



City of Westminster

Item No:	
Date:	07 October 2021
Licensing Ref No:	21/04405/LIPN - New Premises Licence
Title of Report:	355 Edgware Road London W2 1BS
Report of:	Director of Public Protection and Licensing
Wards involved:	Little Venice
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: kjackaman@westminster.gov.uk

Licensing Sub-Committee Report

1.	Application						
1-A	Applicant and premises						
Application Type:	New Premises Licence, Licensing Act 2003						
Application received date:	6 May 2021						
Applicant:	Mr Karzan Bayar						
Premises address:	355 Edgware Road London W2 1BS				Ward:	Little Venice	
					Cumulative Impact Area:	None	
					Special Consideration Zone:	None	
Premises description:	According to the application form the premises intend to trade as a modern middle eastern style restaurant for the primary purpose of dining in at the premises						
Premises licence history:	The premises have had the benefit of a premises licence since at least 2005. The existing premises licence (licence number 19/04127/LIPT) is attached as Appendix 2 of this report. A full licence history for the premises appears at appendix 4.						
Applicant submissions:	The premises were formally known as Al Kanater Restaurant which had a premises licence granted under the reference 14/06021/LIPV (Current licence number 19/04127/LIPT). This application for a new premises licence is being made because the applicant is unable to establish contact with the previous licence holder to transfer the licence and apply for a variation.						
Applicant amendments:	None						

1-B	Proposed licensable activities and hours						
Live music, recorded music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:			Sundays immediately prior to a bank holiday until 00:00				

Late Night Refreshment:				Indoors, outdoors or both			
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	
Seasonal variations/ Non-standard timings:			Sundays immediately prior to a bank holiday until 00:00.				

Sale by retail of alcohol				On or off sales or both:			On
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun

Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:	Sundays immediately prior to a bank holiday until 00:00						

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	23:50	23:50	23:50	23:50	00:20	00:20	22:50
Seasonal variations/ Non-standard timings:	Sundays immediately prior to a bank holiday opening time until 00:20						
Adult Entertainment:	None						

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Environmental Health
Representative:	Maxwell Koduah
Received:	25 May 2021

I refer to the application for a new Premises Licence number for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Council's Statement of Licensing Policy dated January 2016.

The applicant is seeking the following licensable activities:

1. Performance of live music indoors at the following times:

Monday – Thursday 12:00 – 23:30 hours
Friday – Saturday 12:00 – 00:00 hours
Sunday 12:00 – 22:30 hours
Sunday before Bank Holiday 12:00 – 00:00 hours

2. Playing of recorded music indoors at the following times:

Monday – Thursday 12:00 – 23:30 hours
Friday – Saturday 12:00 – 00:00 hours
Sunday 12:00 – 22:30 hours
Sunday before Bank Holiday 12:00 – 00:00 hours

3. Provision of late-night refreshment indoors at the following times:

Monday – Thursday 23:00 – 23:30 hours
Friday – Saturday 23:00 – 00:00 hours
Sunday before Bank Holiday 23:00 – 00:00 hours

4. Supply of alcohol for consumption on the premises at the following times:

Monday – Thursday 10:00 – 23:30 hours
Friday – Saturday 10:00 – 00:00 hours
Sunday 10:00 – 22:30 hours
Sunday before Bank Holiday 10:00 – 00:00 hours

Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I

wish to make the following representations:

1. The hours requested to perform live music may have the likely effect of causing an increase in Public Nuisance within the area
2. The hours requested to play recorded music may have the likely effect of causing an increase in Public Nuisance within the area
3. The hours requested to provide late night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area
4. The supply alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

Additional conditions, to replace those contained within the operating schedule, have been proposed to support the licensing objectives of Prevention of Public Nuisance and Public Safety accompany this representation. Applicant is advised to study these conditions and discuss same if they are minded.

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	28 May 2021		
<p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).</p> <p>We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.</p> <p>Introduction</p> <p>Our representation is made on the basis that the likely impact of the application, if granted as applied for, would be to harm the licensing objectives, particularly that of prevention of public nuisance.</p> <p>We do not oppose a licence being granted at all, but we would like amendments to the Operating Schedule to ensure that the licensing objectives are promoted in this location. The premises is adjacent to residential accommodation, particularly to the rear and Devonshire House with particularly vulnerable residents (referred to later).</p> <p>As such, we would ask that the Licensing Authority to pay great attention to any comments submitted by local residents, and we would wish to support them in respect of valid concerns they may have.</p> <p>The application and reasons for representation</p>			

The application seeks sale of alcohol for consumption on the premises in line with Policy HRS1. The application also seeks regulated entertainment and late night refreshment to the same hours.

The closing time for customers to be off the premises is beyond core hours, and we would oppose this.

It appears that a premises licence already exists for the premises. The licence permits late night refreshment to 1am, but does not permit sale of alcohol. It also is subject to a number of conditions in respect of Devonshire House, a CityWest Homes property to the rear. 355 Edgware Road backs on to a closed alley/passageway, the property of City West Homes, and the only entrance is through Devonshire House, the alley/passageway running the length of the building at the rear. Devonshire House is sheltered housing for the elderly and vulnerable.

It became apparent in 2014 during a variation application (14/06021/LIPV) that a door had been cut into the alley from 355 Edgware Road and it was being proposed that this was used as a fire escape. ██████ appeared at the hearing and explained that *'It was not possible to use the route away from Al-Kanater without going through Devonshire House. She was seeking a condition that there was no access outside this door and that this was not marked 'rear access path' on the plans.'*

The decision notice records that the Sub-Committee *'considered that the arrangement for the fire exit on to the rear passageway/alley was far from ideal. A condition was attached to the licence that the door to the exit was kept closed at all times other than during use in an emergency. The plan would need to be revised to remove the reference to a 'rear access path'. The Sub-Committee noted that conditions had been agreed between Environmental Health and the Applicant that the private passageway adjacent to Devonshire House could not be used for the storage of rubbish or as a smoking area.'*

The following points arise from the application documentation:

1. Although the hours for licensable activities are within core hours, we would ask that the applicant considers reducing the terminal hour, particularly should any residents have concerns about these hours.
2. The terminal hour for customers to be on the premises should be reduced.
3. The previous/current operation is unlicensed and therefore cannot sell alcohol at all.
4. We would need to be assured that the playing of live and recorded music would not cause a nuisance to nearby residents.
5. The proposed licence plan has a rear door into the same alleyway adjacent to Devonshire House, and a section described as 'rear access path'. This should be remedied in the same way as was done on the application in 2014.
6. We note that there are a number of helpful conditions, including that sale of alcohol should be ancillary to a table meal.
7. There are however a number of matters not covered – for instance the conditions added to the previous licence.

We propose the following additional conditions:

MC87 No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

MC57 Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.

- The rear door from the kitchen area leading into the private passageway adjacent to Devonshire House shall be kept closed at all times other than in use in an emergency.

- The private passageway adjacent to Devonshire House shall not be used for the storage of rubbish or other goods from the restaurant at any time.

- The private passageway adjacent to Devonshire House shall not be used as a smoking area at any time.
- A notice shall be affixed to the inside of the kitchen emergency exit door stating 'No rubbish or equipment to be placed outside of this door at any time.'

We may raise further points in due course when we have more information about the application.

Conclusion

We are also aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise with local residents.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active

	<p>measures proposed for a ‘winding down’ period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p>Policy RTN1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council’s Core Hours Policy HRS1. 3. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 4. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council’s Core Hours Policy HRS1. 3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 4. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal

4. Equality Implications

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

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

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

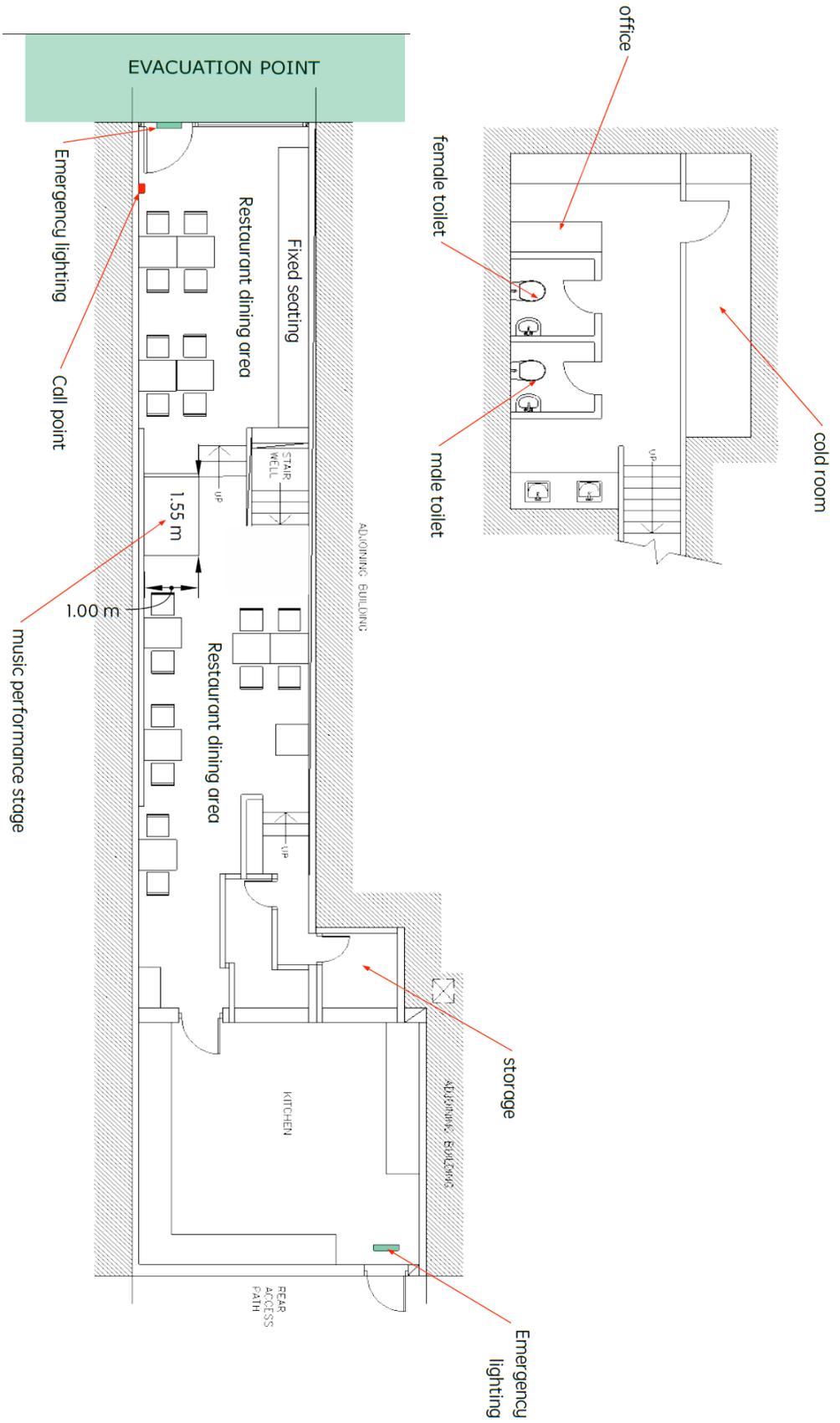
5.	Appendices
Appendix 1	Premises plans
Appendix 2	Existing premises licence
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin Jackaman Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@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 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Environmental Health Representation	25 May 2021
5	Interested party representation	28 May 2021



Premises Plans



Brief: Ground floor plan of commercial unit
Site address: Slendon, 355 Edgware Road, London, W2 1BU

Date: May 1, 2021
Scale: 1:100 at A4





Schedule 12
Part A

WARD: Little Venice
UPRN: 100023476750

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

Premises licence

Regulation 33, 34

Premises licence number:	19/04127/LIPT
Original Reference:	05/10550/LIPC

Part 1 – Premises details

Postal address of premises:

Al-Kanater Restaurant
355 Edgware Road
London
W2 1BS

Telephone Number: 0207 724 5757

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment
Monday to Sunday: 23:00 to 01:00

The opening hours of the premises:

Monday to Sunday: 10:00 to 01:00

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

Not applicable

Part 2

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

Mr Hawzen Abdullah
355 Edgware Road
London
W2 1BS

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

N/A

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

Not applicable

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

Not applicable

Date: 4th September 2019

Signed:

pp



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

Annex 1 – Mandatory conditions

1. This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001.
2. The premises may be kept open for the purposes of this licence from midnight on each of the days Sunday to Saturday to 1am on the day following.
3. The number of persons accommodated at any one time (excluding staff) shall not exceed 10.

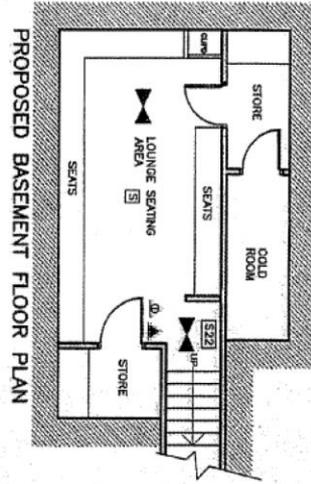
Annex 2 – Conditions consistent with the operating Schedule

None

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

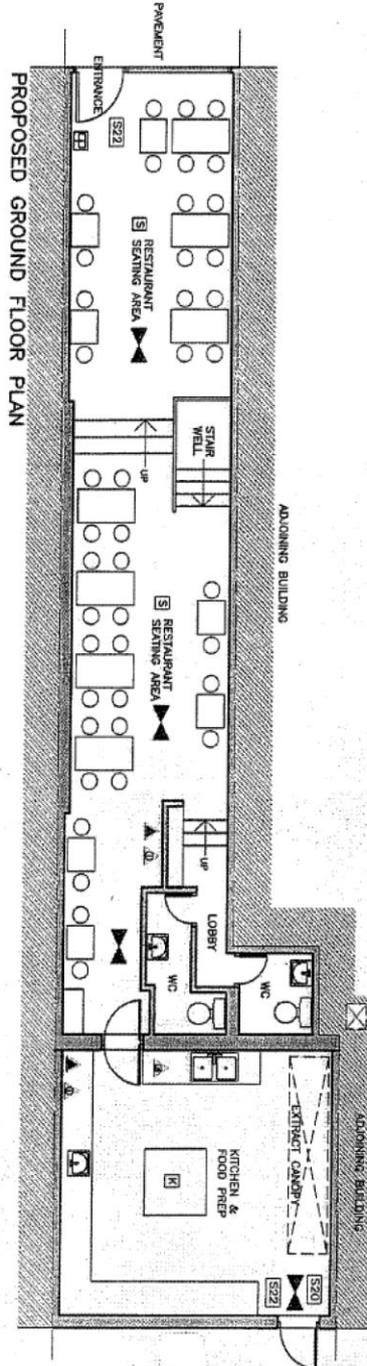
4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually 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.
5. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
6. The premises shall only operate as a restaurant (1) in which customers are shown to their table, (2) which provide food in the form of table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery (3) do not provide any take away service of food or hot drink after 01.00hrs.
7. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) any faults in the CCTV system
 - (f) any visit by a relevant authority or emergency service.
8. The maximum number of persons permitted in the premises at any one time shall not exceed 50 persons, with no more than 10 persons in the basement at any one time.
9. The rear door from the kitchen area leading into the private passageway adjacent to Devonshire House shall be kept closed at all times other than in use in an emergency.
10. The private passageway adjacent to Devonshire House shall not be used for the storage of rubbish or other goods from the restaurant at any time.
11. The private passageway adjacent to Devonshire House shall not be used as a smoking area at any time.
12. A notice shall be affixed to the inside of the kitchen emergency exit door stating 'No rubbish or equipment to be placed outside of this door at any time.'

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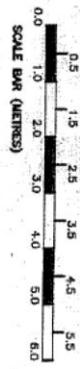
PROPOSED BASEMENT FLOOR PLAN

- LEGEND:**
- ▲ AREA COVERED BY ESCAPE LIGHTING IN CASE OF EMERGENCY
 - ⊠ AREA COVERED BY AUTOMATIC HEAT DETECTORS
 - ⊡ AREA COVERED BY AUTOMATIC SMOKE DETECTORS
 - ⊞ FIRE ALARM CALL POINT
 - ⊞ FIRE ESCAPE KEEP CLEAR SIGNAGE
 - ⊞ FIRE EXIT SIGNAGE
 - ⊞ FIRE BLANKET IN CONTAINER
 - ⊞ CARBON DIOXIDE FIRE EXTINGUISHER
 - ⊞ WATER FIRE EXTINGUISHER



PROPOSED GROUND FLOOR PLAN

COPYRIGHT RESERVED &
THIS IS A PLANNING DRAWING AND SHOULD NOT BE USED FOR
TENDERING, CONSTRUCTION OR ANY OTHER PURPOSE.



CLIENT: MR TARIQ FARIS
355 EDGWARE ROAD LONDON W2 1BS
PROPOSED REAR EXTENSION
PROPOSED FLOOR AND ROOF PLANS
design factor
Tel: 07870 582671
Email: info@designfactor.co.uk
SCALE: 1:100 MAR 14 DWG:VP112A



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

Schedule 12
Part B

WARD: Little Venice
UPRN: 100023476750

Premises licence
summary

Regulation 33, 34

Premises licence number:

19/04127/LIPT

Part 1 – Premises details

Postal address of premises:

Al-Kanater Restaurant
355 Edgware Road
London
W2 1BS

Telephone Number: 0207 724 5757

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

The times the licence authorises the carrying out of licensable activities:

Late Night Refreshment

Monday to Sunday:

23:00 to 01:00

The opening hours of the premises:

Monday to Sunday:

10:00 to 01:00

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

Not applicable

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

Mr Hawzen Abdullah
355 Edgware Road
London
W2 1BS

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

N/A

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

Not applicable

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

Not applicable

Date: 4th September 2019

Signed:

pp



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

Applicant Supporting Documents

Appendix 3

None

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10550/LIPC	Conversion	05.10.2005	Granted under delegated authority
07/00999/WCCMAP	Master licence	05.10.2005	Granted under delegated authority
13/05579/LIPT	Transfer - Hisham Khan to Khalid Abbas	05.09.2013	Granted under delegated authority
14/00116/LIPT	Transfer - Khalid Abbas to Tariq Faris	07.02.2014	Granted under delegated authority
14/06021/LIPV	Variation – Change of layout/amend opening hours	18.09.2014	Granted by Licensing Sub Committee
19/04127/LIPT	Transfer - Tariq Faris to Hawzen Abdullah	04.09.2019	Granted under delegated authority

There is no licence or appeal history for the premises.

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

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

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

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

9. Intoxicating liquor shall not be sold or supplied on the premises otherwise than to persons taking table meals at the restaurant and for consumption by such person as ancillary to a meal.

10. On arrival customers are to be shown to their table or the customer will select a table themselves. Customers to be only served while seated at a table.
11. Alcohol shall be served only by waiter/ waitress service.
12. No persons carrying visibly open or sealed alcohol vessels shall be admitted to the premises at any time that the premises are open for any licensable activity.
13. No patron shall be allowed to leave the premises whilst in the possession of any drinking vessel or open glass bottle whether empty or containing any beverage. To facilitate this staff shall monitor the internal restaurant.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
15. To prevent a public nuisance from patrons who go outside to smoke a member of staff shall regularly check the pavement area outside the premises to ensure patrons are not blocking the pavement or causing nuisance to neighbouring premises and to clear any litter directly outside the premises.
16. All windows and external doors shall be kept closed after (21:00) hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
17. The licensee shall provide an age verification policy that staff would be trained in to prevent the underage on sale of alcohol in the restaurant.

Conditions proposed by the Environmental Health Service to replace those conditions proposed in the operating schedule. These are yet to be agreed by the applicant.

18. A noise limiter must be fitted to the musical amplification system and maintained in accordance with the following criteria:
 - a. the limiter must be set at a level determined by and to the satisfaction of an authorised Environmental Health Officer, so as to ensure that no noise nuisance is caused to local residents or businesses,
 - b. The operational panel of the noise limiter shall then be secured by key or password to the satisfaction of the authorised Environmental Health Officer and access shall only be by persons authorised by the Premises Licence holder,
 - c. The limiter shall not be altered without prior written agreement from the Environmental Health Consultation Team,
 - d. No alteration or modification to any existing sound system(s) should be affected without prior knowledge of the Environmental Health Consultation Team, and
 - e. No additional sound generating equipment shall be used on the premises without being routed through the sound limiter device.
19. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
20. The private passageway adjacent to Devonshire House shall not be used as a smoking area at any time

21. The private passageway adjacent to Devonshire House shall not be used for the storage of rubbish or other goods from the restaurant at any time
22. The rear door from the kitchen area leading into the private passageway adjacent to Devonshire House shall be kept closed at all times other than in use in an emergency from the restaurant
23. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly
24. All windows and external doors shall be kept closed after **21:00** hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons
25. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity
26. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
27. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day
28. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 and 08.00 hours on the following day
29. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
30. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business
31. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale
32. A Challenge 21 or 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
33. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them
34. The premises shall only operate as a restaurant,
 - (i) in which customers are shown to their table or the customer will select a table themselves,
 - (ii) where the supply of alcohol is by waiter or waitress service only,
 - (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table,

- (iv) which do not provide any takeaway service of food or drink for immediate consumption off the premises,
- (v) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

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

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

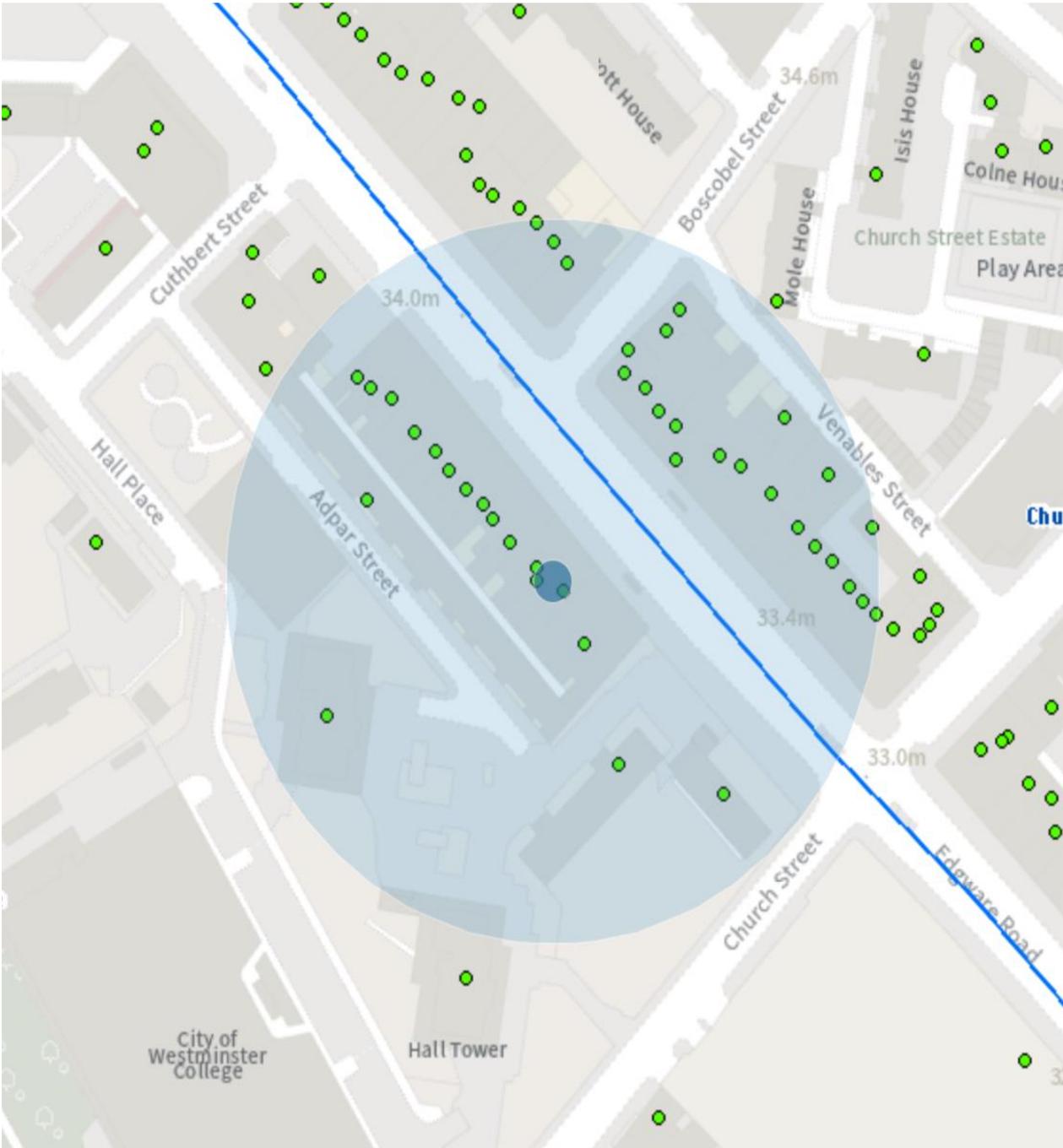
- 35. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order
- 36. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means
- 37. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided
- 38. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated
- 39. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority
- 40. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determine

Conditions proposed by the Police and agreed by the applicant so as to form part of the operating schedule

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

43. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
44. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
45. 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
46. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.
47. Food and Non-Intoxicating Beverages, including drinking water shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
48. There shall be no self-service of Alcohol.
49. Alcohol shall be served only by waiter/ waitress service.
50. An incident log shall be kept at the premises, and made available on request to an authorised licensing officer or the Police, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received
 - (d) any incidents of disorder and violence
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol to include date, time, and staff member
 - (h) any visit by a relevant authority or emergency service.



Resident count: 339

Licensed premises with 75m of 355 Edgware Road, London, W2

Licence Number	Trading Name	Address	Premises Type	TimePeriod
19/04127/LIPT	Al-Kanater Restaurant	355 Edgware Road London W2 1BS	Restaurant	Monday to Sunday; 10:00 - 01:00
18/10631/LIPT	Southern Fried Chicken	Basement And Ground Floor 357 Edgware Road London W2 1BS	Restaurant	Sunday; 23:00 - 02:00 Friday to Saturday; 23:00 - 02:00
07/00991/WCCMAP	Alpha Pizza	351A Edgware Road London W2 1BS	Restaurant	Sunday; 12:00 - 02:00 Monday to Thursday; 10:00 - 02:00 Friday to Saturday; 10:00 - 04:00
16/05804/LIPVM	Dar Marrakesh	422 Edgware Road London W2 1EG	Restaurant	Friday to Saturday; 09:00 - 02:00 Sunday to Thursday; 09:00 - 00:00