

# Licensing Sub-Committee Report

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

## 1. APPLICATION DETAILS

Type:	tion	Vary the premises licence under the Licens	ing Act 2003.	
Applicar	nt:	Atlantico UK Ltd	Date Application Received:	7 March 2014
Premise Name ar Address	nd	Delicias De Portugal 43 Warwick Way Lond	lon SW1V 1QS	
Ward Na	ame:	Warwick	Stress Area:	No
Descript Premise		The premises operate as a delicatessen/sa outside seating.		
		The premises have no Tables and Chairs li forecourt according to the Council's databa	cence and appea se. <b>See Appen</b> o	ars not to have a privat Iix G
Summaı Variatio	-	To permit sale of alcohol for consumption of	n the premises.	
Prelimin Note 1:		This application was scheduled for LSC on by all parties on the request of Environmen toilets in the premises. This issue still rema and B1a.	tal Health to reso	olve an issue around
Prelimin Note 2:	nary	The commencement hours sought have be See Appendix A3	en reduced as a	greed with the Police.
	иппотпу с	considers appropriate for the promotion of the		
Propose  1. Sa  To per	ed Licen le of Alc permit s rmitted)	is report. sable Activities, Proposed Hours: chol (On the Premises) ale of alcohol on the premises (Off Sales cur Saturday 10:00 to 23:00		
Propose  1. Sa  To per	permit s rmitted) onday to	is report. Isable Activities, Proposed Hours: Isabl	rently	References / Notes
Propose  1. Sa  To per	permit s rmitted)  onday to Inday 12  Relev  The Police	is report. Isable Activities, Proposed Hours: Isabl	rently  le: he Metropolitan eement of their	References / Notes
Propose  1. Sa  To per  Mo Su	permit s rmitted)  nday to nday 12  Relev  The Police condi  An ad Enviro to incr They premis Enviro positio	is report. Isable Activities, Proposed Hours: Isabl	rently  le:  he Metropolitan ement of their and D  oplication by the posals are likely n Public Safety. c toilets at the applicant and they are not in a ental Health are	Police representation, conditions and withdrawal Environmental Health Service representation

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

representation

Policies applicable

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

Prevention of crime and disorder (CD1)

Public Safety (PS1)

Prevention of public nuisance (PN1)

Protection children from harm (CH1)

Hours (HRS1)

Restaurants and late night refreshment premises outside the Stress Areas (RNT1)

1E Policy HRS1 Applies:

(i) Applications for hours within the core hours set out in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.

(ii) Applications for hours outside the core hours in this policy will be considered on their merits, subject to other relevant policies and with particular regard to criteria set out in the policy:

1F Policy RNT1 Applies:

Applications will generally be granted and reviews determined, subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1.

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

Summary

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

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

Capacity:			Capacity:	
Not applicable			No more than 6 persons	
Opening Hours	: Opening Hours:			
Monday to Sund	day: 08	3:00 to 23:00	No change	
Current	The	premises are currently license	ed, please refer to the licence at <b>Appendix A2</b> .	
Licensing				
Position		icence history is provided at a		
Current	Plan	Planning comments will be provided at the hearing.		
Planning				
Position				
Residential			radius of the premises are residential and	
Density:	prop	osed residential (52%), refer	to Appendix E	
List of		A1 – Application Form	_	
Appendices: A2 - Existing Premises Licence				
		A3 – Police representation, conditions and withdrawal		
		B1 - Environmental Health representation		
		B1a – Applicant discussion with EH and Licensing re: toilets		
B2 – Local B		B2 – Local Business repres	entation	
		C – Premises Licence History		
		D - Conditions		
		E – Residential Map and list	t of premises in the vicinity	
		F - Photo of premises		
Relevant		Environmental Health		
Representation	าร:	Local Business		

#### APPLICANT SUBMISSIONS AND EVIDENCE 2.

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

#### LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY 3.

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

## Background Documents - Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (7<sup>th</sup> January 2011)

  Amended Guidance issued under section 182 of the Licensing Act 2003 (June 2013)



Westminster Application to vary a premises licence Licensing Act 2003 For help contact licensing.vsw1@westminster.gov.uk Telephone: 020 7641 8549

\* required information

	3 32	* required information
Section 7 of 17		· · · · · · · · · · · · · · · · · · ·
You can save the form at any	y time and resume it later. You do not need to be	e logged in when you resume.
System reference	Not Currently In Use	This is the unique reference for this application generated by the system.
Your reference	Delicias de Portugal	You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.
	9 7	is passed to the additionly.
Are you an agent acting on b		Put "no" if you are applying on your own behalf or on behalf of a business you own or
Yes	No	work for.
Applicant Details		r a se
* First name	JOSE .	
* Family name	CRUZ	
* E-mail	info@atlantico.co.uk	
Main telephone number	02086497444	Include country code.
Other telephone.number	2	
☐ Indicate here if the app	plicant would prefer not to be contacted by telep	phone
is the applicant:		*
Applying as a business	s or organisation, including as a sole trader	A sole trader is a business owned by one
O Applying as an individu	ual	person without any special legal structure.  Applying as an individual means the
		applicant is applying so the applicant can be employed, or for some other personal reason,
		such as following a hobby.
Applicant Business	**	
* Is the applicant's business registered in the UK with	Yes	x 5
Companies House?		2 35
* Registration number	3076022	
* Business name	ATLANTICO UK LTD	If the applicant's business is registered, use its registered name.
* VAT number	UNKNOWN	Put "none" if the applicant is not registered for VAT.
* Legal status	Private Limited Company	]

Continued from previous page	• 5.	
* Applicant's position in the business	MANAGER	
Dusilless		一
Home country	United Kingdom	headquarters are.
Registered Address		Address registered with Companies House.
* Building number or name	UNIT 10, COMMERCE PARK	
* Street	COMMERCE WAY	
District		
* City or town	CROYDON	
County or administrative area		
* Postcode	CR0 4YL	1 T
* Country	United Kingdom	) n
2	8	
Agent Details		*
* First name	JOSE MANUEL	
* Family name	ROCHA	
* E-mall	MANUELROCHA01@HOTMAIL.COM	
Main telephone number	07868697778	Include country code.
Other telephone number	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	
☐ Indicate here if you wou	ıld prefer not to be contacted by telephone	
Are you:		*
An agent that is a busin	ess or organisation, including a sole trader	A sole trader is a business owned by one person without any special legal structure.
A private Individual acti	ng as an agent	
Your Address		Address official correspondence should be sent to.
* Building number or name	UNIT 35, BATTERSEA BUSINESS CENTRE	Selft to.
* Street	99-109 LAVENDER HILL	
District		
* City or town	LONDON	
County or administrative area		
* Postcode	SW11 5QL	•
* Country	United Kingdom	A
96 9 R	2	* * *

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Section 2 of 17		the state of the s
APPLICATION DETAILS		_ ^9
vary substantially the premi	sed to vary the licence so as to extend the ses to which it relates. If you wish to make nises licence application under section 17	e period for which the licence has effect or to e that type of change to the premises licence, of the Licensing Act 2003.
I/we, as named in section 1, be Licensing Act 2003 for the pre	ing the premises licence holder, apply to var mises described in section 2 below.	ry a premises licence under section 34 of the
* Premises Licence Number	07/00558/WCCMAP	
Are you able to provide a post	al address, OS map reference or description o	of the premises?
Address OS ma	p reference C Description	
Postal Address Of Premises		
Building number or name	DELICIAS DE PORTUGAL	
Street	43 WARWICK WAY	
District		
City or town	LONDON	
County or administrative area		
Postcode	SW1V1QS	
Country	United Kingdom	
Premises Contact Details		
Telephone number	020 7630 5597	
M	180	
Non-domestic rateable value of premises (£)	20,250	- X
Section 3 of 17		
VARIATION	100	
Do you want the proposed		2 2
variation to have effect as	Yes  No	3
soon as possible?		
Do you want the proposed varintroduction of the late night i	iation to have effect in relation to the evy?	
○ Yes	<ul><li>No</li></ul>	You do not have to pay a fee if the only
X 1		purpose of the variation for which you are applying is to avoid becoming liable to the
		late night levy

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend the premises at any one time, state the number expected to attend		8,,
would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.  DELICIAS DE PORTUGAL IS A DELICATESSEN/ SANDWICH BAR. WE ARE APPLYING FOR A VARIATION TO THE EXISTING LICENSET OBE ABLE TO SELL ALCOHOL BOTH ON AND OFF THE PREMISES, OUR CURRENT LICENSE ONLY ALLOWS FOR THE SALE OF ALCOHOL OFF THE PREMISES. WE ONLY WISH TO BE ABLE TO SELL ALCOHOL ON THE PREMISES WITH FOOD, AS A WAY OF PROMOTING OUR PRODUCTS.  Section 4 of 17  PROVISION OF PLAYS  Will the schedule to provide plays be subject to change if this application to vary is successful?  C Yes  No  No  Section 6 of 17  PROVISION OF FILMS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No	Continued from previous page	•
Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.  DELICIAS DE PORTUGAL IS A DELICATESSEN/ SANDWICH BAR. WE ARE APPLYING FOR A VARIATION TO THE EXISTING LICENSE TO BE ABLE TO SELL ALCOHOL BOTH ON AND OFF THE PREMISES, OUR CURRENT LICENSE ONLY ALLOWS FOR THE SALE OF ALCOHOL OFF THE PREMISES. WE ONLY WISH TO BE ABLE TO SELL ALCOHOL ON THE PREMISES WITH FOOD, AS A WAY OF PROMOTING OUR PRODUCTS.  Section 4 of 17  PROVISION OF PLAYS  Will the schedule to provide plays be subject to change if this application to vary is successful?  () Yes  () No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  () Yes  () No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  () Yes  () No  Section 7 of 17	would mean that 5,000 or more people are expected to attend the premises at any one time, state the number	
could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.  DELICIAS DE PORTUGAL IS A DELICATESSEN/ SANDWICH BAR. WE ARE APPLYING FOR A VARIATION TO THE EXISTING LICENSE TO BE ABLE TO SELL ALCOHOL BOTH ON AND OFF THE PREMISES, OUR CURRENT LICENSE ONLY ALLOWS FOR THE SALE OF ALCOHOL OFF THE PREMISES. WE ONLY WISH TO BE ABLE TO SELL ALCOHOL ON THE PREMISES WITH FOOD, AS A WAY OF PROMOTING OUR PRODUCTS.  Section 4 of 17.  PROVISION OF PLAYS  Will the schedule to provide plays be subject to change if this application to vary is successful?  O Yes  No  No  Section 5 of 17.  PROVISION OF FILMS  Will the schedule to provide films be subject to change if this application to vary is successful?  O Yes  No  Section 6 of 17.  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No  No  Section 7 of 17.	Describe Briefly The Nature	Of The Proposed Variation
LICENSE TO BE ABLE TO SELL ALCOHOL BOTH ON AND OFF THE PREMISES, OUR CURRENT LICENSE ONLY ALLOWS FOR THE SALE OF ALCOHOL OFF THE PREMISES. WE ONLY WISH TO BE ABLE TO SELL ALCOHOL ON THE PREMISES WITH FOOD, AS A WAY OF PROMOTING OUR PRODUCTS.  Section 4 of 17.  PROVISION OF PLAYS  Will the schedule to provide plays be subject to change if this application to vary is successful?  Or Yes  No  Section 5 of 17  PROVISION OF FILMS  Will the schedule to provide films be subject to change if this application to vary is successful?  Or Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Or Yes  No  Section 7 of 17	could be relevant to the licen- provide a place for consumpt proximity to the premises.	sing objectives. Where your application includes off-supplies of alcohol and you intend to ion of these off-supplies, you must include a description of where the place will be and its
Will the schedule to provide plays be subject to change if this application to vary is successful?  Yes  No  Section 5 of 17  PROVISION OF FILMS  Will the schedule to provide films be subject to change if this application to vary is successful?  Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Yes  No  Section 7 of 17	LICENSE TO BE ABLE TO SELL SALE OF ALCOHOL OFF THE F	ALCOHOL BOTH ON AND OFF THE PREMISES, OUR CURRENT LICENSE ONLY ALLOWS FOR THE PREMISES. WE ONLY WISH TO BE ABLE TO SELL ALCOHOL ON THE PREMISES WITH FOOD, AS A
Will the schedule to provide plays be subject to change if this application to vary is successful?  Yes  No  Section 5 of 17  PROVISION OF FILMS  Will the schedule to provide films be subject to change if this application to vary is successful?  Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Yes  No  Section 7 of 17	Section 4 of 17	
vary is successful?  Yes  No  Section 5 of 17  PROVISION OF FILMS  Will the schedule to provide films be subject to change if this application to vary is successful?  Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Yes  No  Section 7 of 17	PROVISION OF PLAYS	
Section 5 of 17  PROVISION OF FILMS  Will the schedule to provide films be subject to change if this application to vary is successful?  () Yes  () No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  () Yes  () No  Section 7 of 17		lays be subject to change if this application to
Will the schedule to provide films be subject to change if this application to vary is successful?  O Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No  Section 7 of 17	○ Yes	No     .    .    .     .     .     .     .     .     .     .     .     .     .
Will the schedule to provide films be subject to change if this application to vary is successful?  O Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No  No  Section 7 of 17	Section 5 of 17	
vary is successful?  Yes  No  Section 6 of 17  PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Yes  No  Section 7 of 17	PROVISION OF FILMS	
PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Yes  No  Section 7 of 17		lms be subject to change if this application to
PROVISION OF INDOOR SPORTING EVENTS  Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  Yes  No  Section 7 of 17	○ Yes	No     No
Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?  O Yes  No  Section 7 of 17	Section 6 of 17	
this application to vary is successful?  O Yes  No  Section 7 of 17	PROVISION OF INDOOR SPO	RTING EVENTS
Section 7 of 17	Will the schedule to provide in this application to vary is succ	ndoor sporting events be subject to change if essful?
[200] [201]	○ Yes	No     .    .    .     .     .     .     .     .     .     .     .     .     .
PROVISION OF POVING OR WREST ING ENTERTAINMENTS	Section 7 of 17	[1] 《福港·西洋·西洋·西洋·西洋·西洋·西洋·西洋·西洋·西洋·西洋·西洋·西洋·西洋·
PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS	PROVISION OF BOXING OR V	VRESTLING ENTERTAINMENTS
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?	Will the schedule to provide be to change if this application to	oxing or wrestling entertainments be subject o vary is successful?
○ Yes	○ Yes	No
Section 8 of 17	Section 8 of 17	· · · · · · · · · · · · · · · · · · ·
PROVISION OF LIVE MUSIC	PROVISION OF LIVE MUSIC	
Will the schedule to provide live music be subject to change if this application to vary is successful?	application to vary is successf	iul?

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Section 9 of 17		The Military of		
PROVISION OF RECOR	DED MUSIC			
Will the schedule to pro application to vary is su		be subject to cha	nge if this	
○ Yes	· No		Ę	vi .
Section 10 of 17 +				
PROVISION OF PERFOR	RMANCES OF DANCE			
Will the schedule to pro this application to vary		dance be subjec	t to change if	
○ Yes	No			
Section 11 of 17		ari kalendik		
PROVISION OF ANYTH	ING OF A SIMILAR DE	SCRIPTION TO I	IVE MUSIC, RE	CORDED MUSIC OR PERFORMANCES OF
Will the schedule to pro performances of dance successful?				
○ Yes	No		= ¥10.	
Section 12 of 17				
PROVISION OF LATE N	GHT REFRESHMENT			
Will the schedule to pro this application to vary I		ment be subject	to change if	Ψ.
○ Yes	No			*
Section 13 of 17	TRIVERS			
SUPPLY OF ALCOHOL	The state of the s	100		3
Will the schedule to sup vary is successful?	ply alcohol be subject	to change if this	application to	2 2
<ul><li>Yes</li></ul>	O No		1=	
Standard Days And Tir	nings		) )	
MONDAY				
MONDAI	Start 08:00	g in the second	nd 23:00	Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days
		No.		of the week when you intend the premises
* a s	Start		nd [	to be used for the activity.
TUESDAY			*)	
	Start 08:00	Er	nd 23:00	
9	Start	Er Er	nd	

Continued from previou	is page		
WEDNESDAY			
	Start 08:00	End 23:00	
	Start	End	
THURSDAY			
*	Start 08:00	End 23:00	]
,	Start	End	
FRIDAY			
-	Start 08:00	End 23:00	1
	Start	End	Ī .
SATURDAY.			T
5,,,,,,,,,	Start 08:00	End 23:00	1
	Start	End	i
SUNDAY			_
SONDAT	Start 10:00	End 22:30	
	Start Start	End	†
Will the sale of alcohol		End	
		Both	If the sale of alcohol is for consumption on
On the premises	C. On the premises	9 0001	the premises select on, if the sale of alcohol is for consumption away from the premises
2)			select off. If the sale of alcohol is for
	. W		consumption on the premises and away
	a = " = 9		from the premises select both.
State any seasonal vari	ations.		
	exclusively) where the activity will o	occur on additional d	ays during the summer months.
	R		
2			
		5 <sup>81</sup> III R	e av " de
1927 1 122	E .	8 5 V V	
Non standard timings	Where the premises will be used for	or the supply of alcol	hol at different times from those listed above,
list below.		or the supply of theor	V 196.
For example (but not e	xclusively), where you wish the act	ivity to go on longer	on a particular day e.g. Christmas Eve.
		Fac:	
		3 <sup>†</sup>	
	3 ==	F	*
Section 14 of 17	e de la companya de l	THE RESIDENCE OF THE PARTY OF T	A CONTRACTOR OF THE CONTRACTOR
ADULT ENTERTAINME		E	A CONTRACTOR OF THE CONTRACTOR

Continued from previous page	
Highlight any adult entertainment or services, activities, or premises that may give rise to concern in respect of children	r other entertainment or matters ancillary to the use of the en.
Provide information about anything intended to occur at the give rise to concern in respect of children, regardless of whe example (but not exclusively) nudity or semi-nudity, films f	the premises or ancillary to the use of the premises which may nether you intend children to have access to the premises, for for restricted age groups etc gambling machines etc.
N/A	
Section 15 of 17	
HOURS PREMISES ARE OPEN TO THE PUBLIC	
Standard Days And Timings	
MONDAY	Drevide timines in 24 hour deels
Start 08:00	Provide timings in 24 hour clock End 23:00 (e.g., 16:00) and only give details for the days
Start	of the week when you intend the premises
	End to be used for the activity.
TUESDAY	
Start 08:00	End 23:00
Start	End
WEDNESDAY	**
Start 08:00	End 23:00
Start	End [
THURSDAY	
Start 08:00	End 23:00
Start	End
FRIDAY	the second
Start 08:00	End 23:00
2 4 8	
Start	End
SATURDAY	19,7 1
Start 08:00	End 23:00
Start	End
SUNDAY	
5 , 8 M C 3 10 10 1	End 23:00
Start	End
State any seasonal variations.	
For example (but not exclusively) where the activity will occ	cur on additional days during the summer months.

Continued from pre	evious page						
				11/2			r
ļ.			85		%		
Non standard timi those listed above	e, list below.						
For example (but	not exclusively), w	here you wish t	the activity to	go on longer	on a particu	ular day e.g.	Christmas Eve.
						(i)	*
W - 0					35		*
						ж	
	ditions currently in you are seeking.		licence which	you believe	could be rer	moved as a d	consequence of
			# # X			2.60	
			-			(B)	
							Ni.
easons why I hav	e failed to enclose	e the premises li	cence or relev	ant part of pr	remises licer	nce.	
. 6	10	5		27 243			
	ж.	2					
ection 16 of 17		7					
CENSING OBJEC		*				NAMES OF THE PARTY.	
escribe the steps	you intend to tak	e to promote th	ne four licensii	ng objectives:	- E	B1	· · · · · · · · · · · · · · ·
General – all fou	r licensing object	ives (b,c,d,e)			9 B		
the club wishes recople to be able to both select both	nembers and thei to purchase alcoh h.	r guests to be a ol to consume a	ble to consum way from the	e alcohol on premises sele	the premise ect off. If the	es select on, e club wishe	if the club wishe s people to be al
O DOM DOLCER DO							
ALL STAFF TO REC ICENSING OBJECT MAINTAINED. WE MUTHORITIES TO IN REGULAR STAFF TO DE THE LICENSING VITH 31 DAYS REC	EIVE REGULAR TR TIVES OF THE LICE WILL IMPLEMENT MPLEMENT AND F RAINING TO TAKE G ACT 2003, STAFF CORDING, CHALLE ALCOHOL UNDEF AL LICENCE.	NSING ACT 200 ANY RECOMME PROMOTE THE F PLACE REGARD WILL BE TRAINI INGE 25 POLICY	3 WITH APPRO INDATIONS GI OUR LICENSIN ING THE REQUED TO USE THE BE OPERATED	DPRIATE TRAII VEN BY THE NG OBJECTIVE JIREMENTS A E INCIDENT LO ON THE PRE	NING RECOI ES. ND RESPON OGS. CCTV I MISES.	RDS ISIBILITIES S IN PLACE	

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

STAFF WILL BE TRAINED IN DRUGS AWARENESS AND TRAINING WILL BE MAINTAINED.

#### c) Public safety

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

#### d) The prevention of public nuisance

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

#### e) The protection of children from harm

STAFF WILL BE TRAINED REGARDING PROTECTION OF CHILDREN FROM HARM OBJECTIVE.

NO ID . NO SALE, THE UNDER 25 CHALLENGE WILL APPLY.

STAFF WILL BE TRAINED TO RECOGNISE ID PROOF AND CHALLENGE 25.

REFUSAL BOOK, STAFF TRAINING RECORDS WILL BE AVAILABLE FOR THE .

AUTHORITIES.

#### Section 17 of 17

#### PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

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

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

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

Continued from previous page			
Capacity 20000-29999	£8,000.00		
Capacity 30000-39000	£16,000.00		)3 (0 //
Capacity 40000-49999	£24,000.00		
Capacity 50000-59999	£32,000.00		
Capacity 60000-69999	£40,000.00		
Capacity 70000-79999	£48,000.00	- (6C - 1	¥);
Capacity 80000-89999	£56,000.00	*	83
Capacity 90000 and over	£64,000.00		
* Fee amount (£)	190.00		
ATTACHMENTS			22 P.
AUTHORITY POSTAL ADDRES	SS		
Address	48		, i i
Building number or name			a (
Street			
District		1	9
City or town			
County or administrative area		a a	
Postcode			50.1
Country	United Kingdom		
DECLARATION			3
* I/we understand it is an offen licensing act 2003, to make a	ce, liable on conviction to a fine up to level 5 on: false statement in or in connection with this app	the standard scale, lication.	under section 158 of the
	es you have read and understood the above deci		
150 =			
This section should be comple behalf of the applicant?"	ted by the applicant, unless you answered "Yes" t	to the question "Are	you an agent acting on
		5	* **
* Full name	340	54 W	æ.
* Capacity		78	× 2,
Date (dd/mm/yyyy)		8 10	(a) (b)
	Add another signatory		.cu
continue with your application	uter by clicking file/save as .uk/apply-for-a-licence/premises-licence/westmi		ipload this file and
IT IS AN OFFENCE, LIABLE ON SCALE, UNDER SECTION 158 WITH THIS APPLICATION	SUMMARY CONVICTION TO A FINE NOT EXCE OF THE LICENSING ACT 2003, TO MAKE A FALS	EDING LEVEL 5 ON SE STATEMENT IN (	THE STANDARD OR IN CONNECTION



# City of Westminster 64 Victoria Street, London, SWIE 6QP

Schedule 12 Part A WARD: Warwick UPRN: 999000145017

Premises licence

Regulation 33, 34

			-	
Premises licence number:	07/00558/N	/CCMAP	2 1	5
	2 2			
Part 1 - Premises details	16		2	
Postal address of premises:	3			
Delicias De Portugal			5	
43 Warwick Way				
London SW1V 1QS				
Telephone Number: 0207 630	5597			
Tank II II at a taken Black	ted the defect			-
Where the licence is time limi	ted, the dates.			
N/A	7			**
	12			
Licensable activities authoris	ed by the licence:	4		
Sale by Retail of Alcohol				
The times the licence authoris	ses the carrying out of licensab	ile activities:		
Sale by Retail of Alcohol: Mond	av to Saturday - 08:00 to 23:00			-2
Sale by Retail of Alcohol: Sunda	ay - 10:00 to 22:30			
The opening hours of the pre	mises:			
Monday to Saturday - 08:00 to 2	23:00	139		
Sunday - 08:00 to 23:00				$c = \kappa$
14				
Where the licence authorises	supplies of alcohol, whether th	ese are on a	nd/or off	K/
supplies:	THE PERSON NAMED IN COLUMN 1	77	58	
* 0	*	34	8	**
Off	.#. B		* E R	
F		20 80		>

#### Part 2

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

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

Telephone Number: 020 7630 5597

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

3076022

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

Name:

Ivandra Rosinha

Address:

86, Frensham Drive

New addington

Croydon

CRÓ 0QY

Phone:

Not Supplied

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

Licence Number:

Not Supplied

Licensing Authority:

Not Supplied

Date:

Signed:

Director of Legal & Administrative Services

## Annex 1 - Mandatory conditions

- No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
- 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.
- Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.

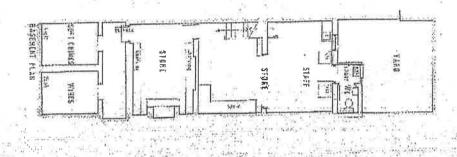
Annex 2 - Conditions consistent with the operating Schedule

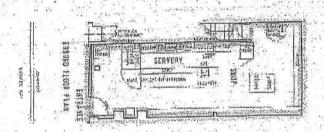
None

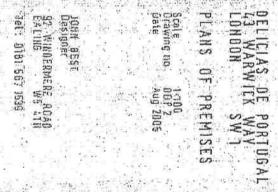
## Annex 3 - Conditions attached after a hearing by the licensing authority

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

## Annex 4 - Plans









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

## Schedule 12 Part B

WARD: Warwick UPRN: 999000145017

Premises licence summary

Regulation 33, 34

Premises licence number:	07	7/00558/WCCN	MAP	
Part 1 – Premises details		= #	į e.	34
Postal address of premises:				
Delicias De Portugal 43 Warwick Way				
London SW1V 1QS	< **			
Telephone Number: 0207 6305	5597		12	
Where the licence is time limit	ed, the dates:			
N/A				1:
	d by the lineage			
Licensable activities authorise	ed by the licence:			
Sale by Retail of Alcohol			ā	
The times the licence authoris	es the carrying out of	licensable ac	tivitiès:	
Sale by Retail of Alcohol: Monda Sale by Retail of Alcohol: Sunda	ay to Saturday - 08:00 to			5
The opening hours of the pren	nises:		23	
Monday to Saturday - 08:00 to 2 Sunday - 08:00 to 23:00	3:00	W W		
Se:			-	
Where the licence authorises supplies:	supplies of alcohol, w	hether these a	are on and/o	off
Off	-		*1	_ X V

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

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

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

3076022

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

Name:

Ivandra Rosinha

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

Restricted

Date:

Signed:

Director of Legal & Administrative Services

## Owojori, Olaposi

From:

Deweltz, Adam

Sent:

03 April 2014 12:06 Manuel Rocha

To:

idoxlicensing

Cc: Subject:

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

Manuel.

Thank you for getting back to me.

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

Kindest regards

Adam.

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

From: Manuel Rocha [mailto:manuelrocha01@hotmail.com]

**Sent:** 03 April 2014 12:03

To: Deweltz, Adam

Subject: Re: Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV

Hi Mr Adam, hope you well.

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

Kind Regards

Manuel

Sent from my iPad

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

Hello Manuel,

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

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

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

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

At this time, I maintain my representation.

Kindest regards,

Adam.

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

From: Deweltz, Adam Sent: 12 March 2014 13:24 To: manuelrocha01@hotmail.com

Subject: FW: Delicias De Portual 43 Warwick Way, London, SW1 - 14/01940/LIPV

From: Deweltz, Adam
Sent: 11 March 2014 17:06
To: manualrocha01@hotmail.com

Cc: idoxlicensing

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

Dear Manuel

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

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

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

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

- 2) A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 3) The supply of alcohol shall be by waiter or waitress service only.
- 4) A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 5) A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.
- 6) All sales of alcohol for consumption off the premises shall be in sealed containers only.
- 7) The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
- 8) Westminster Core hours for the sale of alcohol **ON** the premises are:

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

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

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

I look forward to you prompt response.

Many thanks

Adam

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

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

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

Westminster City Council switchboard: +44 20 7641 6000.

<a href="http://www.changethingsnow.co.uk/">www.westminster.gov.uk/</a>

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

## CITY OF WESTMINSTER

TO Licensing Officer

REFERENCE 14/01940/LIPV

FROM EH Consultation Team, 4<sup>th</sup> Floor (West) City Hall

REFERENCE 14/009117/EHCT

BEING DEALT WITH BY David Nevitt

TELEPHONE 3188
DATE 11.3.2014

## **LICENSING ACT 2003**

## APPLICATION FOR A VARIATION TO A PREMISES LICENCE

## DELICIAS DE PORTUGAL, 43 WARWICK WAY, SW1

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

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

The applicant has proposed Conditions which are under consideration.

I wish to make Representations on the following grounds:

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

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

David Nevitt
Environmental Health Officer

## Owojori, Olaposi

From:

Nevitt, Dave

Sent:

17 April 2014 07:21

To:

Jose Manuel Rocha; Owojori, Olaposi

Subject:

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

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

Sent from my Windows Phone

From: Jose Manuel Rocha Sent: 16/04/2014 17:19

To: Nevitt, Dave; Owojori, Olaposi

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

Hi Mr Dave

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

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

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

Kind Regards Manuel Rocha

From: dnevitt@westminster.gov.uk

To: oowojori@westminster.gov.uk; manuelrocha01@hotmail.com

Date: Wed, 16 Apr 2014 15:49:51 +0100

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

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

From: "Jose Manuel Rocha" <manuelrocha01@hotmail.com>

Sent: 27/05/2014 11:15:19

To: "Owojori, Olaposi" </ O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=OOWOJOR> Subject: RE: DELICIAS DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

Dear Mr Ow ojori,

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

Kind Regards Manuel Rocha

From: oow ojori@w estminster.gov.uk To: manuelrocha01@hotmail.com CC: dnevitt@w estminster.gov.uk Date: Tue, 27 May 2014 10:54:59 +0100

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

Dear Mr Rocha,

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

#### Regards

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

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

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

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

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

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

15/08/2014 14:10:04

Sent: 13 May 2014 16:28

To: Ow ojori, Olaposi

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

#### Dear Mr Ola

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

Kind Regards Manuel

From: oow ojori@w estminster.gov.uk

To: manuelrocha01@hotmail.com; dnevitt@w estminster.gov.uk

<mailto:dnevitt@w estminster.gov.uk> Date: Tue, 13 May 2014 16:18:33 +0100

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

Dear Mr Rocha,

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

Regards

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

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

Telephone 020 7641 7830 Fax 020 7641 7815 email: oow ojori@w estminster.gov.uk Web: w w w .w estminster.gov.uk

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<a href="http://www.westminster.gov.uk/services/environment/environmentalhealth/environmental-health-training/">health-training/</a>
Signature images 3.jpg
<a href="http://idoxpa.westminster.gov.uk/online-applications/search.do?action=simplesearchType=LicencingApplication">http://idoxpa.westminster.gov.uk/online-applications/search.do?action=simplesearchType=LicencingApplication></a>

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

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

#### 15/08/2014 14:10:04

Sent: 06 May 2014 11:15

To: Nevitt, Dave; Ow ojori, Olaposi

Subject: RE. DELICIA'S DE PORTUGAL, 43 WARWICK WAY, LONDON 14/01940/LIPV

#### Dear Mr Dave

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

Kind Regards Manuel Rocha

From: dnevitt@w estminster.gov.uk <mailto:dnevitt@w estminster.gov.uk > To: manuelrocha01@hotmail.com; oow ojori@w estminster.gov.uk <mailto:oow ojori@w estminster.gov.uk >

Date: Tue, 6 May 2014 10:07:08 +0100

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

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

From: Jose Manuel Rocha [mailto:manuelrocha01@hotmail.com]

Sent: 02 May 2014 17:36

To: Nevitt, Dave; Ow ojori, Olaposi

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

#### Mr David

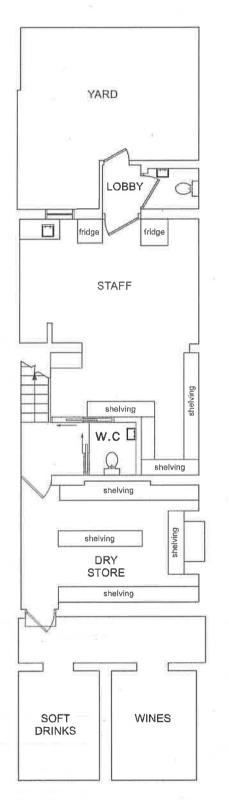
We have toilet facilities for staff on the ground floor, and they are available for customers for use upon request. A staff member will escort the customer to the toilelt facilities

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

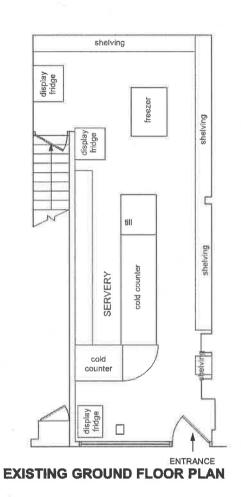
Regards Manuel Rocha

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

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



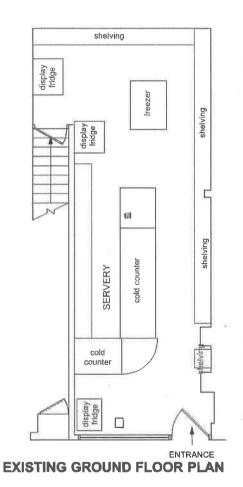
**EXISTING BASEMENT FLOOR PLAN** 



DELICIAS DE PORTUGAL VICTORIA PROPOSAL 1



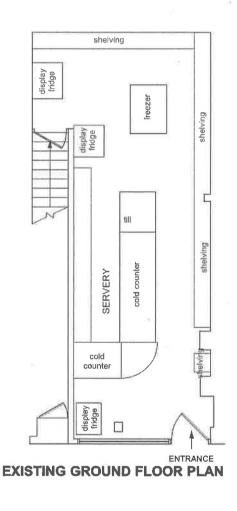
**EXISTING BASEMENT FLOOR PLAN** 



DELICIAS DE PORTUGAL VICTORIA PROPOSAL 2



**EXISTING BASEMENT FLOOR PLAN** 



DELICIAS DE PORTUGAL VICTORIA PROPOSAL 3

## Owojori, Olaposi

From:

Cafe Mignon [omebtouche@btconnect.com]

Sent:

24 March 2014 13:05 Premises Licensing

To: Subject:

14/01940/LIPV

Follow Up Flag: Flag Status:

Follow up Completed

Dear Licensing Service,

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

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

Many thanks

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

Sent from my iPhone

## **Licence & Appeal History**

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

No appeal history

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

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

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

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

## **Conditions on Existing Licence**

#### **Annex 1 – Mandatory conditions**

- 1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
- 2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
- 3. Every supply of alcohol under this licence must be made or authorised by a person who hold a personal licence.

### Conditions attached after a hearing by the licensing authority

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

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

## **Mandatory Condition to be added**

- 10. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

#### Mandatory Conditions if granted

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

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

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

## Conditions proposed by the applicant

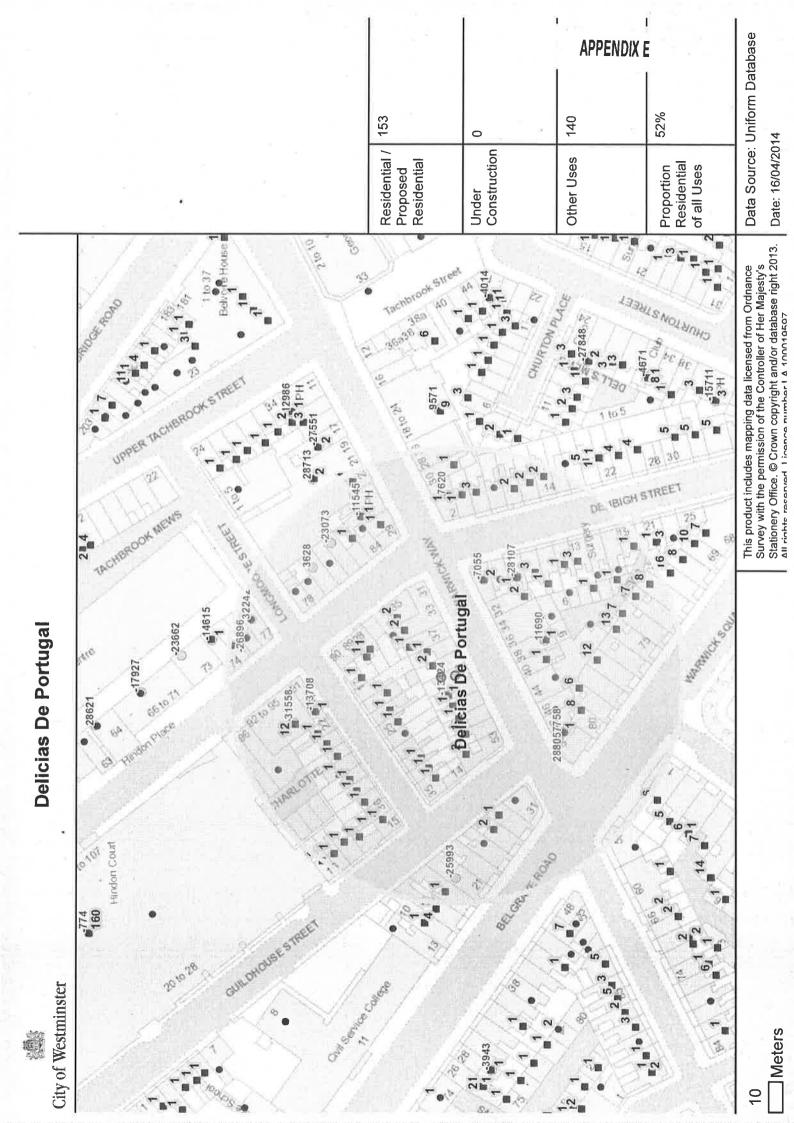
- 15. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
- 16. Sale by retail of alcohol shall be made or authorised by a personal licence holder.
- 17. Local taxi numbers shall be made available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

### Conditions agreed with the Police

- 19. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
- 20. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 21. The supply of alcohol shall be by waiter or waitress service only.
- 22. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- 23. A record shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The

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

- 24. All sales of alcohol for consumption off the premises shall be in sealed containers only.
- 25. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.



p/n	Name of Premises	Premises Address	Opening Hours
11545	Manufak	25 Manufak May London SWAV 40T	Sunday to Wednesday: 08:00 to 23:30 Thursday to Saturday: 08:00 to 01:30
-11543	Warwick.	25 Warwick Way London SW1V 1QT	Sunday to Thursday: 12:00 to 00:00 Friday to Saturday: 12:00 to 01:00
	Cyprus Mangal	45 Warwick Way London SW1V 1QS	Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 23:00 Sundays before Bank Holidays: 10:00 to 00:00
	The Prince Of Wales Public House  Delicias De Portugal	Prince Of Wales 91 Wilton Road London SW1V 1DN  43 Warwick Way London SW1V 1QS	Monday to Saturday - 08:00 to 23:00 Sunday - 08:00 to 23:00
31130	About Thyme Restaurant	82 Wilton Road London SW1V 1DL	Monday to Saturday - 10:00 to 23:30 Sunday - 12:00 to 23:00
***	Night Spot	38 Warwick Way London SW1V 1RY	Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30
	n = =		Monday to Thursday: 10:00 to 23:30 Friday to Saturday: 10:00 to 00:00 Sunday: 12:00 to 22:30
	Marquis Of Westminster  Seafresh Restaurant	50 Warwick Way London SW1V 1RY  80-81 Wilton Road London SW1V 1DL	Monday to Saturday: 10:00 to 00:30 Sunday: 12:00 to 00:00
	Victoria Stanley House Hotel	19-21 Belgrave Road London SW1V 1RB	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00 24 hours for residents and their bona fide guests
-26896	Spicy World	76 Wilton Road London SW1V 1DE	Monday to Saturday - 10:00 to 00:00 Sunday - 12:00 to 00:00
	Oddbins	2 Denbigh Street London SW1V 2ER	Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30
-7055	Uno Restaurant	Ground 1 Denbigh Street London SW1V 2HF	Monday to Saturday: 10:00 to 23:30 Sunday: 12:00 to 23:00
32242	Kazan Kitchen	77 Wilton Road London SW1V 1DE	Monday to Saturday: 10:00 to 00:00 Sunday: 10:00 to 23:30 Sundays before Bank Holidays: 10:00 to 00:00
			Monday to Thursday 10:00 – 23:30 Friday & Saturday 10:00 – 00:00 Sunday 12:00 – 22:30
	Marquis Of Westminster Public House  Paradise Indian Restaurant	50 Warwick Way London SW1V 1RY  5 Denbigh Street London SW1V 2HF	Monday to Saturday - 10:00 to 00:30 Sunday - 12:00 to 00:00
			Monday to Saturday - 10:00 to 23:30 Sunday - 12:00 to 23:00
-31558	Kazan	93-94 Wilton Road London SW1V 1DW	
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