



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (1)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (1)** held on **Thursday 22nd September, 2022**, Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP.

Members Present: Councillors Aziz Toki (Chair), Angela Piddock and Tim Mitchell

1. MEMBERSHIP

1.1 It was noted that there were no changes to the Membership.

2. DECLARATIONS OF INTEREST

2.1 There were no declarations of interest.

1. UNIT B1108 SAFE STORE SELF STORAGE, 2 BURWOOD PLACE, W2 2HN

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 1

22 September 2022

Membership: Councillor Aziz Toki (Chair) Councillor Angela Piddock and Councillor Tim Mitchell

Officer Support Legal Adviser: Horatio Chance
Policy Officer: Daisy Gadd
Committee Officer: Jack Robinson-Young
Presenting Officer: Karyn Abbott

Application for a New Premises Licence in respect of Unit B1108 Safe Store Self Storage 2 Burwood Place London W2 2HN 22/06496/LIPN

Other parties present: Amrishbhai Jadav on behalf of Booze Drink Runners Ltd (Applicant), Maxwell Koduah (Environmental Health), PC Tom Stewart (Metropolitan Police), Richard Brown Westminster Licensing Project, John Zamit (Chairman South-East Bayswater Residents Association)

Full Decision

Summary of Application

The Sub-Committee has determined an application for a New Premises Licence under the Licensing Act 2003 ("The Act") in respect of Unit B1108, Safe Store Self Storage 2 Burwood Place London W2 2HN ("The Premises"). The Premises is a storage unit and will be used for the purposes of storing alcohol which will be prepared for online sales through Deliveroo and Uber eats by delivery outside of the core hours policy.

The Premises are located within the Hyde Park Ward and Edgware Road Special Consideration Zone. The Applicant has provided a response to questions raised by the Metropolitan Police Service which can be found at Appendix 2 of the agenda report. There is no policy presumption to refuse the application however, this is subject to the Applicant satisfying the requirements of the Edgware Road SCZ contained on page 57 of the City Council's Statement of Licensing Policy and the reasons for the policy contained also on pages 53-54 (Paragraphs D37-D46 refers). The matter was assessed on its individual merits having regard to the evidence before the Licensing Sub-Committee and the promotion of the licensing objectives.

There is a resident count of 295.

Premises

Unit B1108
Safe Store Self Storage
2 Burwood Place
London
W2 2HN

Applicant

Booze Drinks Runners Ltd

Cumulative Impact Area

None

Ward

Hyde Park

Special Consideration Zone

Edgware Road

Activities and Hours applied for

Sale by retail of Alcohol (Off the Premises)

Monday to Sunday 00:00 to 23:59

Opening Hours of the Premises

Monday to Sunday 00:00 to 23:59

Representations received

- Metropolitan Police (PC Tom Stewart)
- Environmental Health (Maxwell Koduah)
- 2 Residents Association (Water Gardens Resident Association & South-East Bayswater Residents Association)
- 15 Local Residents (Objecting)
- 1 Westminster Councillor (Cllr Karen Scarborough)

Summary of issues raised by objectors

- The Environmental Health service raised objection on the grounds that the application is likely to undermine both the preventing of public nuisance and prevention of protecting public safety licensing objectives.
- The Metropolitan Police Service raised objection on the basis that the application was likely to undermine the prevention of crime and disorder licensing objective.
- The Water Gardens Residents Association raised concerns around the densely population nature of the apartment building directly above the safe storage units, with particular concerns about the sale of alcohol 24 hours a day, 7 days a week. Local residents objected to the application on the grounds of the constant sale of alcohol from the unit underneath, a lack of detail in the operations of the business provided and the potential for noise of vehicles to and from the Premises.
- SEBRA made representations to object to the application for lateness of the licensable hours requested, the use of third-party delivery drivers and a lack of detail in the application.
- Councillor Karen Scarborough objected to the application stating that her concerns were similar to that of SEBRA and although not in her ward, it was directly opposite and would therefore affect her ward, residents, and businesses.

Policy Position

Policies HRS1 and DC1 apply under the City Council's Statement of Licensing Policy apply (SLP).

HRS1

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.

DC1

- A.** Applications for a delivery centre outside the West End Cumulative Impact Zone will generally be granted subject to:
1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1,
 2. The hours for licensable activities are within the council's Core Hours Policy HRS1,
 3. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone,
 4. The premises are not located in a predominantly residential area, and
 5. The application and operation of the venue meeting the definition of a delivery centre in Clause D.
- B.** Applications for a delivery centre within the West End Cumulative Impact Zone will be considered on their own merits and subject to:
1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1,
 2. The hours for licensable activities are within the council's Core Hours Policy HRS1,
 3. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone, 4. The premises are not located within a predominantly residential area, and
 5. The application and operation of the venue meeting the definition of a delivery centre in Clause D.
- C.** Applications that do not meet Clause A or B will be considered on their own merits, subject to other relevant policies within this statement and the following considerations:
1. The likelihood of the effect of the grant of the licence for a delivery centre on the licensing objectives and whether the applicant has demonstrated that they will meet the criteria and considerations within policies CD1, PS1, PN1 and CH1.
 2. The proposed hours for the operation of the delivery centre, whether they are beyond the Core Hours as set out in Policy HRS1 and if so, what are the reasons for the additional hours and what has the applicant proposed as measures that will mitigate or eliminate any potential impact on the licensing objectives and residents in the vicinity of the premises.
 3. If the application is located within:
 - a. the West End Cumulative Impact Zone, have they demonstrated that they will not add to cumulative impact, or,
 - b. a designated Special Consideration Zone, have they demonstrated that they have taken account of the issues identified in that area and put forward proposed mitigation measures in relation to those issues in accordance with Policy SCZ1,
 4. Whether the premises are located within a predominantly residential area and if so:

- a. whether the applicant has engaged with local residents and/or local resident/amenity societies on the proposed application and the operation of the premises prior to submitting the application to the council, and
 - b. whether the applicant has put forward sufficient control measures within the operating schedule to mitigate or eliminate the potential impact on residents in the area and the licensing objectives that have been identified as part of the pre-application engagement with residents or following receipt of relevant representations following the statutory consultation period.
5. Whether the delivery personnel working from the delivery centre are directly employed by the applicant or whether the delivery service element of the operation will be provided by a third party,
 6. How will the applicant ensure that the operation of the premises and the delivery service, operated directly by them with their own staff does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act.
 7. If a third party will provide the delivery service element of the operation on behalf of the applicant what are the contractual arrangements with that third party to ensure that the operation of the delivery service from the delivery centre does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act,
 8. The operation and management of the proposed delivery centre from the premises,
 9. The types of vehicles that will be used for the delivery of alcohol and/or late-night refreshment and whether they will likely create public nuisance,
 10. When will deliveries to the delivery centre or waste collection take place.
 11. The history of the applicant's operation of licensed premises and the premise's operation in relation to any impact on the licensing objectives, breaches of any terms and conditions of a licence, any reviews of a licence or offences committed under the Act,
 12. In addition to Sub-clause 6 and 7 above what measures the applicant or the third party providing the delivery service has put forward to mitigate the specific risk of public nuisance by the operation of the delivery service at the premises or at the end point of delivery,
 13. In addition to sub-clause 6 and 7 above what specific measures and processes the applicant or the third party providing the delivery service has put forward to mitigate the risk from the delivery of alcohol to children to ensure that they are protected from harm.
- D. For the purposes of this policy a delivery centre is a premises that's primary function is to temporarily store alcohol and/or to prepare hot food and hot drink, so that it is available when ordered for transportation to a customer's residential or workplace location.
- E. For the purposes of Clause A.4 B.4 and C reference to 'a predominately residential area' means an area of the city in which housing is the predominant use.

SUBMISSIONS AND REASONS

The Presenting Officer Ms Karyn Abbott introduced the Application to the Sub-Committee. She advised that this was a New Application for a Premises Licence relating to Unit B1108, Safe Store Self Storage 2 Burwood Place London W2 2HN. The Premises is a storage unit and will be used for the storing of alcohol which will be prepared for online sales through Deliveroo and Ubereats by delivery outside of the core hours policy. The Premises are located within the Hyde Park Ward and Edgware Road Special Consideration Zone. Representations have been made by the Metropolitan Police Service, Environmental Health Service, two Residents Association (Water Gardens Resident Association & South-East Bayswater Residents Association) 15 Local Residents and Cllr Karen Scarborough.

The Applicant Mr Jadav appearing on behalf of Booze Drink Runners Ltd addressed the Sub-Committee and confirmed that he was now reducing his operating hours to the following:

- Monday to Wednesday 08:00 to 18:00
- Thursday 08:00 to 20:00
- Friday and Saturday 08:00 to 18:00
- Sunday 10:00 to 16:00.

Mr Jadav explained they worked previously with delivery services such as Deliveroo and that the business currently uses a petrol vehicle for deliveries. Mr Jadav explained that he had a similar application pending with the London Borough of Ealing. He advised that this unit in Westminster, is very small only 50 square foot and he would be happy to undertake a risk assessment. There is a designated area for staff who would be smoking and for drivers to wait for deliveries.

In answer to questions from the Sub-Committee Mr Jadav confirmed that he would personally be present for deliveries and in terms of the delivery method this would be carried out inside the unit and not collected from outside of the unit in the car park. Mr Jadav advised that he had not made direct contact with local residents regarding the application.

The Sub-Committee then asked if Mr Jadav was aware of the local area and how residential it was and what measures would be in place to reduce impact to local residents in the running of the Premises. He explained that all delivery drivers would receive training on reducing their noise and pollution when undertaking their work, alongside Challenge 25 requiring a photographic proof of identification. He confirmed that all drivers are to be directly employed by the company itself under him as the director.

Mr Horatio Chance, the Legal Advisor to the Sub-Committee asked Mr Jadav to confirm how many people would be employed. Mr Jadav stated that it would be himself and an additional member of staff as a driver. He clarified he would not be using any third-party delivery companies.

PC Stewart from the Metropolitan Police Service raised concerns that initially the Applicant had wanted to place goods within his car, including alcohol, past 18:00 and trade from there. However, following Mr Jadav's meeting with the Environmental

Health Service and having amended the hours of operation and agreeing conditions, he advised that the Metropolitan Police Service are now happier with the application.

PC Stewart mentioned that the agenda report did talk about using Uber Eats but Mr Jadav has now confirmed he will not be using a third party delivery company. PC Stewart requested the Sub-Committee to condition any drivers now or in future are to be employed by the Applicant and that all collections are to take inside the unit rather than outside and to clarify that he cannot sell from his car.

Mr Maxwell Koduah from the Environmental Health Service reiterated the new hours to the Sub-Committee that had been agreed with the Applicant. Beyond these hours, the Premises is inaccessible, and this has then reduced his concerns about the application. Mr Koduah explained the plans submitted needed to be changed to correctly highlight what was licensable and what was not, only the unit itself was licensed, not the corridor area. There is also a wider risk assessment that has been done, and this unit falls within these criteria.

Mr Richard Brown appearing on behalf of SEBRA addressed the Sub-Committee and stated that his initial concerns on the hours have been reduced. However, he still had concerns regarding businesses of this type which have seen an increase in recent years. Mr Brown said that there are still issues for SEBRA with this application and the impact on the local area because these safe storage units are directly underneath residential properties. He stated that a particular concern is the use of third-party delivery companies which is a positive for this application given the Applicant is going to be using his own driver, but this should be conditioned to safeguard residents.

Turning to the policy, Mr Brown spoke regarding Policy DC1 and how this required applications to limit nuisance from delivery drivers, be within core hours, requiring the SCZ to be taken account for, must not be in a predominantly residential area and must meet the definition of a delivery centre as required in Clause D of the policy.

Mr Brown asked for a condition stating that the sale of alcohol cannot take place outside of those hours, as a sale for example could technically be made at say 19:59 and then delivered at 20:01, after the terminal hour of 20:00.

Mr John Zamit Chair of SEBRA addressed the Sub-Committee. He said that the delivery companies such as Uber Eats and Deliveroo create nuisance for local people from the ringing of doorbells in the early hours to the sound of bikes and cars in the area left running. Mr Zamit said in his view the corner that the Premises is by, could easily become an area for delivery drivers to congregate. As the Applicants drivers will be inside the Premises, this could then be clearly conditioned, as the current conditions were too vague on this issue, especially with an area just outside that could see people congregating.

Mr Zamit explained this would also contain noise too within the car park area, away from residents. Mr Brown explained that model condition 98 (MC98) deals with the regularisation of delivery drivers.

In summing up, the Environmental Health Service and Metropolitan Police Service had nothing further to add. Mr Brown only suggested that there be a condition on no super-strength beer.

Mr Jadav had nothing further to add to his earlier submissions.

Conclusion

The Sub-Committee realises that it has a duty to consider each application on its individual merits and did so when determining the application.

The Sub-Committee decided that the Applicant had provided valid reasons as to why the granting of the application would promote the licensing objectives.

The Sub-Committee welcomed the fact that the Applicant took on board the views of the parties that objected to the application and reduced the hours accordingly to the storage centre hours and that the proposed conditions had also been agreed.

The Sub-Committee noted that there is no policy presumption to refuse the application however, the matters as set out in Paragraph D51 on page 57 of the SLP regarding the Edgware Road SCZ must be demonstrated by the Applicant.

The Sub-Committee in its determination of the matter concluded that the Applicant had considered Paragraph D51 and although the Premises is close to the Edgware Road it was the Sub-Committee's considered opinion that the hours and the conditions it has imposed on the premises licence is likely to have minimal impact on the area given the character, style and nature of the Premises in that the Premises is a very small unit storing alcohol with online sales.

The Sub-Committee based on the various undertakings and guarantees given by the Applicant during the hearing was persuaded that they were to be a responsible operator that would manage the Premises well particularly when it came to the management of delivery drivers and the likely problems and impact this would have on local residents as referred to in the many representations. The Applicant is therefore encouraged to work in partnership with local residents especially those residents that live directly above the Premises so that any potential issues that may arise regarding the day to day running of the Premises are dealt within a timely manner and satisfactorily resolved.

In reaching its decision, the Sub-Committee concluded that these measures would help mitigate the concerns raised by the local residents and the conditions attached to the licence would ultimately have the effect of promoting the licensing objectives in particular the public nuisance licensing objective.

Having carefully considered the committee papers and the submissions made by all parties, both orally and in writing, **the Committee had decided**, after taking into account all the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission for the **Sale by Retail of Alcohol (Off the Premises)** Monday to Wednesday 08:00 to 18:00 Thursday 08:00 to 20:00 Friday and Saturday 08:00 to 18:00 Sunday 10:00 to 16:00 hours.

2. To grant permission for the **Opening Hours of the Premises** Monday to Wednesday 08:00 to 18:00 Thursday 08:00 to 20:00 Friday and Saturday 08:00 to 18:00 Sunday 10:00 to 16:00 hours.
3. That the Licence is subject to any relevant mandatory conditions.
4. That the Licence is subject to the following conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

Conditions imposed by the Committee after a hearing with agreement of the Applicant

5. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the rider will carry out age verification on delivery. The customer will be required to declare that he or she is aged 18 or over. If the rider is not satisfied that the customer is aged 18 or over any alcohol in the order will be withheld.
6. A Challenge 25 proof of age scheme shall be operated at the point of delivery 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.
7. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
8. Save for delivery drivers/riders, no persons shall be permitted on the premises at any time.
9. All sales of alcohol for consumption off the premises shall be in sealed containers only.
10. 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.
11. The Premises Licence Holder shall ensure that riders/drivers will be instructed not to loiter in the vicinity of residential premises.
12. The Premises Licence Holder shall ensure that riders/drivers will not be permitted to congregate in the immediate vicinity of the premises.
13. The Premises Licence Holder shall ensure that riders/drivers will not be permitted to smoke in the immediate vicinity of the premises.
14. No deliveries to the premises shall take place between (20.00) and (08.00) hours on the following day.

15. Deliveries shall only be made to a bonafide residential or business addresses.
16. The Premises Licence Holder shall ensure that delivery drivers/riders shall wait inside the premises between deliveries/ for deliveries.
17. The Premises Licence Holder shall ensure that delivery drivers/riders shall be given clear written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside of the licenced premises.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
19. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
20. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (20.00) hours and (08.00) hours on the following day.
21. No collections of waste or recycling materials (including bottles) from the premises shall take place between (20.00) and (08.00) hours on the following day.
22. Deliveries are to be undertaken by the Premises Licence Holder or their employees.
23. No deliveries from the premises either by the Premises Licence Holder or a third party shall take place between (20:00) and (08:00) hours the following day.
24. 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.
25. Delivery drivers shall be given clear written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the licensed premises; not to leave engines running when vehicles are parked; and not to obstruct the highway.
26. No deliveries to the premises either by the Premises Licence Holder or a third party shall take place other than at the permitted times for the sale of alcohol.

26. 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 and cans.

Informative

27. **The Applicant is strongly recommended to use environmentally friendly vehicles when carrying out deliveries to and from the Premises so as to reduce the impact of public nuisance caused to local residents.**

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
22 September 2022**

2. THE OFFICE GROUP, 91 WIMPOLE STREET, W1G 0EF

22 SEPTEMBER 2022

Membership: Councillor Aziz Toki (Chair) Councillor Angela Piddock and Councillor Tim Mitchell

Officer Support Legal Adviser: Horatio Chance
Policy Officer: Daisy Gadd
Committee Officer: Jack Robinson-Young
Presenting Officer: Karyn Abbott

Application for a Variation Premises Licence in respect of The Office Group 91 Wimpole Street London W1G 0EF 22/06708/LIPV

Other parties present: Craig Baylis (Kinglsey Napley LLP), Maxwell Koduah (Environmental Health Service), Alan Dorin (Local resident).

Full Decision

Premises

The Office Group
91 Wimpole Street
London
W1G 0EF

Premises Licence Holder

The Office Group Properties Limited

Cumulative Impact Area

None

Ward

West End

Special Consideration Zone

None

Summary of Application

The Sub-Committee has determined an application for a Variation of a Premises under the Licensing Act 2003 ("The Act") in respect of The Office Group 91 Wimpole Street London W1G 0EF ("The Premises"). The Premises operates as an office space and was granted a Premises Licence in June of this year under licensing reference 22/02131/LIPN. The Office Group Properties Limited are the Premises Licence Holder ("PLH"). The PLH is returning to the Sub-Committee as their initial application did not cover the provision for the Off Sale of Alcohol. The PLH is seeking to permit off sales of alcohol to enable consumption of alcohol on the rooftop terrace area. No other off sales will be permitted. They are only wanting to service the businesses within their building and not to the public.

The Premises are located within the West End Ward but not located within the West End Cumulative Impact Zone or any Special Consideration Zone. There is no policy presumption to refuse the application. The matter was assessed on its individual merits having regard to the evidence before the Licensing Sub-Committee and the promotion of the licensing objectives

There is a resident count of 45.

Representations received

- Metropolitan Police (PC Andy Elliott) **WITHDRAWN**
- Environmental Health (Maxwell Koduah)
- 2 Local residents (Objecting)

Summary of issues raised by objectors

The Metropolitan Police withdrew their application following consultation with the PLH and having visited the Premises and receiving further information on the use of the premises licence. The Environmental Health Service did agree conditions with the PLH but maintained their representation which initially centred on the possibility that the application may increase the level of Public Nuisance and impact of Public Safety, thereby undermining both the Prevention of Public Nuisance and Prevention of Public Safety licensing objectives. Two local residents objected on the grounds of an invasion of privacy as they live opposite the Premises with the potential to cause noise pollution and anti-social behaviour.

Policy Position

Policies HRS1 and PB1 apply under the City Council's Statement of Licensing Policy apply (SLP).

HRS1

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.

PB1

A. Applications outside the West End Cumulative Zone will generally be granted subject to:

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 late-night 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.

B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:

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.

C. The applications referred to in Clause B1 and B2 will generally be granted subject to:

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 late night 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.

- 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.

SUBMISSIONS AND REASONS

The Presenting Officer, Ms Karyn Abbott outlined the application to the Sub-Committee. She advised that this was a Variation of a Premises Licence regarding the Office Group 91 Wimpole Street London W1G 0EF who operate as an office space. The PLH is Office Group Properties Limited. The PLH was granted a licence in June of this year but due to a technical error in the application omitted to apply for the provision for the Off Sale of Alcohol. The PLH is seeking to permit off sales of alcohol to enable consumption of alcohol on the rooftop terrace area of the Premises. These off sales of alcohol are to service the businesses within their building and not to the public. There are to be no other off sales permitted

Mr Craig Baylis Solicitor appearing on behalf of the PLH addressed the Sub-Committee and advised that this application was a variation of a previous application that came before the Sub-Committee only three months ago. He said the rationale for the application is for when a tenant company in the building would like to organise an event to have in the roof terrace open space area. Currently, a tenant could buy alcohol and then take this up on to the terrace, but they cannot buy alcohol directly from the PLH because the Premises are not currently licensed to sell alcohol in this specific area of the Premises. The PLH would then be able to control this activity as it was being bought directly from them.

Mr Baylis advised that there would be no loud music or live music on the terrace area, these can be done internally only. This application would then fall in line with what a private individual could do. Mr Baylis agreed to a limit on the number of people outside at 50 when alcohol is being consumed with a terminal hour of 22:00. Mr Baylis also agreed a condition of no more than 30 events outside on the terrace area per calendar year.

Mr Maxwell Koduah from the Environmental Health Service addressed the Sub-Committee and referred to Condition 25, which states that no more than 40 events where licensable activity takes place per calendar, not 30 per calendar year. Mr Baylis replied explaining that 30 of these 40 events will be on the roof terrace, but that no more than 30 of the total 40 events will take place on the roof terrace. Mr Koduah explained that most of his concerns had been dealt with at the previous application earlier in the year.

Local resident Mr Alan Doran then addressed the Sub-Committee highlighting that he lives almost directly opposite the Premises and explained that in previous years there has been a number of events that have caused disruption from the noise pollution emanating from the roof terrace. When these events had taken place, Mr Doran said there was also a lack of privacy given the closeness of the buildings and the large windows in the property where he lives. Mr Doran said there had been few events out on the roof terrace and his main concern was the larger formal events, they are the ones which have a negative impact on him as a resident when

considering nuisance. He was of the view that if the variation application were to be granted by the Sub-Committee more of these larger formal events are likely to take place. He advised that these events held music previously, be it recorded or a DJ in presence, where sound would travel in his flat.

In summing up Mr Koduah had nothing further to add likewise with Mr Doran, apart from the fact that he wanted the Sub-Committee to note and consider the closeness of the two buildings and how this variation if granted would increase and encourage noise.

In terms of summing up Mr Baylis stated that this was speculation from Mr Doran, and some events have as little as 5 or 10 people. He commented that the licence has conditions that would need to be enforced, but if the application was not granted by the Sub-Committee this would not stop the unlicensed events from continuing. Mr Doran retorted to this point, that granting the application will only encourage events to take place and to date, there have not been many events organised by tenants on the roof terrace. Mr Doran said that he would be concerned the current low number of events would rise, if the application was granted.

Conclusion

The Sub-Committee realises that it has duty to consider each application on its individual merits and did so when determining the application.

The Sub-Committee noted that the Premises Licence already permits the On sale of alcohol and the purpose behind this variation application is to permit Off sales to enable consumption of alcohol on the rooftop terrace area of the Premises to service the businesses within the building but not to the public.

The Sub-Committee concluded that the PLH had provided valid reasons why the Variation application should be granted. There are a number of comprehensive conditions on the licence that deal with the issue of nuisance so the right balance had been struck when considering the needs of local residents and the ability of the PLH to run his Premises in a way that will promote the licensing objectives.

The Sub-Committee noted the concerns of the resident objector when it came to the issue of potential noise on the terrace area. However, there must be a balance to be struck that will not disadvantage either party. If problems do occur then the resident is advised to report those concerns to the Councils Environmental Health Service.

Having carefully considered the committee papers and the submissions made by all parties, both orally and in writing, **the Committee had decided**, after taking into account all of the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission to permit Off Sales of Alcohol to enable consumption of alcohol on the rooftop terrace area of the Premises where no other off sales will be permitted.
2. In accordance with Paragraph 1 above to grant permission for the **Sale by Retail of Alcohol (Off the Premises)** Monday to Saturday 10:00 to 22:00 Sunday 12:00 to 22:00 hours.

3. That Condition 24 on the Premises Licence is hereby removed from the Premises Licence and ceases to have effect after the Environmental Health Service confirmed the works condition was complied with.
4. That the total number of people permitted on the roof top terrace shall be limited to 50 people as specified below in condition 30.
5. That the varied licence is subject to any relevant mandatory conditions.
6. That the existing conditions on the licence shall apply in all respects except in so far as they are varied by this Decision.
7. That the varied licence is subject to the following additional conditions and imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

Conditions imposed by the Committee after a hearing with agreement of the Applicant

8. 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.
9. 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.
10. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
11. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
12. No deliveries to the premises shall take place between 23.00 and 07.00 hours on the following day.
13. 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.
14. 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.

15. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
16. 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.
17. The supply of alcohol shall only be to employees at the premises, their bona fide guests, or persons attending a private pre booked function.
18. The licensable activities authorised by this licence and provided at the premises shall be ancillary to the main function of the premises as offices.
19. 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.
20. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the
 - a. premises where the only acceptable forms of identification are recognised
 - b. photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
21. There shall be no advertisement of the licensed facilities outside of the premises.
22. Non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
23. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
24. There shall be no more than 40 events where licensable activity takes place per calendar year and for the avoidance of doubt a maximum of 30 events may take place in the roof terrace.
25. There shall be no consumption of alcohol after 23:00 hours.
26. The sale and supply of alcohol for consumption off the premises shall be restricted to alcohol consumed on the 4th floor roof terrace only as shown on the licence plan.

27. There shall be no sales of alcohol for consumption off the premises after 22.00 hours.
28. The speakers on the roof terrace shall only be permitted to provide background music only.
29. The number of persons permitted on the roof terrace at any one-time (excluding staff) shall not exceed (50) persons.
30. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.

This is the Full Decision of the Licensing Sub-Committee takes effect forthwith.

**The Licensing Sub-Committee
22 September 2022**

3. BASEMENT AND GROUND FLOOR, 173 WARDOUR STREET, W1F 8WT

The application was Granted under Delegated Authority.

4. VISCONTI OF WESTMINSTER, 1 MARSHAM COURT, MARSHAM STREET, SW1P 4JY

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 1

22 SEPTEMBER 2022

Membership: Councillor Aziz Toki (Chair) Councillor Angela Piddock and Councillor Tim Mitchell

Officer Support Legal Adviser: Horatio Chance
 Policy Officer: Daisy Gadd
 Committee Officer: Jack Robinson-Young
 Presenting Officer: Karyn Abbott

Application for a New Premises Licence in respect of Visconti Of Westminster 1 Marsham Court Marsham Street London SW1P 4JY 22/06977/LIPN

Other parties present: Mr Di Gegorio (Applicant), Mrs Di Gegorio (representing the Applicant), PC Dave Morgan (Metropolitan Police Service), Dave Nevitt (Environmental Health Service) Richard Brown (representing local residents), Georgina Orde (local resident)

Full Decision

Premises

Visconti Of Westminster Restaurant
1 Marsham Court Marsham Street
London
SW1P 4JY

Applicant

Mr Vito Di Gegorio

Cumulative Impact Area

None

Ward

Vincent Square

Special Consideration Zone

None

Activities and Hours

Late Night Refreshment (Indoors)

Monday to Thursday 23:00 to 23:30
Friday to Saturday 23:00 to 00:00
Sunday Not Applicable

Sale by retail of Alcohol (On and Off the Premises)

Monday to Thursday 10:00 to 23:30
Friday to Saturday 10:00 to 00:00
Sunday 12:00 to 22:30

Seasonal variations: New Year's Eve until 02:00

Opening Hours of the Premises

Monday to Sunday 10:00 to 00:30
Sunday 12:00 to 00:00

Seasonal variations: New Year's Eve until 02:00

Summary of Application

The Sub-Committee has determined an application for a New Premises Licence in respect of 1 Marsham Court Marsham Street London SW1P 4JY ("The Premises"). The Premises intend to trade as an Italian restaurant and bar formally trading as Shepherds of Westminster restaurant. The Premises has been licensed since October 2005 until the licence lapsed in March 2021 when the licence lapsed due to the insolvency of the premises licence holder.

The Premises are located within the Vincent Square Ward but not within the West End Cumulative Impact Zone or Special Consideration Zone. During consultation the Applicant reduced the hours applied for late night refreshment and the sale of alcohol. There is no policy presumption to refuse the application. Representations were received from the Environmental Health Service, Metropolitan Police Service and one local resident who has produced a written submission as part of the additional papers.

The Applicant also agreed to the proposed conditions requested by the Metropolitan Police Service prior to the hearing but they have maintained their objection.

The matter was assessed on its individual merits having regard to the evidence before the Licensing Sub-Committee and the promotion of the licensing objectives.

There is a resident count of 623.

Representations received

- Metropolitan Police Service (PC Dave Morgan)
- Environmental Health Service (Dave Nevitt)
- 1 Local resident (Objecting)

Summary of issues raised by objectors

The Metropolitan Police Service maintained their objection on the basis that they believed the application would undermine both the Prevention of Crime and Disorder and Prevention of Children from Harm licensing objectives. The Applicant did agree to the Police's request for a reduction in hours and also requested specific conditions were agreed to.

The Environmental Health Service felt that the application was likely to undermine the Prevention of Public Nuisance licensing objective. Ms G Orde, a local resident, submitted an objection on the grounds that, living above the Premises, she would be disturbed by noise frequently thereby undermining again the Prevention of Public Nuisance licensing objective.

Policy Position

Policies HRS1, RNT1(A) apply under the City Council's Statement of Licensing Policy apply (SLP).

HRS1

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.

RNT1 (A)

Applications outside the West End Cumulative Impact Zone will generally be granted subject to:

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 late night 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 meeting the definition of a restaurant as per Clause C.
- C. For the purposes of this policy a restaurant is defined as:
1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address.
 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

SUBMISSIONS AND REASONS

The Presenting Officer Karyn Abbott outlined the application to the Sub-Committee. She advised that this was an application for a New Premises Licence in respect of Visconti Of Westminster 1 Marsham Court Marsham Street London SW1P 4JY. The

Premises intends to operate as a restaurant with licensable activities relating to the sale of alcohol and late night refreshment. Representations have been received from the Metropolitan Police Service, Environmental Health Service and 1 local resident who are all in attendance at today's hearing. The Applicant is Mr Di Geogorio.

Mrs Di Gegorio, the Applicants wife, addressed the Sub-Committee and explained that she with her husband, the Applicant, took over the business in May this year and the current licence has lapsed. This is now to be a fine dining restaurant mirroring the licence that was held previously. She advised that the Metropolitan Police Service requested that the hours be scaled back in line with the core hours policy and this had been accepted.

Mrs Di Gegorio said admittedly there were issues with the previous operator but the Premises is now under new management and is to operate differently with its current business model for a restaurant. The capacity would be 60 people in the main dining room with a further room that could hold up to 30, for a total maximum capacity of 90 seats.

Mr Dave Nevitt from the Environmental Health Service then addressed the Sub-Committee and advised he was pleased to see that the Applicant had agreed core hours. Mr Nevitt drew the Sub-Committee's attention to the flats above the Premises and said that the previous owners when running the business did create noise from the day to day running of the restaurant and from customers.

Mr Nevitt advised that some complaints were made to him directly in the summer of 2019. However, since there have been works done to the structures. The Sub-Committee noted that two conditions had been suggested by the Environmental Health Service around noise nuisance and around works, with the condition concerning works having already been agreed to prior to today's hearing.

Mr Nevitt confirmed that he had spoken to Ms Georgina Orde, a local resident present at the Sub-Committee, and she agreed for him to enter her property to check on noise transmission above.

The Sub-Committee then invited Ms Orde to make representations and she explained her flat is above the restaurant's kitchen. She said that this application was made in August 2022, during the summer holidays and felt that this had resulted in less objections being made to the application.

Ms Orde said that under the old operator the noise levels were so bad a meeting had to be called with the interested parties to tackle the nuisance complained off. She said that following that meeting it had led to a reduction in noise, however, the noise was still loud at times including the noise being generated from the fans used for cooking at the Premises.

Ms Orde said at the time there was the frequent banging of doors and use of a bottle bank, both contributing to the noise caused underneath. Ms Orde advised that she works for a charity and does not have the funds to simply move away and was perfectly happy living in her home prior to 2014. When she first moved in to the flat in 2012, the operation hardly generated any noise in her property this was despite the same number of patrons being inside the Premises.

Ms Orde queried the terminal hour of 00:30, which she believed was not within core hours and sought clarification and said in any event this terminal was not accepted. She requested that the Sub-Committee impose Model Condition 87 (MC87) on the premises licence to ensure that fumes are limited and smells emanating from the Premises and went onto explain that during the Covid-19 lockdown, she reported noxious smells entering her property which were followed up by the Council but due to Government Guidance on COVID officers at that time could not enter the Premises to investigate.

Mr Richard Brown appearing on behalf of Ms Orde then spoke around the works condition, saying this would allow for the Environmental Health Service to have overall insight and for Ms Orde to have peace of mind while still allowing the Premises to operate.

Mr Horatio Chance, the Legal Advisor to the Sub-Committee confirmed the position regarding core hours and the relationship of licensable activities under the City Council's SLP. Mr Chance clarified that 00:30 was outside of the core hours policy, opening hours can be core hours or later but the Sub-Committee would need to specify this if the application were to be granted.

The Sub-Committee asked the Policy Advisor Ms Daisy Gadd to confirm that restaurants applying for hours within core hours would usually be granted because there was no presumption to refuse such applications outside of the West End CIZ and Ms Gadd agreed this to be the case, subject to the Applicant meeting other policies identified within the SLP.

The Sub-Committee asked the Applicant to confirm if 00:30 had been a mistake on the application and the Applicant confirmed for the sake of confusion that this was in fact a mistake and only core hours were sought.

In summing up, Mrs Di Gegorio explained that the head porter of the building had gone throughout the flats to see the noise generated by the fans and worked with them to set an appropriate level. She confirmed they were happy for Mr Nevitt to inspect the flat above owned by Ms Orde and in the Premises to help resolve any noise issues.

Conclusion

The Sub-Committee realises that it has a duty to consider each application on its individual merits and did so when considering the merits of the application.

The Sub-Committee noted that there is no policy presumption to refuse an application for a restaurant Premises that is not located within the West End Cumulative Impact Zone or any of the special consideration zones and that it's assessment of the matter is based upon the promotion of the licensing objectives.

The Sub-Committee decided that the Applicant had provided valid reasons as to why the granting of the application would promote the licensing objectives.

The Sub-Committee welcomed the fact that the Applicant took on board the views of the Metropolitan Police Service and reduced the hours to Westminster's core hours and that the proposed conditions had also been agreed.

The Sub-Committee had sympathy with the local resident objector when it came to potential breaches of the lease in respect of noise and any repairs required to the building to make it adequately sound proofed however, these issues are landlord and tenant matters and fall outside the scope of the Sub-Committees powers. Accordingly, the resident is advised to seek remedy through her landlord to resolve these lease issues by obtaining the relevant professional advice.

The Sub-Committee noted that the Premises is to be food led and is to operate as a restaurant with model restaurant condition 66 (MC66) imposed on the premises licence meaning that alcohol is to be sold subject to customers seated taking a substantial table meal together with waiter and waitress service when alcohol is sold.

The Sub-Committee based on the various undertakings and guarantees given by the Applicant during the hearing was persuaded that they were to be a responsible operator that would manage the Premises well in accordance with the promotion of the licensing objectives. It also encouraged the Applicant to work in partnership with local residents so that any potential issues arising regarding the day to day running of the Premises are dealt with in good time and satisfactorily resolved.

In reaching its decision, the Sub-Committee concluded that these measures would help mitigate the concerns raised by the local residents and the conditions attached to the licence would ultimately have the effect of promoting the licensing objectives in particular the public nuisance licensing objective.

Having carefully considered the committee papers and the submissions made by all parties, both orally and in writing, **the Committee had decided**, after taking into account all the individual circumstances of this case and the promotion of the four licensing objectives:

1. To grant permission for **Late Night Refreshment (Indoors)** Monday to Thursday 23:00 to 23:30 Friday and Saturday 23:00 to 00:00 Sunday Not Applicable.
2. To grant permission for the **Sale by Retail of Alcohol (On and Off the Premises)** Monday to Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 00:00 Sunday 09:00 to 22:30. **Seasonal Variation: New Year's Eve until 02:00**
3. To grant permission for the **Opening Hours of the Premises** Monday to Thursday 09:00 to 23:30 Friday and Saturday 09:00 to 00:00 Sunday 09:00 to 22:30. **Seasonal Variation: New Year's Eve until 02:00**
4. That the Licence is subject to any relevant mandatory conditions.

5. That the Licence is subject to the following conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

Conditions imposed by the Committee after a hearing with agreement of the Applicant

6. 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 and will include the external area immediately outside the premises entrance. 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.
7. 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.
8. Save for in the area hatched on the approved plan, the premises shall only operate as a restaurant,
 - (i) in which customers are shown to their table or the customer will select a table themselves,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,
 - (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
 - (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

For the purpose of this condition 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

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

9. In the area hatched on the approved plan, the supply of alcohol is by waiter or waitress service only to persons who are seated.

10. There shall be no sales of alcohol for consumption off the premises after 2300 hours.
11. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
12. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal or meal consumed in a designated external seating area.
13. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
14. 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.
15. 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.
16. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
17. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
18. Deliveries will only be made to bona fide residential or business addresses.
19. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery personnel will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 21 or 25 scheme. If the rider is not satisfied, then the alcohol in the order will be withheld.

20. The premises licence holder will ensure that an age verification policy will apply whereby all delivery personnel will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
21. All delivery personnel shall receive training in age restricted sales.
 - Induction training must be completed and documented prior to the delivery of alcohol by the rider.
 - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
 - Training records will be available for inspection by a Police Officer or other authorised officer on request. Training records will be electronically stored by the licence holder for a period of 12 months.
22. All delivery personnel shall be trained to record refusals of sales of alcohol in a refusal's log/register. The log/register will contain:
 - details of the time and date the refusal was made.
 - the identity of the delivery personnel refusing the sale.
 - details of the alcohol the person attempted to purchase.This log/register will be available for inspection by a Police Officer or other authorised officer on request.
23. 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.
24. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
25. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this Condition shall be removed from the Licence by the Licensing Authority.
26. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

If there are problems experienced then a Review of the premises licence can be made.

The is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
22 September 2022**

The Meeting ended at 2.15 pm

CHAIRMAN: _____

DATE _____