



City of Westminster

Committee Agenda

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

Meeting Date: **Wednesday 15 June 2022**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**
Aziz Toki (Chair)
Md Shamsed Chowdhury
Tim Mitchell

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 via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.30am.

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 further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.
Email: scraddock@westminster.gov.uk Tel: 07790980186
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. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. DOUGLAS HOUSE, 131 -151 GREAT TITCHFIELD STREET, W1W 5BB

(Pages 1 - 38)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Marylebone High Street None* None**	Douglas House, 131-151 Great Titchfield St, W1W 5BB	New Premises Licence	22/02079/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

2. AMK FOOD AND WINE, 35B QUEENSWAY, W2 4QJ

(Pages 39 - 218)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Lancaster Gate * None ** Queensway And Bayswater	AMK Food and Wine 35B Queensway London W2 4QJ	Review of a Premises Licence	22/02885/LIREVP
*Cumulative Impact Area ** Special Consideration Zone			

Stuart Love
Chief Executive
7 June 2022

In considering applications for Premises Licences under the Licensing Act 2003, the Sub Committee is advised of the following:

Policy Considerations

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from January 2021.

Guidance Considerations

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 the Licensing Act 2003. The most recent version was published in April 2018.

Core hours When Customers Are Permitted to Be on The Premises

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

1. Casinos

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 09:00 hours to 24:00 hours

3. Hotels

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

4. Off licences

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

6. Pubs and bars, Fast Food and Music and Dance venues

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

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

8. Restaurants

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	15 June 2022
Licensing Ref No:	22/02079/LIPN - New Premises Licence
Title of Report:	Douglas House 131 - 151 Great Titchfield Street London W1W 5BB
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone High Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	1 March 2022		
Applicant:	Tog Uk Properties Limited		
Premises:	None		
Premises address:	Douglas House 131 - 151 Great Titchfield Street London W1W 5BB	Ward:	Marylebone High Street
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	<p>According to the application form, the applicant proposes to operate the premises as an Office space and the supply of alcohol will be for workers employed at the premises or those attending meetings or pre booked functions or events.</p> <p>The applicant has confirmed that the general public will not be admitted.</p>		
Premises licence history:	<p>The premises currently has the benefit of a premises licence (19/05684/LIPT) which was granted in September 2005. This can be found at Appendix 3.</p> <p>The premises also had the benefit of Temporary Event Notices, and the history can be found at Appendix 4.</p>		
Applicant submissions:	<p>The applicant has provided an email with a reduction in hours, a condition for the terrace and capacities for each of the three floors to be circulated to all interested parties. This can be found at Appendix 2.</p>		
Applicant amendments:	<p>On original submission of the application, the applicant applied for the following.</p> <p>Supply of Alcohol Monday to Thursday 10:00 to 23:30 Friday to Saturday 10:00 to 00:00 Sunday 12:00 to 22:30</p> <p>The applicant has since reduced these hours which are reflected in section 1-B of the report.</p> <p>The applicant has since sent over a revised plan which restrict the Retail Sale of Alcohol to only three floors. This can be found at Appendix 1.</p>		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	N/A	N/A
End:	22:00	22:00	22:00	22:00	22:00	N/A	N/A
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public (Premises is not open to the General Public)							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:01	00:01	00:01	00:01	00:01	00:01	00:01
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Dave Nevitt
Received:	29 March 2022

I wish to make Representations on the following grounds:
Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	8 March 2022

Dear Sirs

We strongly object to the above licence above we have had many years of torment already from that building.

We live across the road in Holcroft Court which is a family block with many small children and elderly people. It was previously called Vanilla and it was a club in the basement, we had shouting, screaming, urinating, stabbings in the past. The noise from the cars/taxis that came to collect the clients was awful, engines left running, stopping in the road and not parking up, tooting from cars behind as they blocked the road. We did complain to the previous occupiers on many occasions to the managers of the building at the time, nothing was ever done to assist

us.

Tog UK and their tenants are already disturbing us with their late night delivery of food etc., they seem to deliver after midnight for some unknown reason.

I believe we are entitled to sleep at night.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	21 March 2022 (Withdrawn 18 th May 2022)

Hi,

Firstly, I'd like to make a representation about the proposed licence as follows:

I do not think that the needs of residents have been taken into account. I would like to see an earlier end to the licensed hours and only a limited number of weekend events permitted. No music or amplified speech should be allowed on the roof gardens as a condition of the license.

The Friday and Saturday hours seem particularly cruel to residents.

My flat looks out onto Great Titchfield Street, directly opposite the premises in question. My only ventilation is through the windows to the street, so for much of the year the sound of people leaving the premises will be very intrusive. Just as I am trying to sleep. People who have been drinking alcohol are much more likely to be noisy and antisocial than others.

It is also likely that minicabs and taxis will be arranged for the end of licensing hours, further increasing the noise and nuisance.

In summary please use the licensing conditions to require:

- >An earlier finish
- >No music or amplified sound on the roof terrace Restrict the number of
- >weekends

Secondly, the application refers to a schedule in section P which is not available to see. This schedule crucially should describe how the applicant will prevent public nuisance. Please could you send me a copy or a link to where it is available on line?

The Interested Party withdrew their representation on the 18th May 2022 due to the reduction in hours and condition proposed for the terrace.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	26 March 2022

I object to the proposed planning permission. The hours for serving alcohol are far too long on both weekdays and weekends, especially in light of the fact that this is right next to a residential area. Furthermore, the fact that the applicants are asking for such long hours on every day of the week is even more worrying.

The noise pollution and anti-social behaviour will make living nearby a nightmare. There will be no break from this constant disturbance for the residents, no time for residents to rest and no

chance of residents having quiet enjoyment of their own homes.

Would the venue be hired out for private functions, which could mean large parties arriving and leaving late at the same time? If there external areas where guests would congregate, this would have an even greater noise impact on those living opposite.

What is more, it is not simply the noise and disturbance during those hours, but also when people leave the premises. There will be disturbance and urination on the streets or walls of Holcroft Court until the early hours of the morning. I say this as this is something that is already happening.

This area already experiences a huge amount of noise pollution, anti-social behaviour pests, and environmental issues. The police have been called out numerous times as have the Westminster noise and pest control teams. A premises with such licences will exacerbate the problem ten-fold if not more. As such, I object to the licence completely.

I ask the council to consider how they would feel if there was drinking, partying, loud music next to where you live everyday of the week until midnight with no respite at all. I doubt you will live there for much longer.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	29 March 2022

Thanks for your email and documents enclosed; unfortunately, this leaves us- the [REDACTED] and residents alike- with one working day to respond to this applications and to consult with membership- an impossible task really.

therefore, here is our representation; in view of the short time span we had to respond to the full set of documentation, I hope you will be able to accept a more detailed reasoned representation later this week.

We would like to oppose this application on the ground of likely public nuisance to the huge block of residents living opposite the premises- in Holcroft Court. Rough estimate is over well 100 residential units facing the premises.

the image from google search shows the typical frontage of Holcroft court; you can not fail to see it from 131-51 Gt Tichfield Street. It speaks for itself regarding residential density.

<https://cas5-0-urlprotect.trendmicro.com:443/wis/clicktime/v1/query?url=https%3a%2f%2fthemovemarket.com%2ftools%2fpropertyprices%2fflat%2d139%2dholcroft%2dcourt%2dclipstone%2dstreet%2dlondon%2dw1w%2d5dn&umid=bb9522e6-aeec-11ec-8159-000d3a294b8b&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-4b76bf973c00a8ceda18edfb4c5873a9be4ae37b>

131-51 Great Portland Street is a huge building- lower ground floor plus ground floor plus 6 floors; the top floor appears to be an open terrace, and the windows facing the street- opposite Holcroft Court estate- can be opened.

this part of Great Titchfield street is residential; Holcroft Court estate was built by WCC [WCC holds the head lease], and there are over 100 residential units on the west wing opposite the premises.

In terms of residential density, Holcroft court is the the most dense in Fitzrovia.

That residential density and the potential for public nuisance should mean that an applicant for premises license should pay close attention to the issue of possible public nuisance impacting such a high number of residents.

We were disappointed to discover a standard 'cut and past' set of conditions which is more appropriate to a restaurant rather than the type of business run by the applicant- a sort of 'rent space' option for businesses;

Here is some of the issues we have:

there are some 'work space to rent' facilities in Fitzrovia, some of which hold premises license.

what they have in common is that they usually operate on weekdays at normal working times.

WE would be prepared to accept applications for mon-fri till 9pm - a normal business practice for offices space rental facilities around in Fitzrovia, but not a blanket 1000-2330 Sun-Thurs and 1000-midnight on Fridays and Saturdays.

It is not clear at all why you need premises license for office workers and office work for 7 days a week and for those very long hours and well into the night as a norm.

Some residents think that the fact that the applicant applies for such long hours strongly suggests that the intention may well be to hold frequent events long into the night and at weekends too.

As this is a vast building in which various businesses can hire office space, it is not clear what is the total capacity of the building in terms of people, how this capacity is split between floors; it is not clear who will organise those events[probably an office space tenant], the sound system and the bar. It is not clear how the relationship between the event organisers and the named premises manager are defined; how the premises manager would ensure that any agreed conditions- such as hours, keeping windows shut, ensure the noise limiters are strictly and enforced on the event organisers who are not part of the company owning the building, and where the responsibility lies. This is highly relevant, as it is probable that each time, different firms using different equipment would be running the event for the tenants, so for instance, each time there is an event, a different sound system would be hired.

This should be reflected in the conditions proposed for the premises, as befits the non standard nature of the operation.

It is not clear how many events would be permitted each night, what would be the upper limit of the number of people attending. Could there be an event taking place on all 8 floors at the same time? that would be horrendous in terms of noise and nuisance to the residents in Holcroft Court.

The residents are particularly concerned about weekends, and the possibility of wild and noisy parties held by offices - and the extent of knowledge and control of the premises license holder and the premises owners over those event held presumably by their tenants. WE would like the applicants to acknowledge that the final responsibility for any public nuisance lies with them and not their tenants.

It appears that the top floor has a terrace with opening doors or windows; it also appears that windows facing Holcroft Court can be opened. Therefore, the standard 'cut and paste' proposed condition 8- quote:

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

unquote

is inadequate, because noise will escape from the top floor and the windows on the floors below.

The building was built in an age when modern sound systems with their 'boom boom' noise were unheard of. to the extent of our knowledge, the offices are not insulated or sound proofed against noise.

We are also concerned about public nuisance from traffic- people and cars coming and going; As we remarked above, this is a dense residential area, over 100 flats alone on the west wing of Holcroft Court; the possibility of a large number of people coming and going,

along with taxis Uber minicabs and private cars is likely to cause some considerable noise and public nuisance.

it is difficult to say more than that, because the applicant did not provide details such as event capacity in terms of people, number of events per evening [can more than one office organise an event at the same time?] and so on.

The applicant did not provide any transport plan at all.

To sum up:

We oppose the application on ground of causing public nuisance from the premises and from people coming and going to and from the premises.

This is of special concern, as the premises face Holcroft Place- the most densely populated residential property in Fitzrovia- over 100 flats alone facing the premises.

It is not clear from the application why such long hours are needed for 7 days a week, where a normal working day is Mon-Fri between 9am and 5-6pm.

The applicant refers to 'events'- it is not clear what is the total capacity for each floor, how many tenants there are on each floor and overall, who will organise the events, how would any conditions imposed on the applicant be communicated to the event organisers- or the tenants, who will be responsible to check that those conditions are complied with [example: who would physically check noise limiters on base/bass and volume fitted to sound system?] and what is the lines of communications between the owners, named premises license holder and the event organisers and the tenants. This is important as we expect different tenants hiring different event organisers each time an event is held.

Windows and doors can be opened, so there is an issue of noise escaping, it is not clear how this is controlled.

The office space is not sound proofed and insulated.

We notice proposed condition 8- we think it is 'cut and past' and does not address the issue of opened windows or doors, nor the issue that each time an event is organised, different equipment is used each time, so you need to ensure that before an event start, somebody adjusts the sound systems and the premises license holder physically checks that this has been done.

In view of the practically unlimited number of 'guests', we have some serious concerns about traffic to and from the remises, and the likely impact this will have on residents amenity.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	25 March 2022 (Withdrawn 5 th May 2022)

Douglas House is directly opposite a social housing block built in the 1970s with a façade comprising single glazed window units and thin wooden panels without noise insulation. It houses a large number of residents, including young children and the elderly. The noise and disturbance resulting from groups leaving the premises late at night and waiting for transport would constitute a damaging erosion of amenity. I note the premises includes a roof terrace at the same level as the upper storeys of Holcroft Court. I believe a premises licence in this location is unsuitable considering the impact on neighbours, particularly one with such late hours.

The Interested Party withdrew their representation on the 5th May 2022 due to the reduction in hours and condition proposed for the terrace.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	8 March 2022
<p>I am quite concerned about this application as I live directly opposite and when the clientele leave the premises late at night this will no doubt cause noise and nuisance to local residents. I believe that the application is for the sale of alcohol on the premises to staff only but when these members of staff vacate the premises at 23.30, or later, in the evening this will disturb the residents of Holcroft Court opposite, as it did when it was a licenced premises beforehand. Holcroft Court consists of families with young children, professional and elderly people and, therefore, it is unacceptable for all residents to be expected to tolerate any such noise/disturbance caused by staff drinking on the work premises until very late in the evening. Not only will we have to tolerate the noise of people but also taxis picking up and sitting in the street with the engines running whilst waiting for their fare and the congregation of people outside the premises saying their long drawn out goodbyes to each other whilst under the influence of alcohol. The residents of Holcroft Court had to endure this behaviour several years ago when these premises were a nightclub called Vanilla and the overspill of people coming out of there late at night was unbearable and on many occasions ended up in street brawls and even a stabbing!!</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 March 2022
<p>The late night hours are really concerning due to the street noise this would create from people arriving and leaving the premises, particularly after a few hours of drinking.</p> <p>Deliveries to the building, which currently take place between 11pm and 4am, already cause a lot of noise and disruption to residents of the street.</p> <p>Given this is an office building, why are the hours to 23:30 and midnight at weekends? Will the drinking be indoors or outdoors?</p>	

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

Policy HRS1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days

	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues</p> <p>Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Policy PB1 applies</p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D. <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>

4. Equality Implications

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

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

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

5. Appendices

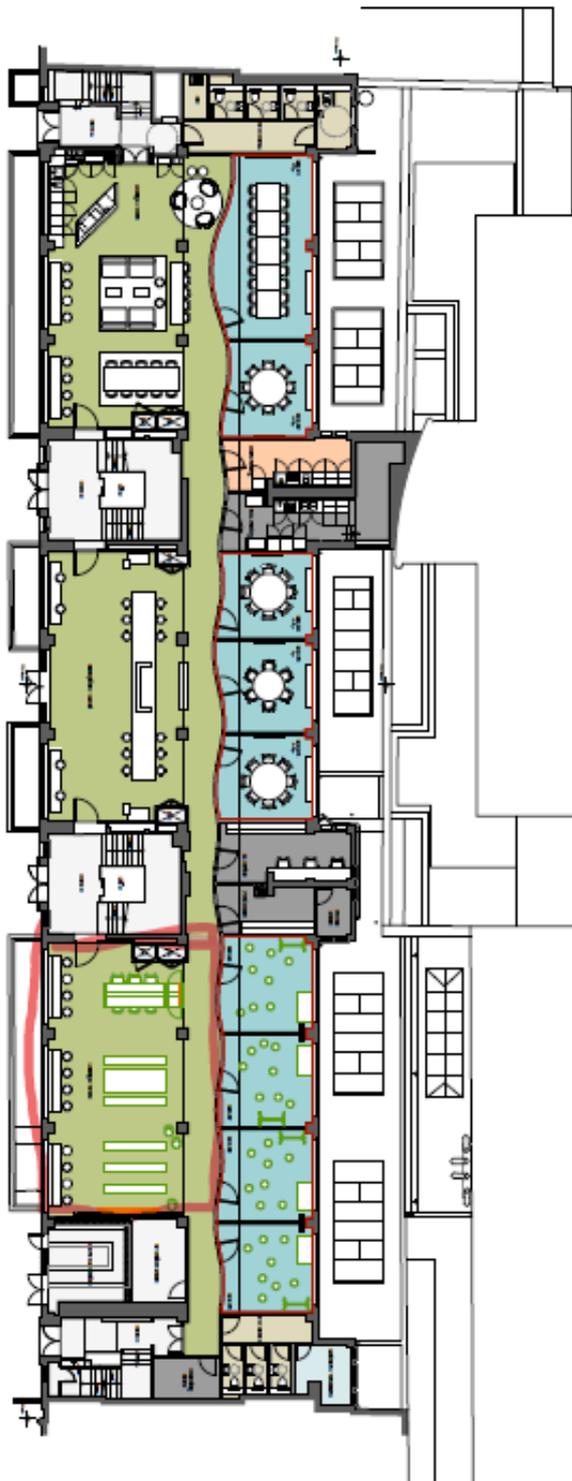
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Current Premises Licence 19/05684/LIPT
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Service	29 th March 2022
5	Representation 1	8 th March 2022
6	Representation 2 (Withdrawn 18th May 2022)	21 st March 2022
7	Representation 3	26 th March 2022
8	Representation 4	29 th March 2022
9	Representation 5 (Withdrawn 5th May 2022)	25 th March 2022
10	Representation 6	8 th March 2022
11	Representation 7	18 th March 2022



GENERAL NOTES:
 1. All dimensions are in feet and inches.
 2. All dimensions are to the center of the wall unless otherwise noted.
 3. All dimensions are to the center of the door unless otherwise noted.
 4. All dimensions are to the center of the window unless otherwise noted.
 5. All dimensions are to the center of the column unless otherwise noted.
 6. All dimensions are to the center of the beam unless otherwise noted.
 7. All dimensions are to the center of the slab unless otherwise noted.
 8. All dimensions are to the center of the ceiling unless otherwise noted.
 9. All dimensions are to the center of the floor unless otherwise noted.
 10. All dimensions are to the center of the wall unless otherwise noted.

LEGEND:
 [Symbol] Office
 [Symbol] Meeting Room
 [Symbol] Lounge
 [Symbol] Reception
 [Symbol] Staircase
 [Symbol] Elevator
 [Symbol] Restroom
 [Symbol] Storage

ROOM SCHEDULE:
 101 Office
 102 Office
 103 Office
 104 Office
 105 Office
 106 Office
 107 Office
 108 Office
 109 Office
 110 Office
 111 Office
 112 Office
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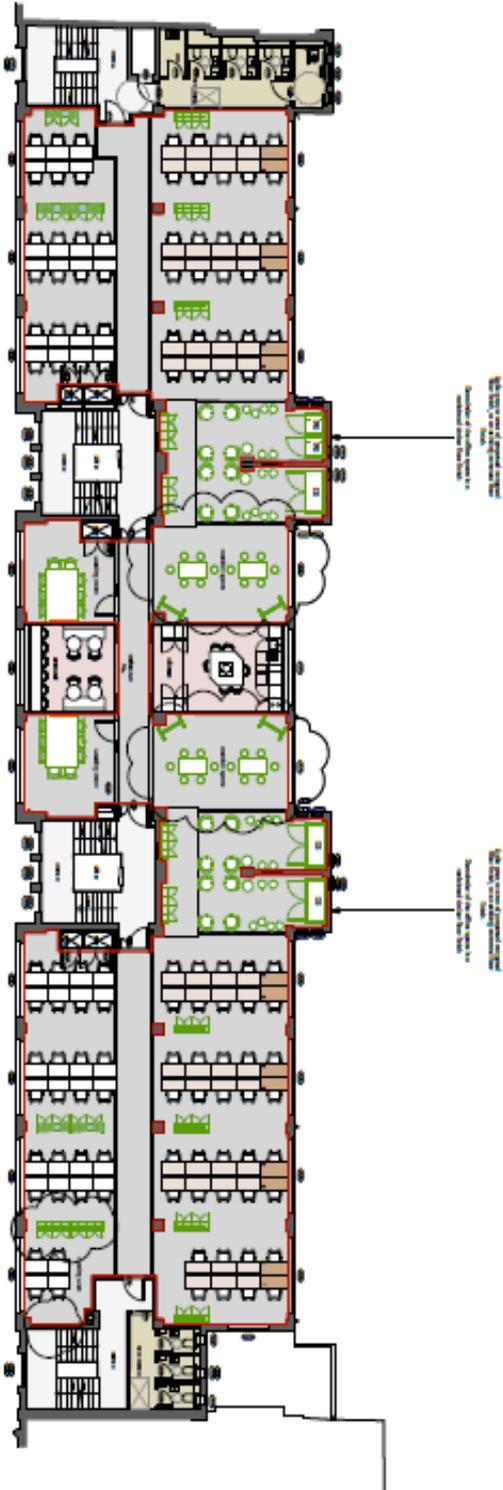
GENERAL NOTES:
 1. All dimensions are in feet and inches.
 2. All dimensions are to the center of the wall unless otherwise noted.
 3. All dimensions are to the center of the door unless otherwise noted.
 4. All dimensions are to the center of the window unless otherwise noted.
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GENERAL NOTES:
 1. All dimensions are in feet and inches.
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 8. All dimensions are to the center of the ceiling unless otherwise noted.
 9. All dimensions are to the center of the floor unless otherwise noted.
 10. All dimensions are to the center of the wall unless otherwise noted.

Media Village





1500 Office Desks
Number of desks in this office is 1500

1500 Office Desks
Number of desks in this office is 1500

GENERAL NOTES

1. All dimensions are in feet and inches unless otherwise noted.
2. All dimensions are to the center of the wall unless otherwise noted.
3. All dimensions are to the center of the door unless otherwise noted.
4. All dimensions are to the center of the window unless otherwise noted.
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Media Village



From: [Craig Baylis](#)
To: [Nevitt, Dave: WCC; Abbott, Karyn: WCC](#)
Subject: RE: 22/02079/LIPN - Douglas House, 131 - 151 Great Titchfield Street, London.
Date: 04 May 2022 10:07:23
Attachments: [jimage001.ico](#)
[jimage002.png](#)
[jimage003.ico](#)
[jimage004.ico](#)

Further amendment
Licence to be Monday to Friday only.

Craig Baylis
Partner
Kingsley Napley LLP

Kingsley Napley LLP | 20 Bonhill Street | London EC2A 4DN
Direct dial: +44 (0)207 369 3775 | Mobile: 07738037319
Switchboard: +44 (0)20 7814 1200 | Main fax: +44 (0)20 7490 2288
Email: cbaylis@kingsleynapley.co.uk | Website: www.kingsleynapley.co.uk

From: Nevitt, Dave: WCC [<mailto:dnevitt@westminster.gov.uk>]
Sent: 04 May 2022 09:49
To: Craig Baylis; Abbott, Karyn: WCC
Subject: RE: 22/02079/LIPN - Douglas House, 131 - 151 Great Titchfield Street, London.

External – this email originated outside your organisation.

NOTED, thanks Craig.

Karyn: are the residents maintaining their Reps?

From: Craig Baylis <cbaylis@kingsleynapley.co.uk>
Sent: 27 April 2022 13:11
To: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>
Cc: Nevitt, Dave: WCC <dnevitt@westminster.gov.uk>
Subject: RE: 22/02079/LIPN - Douglas House, 131 - 151 Great Titchfield Street, London.

Karyn
See attached revised plans
The client has red-lined the 3 floors where we will restrict the alcohol sales.
Lower Ground floor – 75 persons
Ground floor – 100
6th floor – internal space and terrace (60 on terrace and 50 inside)

Terminal hour for alcohol on the licence to be amended to 22.00 on any day
Start time for alcohol to be 12.00 on any day
Licence to be Monday to Saturday only
Terrace to be vacated by 20.00

Craig Baylis
Partner
Kingsley Napley LLP

Kingsley Napley LLP | 20 Bonhill Street | London EC2A 4DN
Direct dial: +44 (0)207 369 3775 | Mobile: 07738037319
Switchboard: +44 (0)20 7814 1200 | Main fax: +44 (0)20 7490 2288
Email: cbaylis@kingsleynapley.co.uk | Website: <https://cas5-0-uriprotect.trendmicro.com:443/wis/clicktime/v1/query?url=www.kingsleynapley.co.uk&umid=b29644db-2213-4e07-8ba5-dddfefbba2488&auth=f23bd3b3794c7a5914053bd0a99b1b4837b89b14-750d5ce136f37889a81398817068d40cbe8b1dd5>



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

Schedule 12
Part A

WARD: Marylebone High Street
UPRN: 100023468584

Premises licence

Regulation 33, 34

Premises licence number:

19/05684/LIPT

Original Reference:

05/06957/LIPCV

Part 1 – Premises details

Postal address of premises:

Vanilla
131-151 Great Titchfield Street
London
W1W 5BB

Telephone Number: 020 7101 8206

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Indoor Sporting Event
Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
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:

Performance of Dance	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Provision of facilities for Dancing	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Exhibition of a Film	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Provision of facilities for making Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Indoor Sporting Event	

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Performance of Live Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Wednesday:	23:00 to 00:00
Thursday to Saturday:	23:00 to 01:00
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 Wednesday:	10:00 to 00:00
Thursday to Saturday:	10:00 to 01:00
Sunday:	12:00 to 22:50
<i>For times authorised for New Year see conditions at Annex 1&3</i>	

The opening hours of the premises:	
Monday to Saturday:	10:00 to 01:00
Sunday:	12:00 to 22:50

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

Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

The Office Group Properties Limited
The Smiths Building
179 Great Portland Street
London
W1W 5PL

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

07355818

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

Name: Matthieu Destandau

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: LBWands/00298
Licensing Authority: London Borough Of Wandsworth

Date: 06 June 2019

This licence has been authorised by Bushara Hamida on behalf of the Director - Public Protection and Licensing.

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.

9. 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.
10. 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 reproducing the effect of conditions subject to which the relevant existing licences have effect.

Conditions of Sale of Alcohol

11. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
12. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

13. No access shall be permitted to the general public except those persons listed below.
14. Alcohol may only be sold or supplied to:
 - i) Tenants of Avanta Management Offices Ltd and its subsidiaries and members of the private members clubs operated by Avanta Management Ltd or its subsidiaries
 - ii) Bona fide guests of tenants of Avanta Management Ltd. or its subsidiaries and bone fide guests of the members of clubs operated by Avanta Management Ltd. or its subsidiaries.
 - iii) Persons attending a conference or meeting or pre-booked function at the premises
 - iv) Members of the public taking a pre ' booked table meal. Alcohol supplied under these circumstances will be ancillary to the meal.
 - v) Bona fide guests of tenants and bone fide guests of members of the private members clubs operated by Avanta Management Ltd or its subsidiaries may remain on the premises and consume a table meal following the conclusion of the conference, meeting or pre ' booked function. Alcohol supplied under these circumstances will be ancillary to the meal.

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

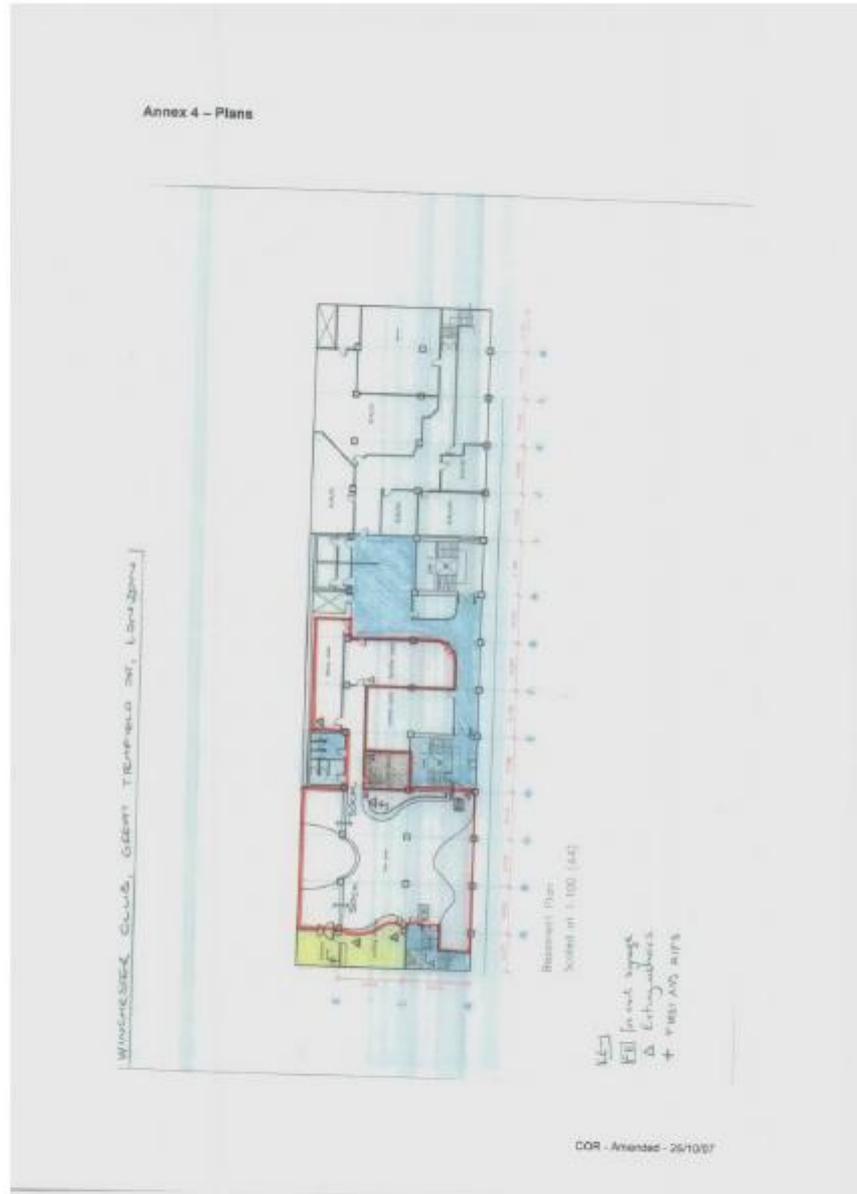
15. No unsupervised children will be allowed on the premises after 21:30.
16. Performance of dance and provision of facilities for dancing permitted by this licence is for private parties only.
17. Performance of live music shall be limited to a maximum of five performers.
18. The permitted hours on New Year's Eve may be extended until the start of permitted hours on the following day for licensable activities permitted by this licence.
19. 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.
20. Patrons temporarily leaving the premises for the purposes of smoking shall not take any drinks with them and no more than ten customers may smoke outside the premises at any one time.
21. Areas used for smoking shall be supervised by staff such that patrons respect the needs of local residents and use the areas quietly.
22. There shall be no entry or re-entry of patrons after 24:00 hours except for those leaving to smoke.
23. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.
24. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
25. Deliveries will not take place between 2300 hours and 0600 hours.
26. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
27. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
28. No speakers shall be located in the entrance area.
29. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
30. After midnight staff will be deployed at reception to ask patrons, if necessary, not to congregate outside and to leave the area quietly and will monitor the area immediately outside the premises.
31. All patrons and staff waiting for a taxi shall be encouraged to do so within the premises.
32. The premises licence holder shall provide and maintain a dedicated manned telephone number for use by any person who may wish to make a complaint during the operation of the licence. This number shall be provided to the Licensing Authority

and local Residents Associations. Any change to the number shall be notified to the Licensing Authority and to local Residents Associations within 7 days of the change.

33. All complaints received will be noted in a logbook at the premises and made available for inspection by officers of the Local Authority. The manager of the premises will follow up any complaints.
34. 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 Environmental Health Consultation Team where consent has not previously been given.
 - (a) dry ice and cryogenic fog
 - (b) smoke machines and fog generators
 - (c) pyrotechnics including fire works
 - (d) firearms
 - (e) lasers
 - (f) explosives and highly flammable substances
 - (g) real flame
 - (h) strobe lighting.
35. No person shall give at the premises any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
36. Any entertainment, performance, service, or exhibition involving nudity or sexual stimulation which would come within the definition of a sex establishment in Schedule 3 to the Local Government (Miscellaneous Provisions) Act 1982 as amended by the Greater London Council (General Powers) Act 1986 (whether or not locally adopted), shall not be provided."
37. At least 28 days notice in writing shall be given to the Licensing Authority to use the premises for any indoor sports entertainment.
38. At least 28 days before any indoor sporting event an event management plan will be submitted to the Environmental Health Consultation Team for comment including a plan showing the positions of any temporary structures erected.
39. 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.
40. 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.
41. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
42. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
43. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.

Annex 4 – Plans





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

Schedule 12
Part B

WARD: Marylebone High
Street
UPRN: 100023468584

Premises licence
summary

Regulation 33, 34

Premises licence number:

19/05684/LIPT

Part 1 – Premises details

Postal address of premises:

Vanilla
131-151 Great Titchfield Street
London
W1W 5BB

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Provision of facilities for Dancing
Exhibition of a Film
Provision of facilities for making Music
Indoor Sporting Event
Performance of Live Music
Playing of Recorded Music
Late Night Refreshment
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:

Performance of Dance	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Provision of facilities for Dancing	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Exhibition of a Film	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Provision of facilities for making Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Indoor Sporting Event	

Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Performance of Live Music	
Monday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Playing of Recorded Music	Unrestricted
Late Night Refreshment	
Monday to Wednesday:	23:00 to 00:00
Thursday to Saturday:	23:00 to 01:00
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 Wednesday:	10:00 to 00:00
Thursday to Saturday:	10:00 to 01:00
Sunday:	12:00 to 22:50
<i>For times authorised for New Year see conditions at Annex 1&3</i>	

The opening hours of the premises:	
Monday to Saturday:	10:00 to 01:00
Sunday:	12:00 to 22:50

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:
The Office Group Properties Limited The Smiths Building 179 Great Portland Street London W1W 5PL

Registered number of holder, for example company number, charity number (where applicable)
07355616

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

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

Date: _____

This licence has been authorised by Bushara Hamida on behalf of the Director - Public Protection and Licensing.

**Licensing Act 2003 History
Current Premises Licence 19/05684/LIPT**

Application	Details of Application	Date Determined	Decision
05/06957/LIPCV	Conversion Licence	28 September 2005	Granted by Licensing Sub-Committee
06/03299/LIPDPS	Premises Licence Change of DPS	5 May 2006	Granted under Delegated Authority
06/11275/LIPDPS	Premises Licence Change of DPS	13 November 2006	Granted under Delegated Authority
06/10146/WCCMAP	Master Licence	21 February 2007	Granted under Delegated Authority
07/00309/LIPV	Vary a Premises Licence – Layout and vary a condition	21 February 2007	Granted under Delegated Authority
08/09059/LIPV	Vary a Premises Licence – To extend the terminal hour for the Sale by Retail of Alcohol from 00:00 to 01:00 Monday to Saturday.	20 November 2008	Granted by Licensing Sub-Committee
13/07295/LIPVM	Minor Variation – Replace a condition	7 October 2013	Granted under Delegated Authority
16/00743/LIPT	Transfer Premises Licence Holder from Avanta Media Village Limited to Vanilla London Ltd	26 February 2016	Granted under Delegated Authority
19/05684/LIPT	Transfer Premises Licence Holder from Vanilla London Ltd to The Office Group Properties Limited	6 June 2019	Granted under Delegated Authority

There is no appeal history for the premises.

Temporary Event Notices

Application	Details of Application	Date Determined	Decision
17/03256/LITENP	Temporary Event Notice	12 April 2017	Notice Granted
17/03365/LITENP	Temporary Event Notice	5 April 2017	Notice Granted
17/04807/LITENP	Temporary Event Notice	30 May 2017	Notice Granted
17/05989/LITENP	Temporary Event Notice	8 June 2017	Notice Granted
17/07590/LITENP	Temporary Event Notice	31 July 2017	Notice Granted
17/14959/LITENP	Temporary Event Notice	9 April 2018	Notice Granted
18/06372/LITENP	Temporary Event Notice	5 June 2018	Notice Granted

18/07946/LITENP	Temporary Event Notice	13 July 2018	Notice Granted
18/09322/LITENP	Temporary Event Notice	14 August 2018	Notice Granted
18/09593/LITENP	Temporary Event Notice	17 August 2018	Notice Granted
18/09645/LITENP	Temporary Event Notice	8 November 2018	Notice Granted
18/13156/LITENP	Temporary Event Notice	12 December 2018	Notice Granted
19/01233/LITENP	Temporary Event Notice	3 June 2019	Notice Granted
22/01588/LITENP	Temporary Event Notice	25 February 2022	Notice Granted

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 must 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—
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing

objective;

- (d) 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;
 - (e) dispensing alcohol 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).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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.

- 8(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.
- 8(ii) For the purposes of the condition set out in paragraph 8(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.
- 8(iii). Where the permitted price given by Paragraph 8(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.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(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.

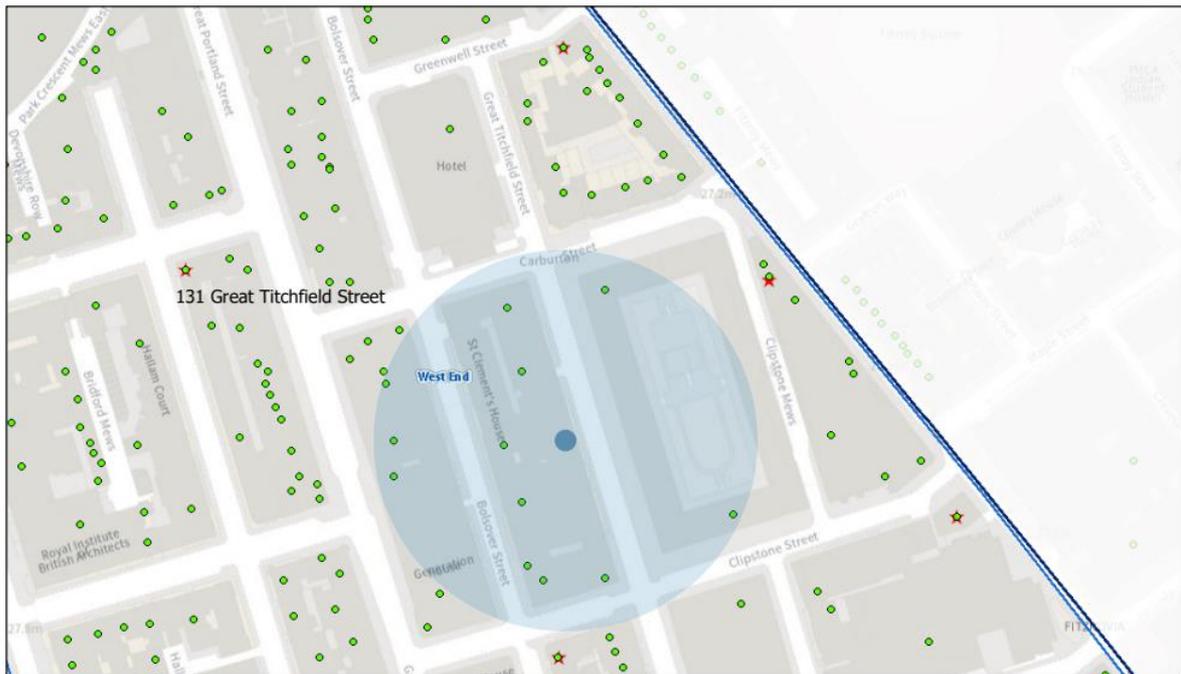
Conditions consistent with the operating schedule

9. 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.

10. 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.
11. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
12. All emergency doors shall be maintained effectively self closing and not held open other than by an approved device.
13. No deliveries to the premises shall take place between 23.00 and 07.00 hours on the following day.
14. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
15. 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.
16. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Occupiers 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.
18. The supply of alcohol shall only be to employees at the premises, their bona fide guests, or persons attending a private pre booked function.
19. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
20. 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 concerning crime and disorder
 - (c) any incidents of disorder
 - (d) any faults in the CCTV system or searching equipment or scanning equipment
 - (e) any refusal of the sale of alcohol
 - (f) any visit by a relevant authority or emergency service.
21. Terrace to be vacated by 20:00

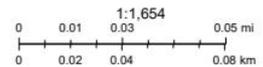
Conditions proposed by the Environmental Health
None

131 - 151 Great Titchfield Street



19/05/2022, 10:22:43

- Property Mailing List
- Ward Labels
- Stress Areas
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries
- ★ Public Houses



Resident Count = 421

Licensed premises within 75 metres of 131 – 151 Great Titchfield Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
19/05684/LIPT	Vanilla	Douglas House 131 - 151 Great Titchfield Street London W1W 5BB	Club or institution	Sunday; 12:00 - 22:50 Monday to Saturday; 10:00 - 01:00
18/05567/LIPT	The Grange Fitzrovia Hotel	20-28 Bolsover Street London W1W 5NB	Hotel, 4+ star or major chain	Monday to Sunday; 00:00 - 00:00
21/13292/LIPDPS	Nandos	190 Great Portland Street London W1W 5QZ	Restaurant	Sunday; 11:00 - 22:30 Monday to Saturday; 11:00 - 23:30 New Year's Eve; 11:00 - 02:30



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

22/02885/LIREVP

Date:

15 June 2022

Classification:

For General Release

Title of Report:

**AMK Food & Wine
35B Queensway
London
W2 4QJ**

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Miss Jessica Donovan
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 6500
E-mail: jdonovan@westminster.gov.uk**

1. APPLICATION DETAILS

Application Type:	A review of premises licence made under section 51 of the Licensing Act 2003.		
Applicant:	Metropolitan Police Service	Date Application Received:	16 March 2022
Premises Name and Address:	AMK Food & Wine 35B Queensway London W2 4QJ		
Ward Name:	Lancaster Gate	Cumulative Impact Area/Special Consideration on Zone:	Queensway and Bayswater Special Consideration Zone
Description of Premises:	The premises currently operate as an off licence and has held a licence since 2005. The licence is held by Amk Innovation Limited.		
Preliminary Notes:	During the consultation period, the applicant submitted a minor variation application to add four model conditions to the premises licence as requested by the Metropolitan Police Service on 15 April 2021. An updated licence can be found at Appendix 4 (Conditions 8-12).		

2. SUMMARY OF APPLICATION

- 2.1 An application was submitted by the Metropolitan Police Service for a review of the premises licence for the premises known as AMK Food & Wine, 35B Queensway, London, W2 4QJ. The application was received on 16th March 2022 on the grounds of the Prevention of Crime and Disorder and the Protection of children from harm. **Please see Appendix 1.**
- 2.2 Revised Home Office Guidance (April 2018 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:

Playing of Recorded Music: Unrestricted

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

Sale by Retail of Alcohol (Off Sales):

Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (d) On Good Friday, 08:00 to 22:30

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) 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.

A copy of the existing Premises Licence (22/03073/LIPVM) is attached at **Appendix 4**.

- 2.5 On submission of this application, the applicant provided an in-depth description of the issues relating to the premises which stated the following:

Westminster Police Licensing were first made aware of the alleged sale of alcohol to children in February 2021. Information was passed to the local Lancaster Gate SNT and a criminal intelligence report was created and passed to Police Licensing. Over time, similar reports came in via their criminal intelligence database and Police Licensing set up test purchasing operations using the Police Cadets to buy alcohol from the venue.

Westminster City Council were passed all these reports, and Trading Standards along with City Inspectors, also conducted their own test purchasing operations.

The licensee has passed every single test purchasing operation that the authorities have conducted. It is therefore believed that the licensee knows and trusts who he is selling alcohol to.

Several other anonymous reports came in via their criminal intelligence database, that the licensee was still selling alcohol to children. Parents of the children that bought alcohol, were engaged with and asked to assist Police by giving statements. Many of the parents would not provide statements and would not engage with Police any further. This was because they were worried about any reprisals.

In December 2021, Police received another report that a child had bought alcohol from the venue. The parent was contacted and they provided a statement to Police Licensing.

On the 26th February 2022, a CAD (3604/26FEB22) report came in that two other children had bought alcohol from the premises on the 25th February 2022. Police Licensing engaged with the parent to see whether a statement could be given.

On Wednesday 2nd March 2022, Police Licensing and Westminster City Council Inspectors attended the premises to check CCTV cameras and conduct a full licensing inspection. Officers asked to see recordings between the hours of 17:00 and 17:30 on the 25th February 2022, which was when the children bought the alcohol. This was a bottle of vodka.

There was no CCTV recordings, as the licensee, stated that they automatically delete after 3 days. This was checked by officers and confirmed. There was no DVR and the CCTV system was a basic one, which worked off the internet. There was also no CCTV condition on the premises licence and work has been on-going with WCC and Police over the last year to get the premises licence updated.

The premises licence holder has failed to promote the licensing objectives. He has a duty of care to his customers and he has demonstrated on numerous occasions that he does not care for the safety of children. He is all too willing to sell alcohol to children in order to make profit. He goes out of his way to cover his tracks. He has not worked with the authorities to conduct the simplest of tasks to update his premises licence with conditions. Westminster Police Licensing have no faith in the licence holder and do not regard him as a responsible operator.

- 2.6 Witness statements, bank statements and incident reports were submitted in addition to the review application and can be found at **Appendix 2**.
- 2.7 Submissions have been received from the premises licence holder in response to the review application and the interested parties representations and can be found at **Appendix 3**.
3. **REPRESENTATIONS:**
 - 3.1 The application has received a representation in support of the review from the Environmental Health Service on 13 April 2022 on the grounds of Protection of Children from Harm, Prevention of Public Nuisance, and Public Safety and can be found at **Appendix 5 and 5.1**.
 - 3.2 The application has received a representation in support of the review from the Licensing Authority on 11 April 2022 on the grounds of the protection of children and can be found at **Appendix 6**.
 - 3.3 The application has also received representations in support of the review from 6 interested parties and can be found at **Appendix 7**.
4. **OPTIONS:**
 - 4.1. The licensing Sub-Committee will have a range of powers to exercise on determining a review where it considers them appropriate for promotion of the licensing objectives.
 - 4.2 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 to be taken by the Licensing Sub-Committee using their powers in determining the matter 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.
 - 4.3 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.
 - 4.4 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.

- 4.5 The applicant is seeking revocation of the licence due to the weight of evidence that has been submitted and that the premises fails to promote the licensing objectives:
- 1) The prevention of crime and disorder
 - 2) The protection of children from harm

5. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

- 5.1 Any applications under the Licensing Act 2003 are set out in **Appendix 8**.
- 5.2 The chronology relating to appeals and applications is set out in **Appendix 8**.

6. Equality Implications

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

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

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

List of Appendices:	Appendix 1 – Application for Review Appendix 2 – Applicant’s supporting documents Appendix 3 – Premises licence holder’s supporting documents Appendix 4 – Current Premises Licence (22/03073/LIPVM) Appendix 5 – Environmental Health Service representation Appendix 5.1 – Environmental Health’s supporting documents Appendix 6– The Licensing Authority’s representation Appendix 7 – Interested Parties representations Appendix 8 – Licence and Appeal History Appendix 9 – Residential Map and list of premises in the vicinity
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Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (01 October 2021)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

Please see next page



**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 **PC Adam Deweltz**

apply for the review of a premises licence under Section 51 of the Licensing Act 2003
for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

AMK Food and Wine, 35B Queensway

Post town:

London

Post code:
(if known)

W2 4QJ

Name of premises licence holder or club holding club premises certificate (if known):

AMK Innovation Limited, 199 Uxbridge Road, W12 9DH

Number of premises licence or club premises certificate (if known):

20/09113/LIPCHT

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) | <input type="checkbox"/> |
| 2 | a responsible authority (please complete (C) below) | <input checked="" type="checkbox"/> |
| 3 | a member of the club to which this application relates (please complete section (A) below) | <input type="checkbox"/> |

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:				First Names:					
I am 18 years old or over			<input type="checkbox"/>						
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)

Name and Address:	
PC Adam Deweltz, Westminster Police Licensing Unit, Metropolitan Police Service	
Telephone Number (if any):	020 7641 1705
Email address: (optional)	adam.s.deweltz@met.police.uk

This application to review relates to the following licensing objective(s)

		Please tick one or more boxes
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input checked="" type="checkbox"/>

Please state the ground(s) for review: (please read guidance note 2)

Westminster Police Licensing are bringing this review on the grounds of protection of children from harm and the prevention of crime and disorder.

The premises licence in question is for AMK Food and Wine, 35B Queensway, W2 4QJ. The premises licence number is 20/09113/LIPCHT. The premises licence holder is AMK Innovation Limited, 199 Uxbridge Road, London, W12 9DH. The Designated Premises Supervisor (DPS) is Mr Mustafa ALKIFRAY.

Westminster Police Licensing were first made aware of the alleged sale of alcohol to children in February 2021. Information was passed to the local Lancaster Gate SNT and a criminal intelligence report was created and passed to Police Licensing. Over time, similar reports came in via our criminal intelligence database and Police Licensing set up test purchasing operations using the Police Cadets to buy alcohol from the venue.

Westminster City Council were passed all these reports, and Trading Standards along with City Inspectors, also conducted their own test purchasing operations.

PROTECTIVE MARKING

The licensee has passed every single test purchasing operation that the authorities have conducted. It is therefore believed that the licensee knows and trusts who he is selling alcohol to.

Several other anonymous reports came in via our criminal intelligence database, that the licensee was still selling alcohol to children. Parents of the children that bought alcohol, were engaged with and asked to assist Police by giving statements. Many of the parents would not provide statements and would not engage with Police any further. This was because they were worried about any reprisals.

In December 2021, Police received another report that a child had bought alcohol from the venue. The parent was contacted and they provided a statement to Police Licensing.

On the 26th February 2022, a CAD (3604/26FEB22) report came in that two (2) other children had bought alcohol from the premises on the 25th February 2022. Police Licensing engaged with the parent to see whether a statement could be given. The parent stated they would assist Police.

On Wednesday 2nd March 2022, Police Licensing and Westminster City Council Inspectors attended the premises to check CCTV cameras and conduct a full licensing inspection. Officers asked to see recordings between the hours of 17:00 and 17:30 on the 25th February 2022, which was when the children bought the alcohol. This was a bottle of vodka. They used cash to do this.

There was no CCTV recordings, as the licensee Mr ALKIFRAY, stated that they automatically delete after 3 days. This was checked by officers and confirmed. There was no DVR and the CCTV system was a basic one, which worked off the internet. There was also no CCTV condition on the premises licence and work has been on-going with WCC and Police over the last year to get the premises licence updated.

Mr ALKIFRAY has come to Police notice a number of times, which has led to him being arrested. Details of this will be in my MG11 Police Statement.

It is clear MR ALKIFRAY has failed to promote the licensing objectives. He has a duty of care to his customers and he has demonstrated time and time again that he does not care for the safety of children. He is all too willing to sell alcohol to children in order to make profit. He goes out of his way to cover his tracks. He has not worked with the authorities to conduct the simplest of tasks to update his premises licence with conditions. Westminster Police Licensing have no faith in Mr ALKIFRAY and do not regard him as a responsible operator. The Metropolitan Police Service seek full revocation of the premises licence in order to protect children from harm.

Please provide as much information as possible to support the application: (please read guidance note 3)

PROTECTIVE MARKING

Information contained above.

Have you made an application for review relating to this premises before?

(Please tick yes)

PROTECTIVE MARKING

	Day	Month	Year
If yes, please state the date of that application:			

If you have made representations before relating to this premises please state what they were and when you made them:

N/A

PROTECTIVE MARKING

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.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>

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 (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:		Date:	16/03/2022,
Capacity:	N/A		

Contact name (where not previously given) **and postal address for correspondence associated with this application:** (please read guidance note 6)

N/A

Post town:		Post code:	
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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.

Retention Period: 7 years
MP 321/12

Please see next page

5 WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Bryan LEWIS PC 4161AW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable p200892

This statement (consisting of 4 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Bryan Lewis PC 4161AW* Date: 25/04/2022

I am currently employed with the Metropolitan Police Service as a Police Constable. For the last thirteen years, I have been a member of the Westminster Police Licensing Team. I have amassed extensive knowledge of licensed premises in the city of Westminster from both a licensing and enforcement perspective. Prior to that, I was employed on a Westminster Council / police partnership team, and I was a police emergency response officer on both the boroughs of Hammersmith, Twickenham and Richmond.

On Friday 15th April 2022 about 4pm, PC Reaz Guerra and myself from the Westminster Police Licensing Team visited 35b Queensway to check the premises was complying with its new CCTV licence condition. We entered the shop and made our introductions to Mr Mustafa Alkifray, the licence holder, who was alone and sat behind the counter. Mr Alkifray was familiar to me as I believe we were to him; due to previous visits we had both conducted. As on previous occasions, I found Mr Alkifray's answers to our questions to be vague, and ambiguous. He informed us that the CCTV was working but that its installation was not completed and the individual who had fitted it, would be returning to finish the job. I asked him how many days it had been recording for. He said twenty days. He also said he was not sure how to operate the system. There was a monitor fitted at ceiling height, which was working but was partially obscured by both the shelf it rested on and because it was not angled downwards. This was also where the small digital recording recorder (DVR) box was located, along with its control mouse. I asked to see recorded footage. Mr Alkifray found a short step ladder. As I informed Mr Alkifray, having to go up a ladder to operate the DVR and view footage was not satisfactory, as following an incident, Police may need to view

Witness Signature:

Signature Witnessed by Signature:

Continuation of Statement of:

footage upon immediate request. When I checked the recorded footage, it was only available from the 2nd of April 22 and therefore about thirteen days, not twenty, as he had informed us. There was live footage currently being shown from four cameras. There had only ever been only four cameras working since the system had commenced operating, as we viewed recorded footage from the first days in April it had been operating. This did confirm that the system was fully operational in relation to the four cameras. However, Mr Alkifray repeatedly maintained that there were six cameras in operation. I ticked the boxes of the first six cameras on the DVR operation display but the other two camera images did not appear. Mr Alkifray continued to insist that there were 6 cameras. I then noticed that below the monitor, were the red feed cables for the cameras. There were only four cable leads connected, confirming that there could only be four cameras in operation, which I pointed out to Mr Alkifray. We also noted that the cameras not working, were the two dome cameras fixed to the ceiling above where Mr Alkifray served his customers and appeared originally positioned to capture all transactions at the counter.

At about this time during our visit, a young female, I would estimate to be in her mid-teens, entered the shop. She hesitantly looked at the three of us rather than the goods on sale, and abruptly left the shop.

I informed Mr Alkifray that I had confirmed the CCTV system was operating but that I wasn't entirely satisfied as the need for the use of a ladder meant DVR was too difficult to access, the monitor couldn't be viewed properly, and two important cameras weren't working. Therefore, he was breaching his CCTV licence condition in that the system did not meet our minimum standard. The DVR and monitor required repositioning and the two counter cameras connecting to the system. I gave him one week, despite him arguing for more time. In my experience, his shop CCTV system was a simple inexpensive analogue system, a homeowner might purchase. It is basically a plug and play system and requires virtually no technical knowledge to fit and operate. Our visit completed; we left the shop.

As we crossed the high street, PC Guerra and I observed two young females, I would estimate to be in their teens, enter the shop; then leave a short time later. PC Guerra went over to the girls to speak to them as they walked away, finally catching up with them in Bayswater tube Station. He phoned me, requesting I join him. When I arrived at the station, he was just leaving the platforms. PC Guerra informed me he had identified himself as a
Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

police officer to the girls and enquired as to why they had visited the shop. I did not make a note of the conversation, but I specifically remember he said the girls mentioned that they had heard on Snapchat, an internet chat site popular with young people, that you could purchase 'bad' things in the shop, or words to that effect. They had gone on their way.

We returned to the shop a short time later. On arrival, PC Guerra requested from Mr Alkifray, that he produce a recording of the CCTV, from 4pm to 4.30pm. This would cover the time period the two females had entered the shop. Mr Alkifray said this couldn't be done, as he didn't know how to download from the system. PC Guerra informed him it was a requirement of his CCTV condition, to provide a copy of the CCTV following a police request. It should be downloaded onto a USB memory stick, and it was agreed with Mr Alkifray that I would return the following day to collect it, at some time from 11am onwards when he opened the shop. I made a note of his two phone numbers and his company email address, so that I could contact him the following day, to notify him roughly what time we would be arriving. In fact, when searching on the internet for the company name within his email address, I was surprised to find that he described his business as a repairer of electronic and optical equipment, suggesting he would not have any trouble installing a basic CCTV system and downloading from it.

The following day, Saturday 16th April 2022 about 6pm, I returned to the shop, accompanied by another police licensing officer, PC Nicole Sondh; who had also previously visited the shop. I had tried to phone Mr Alkifray in advance, but he had not answered. On arrival, Mr Alkifray was sat behind the counter. I was keen to be as brief as possible, in order to visit other premises. When I asked him for the download, he said he hadn't done it. He said a number of times, if I wanted it, I could use my phone, which I took to mean I could find the relevant recording times myself, and again standing on the ladder, I could film the footage on my mobile phone. I said to him that he had been requested to produce downloaded footage on a USB memory stick, and in any case, I am not permitted to capture CCTV evidence on my own mobile phone. Mr Alkifray changed his manner from confusion to hostility. He said several times why his shop? Suggesting we were targeting him for no good reason. PC Sondh patiently explained to Mr Alkifray in detail the purpose of our visit and exactly why it was his shop we were visiting. That this was following a number of allegations that he sold alcohol to children. As we were speaking a young girl entered the shop, I would

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

estimate to be in her mid-teens, dressed in a white top and trouser outfit. Mr Alkifray said to her "give me two minutes", and she left. I thought this was odd, as when an older male had previously entered the shop, which generally seems to have few customers, Mr Alkifray had immediately turned his attention away from us, and served the male some cigarette papers. We then had a conversation about the sale of alcohol. Mr Alkifray said he wanted to cease the sale of alcohol. I said why don't you surrender your licence. He then clarified that he only meant temporarily. I took this to mean while the troubles he was having with the Responsible Authorities blew over. I said he could not temporarily surrender his licence. He then spoke of a visit by another police officer earlier that day, who he couldn't name or why he had visited. The officer had also wanted to look at his shop CCTV. We had no knowledge of this visit, but it is possible that it was following two crime reports for assaults that had occurred at the shop in the past weeks. He then showed us on his mobile phone, footage from his outside cameras looking onto the street, which had been captured earlier that day 16/04/22, and which he had said he had shown the officer. I said to Mr Alkifray then you are able to download footage, as you have just shown me. He then claimed that he had simply used the phone- camera, to film the monitor image holding the phone-camera. I knew this wasn't true as it was clear the images he had shown me were properly downloaded.

PC Sondh in a further attempt to assist Mr Alkifray, suggested that we would send him an email with a link to a police contractor (Axon) web site, enabling the downloading of CCTV footage directly without the need for a storage device. Again, he would not provide clear answers, in my opinion feigning ignorance of how to conduct a simple download. However, he finally agreed to carry out our further request for the same footage originally requested the day before. We left the shop and crossed Queensway. When I looked back, I noticed the same young female dressed in white, had re-entered the shop, and had sat down in a swivel chair by the counter, suggesting a familiarity with visiting the shop. We then left the area, to conduct other licensing visits.

As far as I am aware, Mr Alkifray has still not produced the CCTV footage requested by police.

Bryan Lewis PC 4161 AN

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

Bryan Lewis PC4161CW

Westminster Police Licensing Team

Bryan Lewis PC4161CW

Witness Signature:

Signature Witnessed by Signature:.....

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

URN

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Statement of: Constable Tom Stewart

Age if under 18: Over 18

Occupation: Police officer

This statement 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 in it, anything which I know to be false, or do not believe to be true.

Signature:



Date: 10 Mar 2022

I am PC Tom Stewart 4230AW and I am attached to the Central West Licensing team, covering Westminster borough. I have been a police officer for 13 years and a Licensing officer 4 ½ years.

On Wednesday 2nd of March 2022 at approximately 15:50 hours, I was on duty in plain clothes, accompanied by Pc Bryan Lewis and Westminster City Council (WCC) City Inspectors Floyd Harris and Sam Bucpapaj. We had arranged to conduct a licensing visit at AMK Food and Wine, 35b Queensway.

Police Licensing had received numerous reports that the Licence Holder and DPS (Designated Premises Supervisor) had been selling alcohol to children. The most recent allegation was that he had sold a bottle of vodka to two girls aged 13 and 14 years old who were in school uniform. This had allegedly happened on Friday 25th February between 17:00-17:30.

The Licensee, Mr Mustafa Alkifray had previously denied all of the allegations of underage sales and following engagement with the police licensing team, agreed to submit a minor variation to add several conditions to his licence, including a condition requiring CCTV that recorded for a minimum of 31 days. Westminster City Council had informed us that the variation had been applied for, but payment had not been made, thus making the application invalid until the payment had been received. Since the application had been submitted by Mr Alkifray, it would be a fair assumption to make that the CCTV would be compliant with the conditions he had included on the application.

The intention of the visit was to establish if the CCTV was compliant and whether the alleged sale of alcohol was captured on CCTV. If the incident hadn't taken place, then this could also be corroborated by the CCTV.

We entered the premises, which is a very small and narrow shop, with the counter and till area located at the far end. There were only two people on the premises when we entered. A male stood behind the counter, who I now know to be Mr Mustafa Alkifray and a young male, possibly around 13 or 14 years old. When the customer saw us enter, he appeared quite nervous. He quickly picked up something from the sweets section, paid for the item and then left the premises. At this point I approached Mr Alkifray and introduced myself and the other officers. I produced my warrant card and showed it to Mr Alkifray.

I asked him if he had the summary part of his premises licence (Part B) to hand, as I could not see it displayed. He appeared confused by the question but indicated that he did not have it. I then asked Mr Alkifray if he had the original copy of his premises licence available for inspection. Again, he stated that he did not have it, but could access one on his computer. I explained to Mr Alkifray that it was a legal requirement to display the Summary (Part B) licence and to have the full premises licence on the premises. I asked Mr Alkifray if he had his personal licence on him, which he did. He handed this over and I inspected it. It appeared to be in order. The licence had been issued by the London Borough of Hammersmith and Fulham.

Signature:



Signature Witnessed by:

Continuation of Statement of: Constable Tom Stewart

I asked Mr Alkifray about the minor variation that he had submitted, informing him that payment had not been received and that if the payment was not made by the 4th of March, then WCC would invalidate the application. Mr Alkifray insisted that he had paid for the application to two separate occasions but could not provide a receipt or email confirmation of the payment. I asked him if he was aware of the conditions that he had requested to be added to the premises licence, and he responded by saying that he was just doing what the police had told him to do. He didn't appear to have any interest, professional or otherwise in the conditions that were requested by police or the reasons for why we had asked for them. It had been explained to Mr Alkifray on numerous occasions of our concerns in regard to the allegations of underage sales, and that the implementation of CCTV, Challenge 25 and an incident log would assist him in promoting the licensing objectives. Mr Alkifray's complete lack of comprehension was very concerning. He literally seemed to shrug off the idea that there was an issue.

I could see that there were at least two CCTV cameras within the premises. One positioned above the till area, facing downwards and the other was by the entrance/exit. I could also see that the spirits, including a bottle of vodka was behind the count on a shelving unit. This could only be accessed by someone behind the counter. I asked Mr Alkifray how long his CCTV recorded for. He stated that it only recorded for three days. I asked if the premises was open on Friday 25th February. Mr Alkifray appeared confused by the question, stating that he could not remember. He then stated that the shop had not been open much at all during the last few weeks. I asked him if anyone other than himself worked or sold alcohol from the shop. He confirmed that he was the only person who worked there but stated that he often gave the keys to other people to lock up. I asked again if he was working on Friday 25th at around 5pm. He again returned a blank look and finally stated that he thought he came to the shop that evening around 8pm.

I then informed Mr Alkifray that we had received a recent allegation that he had sold a bottle of vodka to two underage females. I stated that this had allegedly happened on Friday 25th February around 17:00-17:30. I asked Mr Alkifray if his CCTV would have recorded what had taken place, if anything, during these times. He showed me his mobile phone (where the CCTV recording could be accessed via an application). I could see from the information on the application that the recordings only went back three days. This was indicated by a small dot over the preceding three days. Mr Alkifray scrolled to Friday 25th February and there were no recordings.

Throughout my interactions with Mr Alkifray, I got the impression that he was not taking the situation seriously and was perhaps 'playing dumb' and being deliberately obstructive and unhelpful. This sort of behaviour is very concerning considering he is the premises licence holder and DPS. This is further compounded by the fact that we were discussing the very serious allegations of selling high strength spirits to children.

Witness Signature: 

Signature Witnessed by:

5 WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Bryan LEWIS PC 4161AW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable p200892

This statement (consisting of 4 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature:

Bryan Lewis PC4161AW

Date: 10/03/2022

I am currently employed with the Metropolitan Police Service as a Police Constable. For the last thirteen years, I have been a member of the Westminster Police Licensing Team. I have amassed extensive knowledge of licensed premises in the city of Westminster from both a licensing and enforcement perspective. Prior to that, I was employed on a Westminster Council / police partnership team, and a police emergency response officer on both the boroughs of Hammersmith, Twickenham and Richmond.

On Wednesday 2nd of March about 3.50pm, I was on duty in plain clothes, accompanied by fellow Police Licensing officer, PC Tom Stewart. That afternoon we met with Westminster City Council (WCC) Licensing Inspectors Floyd Harris and Sam Bucpapaj. We then conducted a joint licensing visit at AMK Food and Wine shop, 35b Queensway. The visit was arranged due to information we had received, that underage youths had been sold alcohol in the shop, the previous Friday. As we entered, there was one young male customer conversing with a male who appeared in his forties or fifties, sat at the rear of the shop, who I now know to be the shop owner, Mr Mustafa Alkifray. The shop is long and narrow and appears to have once been a larger shop now subdivided. Mr Alkifray was seated behind a screen, wearing a dark baseball cap. PC Stewart introduced us and explained that we were conducting a licensing visit. Mr Alkifray confirmed he was the owner, and I knew from having seen the premises licence before our visit, he was also the Designated Premises Supervisor. The young male customer selected some items, paid and left the premises. I noted that there were cans of alcohol for sale on my left in a refrigerated cabinet, and numerous bottles of spirits in a horizontal wall-

Witness Signature:

Bryan Lewis PC4161AW

Signature Witnessed by Signature:

Page 1 of 3

Continuation of Statement of:

to-wall wooden shelf above Mr Alkifray. Examining the interior of the shop, my impression was that little time and money had been spent on its appearance. PC Stewart queried where part B of the premises licence was displayed and if Mr Alkifray could produce the hard copy part A of the licence. He was unable to produce either. PC Stewart informed Mr Alkifray that he was required by law to produce these documents to the authorities upon request. Throughout our visit, Mr Alkifray's answers were vague and he often appeared mildly amused by something. PC Stewart asked to see his personal licence which he immediately produced. It appeared to be in order. PC Stewart then asked Mr Alkifray about a minor variation application to add a CCTV licence condition to his premises licence, that he had submitted some time before. Police Licensing had requested this on a previous occasion, due to other allegations of underage sales against the premises. Apparently, the variation had been submitted but not paid for and therefore had not been processed successfully. There was some discussion about whether he had paid for it, but it was apparent that he had not confirmed if it had been added to his premises licence. Mr Alkifray said he would resolve this matter.

I noticed two wireless CCTV cameras in the shop, one behind the counter, the other at high level covering the alcohol display. PC Stewart queried with Mr Alkifray whether his CCTV system complied with the condition he had applied for, including the 31-day storage requirement. He replied that the CCTV system only stored footage for three days. PC Stewart asked why this was the case, to which a satisfactory answer was not provided. PC Stewart asked if he was open for business the previous Friday, 25/2/2022. Mr Alkifray repeatedly said he couldn't remember, despite it being only five days before. He stated no one else worked there and gave the impression that the shop's opening times were intermittent.

PC Stewart explained that we had received information that some school children had purchased a bottle of Vodka the previous Friday and asked for Mr Alkifray's response. He then said that he now remembered he had not worked that day and the shop would not have been open, therefore the sale could not have taken place. We

Witness Signature:

Signature Witnessed by Signature:

Byrne Lee & PC4161A

Continuation of Statement of:

left the shop, having completed our visit, intending to follow up whether the minor variation regarding a CCTV condition was resolved, and the condition added to the licence.

Bryan Lewis PC4161CW

Bryan Lewis PC4161CW

Westminster Police Licensing Team

Witness Signature:

Signature Witnessed by Signature:.....

WITNESS STATEMENT

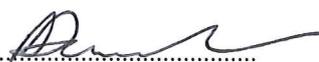
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Adam Deweltz**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

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: **A.Deweltz PC 2556 AW**  Date: **10/03/2022**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Adam Deweltz and I am a Police Constable for the Metropolitan Police Service. I have been a Police Officer for 20 years and I am an experienced licensing officer currently working in the Westminster Police Licensing Unit. I have been in this role since November 2014. Since then I have dealt with a wide range of licensing matters including applications for new premises licences, licence committee hearings, licence review hearings and a large number of licensing visits to a variety of licensed premises within the City Of Westminster. My unit is responsible for approximately 5000 licensed premises across Westminster, Kensington and Chelsea and Hammersmith and Fulham. When visiting any licensed premises, we aim to work in partnership with them by making improvements and offering advice to ensure the licensing objectives are promoted.

This MG11 statement refers to AMK Food and Wine, 35B Queensway, W2 4QJ. The Premises licence number is 20/09113/LIPCHT. The premises licence holder is AMK Innovation Limited, 199 Uxbridge Road, London, W12 9DH. The Designated Premises Supervisor (DPS) is Mr Mustafa ALKIFRAY.

Following on from PC BOON's work, I took over dealing with the licensed premises in November 2021. With the licensee passing our Police test purchase on the 15th April 2021, a decision was made at the time to not review the premises licence. I had also liaised with Trading Standards and City Inspectors who had also conducted test purchases on different dates. Once again, the licensee had passed these tests and challenged the cadets for identification. It was viewed that these results would undermine any review brought by the authorities. Instead, it was decided to get conditions added to the premises licence. These conditions, such as CCTV model conditions, would ensure that officers could view any CCTV over a 31 day period if or when any further allegations of underage sales were made. PC BOON first made this request in person on the day of the Police test purchase operation. She later sent him a follow up email on the 23rd April 2021 requesting him to submit the minor variation to add conditions to the premises licence. PC BOON exhibited the email thread as CB/5.

Police Licensing knew the CCTV at the premises deleted itself after 1-3 days. This meant that by the time we received any complaints and attended the venue, it was likely that all evidence would be lost. The licensee was well aware of this fact. With the passing of the test purchases, the licensee was getting away with selling alcohol to children. We decided to request for his premises licence to be updated with CCTV conditions, as well as challenge 25 and refusal log. This request was considered both completely reasonable and proportionate. The licensee already had a CCTV system in place. It just required an update to ensure recordings were kept for 31 days. The other conditions asked for would not cost him any extra money to adhere to them.

On the 12 May 2021, the licensee submitted the application to update his premises licence. However, no conditions were contained within the application form. This therefore made the application invalid. Police could not have been any clearer and it can be seen from the emails sent by PC BOON on the 23rd April 2021 (exhibit number CB/5) that the conditions were there.

Licensing services contacted the licensee and told him he would have to reapply. He failed to do this.

On the 4th October 2021, Westminster City Council were contacted by a Council colleague whose friend's daughter bought alcohol with her friends from AMK Food and Wine. The group of underage girls who were 14-15 in age, bought a bottle of vodka from the licensee and went to Hyde Park where they consumed it. This information was passed to Westminster Police licensing on the 9th November. I immediately contacted the informant who put me in touch with her friend. I obtained a statement from her, which I exhibit as ASD/1.

Signature: ..... page 62 witnessed by:

Continuation of Statement of **Adam Deweltz**

A further complaint came in to Westminster City Council also on the 9th November 2021. This was also passed to Westminster Police licensing. I made contact with this informant. Please see exhibit ASD/2, which is the email thread to them. Initially this parent wanted to assist Police, but unfortunately they stopped engaging with me.

It was clear that the licensee was becoming more active again after not coming to Police Licensing’s notice for approximately five (5) months.

On the 15th November 2021, I emailed Mr Mustafa ALKIFRAY to ask for an update on the minor variation request from my colleague PC BOON. I exhibit the email thread at ASD/4. I had no response from him. I then asked my two colleagues, PC GUERRA and PC SONDH to visit the premises and make enquiries as to why the minor variation had not been submitted. They attended on the 18th November 2022. I bring your attention to PC Guerra’s statement.

On the 17th November 2021 I was made aware that another report of underage sales was made. I made contact with the informant. I exhibit the email as ASD/3. Unfortunately I did not get any response from them.

On the 23rd November 2021 I wrote a letter to Mr ALKIFRAY and tasked PC ALI from the Lancaster Gate SNT to hand deliver it. I exhibit this as ASD/6. The letter was yet another reminder to submit the minor variation. This letter was delivered on the 30th November 2021.

Mr ALKIFRAY finally submitted the Minor Variation application on the 1st December 2021. However, he did not pay the fee and therefore it was invalid once more. Westminster Police Licensing were not made aware that the application was invalid. When the application was sent to Police, it was consulted on and not objected to. This was on the 2nd December 2021. As far as the Police were concerned, the conditions were now on the premises licence and a new premises licence would be issued.

On the 10th January 2022 I emailed another informant having received information that the licensee had sold cigarettes to her daughter, who was under 18. I spoke with the informant and passed all her details to Trading Standards. I exhibit the email thread as ASD/7.

On the 25th February 2022, Police were made aware of yet another report relating to underage drinking at the premises. I phoned the informant and send her a text message to contact me. We managed to speak on Tuesday 1st March and they explained to me that their child had gone into the premises with another child and they had bought a small bottle of vodka. They were not challenged for ID. They then went home and consumed the bottle of vodka in their bedroom. The next day the informant entered the room and discovered the empty bottle. I asked whether I could take a statement over the phone and they told me they would. A statement was due to be taken on Tuesday 8th March 2022, however, the parent became reluctant to assist.

I asked PC Lewis and PC Stewart to attend the premises to check the CCTV. A joint visit with WCC City Inspectors, Floyd Harris and Sam Bucpapaj was conducted on Wednesday 2nd March 2022. The officers asked to see CCTV between the hours of 17:00 and 17:30. These were the times the two children entered the premises.

I bring your attention to the statements provided by the above officers.

Enquiries were then conducted with licensing services and it became known that the minor variation I had requested for CCTV conditions to be added to the licence, was invalid as payment was never made by the licensee back in December 2021.

On Tuesday 8th March 2022, Mr ALKIFRAY withdrew his application for the minor variation he submitted in December 2021. It is unclear what his motives are for this, but on Wednesday 9th March 2022, he submitted another minor variation application for the conditions to take effect on 01/01/2023. This was not what Police had requested and Mr ALKIFRAY knew we wanted the conditions on the licence to take immediate effect. This is yet more evidence of him not working with the authorities and using delay tactics to keep the conditions off his premises licence.

The Licensee, Mr ALKIFRAY, is also known to the Police. He has been arrested a number of times for GBH and Robbery and at the time of completing this statement, he is Wanted by Police for ‘failing to appear’ at Wimbledon Magistrates Court for being charged with ‘failing to provide a specimen of breath’ at Kingston Custody Suite. Arrangements have been made to arrest him and put him before the court. He has been charged for the GBH and is due to go to trial in August 2022. The robbery case is still being investigated. The courts will be informed that he is a Personal Licence holder (Licence number 2019-01726-LAPER issued by Hammersmith and Fulham).

It is clear MR ALKIFRAY has failed to promote the licensing objectives. He has a duty of care to his customers and he has demonstrated time and time again that he does not care for the safety of children. He is all too willing to sell alcohol to children in order to make profit. He has not worked with the authorities to conduct the simplest of tasks to update his premises licence with conditions. He has dragged

Signature: 

Signature witnessed by:

Continuation of Statement of **Adam Deweltz**

his feet and been obstructive. Westminster Police Licensing have no faith in Mr ALKIFRAY and do not regard him as a responsible operator.

Whilst the existing premises licence is devoid of any conditions, having only the mandatory conditions attached to it, it is the view of the Police that even with the addition of further conditions the premises would continue to operate in an irresponsible and negligent manner. Therefore, The Metropolitan Police Service seek full revocation of the premises licence in order to protect children from harm and prevent further crime.



Signature:  page 64 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

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 Deweltz**..... Station: **N/A**

Time and place statement taken: **16:00 hours at City Hall, Victoria Street, SW1**

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: 17/03 2022.....

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 Police 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. I am also a specially trained search officer, Licensed by the Home Office, with over 16 years' experience performing this role.

I submit the below information in relation to an application to review the premises licence for 35B Queensway, London W2, Premises licence 20/09113/LIPCHT.

The premises is located on the west footway of Queensway, W2, approximately 100 metres north of the junction with Bayswater Road, W2. The main entrance to the premises is via a single door on Queensway. I would describe the premises as a long narrow premises. As you enter the premises there is a booth/cabin to the right, which appears to sell or repair used mobile phones.

Signature: *Reaz Guerra 1614CW* Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

There are display shelves along the sides of the wall and the till is located at the back of the premises.

The current plans as submitted to the licensing authority, do not accurately reflect the current layout of the premises, as the booth/cabin is not shown on the current plans.

On Thursday 18th November 2021 at approximately 18:25hrs, PC Sondh and I attended the premises to conduct further enquiries on behalf of PC Deweltz regarding the submission of a minor variation to add a number of conditions to the premises licence. On entering the premises, we spoke with Mr Mustafa ALKIFRAY, who confirmed he was the owner and the Designated Premises Supervisor. Having introduced ourselves I asked Mr ALKIFRAY if he had any recollection of the request to submit the minor variation. Mr ALKIFRAY gave the impression that he did not understand what I was asking, replying something like, "What is this? Is there a problem here? Why are you here?" I then explained that my colleague had previously requested he voluntarily add a number of conditions, regarding CCTV, age challenge policy and incident log. He then said he had already done it and tried to look on his phone to find an email, but couldn't show me any emails relating to the minor variation. In speaking with ALKIFRAY I formed the opinion that he was being evasive, pretending not to understand what was being asked of him. I recorded his details and informed him we would be in touch to discuss this further, we then left the premises. There appears to be a discrepancy and two variations with spelling of Mr Alkifray's surname. 'Companies House' shows him as the sole director, with his name spelt as Mr Mustafa Mahmoud Ibrahim ALKFIRAY, his personal licence shows his name as Mustafa ALKIFRAY.

On Friday 9th March 2022, the Westminster Police Licensing team were served with a minor variation application in respect of this premises (35B Queensway), reference 22/02401/LIPVM to add a number of conditions, however the applicant, Mr ALKIFRAY, had requested that the minor variation not take immediate effect, but instead be deferred, and take effect from 01/01/2023. The Police objected to this application, as having the start date deferred for such

Signature:  1614CW

Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

Police seek revocation of this licence to prevent crime and disorder, and foremost to protect children from harm.

PC Reaz Guerra 1614CW

Signature: *PC Reaz Guerra 1614CW* 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

Witness care

- a) Is the witness willing and likely to attend court? Yes / 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? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / 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): **PC1614CW P207028 PC GUERRA**..... Station: **City Hall Westminster**

Time and place statement taken:

Continuation of Statement of **PC Reaz Guerra 1614CW**

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 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.

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. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

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

On Friday 15th April 2022 at approximately 4pm (Good Friday Bank Holiday during the school Easter holiday), I attended the premises with PC Lewis. The purpose of the visit being to ensure the premises was complying with its licence conditions. Upon entering the premises Mr ALKIFRAY was sat behind the counter at the rear of the premises on his phone. There were no other people present.

We approached Mr ALKIFRAY who appeared to recognise us. We identified and introduced ourselves.

Signature:  Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

We explained the purpose of our visit and asked about the CCTV system, MR ALKIFRAY stated he had a new system fitted, which had SIX (6) cameras recording to a stand-alone Digital Video Recorder (DVR). We then asked if he could show us recorded footage from when the system was installed. The CCTV monitor was located high up on a pillar toward the rear of the shop, with the DVR positioned underneath the monitor. MR ALKIFRAY appeared confused with our request to view CCTV, saying "IS THERE A PROBLEM, DID SOMETHIING HAPPEN"? He appeared reluctant to show us the CCTV. I then explained to him that he should be able to show us recorded footage, to which he replied, "I HAVE THE CAMERAS, THE CCTV IS THERE, YOU CAN LOOK FOR YOURSELF," implying that we should operate the CCTV system ourselves. I then explained that it was a requirement that there should be a member of staff on the premises who could operate the CCTV. Again he gave the impression of being confused. In my opinion he fully understood what was required of him, but he pretended to not understand.

Eventually he agreed to show us footage. The positioning of the monitor and DVR made it difficult for MR ALKIFRAY to operate the CCTV, particularly with the location of the monitor being so high up, that it was hard to see the footage on the screen. MR ALKIFRAY was able to show us footage from the 2nd April shortly after the new system had been installed. I then noticed that although he had stated he had SIX (6) cameras installed, there were only FOUR (4) cameras shown on the recorded footage and also on the live view. MR ALKIFRAY kept insisting that there were SIX (6) cameras. I walked through the shop to identify where the cameras were located. There were two external cameras mounted high up on either corner of the external shop sign, one inside the entrance, one in the middle of the premises and two at the back looking at the till and counter area. I then noticed that the rear of the DVR was visible and I could see that there were two connections that were not connected. I suspected that they were intentionally disconnected.

At this point I noticed a young female walk into the premises. I would describe her as a white female, approximately 14 years old, slim build, long brown hair, fair complexion, 5' tall. Having walked into the premises, she stopped suddenly and looked at us, appearing extremely nervous. She then promptly turned around and left the premises.

Signature: 

Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

	MR ALKIFARY submits new licence application for premises licence, informed by WCC licensing that the premise is already licence and explain the requirements in relation to transferring existing premises licence	
30/09/2019	Ref 19/12548/LIPN WCC email MR ALKFIRAY detailing same as above,	Application invalidated by WCC
01/11/2019	Ref 19/14324/LIPN Application for new premise licence as per previous application, applicant states submitted in error, application withdrawn	Application withdrawn.
01/11/2019	Ref 19/14327/LIPT Application to transfer existing premises licence to Mr ALKFIRAY (AMK INNOVATION LTD), however to associated application to vary the Designated Premises Supervisor.	Application processed and granted by WCC
04/11/2019	Ref 19/14402/LIPDPS Application to vary designated premises supervisor,	Application deemed invalid as incorrect details provided, also Licensing state annual fees have not been paid.
24/01/2020	Ref 20/01050/LIPDPS Application to vary DPS to Mr ALKFIRAY	Application processed and granted
06/10/2020	20/09113/LIPCHT Application to change trading name to AMK FOOD AND WINE, advised by WCC as to process	Application processed and granted
12/05/2021	21/04603/LIPVM Application following Police request to add conditions, application did not contain necessary detail.	Application deemed invalid by WCC
01/12/2021	21/13915/LIPVM As above, Application following Police request to add conditions, application fee not paid despite reminder email from WCC, application then withdrawn by applicant on 08/03/2022.	Application withdrawn by applicant.
08/03/2022	22/02401/LIPVM As above, Application following Police request to add conditions, but MR ALKFIRAY requests that the variation does not take effect until 01/01/2023	Police object to application as it would not take effect immediately.

Signature:

 1614CW

Signature witnessed by:

.....

Continuation of Statement of **PC Reaz Guerra 1614CW**

16/03/2022	Ref 22/02885/LIREVP Application to review premises licence submitted by Westminster Police Licensing.	Review application processed by WCC
16/03/2022	Ref 22/02919/LIPVM - Application following Police request to add conditions as per previous request – no fee paid by applicant.	WCC invalidate application.
16/03/2022	Ref 22/02922/LIPVM - Application following Police request to add conditions as per previous request – no fee paid by applicant.	WCC invalidate application.
22/03/2022	Ref 22/03073/LIPVM following Police request to add conditions as per previous request.	Police do not object, Variation granted by WCC

This additional evidence reinforces the opinion of the Police that revocation of the current premises licence for 35b Queensway, is essential to prevent further crime and disorder associated with this shop, and protect children from harm who may be tempted to visit there.

Reaz Guerra 1614AW

Signature: *Reaz Guerra* 1614AW 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

Witness care

- a) Is the witness willing and likely to attend court? Yes / 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?
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / 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: Yes No N/A
(obtained in accordance with local practice)
- 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): **PC1614CW P207028 PC GUERRA**..... Station: **City Hall Westminster**

Time and place statement taken:

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

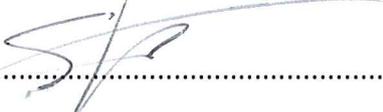
Statement of *SAM BUCPAPAJ*

Age of Witness
(if over 18 enter "over 18") *OVER 18*

Occupation of Witness *CITY INSPECTOR PUBLIC PROTECTION & LICENSING*

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 in it anything which I know to be false or do not believe to be true.

Dated the 3rd March 2022

Signed.....

My name is Sam Bucpapaj and have being employed as City inspector in public protection and licencing department for Westminster City Council since October 2013

On Wednesday 2nd March 2022, I was deployed on duty with fellow City Inspector (CI) Floyd Harris to attend an Off Licence at an address; 35 Queensway W2. We were tasked to assist two Police officers from the Licensing team PC Bryan Lewis and PC Tom Stewart. As a result of an allegation of sale of alcohol to a 13-year-old child. We entered the premises at about 3:50pm and spoke with a male at the rear of the premises sitting behind a counter. The premises were narrow, with confectionary and other commodities on either side. At the rear behind the male on a raised shelf were bottles of alcohol, and below this a further recess with sliding door containing tobacco etc. There were also bottles of alcohol in a box-like case above the counter and a large fridge with bottled and canned beers, ciders and wine

PC Stewart introduced all of us and asked whether the male was the owner? This male is described as Arabic/Middle eastern ethnicity, stocky build, dark short hair wearing a black

Dated 04th _____ day of March _____ 2022 _____

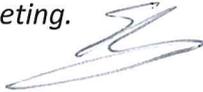
Signed  _____

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

baseball cap and dark clothing. The male replied stating that he was the owner and that his name was Mustafa. PC Stewart explained that he was a police officer and that he was conducting a Licensing visit. PC Stewart then asked to see the Part B section of his premises licence. Mr Mustafa made a show of trying to look for it, but eventually gave up claiming that he couldn't find it. PC Stewart told Mustafa that he was in breach of licensing conditions and that he should always have a copy of the licence on display for inspection by Licensing and members of the public. I could clearly see one CCTV camera located above Mustafa's left shoulder pointing at the costumers and the paying till and one camera on the allocated halfway the shop, pointing at the incoming costumers

Pc Stewart asked me to stand by the front entrance and make sure the door remains closed until we had finished the meeting with Mustafa in order to stop costumers entering the shop and interfering with the meeting.



Dated 04th March 2022

2

Signed



page 80

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

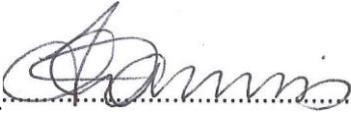
Statement of FLOYD 1 HARRIS

Age of Witness
(if over 18 enter "over 18") OVER 18

Occupation of Witness CITY INSPECTOR PUBLIC PROTECTION & LICENSING

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 in it anything which I know to be false or do not believe to be true.

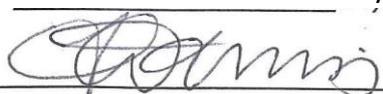
Dated the 3rd March 2022

Signed... 

My Name is Floyd Harris and I'm employed as a City Inspector for Westminster City Council in Public Protection and Licensing since 2019.

On Wednesday 2nd March 2022, I was deployed on duty with fellow City Inspector (C!) Sam Bucpapaj to attend an Off Licence at an address; 35 Queensway W2. We were tasked to assist two Police officers from the Licensing team PC Bryan Lewis and PC Tom Stewart As a result of an allegation of sale of alcohol to a 13-year-old child. We entered the premises at about 3:50pm and spoke with a male at the rear of the premises sitting behind a counter. The premises were narrow, with confectionary and other commodities on either side. At the rear behind the male on a raised shelf were bottles of alcohol, and below this a further recess with sliding door containing tobacco etc. There were also bottles of alcohol in a box-like case above the counter.

PC Stewart introduced all of us and asked whether the male was the owner? This male is described as Arabic Middle Eastern in appearance (IC2), proportionate build,
th _____ day of March _____ 2022



Continuation sheet

Dated 04

Signed

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

dark short hair wearing a black baseball cap and dark clothing. The male replied stating that he was the owner and that his name was Mustapha. PC Stewart explained that he was a police officer and that he was conducting a Licensing visit. PC Stewart then asked to see the Part B section of his premises licence. Mr Mustapha made a show of trying to look for it, but eventually gave up claiming that he couldn't find it. PC Stewart told Mustapha that he was in breach of licensing conditions and that he should always have a copy of the licence on display for inspection by Licensing and members of the public.

Pc Stewart, then asked whether Mustapha was in possession of his Personal License? Which he was and showed it to PC Stewart, the name on the licence was Mr Mustapha ALKFIRAM address 199 Uxbridge Road London WI 2 9DH. PC Stewart went on to say that MrALKFIRAM has applied to the council for a variation on his license (Which required the Licensee to install CCTV), but that the application had been denied due to not being completed on time. Mr Alkfirm, was asked whether his CCTV was working? I saw that there was a white CCTV camera sitting atop a tall unit behind the shop counter Mr ALKFIRAM stated that the CCTV was working. I said to MrALKFIRAM "Can you tell me if you working last Friday 25th Feb"? MrALKFIRAM Said I might have been, but I'm not sure. I may have been here later in the evening". He further stated that he had worked on Saturday. PC Stewart asked to review the recording from last Friday 25th. Mr ALKFIRAM claimed that the CCTV was only installed recently and had been set to overwrite every 3rd day.

It was explained to MrALKFIRAM, that he was currently in breach with 2 conditions on his licence and that there was no confidence in his ability to comply with conditions placed upon his licence. PC Stewart also explained to Mr ALKFIRAM, that there would now be a review of his Licence. I approached Mr ALKFIRAM and asked him to hand over the tape for the CCTV. MrALKFIRAM said that the CCTV records to a 16GB Micro SD card, which I took receipt of and produce as my Exhibit FIH/I. Mr ALKFIRAM signed my pocketbook to confirm I had taken custody and control of the card

Dated 04

Signed

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

URN

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Statement of: Constable Cheryl Boon

Age if under 18: Over 18

Occupation: Police officer

This statement 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 in it, anything which I know to be false, or do not believe to be true.

Signature: *CM*

Date: 11 May 2021

My name is Cheryl BOON and I am a Police Constable working for the Metropolitan Police Service. I have been a Police Officer for 15 years, my current role is working within the Westminster Police Licensing Unit. I have been in this role since February 2018. Since then I have dealt with a wide range of licensing matters including applications for new premises licences, licence committee hearings and a large number of licensing visits to a variety of licensed premises within the City Of Westminster. When visiting these licensed premises the aim is to work in partnership with them by making improvements and offering advice to ensure the licensing objectives are achieved.

This statement is in relation to a Licensed Premises AMK FOOD & WINE, 35B QUEENSWAY, W2 4QJ, current premises licence number 20/09113/LIPCHT. Since 30th January 2021 this premises has come to the attention of Police Licensing, there have been numerous reports made to Police since this time in relation to under age sales of alcohol and cigarettes at the venue, there has also been mention of drug dealing from the location. The majority of these reports have been submitted in the form of intelligence reports and have been made to Police in various forms, either reported on the street to officers, online or telephone. After receiving this initial report I have contacted the local Dedicated Ward officer for the area, PC Ali 1413AW, to ascertain if he had received any similar information, he stated that he hadn't. We discussed the possibility of arranging a Test Purchase operation for this premises and other off licences within the area but due to COVID restrictions at the time this was not available.

During February and early March 2021 Police have received more intelligence reports of the same nature. Due to the fact that the Test Purchase tactic was still not available the decision was made that Police Licensing attend the venue to speak with the Premises Licence Holder and/or Designated Premises Supervisor to discuss the reports. The nature of the reports and the fact that there were now five separate reports was very concerning, we needed to try and ensure that alcohol was not being sold to children or gather evidence if it was. The main aim was to try and safeguard these children and young adults if they were managing to buying and drinking alcohol and to protect them from coming to any harm.

On Tuesday 9th March 2021 I attended the premises in company with PC SONDH 2438AW, we spoke to a male who I now know as Mustafa ALKFIRAY dob [REDACTED] of [REDACTED]. He stated that he is the Premises Licence Holder and the Designated Premises Supervisor. He also confirmed that he is the only person currently working at the premises. Due to the COVID pandemic his business has suffered and he can't afford to employ anyone else. During this visit the reports of underage sales were discussed with him, he stated that he was already aware of these allegations and they are malicious reports made by local businesses. I explained how there is a requirement as a licensed premises to promote the Licensing objectives, in respect to this, the Protection of Children from Harm. He confirmed the practises he has in place with regards

Signature: *CM*

Signature Witnessed by:

Continuation of Statement of: Constable Cheryl Boon

to age verification policies. He confirmed that he had four fully functioning CCTV cameras and we could view footage of these sales underage sales if we had a time and date, at this stage we did not have a report with these details. I confirmed points discussed during this visit via an email to Mr ALKFIRAY sent on Wednesday 10th March 2021, I exhibit a copy of this email as CB/1 and can produce it at court if required. I did not receive any reply from Mr ALKFIRAY to this email.

On Thursday 18th March 2021 I received confirmation from PC ALI 1413AW that a test purchase operation could now go ahead, it was agreed that the dates for this operation would be Tuesday 6th April and Thursday 15th April 2021. The first date for the test purchase operation was then cancelled due to COVID restrictions with the Police Cadets. Police have continued to receive further reports of the venue selling alcohol to under age children. Due to the fact that the second date was set for the Test Purchase Operation I held off attending the venue again until after that date. A report of particular concern was an online report submitted from CAD 2670 12APR21 crimint CWRT01035924 which was received by Police on 12th April 2021. This report was from a parent [REDACTED] he reported that his 13 year old daughter had been found by Police unconscious in the park, this was after drinking vodka she had bought at the above premises, she was taken to hospital as a result of this. I have sent an email to this informant and spoke to him on the phone to clarify details and to see if his daughter was willing to provide a statement to Police in relation to the matter. Unfortunately the female was unwilling to provide Police with a statement. I exhibit two email threads between myself and [REDACTED] as CB/2 and CB/3. I also contacted the Police officer who dealt with this female, this officer confirmed they had not been told where the female had bought the alcohol from and could not provide any further evidence in relation to this incident.

I have looked more in depth into other reports Police had received. I made contact on Thursday 15th April 2021 with the informant from CAD 7543 02APR21, this informant [REDACTED] stated that her 14 year old daughter had bought an Evian bottle with vodka decanted in it for £8.50 from the venue. I sent an email to this informant and spoke to her on the phone. Her daughter was unwilling to provide a statement to Police in relation to this incident. I exhibit the email thread in relation to this correspondence as CB/4.

On Thursday 15th April 2021 a Test Purchase Operation was conducted, officers present were the local Dedicated Ward Officer PC ALI 1413AW, PC MAROUAN 4126AW who is the Volunteer Police Cadet Co-Ordinator in company with him were Police Cadets, along with myself and PC SONDH from Police Licensing. At approximately 1310hrs PC MAROUAN has attended AMK FOOD & WINE, 35B QUEENSWAY, W2 4QJ with two female cadets believed to be aged 13 and 16, myself and PC SONDH remained outside the venue. A short while later PC MAROUAN and the cadets have come back out of the premises, PC MAROUAN as the witnessing officer confirmed that the cadets attempted to buy alcohol, they were challenged for Identification and when they could not produce any the employee has refused the sale.

Due to the fact that the venue had been part of this operation and the increase in concerns of the reports received, myself and PC SONDH have again attended the venue. We have again been met with Mr ALKFIRAY, I have informed him of how he was part of a Test Purchase Operation, he confirmed that it was him that had been at the premises and refused the sale. We thanked him for his action by challenging ID and refusing to sell alcohol to two females under 18 years old. I then made him aware of the further reports we had received and most importantly the one in relation to the female being hospitalised, I have highlighted the seriousness of this allegation along with the other reports and the importance of the Licensing objectives in relation to this the Protection of Children from Harm. He again has claimed that the reports to Police are malicious and reiterated that he does check ID and refuse sales as outlined by the result of the Police operation. As during our previous visit he had confirmed that he had CCTV and that he would allow Police to view footage of any alleged sales, I have requested to view footage of the time and dates of the two reports mentioned above. Mr ALKFIRAY has stated that the CCTV system he has is linked to his phone and only records for 24 hours before erasing itself. I have recommended an upgrade to this CCTV system to record for 31 days and to submit a Minor Variation Application to his Premises Licence, this to ensure that CCTV enquiries can be made at the venue to prove/disprove these reports for a longer period of time. He appeared to be in agreement that this would be beneficial to his business and assist him in disproving these report. On 23rd April 2021 I have sent him an

Witness Signature: *CM*

Signature Witnessed by:

Continuation of Statement of: Constable Cheryl Boon

email confirming what was discussed and requesting he submit a Minor Variation application with conditions appropriate to promote the Licensing objectives and to assist in any future investigation into reports of a similar nature. This request was felt necessary due to the number of reports received and to try and establish if these sales are being made from this premises. I did not receive a reply to this email or any confirmation of whether he agreed and would action my recommendations. I have sent a follow up email on 5th May 2021 asking for a response, he has sent a reply the same date explaining how he operates and also stating that due to financial implications he can not afford to upgrade this CCTV system currently.

Due to further reports received about the premises and underage sales after the Test Purchase Operation, my colleagues from Police Licensing PC SONDH 2438AW and PC Kris CARDWELL 3286AW in company with Chidi Nweke from Westminster City Council have attended the premises to conduct a further visit at the venue. On Saturday 8th May 2021 at approximately 17:40hrs they have attended the premises and found Mr ALKFIRAY present, they have searched the premises under Section 180 Licensing Act 2003 to see if there was any evidence of decanted vodka into soft drink bottles behind the counter, this information was received in two separate intelligence reports. There was no evidence found to support this. During their time at the premises Mr ALKFIRAY he has stated that he would be upgrading his CCTV system and submitting the Minor Variation application requested by myself during the following week.

Following this visit I have replied to the email from Mr ALKFIRAY on Monday 10th May 2021. This email correspondence between myself and Mr ALKFIRAY from 23rd April 2021 to Monday 10th May 2021 is exhibited as CB/5.

Witness Signature: *CM*

Signature Witnessed by:

CB/1 Copy of email sent to DPS on 10/03/21

Dear Mr Alkifray,

Thanks for taking the time to speak to me and my colleague yesterday when we visited your premises.

I explained how we have received four recent reports from members of the public, these reports are alleging that your venue is selling both alcohol and cigarettes to children under the legal age required to buy these products. I explained how there is a requirement as a licensed premises to promote the Licensing objectives, in respect to this, the Protection of Children from Harm. With regards to the reports you were already aware and state that it is untrue, you believe these are malicious complaints due to ongoing issues you are experiencing with other local businesses and residents. You state that you do attract younger customers to your store but they attend to buy sweets and soft drinks and never alcohol or cigarettes. If young people are being sold these items in the local vicinity then it is not coming from your premises.

You confirmed that you are the Designated Premises Supervisor of the venue, also that you are a personal licence holder and as such that you are fully aware of all age verification requirements for your premises. You have clear signage on the cigarette display behind your counter to challenge the sale of age restricted products. I asked about staff training and if employees were aware of age verification policy and the law for selling both alcohol and cigarettes, you explained how currently you are the only person working at the venue, this is due to the financial loss the business is suffering due to lack of customers with the COVID pandemic. Therefore you are currently the only person completing any sales at the premises.

With regards to your current Premises Licence reference 20/09113/LIPCHT, I draw your attention to condition 6 below which highlights what is expected of you:

6.(1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—

(a) a holographic mark, or

(b) an ultraviolet feature.

You have offered to assist Police in any investigation into these allegations, by stating that if there is a time or date when these sales have taken place you are happy to show us CCTV, you explained that this will show these allegations to be incorrect. You have four fully working CCTV cameras covering different areas of the store. You welcome the idea of a Police operation in the area to try and ascertain which premises are illegally selling these products to children.

As outlined above you state that these are malicious allegations and that as a Licensed premises you are fully aware of your requirements with the lawful sale of alcohol and cigarettes, also that you are promoting the licensing objectives. As discussed during our visit if you experience similar issues with local business or residents, then please feel free to report this via the Police non-emergency number 101 or online.

Kind Regards

Cheryl

Cheryl BOON
PC 1344AW
Westminster Police Licensing Team
15th Floor
64 Victoria Street
SW1E 6QP

CB/2 – copy of first email thread with [REDACTED]

Hi - yes of course. It's [REDACTED]

[REDACTED]

On Tue, 13 Apr 2021, 12:41 , [REDACTED] wrote:

Dear [REDACTED]

Thanks for your quick response. Are you free for a quick call on your mobile? I can discuss the options in more detail then and allow you to decide how to progress this with your daughter.

Many Thanks

Cheryl

From: [REDACTED]
Sent: 13 April 2021 12:29
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway, W2

Cheryl,

Thanks so much for getting back to me. Our daughter is happy to help in any way but I wanted to confirm whether there would be any negative implications for her giving a statement or any information on this matter? We are just concerned if information is held that might be traceable in the future.

Apologies for checking. We are keen to assist but wanted to check with you first.

Regards,

[REDACTED]

On Tue, 13 Apr 2021 at 10:38, [REDACTED] wrote:

Dear [REDACTED]

I am a Police Officer and I work in the Westminster Police Licensing Team dealing with all licensed premises throughout the Borough, including Caps News, 35B Queensway, W2. I have been made aware of the report you submitted online yesterday regarding your daughter, I am really sorry to hear what has happened to her, I hope she is a lot better now?

In order to try and stop this happening to other children/young adults I need to obtain some details from you, this is before I can take further action at the venue. Could you please answer the following questions:

Can I have your daughter's name and date of birth? This will enable me to search the Police systems for when she was found on Friday night. I can then contact the officers who attended.

Where was your daughter found unconscious by Police? How did she get to hospital and which hospital did she attend?

What date and time did your daughter buy this alcohol? Can you please describe your daughter including her clothing. This will enable me to check CCTV at Caps News.

Has your daughter previously bought alcohol or any other age restricted products from Cap News, if so when?

Does your daughter know if her friends bought any alcohol or age restricted products from Cap News, if so when?

Would your daughter be willing to provide us with a full statement about the incident?

I am sorry to bombard you with questions, I just need to obtain as much information as possible. We take these reports extremely seriously and want to try and take action with the correct information as soon as possible. I am happy to discuss this further over the phone if its more convenient for you.

I look forward to hearing from you.

Many Thanks

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

CB/3 – copy of second email thread [REDACTED]

Cheryl,

As discussed, we would appreciate if our daughter's name is not mentioned and she does not feel comfortable giving a statement. Feel free to use my name, [REDACTED]
[REDACTED]

Three girls went in around 14.15 on 9 April. Our daughter was all in black with shoulder length brown hair and a small black shoulder bag. She was wearing a black hoodie, black trousers and white trainers. One companion has long light brown hair with jeans, black hoodie and a light blue shoulder bag. The other girl had long black hair and was probably also wearing black.

They bought a bottle of vodka and some vapes and paid in cash. As mentioned, this shop is well known amongst all the teenagers who hang out in "Hyde".

Please let me know what else I can do to assist.

Regards,

[REDACTED]

On Tue, 13 Apr 2021, 10:38 , [REDACTED] wrote:

[REDACTED]

I am a Police Officer and I work in the Westminster Police Licensing Team dealing with all licensed premises throughout the Borough, including Caps News, 35B Queensway, W2. I have been made aware of the report you submitted online yesterday regarding your daughter, I am really sorry to hear what has happened to her, I hope she is a lot better now?

In order to try and stop this happening to other children/young adults I need to obtain some details from you, this is before I can take further action at the venue. Could you please answer the following questions:

Can I have your daughter's name and date of birth? This will enable me to search the Police systems for when she was found on Friday night. I can then contact the officers who attended.

Where was your daughter found unconscious by Police? How did she get to hospital and which hospital did she attend?

What date and time did your daughter buy this alcohol? Can you please describe your daughter including her clothing. This will enable me to check CCTV at Caps News.

Has your daughter previously bought alcohol or any other age restricted products from Cap News, if so when?

Does your daughter know if her friends bought any alcohol or age restricted products from Cap News, if so when?

Would your daughter be willing to provide us with a full statement about the incident?

I am sorry to bombard you with questions, I just need to obtain as much information as possible. We take these reports extremely seriously and want to try and take action with the correct information as soon as possible. I am happy to discuss this further over the phone if its more convenient for you.

I look forward to hearing from you.

Many Thanks

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

CB/4 – email thread [REDACTED]

Cheryl,

Can you call me tomorrow anytime before 14:30 and we can make a time and date. I am useless organising myself like this. My life is all over the place ,

[REDACTED]

Thank you

[REDACTED]

On 27 Apr 2021, at 16:08, [REDACTED] wrote:

[REDACTED]

Sorry I can't do next Monday but I can do any other day next week, if you have any availability then?

Many Thanks

Cheryl

From: [REDACTED]
Sent: 26 April 2021 18:56
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway

Cheryl,
This week is manic, but would next Monday work. She is back by 5

Kind regards,

[REDACTED]

On 26 Apr 2021, at 08:05, [REDACTED] wrote:

Morning [REDACTED]

I appreciate all your help with this and that you think that it is for the best for your daughter to assist further. However in order for me to take a statement it is something your daughter would want to do. I would need to speak to her about it to obtain further details, she will then need to sign the statement after I have completed it. If this case went any further and onto court then she could be called to give evidence and again this is something she would want/need to do.

I am more than happy to chat to you both later today if you think this is something she would be willing to do?

Thanks again.

Cheryl

From: [REDACTED]
Sent: 23 April 2021 21:37
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway

Cheryl,

I am experiencing extreme resistance from my daughter. However, I think this is for the greater good of other children and so she has no choice.
What time are you thinking? She doesn't return until about 16:30/17:00 most days. Monday is the easiest for both of us.

Kind regards,

[REDACTED]

On 23 Apr 2021, at 16:25, [REDACTED] wrote:

[REDACTED]

Thanks for your reply its greatly appreciated.

Is there a suitable time Monday-Thursday next week when I could speak to you and your daughter to discuss this further, with the possibility of taking a statement via telephone?

Many Thanks

Cheryl

From: [REDACTED]
Sent: 23 April 2021 07:55
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway

Cheryl,

Please see the answers next to each question. Sorry for the delay.

Kind regards

[REDACTED]

On 15 Apr 2021, at 10:57, [REDACTED] wrote:

Dear [REDACTED]

I am a Police Officer and I work in the Westminster Police Licensing Team dealing with all licensed premises throughout the Borough, including Caps News, 35B Queensway, W2. I have been made aware of the report you submitted on 02nd April 2021 regarding your 14 year old daughter being able to buy vodka at the above store.

In order to try and stop this happening to other children/young adults I need to obtain some details from you, this is before I can take further action at the venue. Could you please answer the following questions:

What date and time did your daughter buy this alcohol?- The timing is on the report I filed, 2/4/2021

Can you please describe your daughter including her clothing. This will enable me to check CCTV at Caps News.- light blue jeans, grey t-shirt, cape hoodie- zip. Airforce trainers in white with colouring on the sides. My daughter is about [REDACTED] that may have been up. She was also carrying a [REDACTED]. She was travelling with another girl who was at Joe and the Juice when the event occurred.

Has your daughter previously bought alcohol or any other age restricted products from Cap News, if so when?- no

Does your daughter know if her friends bought any alcohol or age restricted products from Cap News, if so when? - no

Would your daughter be willing to provide us with a full statement about the incident? -yes

I am sorry to bombard you with questions, I just need to obtain as much information as possible. We take these reports extremely seriously and want to try and take action with the correct information as soon as possible.

Many Thanks

Cheryl

Cheryl BOON
PC 1344AW
Westminster Police Licensing Team
15th Floor
64 Victoria Street
SW1E 6QP
0207 6411705

CB/5 – MV request to DPS and response

Dear Mr Alkfiray,

Thanks for your response and for providing me with further details.

Your explanation of how you currently operate with regards to challenging age/ID and refusals is appreciated. I also note that your financial constraints are making it difficult for you to upgrade your CCTV to the requirement set out within the proposed condition. The upgrade of CCTV and the suggested condition are recommended as a means to try to protect your business against these allegations and to prove that they are false and malicious. Police have a duty to follow up these allegations in order to safeguard the children that are allegedly being sold this alcohol.

My colleagues informed me that they visited your premises on 08th May 2021, during this visit you have informed them that you will now be upgrading your CCTV and submitting the Minor Variation request this coming week. I will be monitoring receipt of this application with Westminster City Council.

Please feel free to contact me if you want to discuss the matter further.

Kind regards

Cheryl

From: amk innovation [REDACTED]
Sent: 05 May 2021 13:21
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Please reply - AMK Food & Wine, 35B Queensway, W2 4QJ - Police Licensing visit 15th April 2021

Dear Ms. Boon,

Thank you for your email dated 23rd April, 2021.

Further to the first paragraph of your correspondence, I can confirm that I always check for identification before selling alcohol to customers, and that this has been my attitude towards any person whom I suspect to be under the age of 18. In case they do not provide me with ID, I refuse to sell them alcohol and ask them to leave the premises. As per your response, I can confirm that all the allegations and reports submitted against me are false. I have never acted unlawfully nor sold any alcohol to under 18 years old since I opened the shop in November 2019.

I have been feeling unwanted in the area by many local shop owners. I know that they submit false information/reports, allegations against me, and they will continue doing so, they trying to push me to leave the shop and area.

In regards to the incident you mentioned in paragraph two dated 09th April, 2021, it has never happened, and I have nothing to deal with it.

I understand the significance of the problems that arise from selling alcohol to children, and I appreciate your efforts in trying to prevent such actions from occurring. However, I have

complied with the procedures required of me as a person operating in an off-license shop. Despite my good intentions and my lawful actions, there seems to be reports and allegations made against me. Nevertheless, I am willing to cooperate to prove my innocence.

In regards to the requirements suggested, I am happy to set up CCTV in the shop to assure you that these allegations made against me are false. However, my financial abilities have been limited due to the lockdown and the pandemic. As I am willing to comply with these requirements, I would like to take some time, to get quotes from different providers in order to set a system for the cameras on the premises. By then, hopefully the lockdown measures would have eased and I would be financially able to afford paying for the CCTV.

As for the requirement regarding a list of refused sales to be made, this is something that I already do and that is the way I operate, by keeping a record of the refused sales, noting the date and time accordingly.

I hope this is satisfactory.

Thank you for your cooperation. Your efforts are appreciated.

Kind regards,

Mustafa Alkifray.

On Wed, 5 May 2021, 12:51, [REDACTED] > wrote:

Dear Mr Alkifray,

I am following up on my email below dated the 23rd April 2021. I haven't received a reply from you yet so I wanted to establish if you have put any of the measures we discussed into action yet.

Police are still receiving reports in relation to your premises selling alcohol to under 18 year olds and I wanted to ensure that some action was being taken by yourself to combat this. As we discussed in person and I highlighted in the email below we both felt that an appropriate way for you to disprove these allegations was to install an adequate CCTV system, this was so that Police could view the alleged time/date that you were meant to be making these sales. I requested that you submit a minor variation to your premises licence (reference number 20/09113/LIPCHT) to add the appropriate conditions. This is to ensure that you are promoting the Licensing objectives, in relation to these allegations The Protection of Children from Harm.

Can you please confirm that you are receiving my emails? When we last met in person you confirmed you had received the first email I sent you, which is the same email address I have used now.

Could you also confirm if you have upgraded your CCTV system to the requirements stated below and that you will be submitting a minor variation to your premises licence?

I require a response by 9am on Wednesday 12th May 2021 before I have to consider taking further action.

I look forward to hearing from you.

Kind regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

From: Boon Cheryl - AW-CU

Sent: 23 April 2021 11:58

To: [REDACTED]

Cc: Deweltz Adam S - AW-CU [REDACTED]; Sondh Nicole K - AW-CU [REDACTED]

Subject: AMK Food & Wine, 35B Queensway, W2 4QJ - Police Licensing visit 15th April 2021

Dear Mr Alkifray,

Myself and my colleague, PC Sondh attended your premises on Thursday 15th April 2021, we informed you that you had been part of a test purchasing operation completed by Police Cadets in the Queensway area on the same date. The cadets had attended your premises to try and buy alcohol, you challenged their age and asked for ID, when they could not produce any ID you refused to sell to them. We thank you for this as it evidences that you do challenge ID and refuse to sell alcohol to children.

Despite the result of the test purchase operation noted above, we also had to discuss more reports that Police have received in relation to children as young as 13 and 14 being able to buy alcohol from your store. We had previously attended your venue on 9th March 2021 and spoke to you about similar allegations. From a recent report one of these children was hospitalised, this is alleged to be as a result of drinking vodka she bought from your store on Friday 9th April 2021. I have explained how I am trying to gather evidence of these sales and will look to take further action in relation to this matter if I can.

During our conversation, I have requested that if these allegations are true and you are selling alcohol to under 18 year olds then please stop immediately, you are breaking the law under Section 146 licensing Act 2003. You are also putting the health and well-being of these young people at risk, we expect as a premises licence holder for you to be accountable for these sales and be a responsible operator by not selling alcohol to children. Part of your

responsibility by holding a premises licence is to promote the licensing objectives, in relation to these allegations the protection of children from harm.

When I informed you of these further serious allegations you stated that the sales aren't coming from your premises, you claim they are coming from another store but won't say which one. You state you always ask for ID for every sale, which was evidenced during the test purchase operation. You explained it is only you currently working at your store and you are responsible for all sales. You have a CCTV system that is linked to your mobile phone, when I have asked to view footage from the dates and times when the alleged underage sales have taken place, you explained that the system only records for 24 hours then erases itself, I therefore wasn't able to view this footage. You insisted that I download your CCTV app onto my phone so I can constantly monitor your cameras to view who you are selling to. This is not proportionate or a reasonable request or long term solution.

As we are still receiving these worrying reports of underage sales, we discussed the possibility of you submitting a minor variation application to your current premises licence (licence number 20/09113/LIPCHT). This is to add the following conditions to ensure that in future Police and Local Authorities have a way of monitoring who you are selling to and any refusals to underage children. You appeared happy with this suggestion as a way of proving your innocence. You will find the conditions below, I would urge you to consider operating under these conditions as soon as possible, this will enable you to assist in evidencing that you aren't responsible for these sales:

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 entire 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 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.

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. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder (e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system, searching equipment or scanning equipment

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service.

I look forward to a reply acknowledging my request to submit a minor variation. Please feel free to contact me to discuss any of the above.

Kind Regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of:

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: N/A

This statement (consisting of 2 page(s) 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 in it anything which I know to be false, or do not believe to be true.

Witness Signature: Date: 07/12/2021

This statement refers to the day my 14 year old daughter was with her friends and they bought alcohol from an off licence and consumed it in Hyde Park.

My daughter's name is and her date of birth is the . I am providing this statement as a parent, because I am deeply concerned that children under the age of 18 are able to purchase alcohol from Lebara, (AMK Food and Wine) 35B Queensway, London, W2 4QJ.

On Friday 24th September 2021, my daughter was in London with a group of four (4) her friends. At approximately 16:30 hours, they entered Lebara, 35B Queensway, W2 to buy some vapes or e-cigarettes. Once they had bought the items, my daughter left the shop. At no time was she asked for identification by the licensee and she does not look 18 or older.

My daughter waited outside the shop while one of her friends then went back inside to buy some alcohol. Her friend was 15 years old. After a few minutes she left the shop in possession of a full sized bottle of vodka. She paid in cash. At no time, did the licensee ask her friend for identification or question her age.

My daughter and her four (4) friends then walked up Queensway and crossed over the Bayswater Road, into Hyde Park. Once in Hyde Park, the girls consumed the bottle of vodka. had a couple of sips, as did some of the other girls. However, the girl who bought the bottle of vodka, drunk the most.

After a while, the girl began to act strange and it became apparent that she was drunk. My daughter and her friends left Hyde Park and made their way to Queensway tube station.

Witness Signature:

Signature Witnessed by Signature:.....

Deweltz, Adam: WCC

From: Deweltz, Adam: WCC
Sent: 15 November 2021 16:08
To: [REDACTED]
Cc: [REDACTED]
Subject: 35B Queensway, W2

Hello [REDACTED]

Thank you for coming back to me.

Under no circumstances will the operator have any private details. We would never disclose anything to him. In fact, Police are the only ones that will have them.

All details will be redacted should we decide to review the premises licence for full revocation.

One (1) statement will be sufficient. An officer can attend your home address if you are local and they can sit down with either you [REDACTED] and take the statement on behalf of your daughter. In this statement, we can include the fact that she was with her friend and they both entered the shop. Alternatively you could attend City Hall, 64 Victoria Street, SW1 where Police Licensing work and we can do the statement there.

If you are willing to do this, please let me know and we can get started.

Many thanks,

Adam.

*PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
J20 7641 1705*



From: [REDACTED]
Sent: 15 November 2021 15:46
To: Deweltz, Adam: WCC [REDACTED]
Cc: [REDACTED]
Subject: Re: 35B Queensway, W2

Dear PC Deweltz

Thank you for your email below and reassuring me that this matter will be taken seriously.

I copy the father of my daughter [REDACTED] too. There's also the family of her friend (also 14) with whom she went to the shop.

We can provide a witness statement, if have however a few questions:

1. What information do you need?
2. Do we need to provide four statements (ie two sets of parents), or we can all sign one statement?
3. How about our anonymity? I don't want my daughter's address and details to be known to the shop.

I look forward to hearing from you.

Kind regards

[REDACTED]

Sent from my iPhone

On 15 Nov 2021, at 14:37, Deweltz, Adam: WCC [REDACTED] wrote:

Dear [REDACTED]

Westminster City Council Licensing Services have informed Westminster Police Licensing about the operator at 35B Queensway, W2 selling alcohol to your daughter and her friend. First and foremost, I am sorry this has happened to your 14 year old daughter. This is completely unacceptable and I can confirm the authorities take this matter very serious.

Would you able to provide a statement on behalf of your daughter explaining what happened and that she bought alcohol from the premises? Without evidence, it is very difficult to take further action against the operator.

I look forward to hearing from you soon.

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



COVID-19 VACCINATIONS AND TESTING

Deweltz, Adam: WCC

From: Deweltz, Adam: WCC
Sent: 17 November 2021 09:14
To: [REDACTED]
Subject: Lebara, 35B Queensway, W2

Dear [REDACTED]

Many thanks for notifying Police regarding the underage sales of alcohol from Lebara, 35B Queensway, W2.

My apologies for the late reply. Please rest assured that significant work is being done to take enforcement action against the premises. This week I have been trying to contact other parents in relation to their children buying alcohol from this venue.

I appreciate you are a third party reporting on behalf of a parent. Do you happen to know whether this parent would provide Police with a written statement on behalf of their child? Ideally, Police would like to speak to this parent to gather more information.

Police (Licensing/SNT) and Westminster City Council (Licensing Services/Trading Standards/City Inspectors) are working together to find a solution. The problem we have is that we have conducted several test purchases at the premises authorising Police Cadets to buy alcohol. Unfortunately, the operator has passed all these tests and asked for identification each time. This makes it very difficult to review his premises licence for revocation. The other issue is that there is no CCTV in the venue. Work is being done to get the operator to install proper working CCTV and update the premises licence with strict conditions.

If anymore reports come your way, can I ask that you email me direct so I can build an intelligence picture with a view to take further action against the operator.

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



Deweltz, Adam: WCC

From: [REDACTED]
Sent: 09 March 2022 12:40
To: Deweltz, Adam: WCC
Subject: AMK Food & Wine, 35B Queensway, W2 4QJ - CCTV

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Alkifray,

Good morning to you. My name is PC Adam Deweltz from Westminster Police Licensing.

You have previously dealt with my colleague PC Boon. I bring your attention to the correspondence below.

As stated in your email to PC Boon back in May 2021, you were going to install CCTV cameras after lockdown. Can you please confirm that CCTV has now been installed, which will ensure recordings are kept for a minimum of 31 days?

Police would also like you to submit a minor variation to Westminster City Council Licensing Services to have CCTV and other conditions imposed on your premises licence. You will see this below in PC Boon's email.

You will be aware of the many allegations made against your premises for the sale of alcohol to underage persons. While I have seen from your email below that you strongly refuse these allegations, the Police, local authorities and other agencies are very concerned.

You will be required to show the authorities that you are promoting the licensing objectives namely, The Protection of Children from Harm. Failure to do this, can result in enforcement action being taken against you.

As a matter of urgency, I would like a response to this email please.

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



Dear Ms. Boon,

Thank you for your email dated 23rd April, 2021.

Further to the first paragraph of your correspondence, I can confirm that I always check for identification before selling alcohol to customers, and that this has been my attitude towards any person whom I suspect to be under the age of 18. In case they do not provide me with ID, I refuse to sell them alcohol and ask them to leave the premises. As per your response, I can confirm that all the allegations and reports submitted against me are false. I have never acted unlawfully nor sold any alcohol to under 18 years old since I opened the shop in November 2019.

I have been feeling unwanted in the area by many local shop owners. I know that they submit false information/reports, allegations against me, and they will continue doing so, they trying to push me to leave the shop and area.

In regards to the incident you mentioned in paragraph two dated 09th April, 2021, it has never happened, and I have nothing to deal with it.

I understand the significance of the problems that arise from selling alcohol to children, and I appreciate your efforts in trying to prevent such actions from occurring. However, I have complied with the procedures required of me a person operating in an off-license shop. Despite my good intentions and my lawful actions, there seems to be reports and allegations made against me. Nevertheless, I am willing to cooperate to prove my innocence.

In regards to the requirements suggested, I am happy to set up CCTV in the shop to assure you that these allegations made against me are false. However, my financial abilities have been limited due to the lockdown and the pandemic. As I am willing to comply with these requirements, I would like to take some time, to get quotes from different providers in order to set a system for the cameras on the premises. By then, hopefully the lockdown measures would have eased and I would be financially able to afford paying for the CCTV.

As for the requirement regarding a list of refused sales to be made, this is something that I already do and that is the way I operate, by keeping a record of the refused sales, noting the date and time accordingly.

I hope this is satisfactory.

Thank you for your cooperation. Your efforts are appreciated.

Kind regards,

Mustafa Alkifray.

On Wed, 5 May 2021, 12:51, [REDACTED] wrote:

Dear Mr Alkifray,

I am following up on my email below dated the 23rd April 2021. I haven't received a reply from you yet so I wanted to establish if you have put any of the measures we discussed into action yet.

Police are still receiving reports in relation to your premises selling alcohol to under 18 year olds and I wanted to ensure that some action was being taken by yourself to combat this. As we discussed in person and I highlighted in the email below we both felt that an appropriate way for you to disprove these allegations was to install an adequate CCTV system, this was so that Police could view the alleged time/date that you were meant to be making these sales. I requested that you submit a minor variation to your premises licence (reference number 20/09113/LIPCHT) to add the appropriate conditions. This is to ensure that you are promoting the Licensing objectives, in relation to these allegations The Protection of Children from Harm.

Can you please confirm that you are receiving my emails? When we last met in person you confirmed you had received the first email I sent you, which is the same email address I have used now.

Could you also confirm if you have upgraded your CCTV system to the requirements stated below and that you will be submitting a minor variation to your premises licence?

I require a response by 9am on Wednesday 12th May 2021 before I have to consider taking further action.

I look forward to hearing from you.

Kind regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

From: Boon Cheryl - AW-CU

Sent: 23 April 2021 11:58

To: [REDACTED]

Cc: Deweltz Adam S - AW-CU [REDACTED]; Sondh Nicole K - AW-CU [REDACTED]

Subject: AMK Food & Wine, 35B Queensway, W2 4QJ - Police Licensing visit 15th April 2021

Dear Mr Alkifray,

Myself and my colleague, PC Sondh attended your premises on Thursday 15th April 2021, we informed you that you had been part of a test purchasing operation completed by Police Cadets in the Queensway area on the same date. The cadets had attended your premises to try and buy alcohol, you challenged their age and asked for ID, when they could not produce any ID you refused to sell to them. We thank you for this as it evidences that you do challenge ID and refuse to sell alcohol to children.

Despite the result of the test purchase operation noted above, we also had to discuss more reports that Police have received in relation to children as young as 13 and 14 being able to buy alcohol from your store. We had previously attended your venue on 9th March 2021 and spoke to you about similar allegations. From a recent report one of these children was hospitalised, this is alleged to be as a result of drinking vodka she bought from your store on Friday 9th April 2021. I have explained how I am trying to gather evidence of these sales and will look to take further action in relation to this matter if I can.

During our conversation, I have requested that if these allegations are true and you are selling alcohol to under 18 year olds then please stop immediately, you are breaking the law under Section 146 licensing Act 2003. You are also putting the health and well-being of these young people at risk, we expect as a premises licence holder for you to be accountable for these sales and be a responsible operator by not selling alcohol to children. Part of your responsibility by holding a premises licence is to promote the licensing objectives, in relation to these allegations the protection of children from harm.

When I informed you of these further serious allegations you stated that the sales aren't coming from your premises, you claim they are coming from another store but won't say which one. You state you always ask for ID for every sale, which was evidenced during the test purchase operation. You explained it is only you currently working at your store and you are responsible for all sales. You have a CCTV system that is linked to your mobile phone, when I have asked to view footage from the dates and times when the alleged underage sales have taken place, you explained that the system only records for 24 hours then erases itself, I therefore wasn't able to view this footage. You insisted that I download your CCTV app onto my phone so I can constantly monitor your cameras to view who you are selling to. This is not proportionate or a reasonable request or long term solution.

As we are still receiving these worrying reports of underage sales, we discussed the possibility of you submitting a minor variation application to your current premises licence (licence number 20/09113/LIPCHT). This is to add the following conditions to ensure that in future Police and Local Authorities have a way of monitoring who you are selling to and any refusals to underage children. You appeared happy with this suggestion as a way of proving your innocence. You will find the conditions

below, I would urge you to consider operating under these conditions as soon as possible, this will enable you to assist in evidencing that you aren't responsible for these sales:

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 entire 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 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.

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. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder (e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system, searching equipment or scanning equipment

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service.

I look forward to a reply acknowledging my request to submit a minor variation. Please feel free to contact me to discuss any of the above.

Kind Regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

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PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



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Deweltz, Adam: WCC

From: [REDACTED]
Sent: 09 March 2022 12:41
To: Deweltz, Adam: WCC
Subject: 35B Queensway, W2
Attachments: MV request 35B Queensway.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zach,

I have a big favour to ask you if that's ok.....

Police Licensing have engaged with Mr Alkhiray (DPS) via email and a visit over the last 2 weeks but we don't seem to be getting anywhere fast.

Ultimately, I can see this going one way and that will be to review his premises licence to get conditions put on. Unfortunately, a revocation of the licence would be unlikely because he has passed 3 test purchases from Police, WCC Inspectors and Trading Standards. There is no doubt in our mind that he is selling to kids, but we suspect, it is specific children – ones that he knows.

Would you be able to print and drop off the above letter to him in person for me please? And if so, could you notify me the date and time it's dropped off?

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



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Mr Mustafa Alkifiray
AMK Food and Wine
35B Queensway
W2 4QJ

Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP

Email:
adeweltz@westminster.gov.uk
Tel. 020 7641 1705

Your ref:
Tuesday 23rd November 2021

Dear Mr Alkifiray

You have previously dealt with my colleague, PC Boon, in relation to reports of underage sales of alcohol to children at your premises of 35B Queensway, W2 4QJ.

While I am aware that you strongly refute these allegations of underage sales of alcohol, the Police, local authorities, and other agencies are very concerned.

As stated in an email to PC Boon back in May 2021, you were going to install CCTV cameras after lockdown. I have been informed that this is yet to be done by you.

As a matter of urgency, Police would like you to submit a minor variation to Westminster City Council Licensing Services to have conditions imposed on your premises licence. (The conditions are below).

I emailed you on the 15th November 2021 requesting you to do this, but I had no response. My colleagues, PC Guerra and PC Sondh visited your premises on Thursday 18th November 2021, whereby you told them you did not receive my email.

You are required to show the authorities that you are promoting the licensing objectives namely, The Protection of Children from Harm. Failure to do this, can result in enforcement action being taken against you. Police are giving you 2 weeks to submit a minor variation to have the following conditions put on your premises licence:

1) (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.

(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.

(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 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) 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.

4) An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

(a) all crimes reported to the venue

(b) all ejections of patrons

(c) any complaints received concerning crime and disorder

(d) any incidents of disorder

(e) all seizures of drugs or offensive weapons

(f) any faults in the CCTV system

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service

As stated above, failing to submit the minor variation to Westminster City Council will put Westminster Police Licensing in a position of enforcement with all disposal options available.

Yours sincerely,

PC Adam Deweltz 2256AW.

Deweltz, Adam: WCC

From: [REDACTED]
Sent: 09 March 2022 13:13
To: Deweltz, Adam: WCC
Subject: 35B Queensway, W2

From: Deweltz Adam S - AW-CU
Sent: 10 January 2022 12:41
To: [REDACTED]
Subject: 35B Queensway, W2

Hello [REDACTED]

Many thanks for taking my call earlier.

I have passed all the information to Trading Standards within Westminster City Council, so hopefully, you will be contacted in due course.

Can you please confirm that date and time that your daughter bought the cigarettes?

I have also emailed a colleague for further information regarding joining the Police cadets, so once he comes back to me, I will be able to update you.

I appreciate all your assistance. Please rest assured that we are aware of the issues with this premises and work is being done to tackle it.

Kind regards,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



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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 [redacted]
URN: [redacted]

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Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: N/A.....

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.

Signature: [redacted] Date: 06/04/2022.....

Tick if witness evidence is visually recorded (supply witness details on rear)

This statement is in relation to my [redacted] and [redacted] year old daughters buying vapes and alcohol from an off licence. The off licence address is AMK Food and Wine, 35B Queensway, London, W2 4QJ.

I have two daughters. My oldest is [redacted] She is [redacted] years old and her date of birth is [redacted] My other daughter is [redacted] She is [redacted] years old and her date of birth is [redacted]. I am providing this statement as a parent, because I am deeply concerned and worried that children under the age of 18 are able to purchase vapes and alcohol from this licensed premises.

Around the beginning of February 2001, I noticed that my daughters and their friends were gravitating to the area of Bayswater and Hyde Park. At the time I thought this was unusual because we don't live in that area. My concerns increased when I found some vapes in [redacted] coat pocket. I became very anxious, as I am aware that you have to be 18 years and older to purchase vapes. I felt very worried and gravely concerned about this.

I decided to speak with their Father and we checked their bank statements to see if there were any bank transactions to give us a location of the purchase.

We found that on the 14th February 2021, [redacted] had bought an item from AMK Food and Wine for £8 using her debit card. There were also other similar transactions where items had been bought from AMK Food and Wine. (These transactions were consistent over the next few months).

We decided to speak to [redacted] and [redacted] about this matter and they openly admitted that they had bought vapes and alcohol respectively on several occasions from AMK Food and Wine.

My daughters both confirmed that the operator of the shop never asked for photo identification and he

Signature [redacted]

Signature witnessed by: [redacted]

Continuation of Statement of.....

never asked them how old they were. They had no resistance from the operator.

As a parent, I am unbelievably frustrated and extremely anxious about this situation. I try to keep my children as safe as I possibly can, but I cannot be with them at all times. I am horrified that this operator would sell vapes and alcohol to my children. [redacted] is just [redacted] years old and she is now vaping on a regular basis. Vaping is very addictive. It is upsetting, as this could be a stepping stone to her buying cigarettes. She tries to hide them from me, but I find the vapes in the pockets of her coat. At her age she is extremely impressionable and there is a lot of pressure on her to fit in with her friends, who also vape. We have had to book an appointment with our GP to help make her aware of the dangers and implications of what vaping and alcohol-use does. I fear for her safety. I fear for both my children's safety.

My daughter [redacted] admitted buying a small bottle of vodka from AMK Food and Wine and she has done this on two occasions that I am aware of. At the time of buying these bottles she was only [redacted] years old.

I am extremely disappointed with this shop operator and frustrated that he would give my children access to these items. He should have a duty of care to his customers and protect children, but instead he has given no thought to my children's health and safety. This operator will have no idea the effect he is having on families by selling alcohol and vapes to children. He clearly only cares about making a profit.

I hope that this statement will assist the local authorities in taking all necessary and reasonable steps to ensure the licensee does not sell vapes or alcohol to children anymore. I support any enforcement action.

[redacted]

[Handwritten signature]

Signature

Signature witnessed by:

[redacted]

Witness contact details

Home address: Postcode:

Home telephone number Work telephone number

Mobile/pager number Email

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

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 Deweltz** Station: **N/A**

Time and place statement taken: **16:00 hours at City Hall, Victoria Street, SW1**

AMK FOOD AND WINE, 35B QUEENSWAY, W2

CRIMINAL INTELLIGENCE REPORTS

- 1) CWRT01033803 - 18/02/2021
Informant has been a local business owner in the area and wanted to report to their local SNT about the increase of ASB on the QUEENSWAY W2 predominantly from young children who look under 16. The informant states that the kids are very rowdy and boisterous and are wreaking havoc in the local area. The informant states that they are on the QUEENSWAY almost every day gathering in groups and breaching lockdown regulations. The informant is part of a residents/business WhatsApp group and has stated that it was mentioned that the kids are attracted to the QUEENSWAY due to them being able to buy alcohol from the CAP NEWS LEBARA shop 35B QUEENSWAY W2 4QJ. The informant states over hearing the kids discuss amongst themselves as to who gets what alcohol.
- 2) CWRT01034179 - 28/02/2021
INFORMANT WANTS TO MAKE A COMPLAINT ABOUT THE OFF LICENSE CAP NEWS ON QUEENSWAY W2
THIS SHOP IS SELLING ALCOHOL TO CHILDREN THAT ARE UNDER AGE - [REDACTED] HAS WITNESSED THIS.
CHILDREN AGED AS YOUNG AS 13 YRS OLD WALKING OUT THE OFF LICENCE WITH ALCOHOL. THE FRONT OF THE SHOP IS PACKED WITH YOUTHS. THE SHOP KEEPER IS KNOWN TO BE SELLING CIGARETTES AND ALCOHOL TO THESE CHILDREN.
PREMISES IS CAP NEWS 35B QUEENSWAY W2.
- 3) CWRT01034440 - 06/03/2021
On SATURDAY 06/03/2021 at 1332 HOURS a concerned parent called police in relation to
CAP NEWS, 35B QUEENSWAY W2. Parent has stated they have concerns that the staff at CAP NEWS are selling alcohol and cigarettes to minors. They know this to be true as their 13 year old daughter has been served cigarettes and VAPS. Apparently all the children go there to buy. I have created ASB report for LPT to look at.
- 4) CWRT01034891 –
Report submitted by AW licensing, information passed onto WCC Licensing services. On Tuesday 9th March 2021 the Designated Premises Supervisor for AMK FOOD & WINE, 35B QUEENSWAY, W2 4QJ was arrested for robbery on the Queensway. The offence is alleged to have happened on the opposite side of the street to the venue and it doesn't appear to be linked directly to it. He has currently be RUI. The DPS is: Mustafa ALKIFRAY, dob [REDACTED], [REDACTED]. The current premises licence number is 20/09113/LIPCHT.
- 5) CWRT01035748 - 07/04/2021
The informant has called police wanting to report his daughter having received a message over Easter from the below person. The text message read, tomorrow anyone can buy anything you need no rules tomorrow (date unknown) get what you want and without bag and anyone blocked from the store he/she can come in for tomorrow. Supposedly it implies the people he's barred for shoplifting were all allowed in over the Easter weekend. The informant stated that they drove past the shop yesterday to ascertain the exact address and he witnessed 3 very overexcited girls standing outside holding Lucozade bottle. It's believed the shop owner decants the alcohol in the Lucozade bottle. The informant states he has a screen shot of the message: [REDACTED] he uses to communicate with customers: [REDACTED]
AMK, 35B Queensway, W2
- 6) CWRT01035924 - 12/04/2021
THIS IS A CRIMINT - BASED ONLY ON THE DETS OF A CAD BY THE LRT. Incident number: 2670 Date/time of origin: 12/04/2021 11:52:38. ADDRESS of shop: Location: CAP NEWS, 35B QUEENSWAY, W2 INFT via Holon:
"This shop is selling alcohol and tobacco products to minors. It is well known amongst the teenagers who have started congregating in Hyde Park since the lockdown. My daughter, aged 13, was sold a bottle of vodka and vapes there on Friday 9 April. She was subsequently hospitalised, having been found unconscious by the police. Thankfully she is fine but the shop needs to be dealt with. She tells us that everyone she knows either goes there or knows of the "Lebara shop" (the sign outside says "Lebara" although it is not the name of the shop). I would be really grateful on behalf of all parents if you could look into this."
- 7) CWRT01036086 –
A test purchase operation was carried out on 15th April 2021 within the Queensway area by Police cadets with local SNT and Police licensing officers. This operation was arranged due to on-going reports of youths buying alcohol and drinking within this area resulting in ASB.
CAP NEWS, 35B Queensway - visited at 1310hrs. The Licence holder Mustafa ALKIFRAY asked the cadets for ID and refused to serve when they could not provide any. This venue has been repeatedly coming to notice for selling to under 18's, there have been numerous CRIMINTS and CADs created for it. Police licensing have spoken to the licensee and given strong words of advice from the intel. On- going enquiries to obtain any evidence of these sales.
- 8) CWRT01036091 - 15/04/2021
On Thursday 15th April 2021 officers from the Lancaster Gate/Bayswater wards along with colleagues from police Licencing and Volunteer Police Cadets conducted a test purchasing operation within the Lancaster Gate ward. This operation was planned in response to a number of reports indicating the sale of alcohol to underage persons. CAP News 35B Queensway: PASSED

On attending this venue it was the general observations of the police witness that while the shopkeeper did not complete the sale of alcohol to the test subject, it appeared that this was influenced heavily by the fact that the police witness was present when the purchase was attempted and the shopkeeper was adamant that he serve the police witness before serving the Cadet in order to ensure discretion.

9) CWR01036735 - 29/04/2021

Information received by ward officers via Airspace suggests that the Lebara shop on Queensway has been selling alcohol, tobacco and nicotine products to underage teens for a while now. The informant states the following. "He sells without question and recently I have witnessed people as young as 13 being able to just go in and buy things. I have been aware of this for about a year now but now it seems it is getting serious, it seems as though he is using the fact he sells to underage teens as a way to get close to them in a creepy way. The crime being committed is obviously the selling to teenagers, but however he also [REDACTED] the teens, recently he has started [REDACTED]. This is mostly girls, many (if not most) under 16. I can just see this turning out extremely badly, in the way of him being a predator or just the fact that selling alcohol to, it seems, literally any age. His [REDACTED]. He tells us his name is mike, tall, often wears a cap and is the only worker in the lebara shop.

10) CWR01036795 - 29/04/2021

Information received: AMK off licence/ newsagents QUEENSWAY W2 alleged to be supplying alcohol to minors, which has allegedly resulted in a 13 year old girl being hospitalised with alcohol poisoning.

11) CWR01037241 - 08/05/2021

On Saturday 8th May 2021 at approximately 17:40hrs PC SONDH 2438AW, PC Kris CARDWELL 3286AW and Chidi Nweke from Westminster City Council attended AMK Food and Wine, 35B Queensway, London, W2 in relation to recent reports that the premises is selling alcohol to children. It has been alleged that the shop owner, who is also listed as the DPS is decanting the alcohol into Lucozade bottles and selling to young girls. Given that the premises does not have any additional conditions other than the mandatory conditions, an official visit was not conducted and it was decided that a search of the premises under s.180 Licensing Act 2003 would be more beneficial as there were not conditions on the licence to assess.

When we arrived at the premises Mr Alkifray was sitting behind the counter on his mobile phone there were no customers present. I explained to Mr Alkifray why we visiting him and explained that we wanted to search behind the counter for evidence of the allegations that had been made against him. He complied and allowed me to look behind the counter. It was untidy however there were no opened bottles of alcohol, there were empty water bottles however these were not of the same brand and appeared to have just been thrown on the floor. There were some miniature bottles of Smirnoff Vodka under the counter and also some miniature bottles of Whiskey on a shelf behind the counter, however these were all sealed. On the till were disposable shot glasses and also disposable beakers, I asked Mr Alkifray why these were there and he said they had been there ages and could not offer any other reason. All bottles of alcohol appeared to be sealed and there was no evidence to support that alcohol is being decanted into bottles.

I spoke to Mr Alkifray about the email he had received with regards to the minor variation he had been asked to submit, he stated that he was arranging for the CCTV to be sorted this week and it was reiterated to him the importance of submitting the minor variation for the conditions proposed to be added to his licence. It was explained that should these allegations be malicious as he claims then having these conditions added would assist in proving that, which he appeared to understand.

As we were leaving 3 young girls approximately 13-14 years of age entered the off licence holding cash, they approached the counter where Mr Alkifray told them that we were police.

We waited outside the premises and the girls left shortly after holding chocolate bars.

Premises Licence - 20/09113/LIPCHT

12) CWR01047796 –

Lebara Off Licence, Queensway London W2 will serve any young person with no form of ID.

13) CWR01048005 - 09/01/2022

AMK FOOD and WINE
35B QUEENSWAY
W2

The above location is selling alcohol and cigarettes to people underage, they sell vodka in water bottles.

14) CWR01048031 - 09/01/2022

The shop owners of AMK International Off Licence, Queensway Road, London, W2, is selling alcohol and cigarettes to underage children 14 and 15yrs old. The business has previously been investigated for the same crime, the shop appears to be closed, but the owners are filling water bottles with Vodka, and leaving the bottles behind the door which can be pushed open so the youngsters can take the bottles or cigarettes and leave the money. Behind the door the shutters to the shop are pulled down, there is just enough space for the bottles and cigarettes to be left for collection. Alternatively, the youngsters can contact the owners on a mobile number; the owners will come to meet them and open the shop, so they can buy the cigarettes and alcohol.

15) CWR01049979 - 25/02/2022

On SATURDAY 26/02/2022 at 1300 HOURS informant called police reporting that on 25/02/2022 her daughter age 13 and her friend age 14 managed to purchase a bottle of vodka. Mother believes daughter would have been wearing her school uniform at the time under her jacket. Store where this is located on the park side of QUEENSWAY next to KALINKA 35 and a pizza place and has LEBARA Signage.
Mother was advised by operator to contact local council.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 2670:12APR21

INCIDENT No. 2670 entered at 11:52 on 12APR21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :O (Ordinary)

Call Tel [REDACTED]

Call Name: [REDACTED]

Call Type: [REDACTED]

Call Mail: [REDACTED]

Cntct Tel: [REDACTED]

Att Locn :CAP NEWS, 35B QUEENSWAY, W2

Map :Page 140, Grid Reference 525875,180875

GPA :CA Division: [AWN:CNW]

Inc Locn :(HOLON)CAP NEWS, 35B QUEENSWAY, W2

Map : [REDACTED]

G

Call [REDACTED]

Openi

2:609 (Child / Young Person At Risk)

3:625 (Believed)

Prompt(s) existed for Opening Code(s) at time of creation

Open Text:

Urgency :R (Referred)

Major :

VRMs :

Proposal :

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIME REF:NOT CRIMED

Class 1 :215 (ASB - Nuisance)

Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)

2 :676 (Resolved by LRT)

Res 1 :701 (Assistance Requested / Rendered)

Clo Text :ASB URN NOT REQUIRED P232107

O Dealing:

Metops :

CHS Demid: [REDACTED]

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 2670:12APR21

Linked :

Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)



n **



Remarks:

Time	Date	Opid	Termid
	12APR21	CHS	CHS (pre 1st routing)
11:59:39		CREATED IN: CHS	AT: 2021-04-12 11:52:38 CAD AT: 2021-04-12

=====

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 2670:12APR21

Time Date Opid Termid

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] y? I don't know

What happened?

This shop is selling alcohol and tobacco products to minors. It is well known amongst the teenagers who have started congregating in Hyde Park since the lockdown. My daughter, aged 13, was sold a bottle of vodka and vapes there on Friday 9 April. She was subsequently hospitalised, having been found unconscious by the police. Thankfully she is fine but the shop needs to be dealt with. She tells us that everyone she knows either goes there or knows of the "Lebara shop" (the sign outside says "Lebara" although it is not the name of the shop). I would be really grateful on behalf of all parents if you could look into this. Are you under 18 years of age? No

Do you have any health, mobility or welfare issues that are making this situation more difficult? No

Do you feel race, ethnicity, sex, gender, sexuality, disability or religion were a factor in this crime? No

Has the suspect clearly left something at the scene; such as clothing, blood, any other bodily fluids, discarded items, obvious fingerprints or footprints? Or has the suspect caused any damage or made a mess searching? No

11:59:39 12APR21 CHS
 ** **START OF DATA AUTOMATICALLY COPIED FROM OPEN PROMPT** **
 OPEN CODE "609" :
 01/05/07 Consider contacting METINTEL 24/7 on 768400, or tagging

MET
 INTEL, for intel support for critical/serious incidents.

28/09/14 If applicable and call relates to third party
allegation of

child sexual exploitation, please consider SMF/MAKESAFE

** **END OF DATA AUTOMATICALLY COPIED FROM OPEN PROMPT** **

11:59:39 12APR21 CHS

ENTERED BY: CHS (c099174) AT: 2021-04-12 11:59:37

^digital 101 - details passed to lancaster Gate SNT and informant
advised of actions

12:50:30 12APR21 232107

ENTERED BY: CADL (p232107) AT: 2021-04-12 12:50:30

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 2670:12APR21

Time Date Opid Termid

INTO LRT, DETAILS HAVE BEEN PASSED ON TO LANCASTER GATE SNT TO LOOK
THIS.

NO ASB URN REQUIRED, PLEASE CLOSE CAD WITH CODE 676

12:51:02 12APR21 740217 H2722

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":

STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO

RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT

REQUIRED

THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION

MAKER

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

Previous Actions:

Time Date Opid Termid ACTION

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
11:59:39	12APR21	CHS	CCC:CCL	O() 507:CONTACT RECORD,609:CHILD / YOUNG PE
"	"	"	"	RSON AT RISK,625:BELIEVED
"	"	"	"	PI
11:59:51	"	259282	DIV:AWN	AK
11:59:52	"	"	"	XP/AK/O609
12:00:00	"	"	"	AWT/LRT
12:01:17	"	CHS	CCC:CCL	CT(V)
"	"	"	"	PI
12:01:34	"	259282	DIV:AWN	AK
12:49:15	"	232107	CCC:CADL	VI/p232107
12:50:30	"	"	"	PI
12:50:32	"	740217	DIV:AWN	AK
12:50:34	"	232107	CCC:CADL	VI/p232107
12:51:02	"	740217	DIV:AWN	AC()
"	"	"	"	AQ()
12:51:09	"	"	"	CTX()
12:51:10	"	"	"	PS/CM
12:57:13	"	093034	"	ACR/NC
12:57:14	"	"	"	CM
"	"	"	"	XP/CM/C215
13:30:44	"	231567	CCC:CADL	VI/p231567
16:38:14	"	218152	"	VI/p218152
23:03:31	"	230259	"	VI/p230259
10:04:24	13APR21	"	"	VI/p230259

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT

PAGE 5

INCIDENT No. 2670:12APR21

Time	Date	Opid	Termid	ACTION
-----	-----	-----	-----	-----
15:56:33	10MAY21	"	CCC:CADL	VI/p230259
15:56:56	"	"	"	IP//1344aw/1/p230259@met.police.uk
13:39:20	08MAR22	204897	"	VI/p204897
13:39:22	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 3604:26FEB22

INCIDENT No. 3604 entered at 13:00 on 26FEB22 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By)
 Call Tel [REDACTED]
 Call Name [REDACTED]
 Call Type: [REDACTED]
 Call Mail:
 Cntct Tel:
 Att Locn :CAP NEWS, 35B QUEENSWAY, W2:Lebara
 Map :Page 140, Grid Reference 525875,180875
 GPA :CA Division: [AWN:CNW]
 Inc Locn :CAP NEWS, 35B QUEENSWAY, W2:Lebara
 Map :Page 140, Grid Reference 525875,180875
 GPA : [REDACTED] NW]
 Call Locn: [REDACTED]
 Map : [REDACTED]
 GPA : [REDACTED]
 Opening 1:
 2:600 (Alcohol)
 Open Text:
 Urgency :R (Referred)
 Major :
 VRMs :
 Proposal :
 Assigned :
 DeAssign :
 TOA :
 DO Name :
 DO Tel :
 CRIME REF:NOT CRIMED
 Class 1 :301 (Licensing)
 Qual 1 :600 (Alcohol)
 2 :676 (Resolved by LRT)
 Res 1 :718 (Police Attendance Not Required)
 2 :709 (CRIMINT Entry)
 Clo Text :CWRT01049979
 O Dealing:
 Metops :
 CHS Demid: [REDACTED]
 Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 3604:26FEB22

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)

[REDACTED]

[REDACTED]

[REDACTED] APPROPRIATE PI/BTP

[REDACTED]

Remarks:

Time	Date	Opid	Termid
	26FEB22	CHS	CHS (pre 1st routing)
13:14:53		CREATED IN: CHS	AT: 2022-02-26 13:00:24 CAD AT: 2022-02-26

=====

ENTERED BY: CHS (p240397) AT: 2022-02-26 13:14:54
 ^inft... Yesterday after school My thirteen year old daughter
 and her friend had managed to buy a bottle of vodka, she is 13 and her
 friend is 14. 25/02/2022.
 She would have been in a school uniform under a winter jacket -

[REDACTED]

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 3604:26FEB22

Time Date Opid Termid

This is located on the park side of queensway. Next to kalinka
35 and a
pizza place and has Lebara Signage.
^op... given advice to contact council, number supplied via sms
with

CAD
For the attention of licencing and LIT.
14:57:45 26FEB22 233486 #2
ENTERED BY: CADL (p233486) AT: 2022-02-26 14:57:45
LRT - CRIMINT CWRT01049979
PLEASE CLOSE USING CODE 676

Previous Actions:

Time	Date	Opid	Termid	ACTION
-----	-----	-----	-----	-----
				SYSTEM(EXTERNAL)
13:14:53	26FEB22	CHS	CCC:CCB	O() 301:LICENSING,600:ALCOHOL
"	"	"	"	PI
13:17:09	"	742934	DIV:AWN	AK
13:18:19	"	"	"	AC()
"	"	"	"	AQ()
"	"	"	"	AR()
13:18:23	"	"	"	ACR/NC
13:18:26	"	"	"	PS/CM
13:19:22	"	051617	"	AWT/LRT
14:43:37	"	233486	CCC:CADL	VI/p233486
14:57:45	"	"	"	PI
14:57:46	"	"	"	VI/p233486
14:57:49	"	100374	DIV:AWN	AK
14:58:00	"	"	"	CTX()
14:58:01	"	"	"	PS/CM
14:58:03	"	"	"	Q(600)
14:59:55	"	098724	"	R(718)
15:00:10	"	"	"	CM
10:13:53	28FEB22	740108	CCC:CADL	VI/c740108
10:04:55	01MAR22	204897	"	VI/p204897
10:05:35	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 3699:06MAR21

INCIDENT No. 3699 entered at 13:32 on 06MAR21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
Call Tel :
Call Name:
Call Type: (itness)
Call Mail:
Cntct Tel:
Att Locn :CAP NEWS, 35B QUEENSWAY, BAYSWATER, W2
Map :Page 140, Grid Reference 525875,180875
GPA :CA Division: [AWN:CNW]
Inc Locn :
Map :
GPA :
Call Locn:
Map :
GPA :
Opening 1:215 (ASB - Nuisance)
2:600 (Alcohol)
3:608 (Youth Related)
Open Text:
Urgency :R (Referred)
Major :
VRMs :
Proposal :
Assigned :
DeAssign :
TOA :
DO Name :
DO Tel :
CRIME REF:
Class 1 :215 (ASB - Nuisance)
Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)
2 :600 (Alcohol)
3 :608 (Youth Related)
Res 1 :703 (No Offences Disclosed)
Clo Text :ASB URN CWRT01034440
O Dealing:
Metops :
CHS Demid:20210306029210

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 3699:06MAR21

Linked :explicitly to 1260:24MAR21
Linked :implicitly to (none)

Gazetteer Comments : (May have existed or altered since Incident creation

-

Use MSS SMF:SPECARCHIVE)



Remarks:

Time	Date	Opid	Termid
13:40:13	06MAR21	CHS	CHS (pre 1st routing)
	CREATED IN: CHS AT: 2021-03-06 13:32:17 CAD AT: 2021-03-06		

=====

ENTERED BY: CHS (c743587) AT: 2021-03-06 13:33:28
 ^ INFT I WOULD LIKE TO REPORT A STORE THAT SELLING ALCOHOL AND
 CIGARETTES TO UNDER AGE CHILDREN
 MY DAUGHHER IS 13YRS AND THEY SOLD CIGARETTES AND VAPS TO HER

13:40:13 06MAR21 CHS
 ENTERED BY: CHS (c743587) AT: 2021-03-06 13:35:52
 ALL THE CHILDREN GO THERE AND PURCHASE THESE SORT OF THINGS FROM
 THEM

13:40:13 06MAR21 CHS
 ENTERED BY: CHS (c743587) AT: 2021-03-06 13:36:41
 SMF ASB (For All Incidentis Of Anti-social Behaviour)
 Always consider whether the circumstances of the incident render
 the

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 3699:06MAR21

Time Date Opid Termid

person concerned as vulnerable.
1. Has anything like this happened before?: Yes
2. Has the caller spoken to police about this or any other
matter relating to ASB?: No
3. If the answer to 2 is 'Yes', when were police called
(approximately)? :
4. Prior to this call, has the person sought help from elsewhere
(e.g. Local Authority, Security, Housing Association, Samaritans,
Citizens Advice, BT, etc.)?: No
5. If the answer to 4 is 'Yes' please state who? :
6. Are there any health or welfare issues we need to be aware of
that could help us deal with your call? (VULNERABILITY)? : Yes
7. If the answer to 6 is 'Yes' record details of how/why
vulnerable.

Record any other relevant information? : CHILDREN RANGE FROM 13
AND POSSIBLY YOUNGER
** For 'ASB' calls, you are no longer required to complete the

'REPEAT' or 'VULNERABLE' SMFs **

13:40:13 06MAR21 CHS
ENTERED BY: CHS (c743587) AT: 2021-03-06 13:38:04
^ OP THE INFT WOULD LIKE TO REMAIN ANONOMOUS AND WILL NOT
DIVULGER HER
DETS

SHE STATES THAT HER DAUGHTER VISITS THE AREA AT WEEKENDS AND
SCHOOL HOLIDAYS

13:40:13 06MAR21 CHS
ENTERED BY: CHS (c743587) AT: 2021-03-06 13:38:21
THE OWNER DOES NOT ASK FOR ID

13:40:14 06MAR21 CHS
ENTERED BY: CHS (c743587) AT: 2021-03-06 13:40:13
CAN THE LPT HAVE A LOOK AT THIS PLEASE
I HAVE ADVISED THE CALLER TO CONTACT THE TRADING STANDARDS

OFFICE TOO
13:40:32 06MAR21 720785 H2723

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":
STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT
REQUIRED

THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION
MAKER
** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
14:31:57 06MAR21 233486
ENTERED BY: CADL (p233486) AT: 2021-03-06 14:31:57

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 3699:06MAR21

Time	Date	Opid	Termid
14:55:10	06MAR21	233486	

LRT P233486 DEALING
 ENTERED BY: CADL (p233486) AT: 2021-03-06 14:55:10
 AW LRT - WFH - ASB URN VACW21595 AND CRIMINT CWRT01034440-
 P233486
 PLEASE CLOSE USING CODE 676

Previous Actions:

Time	Date	Opid	Termid	ACTION
13:40:13	06MAR21	CHS	CCC:CCB	O() 215:ASB - NUISANCE,600:ALCOHOL,608:YOUT
"	"	"	"	H RELATED
13:40:17	"	720785	DIV:AWN	PI AK
"	"	"	"	AK
13:40:39	"	"	"	AK AC() AQ() AR() PS/CM
13:40:41	"	"	"	AWT/LRT
13:48:42	"	098718	"	VI/p233486
14:30:27	"	233486	CCC:CADL	PI
14:31:57	"	"	"	VI/p233486
14:32:02	"	"	"	AK
"	"	084133	DIV:AWN	PI
14:55:10	"	233486	CCC:CADL	CTX() CM
14:55:30	"	098718	DIV:AWN	XP/CM/C215
14:55:43	"	"	"	VI/p233486
14:55:45	"	"	"	VI/p230259
"	"	"	"	VI/c742728
14:56:12	"	233486	CCC:CADL	VI/c723203
09:29:34	09MAR21	230259	"	VI/p204897
12:19:40	12MAR21	742728	"	IP//PC Deweltz/1/p204897@met.police.uk
10:11:34	14APR21	723203	"	
13:40:21	08MAR22	204897	"	
13:40:23	"	"	"	

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 4282:09JAN22

INCIDENT No. 4282 entered at 16:32 on 09JAN22 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
Call Tel :
Call Name:
Call Type:
Call Mail:
Cntct Tel:
Att Locn : (LIT?) 35B QUEENSWAY, W2:AMK FOOD & WINE
Map : Page 140, Grid Reference 525875,180875
GPA : CA Division: [AWN:CNW]
Inc Locn : 35B QUEENSWAY, W2:AMK FOOD & WINE
Map : Page 140, Grid Reference 525875,180875

[REDACTED]
[REDACTED]
[REDACTED] tances)

Open Tex
Urgency : R (Referred)
Major :
VRMs :
Proposal : (CCC at 17:11/09JAN22):
TJ3S TJ100B TJ200E TJ200F TJ211 TJ3N TJ71A TJ72A U546 U415
Assigned :
DeAssign :
TOA :
DO Name :
DO Tel :
CRIME REF:
Class 1 : 314 (Suspicious Circumstances)
Qual 1 : 701 (Assistance Requested / Rendered)
Res 1 : 718 (Police Attendance Not Required)
2 : 709 (CRIMINT Entry)
Clo Text : CWRT01048005
O Dealing:
Metops :
CHS Demid:20220109030208

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 4282:09JAN22

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)

VULNERABLE LUL TUNNEL NEARBY - IF APPROPRIATE PI/BTP

[REDACTED]

[REDACTED]

Remarks:

Time	Date	Opid	Termid
16:36:04	09JAN22	CHS	CHS (pre 1st routing)
	CREATED IN: CHS AT: 2022-01-09 16:32:06 CAD AT: 2022-01-09		

=====

ENTERED BY: CHS (p241241) AT: 2022-01-09 16:36:03
 ^INFT THERE IS A SHOP AT QUEENSWAY IN W2 WHO IS SELLING
 CIGARETTES AND
 ALCOHOL TO UNDER-AGE PEOPLE
 -
 TODAY I WENT TO THE SHOP. I SPOKE TO OTHER SHOPS IN THE AREA.
 THEY
 ARE SELLING VODKA IN WATER BOTTLES.

16:36:28 09JAN22 CHS #2
 ENTERED BY: CHS (p241241) AT: 2022-01-09 16:36:28
 ^OP CAN THIS BE PASSED TO LIT/LICENSING/SNT PLEASE? WILL ALSO
 ADVISE
 TRADING STANDARDS.

16:49:05 09JAN22 229134 AW943 #3
 AW OPS - Passed to NPT, LIT and Licensing.

17:18:34 09JAN22 259287 #4
 ENTERED BY: CADL (p259287) AT: 2022-01-09 17:18:34

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 4282:09JAN22

Time Date Opid Termid

CWRT01048005 created

Previous Actions:

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
16:36:04	09JAN22	CHS	CCC:CCL	O() 305:CIVIL DISPUTES,314:SUSPICIOUS CIRCU
				MSTANCES
"	"	"	"	PI
16:36:08	"	740077	DIV:AWN	AK
16:36:19	"	"	"	LOCA(35B QUEENSWAY, W2:AMK FOOD & WINE)(CA)
16:36:28	"	"	"	AC()
"	"	"	"	AQ()
"	"	CHS	CCC:CCL	PI
"	"	740077	DIV:AWN	AR()
16:36:31	"	"	"	AK
16:36:36	"	"	"	PS/CM
16:38:14	"	230698	"	AWT/OPSROOM
16:49:09	"	229134	"	PS/CM
16:50:47	"	230698	"	AWT/OPSROOM
16:52:57	"	259287	CCC:CADL	VI/p259287
16:58:05	"	229134	DIV:AWN	AWT/CREF
17:18:25	"	259287	CCC:CADL	VI/p259287
17:18:34	"	"	"	PI
17:18:35	"	"	"	VI/p259287
17:18:38	"	741546	DIV:AWN	AK
"	"	"	"	AK
"	"	"	"	AK
17:18:57	"	"	"	CTX()
17:18:59	"	"	"	PS/CM
17:24:05	"	230698	"	CM
17:24:11	"	"	"	R(718)
08:32:59	10JAN22	204897	CCC:CADL	VI/p204897
08:33:02	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk
08:33:19	"	"	"	VI/p204897
11:16:22	07MAR22	207028	"	VI/p207028
11:16:37	"	"	"	IP//P207028/1/p207028@met.police.uk
13:38:56	08MAR22	204897	"	VI/p204897
13:39:00	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 7543:02APR21

INCIDENT No. 7543 entered at 20:13 on 02APR21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)

Call Tel : [REDACTED]

Call Name: [REDACTED]

Call Type: [REDACTED]

Call Mail: [REDACTED]

Cntct Tel: [REDACTED]

Att Locn :35B QUEENSWAY, W2:AMK food and wine.

Map :Page 140, Grid Reference 525875,180875

GPA :CA Division: [AWN:CNW]

Inc Locn :(HOLON) 35B, QUEENSWAY, W2:AMK food and wine.

Map :Page 140, Grid Reference 525875,180625

Cal [REDACTED]

Openi [REDACTED]stances)

2:600 (Alcohol)

Open Text:

Urgency :R (Referred)

Major :

VRMs :

Proposal :(BOCU at 20:23/02APR21):

114VF 13VF 159VF 198VF 235VF 6VF 207VF 189VF 27VF 193VF

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIME REF:NOT CRIMED

Class 1 :314 (Suspicious Circumstances)

Qual 1 :701 (Assistance Requested / Rendered)

Res 1 :704 (Inform / Informed)

Clo Text :

O Dealing:

Metops :

CHS Demid:20210402033473

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 7543:02APR21

Phone Field : (For previous Incidents from this phone use
action:PHD or PHL - use DARIS to extend search)
Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)
VULNERABLE LUL TUNNEL NEARBY - IF APPROPRIATE PI/BTP
* "NR ROYAL PALACES:CONSIDER PI/PAL"
SEE QUEENSWAY LT STN FOR ANY RELEVANT COMMENTS
SEE BAYSWATER LT STN FOR ANY RELEVANT DETAILS
13 QUEENSWAY - "ROYAL CHINA RESTAURANT" *SITE HAZARD* THESE PREMISES
HAVE A FRAGILE ROOF

** Caller Location **

No Comments for this Location

Remarks:

Time	Date	Opid	Termid
	02APR21	CHS	CHS (pre 1st routing)
20:20:53		CREATED IN: CHS	AT: 2021-04-02 20:13:39 CAD AT: 2021-04-02



[Redacted]

[Redacted]

nterest

Your role

Is the victim under 18 years of age?

Yes

Does the victim have any health, mobility or welfare issues that

are

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid
-----	-----	-----	-----

making this situation more difficult?

No

Incident details

Do you feel race, ethnicity, sex, gender, sexuality, disability

or

religion were a factor in this crime?

No

Evidence

Has the suspect clearly left something at the scene; such as clothing,

blood, any other bodily fluids, discarded items, obvious fingerprints

or footprints? Or has the suspect caused any damage or made a mess

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

searching?

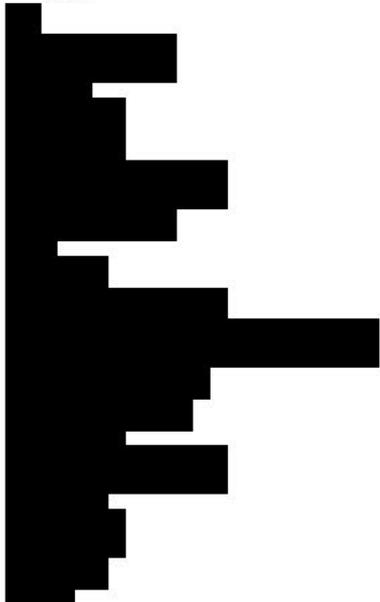
No

All fields

Your details

Your details

tle



20:20:53 R21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

Your role

Your role

CONTINUED ...

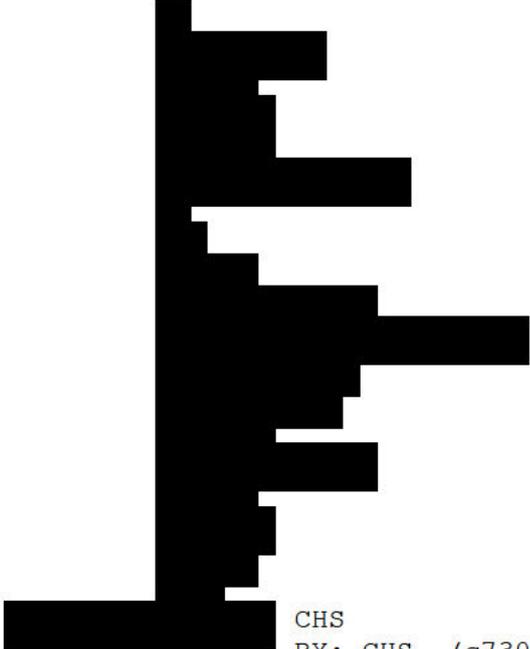
SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 7543:02APR21

Time Date Opid Termid

How were you involved?
I'm reporting on behalf of a victim
Victim's details
Title



CHS
BY: CHS (c730178) AT: 2021-04-02 20:14:07

If you do not know the victim's details, please describe them as best

you can
not given
If you are connected to the victim, please explain how
Mother
Is the victim under 18 years of age?
Yes
Title
not given
First name
not given
Surname
not given
Phone number
not given
Has the victim experienced any other crimes in the past 12
months?

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 5

INCIDENT No. 7543:02APR21

Time Date Opid Termid

No
Does the victim have any health, mobility or welfare issues that
are

making this situation more difficult?

No

Would you like the victim to be contacted by Victim Support?

No

Does the victim have a disability?

No

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

What is the victim s ethnic background?

White-British

Did you do any of the following before you used the website
today?

I called 101

Incident details

Incident details

Has anyone reported this already?

No

When did it happen?

When did it happen?

02/04/2021 - 02/04/2021

Start time

14:45

End time

14:45

If you re unsure about the date or time, please give a few
details

below

Early afternoon

Where did it happen?

Lat long

51.5113499,-0.1875282

Easting northing

525873,180715

Address

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

CAP NEWS, 35B, QUEENSWAY, LONDON, W2 4QJ, UK

Map url

<https://www.google.co.uk/maps?q=51.5113499+-0.1875282>

Map type

ReadOnly

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT

NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 6

INCIDENT No. 7543:02APR21

Time Date Opid Termid

Origin
Triage

You gave us this map location earlier. Is the address correct?

Can you

g else to help pinpoint the exact location?
says that it s called AMK food and wine.
ere you on public transport?

[Redacted]

Please tell us what happened, and the events leading up to it,
to help

us identify if an offence has been committed.
My daughter asked the man at the counter if she could buy Vodka.

She

says he didn t ask her age or for ID. Instead he gave her a
small Evian

water bottle filled with vodka instead which he filled up in
front of

her on the counter. Charging £8.50

Do you feel race, ethnicity, sex, gender, sexuality, disability
or

religion were a factor in this crime?

No

Evidence

Evidence

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

Has the suspect clearly left something at the scene; such as
clothing,

blood, any other bodily fluids, discarded items, obvious
fingerprints

or footprints? Or has the suspect caused any damage or made a
mess

searching?

No

Do you have any video, audio or photo evidence?

No

Does another person, business or company have video evidence
such as

CCTV or mobile phone footage?

I don't know

Witness details

Witness details

Did anyone else see what happened?
I don't know
Suspect details
Suspect details

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 7

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid
			Suspect 1
			Do you know this person?
			No I don't know anything about them
20:20:53	02APR21	CHS	
			ENTERED BY: CHS (c730178) AT: 2021-04-02 20:20:53
			DD ^ DIG101 the infmt believes this store sold alcohol to 14
			year old
			daughter - possible app needed - no access to call the infmt
			from this
			terminal wfh
20:24:17	02APR21	088140	H2721
			^ AWN THIS IS LICENSING ISSUES..
20:31:08	02APR21	718680	H2657
			LRT^AWNC REL CAN THIS BE PASSED TO THE LICENING TEAM THANKS
12:38:27	03APR21	236496	
			ENTERED BY: CADL (p236496) AT: 2021-04-03 12:38:27
			Sgt Ben Chadwick (Licensing PS for AW) emailed re this
			This CAD can now be closed

Previous Actions:

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
20:20:53	02APR21	CHS	CCC:EGS	O() 314:SUSPICIOUS
				CIRCUMSTANCES,600:ALCOHO
"	"	"	"	L
				PI
20:21:04	"	741098	DIV:AWN	AK
20:23:37	"	088140	"	LOCA((HOLON) 35B, QUEENSWAY, W2:AMK food
				an
				d wine.) (CA)
20:24:38	"	"	"	AC()
"	"	"	"	AQ()
"	"	"	"	AR()
20:24:39	"	"	"	PS/CM
20:31:10	"	718680	"	AWT/LRT
12:31:31	03APR21	236496	CCC:CADL	VI/p236496
12:38:27	"	"	"	PI
12:38:30	"	"	"	VI/p236496
12:38:32	"	086028	DIV:AWN	AK
12:38:45	"	"	"	PS/CM
12:43:00	"	095427	"	ACR/NC
12:43:10	"	"	"	GF(E) LICENCING DEALING
12:43:11	"	"	"	CM
12:43:15	"	"	"	LOCA((HOLON) 35B QUEENSWAY, W2:AMK food
				and

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 8

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid	ACTION
12:43:15	03APR21	"	DIV:AWN	wine.) (CA)
10:47:56	15APR21	230259	CCC:CADL	VI/p230259
16:07:44	"	"	"	VI/p230259
14:47:58	26APR21	"	"	VI/p230259
14:55:08	"	"	"	VI/p230259
11:51:07	29APR21	"	"	VI/p230259
15:57:23	10MAY21	"	"	VI/p230259
15:57:26	"	"	"	IP//1344aw/1/p230259@met.police.uk
13:39:49	08MAR22	204897	"	VI/p204897
13:39:51	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.



You

01/03/2021, 10:24

Your transactions

Date	Description	Money out	Money in
15 Feb	<input type="checkbox"/> Card Purchase Amk Innovation Ltd On 14 Feb	8.00	
	<input type="checkbox"/> Bill Payment From [REDACTED] Ref: Start		8.00
19 Feb	End balance		

▶ **Anything Wrong?** If you've spotted any incorrect or unusual transactions, please contact us on the next page for how to get in touch with us.

Credit interest rates

Interest rates

▶ Up to £1,000	0.10%
▶ £1,000+	0.60%

Response to the review

My client is discontented with the decision made by the Metropolitan police Service and is appealing the decision of licence provocation due to the absence of any evidence to support the claim.

1. In the application to review, you have stated 'alleged sale of alcohol to children'. Therefore, you are aware that you are investigating allegations with no evidential background.

2. It was mentioned that you have conducted your own test purchasing operations to further investigate the claims regarding the premises license. The aim behind this was to accumulate evidence and examine the rightfulness behind the accusations. However, my client passed every single test. This should provide that my client is abiding by Section 51 of the Licensing Act 2003 and has not failed or breached any of his duties.

3. The latest report CAD (3604/26FEB22) concerning the alleged selling of alcohol to minors on my clients premises (AMK Food & Wine, 35B Queensway, London, W2 4QJ) has no validity. The report wrongfully claims that my client 'goes out of his way to cover his tracks' which is not possible as you have full control of the DVR and CCTV system. Officers have confirmed that recordings get automatically deleted after three days. Police licensing and Westminster City Council Inspectors only attended the premises four days after the report (26th February 2022) which meant the recording was no longer there. Therefore, it is evident that my client is being accused for a delay in action made on your behalf. Moreover, my client is stating that he was not working on the afternoon of the incident as he was visiting a friend in a nearby shop called 'Ismart'. The off-licence has a single employee which is my client; this means if he is away the premises will be closed. Therefore the alleged date and time of the purchase in the report CAD (3604/26FEB22) are misleading and untruthful.

4. As for the earlier reports sent in April and May 2021, the underage girls who allegedly purchased alcohol were both unwilling to provide statements and have not confirmed where they purchased the alcohol from which negates the validity of the reports.

5. In another statement made by PC Reaz Gueraa 1614CW on 17th March 2022, my client is described as being evasive when he was clearly overwhelmed and shocked by the allegations. My client felt distressed having officers on his premises as not only does it make his business look notorious but it also degrades his reputation amongst his neighbours in town and yet he remained responsive and cooperative.

6. You have further stated that that my client had failed to assist you even 'in the simplest of tasks' however my client has been very accommodating. This is seen through his recent purchase of an updated CCTV system which will save recordings for 30 days as requested by you. This purchase was made even though my client is having financial difficulties.

7. My client was adequately trained before getting a licensing approval therefore my client is well aware of the objectives and would not act in a way which contravenes The Licensing Act 2003. My client requests a proof of ID for almost every purchase as per stated in section 6 of the mandatory licensing condition and therefore feels the reports were merely a false statement.

Whilst we understand your duty in protecting children and preventing crime and disorder, this subject does not apply to my client, where he is being accused of suspicion with no evidence to approve any of the allegations. My client has not breached any of his objectives; therefore, the claim for license revocation is considered deficient.

Kind regards,

Response to the interested parties

Reference: 22/02885/LIREVP

Our Client: AMK Food 7 Wine – 35B Queensway, London, W2 4QJ

Re: 22/02885/LIREVP-AMK Food & Wine, 35B Queensway, London, W2 4QJ

Responses to the Interested Parties

Further to the email you have sent our client dated 14th April 2022 at 15:27, we are writing to you in regards to the representations that have been received during the consultation period.

In regards to the public representations received between 4th April and 13th April 2022, our client does not agree with the comments that several parties have made.

We believe that our client is being discriminated against and treated unfairly. Until this day, there is no proof to show that our client is selling alcohol to children. Most of these comments mention that Queensway continues to have issues of young underage people drinking; however, none of the six parties have mentioned that they have seen our client illegally selling alcohol to children nor have any evidence of his actions. Alternatively, these comments refer to the Queensway neighbourhood as a whole. It is considered unjust that our client's licence should be revoked based on the view that most people have about Queensway as an area and not based on our client's shop in particular.

Referring to [REDACTED], Please note that the presence of children outside the premises after school does not incriminate our client. It is of normal social behaviour that school children gather on the street at the end of the school day to buy snacks/ beverages from a corner shop or even gather outside it; it is not unusual and should not be used as evidence of illegal selling of alcohol. Moreover CCTV footage indicates that even when the shop is closed you will still find children standing in front of the place therefore, this point is invalid.

Our client understands the concern of the residents and the council. However, given that there is no evidence of any illegal trading related to our client, the revocation of the licence is unjust and disproportionate with the facts of the case. Please note that the underage girls who allegedly purchased alcohol were both unwilling to provide statements and have not confirmed where they purchased the alcohol from which negates the validity of the reports.

As for [REDACTED] arguments produced in the representation, most of the points listed are pure allegations. This includes 'decanting alcohol into Lucozade bottles' which is a very unreasonable argument, there is zero evidence to support this claim. In addition to that [REDACTED] also mentioned an arrest that took place in March 2021. Whilst we do agree that the arrest took place, no sentence was given regarding this incidence; therefore the 'Robbery' charge mentioned in the report is false which leads us to believe that all other arguments are false two.

By stating that, we are not underestimating the importance of the crime or the significance of the consequences of such an action. Our client himself believes that it is absolutely immoral, unethical, and unlawful to sell alcohol without checking customer's ID's; and since our client of a clear criminal record has passed all the purchasing operations tests that the police have conducted, this shows that there no basis to the accusations made especially that the police had full control of the DVR and CCTV system. Therefore, these accusations are unfounded.

Our client is not against the criminal proceedings taking place; instead, he has respect for the law and abides by it. Furthermore, our client requests that further investigations are thoroughly made so that the decision to revoke his license is fairly and justly issued.

We would like to bring to your attention the fact that our client has been suffering financially due to the Covid-19 pandemic due to the decreased demand and depreciation in the market. Therefore, we request that if a decision to revoke the licence will be made, it should be made based on evidence and not on mere suspicion. Such a decision would make our client's business look notorious, it would degrade his reputation amongst his neighbours in town, and may negatively affect his business further.

AMK Innovation Ltd

Witness statement from the Premises Licence Holder

Witness Statement of Mr. Mustafa Alkifray

I, Mustafa Alkifray, the premises supervisor and license holder of AMK Innovation Limited of premises 35b Queensway, London, W2 4QJ, states the following:

I have been granted my license in 2019 and have started my business since then. Unaware of the upcoming pandemic, I faced and continue to face financial difficulties. This was exacerbated by police claims and false accusations that were made on no factual grounds.

My License is being revoked as I am being held accountable for an offence that I have not conducted. I am thus being accused of selling alcohol to minors when in fact I would never execute such a deed as not only does it go against my Licensing objectives, but it also goes against my morals.

I am being denied my right to work based on reports that have no solid grounds to them. The reports drafted are far from the truth and completely untrue; this is supported by the lack of evidence. Allegations and reports are made against me only based on the general social perspective that underage drinking is common in Queensway; however, the revocation of my license should be based on evidence and proof. I am not the only off-license shop in Queensway; there are at least six other shops around me that sell alcohol. I understand the concern of the residents and the council. However, given that there is no evidence of any illegal trading related to my shop, the revocation of the license is unjust and disproportionate with the facts of the case.

Two reports were drafted earlier to the police claiming that I sold alcohol to minors. However, please note that the underage girls who allegedly purchased alcohol were both unwilling to provide statements; they have not confirmed where they purchased the alcohol from which negates the validity of the reports.

More importantly, I was informed that the police have performed many test purchasing operations to check the validity of the reports; nevertheless, the results have further validated my innocence. This should provide that I am not involved in any of those allegations. In fact, I feel discriminated against and treated unfairly as until this day there is no proof that can confirm any of the claims. I have not breached any of my licensing objectives.

Furthermore, I have been very accommodating where I have done everything within my power to prove that the reports are false. This includes me changing my CCTV cameras to upgraded ones to satisfy the police's request. I have also provided them with all CCTV footages which clearly show that I am not involved in such an act. This further shows that I have nothing to hide; I have been cooperating and acting as requested by the police.

From the CCTV I am in possession of, I have realized a consistent social behavior in the neighborhood and specifically in front of my shop. Customers that I have refused to sell alcohol to would come back and drink in front of my shop. I have CCTV to proof the following incidents:

- Two young boys who I have refused to sell alcohol to fail to provide me with their ID's when I asked. Afterwards, they were standing in front of my shop; a third person joined the couple of boys. They all had a conversation for a bit before the third customer went solely into my shop requesting to buy alcohol. I have suspected that the two boys that I rejected selling alcohol to have asked the third customer to buy alcohol for them. Consequently, I refused to sell the third customer too as I suspected that the two boys will get hold of the drinks if I did sell the third customer alcohol.
- A couple of young girls walked into my shop; they seemed to be intoxicated. I have asked them what are they were in my shop for, and they replied saying 'we just want to talk to you.' As soon as the girls said that, I told them to leave my premises, but they continued to speak to me. One of the girls pulled out a bottle of alcohol which was hidden in her jacket. Seeing that they are very intoxicated, I asked them where they got their alcohol from. The girl replied saying that they bought it from the souvenir shop on the street. The CCTV footage can show the events of this scenario.
- I have refused to sell two young girls alcohol. The girls passed by in front of my shop without carrying any alcohol bottles. After a while, the two girls can be seen walking with alcohol that they did not initially have. They chose to stand in front of my shop holding alcohol bottles that were bought from an unknown supplier. This proves that there is a supplier around our neighborhood illegally selling alcohol to underage individuals.
- Four young people can be seen in front of my shop with their alcohol bottles. From the footage, it can be seen that those individuals that buy alcohol elsewhere come back to stand in front of my shop.
- I have told the police about the footage I have and they did not seem to give this information any importance. I continued to argue that these videos should be taken into account as they would dissolve me from all the allegations/claims that are being made against me.

Regarding the Police reports available in the Public Pack Agenda:

In response to Adam Deweltz PC 2556AW report, our client did have a Magistrate's Court hearing but the matter was in relation to a parking charge, unlike what the police reports mentioned. The reports have stated that the client got arrested for committing 'robbery and GBH' (page 182 in the Public Pack Agenda). The incident that took place was not classified as robbery. In fact, the incident was not followed up. Our client was only retrieving what is legally his and did so in a legal matter without inflicting any bodily harm or GBH as previously stated. This is in light of the fact that no injuries have been inflicted, especially those that constitute severe breaking of the skin. These false allegations could mean that other information stated in the reports is also untrue.

In regards to the report made by PC Reaz Guerra 1614CW page (104) it seems quite unreasonable that young girls would incriminate themselves and not fear to inform the police, especially face to face, that they have attended the shop to purchase alcohol/vape illegally. The conversation was also unrecorded which is unusual as they are normally issued BWV cameras to capture both audio and video evidence when they come in contact with the public. However, if that particular officer had not acquired a body worn camera then why would the police officer not conduct further questioning or investigation as such a matter is crucial to the safety of minors.

Overall, I believe there have been many false allegations made against me since I have started this business. I am still ignorant to why random people would write reports to ruin my reputation. This is seen through an email sent on the 9TH of March 2021 where I intended to raise a case for defamation against [REDACTED] who was a stranger spreading hearsay. The company [REDACTED] worked for established the allegations and he was consequently fired.

I would like to include that the previous premises occupier was involved in illegal trading and selling of alcohol. Due to this, the landlord decided to evict him and offer the shop to me instead. Consequently, this may explain why neighbors are still suspicious of the shop and its trading even though nothing illegal is taking place (there is absolutely no proof of any illegal acts).

Overall, these accusations have cost me a lot of money and time. They have also impacted the operation of my business where the police's continuous presence in my shop made me look unpleasant among my neighbor; I have lost a lot of customers as my image in the neighborhood has been sabotaged. Considering the effect these claims had on me and my business, I request that the decision is to be issued based on evidence and not on mere suspicion. Please also take into consideration my health condition, mental state, and the fact that this business did not have an opportunity to flourish as the shop was opened in September 2019. Therefore, I request further investigations into this so that the decision to revoke my license is fairly and justly issued.

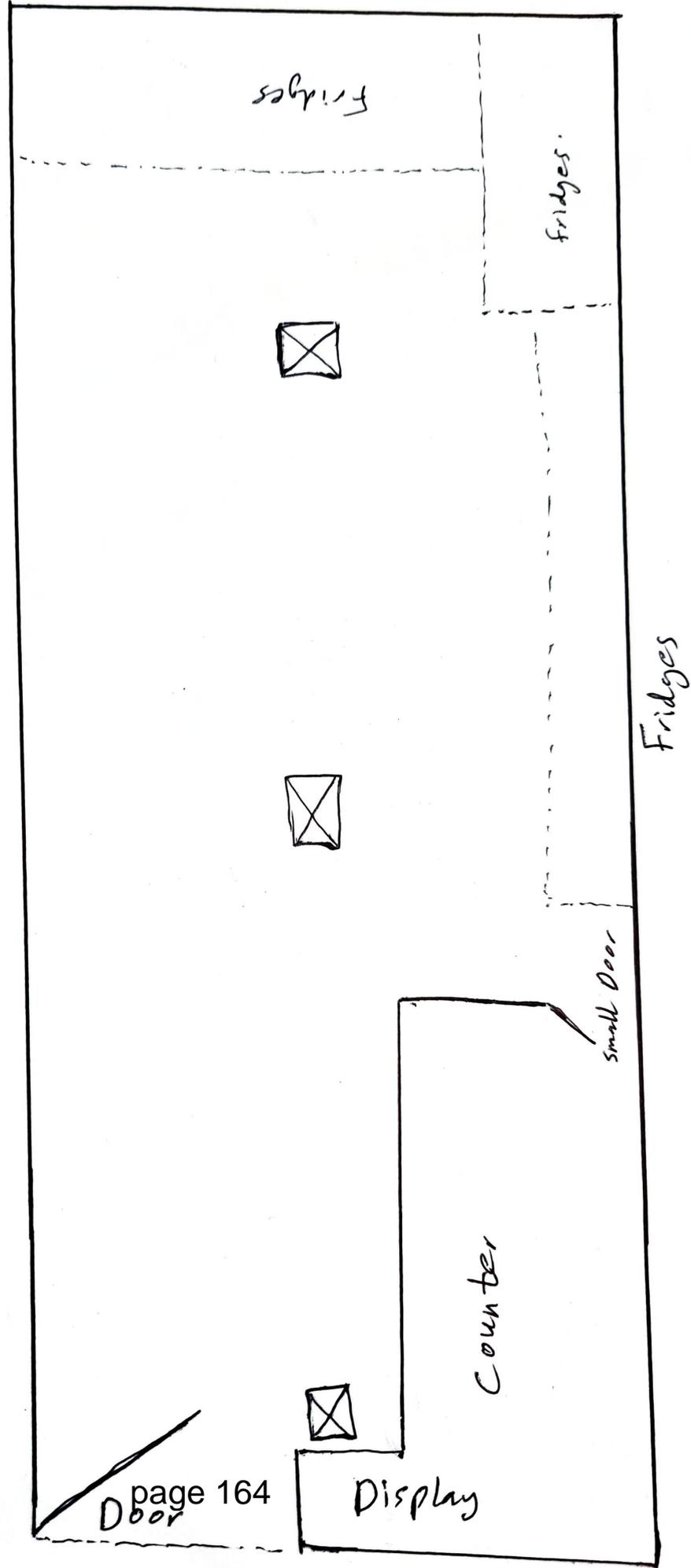
Finally, I want to make it clear that I want to maintain my shop and continue to trade as long as I am complying with the licensing objectives. I request the present licensing committee to take into account all the mentioned above, and base their decision on logical analysis and sensible thoughts that take into account the movement of the economy, trade in the area, as well as the facts that I have not committed nor supported the allegations in question. I totally deny them all and insist to remain the holder of the license and operate from the premises.

Except as otherwise stated, the facts included in this statement are true and accurate to the best of my knowledge. When I allude to facts that are not within my own expertise, I shall provide the source of my information along with my statement.

Name: **Mustafa Alkifray**

Date: 16th May 2022

Proposed Plan for
35 B Queensway
London W2 4QR



Licensing Authority: *Westminster City Council*

**Application for a minor variation to a premises licence
or club premises certificate under the Licensing Act 2003**

I/We [insert name of applicant]

Being the premises licence holder(s) / club holding a club premises certificate, apply to vary a premises licence under Section 41A / club premises certificate under Section 86A of the Licensing Act 2003 for the premises described in Part 1 below.

IMPORTANT: This form is open to inspection by the public.

[Licence search](#)

Premises licence number

Part 1 - Premises Details

Postal address of premises or, if none, Ordnance Survey map reference or description

Post code

Telephone number at premises (if any)

Please give a brief description of the premises
(See note 2)**Part 2 - Applicant Details**I am / we are the premises licence
holder / club premises certificate holder No YesCurrent postal
address
if different from
premises address

Postcode

Email address
(optional)

Proposed Variation

Please continue by answering the questions you are asked below.

Do you want the proposed variation to have effect as soon as possible?

Yes

No

When would you like the proposed variation to have effect?

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (See note 3)

Yes

No

Please 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 note 1). This should include whether new or increased levels of licensable activities will be taking place indoors or outdoors (indoors may include a tent)

Details of proposed variation (See note 4)

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 entire 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 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.
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. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

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)

Sale by retail 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 make selection with an "x" (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 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 make selection with an "x" (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 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			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Tue			
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 (please read guidance note 5)</u>
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>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)</u>		
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place <u>indoors or outdoors</u> or both - please make selection with an "x" (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 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 <u>indoors or outdoors</u> or both - please make selection with an "x" (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 playing 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 entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performance 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 make selection with an "x" (please read guidance note 2).</u>	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue				<u>Please give further details here</u> (please read guidance note 3)	
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 entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</u>		
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)			<u>Please give a description of the type of entertainment you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment take place indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u>	Indoors	
Mon				Outdoors	
Tue				Both	
Wed				<u>Please give further details here</u> (please read guidance note 3)	
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 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 (please read guidance note 5)</u>		
Sun					

I

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment be <u>indoors or outdoors or both - please make selection with an "x" (please read guidance note 2).</u>	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri			<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 (please read guidance note 5)</u>		
Sat					
Sun					

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption please make selection with an "x" (please read guidance note 7).	On the premises	
Day	Start	Finish		Off the premises	
Mon					
Tue			<u>State any proposed seasonal variations for the supply of alcohol</u> (please read guidance note 4)		
Wed					
Thur					
Fri			<u>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)</u>		
Sat					
Sun					

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)

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			Day	Start	Finish	<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish				
Mon						
Tue						

L

Wed			<p>Non standard timings. Where you intend to use the premises to be open to the public at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Thur			
Fri			
Sat			
Sun			

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

Please make selection with an "x"

I will enclose the premises licence with the declaration

I will enclose the relevant part of the premises licence with the declaration

Neither of above

Upload attachments

If checking this box please fill in reasons for not sending the licence, or part of it, below

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

M Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

non

b) The prevention of crime and disorder

non

c) Public safety

non

d) The prevention of public nuisance

non

e) The protection of children from harm

non

Supporting material checklist

Please make selection with an "x"

- I have enclosed the plan, if appropriate, of the premises unless otherwise agreed with the licensing authority
- I have enclosed the premises licence / club certificate or relevant part of it or provided an explanation
- I understand that if I do not comply with the above requirements my application will be rejected
- I understand that I am required to advertise my application by posting a white notice at or on the premises for ten consecutive working days commencing on, and including the day after the day when my application is given to the licensing authority

Declaration

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

Confirmation

Name Date

Capacity

Signatures

Premises licence:

Confirmation of applicant (the current premises licence holder) or applicants solicitor or other duly authorised agent (See note 6). If signing on behalf of the applicant, please state your name and in what capacity you are authorised to sign.

Confirmation

Where the premises is jointly held, confirmation of second applicant (the premises licence holder) or second applicant's solicitor or other authorised agent (See note 7). If signing on behalf of the applicant please state in what capacity

Confirmation

Where the premises is a club:

I [insert full name]

make this application on behalf of the club and have authority to bind the club

Title

First name

Last name

Postal address

Postcode

Telephone number

Email Address all correspondence should be sent to

For Official Use Only

Form Filename:

Submission Ref: 9RH8MDYQ8FS5N

Applicant Name: Amk Innovation Ltd/

Date Submitted: 16/3/2022 4:14:30 PM

Re: Queensway 35 B - Shop and Security Issue. - [REDACTED]

- ✕ Compose
- Mail
- Contacts
- Settings
- Dark mode
- About
- Logout

From [REDACTED] on 2021-03-09 12:43
Details Headers Plain text

Hi Mr Jbara.

Thank you for your email.

Could you please send over the evidence regarding the situation. As i would like to find out which employee it is. I know you have named [REDACTED] I just want to make sure it is him and what has gone on. Also could you send me the registered address of your company and details, As i will have to inform my lawyers of the intent of your client to file a case against us.

On Tue, Mar 9, 2021 at 12:02 PM [REDACTED] wrote:

Dear [REDACTED]

We are instructed on behalf of AMK Innovation Ltd, who occupies and run an off licence business from the shop at 35b Queensway W2 4QJ.

Our client has informed us that your employees have been deployed in that district by the property management company, and in particular one of your staff has been causing our client too much problems and financial difficulties.

Our client discovered with supporting evidence that can be provided at your request; that your employee the name most likely to be [REDACTED] who is saying and making false allegations about the AMK Innovation shop and the shop owner.

This is an initial email o inform you that our client intents to file a case against your organisation for defamation and loss of business as a result of your staff' conduct - Please note that we require a reply from you with 7 days of the date of this email, and should you need all the evidence regarding this matter we will provide it.

Awaiting to hear from you by return.

Kind regards

Bel Jbara

Jbara Legal Consultancy
[REDACTED]

Kind Regards,

[REDACTED]

Confidentiality notice: This message is intended solely for the addressee and may contain confidential information. If you are not the intended recipient(s), please note that any distribution, copying, or use of this communication or the information in it, is strictly prohibited. If you have received this message in error, please immediately and permanently delete it.

FILE COPY



**CERTIFICATE OF INCORPORATION
OF A
PRIVATE LIMITED COMPANY**

Company Number **12201928**

The Registrar of Companies for England and Wales, hereby certifies that

AMK INNOVATION LIMITED

is this day incorporated under the Companies Act 2006 as a private company, that the company is limited by shares, and the situation of its registered office is in England and Wales

Given at Companies House, Cardiff, on **11th September 2019**



* N12201928C *



Companies House



THE OFFICIAL SEAL OF THE
REGISTRAR OF COMPANIES

page 179

The above information was communicated by electronic means and authenticated by the Registrar of Companies under section 1115 of the Companies Act 2006



Application to register a company



Received for filing in Electronic Format on the: **10/09/2019**

X8DOQLIG

Company Name in full: **AMK INNOVATION LIMITED**

Company Type: **Private company limited by shares**

Situation of Registered Office: **England and Wales**

Proposed Registered Office Address: **199 UXBRIDGE ROAD
LONDON
ENGLAND W12 9DH**

Sic Codes: **33130
35140
47599
46900**

I wish to entirely adopt the following model articles:

Private (Ltd by Shares)

Statement of Capital (Share Capital)

<i>Class of Shares:</i>	ORDINARY	<i>Number allotted</i>	100
<i>Currency:</i>	GBP	<i>Aggregate nominal value:</i>	50
<i>Prescribed particulars</i>			

FULL RIGHTS REGARDING VOTING, PAYMENT OF DIVIDENDS AND DISTRIBUTIONS

Statement of Capital (Totals)

<i>Currency:</i>	GBP	<i>Total number of shares:</i>	100
		<i>Total aggregate nominal value:</i>	50
		<i>Total aggregate unpaid:</i>	0

Initial Shareholdings

Name: **MUSTAFA ALKFIRAY**

Address **199 UXBRIDGE ROAD
LONDON
ENGLAND
W12 9DH**

Class of Shares: **ORDINARY**

Number of shares: **100**

Currency: **GBP**

*Nominal value of each
share:* **0.5**

Amount unpaid: **0**

Amount paid: **50**

Persons with Significant Control (PSC)

Statement of initial significant control

On incorporation, there will be someone who will count as a Person with Significant Control (either a registerable person or relevant legal entity (RLE)) in relation to the company

Individual Person with Significant Control details

Names: MR MUSTAFA MAHMOUD IBRAHIM ALKFIRAY

Country/State Usually Resident: ENGLAND

Date of Birth: [REDACTED]

Nationality: [REDACTED]

Service address recorded as Company's registered office

The subscribers confirm that each person named as an individual PSC in this application knows that their particulars are being supplied as part of this application.

Nature of control **The person holds, directly or indirectly, 75% or more of the voting rights in the company.**

Nature of control **The person holds, directly or indirectly, 75% or more of the shares in the company.**

Nature of control **The person has the right, directly or indirectly, to appoint or remove a majority of the board of directors of the company.**

Statement of Compliance

I confirm the requirements of the Companies Act 2006 as to registration have been complied with.

Name: **MUSTAFA ALKFIRAY**
Authenticated **YES**

Authorisation

Authoriser Designation: **subscriber** *Authenticated* **YES**

COMPANY HAVING A SHARE CAPITAL

Memorandum of association of AMK INNOVATION LIMITED

Each subscriber to this memorandum of association wishes to form a company under the Companies Act 2006 and agrees to become a member of the company and to take at least one share.

Name of each subscriber	Authentication
MUSTAFA ALKFIRAY	Authenticated Electronically

Dated: 10/09/2019

LICENCE TO OCCUPY

THIS LICENCE is dated 16th May 2022.

Parties -

- (1) **AMK INNOVATION LIMITED** (Co. Regn. 12201928) of 35B Queensway, Bayswater, London, W2 4QJ ; Director Mr. Mustafa Mahmoud Ibrahim Alkifiray, “**the Licensor**”
- (2) **HD LINKS LIMITED** (Co. Regn. 14109041) of 203-205 The Vale, London, England, W3 7QS; Director Ms. Ericka Jeraldine Escalante Rojas, “**the Licensee**”

Agreed terms

1. Interpretation

The following definitions and rules of interpretation apply in this licence.

1.1 Definitions:

Property: all that land and buildings known as 35B Queensway, Bayswater, London, W2 4QJ and shown edged Red on the Plan in the Title Deed number [NGL465601] or such reduced or extended area as the Licensor may from time to time designate as comprising the Property.

Common Parts: such roads, paths, entrance halls, corridors, lifts, staircases, landing and other means of access in or upon the Property the use of which is necessary for obtaining access to and egress from the Room as designated from time to time by the Licensor.

Competent Authority: any statutory undertaker or any statutory public local or other authority or regulatory body or any court of law or government department or any of them or any of their duly authorised officers.

Designated Hours: 7 days per week or such other hours as the Licensor in its absolute discretion may determine by a reasonable notice to the Licensee.

Licence Period: the period from **16th May 2022** up to and including **15th May 2023** unless terminated early.

Necessary Consents: all planning permissions and all other consents, licences, permissions, certificates, authorisations and approvals whether of a public or private nature which shall be required by any Competent Authority for the Permitted Use.

Permitted Use: Off-licence shop, non-specialised wholesale trade; retail in non-specialised stores with food, beverages, or tobacco predominating, Class E as per new class order

Plan: the plan attached to this licence marked "Plan A".

Room: the space at 35B Queensway, Bayswater, London, W2 4QJ; showed edged green on the Plan.

Service Media: all media for the supply or removal of heat, electricity, gas, water, sewage, air-conditioning, energy, internet, data and all other services and utilities and all structures, machinery and equipment ancillary to those media, in each case only as relevant and accessible from within the stated Room.

VAT: value added tax chargeable under the Value-Added Tax Act 1994 and any similar replacement tax and any similar additional tax.

- 1.2 A **person** includes a natural person, corporate or unincorporated body (whether or not having separate legal personality).
- 1.3 The Schedule forms part of this licence and shall have effect as if set out in full in the body of this licence. Any reference to this licence includes the Schedule.
- 1.4 Unless the context otherwise requires, words in the singular shall include the plural and in the plural, shall include the singular.
- 1.5 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.6 A reference to laws in general is a reference to all local, national and directly applicable supra-national laws as amended, extended or re-enacted from time to time and shall include all subordinate laws made from time to time under them and all orders, notices, codes of practice and guidance made under them.
- 1.7 Unless otherwise specified, a reference to a statute or statutory provision is a reference to it as amended, extended or re-enacted from time to time and shall include all subordinate legislation made from time to time under that statute or statutory provision and all orders, notices, codes of practice and guidance made under it.
- 1.8 Any obligation on a party not to do something includes an obligation not to allow that thing to be done and an obligation to use best endeavours to prevent that thing being done by another person.
- 1.9 Any words following the terms **including, include, in particular, for example** or any similar expression shall be construed as illustrative and shall not limit the sense of the words, description, definition, phrase or term preceding those terms.
- 1.10 A working day is any day which is not a ~~Saturday, a Sunday~~, a bank holiday or a public holiday in England, or Wales, as relevant to the location of the Unit.

2. Licence to occupy

- 2.1 Subject to clause 3 and clause 5, the Licensor permits the Licensee to occupy ~~part~~ at 35B Queensway, Bayswater, London, W2 4QJ (space shown in Plan B) for the Permitted Use for the Licence Period 7 days a week in common with the Licensor and all others authorised by the Licensor (so far as is not inconsistent with the rights given to the Licensee to use the Space for the Permitted Use) together with the rights mentioned in the **Error! Reference source not found.**
- 2.2 The Licensee acknowledges that:

- (a) the Licensee shall occupy the Space as a licensee and that no relationship of landlord and tenant is created between the Licensor and the Licensee by this licence;
- (b) the Licensor retains control, possession and management of the Space and the Licensee has no right to exclude the Licensor from the Space;
- (c) the licence to occupy granted by this agreement is personal to the Licensee and is not assignable and the rights given in clause 2 may only be exercised by the Licensee and its employees; and
- (d) without prejudice to its rights under clause 5, the Licensor shall be entitled at any time on giving not less than 4 weeks' notice to require the Licensee to transfer to alternative space elsewhere, with any additional costs to be met by the Licensor, and the Licensee shall comply with such requirement.

3. License Fee

The Licensee will **pay** [REDACTED] **per month** without any deduction in full prior to the License Period together with such VAT as may be chargeable.

4. Licensee's obligations

4.1 The Licensee agrees and undertakes:

- (a) to keep the premises clean, tidy and clear of rubbish;
- (b) not to use the premises other than for the Permitted Use;
- (c) not to make any alteration or addition whatsoever to the premises;
- (d) not to display any advertisement, signboards, nameplate, inscription, flag, banner, placard, poster, signs or notices at the Unit or elsewhere in the Property without the prior written consent of the Licensor;
- (e) not to do or permit to be done on the Room/ Space anything which is illegal or which may be or become a nuisance (whether actionable or not), annoyance, inconvenience or disturbance to the Licensor or to tenants or occupiers of the Property or any owner or occupier of neighbouring property;
- (f) not to cause or permit to be caused any damage to:
 - (i) the Premises/ Space or any neighbouring property; or
 - (ii) any property of the owners or occupiers of the Room/ Space, Property or any neighbouring property;
- (g) not to obstruct the Common Parts, make them dirty or untidy or leave any rubbish on them;
- (h) not to apply for any planning permission in respect of the Premises;

- (i) not to do anything that will or might constitute a breach of any Necessary Consents affecting the Premises/Space or which will or might vitiate in whole or in part any insurance effected by the Licensor in respect of the Room/ Space and Property from time to time;
- (j) to comply with all laws and with any recommendations of the relevant suppliers relating to the supply and removal of electricity, gas, water, sewage, telecommunications and data and other services and utilities to or from the Room, as relevant;
- (k) to observe any rules and regulations the Licensor makes and notifies to the Licensee from time to time, including the specific Premises Rules set out in Schedule 2, governing the Licensee's use of the Premises/ Space [and the Common Parts];
- (l) to leave the Premises in a clean and tidy condition and to remove the Licensee's personal items, furniture, equipment and goods from the Room at the end of the Licence Period;
- (m) to indemnify the Licensor and keep the Licensor indemnified against all losses, claims, demands, actions, proceedings, damages, costs, expenses or other liability in any way arising from:
 - (i) this licence;
 - (ii) any breach of the Licensee's undertakings contained in clause 3; and/or
 - (iii) the exercise of any rights given in clause 2;
- (n) not to do anything on or in relation to the Room that would or might cause the Licensor to be in breach of the tenant's covenants and the conditions contained in the Lease.

5. Termination

- 5.1 This licence shall end on 15th May 2023 unless terminated early by the giving of an agreeable notice decided then by the Licensor and the Licensee.
- 5.2 Termination of this licence shall not affect the rights of either party in connection with any breach of any obligation under this licence which existed at or before the date of termination.

6. Notices

- 6.1 Any notice or other communication given under this licence shall be in writing and shall be sent by (i) email; or (ii) pre-paid first-class post; or (iii) other next working day delivery service, to the relevant party at the address specified in the Recitals as otherwise specified by the relevant party by notice in writing to each other party.
- 6.2 Any notice or other communication given in accordance with clause 6.1 will be deemed to have been received:

- (a) if delivered by email, immediately; or
- (b) if sent by pre-paid first-class post or other next working day delivery service, at 9.00 am on the second working day after posting.

6.3 This clause does not apply to the service of any proceedings or other documents in any legal action or, where applicable, any arbitration or other method of dispute resolution.

7. No warranties for use or condition

7.1 The Licensor gives no warranty that the Room/ Space possesses the Necessary Consents for the Permitted Use.

7.2 The Licensor gives no warranty that the Room is physically fit for the purposes specified in clause 2.

7.3 The Licensee acknowledges that it does not rely on, and shall have no remedies in respect of, any representation or warranty (whether made innocently or negligently) that may have been made by or on behalf of the Licensor before the date of this licence as to any of the matters mentioned in clause 7.1 or clause 7.2.

7.4 Nothing in this clause shall limit or exclude any liability for fraud.

8. Limitation of Licensor's liability

8.1 Subject to clause 8.2, the Licensor is not liable for:

- (a) the death of, or injury to the Licensee, its employees, customers or invitees to the Space; or
- (b) damage to any property of the Licensee or that of the Licensee's employees, customers or other invitees to the Room; or
- (c) any losses, claims, demands, actions, proceedings, damages, costs or expenses or other liability incurred by Licensee or the Licensee's employees, customers or other invitees to the Room in the exercise or purported exercise of the rights granted by clause 2.

8.2 Nothing in clause 8.1 shall limit or exclude the Licensor's liability for:

- (a) death or personal injury or damage to property caused by negligence on the part of the Licensor or its employees or agents; or
- (b) any matter in respect of which it would be unlawful for the Licensor to exclude or restrict liability.

9. Third party rights

A person who is not a party to this licence shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this licence.

10. UTILITIES

The Licensor shall pay all costs in connection with the supply and removal of electricity, gas, water, sewage, telecommunication, data and other services and utilities to or from the Property.

11. Governing law

This licence and any dispute or claim arising out of or in connection with it or its subject matter or formation (including non-contractual disputes or claims) shall be governed by and construed in accordance with the law of England and Wales.

12. Jurisdiction

Each party irrevocably agrees that the courts of England and Wales shall have exclusive jurisdiction to settle any dispute or claim arising out of or in connection with this licence or its subject matter or formation (including non-contractual disputes or claims).

This licence has been entered into on the date stated at the beginning of it.

LICENSOR

Signed by the Director of AMK
Innovation Limited– **Mr. Mustafa
Alkifray**

“the Licensor”

.....

Witness Signature

Witness Name

Witness’ Address

LICENSEE

Signed by the Director of HD Links
Limited – **Ms. Ericka Rojas**

“the Licensee”

.....

Witness Signature

Witness Name

Witness’ Address



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

Schedule 12
Part A

**WARD: Lancaster
Gate
UPRN: 010033560272**

Premises licence

Regulation 33, 34

**Premises licence
number:**

22/03073/LIPVM

Original Reference:

05/10334/LIPC

Part 1 – Premises details

Postal address of premises:

AMK Food & Wine
35B Queensway
London
W2 4QJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
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:

Playing of Recorded Music Unrestricted

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:

Amk Innovation Limited
199 Uxbridge Road
London
W12 9DH

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

12201928

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

Name: Mustafa Alkifray

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: 2019-01726-LAPER
Licensing Authority: London Borough Of Hammersmith & Fulham

Date: 11 April 2022

This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.

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 must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

- 6. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (d) On Good Friday, 08:00 to 22:30

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) 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.

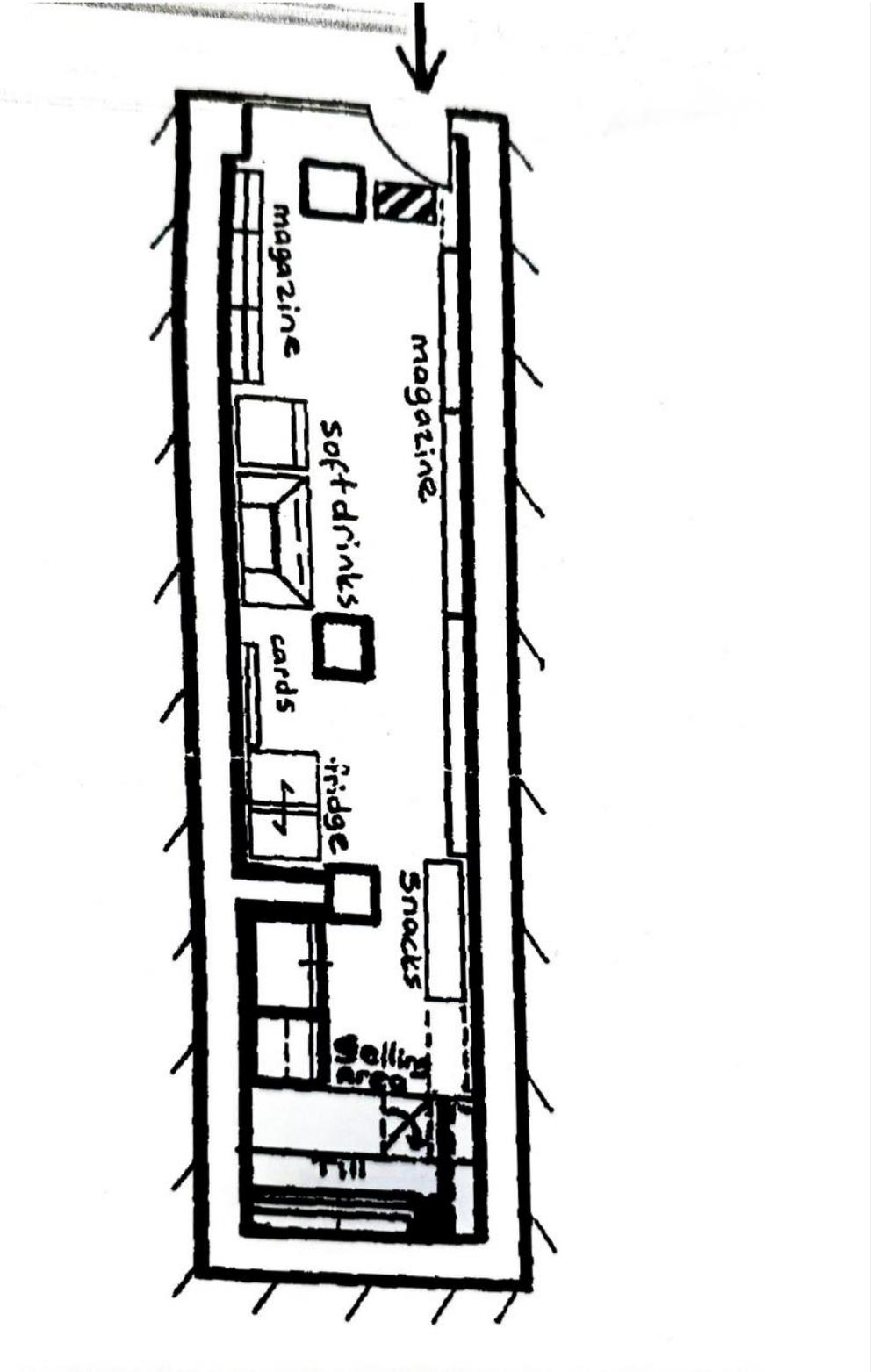
- 7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating Schedule

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
9. 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.
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, passport or proof of age card with the PASS Hologram.
11. 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.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

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

Premises licence
summary

WARD: Lancaster
Gate
UPRN: 010033560272

Regulation 33, 34

Premises licence
number:

22/03073/LIPVM

Part 1 – Premises details

Postal address of premises:

AMK Food & Wine
35B Queensway
London
W2 4QJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Playing of Recorded Music
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:

Playing of Recorded Music Unrestricted

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:

Amk Innovation Limited
199 Uxbridge Road
London
W12 9DH

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

12201928

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

Name: Mustafa Alkifray

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

Restricted

Date: 11 April 2022

This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.

**Consultee Comments for Licensing Application
22/02885/LIREVP**

Application Summary

Application Number: 22/02885/LIREVP
Address: 35B Queensway London W2 4QJ
Proposal: Review of a Premises Licence
Case Officer: Miss Jessica Donovan

Consultee Details

Name: Dave Nevitt
Address: City Hall, 64 Victoria Street, London SW1E 6QP
Email: Not Available
On Behalf Of: Environmental Health Administration

Comments

I wish to make Representations in respect of this application by the Metropolitan Police for a Review of Licence 20/09113/LIPCHT. The Police seek revocation of the Licence. Environmental Health as a Responsible Authority under the Licensing Act 2003 will submit a full list of complaints, details of visits and outcomes in relation to the premises, and a number of proposed conditions which seek to promote the Licensing Objectives (Protection of Children from Harm, Prevention of Public Nuisance, and Public Safety) for consideration prior to the sub-committee Hearing. An Environmental Health Officer will be available to attend and participate at the Hearing

APPLICATION FOR REVIEW OF PREMISES LICENCE 20/09113/LIPCHT

REVIEW APPLICATION REF: 22/02885/LIREVP

AMK Food & Wine, 35B Queensway

ENVIRONMENTAL HEALTH COMMENTS:

- 1. It is noted that the Police seek Revocation of the Licence.**
- 2. It is also noted that the 'Issued' Licence for the premises is 22/03073/LIPVM.**
- 3. The 'Issued' Licence 22/03073/LIPVM includes the following Conditions:**

Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments.

6. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

(a) On weekdays, other than Christmas Day, 08:00 to 23:00

(b) On Sundays, other than Christmas Day, 10:00 to 22:30

(c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30

(d) On Good Friday, 08:00 to 22:30

NOTE - The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(c) sale of alcohol to a trader or club for the purposes of the trade or club;

(d) 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.

7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating Schedule

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
9. 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.

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, passport or proof of age card with the PASS Hologram.
11. 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.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.

If the Committee is minded to Revoke the Licence 20/09113/LIPCHT Environmental Health have no further comments or observations to make. If, however, the Committee is NOT minded to Revoke the Licence EH request that all of the above Conditions are applied to the Licence. In addition to the above, EH propose the following further Conditions in support of the Licensing Objectives:

MC12 No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

MC13 Loudspeakers shall not be located in the entrance lobby or outside the premises building.

MC28 Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

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

MC30 No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.

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

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

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

MC80 Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.

DAVID NEVITT

28.4.2022

I write in relation to the application for a review of the premises licence for AMK Food & Wine - 35B Queensway, London, W2 4QJ.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered the application that the Metropolitan Police have submitted a review and have concerns in relation to the operation of the premises and how the premises promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The Licensing Authority raise particular concern to the licence holder not abiding to the protection of children from harm when taking into account the evidence the Police have submitted along with their grounds for review of the premises licence, specifically the continuous selling of alcohol to children.

Paragraph 11.29 of the Revised guidance issued under section 182 of Licensing Act 2003 (the 182 Guidance) in relation to premises licence following persistent sales of alcohol to children states; “*The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store’s age verification procedures).*”

The Licensing Authority make specific reference to the following paragraph;

However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances.

This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.”

The Licensing Authority believes that Mr Alkifray has little respect in abiding by the four licensing objectives as a premises licence holder and agree with the Metropolitan Police’s request to revoke the premises licence as he has continued to put children at risk.

It is for this reason and the other reasons highlighted above that the Licensing Authority submit a formal representation.

Should the Licensing Authority wish to provide further submission they will do so before the hearing.

Many Thanks

Karyn Abbott
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department

Westminster City Council
15th Floor
64 Victoria Street

London SW1E 6QP

Mobile 07866 019698

Call Centre (for general queries) 020 7641 6500

[REDACTED] and walk past the premises daily and see under age teenagers congregate outside the premises almost daily after school and at the weekends and then proceed to Hyde Park to drink dangerous levels of alcohol. Some children are as young as 11 and ambulances are called daily due to dangerous underage drinking that is a direct consequence of these premises illegal selling of alcohol to kids. The sale of alcohol to teenagers by these premises is seriously endangering children and teenagers lives and they must have their license removed or it could prove catastrophic for the children in the area and further away. I know from speaking to my children that kids come from all over London to buy alcohol from

[REDACTED]
Received: 12 Apr 2022
SUPPORT

We have viewed the information regarding the review

We are shocked and appalled that this premises may be undertaking underage sales of alcohol.

We are incredibly concerned for the wellbeing of these children.

We are also very concerned that this sort of thing is happening right under our noses at such proximity to our premises.

It goes without saying that the medical consequences of underage drinking are dire.

We are in favour of the license to be reviewed.

Thank you for your efforts to protect children from harm.

[REDACTED]
Received: 12 Apr 2022
SUPPORT

[REDACTED]
[REDACTED] I have held the position of [REDACTED] for over 3 years and have worked within the [REDACTED] for over 2 years. In my role as a [REDACTED], I am responsible for managing and leading on medium to long-term problem-solving activity on local crime, anti-social behaviour and public realm issues.

I make this statement from my own personal knowledge and the contents are true. If the contents are not within my own personal knowledge, they are true to the best of my knowledge information and belief.

During my time in the role of [REDACTED], I have been witness to and made aware of various types of anti-social behaviour, particularly within the Queensway vicinity. The main types of anti-social behaviour taking place includes: accosting members of the public demanding money, often aided by the use of cardboard signs and cups; littering, urinating and defecating in public places; loitering in public places under the influence of drugs and/or alcohol; obstruction of the highway and the entrances of premises with personal belongings; and behaving in an aggressive and hostile manner when asked to leave private premises by their owners. The area team has recently also seen an increase in violent offences and robberies against young persons on Queensway, as well as alcohol-related antisocial behaviour caused by groups of young persons congregating on Queensway.

Over the past year, I have received a number of reports and intelligence relating to breach of licence by AMK Food and Wine, 35B Queensway. In April 2021, intelligence was received

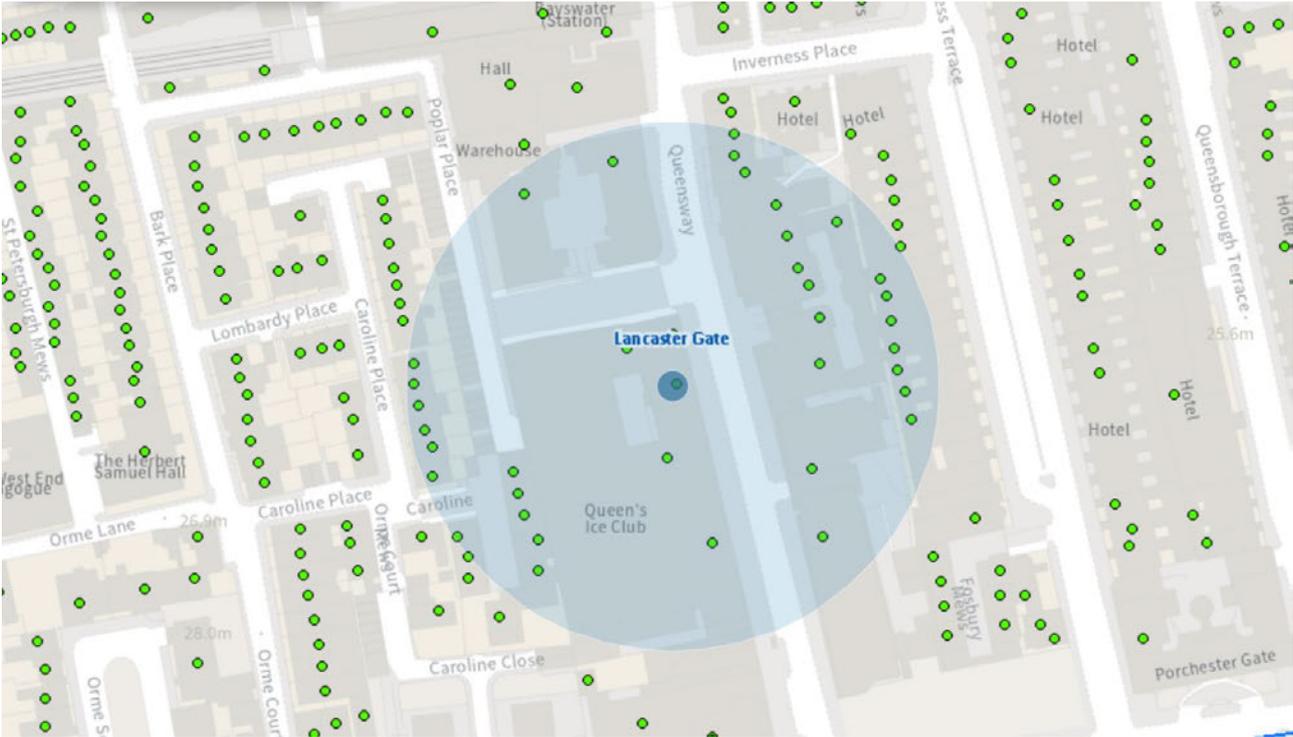
from a member of the public that the shop was allowing the sales of alcohol to underage persons and decanting the alcohol into Lucozade bottles. Upon liaising with Police colleagues, it was revealed that the DPS had been arrested in March 2021 for robbery on Queensway. In November 2021, a further two complaints were received from concerned parents regarding the sales of alcohol to their underage children. In February 2022, a further report was received regarding the sale of alcohol to two underage females (ages 13 and 14) that had taken place in January. I would support the review of the premises licence as the sales of alcohol to underage persons is contributing to the antisocial behaviour on Queensway.

I am willing for this statement to be shared with the MET Police, Westminster City Council and the Magistrates Court in order to support formal enforcement action.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10334/LIPC	<p>Conversion Licence</p> <p>Playing of Recorded Music: Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted</p> <p>Sale by Retail of Alcohol: Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30</p>	03.10.2005	Granted under Delegated Authority
06/09887/WCCMAP	Master Licence	03.10.2005	Granted under Delegated Authority
11/06688/LIPT	Transfer Application - Mr Javed Jiwani to Mr Ashok Kumar	24.07.2011	Granted under Delegated Authority
11/06692/LIPDPS	Application to Vary the Designated Premises Supervisor	25.07.2011	Granted under Delegated Authority
19/14327/LIPT	Transfer Application - Mr Ashok Kumar to Amk Innovation Limited	20.12.2019	Granted under Delegated Authority
20/01050/LIPDPS	Application to Vary the Designated Premises Supervisor	12.02.2020	Granted under Delegated Authority
20/09113/LIPCHT	Change of Details	07.10.2020	Granted under Delegated Authority
22/02401/LIPVM	Minor Variation – To add 4 model conditions	29.03.2022	Application rejected
22/03073/LIPVM	Minor Variation – To add 4 model conditions	11.04.2022	Granted under Delegated Authority

There is no Temporary Event Notice or appeal history for this premises.



Resident count: 477

Licensed premises within 75 metres of 35B Queensway London W2 4QJ

Licence Number	Trading Name	Address	Premises Type	Time Period
06/10311/WCCMAP	Taza Take Away	35A Queensway London W2 4QJ	Shop	Monday to Sunday; 10:00 - 00:00
22/03073/LIPVM	AMK Food & Wine	35B Queensway London W2 4QJ	Shop	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Sunday; 10:00 - 22:30
17/06728/LIPN	Queensway Food Wine	31-31A Queensway London W2 4QJ	Shop	Sunday; 08:00 - 00:00 Monday to Saturday; 07:00 - 00:00
15/03800/LIPT	Queensway Food & Wine	37 Queensway London W2 4QJ	Food store	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/04031/LIPD	Kalinka	35 Queensway London W2 4QJ	Shop	Sunday; 12:00 - 18:30 Monday to Saturday; 11:00 - 20:00
10/04568/LIPN	Curry Place	36 Queensway London W2 3RX	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
21/07962/LIPDPS	Rosa's	36 Queensway London W2 3RX	Not Recorded	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
19/15603/LIPT	Food Basics Limited	28 Queensway London W2 3RX	Restaurant	Sunday; 10:00 - 22:30 Monday to Saturday; 10:00 - 23:00
18/07658/LIPN	Urban Baristas	Ground Floor 11 Queensway London W2 4QJ	Not Recorded	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30
18/08878/LIPT	Del Casa	27 Queensway London W2 4QJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday;

				10:00 - 00:30
21/04671/LIPDPS	Queens Ice Bowl	Queens Ice Club 17 Queensway London W2 4QP	Ice rink	Monday; 09:00 - 23:30 Tuesday; 09:00 - 23:30 Wednesday; 09:00 - 23:30 Thursday; 09:00 - 23:30 Friday; 09:00 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 23:00
21/07343/LIPN	Ceru	11 Queensway London W2 4QJ	Restaurant	Sunday; 09:00 - 22:00 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
13/08953/LIPT	Royal China Chinese Restaurant	13 Queensway London W2 4QJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/13617/LIPVM	Pizza Pilgrims	38 Queensway London W2 3RS	Restaurant	Monday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 23:30 Friday; 10:00 - 00:00 Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
20/00632/LIPN	Not Recorded	40 Queensway London W2 3RS	Cafe	Monday to Sunday; 09:00 - 21:00
21/04894/LIPDPS	Not Recorded	18 - 20 Queensway London W2 3RX	Cafe	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30
15/11442/LIPN	The London Shop	10 Queensway London W2 3RX	Shop (large)	Sunday; 10:00 - 22:00 Monday to Saturday; 08:00 - 23:00
06/10112/WCCMAP	Mandarin Kitchen	14-16 Queensway London W2 3RX	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/14229/LIPT	Manoush Restaurant	48 Queensway London W2 3RY	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday;

				10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
16/02012/LIPDPS	Taste Of India	51 Queensway London W2 4QH	Restaurant	Sunday; 12:00 - 22:30 Monday to Saturday; 12:00 - 23:30
16/05337/LIPT	Kam Tong Chinese Restaurant	59-63 Queensway London W2 4QH	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/05954/LIPCH	Bella Italia	55-57 Queensway London W2 4QH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/02109/LIPDPS	Maharaja	50 Queensway London W2 3RY	Restaurant	Monday to Sunday; 12:00 - 00:30

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