



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	19 July 2018
Licensing Ref No:	18/06093/LIPV - Premises Licence Variation
Title of Report:	AM 2 PM 122-124 Chippenham Road London W9 2AD
Report of:	Director of Public Protection and Licensing
Wards involved:	Harrow Road
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Shannon Pring Senior Licensing Officer
Contact details	Telephone: 020 7641 3217 Email: spring3@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	24 May 2018		
Applicant:	Mrs Ghalwa Bou Diab Abou Saada		
Premises:	AM 2 PM		
Premises address:	122-124 Chippenham Road London W9 2AD	Ward:	Harrow Road
		Cumulative Impact Area:	No
Premises description:	The premises currently operates as an off-licence and convenience store.		
Variation description:	The proposed variation is to: Remove of condition Annex 2 condition 22 specifically <i>“This premises licence only has effect if Mr Khalid Javed is the licence holder or a director of the company that holds the premises licence”</i> .		
Premises licence history:	The premises has operated as a convenience store since at least 2005. The premises benefits from a premises licence (18/02019/LIPDPS). Full details of the premises history can be found at Appendix 3.		
Applicant submissions:	There are no submissions from the applicant.		

1-B Current and proposed licensable activities, areas and hours						
Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		Off sales			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor	No change
Tuesday						
Wednesday						
Thursday						
Friday	08:00	00:00				
Saturday						
Sunday						
Sunday	10:00	22:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				None	
	None				None	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	No change		Ground floor	No change
Tuesday						
Wednesday						
Thursday						
Friday	08:00	00:00				
Saturday						
Sunday	10:00	22:30				
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				None	
	None				None	

1-C Layout alteration
None

1-D Condition to be removed
<p><u>Condition 22:</u></p> <p>This premises licence only has effect if Mr Khalid Javed is the licence holder or a Director of the company that holds the premises licence.</p>

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Licensing Authority
Representative:	Ms Roxsana Haq
Received:	21 June 2018
<p>I write in relation to the application submitted for the Variation of a Premises Licence for; AM 2 PM, 122-124 Chippenham Road, London W9 2AD.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011 the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Prevention of Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of children from harm 	

This variation application seeks the following:

Removal of condition in Annex 3 condition 22, This premises licence only has effect if Mr Khalid Javed is the licence holder or a director of the company that holds the premises licence.

In determining this application the following policy points must be considered: CD1, PS1 and CH1.

The premises is not located within the cumulative impact area and the condition the applicant seeks to remove was incurred following a review of the licence by the Licensing Sub-committee.

A review of the licence was held on 25 September 2014. The Licensing Sub-Committee had very serious concerns about the test purchase failures for the sale of alcohol to underage people. The Committee decided to suspend the licence for three months rather than revoke the licence on the grounds that significant steps had already been taken prior to the review hearing to ensure that there were no further underage sales, including extensive training and the introduction of till prompts. It was noted that the most recent test purchase exercise held by the Police had not raised issues. The Chairman emphasised to the Licensee's Representatives that should the licensing objectives be undermined again or conditions, including additional ones attached by the Sub-Committee at the hearing, be breached at the premises, there should be an expectation that the licence would be revoked.

Paragraph 2.2.3 of the Statement of Licensing Policy states that "conditions attached to premises licences...will as far as possible, reflect local crime prevention strategies as suggested in Revised Guidance (paragraph 2.1)."

Furthermore in paragraph 2.2.20 it is stated "The Licensing Authority will expect applicants to consider the measures necessary to promote the licensing objective of protecting children from harm when on the premises and in the vicinity where it is in the power of the applicant to influence this. These measure may include staff training" It would therefore be appropriate for the applicant to demonstrate that the removal of the condition as per the application would ensure the licensing objectives would be met.

Please accept this as formal representation and I look forward to hearing from you with regards to the above points raised.

Responsible Authority:	Environmental Health Service
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Representative:	Sally Fabbricatore
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Received:	20 June 2018
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I refer to the application for a variation of a Premises Licence, 18/02019/LIPDPS, issued under the Licensing Act 2003.

The applicant is seeking to remove the following condition:

This premises licence only has effect if Mr Khalid Javed is the licence holder or a Director of the company that holds the premises licence.

I wish to make a representation as this condition was added by the Licensing Sub Committee following a review, 14/06486/LIREVP, due to underage sales. Therefore the removal of this condition may impact on the Protection of Children from Harm.

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

Responsible	Metropolitan Police Service
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Authority:	
Representative:	PC Reaz Guerra
Received:	05 June 2018

With reference to the above application I am writing to inform you that the Police, as a Responsible Authority, object to your application for the transfer of this Premises Licence as it is our belief that if granted the application would undermine the Crime Prevention and protection of children from harm objectives.

The application seeks to remove conditions imposed by the Licensing Sub committee following a review of this premises licence in relation in persistent underage sales of alcohol. It is our belief that if granted the application would undermine the Crime Prevention and protection of children from harm licensing objectives.

3. Policy & Guidance

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

Policy OS1 applies	Applications will generally be granted and reviews determined subject to the relevant criteria in Policies CD1, PS1, PN1 CH1 and HRS1 and other policies in this Statement.
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4. Appendices

Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Review of the premises licence - decision notice (14/06486/LIREVP)
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Licensing Authority representation	21 June 2018
5	Environmental Health Service representation	20 June 2018
6	Metropolitan Police representation	05 June 2018

- FIRE LEGEND**
- Fire Door
 - Fire Door with seals
 - Fire Exit Sign
 - Fire Exit Directional Sign
 - Staff Fire Notice
 - Hose Reel
- Fire Extinguishers:-**
- Water Type
 - Foam Type
 - Dry Powder Type
 - Carbon Dioxide Type
 - Fire Blanket
 - Fire Alarm Call Point
 - Audible Alarm Point
 - Warning Device Visual
 - Automatic Fire Detection Heat
 - Fire Alarm Indicator Panel
 - Illuminated Fire Exit Box
 - Illuminated Fire Exit Box with Directional Sign
 - Emergency Light
 - Fire Exit Directional Sign
 - Fire resisting glazed screen
 - Water Bucket
 - Sand Bucket



Ground Floor Plan



REVISIONS _____ DATE _____

Architectural Design & Planning
 128 High Street Bursley
 Herts WD23 3DE
 T: 020 8421 8899
 F: 020 8421 8822

The DrawingRoom

TITLE
 LICENSE APPLICATION DRAWING

ADDRESS
 122 / 124 CHIPPENHAM ROAD
 LONDON W9 2AD

CLIENT
 WESTWAY SUPERMARKET (SMA FOODS)

SCALE 1:100 **DATE** JUNE 2005

DRAWING NO. 050607/01 **REV.** A

Applicant Supporting Documents

Appendix 2

There are no supporting documents from the Applicant

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/06204/LIPC	Premises licence conversion application	03/09/2005	Granted under delegated authority
07/00601/WCCMAP	Premises licence – Master Licence	03/09/2005	Granted under delegated authority
07/10348/LIPV	Application for a variation of a premises licence	20/12/2007	Granted by Licensing Sub-Committee
14/04813/LIPVM	Application for a minor variation	01/07/2014	Granted under delegated authority
14/07786/LIPT	Application to transfer the premises licence	23/11/2014	Granted under delegated authority
14/07892/LIPDPS	Application to vary the designated premises supervisor	24/11/2014	Granted under delegated authority
18/02015/LIPT	Application to transfer the premises licence	19/03/2018	Granted under delegated authority
18/02019/LIPDPS	Application to vary the designated premises supervisor	19/03/2018	Granted under delegated authority
18/03191/LIPVM	Application for a minor variation	13/04/2018	Refused under delegated authority
18/06093/LIPV	Current application		

Application	Details of Application	Date Determined	Decision
14/06486/LIREVP	Review of a premises licence	03/09/2005	Premises licence suspended for three months and a number of conditions imposed on the licence.

There is no appeal history

LICENSING SUB-COMMITTEE No. 1
Thursday 25 September 2014

Membership: Councillor Tim Mitchell (Chairman), Councillor Susie Burbridge and Councillor Shamim Talukder

Legal Adviser: Barry Panto
Committee Officer: Jonathan Deacon

Relevant Representations: Police Licensing Authority (Applicant), Environmental Health and 1 local resident

Present: PC Reaz Guerra (Metropolitan Police), Mr Dave Nevitt (Environmental Health), Mr Gary Grant (Counsel, representing Licence Holder), Mr Khalid Javed (seeking to become owner of premises), Mr Philip Andrews (Licensing Consultant – Joshua Simons & Associates Ltd) and Mr Julian Sargeson (Founding Director, Serve Legal).

AM 2 PM, 122-124 Chippenham Road, W9

14/06486/LIREVP

An application submitted by the Police Licensing Authority for a review of the premises licence for AM 2 PM was received on 1st August 2014 on the grounds of undermining the Prevention of Crime and Disorder and Protection of Children from Harm licensing objectives.

Guidance issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.

As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.

The premises currently benefits from a premises licence that permits:

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

Sale by Retail of Alcohol (Off Sales)

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

The opening hours of the premises:

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

On 24th May 2014, police officers conducted a test purchasing operation in specified Licensed Premises in the City of Westminster. Alcohol was sold to a person under the age of 18 years. In addition, the alcohol sold at the premises was above 5.5% Alcohol by Volume which breached condition 11 of the premises licence which stated: '*No Beer or Cider to be sold above 5.5% Alcohol by Volume.*'

Following the test purchase on 24th May 2014, a meeting was held with the licensees, who were requested to submit a minor variation application to add 11 conditions which primarily safeguarded children. An application was submitted on 12th June 2014 to add these conditions. The minor variation application was granted on 1st July 2014.

On 24th July 2014, another test purchase was conducted at the premises and alcohol was once again sold to a person under the age of 18 years.

At no point during the sales of alcohol to the individuals under the age of 18 on 24 May or 24 July were either child asked for any proof of age or identification.

The Environmental Health Service supported the review application. A local resident also wrote in support of the review application alleging that these premises are also an illegal shisha premises as well as running an internet café without permission. She alleged that the owners of this establishment have no intention of complying with the law and that the premises are a public nuisance.

The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps are:

- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.

The Sub-Committee initially heard from PC Guerra. He advised that the Police had submitted an application for a review of the premises licence and were seeking revocation of that licence following two failed test purchases at the premises within a two month period. A Volunteer Police Cadet under the age of eighteen had on 24 May 2014 during a test purchase selected a bottle of Desperado Beer with alcohol by volume of 5.9%. He had placed it on the counter and been served by Mrs Jihad Beaini, the wife of the owner of the premises, Mr Jihad Albeainy. A fixed penalty notice was issued to Mrs Beaini.

PC Guerra stated that following the incident the Police held a meeting with Mr Rao, the Premises Licence Holder and Mr Jihad Albeainy where they outlined the seriousness of the failed test purchase, the failure to promote the licensing objectives in particular the Protection of Children From Harm and that the premises had breached the condition that no beer or cider would be sold above 5.5% alcohol by volume. The Police requested that the premises submit a variation to their premises licence to include conditions relating to staff training, a Challenge 25 proof of age scheme and electronic till prompts. The premises had submitted a minor variation to add the conditions to the licence on 12 June 2014. A second test purchase then followed on 24 July when a cadet had selected a bottle of Heineken beer, placed it on the counter and been served by a member of staff. At no point had the Cadet been asked for their age or proof of identification. PC Guerra added that the second test purchase had triggered the review and request for revocation of the licence.

Mr Nevitt confirmed that Environmental Health supported the application for the review of the premises licence. He was proposing four conditions to promote the licensing objectives in the event that the Sub-Committee were not minded to revoke the premises licence for AM 2 PM.

Mr Grant, representing the Licence Holder, addressed the Sub-Committee. He began by conceding that the legalities of the paper work as to who the licence holder was were a mess. Mr Rao, stated as the Licence Holder, had sold the business to Mr Jihad Albeainy but had not transferred the premises licence to him. Mr Rao did have some involvement with the business but was not a hands-on Designated Premises Supervisor. Mr Grant also conceded that the failed test purchases were a deeply worrying scenario. He added that if Members of the Sub-Committee believed that it was inevitable that his client would continue to sell alcohol to children then he expected the premises licence to be revoked.

Mr Grant then made the case as to why there were grounds for the view that the licensing objectives would not continue to be undermined or conditions breached. The review had had the desired effect in rectifying the problems that had previously existed. Depending on the outcome of the review hearing, Mr Albeainy would now be looking to sell the business to Mr Khalid Javed who had operated similar premises in the North Finchley area with success and adherence to the licensing objectives. Conditions were being proposed on behalf of the Licence Holder that the premises licence would only have effect if Mr Javed was the licence holder or a director of the company that holds the premises licence and neither Mr Albeainy nor Mrs Beaini would be permitted to be employed at the premises or involved in the management of the premises. A transfer application had been submitted.

Mr Grant stated that the evidence bundle submitted by the Licence Holder showed the extensive training received by all of the staff including Mr Javed who would be the owner of the premises if the licence was not revoked. The training could be shown to have been successful because, as set out in the papers, Serve Legal a market leader in the provision of independent test purchases had recently carried out four test purchases at AM 2 PM convenience store and the store had passed on each occasion. Mr Grant informed Members that Serve Legal employed 18 and 19 year olds to purchase alcohol as they could not legally employ children below this age. With the adoption of a Challenge 25 scheme, however, Serve Legal expected those working for AM 2 PM to challenge anyone under the age of 25. The operator was not

told when Serve Legal would be carrying out the test purchases. Mr Grant added that the training could also be shown to be successful as the Police had carried out its own test purchase the previous weekend and no issues had been raised. This was confirmed by PC Guerra.

Mr Sargeson spoke on behalf of Serve Legal at the hearing. He explained that the Sub-Committee could have confidence in their test purchase exercises as they provided them for a number of retailers, pubs and convenience stores across the UK including Sainsbury's, Tesco, Waitrose and Wetherspoon. Serve Legal tested whether training and complying with the policy was working and confirmed that four test purchase exercises had been carried out in September 2014 and had been passed by the premises. Serve Legal employed four young looking eighteen and nineteen year old male and females which was a valid approach whether the premises had adopted a Challenge 21 or Challenge 25 policy. Serve Legal carried out approximately 70,000 test purchases every year and the processes were very robust.

Mr Grant described the overhaul of systems by Joshua Simons and Associates Ltd. A witness statement had been provided by Philip Andrews, an independent Licensing Consultant working for Joshua Simons and Associates Ltd who had checked whether this was effective. Challenge 25 posters were now being displayed, staff were receiving till prompts and there would be no super-strength beer or cider sold at the premises. Staff Certificates to confirm the training they had received was included in the Licence Holder's written evidence. One of the Licence Holder's proposed conditions required there to be independent age-related test purchase exercises to be carried out at the premises at least once a calendar month for at least six months. All records of the test purchases would be kept at the premises and made available for inspection by a police or licensing authority officer.

Mr Grant also made some additional points including that Parliament had previously indicated that were this a criminal prosecution under the provisions of the Licensing Act the maximum sanction a court would impose for persistently selling alcohol to children was a three month suspension. A resident had submitted a representation in support of the review and had commented in the past tense that the business had 'allowed my children to purchase whatever they wanted before they were 18'. Mr Grant clarified that Mr Albeainy had only owned AM 2 PM in the last two years. The shisha premises the resident had referred to was actually another business that had been sub-let by Mr Albeainy. Two local residents had written in support of Mr Albeainy's running of the premises and had never witnessed alcohol being sold to anyone underage there. One of the residents, Ms Doran, had seen young people turned away when they had been unable to show proof of their age and her own daughter, 17 years of age, had appeared to be unsuccessful in purchasing alcohol.

Mr Grant advised the Sub-Committee that his client had agreed Environmental Health's conditions in the event Members were minded to attach them to the premises licence. He was not inviting a suspension of up to three months but appreciated that Members might consider that the simple transfer of the premises licence was not a sufficient sanction and that further action was potentially required to deter premises from selling alcohol to those under the age of 18 on two occasions.

Mr Khalid Javed addressed the Sub-Committee. He explained that he had operated a similar convenience store in Finchley for five years. There was a till system in

place at his previous premises which would scan products and if alcohol was potentially being purchased a prompt would require staff to check the age of the individual. The system would also shutdown at closing time, preventing further sales after hours. He had never had any test purchase failures there. Employees had a personal licence to sell alcohol and were expected to be personally responsible for their actions in the event they had sold alcohol to underage individuals. It was intended that the same procedures would be in place at AM 2 PM. Mr Javed explained that he had no family link to Mr Albeainy. It was purely a business relationship that he currently had with Mr Albeainy in seeking to buy AM 2 PM.

PC Guerra responded to some of the evidence supplied on behalf of the Licence Holder. He pointed out that in contrast to Serve Legal's employment of eighteen to nineteen year olds, the Police's alcohol test purchases involved children aged fifteen to sixteen who were comparable to their peers. Mr Andrews' witness statement had also drawn attention to the compliance file requiring some updating and that the details of the person refused were not quite up to standard. Mr Andrews had also completed a training form for Mrs Albeainy. The Sub-Committee asked Mr Grant whether in the light of the review hearing approaching it would be expected that these matters would not have arisen. Mr Grant answered that the fact these points had been raised by Mr Andrews demonstrated his independence. Mr Andrews was asked to provide an assessment of what he had found when he had checked the validity of the compliance system.

Mr Andrews stated that he had found a clean, tidy and what appeared to be a well run establishment. The points he had made which he believed required improvement were he believed relatively minor details. Staff had not decided where the manager's phone number should be and it was agreed that this should be kept in the compliance file. Mrs Albeainy had demonstrated that she knew her responsibilities in refusing the sale of alcohol to an underage person and he had then assisted her in completing the training form.

The Sub-Committee also enquired as to whether four test purchases would generally take place over a week. Mr Sargeson replied that these tended to be carried out on a weekly basis but that there was a need to carry out extensive testing with the review hearing approaching. A condition had been proposed that there would continue to be test purchasing by Serve Legal for a further six months to ensure compliance with the licensing objectives and improve performance at the store.

Decision (including reasons):

That the premises licence would be suspended for a period of three months and a number of additional conditions would be imposed as set out below.

The Sub-Committee had very serious concerns about the two test purchase failures and made the point to the Licence Holder that Members abhorred the sale of alcohol to underage people. Members after careful consideration decided by a two to one majority to suspend the licence for three months rather than revoke the licence on the grounds that significant steps had already been taken prior to the review hearing to ensure that there were no further underage sales, including extensive training and the introduction of till prompts. It was noted that the Police's most recent test purchase exercise had not raised issues. The Chairman emphasised to the Licensee's Representatives that should the licensing objectives be undermined again or conditions, including additional ones attached by the Sub-Committee at the

hearing, be breached at the premises, there should be an expectation that the licence would be revoked.

The opportunity was taken by the parties to remove a number of existing conditions on the licence that were either no longer relevant or had been replaced by the conditions proposed for the review hearing.

Conditions attached to the Licence

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
 - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$

Where -
 - (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence,
or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Additional Conditions

- 6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 7. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.
- 8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
- 9. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
- 10. There shall be no self service of spirits (except spirit mixers) on the premises.
- 11. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority
- 12. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older

if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.

13. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
15. A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
16. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
17. No More than 15% of the sales area to be used at any one time for the sale, exposure for sale or display of alcohol.

Conditions attached to the premises licence by the Licensing Sub-Committee at the meeting held on 25 September 2014

18. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
19. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
20. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
21. No super strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
22. This premises licence only has effect if Mr Khalid Javed is the licence holder or a Director of the company that holds the premises licence.
23. Neither Mr Jihad Albeainy nor Mrs Jihad Beaini may be employed at the premises or involved in the management of the premises, nor may they be Directors, shareholders or officers of any company that holds the premises licence.
24. The licence holder must arrange for an independent age-related test purchase exercise to be carried out at the premises at least once a calendar month for at least 6 months. All records of the test purchases must be kept at the premises and made available for inspection by a police or licensing authority officer.

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 9(i) above -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

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

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

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

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

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

5(iii). Where the permitted price given by Paragraph 9(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 5(iv). (1) Sub-paragraph 9(iv)(2) below applies where the permitted price given by Paragraph 9(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2 – Conditions consistent with the operating Schedule

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. There must be a camera above the till points to record all customer transactions. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.

7. A staff member who is conversant with the operation of the CCTV system shall be available when the premise is open to the public. This staff member must be able to

show a Police or authorised council officer recent data or footage with the absolute minimum of delay when requested.

8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
10. There shall be no self service of spirits (except spirit mixers) on the premises.
11. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant officer of a responsible authority
12. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. This evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
13. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
14. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
15. A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
16. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
17. No More than 15% of the sales area to be used at any one time for the sale, exposure for sale or display of alcohol.

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

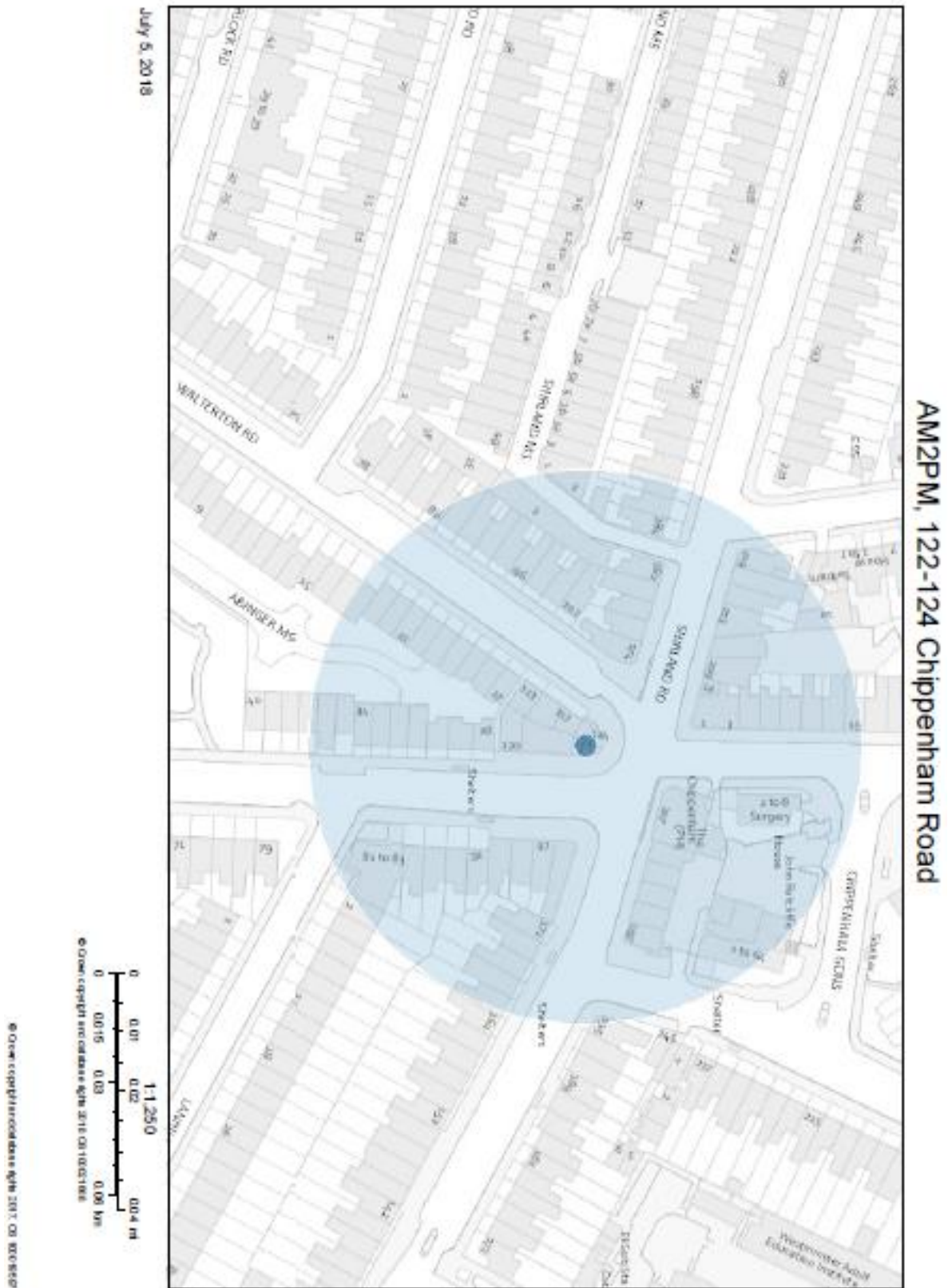
18. There shall be a personal licence holder on duty on the premises at all times when the premises are authorised to sell alcohol.
19. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
20. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked

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

21. No super strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises.
22. This premises licence only has effect if Mr Khalid Javed is the licence holder or a Director of the company that holds the premises licence.

Proposed amendment: Remove condition 22

23. Neither Mr Jihad Albeainy nor Mrs Jihad Beaini may be employed at the premises or involved in the management of the premises, nor may they be Directors, shareholders or officers of any company that holds the premises licence.
24. The licence holder must arrange for an independent age-related test purchase exercise to be carried out at the premises at least once a calendar month for at least 6 months. All records of the test purchases must be kept at the premises and made available for inspection by a police or licensing authority officer.



Resident count: 242

Premises within 75 metres of AM 2 PM, 122-124 Chippenham Road

Licence Number	Trading Name	Address	Premises Type	Time Period
18/02019/LIPDPS	AM 2 PM	122-124 Chippenham Road London W9 2AD	Shop	Monday to Thursday; 08:00 - 23:00 Friday to Saturday; 08:00 - 00:00 Sunday; 10:00 - 22:30
07/00550/WCCMAP	Domino Pizza	120 Chippenham Road London W9 2AD	Takeaway food outlet	Friday to Saturday; 11:00 - 02:00 Sunday to Thursday; 11:00 - 01:00
14/04038/LIPT	Chippenham Public House	207 Shirland Road London W9 2EX	Public house or pub restaurant	Monday to Saturday; 08:00 - 02:30 Sunday; 10:00 - 02:30