person to be responsible for monitoring noise levels and instruct that person to implement changes in noise levels in accordance with any request by an authorised officer of the council immediately and ensure that volume is maintained at reduced level.

The licensee shall ensure that offensive smells from the licensed premises are not permitted to cause a nuisance to nearby properties and the premises are properly vented.

Adequate (lidded) receptacles shall be provided to the premises for the storage of refuse and these shall be kept in clean condition. The licensee is to ensure that arrangements are made for these receptacles to be emptied on a regular basis.

The licensee shall ensure that litter is regularly cleared from the vicinity of the premises.

e) The protection of children from harm

The licensee shall implement a proof of age policy as agreed with the police and local authority.

The licensee shall ensure that all children under the age of 16 are accompanied by an adult

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 11).
If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	28 JULY 2014
Capacity	SOLICITOR

For joint applications, signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13) MEK CHUKWUDINMA HOXTONS SOLICITORS 159A STATION ROAD			
Post town	LONDON	Postcode	E4 6AG
Telephone number (if any)	02085237841		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) mek@hoxtons.com			

Patel, Bina

From: mek@hoxtons.com
Sent: 07 August 2014 18:00
To: Deweltz, Adam
Cc: idoxlicensing; Koka, Nuptia; Andrea Reitano
Subject: Re: Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Adam

Thank you for your email below. My client is happy for those conditions to be attached the premises licence.

Regards

Mek Chukwudinma

----- Original Message -----
Subject: Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN
From: "Deweltz, Adam" <adeweltz@westminster.gov.uk>
Date: Thu, August 7, 2014 3:41 pm
To: "mek@hoxtons.com" <mek@hoxtons.com>
Cc: "idoxlicensing" <idoxlicensing@westminster.gov.uk>

Dear Mek

Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to the prevention of crime and disorder, as there are insufficient conditions contained within the operating schedule.

The following conditions listed below are those that Police would like you to attach to your premises licence, as I believe they will address Police concerns in relation to Crime and Disorder:

1) 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 preceding 31 day period.

2) 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.

3) A Challenge 21 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.

4) 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.

5) The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.

6) Notwithstanding condition 5 (MC 38), alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of 10 persons dining at the premises.

I look forward to your prompt response.

Many thanks,

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Patel, Bina

From: mek@hoxtons.com
Sent: 08 September 2014 13:25
To: Patel, Bina
Cc: Coleman, Cliona
Subject: Re: 14/06468/LIPN - Piccola Cucina Restaurant, 89 George Street, London
Attachments: Premises Licence 2013.pdf

Importance: High

Dear Bina

I note the objections from Environmental Health Service and from the local residents, Messrs Paul Clarke and Ronald Jacobson.

I have spoken to Cliona Coleman from the EHS and advised her that my client is agreeable to amending the opening times from 10:00 to 23:00 Monday to Saturday and from 10:00 to 22:00 on Sunday. I understood that this will be acceptable and trust that this will also be acceptable to the local resident, Mr Jacobson. As there were no specific objections to the non standard times for Good Friday and Christmas Day I trust that this is to remain as applied for with the exception of Mr Clarke's objection to extended hours into the new year which my client has agreed to extend to 03:00 as suggested by Mr Clarke.

In the circumstances, I should be grateful if you would advise if the hearing scheduled for 26 September could now be dispensed with.

It may be worth noting at this time that the previous Premises Licence dated 14 February 2013 (copy attached) for the same premises (85-89 George St) but which was never implemented by the previous occupant allowed for the exact late night refreshment and supply of alcohol applied for by my client.

Regards

Mek Chukwudinma

Patel, Bina

From: mek@hoxtons.com
Sent: 09 September 2014 14:16
To: Patel, Bina
Cc: Coleman, Cliona; Victoria Hodges
Subject: RE: 14/06468/LIPN - Piccola Cucina Restaurant, 89 George Street, London

Dear Bina

Thank you for your email. I confirm that the amended hours apply to all licensable activities applied for for and not just the opening hours. The planning permission allows the premises to be open until 23:00 in any event.

Regards

Mek Chukwudinma

----- Original Message -----
Subject: RE: 14/06468/LIPN - Piccola Cucina Restaurant, 89 George Street, London
From: "Patel, Bina" <bpatel@westminster.gov.uk>
Date: Tue, September 9, 2014 1:23 pm
To: "mek@hoxtons.com" <mek@hoxtons.com>
Cc: "Coleman, Cliona" <ccoleman@westminster.gov.uk>
"Victoria Hodges" <v.hodges@teacherstern.com>

Dear Mek

The position is as per my email yesterday, there has been no further correspondences from any of the parties to this application.

I have not had a response to my email sent to yesterday (I attach a copy). I will be grateful if you can respond

Regards
Bina

From: mek@hoxtons.com [<mailto:mek@hoxtons.com>]
Sent: 09 September 2014 13:02
To: Patel, Bina
Cc: Coleman, Cliona; Victoria Hodges
Subject: RE: 14/06468/LIPN - Piccola Cucina Restaurant, 89 George Street, London

Dear Bina

Further to my email yesterday I should be grateful if you would kindly let me know whether all the parties that made objections have now formally withdrawn their objections.

Regards

Mek Chukwudinma

----- Original Message -----
Subject: RE: 14/06468/LIPN - Piccola Cucina Restaurant, 89 George Street, London

From: "Patel, Bina" <bpatel@westminster.gov.uk<mailto:bpatel@westminster.gov.uk>>
Date: Mon, September 8, 2014 1:44 pm
To: "mek@hoxtons.com<mailto:mek@hoxtons.com>" <mek@hoxtons.com<mailto:mek@hoxtons.com>>
Cc: "Coleman, Cliona" <ccoleman@westminster.gov.uk<mailto:ccoleman@westminster.gov.uk>>

Dear Mek

Thank you for your email

I will need all parties to formally withdraw their objections for this application to be consider under delegated authority.

At present, only the police have withdrawn and therefore the matter will still proceed to the scheduled hearing.

I note the changes to your application and have updated our records accordingly.

Regards
Bina

From: mek@hoxtons.com<mailto:mek@hoxtons.com> [mailto:mek@hoxtons.com]
Sent: 08 September 2014 13:25
To: Patel, Bina
Cc: Coleman, Cliona
Subject: Re: 14/06468/LIPN - Piccola Cucina Restaurant, 89 George Street, London
Importance: High

Dear Bina

I note the objections from Environmental Health Service and from the local residents, Messrs Paul Clarke and Ronald Jacobson.

In have spoken to Cliona Coleman from the EHS and advised her that my client is agreeable to amending the opening times from 10:00 to 23:00 Monday to Saturday and from 10:00 to 22:00 on Sunday. I understood that this will be acceptable and trust that this will also be acceptable to the local resident, Mr Jacobson. As there were no specific objections to the non standard times for Good Friday and Christmas Day I trust that this is to remain as applied for with the exception of Mr Clarke's objection to extended hours into the new year which my client has agreed to extend to 03:00 as suggested by Mr Clarke.

In the circumstances, I should be grateful if you would advise if the hearing scheduled for 26 September could now be dispensed with.

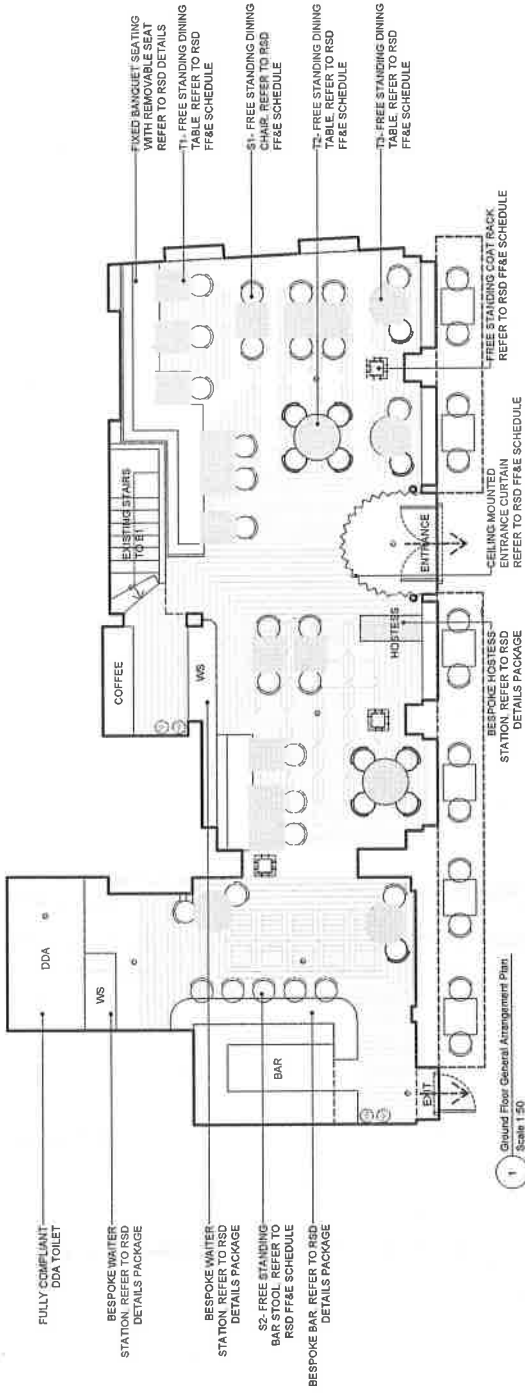
It may be worth noting at this time that the previous Premises Licence dated 14 February 2013 (copy attached) for the same premises (85-89 George St) but wich was never implemented by the previous occupant allowed for the exact late night refreshment and supply of alcohol applied for by my client.

Regards

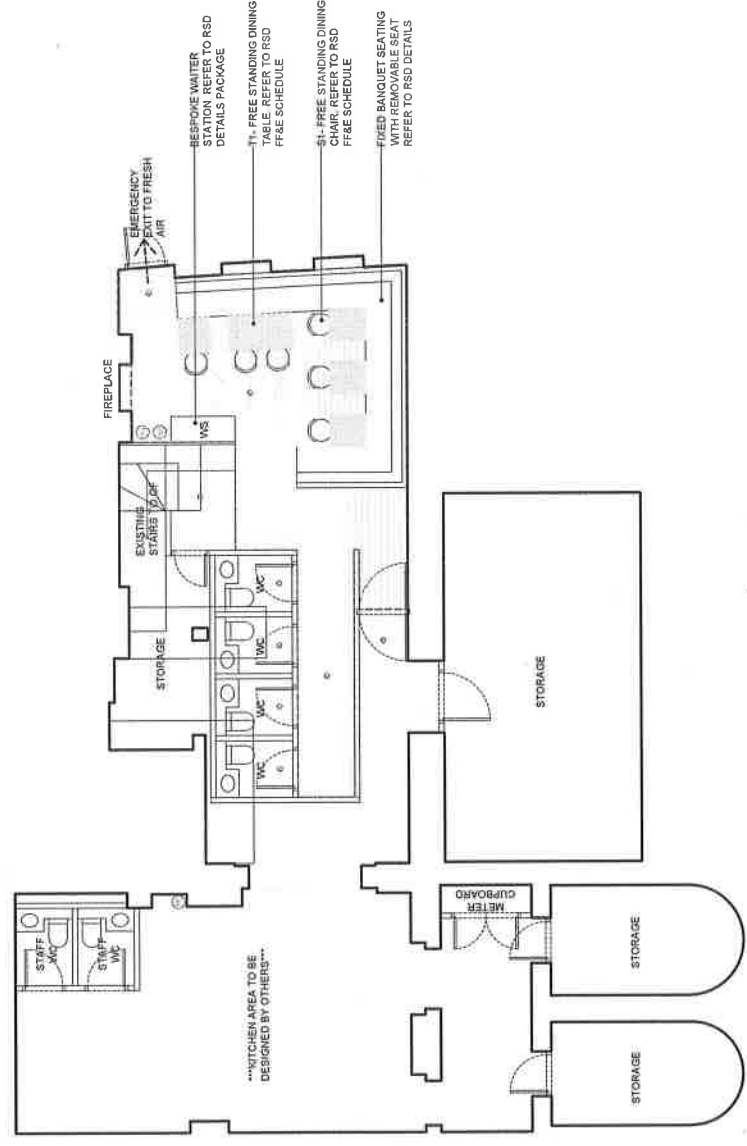
Mek Chukwudinma

COVERS
 GROUND FLOOR- 50
 BASEMENT- 14
 TOTAL- 64

*Subject to building
 control and licensing
 approval



1 Ground Floor General Arrangement Plan
 Scale 1:50



2 Basement General Arrangement Plan
 Scale 1:50

- NOTES:
 - All walls are to have 30min fire rating unless otherwise stated
- - - - - Denotes licensable area
 - - - - -> Denotes Means of Escape
 - (E) Emergency Lights
 - (CO₂) CO₂ Fire Extinguisher
 - (H₂O) Water Fire Extinguisher
 - (FB) Fire Blanket
- Layouts are subject to licensing and building control approval

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 London, SE21 8EJ
 www.rosendaledesign.com

DRAWING STATUS	PROGRESS DRAFT
CLIENT	ANDREA REITANO
PROJECT TITLE	PICCOLA CUCINA GEORGE ST
DRAWING TITLE	GENERAL ARRANGEMENT
DRAWN BY	DA
DATE	107
REVIEWED BY	SCALE
DRAWING NO	107-PL-00



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Marylebone High
Street
UPRN: 100023461874

Premises licence

Regulation 33, 34

Premises licence number:	12/11054/LIPN
Original Reference:	12/11054/LIPN

Part 1 – Premises details

Postal address of premises:

Basement And Ground
85 George Street
London
W1U 8NH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment
Monday to Thursday: 23:00 to 23:00
Friday to Saturday: 23:00 to 00:00

Sale by Retail of Alcohol
Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 10:00 to 22:00

The opening hours of the premises:

Monday to Thursday: 10:00 to 23:30
Friday to Saturday: 10:00 to 00:00
Sunday: 10:00 to 22:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption on the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Quintillion Restaurants Limited
Cedar House
Hazell Drive
Newport
South Wales
NP10 8FY

Registered number of holder, for example company number, charity number (where applicable)

08254409

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Andrew Richardson

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: 0009980
Licensing Authority: Stratford-on-Avon District Council

Date: _____ 14th February 2013 _____

Signed: pp **Operational Director - Premises Management**

Annex 1 – 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 responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
8. The responsible person shall ensure that;
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Annex 2 – Conditions consistent with the operating Schedule

10. There shall be no striptease or nudity, and all persons shall be decently attired at all times.
11. All children under 16 shall be accompanied by an adult at all times.
12. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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 venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
13. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
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, which will record the Following.
 - (a) all crimes reported to the venue
 - (b) any complaints received regarding crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service
15. All tables and chairs shall be removed from the outside area by (23.00) each day.
16. The supply of alcohol shall be by waiter or waitress service only.
17. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iii) which do not provide any take away service of food or drink for immediate consumption, and (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
18. Notwithstanding condition (17), alcohol may be supplied and consumed prior to their meal in the designated bar area, by up to a maximum at any one time, of 6 persons dining at the premises.
19. Substantial food and suitable beverages other than intoxicating liquor shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
20. There shall be no take away of hot food or hot drink after 23:00 hours.
21. After 23:00 hours all external doors and windows to be kept closed save for immediate access and egress of persons.
22. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

23. Clearly legible notices shall be displayed at all exits from the premises requesting patrons to respect the needs of local residents and to leave the premises and area quietly.
24. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
25. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours.
26. The area immediately outside the premises, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
27. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. Deliveries to the premises shall only take place between 0:700 and 18:00 hours.
29. The number of persons accommodated at any one time (excluding staff) shall not exceed the following:
 - Basement - 38
 - Ground Floor - 68
 - External - 24
30. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
31. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction a variation application may be required.

Annex 3 – Conditions attached after a hearing by the licensing authority

None



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: Marylebone High
Street
UPRN: 100023461874

Premises licence
summary

Regulation 33, 34

Premises licence number:

12/11054/LIPN

Part 1 – Premises details

Postal address of premises:

Basement And Ground
85 George Street
London
W1U 8NH

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment

Monday to Thursday:	23:00 to 23:00
Friday to Saturday:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:00

The opening hours of the premises:

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	10:00 to 22:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption on the Premises.

Name and (registered) address of holder of premises licence:

Quintillion Restaurants Limited
Cedar House
Hazell Drive
Newport
South Wales
NP10 8FY

Registered number of holder, for example company number, charity number (where applicable)

08254409

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Andrew Richardson

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: _____ 14th February 2013 _____

Signed: pp
Operational Director - Premises Management

CITY OF WESTMINSTER

MEMORANDUM

TO REFERENCE **Bina Patel**
14/06468/LIPN

FROM BEING DEALT WITH BY TELEPHONE DATE **EH Consultation Team, 4th Floor, City Hall**
Cliona Coleman
0207 641 6830
20th August 2014 2014

Re: 89 George Street London W1U 8NL

I refer to the application for a New Premises Licence number 14/06468/LIPN. The applicant has submitted plans for the premises drawing number 107- PL-00 representation is based on the application submitted and the operating schedule.

The applicant is seeking the following:

1. To provide facilities for late night refreshment 'On' the premises from Monday to Thursday 23:00 to 23:30 and Friday- Saturday from 23:00- 00:00
2. To provide for the Supply of Alcohol 'On' the premises Monday to Thursday 10:00 to 23:30, Friday- Saturday from 10:00- 00:00 and Sunday 10:00- 22:00

I wish to raise following representations:

1. The hours requested to permit the provision of late night refreshment will have the likely effect of causing an increase in Public Nuisance.
2. The provision of the supply of alcohol 'On' the premises and the hours requested may have the likely effect of an increase in Public Nuisance and impact on Public Safety in the area.

The granting of the new premises licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety.

The applicant has submitted some conditions, however any new Premises Licence granted will be subject to conditions to address the licensing objectives of Prevention of Public Nuisance and Promoting Public Safety.

A site visit will be arranged to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

Should you wish to discuss the matter further please do not hesitate to contact me.

Cliona Coleman
Environmental Health Officer

Patel, Bina

From: Deweltz, Adam
Sent: 07 August 2014 15:41
To: mek@hoxtons.com
Cc: idoxlicensing
Subject: Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mek

Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be objecting.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to the prevention of crime and disorder, as there are insufficient conditions contained within the operating schedule.

The following conditions listed below are those that Police would like you to attach to your premises licence, as I believe they will address Police concerns in relation to Crime and Disorder:

- 1) 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 preceding 31 day period.
- 2) 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.
- 3) A Challenge 21 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.
- 4) 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.
- 5) The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
- 6) Notwithstanding condition 5 (MC 38), alcohol may be supplied and consumed prior to their meal in the **designated** bar area, by up to a maximum at any one time, of 10 persons dining at the premises.

I look forward to your prompt response.

Many thanks,

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

Patel, Bina

From: Deweltz, Adam
Sent: 08 August 2014 09:57
To: mek@hoxtons.com
Cc: idoxlicensing
Subject: RE: Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN

Follow Up Flag: Follow up
Flag Status: Completed

Dear Mek,

Many thanks.

The Metropolitan Police as a reasonable authority, withdraw their representation.

Kindest Regards,

Adam.

PC Adam Deweltz
Westminster Police Licensing Unit
Westminster City Hall
4th Floor
64 Victoria Street
London
SW1E 6QP

From: mek@hoxtons.com [mailto:mek@hoxtons.com]
Sent: 07 August 2014 18:00
To: Deweltz, Adam
Cc: idoxlicensing; Koka, Nuptia; Andrea Reitano
Subject: Re: Piccola Cucina Restaurant, 89 George Street, London, W1 - 14/06468LIPN

Dear Adam

Thank you for your email below. My client is happy for those conditions to be attached the premises licence.

Regards

Mek Chukwudinma

Comments for Licensing Application 14/06468/LIPN

Application Summary

Application Number: 14/06468/LIPN

Address: 89 George Street London W1U 8NL

Proposal: Premises Licence - New

Case Officer: Miss Bina Patel

Customer Details

Name: Mr Ronald Jacobson

Address: 30 Portman Towers George Street London

Comment Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Comment Reasons:

Comment:9:26 AM on 07 Aug 2014 We feel a licence till 11pm on Mon.-Sat. is late enough but agree with 10pm on Sunday.

Comments for Licensing Application 14/06468/LIPN

Application Summary

Application Number: 14/06468/LIPN
Address: 89 George Street London W1U 8NL
Proposal: Premises Licence - New
Case Officer: Miss Bina Patel

Customer Details

Name: Mr Paul Clarke
Address: 21Portman Close London

Comment Details

Commenter Type: Neighbour
Stance: Customer objects to the Licensing Application
Comment Reasons:

Comment:6:40 PM on 19 Aug 2014 Whilst supportive of this application on the whole i do object to the request to be open throughout the night on the 1st January until normal opening hours that day. I would have thought that a 3am finish would be more appropriate.

Licence & Appeal History

There are no previous Licensing Act 2003 applications submitted by 87 George Limited for these premises.

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 responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

8. The responsible person shall ensure that;

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

9(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.

9(ii) For the purposes of the condition set out in paragraph 9(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.
- 9(iii). Where the permitted price given by Paragraph 9(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.
- 9(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(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

- 10. The licensee shall ensure that the consumption of alcohol is restricted to the areas identified on the plan attached to the licence.
- 11. No customers carrying open bottles shall be admitted to the premises.
- 12. No customers shall be allowed to leave the premises whilst carrying open drinking vessels
- 13. The removal of bottles from the licensed premises and the placing of refuse such as bottles into receptacles outside the premises shall take place at times that will minimise disturbance to nearby properties
- 14. There shall be no playing of Live or Recorded music in external areas of the premises.
- 15. Children under the age of 16 years shall be accompanied by an adult at all times.

Conditions consistent with the operating schedule and agreed with Police

16. 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 preceding 31 day period.
17. 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.
18. A Challenge 21 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.
19. 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.
20. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
21. Notwithstanding condition 20, alcohol may be supplied and consumed prior to their meal in the **designated** bar area, by up to a maximum at any one time of 10 persons dining at the premises.

Proposed by EHS

22. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iv) which do not provide any take away service of food or drink for immediate consumption,
 - (v) which do not provide any take away service of food or drink after 23.00, and
 - (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding the above condition, alcohol may be supplied and consumed prior to their meal in the ground floor bar area indicated by the "bar" area on the plan drawing number 107-PL-00, by up to a maximum at any one time, of 10 persons dining at the premises.
23. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises

24. The number of persons accommodated at any one time (excluding staff) shall not exceed,

Ground Floor (inclusive of outside area) –XXXpersons.

Basement –XXXpersons

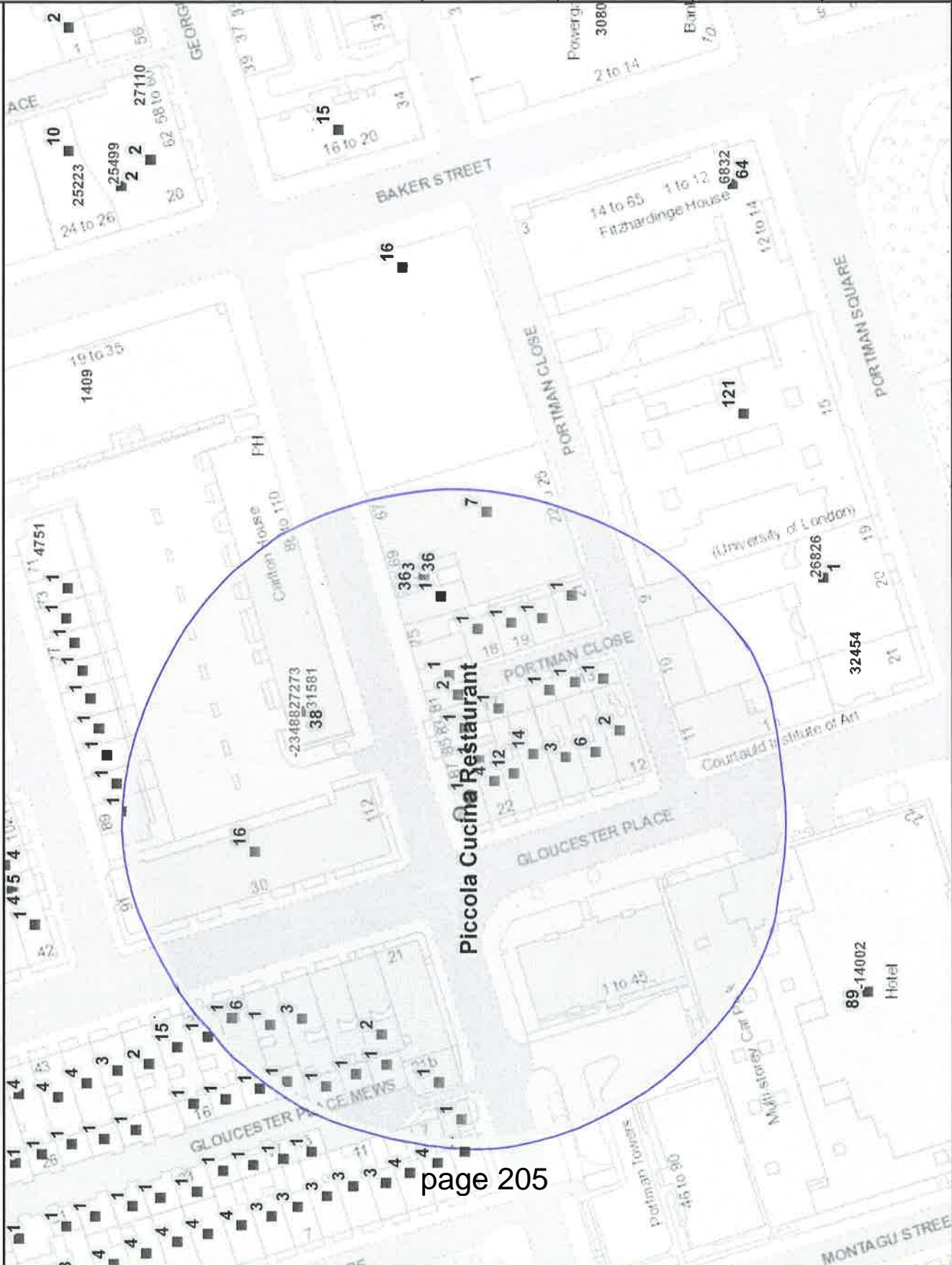
To be assessed on completion of works.

25. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
26. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
27. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to **10** persons at any one time.
28. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
29. A Challenge 21 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
30. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
31. No deliveries to the premises shall take place between 23.00 and 08.00 on the following day.
32. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
33. Before the premises open to the public, the plans as deposited will be checked by the Environmental Health Consultation Team to ensure they are an accurate reflection of the premises constructed. Where the premises layout has changed during the course of construction new plans shall be provided to the Environmental Health Consultation Team and the Licensing Authority by way of variation.



Piccola Cucina Restaurant, 89 George Street, London, W1U 8NL

City of Westminster



APPENDIX E

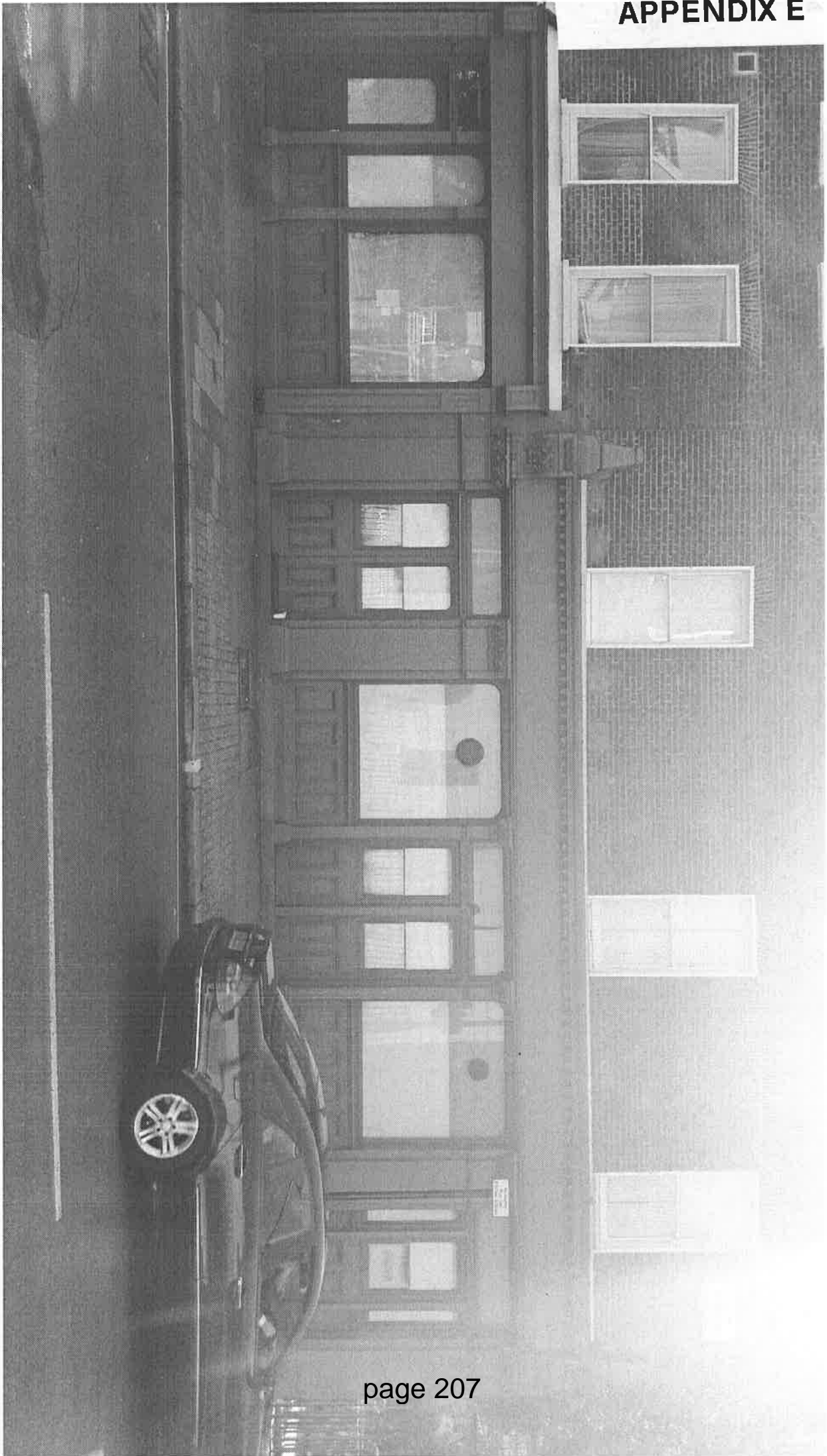
Residential / Proposed Residential	134
Under Construction	115
Other Uses	108
Proportion Residential of all Uses	70%

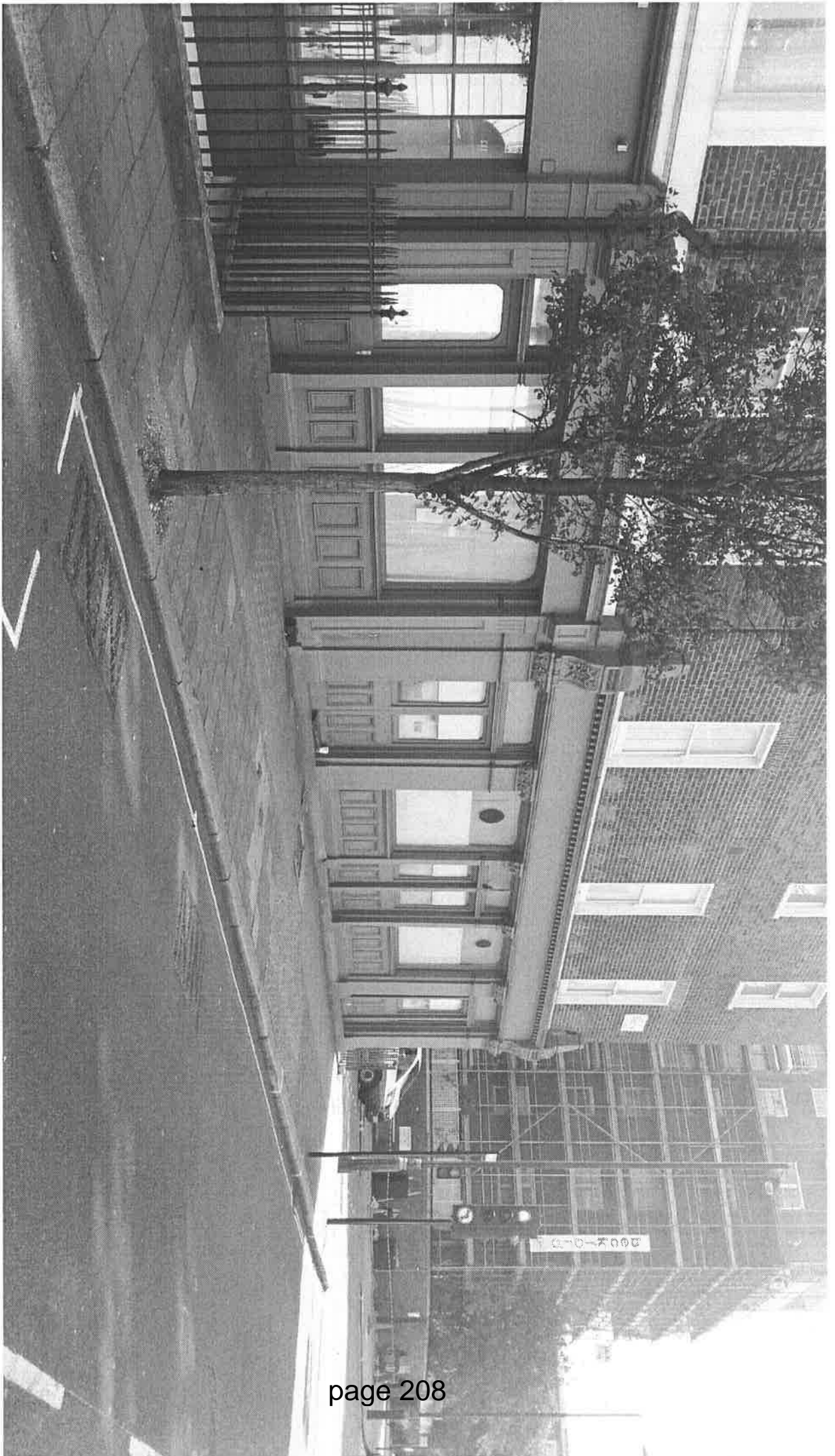
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Data Source: Uniform Database
Date: 09/09/2014

Premises within 75 metres of: Piccola Cucina Restaurant, 89 George Street, London, W1U 8NL

p / n	Name of Premises	Premises Address	Licensed Hours
-23488	Nagoya Japanese Restaurant	110 George Street London W1U 8NX	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
27273	Union	88-90 George Street London W1U 8PA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
31581	Tesco (05633)	92 - 98 George Street London W1U 8NS	Monday to Sunday 06:00 - 23:00







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City of Westminster

Licensing Sub-Committee Report

Item No:	
Licensing Ref No:	14/06486/LIREVP
Date:	25 September 2014
Classification:	For General Release
Title of Report:	AM 2 PM 122-124 Chippenham Road London W9 2AD
Report of:	Operational Director – Premises Management
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Bina Patel Environmental Health Case Officer (Licensing)
Contact Details:	Telephone: 020 7641 2125 E-mail: bpatel@westminster.gov.uk

1. APPLICATION DETAILS:

Application Type:	Review of a Premises Licence under the Licensing Act 2003.		
Applicant:	Police Licensing Authority	Date Application Received:	1 August 2014
Premises Name and Address:	AM 2 PM 122-124 Chippenham Road London W9 2AD	Licensee:	MR SUBHASH RAO & MRS ASHA RAO
Ward:	Harrow Road	Stress Area:	No
Premises Description:	The premise operates as a supermarket		

2. SUMMARY OF APPLICATION

- 2.1 An application submitted by the Police Licensing Authority for a review of the premises licence for AM 2 PM, 122-124 Chippenham Road, London, W9 2AD, was received on 1st August 2014 on the grounds of the Prevention of Crime and Disorder and Protection of Children from Harm. **Please see Annex A1**
- 2.2 Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 2.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 2.4 The premises currently benefits from a premises licence that permits:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol (Off Sales)

Monday to Thursday	08:00 to 23:00
Friday to Saturday	08:00 to 00:00
Sunday	10:00 to 22:30

The opening hours of the premises:

Monday to Thursday	08:00 to 23:00
Friday to Saturday	08:00 to 00:00
Sunday	10:00 to 22:30

Please note: Omission on the Premises Licence

Part A & B of the Premises Licence 14/04813/LIPVM at Appendix 6 does not accurately reflect the licensable hours. The permitted hours are as stated above which is consistent with condition 17 of the licence which was determined by a Licensing Sub Committee following variation application in 2007.

- 2.5 These review proceedings are brought under the licensing objectives on the grounds of the Prevention of Crime and Disorder and Protection of Children from Harm. The premises have a history of breaches relating to the sale of alcohol to persons under 18 years old.
- 2.6 On 24th May 2014, police officers conducted a test purchasing operation in specified Licensed Premises in the City of Westminster. Alcohol was sold to a person under the age of 18 years. The alcohol sold at the premises was above 5.5% Alcohol by Volume which breached condition 11 of the premises licence which stated: *'No Beer or Cider to be sold above 5.5% Alcohol by Volume.'*
- 2.7 Following the test purchase on 24th May 2014, a meeting was held with the licensees, who were requested to submit a minor variation application to add 11 conditions which primarily safeguarded children. An application was submitted on 12th June 2014 to add these conditions.
- 2.8 On 24th July 2014, another test purchase was conducted at the premises and alcohol was sold to a person under the age of 18 years.
- 2.9 The premises have sold alcohol to persons under the age of 18 years on 24th May 2014 and 24th July 2014. At no point were either child asked for their age or for any proof, nor asked for any proof of age or identification. **Please refer further to Annex A1**
- 2.7 A copy of the existing Premises Licence (14/04813/LIPVM) is attached at **Annex A2**

3. REPRESENTATIONS:

- 3.1 The Environmental Health Service, as a responsible authority supports the review application **Please refer to Annex B1**
- 3.2 A local resident has written in support of the review application stating that these premises are also an illegal shisha premises as well as running an internet café without permission. It is clear from the evidence submitted by the police and the conduct of the related shisha that the owners of this establishment have no intention of complying with the law. These premises are a public nuisance. **Please refer further to Annex B2**

4. LICENCEES SUBMISSIONS:

- 4.1 There have been no submissions from the license holder.

5. APPLICANT FURTHER SUBMISSIONS

- 5.1 The applicants for the review are seeking revocation of the premise licence in order to promote the Licensing Objective of Protection of Children from Harm.

6. OPTIONS:

- 6.1 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:
- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;

(d) to suspend the licence for a period not exceeding three months;
 (e) to revoke the licence;
 and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.

6.2 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

6.3 The licensing authority's determination of this application does not have effect until the 21 day appeal period has expired or if the decision is appealed the date the appeal is determined and / or disposed of.

7. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

7.1 Any applications under the Licensing Act 2003 are set out in Appendix C.

7.2 The chronology relating to appeals and applications is set out in Appendix C.

List of Appendices:	<p>Annex A1 – Application for Review</p> <ul style="list-style-type: none"> • Appendix 1– Witness Statement PC Guerra • Appendix 2 – Fixed Penalty Notice 24/05/14 • Appendix 3 – Witness Statement PC Marsden • Appendix 4 – Fixed Penalty Notice 24/07/14 • Appendix 5 – Minor variation application and correspondences • Appendix 6 – Premises Licence 14/04813/LIPVM <p>Annex A2 – Correction to application from PC Russell</p> <p>Annex B1 – Environmental Health Service representation in support of review</p> <p>Annex B2 – Local residential representation in support of review</p> <p>Annex C – Licence and Appeal History</p> <p>Annex D – Conditions on the current licence and proposed conditions</p> <p>Annex E – Residential Map and list of premises in the vicinity</p> <p>Annex F – Photograph of premises</p>
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Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7th January 2011)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)



City of Westminster

APPLICATION FOR REVIEW

Please forward one copy of your completed application and any supporting documentation to:

Licensing Service
REVIEWS
Westminster City Council
Westminster City Hall
14th Floor
64 Victoria Street
London
SW1E 6QP

AND

Please give one copy of your application and any supporting documentation to the Holder of the Premises Licence and each of the following responsible authorities on the same day that the application is served on the Licensing Service;

1. The Chief Officer of Police
Westminster Police Liaison Team
4th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP
2. Fire Safety Regulation: South West Area 4
169 Union Street London SE1 0LL
3. Premises Management (Environmental Health; Health & Safety; Weights and Measures)
Westminster City Council
Environmental Health Consultation Team
4th Floor, Westminster City Hall
64 Victoria Street, London, SW1E 6QP

Continued.....

4. Development Planning Services
Westminster City Council
64 Victoria Street
London
SW1E 6QP

5. Area Child Protection Committee
Head of Commissioning – Child Protection & Quality, Social and Community
Services – Children and Families
4 Frampton Street
NW8 8LF

6. Director of Public Health
Inner North West London Primary Care Trusts
(Hammersmith and Fulham, Kensington and Chelsea, Westminster)
15 Marylebone Road, London
NW1 5JD

For boats only

The Navigation Authority (for vessels not permanently moored)

Tidal Thames
The Harbour Master
The Port of London Authority, 7 Harp Lane, London EC3R 6LB

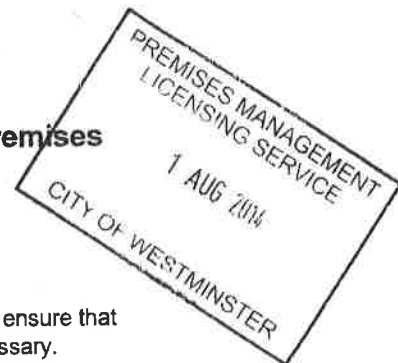
Non Tidal Thames
The Environment Agency Recreation and Navigation, Thames Region, Kings
Meadow House, Kings Meadow Road, Reading, RG1 8DQ

Canals
The Leisure Manager
British Waterways Board
1 Sheldon Square, Paddington Central, London W2 6TT

And

The Surveyor General
The Maritime & Coastguard Agency, Orpington Marine Office, Central Court, 1 Knoll
Rise

Application for the review of a premises licence or club premises certificate under the Licensing Act 2003



PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary. You may wish to keep a copy of the completed form for your records.

I Westminster Police Licensing Team

(Insert name of applicant)

apply for the review of a premises licence under section 51 / apply for the review of a club premises certificate under section 87 of the Licensing Act 2003 for the premises described in Part 1 below (delete as applicable)

Part 1 – Premises or club premises details

Postal address of premises or, if none, ordnance survey map reference or description Am2Pm Food 122-124 Chippenham Road London W9 2AD	
Post town London	Post code (if known) W9 2AD

Name of premises licence holder or club holding club premises certificate (if known) Asha Rao 3 Sandhurst Avenue North Harrow Middlesex HA2 7AP Telephone Number : 020 7266 4421 Subhash Rao 3 Sandhurst Avenue North Harrow Middlesex HA2 7AP Telephone Number : 020 7266 4421
--

Number of premises licence or club premises certificate (if known) 14/04813/LIPVM

Part 2 - Applicant details

I am

Please tick ✓ yes

1) an individual, body or business which is not a responsible

authority (please read guidance note 1, and complete (A) or (B) below)

2) a responsible authority (please complete (C) below)

3) a member of the club to which this application relates (please complete (A) below)

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Please tick ✓ yes

Mr

Mrs

Miss

Ms

Other title

(for example, Rev)

Surname

First names

I am 18 years old or over

Please tick ✓ yes

Current postal address if different from premises address

Post town

Post Code

Daytime contact telephone number

E-mail address (optional)

(B) DETAILS OF OTHER APPLICANT

Name and address

Telephone number (if any)

E-mail address (optional)

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT

Name and address
PC Reaz Guerra
Westminster Police Licensing Team
4th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Telephone number (if any)
0207 641 1709

E-mail address (optional)
MetPoliceLicensingTeam@Westminster.gov.uk

This application to review relates to the following licensing objective(s)

- 1) the prevention of crime and disorder
- 2) public safety
- 3) the prevention of public nuisance
- 4) the protection of children from harm

Please tick one or more boxes ✓

-
-
-
-

Please state the ground(s) for review (please read guidance note 2)

SMG Food, which trades as AM2PM is located at 120-122 Chippenham Road, London W9 2AD.

The current Premises Licence was initially granted in 2005, upon conversion of a Justices Licence.

The grounds for the review are that the premises has persistently sold alcohol to persons under 18 years of age.

As part of a pre planned Police operation, on two separate occasions, persons under the age of 18 years were sold alcohol. The two occasions were within an 8 week period.

On each occasion neither of these persons were asked for any proof of age or form of identification.

Therefore, the purpose of this review is to seek revocation of the premises licence.

Please provide as much information as possible to support the application (please read guidance note 3)

On Saturday 24th May 2014 and Thursday 24th July 2014 police officers conducted a test purchasing operation in specified Licensed Premises in the City of Westminster.

The method of this operation was for a plain clothes Police Officer (referred to as the *witnessing officer*) to enter the premises. They were then followed into the premises by either one or two Volunteer Police Cadets, who are under 18 years of age. Two further plain clothes Police officers acted as chaperones. The police Cadets were tasked to purchase an alcoholic drink. The child then selects a bottle or can of alcoholic drink and takes it to the till point to purchase. They were instructed to reveal their true age if asked and to leave the premises immediately if requested. Once the child purchases an alcoholic drink, they leave the premises where upon Police officers take enforcement action.

On Saturday 24th May 2014, a plain clothes Police Officer entered AM2PM off licence at approximately 1400 hours. PC Marsden, who was the witnessing officer entered the store first and was then followed by Cadet 1 (aged 16). The Cadet 1 selected a bottle of Dedsperado Beer, placed it on the counter. He was served by Mrs Jihad BEAINI. A few minutes later the Cadet returned to the chaperone officer followed by PC Marsden. PC Marsden then confirmed that the Cadet had purchased a 330ml Bottle of Dedsperado Beer, ABV 5.9%. At no point was the Cadet asked their age, for any form of identification, nor proof of their age.

The alcohol was handed to the Police officer waiting outside the premises.

A fixed penalty notice was issued to Mrs Jihad BEAINI by PC Guerra, whilst police were issuing the Penalty Notice, Mr Ziad BEAINI entered the premises and stated that he was the manager and Mrs BEAINI's husband. PC Guerra explained to both of them about the test purchase operation and that Cadet had in the last few minutes had purchased a Bottle of Dedsperado Beer showing them the alcohol. MR BEAINI the started to shout at Police saying, "MY WIFE DOES NOT EVEN WORK HERE, YOU COME HERE AND YOU PLAY YOUR TRICKS ON US." Mr BEAINI was clearly angry.

A copy of the Fixed Penatly Notice and a statement from PC Guerra is attached.

Following this incident the police held a meeting with the Premises Licence Holder, Mr Subash RAO and MR Zaid Beaini (manager) on the 3rd June 2014. The purpose of the meeting being to emphasise the seriousness of the failed test purchase and establish control measures to promote the Licensing Objectives, in particular the Protection of Children From Harm.

As part of the meeting the existing conditions on the Premises Licence (Ref 07/10348/LIPV) were discussed. It was established that the premises had also breached condition 11 - which states - *No Beer or Cider to be sold above 5.5% Alcohol by Volume.*

The alcohol sold on this occasion was 5.9% ABV. The premises were clearly instructed to ensure compliance with this condition.

The police requested that the premises submit a variation to their Premises Licence to include 11 additional conditions primarily to safeguard children. These included conditions relating to staff training, a Challenge 25 proof of age scheme and

electronic till prompts. The full list of additional conditions were confirmed in a letter dated 3rd June 2014 from PC Guerra to Mr RAO.

The premises submitted a minor variation to add the conditions to the Premises Licence on 12th June 2014.

On Wednesday 24th July, a plain clothes Police Officer entered AM2PM off licence at approximately 1410 hours. PC Russell, who was the witnessing officer entered the store first and was then followed by cadet 2 (aged 15). The cadet selected a bottle of Heineken Beer, placed it on the counter. He was served by Mr Akshaykumar BAROT . A few minutes later the Cadet returned to the chaperone officer followed by PC Russell who confirmed that the Cadet had purchased a 330ml Bottle of Heineken Beer, ABV 5.0%. At no point was the Cadet asked their age, for any form of identification, nor proof of their age. A fixed penalty notice was issued to Mr Barot by PC Russell.

A copy of the Fixed Penalty Notice from PC Russell is attached.

In summary this premises has sold alcohol to a person under the age of 18 years on 24th May and 24th July 2014. At no point were either of the children asked their age or for any proof, nor asked for any proof of age or identification.

It is therefore requested that the Licensing Sub Committee revoke this premises licence for SMG Food at 120-122 Chippenham Road in order to promote the licensing objective of Protection of Children From Harm.

Have you made an application for review relating to the premises before

Please tick ✓ yes

If yes please state the date of that application

Day	Month	Year

If you have made representations before relating to the premises please state what they were and when you made them

Please tick ✓ yes

- I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent (please read guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature Cherio Woudley PS 4063 CW

Date 31.07.14

Capacity POLICE SERGEANT WESTMINSTER POLICE LICENSING TEAM

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 6)	
Post town	Post Code
Telephone number (if any)	
If you would prefer us to correspond with you using an e-mail address your e-mail address (optional)	

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

2

List of Contents

1. Application for Review
2. Witness statement by PC Guerra
3. Fixed Penalty Notice by PC Guerra
4. Witness Statement by PC Marsden
5. Fixed Penalty Notice by PC Russell
6. Minor variation application and correspondence
7. Current premises licence 14/04813/LIPVM

RESTRICTED (when complete)

MG 11(T)

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC Reaz Guerra 1614CW** URN:

--	--	--	--

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: 4..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: *Reaz Guerra 1614CW* Date: **26th July 2014**

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above named person, currently employed in the Westminster Police Licensing Unit.

I joined the Metropolitan Police Service in 2002 and was posted to the Borough of Westminster in 2003, working in numerous operational roles. I moved to the Westminster Licensing Unit in April 2011. Since my appointment in the Licensing Unit I have dealt with a wide range of licensing matters including applications for new premises licences, variations to existing premises licenses, licensing committee hearings, licensing reviews and a large number of licensing visits to licensed premises within the City of Westminster. Part of my role is to oversee and assist in Test Purchasing Operations, using Volunteer Police Cadets aged 17years and under to purchase alcoholic drinks from off licence premises in Westminster.

At the start of the each operation the officers and children are fully briefed as to their roles throughout the day. The children are read an instruction sheet which included the following information:-

- The safety of young people involved in this operation is paramount – the success is secondary. If anything were to occur that was not planned, you must leave the store and return to the pre-arranged RVP near to the shop.
- At no time are the young people to get involved in anything other that what they have been briefed for.
- Do not lie about your age, you must state it correctly
- If asked for identification say you do not have any with you.

Signature: *Reaz Guerra 1614CW* Signature witnessed by:

2006/07(1): MG 11(T)

RESTRICTED (when complete)

Continuation of Statement of PC Reaz Guerra 1614CW

The operation is run so that the anonymity of the young people is maintained at all times. They are photographed and the photograph is used to show the seller of any alcohol which person had purchased the alcohol if requested.

The method of this operation is for a plain clothes Police Officer (referred to as the *witnessing officer*) to enter the premises. They were then followed into the premises by either one or two Volunteer Police Cadets, who are under 18 years of age.

Two further plain clothes Police officers act as chaperones. The police Cadets were tasked to purchase an alcoholic drink. The child then selects a bottle or can of alcoholic drink and takes it to the till point to purchase. They were instructed to reveal their true age if asked and to leave the premises immediately if requested. Once the child purchases an alcoholic drink, they leave the premises where upon Police officers take enforcement action.

On Saturday 24th May 2014, a plain clothes Police Officer entered AM2PM off licence at approximately 1400 hours. PC Marsden, who was the witnessing officer entered the store first and was then followed by Cadet 1 (aged 16). Cadet 1 selected a bottle of Dedsperado Beer, placed it on the counter. He was served by Mrs Jihad BEAINI . A few minutes later the Cadet returned to the me, the chaperone officer, We were then joined by PC Marsden, who confirmed that the Cadet had purchased a 330ml Bottle of Dedsperado Beer, ABV 5.9%. At no point was the Cadet asked their age, for any form of identification, nor proof of their age.

I was waiting outside the premises. And the cadet handed the alcohol to me. I then entered the store and issued a fixed penalty notice was issued to Mrs Jihad BEAINI.

Following this incident I held police held a meeting with the Premises Licence Holder, Mr Subash RAO and MR Zaid Beaini (manager) on the 3rd June 2014. The purpose of the meeting being to emphasise the seriousness of the failed test purchase and establish control measures to promote the Licensing Objectives, in particular the Protection of Children From Harm. This meeting was held at City Hall, also present were PC Deweltz (Police Licensing Team) and Maria Johnson (WCC licensing enforcement officer)

Signature:



Signature witnessed by:

Continuation of Statement of PC Reaz Guerra 1614CW

As part of the meeting the existing conditions on the Premises Licence (Ref 07/10348/LIPV) were discussed. It was established that the premises had also breached condition 11 - which states - *No Beer or Cider to be sold above 5.5% Alcohol by Volume.*

The alcohol sold on this occasion was 5.9% ABV. They queried the condition and did appear to fully understand it meaning asking whether it would be ok to sell strong Guinness Strout, which I believe to have a typical ABV of 6.8%. I clearly explained the condition to Mr Rao and MR Beaini to ensure compliance with this condition.

I requested that the premises submit a variation to their Premises Licence to include 11 additional conditions primarily to safeguard children. These included conditions relating to staff training, a Challenge 25 proof of age scheme and electronic till prompts. The full list of additional conditions were confirmed in a letter dated 3rd June 2014 from PC Guerra to Mr RAO. (exhibit RGG04)

The premises submitted a minor variation to add the conditions to the Premises Licence on 12th June 2014.

On Wednesday 24th July, a plain clothes Police Officer entered AM2PM off licence at approximately 1410 hours. PC Russell, who was the witnessing officer entered the store first and was then followed by cadet 2 (aged 15). The cadet selected a bottle of Heineken Beer, placed it on the counter. He was served by Mr Akshaykumar BAROT. A few minutes later the Cadet returned to the chaperone officer followed by PC Russell who confirmed that the Cadet had purchased a 330ml Bottle of Heineken Beer, ABV 5.0%. At no point was the Cadet asked their age, for any form of identification, nor proof of their age. A fixed penalty notice was issued to Mr Barot by PC Russell.

A copy of the Fixed Penalty Notice from PC Russell is attached.

I produce the following exhibits:-

I produce a copy of photograph of Cadet 1 (as used on 24th May) as RGG02.

I produce a copy of photograph of Cadet 2 (as used on 24th July) as RGG03.

Signature:



Signature witnessed by:

2003(1)

Continuation of Statement of PC Reaz Guerra 1614CW

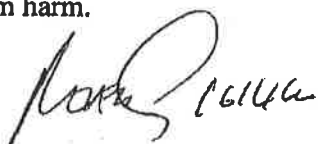
I have retained photographs of the two cadets and can provide them to the Committee during the licensing hearing; I cannot include the photographs of the cadets in my statement as they are both juveniles and in order to protect their anonymity.

Letter to Mr RAO (premises licence holder) dated 3rd June 2014 as RGG04

In summary this premises has sold alcohol to a person under the age of 18 years on 24th May and 24th July 2014. At no point were either of the children asked their age or for any proof, nor asked for any proof of age or identification.

A variation or imposition of additional conditions to the existing premises licence would not be sufficient to address the concerns of Police.

Due to the persistent sale of alcohol to person aged under 18, twice in a eight week period the Metropolitan Police are seeking revocation of this premises licence to ensure the protection of children from harm.



Signature: Signature witnessed by:

APPENDIX 2

METROPOLITAN POLICE SERVICE PENALTY NOTICE FOR DISORDER - PART 4 CTO COPY

001803 60813415

VICTIM SURCHARGE
(Tick if applicable)

TITLE SURNAME

FORENAMES

DATE OF BIRTH (ddmmYYYY) ADDRESS

09011970 42 LAURDE
ROALE NANSIONS LAH
20ERDALE ROAD

POST CODE GENDER M F

OFFENCE TIME OFFENCE DATE

1005 HRS. 24052014

ISSUE TIME ISSUE DATE

1020 HRS. 24052014

AT (LOCATION)

129 CHIPPENHAM RD
LONDON N9 2AB

OFFENCE CODE DA18

YOU (offence particulars) INTO ALCOHOL TO
DRIVE ALSO UNDER 18

CONTRARY TO (Act containing offence)

ROAD TRAFFIC LICENSING ACT 2002

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature

ISSUED BY: Surname Signature

Warrant/Pay No. 207098 OCU C11W

Rank 01 DATE OF ISSUE 24052014

MUST BE COMPLETED

ADDITIONAL DETAILS OF RECIPIENT

IC Code 1 SD Code 09 Local Authority Code

Occupation NONE

I/D CHECKS MADE (e.g documents seen)

Drivers' Licence Passport Bank/Credit Card National Insurance

Travel/Photo Card IND Card PNC Radio Other (specify)

Specify Other: VOTERS REGISTER

Record Details (e.g. driver/card/passport no.)

Fingerprints taken Photograph taken DNA taken

CRIS No.

AVS No.

Custody (Pic)-No.

PENALTY NOTICE FOR DISORDERLY PARTY NOTICE

001803 60813415

VICTIM SURCHARGE (Tick if applicable)

TITLE [] SURNAMES []

FORENAMES []

DATE OF BIRTH (ddmm/yyyy) ADDRESS

22/01/1971 41 LAUREDC

REALE MANSLIONS LPA

20000610 ROAD POST CODE WA 4NE GENDER M F

OFFENCE TIME OFFENCE DATE 12:20 HRS. 22/05/2014

ISSUE TIME ISSUE DATE 12:20 HRS. 24/05/2014

AT (LOCATION) 100 CH. P. NEWMAN ROAD

LONDON N7 2AB

OFFENCE CODE 0A 3

YOU (offence particulars) ...

CONTRARY TO (Act containing offence) ...

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature

ISSUED BY: Surname [] Signature []

Warrant/Pay No. 207078 OCU []

Rank [] DATE OF ISSUE 24/05/2014

MUST BE COMPLETED

ADDITIONAL DETAILS OF RECIPIENT

IC Code [] SD Code [] Local Authority Code []

Occupation NONE

I/D CHECKS MADE [e.g documents seen]

Drivers' Licence Passport Bank/Credit Card National Insurance

Travel/Photo Card IND Card PNC Radio Other (specify)

Specify Other: VOTERS REGISTER

Record Details (e.g. driver/card/passport no.)

Victim surcharge (where applicable)

PENALTY NOTICE
 IMPORTANT - READ THE NOTES ON THE BACK OF THE FORM

001803 60813415

£ PENALTY AMOUNT VICTIM SURCHARGE (Tick if applicable)

IMPORTANT INFORMATION:
 ANY STATEMENT OFFERED BY THE SUSPECT OR A 3RD PARTY WITNESS SHOULD BE RECORDED IN YOUR POCKET NOTEBOOK

HEIGHT: 5 6 BUILD: MEDIAN

COMPLEXION: FAIR

DESCRIPTION and/or VISIBLE DISTINCTIVE MARKS SCARS/TATTOO'S ETC.
FEMALE H.C., LONG, BROWN HAIR, BROWN EYES.

REPLY TO CAUTION (if appropriate/required)

" I DON'T WORK IN THE SHOP I WAS JUST VISITING MY HUSBAND WITH MY TWO CHILDREN TO COLLECT SOME STUFF."

AT [time] 1422 ON [date] 24052014

ADDITIONAL NOTES (continue on separate sheet if necessary and affix firmly to PND)

Could my husband left for less than two (2) minutes to go to the toilet, and then if happened. I apologise."
I assure this is a correct record of what was said.

[Signature]

TEL - 0109 266 0725 / 1422

FROM 04/00601/WCC/MW
 ZAD BEANI
 330ml S-9 NOV DESPERADO BEER
 PROP AS 66/31556 185/6600
 SERIAL NO. D 43509454

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

IMPORTANT INFORMATION:

REMOVE PARTS 1-5 BEFORE WRITING ON THIS PAGE

STATEMENT OF [name] PC GUERRA PIERRE

Age _____ Occupation _____

This statement, signed by me, is true to the best of my knowledge and belief. I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Full Statement Attached

(Continue on MG11A if necessary and affix firmly to PND)

SIGNED [Signature] RANK/GRADE/No.

--	--	--	--	--

DIVISION/UNIT _____ DATE

--	--	--	--	--	--	--	--	--	--

DETAILS OF OFFICER CORROBORATING EVIDENCE

NAME _____

OFFICER NO.

--	--	--	--	--	--	--	--

MG11 /EAB Completed? Yes No

Checked by Supervising Officer

Signed [Signature]

Rank/Grade PS No. 2014 Div'n/Unit LICENS

DATE

1	2	0	6	2	0	1	4
---	---	---	---	---	---	---	---

Under Age Sale of Alcohol

Fpn 001803/60813415

WITNESS STATEMENT

(CJ Act 1967, s9 MC Act 1980 5A (3)(a) & 5B MC Rules 1981, r70)

Statement of: REAZ GUERRA PC1614CW

Age: Over 18

This statement (consisting of: 2 pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true

Dated the 24th May 2014Signature  PC 1614CW

On Saturday 24th May 2014 was on duty engaged in plain clothes on a test purchase operation targeting off licences' on Westminster Borough for under age sales of alcohol. I was working with PC who was in also in plain clothes and a Police Cadet. This was authorised by Chief Inspector Stephenson, to use Volunteer Police Cadets aged 17 years and under to purchase alcoholic drinks from off-licensed premises in Westminster. The cadet was in casual plain clothes. Following the initial briefing a photograph of the cadet and a photocopy of their passport were taken. The Cadet who was selected for this visit was verbally briefed and handed a £5 note.

At about 1400 hrs we drove to Chippenham Road, London W9 in an marked police vehicle. We parked in a side street near to Chippenham Road. I would describe the premises as a large small convenience store. The main entrance is located on the west footway of Chippenham Road, approximately thirty (10) meters West from junction with Shirland Road.

PC Marsden, who was the witnessing officer entered the store first and was then followed by the cadet. A few minutes later the Cadet accompanied by PC Marsden. PC Marsden the confirmed that the Cadet had purchased a 330ml Bottle of Dedsperado Beer, ABV 5.9%. I seized then seized the bottle and sealed it in a police evidence bag, seal no D43509545, Exhibit RGG/1.

Myself and PC Marsden then returned to the shop identifying ourselves by showing our warrant cards. PC MARS DEN the identified the person who had made the sale, a lady who i know now to be Mrs Jihad BEAINI, date of birth 02/01/1980. I would describe her a white female, long dark hair, medium build, approximately 5'05" tall with Brown eyes. She was then joined by a man i now know to be Mr Zaid BEAINI, 42 Lauderdale Mansions, Laurderdale Road, London W9 1NE, He stated that he was the manager and Mrs BEAINI's husband. I explained to both of them about the test purchase operation and that Cadet had in the last few minutes had purchased a Bottle of Dedsperado Beer, and showed them the alcohol. MR BEAINI the started to shout at us saying "MY WIFE DOES NOT EVEN WORK HERE, YOU COME HERE AND YOU PLAY YOUR TRICKS ON US." Mr BEAINI was clearly angry, he then started talking to his wife in a different language which I believed to be

Signature 

001803

60813415

£

VICTIM SURCHARGE
(Tick if applicable)

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

NOTES CONTINUED

Area containing horizontal lines for notes.

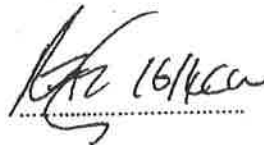
Arabic.

I then pointed out the offence of selling alcohol to a person aged under 18 (Sec 146(1) Licensing Act2003) and explained to MRS BEAINI that I would be issuing a penalty notice for the sale of alcohol to a person aged under 18. MR BEAINI said he wife did speak much English and that he would have to translate, however MRS BEAINI understood what I was saying to her, so I spoke directly to her. MR BEAINI insisted on telling his wife what to say. I told MR BEAINI that it was his wife that had made the sale and that I would be dealing with her directly.

Mrs BEAINI was fully cautioned to which she made no reply. MR BEAINI said that his wife wanted to say the following, but MRS BEAINI had not said anything, I noted his comments as follows "I DONT WORK IN THE SHOP I WAS JUST VISITING MY HUSBAND WITH MY THREE (3) CHILDREN. MY HUSBAND LEFT FOR LESS THAN TWO(2) MINUTES TO GO TO THE TOILET AND THEN IT HAPPENED. I APOLOGISE" Mrs BEAINI then endorsed this as a correct record of what was said. The ticket procedure was fully explained to Mrs BEAINI and she signed to the ticket to acknowledge the ticket being issued,

FPN Ticket No 001803/60813415. The premises licence being displayed behind the counter near to the ceiling had the reference number 07/00601/WCCMAP. A short time later I left the shop with PC Marsden and returned to the police vehicle. The bottle of alcohol was deposited into the property store at Charing Cross Police Station, reference 66/31556 .

Signature



PC 1614CW

FPN 001803/60813415

Signature

WITNESS STATEMENT

(CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; MC Rules 1981, r.70)

Statement of Jon Marsden 1492CW URN:

--	--	--	--

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: POLICE OFFICER

This statement (consisting of: 3..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: Date: 31st May..... 2014.....

Tick if witness evidence is visually recorded (supply witness details on rear)

On Saturday 24th May 2014 I was on duty in plain clothes engaged on a test purchase operation targeting off licences' on Westminster Borough for under age sales of alcohol. I was working with PS RAMSAY, MSC JOSEPH and PC GUERRA who were in also in plain clothes and a Police Cadet. The activity was authorised by Chief Inspector STEPHENSON

The cadet was in casual plain clothes. Following the initial briefing a digital photograph of the cadet and a photocopy of their passport were taken.

At about 1400 hrs we drove to Chippenham Road, London W9 in a marked police vehicle. We parked in a side street near to Chippenham Road intending to conduct a test purchase at AM2PM Off licence on 120-122 Chippenham road London W9.

The Cadet who was selected for this visit was verbally briefed and handed a £5 note. I then walked a short distance and entered AM2PM Off Licence.

I would describe the premises as a mid sized convenience store. The premises is located in a small parade of shops situated under a residential block of flats.

As you enter the premises the till is immediately on the left, there is shelving running the length of the store leading up to the till.

Straight ahead from entering the store, and to the right of the till is a chiller cabinet containing alcoholic drinks. There is a large selection of beer and wine.

Upon entering the premises I could see just one member of staff stood behind the till, this is a woman I now know to be Mrs Jihad BEAINI, date of birth 02/01/1980. The only other person in the shop was a male who appeared to be a customer just completing a transaction at the till. Within a few seconds of me entering this male left and the Cadet entered the shop. I was stood by some shelves in the middle of the store. I had a clear unobstructed

Signature: Signature witnessed by:

Continuation of Statement of

view of the alcohol cabinet and the till. The Cadet walked passed me walking around the shop. I stood less than two (2) feet away from the till. The cadet then approached the till with a single 330ml bottle of 'Desperado' lager. I had a clear unobstructed view of the Cadet and Mrs BEAINI , from next to the till counter. The Cadet placed the bottle onto the counter. Mrs BEAINI looked at the bottle and then said to the Cadet "£1.49" please." The cadet replied "OK." And handed over the £5 note which they were given by the Licensing team for the purpose of this operation. Mrs BEAINI took it and gave the Cadet the change of £3.51. The Cadet was given the bottle of alcohol and then left the shop. At no point whilst the Cadet was in the shop or during the transaction did Mrs BEAINI ask either Cadet their age or ask for ID. I left the shop a short time after the Cadet and they immediately handed over the bottle that was purchased from Mrs BEAINI.

PC GUERRA seized this bottle as evidence, sealing it in a appropriate evidence bag.

MSC JOSEPH who was waiting nearby outside the shop then escorted the Cadet back to the police vehicle, I then returned to the shop with PC GUERRA.

On entering I saw Mrs BEAINI still stood behind the counter. We identified ourselves by showing our warrant cards. Mrs BEAINI was not the Designated Premises Supervisor, and therefore did not hold a personal licence. At this point Mrs BEAINI was joined by a male I now know as Mr Zaid BEAINI who was apparently Mrs BEAINI's husband and purported to be the Licence holder of the premises.

Pc GUERRA then explained to them both about the test purchase operation and that the Cadet in the last few minutes had purchased an alcoholic 'desparado' beer.

Mr BEAINI was visibly angry about the operation that had taken place. I believe he shouted "My wife doesn't work here! You are tricking us. I hope your happy!" He then went on to shout in another language at his wife.

At this point Mrs BEAINI was shown the bottle of alcohol.

PC GUERRA pointed out the offence contrary to section 146 of the Licencing Act.

Mrs BEAINI confirmed the sale had taken place, Pc GUERRA explained to Mrs BEAINI that he would be issuing a penalty notice for the sale of alcohol as this was witnessed by myself and only took place 5 minutes earlier.

I believe Mrs BEAINI fully understood PC GUERRA during this time.

During this period Mr BEAINI kept trying to interrupt PC GUERRA and trying to put his words across as if they were his wife's.

Mrs BEAINI was fully cautioned by PC GUERRA to which she made no reply.

However Mr BEAINI insisted that his comments were recorded on her behalf.

Signature:

Signature witnessed by:

Continuation of Statement of

I believe the following was noted on the FPN.

“I don't work in the shop, I was just visiting my husband with my three children to collect some stuff”

The ticket procedure was fully explained to Mrs BEAINI and she signed the FPN ticket to acknowledge the ticket being issued. A short time later I left the shop with PC GUERRA and returned to the police vehicle. The bottle of alcohol was deposited into the property store at Charing Cross Police Station by PC GUERRA.

I would describe Mrs BEAINI as being of Arabic appearance, but very light skinned. She was small build, approx 5'04 tall. She had long black hair, brown eyes.

Signature: Signature witnessed by:

RESTRICTED – FOR POLICE AND PROSECUTION ONLY
(when completed)

Home address:

Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Height: Ethnicity Code:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on MG6. What can be done to ensure attendance?
- b) Does the witness require 'special measures' as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit MG2 with file.
- c) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Healthcare, childcare, transport, disability, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- c) I consent to police having access to my medical records in relation to this matter: Yes No N/A
- d) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- e) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings (if applicable) Yes No N/A
- f) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness:

Statement taken by (print name):

Station:

Time and place statement taken:

Signature of witness:

001803 60806880

£ 0 VICTIM SURCHARGE (Tick if applicable)

TITLE M2 SURNAME BANERJEE

FORENAMES AISHANU KUMAR

DATE OF BIRTH (ddmmYYYY) 06/08/1991 ADDRESS 1 WOODS RD

E GLADE WENSLEY

POST CODE H90 1CN GENDER M F

OFFENCE TIME 1415 HRS. OFFENCE DATE 24/07/2014

ISSUE TIME 1455 HRS. ISSUE DATE 24/07/2014

AT (LOCATION) 509 FLOOR 122-124 C

ALPENTHAM RD NR

OFFENCE CODE 2A18

YOU (offence particulars) SOLD ALCOHOLIC DRINK TO 18 YEAR MALE-DID NOT ASK FOR ID

CONTRARY TO (Act containing offence) SALE OF ALCOHOL TO U18

PLACE OF ISSUE: Street Custody

I acknowledge receipt of this Penalty Notice

Signature

ISSUED BY: Surname RUSSELL Signature [Signature]

Warrant/Pay No. 195150 OCU 01CN

Rank PC DATE OF ISSUE 24/07/2014

MUST BE COMPLETED
ADDITIONAL DETAILS OF RECIPIENT

IC Code 4 SD Code Local Authority Code CN

Occupation Student

1/D CHECKS MADE [e.g documents seen]

Drivers' Licence Passport Bank/Credit Card National Insurance

Travel/Photo Card IND Card FNC Radio Other (specify)

Specify Other... Record Details (e.g. driver/card/passport no.)

Fingerprints taken Photograph taken DNA taken

CRIS No.

A/S No.

Custody (Pic) No.

METROPOLITAN POLICE SERVICE

PENALTY NOTICE

IMPORTANT - READ THE NOTES ON THE BACK OF THE FORM

001803

60806885

1 8

£ 90
PENALTY AMOUNT

VICTIM SURCHARGE
(Tick if applicable)

IMPORTANT INFORMATION:

ANY STATEMENT OFFERED BY THE SUSPECT OR A 3RD PARTY WITNESS SHOULD BE RECORDED IN YOUR POCKET NOTEBOOK

HEIGHT: 5 10 BUILD: SLIM

COMPLEXION: DARK

DESCRIPTION and/or VISIBLE DISTINCTIVE MARKS SCARS/TATTOO'S ETC.
SCAR ON (L) CHEEK

REPLY TO CAUTION (if appropriate/required)

"I'm sorry he looked over 18"
[Signature]

AT [time] 1417 ON [date] 24/07/2014

ADDITIONAL NOTES (continue on separate sheet if necessary and affix firmly to PND)

ADAM MALDIM. 1/2/38 Lebanon
2, Grenada St. N17 8SP.
Owner

[Signature]

METROPOLITAN POLICE SERVICE
PENALTY NOTICE

PART 6B

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

IMPORTANT INFORMATION:
REMOVE PARTS 1-5 BEFORE WRITING ON THIS PAGE

STATEMENT OF (name) SANDY RUSSELL

Age 018 Occupation Police Constable

This statement, signed by me, is true to the best of my knowledge and belief: I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

On Wednesday 24th July 2014 I was on duty in plain clothes as part of a 'TEST PURCHASE' operation arranged by PC REAG GUERRA & PC JOHN MARSDEN. We were also assisted by three (3) police cadets all of which were aged fifteen years. Our aim was to target off licences with a view to see whether any sales of alcohol were made to the cadets. The operation was authorised by Chief Inspector SKERSON. The cadet was dressed in plain clothes following their initial briefing a photo was taken of them and a copy of their passport or birth certificate taken. The cadet was then handed a PS note. At about 14.10hrs we arrived at a large convenience store in Chipperton Road called M2PM. It is situated near to the junction with Shillard Rd.

(Continue on MG 11A if necessary and affix firmly to PND)

SIGNED [Signature] RANK/GRADE/No. PC

DIVISION/UNIT licensing DATE 24/07/2014
CW

DETAILS OF OFFICER CORROBORATING EVIDENCE

NAME PC GUERRA

OFFICER NO. 207028

MG11 /EAB Completed? Yes No

Checked by Supervising Officer

Signed

Rank/Grade No. Div'n/ Jnit

DATE

METROPOLITAN POLICE SERVICE
PENALTY NOTICE FOR DISORDER - PART 6 - POLICE COPY

001803

60806885

£ 00-

VICTIM SURCHARGE
(Tick if applicable)

STATEMENT OF WITNESS

(C.J. Act 1967, S. 9; M.C. Act 1980, ss.5A(3)(a) & 5B; M.C. Rules 1981, r. 70)

NOTES CONTINUED

I was the witnessing officer so I entered the store first followed by the cadet. I walked to the magazine rack and had a clear and unobstructed view of the counter. I was about 3-4 metres away. I could also hear what was being said to the cadet by the staff member. I saw the cadet place a 330ml bottle of HEINEKEN BEER on the counter. I then saw a male who I now know to be AKSHAY KUMAR BAROT scan the bottle into the till and take the £5 note in payment from the cadet. At no point did I hear MR BAROT ask the cadet his age or whether he had any ID. I would describe the seller as an Asian male aged about 22 years. He was thin, had short spiky hair and a small scar on his left cheek. He was wearing a red T-shirt. Once the cadet had left the store I was joined by PC MARSDEN. I said to MR BAROT, "My name is Sandy Russell. I am a police officer." I showed him my warrant card. I said, "You have just been witnessed by me making a sale of alcohol to someone under the age of 18." MR BAROT said, "Who?" I said, "The young Asian male with the black and white striped top on." He looked confused. I said, "You served him before the lady you just served." He said, "Are you aware it is an offence to sell alcohol to any one under 18?" The fine was £125. MR BAROT replied, "I'm sorry, he looked over 18." I said, "I will be issuing you a ticket but I think it maybe wise to call your boss." He made a quick call and within 2 minutes we were joined by a male who I now know to be Adam MARDIAN dob-11/2/78 of 9, Grenson St, NW8 3SP. He said he was the manager and was in partnership with the owner. I told what had happened and

he became verbally aggressive towards MR BART saying "Are you stupid, Are you stupid! How hard is it to ask for ID. Hold you" He then began banging and thumping the counter & the desk I carried on issuing the ticket while PC MARSDEN told him to calm down. At one point MR MALDIN said to me, "Are you happy doing this - we will lose our licence" He was quite aggressive & made me feel uncomfortable. I said "I'm happy and doing my job now calm down and stop being so threatening." He apologised and calmed down. I completed the PND ticket and gave the top two copies to MR BART. I fully explained the PND procedure and asked him whether he understood. He confirmed he did. Myself & PC Marsden left the store with MR MALDIN, he told us the owner was on holiday and would be very angry when he finds out what had happened. I told MR MALDIN to inform his business partner that review proceedings would now be put in place due to previous tax purchase failures by the company being failed. One as recently as 24th May 2014. Myself & PC Marsden then left and rejoined PC GULLER & the cadets.

PND ticket N: 60506885/
 001803. The premises licence
 CA/00001/WCCMAE was dis-
 played behind the counter.
 The seized alcohol was deposited
 in the 66 @ CX 33237, J08-7564
 @ I said, "He's a piece of shit."

Russell

Your Reference:
Our Reference: 10/08979/LIPDPS
Date: 3rd June 2014



METROPOLITAN POLICE SERVICE

PC Reaz Guerra

Westminster Police Licensing Unit

SMG Food
122-124 Chippenham Road
London
W9 2AD

Westminster City Hall
Fourth Floor
Westminster Police Licensing
64 Victoria Street
London
SW1E 6QP
Telephone: 020 7641 1708
Email: rguerra@westminster.gov.uk

Dear Mr RAO,

In relation to the underage sale that took place on 24th May 2014. Please find enclosed documentation for you to apply for a minor variation to your licence, alternatively this is available to complete on line via the following link:-

<https://www.gov.uk/apply-for-a-licence/club-licensing/westminster/change-3>

As discussed the police strongly recommend that you apply for apply for the following conditions to form part of your operating schedule:-

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

2. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
4. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
5. There shall be no self service of spirits (except spirit mixers) on the premises.
6. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
7. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
8. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
9. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.

10. A 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 or passport. ***(Replaces current condition 8)***
11. 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.

If you have any queries or if I can be of further assistance please contact me using the details above.

Yours sincerely

PC Reaz Guerra

Westminster Police Licensing Team

Walker, Jackie

From: Darr, Amena
Sent: 13 June 2014 10:21
To: Police Minor Variations
Cc: Patterson, Susan; Qureshi, Sabihah
Subject: RE: 14/04813/LIPVM - Online Minor Variation Consultation - AM 2 PM, 122-124 Chippenham Road, W9 2AD
Attachments: Application.pdf

Dear All,

Following on from Sabs's e-mail below – please note the correct L.D.O for the above application is **26.06.2014**.

Kind Regards,

Amena Darr

Licensing Support Officer

**Environmental Health Consultation and Licensing
Premises Management
Westminster City Council
4th Floor South
City Hall
64 Victoria Street
London SW1E 6QP**

Tel: 0207 641 3401
adarr@westminster.gov.uk
www.westminster.gov.uk



**USE PUBLIC ACCESS FOR
INFORMATION ON APPLICATIONS,
TO CHECK THEIR PROGRESS OR STATUS**

PUBLIC  ACCESS

**Register to receive email alerts on properties or
streets you are interested in?**

From: Qureshi, Sabihah
Sent: 12 June 2014 17:21
To: Police Minor Variations; Patterson, Susan
Subject: 14/04813/LIPVM - Online Minor Variation Consultation - AM 2 PM, 122-124 Chippenham Road, W9 2AD

Dear Police,

Please find attached the Minor Variation Application for the mentioned premises.

Details of the variation are as below. Please can we have all responses by email to idxlicensing@westminster.gov.uk the last date for any representation will be **26.02.2014** and a decision will be made 5 working days after this date.

- "The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.*
- 2. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.*
 - 3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.*
 - 4. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.*
 - 5. There shall be no self service of spirits (except spirit mixers) on the premises.*
 - 6. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority*
 - 7. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.*
 - 8. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.*
 - 9. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.*
 - 10. A 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 or passport. (Replaces current*

condition 8)

11. 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”.

The case officer Sue Patterson has been copied into this email.

Regards,

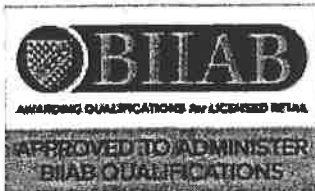
Miss Sabihah Qureshi
Licensing Support Officer

Environmental Health Consultation and Licensing
Premises Management Delivery Unit
Westminster City Council
4th Floor South
64 Victoria Street
London SW1E 6QP

Tel: 020 7641 8549

Team E-mail: premiseslicensing@westminster.gov.uk

Web: www.westminster.gov.uk



**USE PUBLIC ACCESS FOR
INFORMATION ON APPLICATIONS,
TO CHECK THEIR PROGRESS OR STATUS**

PUBLIC  ACCESS

**Register to receive email alerts on properties or
streets you are interested in?**

You can now apply online for the majority of licensing regimes that the authority is responsible for. Please visit www.westminster.gov.uk/licensing and following the relevant links to apply.

P please don't print this e-mail unless you really need to

Section 1 of 8

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

am 2 pm

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

mr subhash and mrs asha

* Family name

rao

* E-mail

zaidbeaini@yahoo.co.uk

Main telephone number

Include country code.

Other telephone number

02072660725

- Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 8

PREMISES DETAILS

Refer to the guidance notes while completing this form.

Premises licence number/club premises certificate number

* Name of premises

Premises Location

* Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

* Building number or name

* Street

District

* City or town

County or administrative area

Postcode

* Country

Premises Contact Details

E-mail

Telephone number

Other telephone number

* Brief description of premises (See Guidance Note 2)

it is a grocery shop where we do sell food and beverage, newspaper and vegetable

Continued from previous page...

Section 3 of 8

APPLICANT DETAILS

* Are you the premises licence holder/club premises certificate holder?

Yes No

Are the applicants address and contact details the same as the premises address and contact details given in section 2?

Yes No

Applicant Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

66

Street

thirlmere gardens nothwood

District

City or town

london

County or administrative area

Postcode

HA6 2RU

Country

United Kingdom

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 4 of 8

PROPOSED VARIATION

Would you like the variation to take effect from as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

See guidance note 3.

Describe the proposed variation(s) in detail in the box below and explain why you consider that they could not have an adverse effect on the promotion of any of the licensing objectives. (See Guidance Note 1) This should include whether new

Continued from previous page...

Details of proposed variation(s) (See Guidance Note 4)

Here are the conditions:

1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
3. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
4. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
5. There shall be no self service of spirits (except spirit mixers) on the premises.
6. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
7. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
8. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
9. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
10. A 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 or passport. (Replaces current condition 8)
11. 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.

Many thanks,

Continued from previous page...

Select those parts of the Operating Schedule which would be subject to change if this application to vary were successful (check all that apply)

Provision of regulated entertainment

- a. plays
- b. films
- c. indoor sporting events
- d. boxing or wrestling entertainments
- e. live music
- f. recorded music
- g. performance of dance
- h. anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment and alcohol

- i. late night refreshment
- j. sale by retail of alcohol

This can only relate to reducing licensed hours, or moving them without any overall increase between 7am and 11pm.

Section 6 of 8

ADDITIONAL INFORMATION

Are you able to submit the premises licence/club premises certificate (or relevant part)?

- Yes No

Are you able to submit a copy of the plan?

- Yes No

This is necessary if the proposed variation will affect the layout.

Any further information to support your application. You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

2. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

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

Continued from previous page...

5. There shall be no self service of spirits (except spirit mixers) on the premises.
6. All cashiers will receive refresher training on relevant alcohol laws and the licence holder's policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority.
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11. 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.

Section 7 of 8

NOTES FOR GUIDANCE

Continued from previous page...

1. **General Note:** The minor variations process can only be used for variations that could have no adverse impact on the promotion of any of the four licensing objectives. (These are: the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm.)

It cannot be used to:

- extend the period for which the licence has effect;
- vary substantially the premises to which it relates;
- specify, in a premises licence, an individual as the designated premises supervisor;
- add the sale by retail or supply of alcohol as an activity authorised by a licence or certificate;
- authorise the sale by retail or supply of alcohol at any time between 11pm and 7am;
- authorise an increase in the amount of time on any day during which alcohol may be sold by retail or supplied;
- include the alternative licence condition referred to in section 41D(3) of the Licensing Act 2003 in a premises licence.

2. **Description of premises:** For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. This should include any activities in or associated with the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines etc.

3. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

4. **Give full details of all the proposed variation(s).** Failure to provide sufficient information may lead to the refusal of your application. Details should include a description of the proposed variation(s) in terms as precise as possible. If you are not precise, the licensing authority may decide that the changes you propose would be potentially broader in scope than you intend and reject your application as not being a 'minor' variation. You should also include a statement about why you consider the variations proposed could not have an impact on the licensing objectives listed in section 4(2) of the Act. You should cover each of the objectives that could possibly apply to your proposal (or if more than one, to each proposal) and say why you think there could be no adverse impact on that objective. Your application will be assisted by including as much information as you can about this. **(However, there is a box at the end of the form for 'further information', and this should be used for any relevant background information not directly related to the variation.)** Relevant information includes:

a) **Variations to licensable activities/licensing hours** (all timings should be given in 24 hour clock e.g. 16.00. Only give details for the days of the week when you intend the premises to be used for the activity), such as:

- Whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent);
- Relevant further details, for example whether music will be amplified or unamplified;
- Standard days and timing when the activity will take place, including start and finish times;
- Any seasonal variations in timings, e.g. additional days during the summer; and
- Non-standard timings, e.g. where you wish the activity to go on longer on a particular day such as Christmas Eve.

Continued from previous page...

b) **Variations to premises/club layout:** If you are applying for a variation to the layout of your premises, you must include a revised plan. You should be aware that your application is likely to be refused if the proposed variation could:

- increase capacity for drinking on the premises;
- affect access between the public part of the premises and the rest of the premises or the street or public way, e.g. block emergency exits or routes to emergency exits; or
- impede the effective operation of a noise reduction measure.

c) **Revisions, removals and additions of conditions:** The minor variation process may be used to remove conditions which are out of date or invalid and to revise conditions which are unclear (as long as the intention and effect remains the same). It can also be used to add a new condition volunteered by the applicant or mutually agreed between the applicant and a responsible authority, such as the police or the environmental health authority (subject to impact on the licensing objectives).

d) **Variations to opening hours:** Details of any changes to hours when the premises or club is open to the public.

5. **Further information:** You should use this box to provide any additional evidence to support your claim that the proposed variation is 'minor' and could not have an adverse impact on the promotion of the licensing objectives.

6. **Signatures:** The application form must be signed.

7. **Authorised agent:** An applicant's agent (e.g. solicitor) may sign the form on their behalf and, in so doing, will be confirming that they have actual authority to do so.

8. **2nd Applicant:** Where there is more than one applicant, both applicants or their respective agents must sign the application form.

9. This is the address which we shall use to correspond with you about this application. This might not be the same as the address of the premises or applicant, but these addresses must also be provided.

Section 8 of 8

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £89

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

Continued from previous page...

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

Date (dd/mm/yyyy)

Full name

Capacity

Date (dd/mm/yyyy)

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/club-licensing/westminster/change-3> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION



Westminster Police Licensing Unit

Response to Minor Variation Application

Name and Full Postal Address of Premises

**AM 2 PM
122-124 CHIPPENHAM RD
W9**

Date Application Received

10/6/14

Reference No

14/04813/LIPVM

Brief Details of Minor Variation Application

ADD CONDITIONS AS AGREED BY POLICE

Police Recommendation for Application To be Approved

(delete as appropriate)

Give Brief Reason

Name of Authorising Sergeant / Inspector

PC GUERRA

Date Sent to Licensing Authority 13/6/14

Completed forms **MUST** be sent to the following by e-mail on the WCC system:

Licensing Sgt

IDOX LICENSING

Name (if known) of Licensing Clerk dealing



Schedule 12
Part A

WARD: Harrow Road
UPRN: 100023513242

City of Westminster
64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:	14/04813/LIPVM
Original Reference:	05/06204/LIPC

Part 1 – Premises details

Postal address of premises:

AM 2 PM
122-124 Chippenham Road
London
W9 2AD

Telephone Number: 020 7266 4421

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Asha Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP
Telephone Number : 020 7266 4421

Mr. Subhash Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP
Telephone Number : 077401 79809

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Subhash Rao

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: Not Supplied
Licensing Authority:

Date: 28 July 2014

Signed: pp **Operational Director - Premises Management**

Annex 1 – 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 shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
- 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.

Annex 2 – Conditions consistent with the operating Schedule

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
7. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
10. There shall be no self service of spirits (except spirit mixers) on the premises.
11. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority
12. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
13. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
15. A 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 or passport.
16. 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".

Annex 3 – Conditions attached after a hearing by the licensing authority

17. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours mean:

- (a) On Monday to Thursday 08:00 to 23:00
- (b) On Friday to Saturday 08:00 to 00:00
- (c) On Sundays 10:00 to 22:30

NOTE - The above restrictions do not prohibit:

- (a) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (b) sale of alcohol to a trader or club for the purposes of the trade or club;
- (c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

18. Alcohol and cigarettes shall only be sold to persons over the age of 18 for consumption/smoking off the premises.

19. Customers are not permitted to take open containers of alcohol or soft drinks from the premises.

20. Fire extinguishers for electrical and paper fires are to be installed. Emergency lighting is to be installed and regularly maintained.

21. A comprehensive CCTV system to be installed, operated and maintained as per the recommendation of the Metropolitan Police Crime Prevention Officer with Images to be stored for 31 days. Recordings shall be made available to a Police Officer or an authorised officer immediately on request together with facilities for viewing. (Subject to the Data Protection Act 1998).

22. No Beer or Cider to be sold above 5.5% Alcohol by Volume.

23. No self service of spirits.

24. No More than 15% of the sales area to be used at any one time for the sale, exposure for sale or display of alcohol.



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: Harrow Road
UPRN: 100023513242

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/04813/LIPVM

Part 1 – Premises details

Postal address of premises:

AM 2 PM
122-124 Chippenham Road
London
W9 2AD

Telephone Number: 020 7266 44210207 266 0725

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Annex 4 – Plans

Attached

Name and (registered) address of holder of premises licence:

Asha Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP

Mr. Subhash Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP

Registered number of holder, for example company number, charity number (where applicable)

N/A
N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Subhash Rao

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 28 July 2014

Signed: pp Operational Director - Premises Management



Schedule 12
Part A

WARD: Harrow Road
UPRN: 100023513242

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:	14/04813/LIPVM
Original Reference:	05/06204/LIPC

Part 1 – Premises details

Postal address of premises:

AM 2 PM
122-124 Chippenham Road
London
W9 2AD

Telephone Number: 020 7266 4421

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Asha Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP
Telephone Number : 020 7266 4421

Mr. Subhash Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP
Telephone Number : 077401 79809

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Subhash Rao

Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Licence Number: Not Supplied
Licensing Authority:

Date: 28 July 2014



Signed: pp
Operational Director - Premises Management

Annex 1 – 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 shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.
- 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.

Annex 2 – Conditions consistent with the operating Schedule

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
7. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
10. There shall be no self service of spirits (except spirit mixers) on the premises.
11. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority
12. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
13. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
15. A 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 or passport.
16. 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".

Annex 3 – Conditions attached after a hearing by the licensing authority

17. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours mean:

- (a) On Monday to Thursday 08:00 to 23:00
- (b) On Friday to Saturday 08:00 to 00:00
- (c) On Sundays 10:00 to 22:30

NOTE - The above restrictions do not prohibit:

- (a) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (b) sale of alcohol to a trader or club for the purposes of the trade or club;
- (c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

18. Alcohol and cigarettes shall only be sold to persons over the age of 18 for consumption/smoking off the premises.

19. Customers are not permitted to take open containers of alcohol or soft drinks from the premises.

20. Fire extinguishers for electrical and paper fires are to be installed. Emergency lighting is to be installed and regularly maintained.

21. A comprehensive CCTV system to be installed, operated and maintained as per the recommendation of the Metropolitan Police Crime Prevention Officer with Images to be stored for 31 days. Recordings shall be made available to a Police Officer or an authorised officer immediately on request together with facilities for viewing. (Subject to the Data Protection Act 1998).

22. No Beer or Cider to be sold above 5.5% Alcohol by Volume.

23. No self service of spirits.

24. No More than 15% of the sales area to be used at any one time for the sale, exposure for sale or display of alcohol.



Location Plan 1:1250



REVISIONS

Architectural Design & Planning
 128 High Street Bushey
 Herts WD23 5DE
 T: 020 8421 8899
 F: 020 8421 8822

DATE

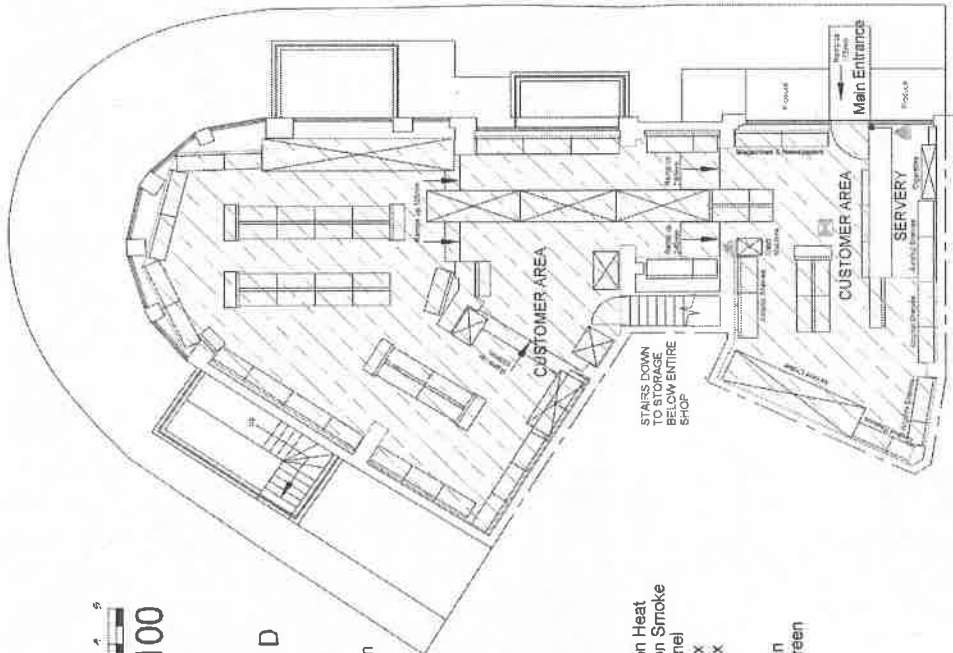
TITLE
 LICENSE APPLICATION DRAWING

ADDRESS
 122 / 124 CHIPPENHAM ROAD
 LONDON W9 2AD

CLIENT
 WESTWAY SUPERMARKET (SMG FOODS)

SCALE 1:100 DATE JUNE 2005

DRAWING No. 050607/01 REV. A



Ground Floor Plan

Scale ~ 1:100

FIRE LEGEND

- Fire Door
- Fire Door with seals
- Fire Exit Sign
- Fire Exit Directional Sign
- Staff Fire Notice
- Hose Reel
- Fire Extinguishers:-**
 - Water Type
 - Foam Type
 - Dry Powder Type
 - Carbon Dioxide Type
- Fire Blanket
- Fire Alarm Call Point
- Audible Alarm Point
- Audible Sounder
- Warning Device Visual
- Automatic Fire Detection Heat
- Automatic Fire Detection Smoke
- Fire Alarm Indicator Panel
- Illuminated Fire Exit Box
- Fire Exit Box with Directional Sign
- Emergency Light
- Fire Exit Directional Sign
- Fire resisting glazed screen
- Water Bucket
- Sand Bucket



City of Westminster
64 Victoria Street, London, SW1E 6QP

Schedule 12
Part B

WARD: Harrow Road
UPRN: 100023513242

Premises licence
summary

Regulation 33, 34

Premises licence number:

14/04813/LIPVM

Part 1 – Premises details

Postal address of premises:

AM 2 PM
122-124 Chippenham Road
London
W9 2AD

Telephone Number: 020 7266 44210207 266 0725

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit
Sale by Retail of Alcohol

The times the licence authorises the carrying out of licensable activities:

Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit Unrestricted

Sale by Retail of Alcohol

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption off the Premises.

Name and (registered) address of holder of premises licence:

Asha Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP

Mr. Subhash Rao
3 Sandhurst Avenue
North Harrow
Middlesex
HA2 7AP

Registered number of holder, for example company number, charity number (where applicable)

N/A
N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Subhash Rao

State whether access to the premises by children is restricted or prohibited:

Restricted

Date: 28 July 2014



Signed: pp

Operational Director - Premises Management

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of Sandy RUSSELL URN: [] [] [] []

Age if under 18 Over 18..... (if over 18 insert 'over 18') Occupation: Police Officer 195180

This statement (consisting of: 1..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Handwritten Signature] Date: 14th August, 2014

Tick if witness evidence is visually recorded (supply witness details on rear)

This statement relates to an error that I made when making evidential notes detailing a failed Test Purchase Exercise. On Thursday 24th July, 2014 I was the witnessing officer in a failed Test Purchase exercise at 122-124 Chippenham Road, W9. In my evidence notes I wrote the date was Wednesday 24th July when in fact it was Thursday 24th July. This was an error on my part for which I apologise.

[Handwritten Signature]

Signature: [Handwritten Signature], Signature witnessed by:

Witness contact details

Home address:

Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male/ Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability **September 2014**

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6.**
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PC 195180 Russell** Station:

Time and place statement taken:

Patel, Bina

From: Nevitt, Dave
Sent: 29 August 2014 11:24
To: Patel, Bina
Subject: 14/06486/LIREVP

I refer to the above application which has been made by the Police.

I wish to support the application for Review of the Licence and I wish to speak at the forthcoming hearing.

Comments for Licensing Application 14/06486/LIREVP

Application Summary

Application Number: 14/06486/LIREVP
Address: 122-124 Chippenham Road London W9 2AD
Proposal: Review of a Premises Licence
Case Officer: Miss Bina Patel

Customer Details

Name: Miss Gillian Norris
Address: 22 Abinger Mews London

Comment Details

Commenter Type: Interested Party
Stance: Customer made comments in support of the Licensing Application
Comment Reasons:

Comment: 6:07 PM on 07 Aug 2014 I am in support of the application to withdraw the licence to sell alcohol at 122-124 Chippenham Road. I would like to have it noted that this premises which started as a 'corner' shop is also an illegal shisha premises as well as running an internet cafe without permission. It is quite clear from the Police evidence supplied together with this application and the conduct of the related shisha smoking premises at the same address that the owners/managers of this establishment have no intention of complying with the law. The single storey timber framed structure which was erected to facilitate the shisha establishment and which formerly spread out onto the public pavement, now has an additional concrete tiled platform. The smoking joint remains in place despite permission for its existence having been refused. It is therefore demonstrated that the licensees of 122-124 Chippenham Road are not fit people to hold a license to sell alcohol as they themselves are unwilling to comply with the law as it affects them. They have no interest in preventing crime or disorder, only in wringing as much profit as possible from the premises. Their premises is a public nuisance, contributing to disease, alcoholism, and tobacco related diseases and the squalor of the premises is clear to be seen. The flooring inside the shop is a health hazard on its own. The main thrust of the application is the selling of alcohol to under-age purchasers. I raised four children in this area so I am very familiar with the attitude from this shop which allowed my children to purchase whatever they wanted before they were 18. Tobacco and so on as well. It never occurred to me to report it at the time because I had not realized something could be done. In short, I would be more than happy to see the licence for the sale of alcohol cancelled for this shop.

Annex C

Licence History and Appeal Information

Application	Details of Application	Date Determined	Decision
Conversion 05/06204/LIPC	To convert the existing Licences	03.09.2005	Granted under delegated authority
Variation 07/10348/LIPV	Application to vary the premises licence so as to extend the licensable hours for alcohol	20.12.2007	Granted by Licensing Sub Committee to Core Hours following amendment by applicants
Minor 14/04813/LIPVM	Minor variation application to add conditions as agreed with the Police	01.07.2014	Granted under delegated authority

There is no appeal history for this premise.

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 appropriate for the promotion of the licensing objectives.

This schedule lists those conditions (if any) which are consistent with the operating schedule, or proposed as appropriate 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.

Current conditions on the existing licence: 14/04813/LIPVM

Annex 1 – 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 shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
 - (2) 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 a holographic mark.
- 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.
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Annex 2 – Conditions consistent with the operating Schedule

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
7. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.

10. There shall be no self service of spirits (except spirit mixers) on the premises.
11. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority
12. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
13. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log 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.
15. A 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 or passport.
16. 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".

Annex 3 – Conditions attached after a hearing by the licensing authority

17. Alcohol shall not be sold or supplied except during permitted hours.

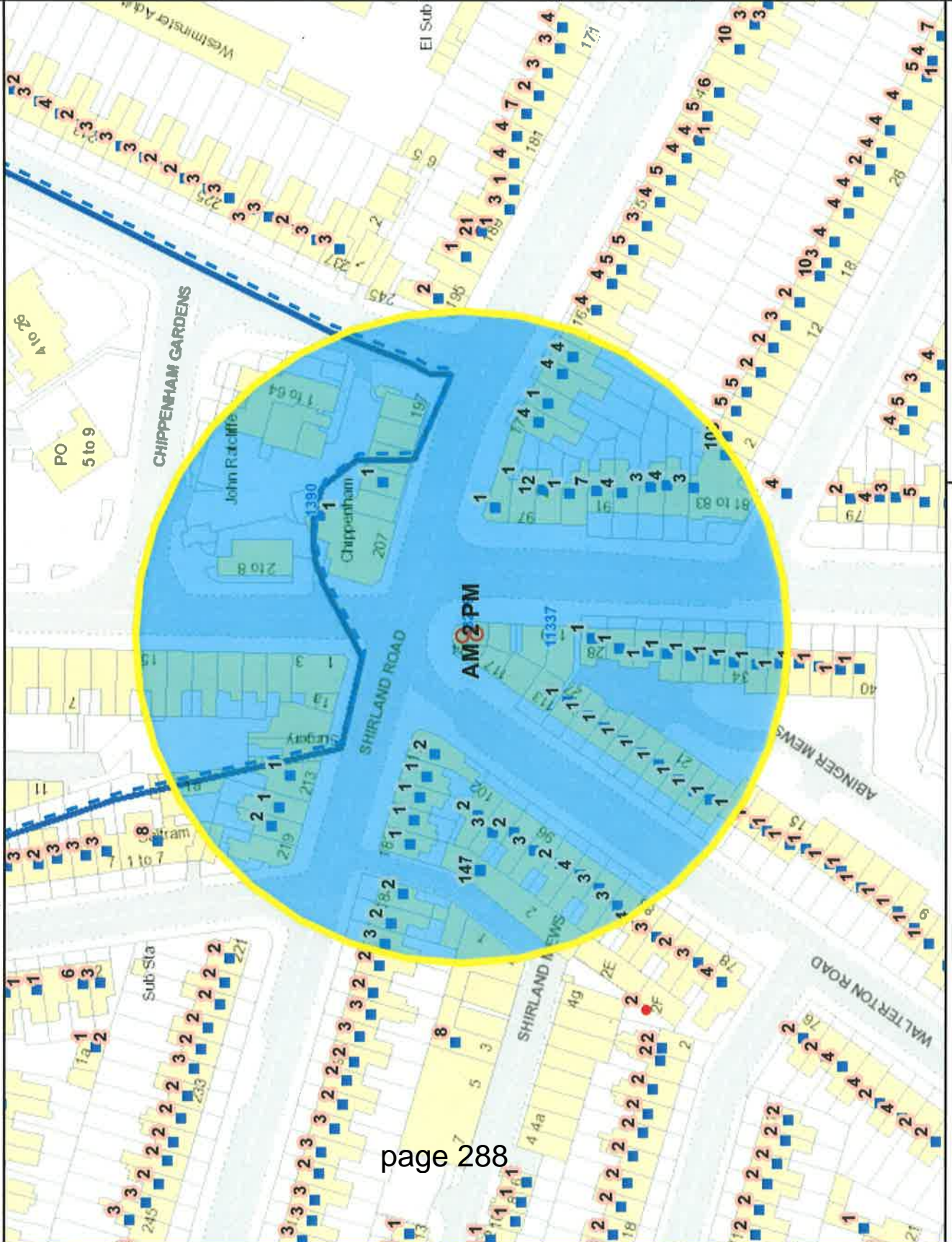
In this condition, permitted hours mean:

- (a) On Monday to Thursday 08:00 to 23:00
- (b) On Friday to Saturday 08:00 to 00:00
- (c) On Sundays 10:00 to 22:30

NOTE - The above restrictions do not prohibit:

- (a) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
 - (b) sale of alcohol to a trader or club for the purposes of the trade or club;
 - (c) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.
18. Alcohol and cigarettes shall only be sold to persons over the age of 18 for consumption/smoking off the premises.
 19. Customers are not permitted to take open containers of alcohol or soft drinks from the premises.

20. Fire extinguishers for electrical and paper fires are to be installed. Emergency lighting is to be installed and regularly maintained.
21. A comprehensive CCTV system to be installed, operated and maintained as per the recommendation of the Metropolitan Police Crime Prevention Officer with Images to be stored for 31 days. Recordings shall be made available to a Police Officer or an authorised officer immediately on request together with facilities for viewing. (Subject to the Data Protection Act 1998).
22. No Beer or Cider to be sold above 5.5% Alcohol by Volume.
23. No self service of spirits.
24. No More than 15% of the sales area to be used at any one time for the sale, exposure for sale or display of alcohol.



Residential / Proposed Residential	129
Under Construction	1
Other Uses	103
Proportion Residential of all Uses	55.8%

Data Source: Uniform Database
Date: 10/09/2014

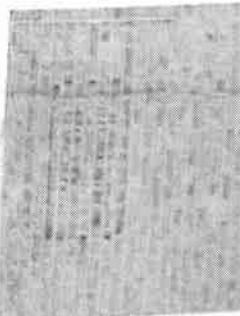
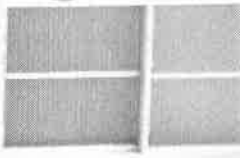
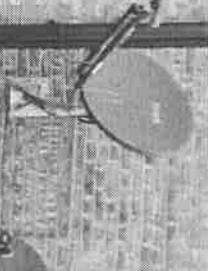
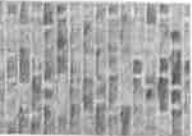
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Premises within 75 metres of: AM 2 PM, 122-124 Chippenham Road, London, W9 2AD

p / n	Name of Premises	Premises Address	Licensed Hours
1390	Chippenham Public House	207 Shirland Road London W9 2EX	Monday to Saturday 08:00 - 02:30 Sunday 10:00 - 02:30
11337	Domino Pizza	120 Chippenham Road London W9 2AD	Sunday to Thursday 11:00 - 01:00 Friday to Saturday 11:00 - 02:00
-8219	AM 2 PM	122-124 Chippenham Road London W9 2AD	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30



01/08/2014 02:05 PM



ENHAM ROAD



No. 154403
N 151 - 241
6:30 am - 9:30 pm



WEST WAY FOOD & WINE



the style

WEST

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PM
FOOD & WINE

AM
WEST WAY

NEWS & MAGS OFF LICENCE BUS PASS GRO



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