

Licensing Sub-Committee Report

Item No:	
Date:	11 February 2016
Licensing Ref No:	15/11914/LIPN - New Premises Licence
Title of Report:	Italian Cafe/Deli Unit 5,Bishop's Quarters Bishop's Bridge Road London W2 6ES
Report of:	Director of Public Protection and Licensing
Wards involved:	
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Ola Owojori Senior Licensing Officer
Contact details	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	17 December 2015		
Applicant:	Foody Experience Limited		
Premises:	Italian Cafe/Deli		
Premises address:	Unit 5	Ward:	Bayswater
	Bishop's Quarters Bishop's Bridge Road London W2 6ES	Cumulative Impact Area:	Queensway/ Bayswater
Premises description:	The premises are to be operated as cafe / delicatessen with outside area		
Premises licence history:	The premises have not been previously licensed.		
Applicant submissions:	The brochure of the proposed development, the applicant's operating schedule and conditions agreed with South East Bayswater Residents' Association are attached at Appendix 2		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	Not Applicable				23:00	23:00	N/A
End:	Not Applicable				00:00	00:00	N/A
Seasonal variations:		Not Applicable					
Non-standard timings:		Not Applicable					

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	22:00	22:00	22:00	22:00	22:00	22:00	22:00
Seasonal variations:		Not applicable					
Non-standard timings:		Not applicable					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:00	07:00	07:00	07:00	07:00	07:00	07:00
End:	23:00	23:00	23:00	23:00	00:00	00:00	22:30
Seasonal variations:		Not applicable					
Non-standard timings:		Not applicable					
Adult Entertainment:		Not applicable					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Environmental Health
Representative:	Dave Nevitt
Received:	14/1/16
<p>The application which seeks a Premises Licence to include the following Licensable activities:</p> <p>Late Night Refreshment until 0000hrs ON Friday and Saturday;</p> <p>The Supply of Alcohol 'On' and 'Off' the premises Monday to Saturday, 1000hrs-2200hrs, and 1200hrs-220hrs on Sunday.</p> <p>The applicant has proposed conditions which are under consideration.</p> <p>I wish to make Representations on the following grounds:</p> <p style="padding-left: 40px;">Representation is made in relation to the application, as the proposals are likely to increase Public Nuisance and may impact upon Public Safety.</p> <p>The premises is located in the Queensway/Bayswater Cumulative Impact Area as defined by the City Council's Licensing Policy.</p> <p>The applicant has proposed a number of Conditions in the Operating Schedule (Annex A). I understand that some Conditions have been agreed with SEBRA but to date I have not seen details of what has been agreed.</p> <p>In relation to the Conditions proposed by the applicant in Annex A I make the following comments:</p> <p>Conditions 1, 2, 3, 5, 9, 10-16 – agreed.</p> <p>The premises is located in a Cumulative Impact Area <u>and I do not agree</u> the remaining Conditions. Condition 6 as proposed by the applicant does not adequately define the premises as a restaurant. I am also concerned to clarify the manner in which alcohol may be consumed in the outside area.</p> <p><u>The following are proposed:</u></p> <ol style="list-style-type: none">1. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.(MC18) – <i>and see 4 below.</i>2. 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.(MC29)	

3. 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. (MC31)
4. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.(MC66) – *this condition should be applied to the external seating area as well.*
5. 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.(MC81)

Responsible Authority:	The Metropolitan Police
Representative:	Toby Janes
Received:	17/1/16

With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, make a representation against the above application.

It is our belief that if granted the application would undermine the Licensing objectives in relation to the prevention of crime and disorder as there are insufficient conditions within the operating schedule and no description of how the premises will trade.

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

Please can you confirm what type of premises this will be and provide a general description as this was not completed in the application.

We are concerned that the application will add to the cumulative impact.

If the hours permitting the sale of alcohol are reduced to 2000 hours then Police would be happy with conditions similar to those offered by you.

However beyond these hours then the following conditions listed below are those that we would like you to attach to your operating schedule as I believe they will address police concerns in relation to crime and disorder.

1. The premises shall only operate as a restaurant
 - (i) in which customers are shown to their table,
 - (ii) where the supply of alcohol is by waiter or waitress service only,

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

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

2. 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.

3. 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.

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, searching equipment or scanning equipment (g) any refusal of the sale of alcohol (h) any visit by a relevant authority or emergency service.

5. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

6. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, save for in the outside area shown the plan where customers shall be seated.

7. No more than 25% of sales area shall be used at any one time for the sale, exposure for sale or display of alcohol.

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

2-B Other Persons	
Name:	John Zamit
Address and/or Residents Association:	SEBRA (South East Bayswater Residents Association 2 Claremont Court Queensway LONDON W2 5HX
Received:	14/1/16
<p>We write to object to this application on the grounds of 'prevention of public nuisance and potential crime and disorder.</p> <p>We do not necessarily object to a Premises Licence being granted, but we do have a number of concerns and queries about the application as it is currently presented.</p> <p>The premises is within the Queensway/Bayswater Cumulative Impact Area.</p> <p>Above and adjacent to the premises are residential units and the area around is predominantly residential,</p> <p>The application seeks: Late night refreshment to midnight Fri-Sat only - indoors and outdoors</p> <p>Sale and supply of alcohol 10am-10pm Mon-Sat, midday to 10pm Sun</p> <p>Opening hours - 7am to 11pm Mon-Thurs, 7am to midnight Fri-Sat, 7am to 10.30pm Sun</p> <p>In addition, we note that the plans show an area outside the premises building but within the licensable area, with 5 tables and 20 chairs.</p> <p>We have the following points to make:</p> <ol style="list-style-type: none"> 1. Although the terminal hour is within the 'core hours' as set out in the City Council's Statement of Licensing Policy, the opening hour seems very early. 2. We object sale of alcohol without a requirement for it to be ancillary to substantial table meals, or by waiter/waitress service, or without a requirement for customers to be seated. We wonder why this is not the intention for this premises? The premises is situated within the Queensway/Bayswater Cumulative Impact Area. 3. We note that the applicant has proposed a number of conditions. No.6 is a much less strict version of Model Condition 66, and refers only to 'food'. We would like, at the very least, for this to be 'substantial food' and for the terminal hour for sale of alcohol to be reduced. 4. We note that customers would be permitted on the premises for some time after the terminal hour for sale of alcohol. Therefore, we would ask that if the hours are granted, a condition restricting consumption of alcohol to a terminal hour of 10pm is added to the licence. 	

5. Late night refreshment has been applied for indoors and outdoors. Presumably the intention is to utilise the tables and chairs outside the premises. We would like late night refreshment outdoors to be deleted, and for the tables and chairs to be rendered unusable by, at the latest, 11pm.

6. There is no general description of the premises in the 'provide general description of premises' box on the application form. We would welcome the applicant providing us with some further details of the proposed operation.

7. We would not want any drinking outside unless by persons seated, served by waiter/waitress service ancillary to substantial table meals.

8. What is the proposed overall capacity?

9. We note that sale of alcohol for consumption off the premises has been applied for. Presumably this will not be for immediate consumption.

10. We propose a condition that there be no sales of beer, lager or cider above 5.5% abv.

11. The planning use is A1. The proposed licence seems to fit in to an A3 or A1/A3 use.

12. We assume that all customers will be off the premises by the end of the stated opening hours and would wish to see a condition to this effect on the licence.

We should add that we were contacted by the applicant's solicitors prior to the application being submitted, and appreciate this courtesy.

We would be more than happy to be contacted by the applicant's solicitors to discuss the points raised in this representation.

Name:	Mr William Kennedy
Address and/or Residents Association:	Queensway Residents' Association, 142A Queensway, London W2 6LS
Received:	14/1/16

This association wishes to advise that we have had the opportunity to discuss the above application and fully concur with the comments raised in SEBRA's objection correspondence to same copied below.

3. Policy & Guidance

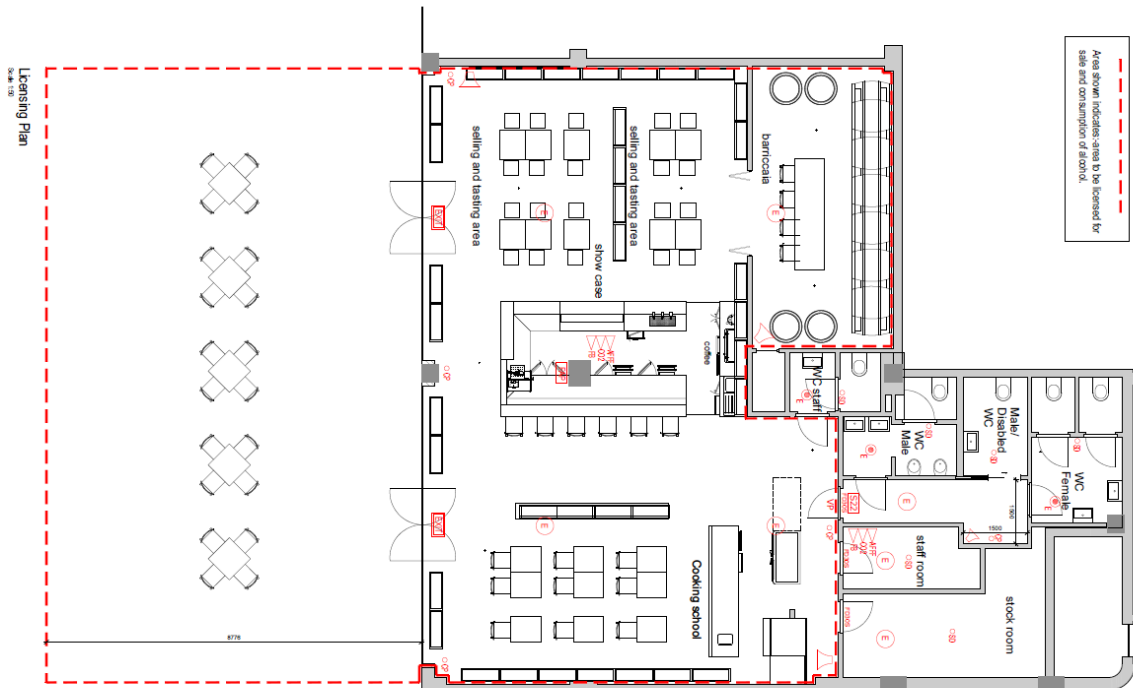
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies:	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
Policy HRS1 applies:	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p>

4. Appendices

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

Report author:	Mr Ola Owojori Senior Licensing Officer
Contact:	Telephone: 020 7641 7830 Email: owojori@westminster.gov.uk

Fire Safety Installation Legend	
E	Emergency light fitting with neon indicator.
E	Recessed down light fitted with 3hr fully maintained emergency light pack with neon indicator.
E	Light fitting fitted with 3hr fully maintained emergency light pack with neon indicator.
E	Self contained led maintained emergency exit sign.
E	Maintained emergency exit sign with legend plate.
E	Fire alarm sounder giving 90dbA output at 1m.
E	Fire alarm panel.
E	Heat detector.
E	Smoke detector.
E	Fire alarm call point.
AFF	AFF (foam) extinguisher.
CO2	CO2 extinguisher.
FB	Fire blanket.
↑	Exit widths and staircases to conform to BS 5588: Part 2 of Part 6. Arrow devices upward direction, as appropriate.
ES1	Area covered by smoke detector (BS 5839)
ED	Area covered by heat detector (BS 5839)
E-1	Area covered by void smoke detector (BS 5839)
E-3	Sign - 'FIRE DOOR KEEP SHUT' - 75mm letters to both sides of door head
E-4	Sign - 'FIRE DOOR KEEP LOCKED' - 75mm letters to both sides of door head
E-3	Sign - 'FIRE EXT KEEP CLEAR' - 75mm letters to external face of door head
E-2	Sign - Internally illuminated 'FIRE EXIT' or graphic equivalent - 75mm high letters. Directional arrow to be provided in the direction indicated
VP	Vision panel
FD305	Thirty-minute fire door
FD605	Sixty-minute fire door



Licensing Plan

Licensing - Fire Safety Requirements

- 1 - Doors & partitions required to be fire resisting are to be in accordance with British Standard BS 5: 478 Pt. 3.
- 2 - Fire resisting doors required to resist the passage of smoke at ambient temperature conditions should, unless tested in accordance with BS 476 section 31.1, be fitted with a smoke seal.
- 3 - The fire alarm system is to comply with British Standard BS 5833.
- 4 - The emergency lighting installation is to comply to British Standard BS 5266 Pt. 1.
- 5 - Illuminated 'EXIT' signs are to conform to British Standard BS 2590.
- 6 - Fire fighting equipment to conform to British Standard BS 5423.
- 7 - Fire safety related signs & notices are to conform to British Standard BS 5462 Pt. 1.
- 8 - Wall & ceiling linings are to be class 1 surface spread of flame (as defined in British Standard BS 476 Pt. 7) in non-public areas & class 0 (as defined in the Building Regulations) in circulation spaces.
- 9 - Upholstered seating furniture should satisfy, as a minimum, the fire performance requirements of British Standard BS 5852 Pt. 1. Firm tests for furniture - Methods of test for ignitability by smokes materials of upholstered composites for seating - & British Standard BS 5852 Pt. 2. Fire tests for furniture - Methods of tests for ignitability of upholstered composites for seating by flaming source. For which other standard or ignition source 3 is the minimum requirement.
- 10 - Any fabric which have received a flame retardant treatment should be subjected to the water soak test detailed in British Standard BS 5955. Independent certification to the above standards should be provided from an accredited test organisation.
- 11 - Curtains & drapes are to satisfy type B, performance requirements of British Standard BS 5867 Pt. 2.
- 12 - Artificial ceiling & other decorative effects are to be fire retardant to the satisfaction of the Fire Authority.
- 13 - Tensile floor coverings should be tested to British Standard BS 4720 (Elasticity) small ignition source hot metal nail method).
- 14 - Vertically hung Venetian blinds should conform to British Standard BS 5438.
- 15 - All doors and walls in risk areas to conform to the definition of the resisting.
- 16 - Doors (including frames) are to be tested and installed in accordance with the current British Standard BS476: Part 22 (and BS 476: Section 31.1 where 'S' specification requires smoke stopping).
- 17 - The fire alarm installation is to comply with BS 5839 Pt 1.

TIBBATTI, ABEL
 Fire Safety Engineers
 1, 2 & 3rd Floor, 11, The Quadrant, London, W1R 0JH
 Tel: 020 7462 1111 Fax: 020 7462 1112
 Email: sales@tibbattiabel.co.uk
 Website: www.tibbattiabel.co.uk

Alessandro Zaverise
 Fire Safety Engineer
 Unit 6
 B&B's Bridgford
 100, The Valley, W2
 Licensing Plan

DATE: 09/12/15
 DRAWN: 1500
 CHECKED: SH
 SCALE: 1/20
 SHEET: 1/21
 PROJECT: 1721-01

Appendix 2

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 authorized officer throughout the preceding 31 day period.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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 are open
4. No more than 30 % of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
5. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
6. The premises shall only operate where (i) food is prepared on the premises and served and consumed at the table using non disposable crockery and (ii) intoxicating liquor is only sold, supplied, or consumed 'on' the premises to persons who are bona fide eating food and provided always that the consumption of intoxicating liquor by such persons is ancillary to eating food.
7. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, save for in the outside area shown on the plan where customers shall be seated.
8. There shall be no self-service of spirits on the premises on the premises, save for spirit mixtures less than 5.5% ABV.
9. The licence holder shall ensure that all cashiers and relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

10. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
13. No rubbish, including bottles, will be moved, removed or placed in outside areas between 22:00 and 08:00 hours.
14. No deliveries shall take place between 22:00 and 08:00 hours.
15. No collections, including refuse and recyclable food waste, shall take place between 22:00 and 08:00 hours.
16. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and /or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

Further to my colleague Niall McCann's discussions with Mr John Zamit, I can confirm that the following times, licensable activities and conditions have been agreed:

The opening hours of the premises:

Monday to Thursday: 07:00 to 23:00
Friday and Saturday: 07:00 to 00:00
Sunday: 07:00 to 22:30

Sale by Retail of Alcohol:

Monday to Saturday 10:00 to 22:00
Sunday 12.00 to 22.00

Late Night Refreshment:

Friday and Saturday: 23:00 to 00:00

Conditions:

1. The Outside will be rendered unusable between 11.00 p.m. and 8.00 a.m.
2. The supply of alcohol shall be by waiter or waitress service only.
3. There shall be no take away service of food or alcoholic beverages for immediate consumption.
4. No super-strength beer, lagers or ciders 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 of less than 500 ml.

CLAIM YOUR OWN QUARTER OF LONDON

An exciting 60,000 sq ft restaurant & retail development

KEY FEATURES

A prominent building situated on the corner of Bishop's Bridge Road and Forester's Road which links Queensway and Westbourne Grove

41,000 sq ft Waitrose anchoring the site with five further A1 and A3 units

The local demographics show a retail and leisure catchment 50% higher than the UK average and 13% higher than the London average

LOCAL OCCURRERS

Carluccio's
Bumpkin
Oshinghly
Jame Oliver's Recipease
Planet Organic
Herald Kahn
Zizzi
Zizzi
Voltaire
Sweaty Betty
Zora
Artisan Du Cicciolet

Situated between Notting Hill and Paddington, just off the exclusive retail location of Westbourne Grove, these prominent retail units, 41,000 sqft Waitrose and existing luxury apartments transform Bayswater into London's newest destination.

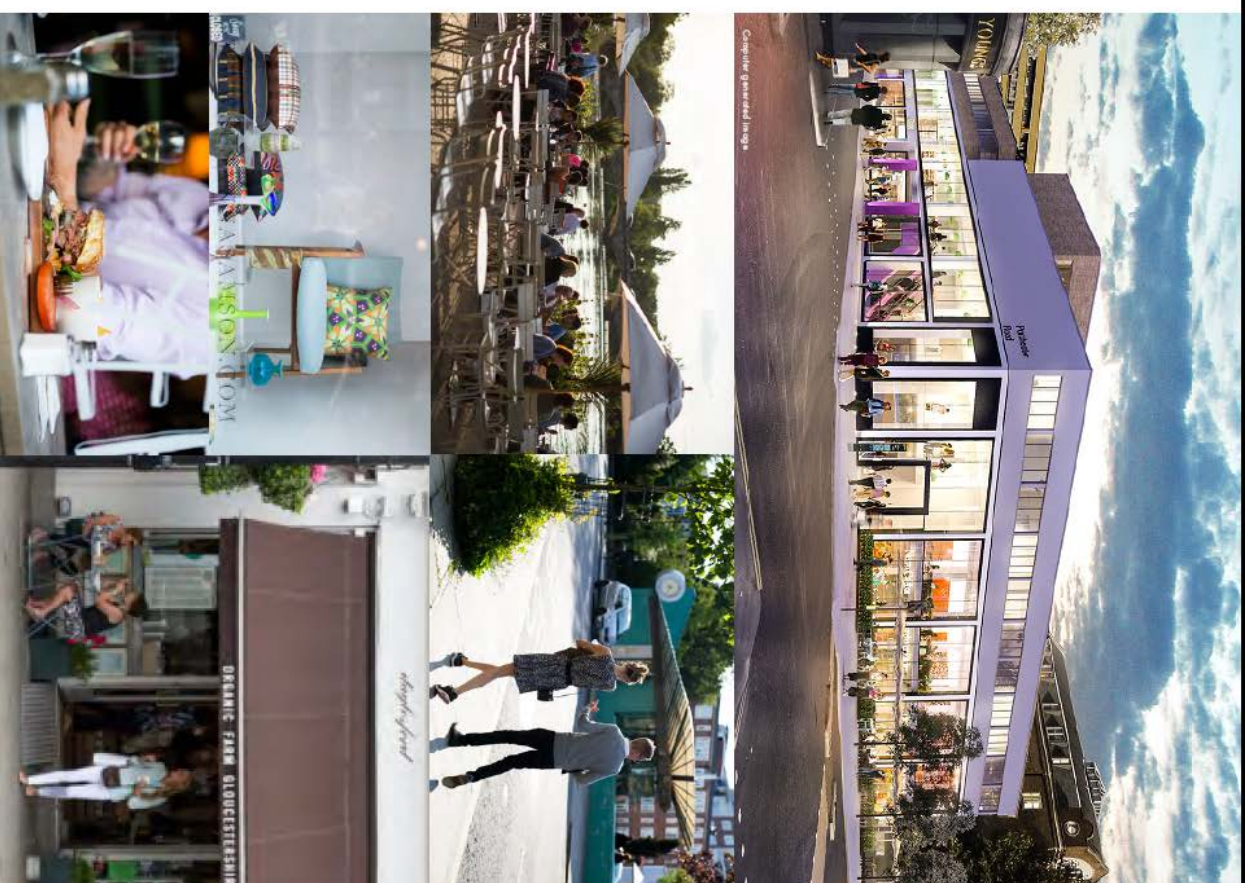
One of the most desirable areas in West London, Bayswater is an eclectic mix of luxury and affordability, a vibrantly cosmopolitan area with a distinctly global atmosphere.

With a large number of hotels, diversity of ethnic restaurants and Kensington Gardens and Hyde Park a short stroll away the area is a bustling centre for residents and tourists alike. Renowned for its charm and colour, the famous Portobello Road and its market is a mere walk away.

Bishop's Quarter offers an exciting opportunity to become part of this laid back but lively community in prime London. A completely new facade of steel and glass transforms Terry Farrell and Nicholas Grimshaw's classic work into a truly stunning contemporary destination.

Five units of generous proportions, flooded with natural light and fully serviced are a completely flexible space for retail and restaurant occupiers alike.

www.bishops-quarter.co.uk



SCHEDULE OF AREAS

Unit	Sq ft	M2
1 A1	5,791	538
2 A3	4,886	454
3 A1	640	59
4 A3	3,810	354
5 A1	2,045	190
Total area	17,232	1,601

*Waitrose with 41,000 sq ft
at ground and first floor level
+ Car Park — 160 Spaces

EPC certificates will be provided on
completion of works.



Designed by Willwood Creative | 44 (0)20 8255 2670 | willwoodcreative.co.uk

MISREP

GCW for themselves and for the vendors of this property whose agents are, giving notice, that these particulars do not form any part of any offer or contract: the statements contained therein are issued without responsibility of the part of the firm or their clients and therefore are not to be relied upon as statements or representation of fact; any intending purchaser must satisfy himself as to the correctness of each of these statements made herein; and the vendor does not make or give, and neither the firm nor any of their employees have the authority to make or give, any representation or warranty whatsoever in relation to this property.

CONTACT

Chris Hovington
0207 647 4805
chris.hovington@gcw.co.uk
www.gcw.co.uk

Sarah Cohen
020 7758 3875
scohen@savills.com
www.savills.co.uk



www.bishops-quarter.co.uk

There is no licence or appeal history for the premises

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person 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 (Alternative conditions proposed by the Police are in italics)

- 9 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 authorized officer throughout the **preceding** 31 day period.

*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.*

- 10 A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorized council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
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 are open.

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

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

12. No more than **30 %** of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

*No more than **25%** of sales area shall be used at any one time for the sale, exposure for sale or display of alcohol.*

13. A Challenge **25** proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.

*A Challenge **21** proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.*

14. The premises shall only operate where (i) food is prepared on the premises and served and consumed at the table using non disposable crockery and (ii) intoxicating liquor is only sold, supplied, or consumed 'on' the premises to persons who are bona fide eating food and provided always that the consumption of intoxicating liquor by such persons is ancillary to eating food.

The premises shall only operate as a restaurant

(i) in which customers are shown to their table,

(ii) where the supply of alcohol is by waiter or waitress service only,

(iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,

(iv) which do not provide any take away service of food or drink for immediate consumption,

(v) which do not provide any take away service of food or drink after 23.00, and

(vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

15. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, save for in the outside area shown on the plan where customers shall be seated.
16. There shall be no self-service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
17. The licence holder shall ensure that all cashiers and relevant staff are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
18. No noise or odour shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
19. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
21. No rubbish, including bottles, will be moved, removed or placed in outside areas between 22:00 and 08:00 hours.
22. No deliveries shall take place between 22:00 and 08:00 hours.
23. No collections, including refuse and recyclable food waste, shall take place between 22:00 and 08:00 hours.
24. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and /or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

25. The Outside will be rendered unusable between 11.00 p.m. and 8.00 a.m.
26. The supply of alcohol shall be by waiter or waitress service only.
27. There shall be no take away service of food or alcoholic beverages for immediate consumption.
28. No super-strength beer, lagers or ciders 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 of less than 500 ml.

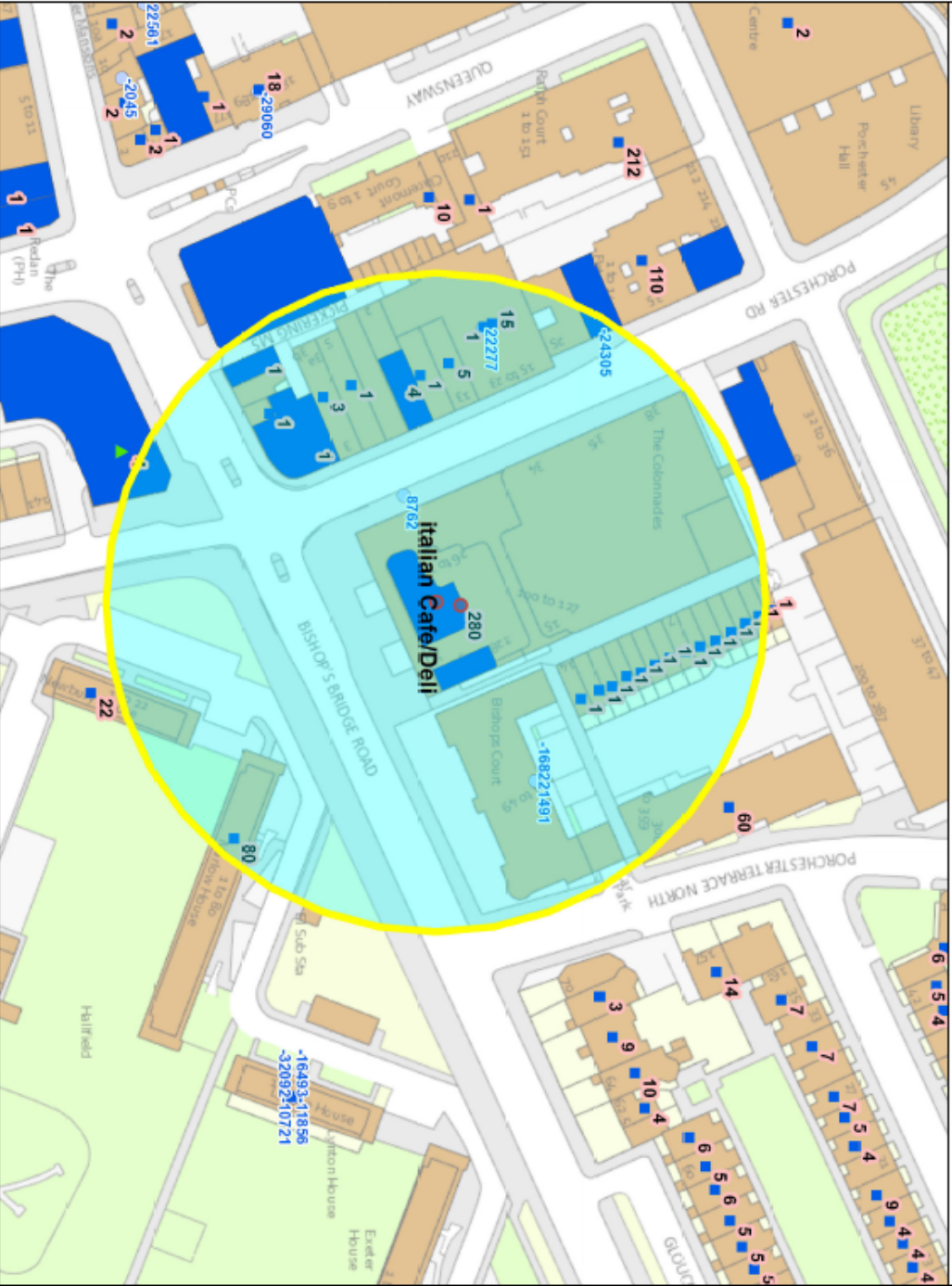
Proposed by Environmental Health

29. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
30. 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. **Alternative to condition 28**
31. 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. **Alternative to condition 12**
32. The premises shall only operate as a restaurant (i) in which customers are shown to their table, (ii) where the supply of alcohol is by waiter or waitress service only, (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery, (iv) which do not provide any take away service of food or drink for immediate consumption, (v) which do not provide any take away service of food or drink after 23.00, and (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

33. 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.

Unit 5 Bishop's Quarters



10 Meters

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Residential / Proposed Residential	406
Under Construction	0
Other Uses	Not known
Proportion Residential of all Uses	Not known
Data Source: Uniform Database	
Date: 26/01/2016	

Premises within 75 metres of: Unit 5 Bishop's Quarters

p / n	Name of Premises	Premises Address	Opening Hours
-24305	BBQ Express	29-31 Porchester Road London W2 5DP	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-1682	Bishop Cut Price	Flat 2 Bishops Court 72- 82 Bishop's Bridge Road London W2 6BE	Monday to Sunday 06:00 - 22:00
8762	Waitrose	The Colonnades 38 Porchester Road London W2 6ES London W1U 4DG	Monday to Sunday 08:00 - 23:00
21491	Nokia	First Floor The Colonnades 82 Bishop's Bridge Road London W2 6BB	Monday to Sunday 00:00 - 00:00
22277	Porchester Hall	Flat 10 23 Porchester Road London W2 5DP	Monday to Sunday 09:00 - 01:00

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Operating Schedule	18/12/15
5	Public Notice	18/12/15
6	Plan	18/12/15
7	Application served and acknowledged	18/12/15
8	Application form	21/12/15
9	Mailing list	21/12/15
10	DPS consent	21/12/15
11	SEBRA's correspondence to the applicant	23/12/15
12	Applicant's submission	8/1/16
13	SEBRA representation	14/1/16
14	Environmental Health representation	14/1/16
15	QRA representation	14/1/16
16	Police representation and conditions	26/1/16
17	Applicant additional conditions	4/2/16
18	Environmental Health conditions	4/2/16
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