



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	20 July 2022
Licensing Ref No:	22/03874/LIPN - New Premises Licence
Title of Report:	15 London Street London W2 1HL
Report of:	Director of Public Protection and Licensing
Wards involved:	Hyde Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	8 April 2022		
<b>Applicant:</b>	Mr Patel Hemang		
<b>Premises:</b>	N/A		
<b>Premises address:</b>	15 London Street London W2 1HL	<b>Ward:</b>	Hyde Park
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises intends to operate as a shop.		
<b>Premises licence history:</b>	The premises had the benefit of a premises licence from 2005 until January 2021 in which the licence lapsed (13/03165/LIPVM). A copy of the lapsed licence and the premises history can be found at <b>Appendix 4</b> of this report.		
<b>Applicant submissions:</b>	<p>The applicant provided the following submissions within the application form:</p> <p>This has been a licensed premises. And it has been a family run chain of shops in the city. This is one of the surviving shop. Unfortunately, one of the Family who hold the licence passed away during covid 19. Licence has lapsed.</p> <p>This application is to reinstate the existing licence and the store has been opening 24 hours and store would like to sell alcohol during that Time.</p> <p>And previously it has licence up to 23.00 and at weekends until 00.30 hours.</p> <p>Existing conditions has been incorporated with an update. This application is now made by the family member, brother of the deceased.</p>		
<b>Applicant amendments:</b>	During consultation, the applicant amended the timings for the Sale by Retail of Alcohol from 00:00 to 00:00 Monday to Sunday and Late Night Refreshment from 23:00 to 05:00 to the timings stated at <b>1-B</b> .		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Outdoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	N/A	N/A	N/A	N/A	23:00	23:00	N/A
End:	N/A	N/A	N/A	N/A	00:30	00:30	N/A
Seasonal variations/ Non-standard timings:			N/A				

Sale by retail of alcohol				On or off sales or both:			Off sales
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:00	07:00	09:00
End:	23:00	23:00	23:00	23:00	00:30	00:30	23:00
Seasonal variations/ Non-standard timings:			N/A				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
End:	00:00	00:00	00:00	00:00	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:			N/A				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Maxwell Koduah
<b>Received:</b>	25 April 2022

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 October 2021.

The applicant is seeking the following

1. Provision of late-night refreshment outdoors Monday to Sunday from 23:00 – 05:00 hours
2. Supply of alcohol for consumption off the premises Monday to Sunday 24 hours

**Proposed Environmental Health conditions in addition to those contained within the operating schedule**

1. 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
2. The supply of alcohol and the hours requested may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The hours requested are substantially longer than both the council's core hours and the hours in the lapsed lic ref. 13/03165/LIPVM.

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

Conditions to form part of the operating schedule have been proposed below to support the licensing objectives of Prevention of Public Nuisance and Public Safety. Applicant is advised to study these conditions for further discussion during an agreed site visit.

**Proposed Environmental Health conditions to form part of the operating schedule**

1. 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
2. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of person
3. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly

4. 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
5. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
6. 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
7. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
8. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 08:00 hours on the following day
9. 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.
10. 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
11. 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.

Please contact me if you are minded discussing any of the matters above.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Bryan Lewis
<b>Received:</b>	01 May 2022

Police object to this new premises licence application, sought under the 2003 Licensing Act, as it will not promote the licensing objectives contained within the Act, namely the prevention of crime and disorder. Police object to this application for the following reasons:

- The applicant is seeking to sell alcohol 24 hours day, which substantially adds to the risk of increased crime and disorder in the area. Please see the police statement provided by the local Safer Neighbourhood Sergeant underlining this risk.
- Also, it is not stated in the application whether there is an intention to deliver alcohol, which would require additional specific conditions.

***Please see a witness statement from PC M Moon on behalf of the Metropolitan Police Service at Appendix 1.***



2-B Other Persons			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	16 April 2022		
<p>Do we not have enough licensed premises on this extremely small road. We have 3 pubs- 2 of which cause extremely antisocial behaviour, particularly the Sussex Arms sports pub. Customers often start drinking alcohol at 10am in the morning, especially when there is a sports event.</p> <p>There are residential buildings [REDACTED] - most of the residents being nurses, doctors and other public service workers. As you may be aware, or perhaps not, these residents work night duty, and are consistently woken up during the daytime hours. I don't expect my comments will make any difference to the decision - you will probably give the licence, as money means more to you people than the needs of concerned citizens.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	19 April 2022		
<p>Concerns over noise. Have had issues in past with cars and groups of people congregating outside shops at all hours. Music being played loud outside the premises from cars and groups singing and dancing. Very worried this will worsen with extension of alcohol licence. Have no problems with shop being open 24hr, although as stated above it can be noisy. More concerned with alcohol sales after 12pm 7 days a week. Premises across the road is residential for key workers.</p>			
<b>Name:</b>		[REDACTED] [REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	05 May 2022		
<p>[REDACTED] wishes to lodge a very strong objection to above Premises Licence application for 'Off Sales'</p> <p>Our concern is that unless the hours are reduced to WCC Core Hours and additional conditions are placed on the proposed Licence, there is potential for noise, litter, nuisance etc as well as potential crime and disorder in the surrounding area.</p> <p>A premises selling alcohol after 23.00 (Sunday 22.30) would become a target for 'street drinkers' in and around Paddington to buy alcohol and drink nearby, especially on the steps of premises opposite in Norfolk Square or even in Norfolk Square Gardens.</p> <p>Also, [REDACTED] is not aware of any similar premises in the surrounding area that sell 'off sales' of alcohol passed 23.00 (22.30 Sundays) and if allowed the shop would become a magnet for people to purchase alcohol after standard hours, particularly for persons seeking alcohol after the pubs in the area have closed - London Street alone has three public houses.</p> <p>We also, for some reasons object to any Late Night Refreshment licence being granted.</p>			

We are not clear why it is needed as we certainly do not want premises operating a 'hot food takeaway' operation which undoubtedly would cause substantial nuisance, noise and littering etc in the surrounding area.

As well as standard conditions for CCTV, notices to leave quietly and no underage sales of alcohol etc we require following conditions;

No sales of 'miniatures' for whisky, vodka etc.

No deliveries to premises to take place between 20.00 and 08.00.

Likewise no collection of refuse and recycling from premises between 20.00 and 08.00.

We also have concern as to sales by the likes of Deliveroo etc regarding no food with delivery of alcohol and proof of age on delivery etc.

As always, [REDACTED] is content for our representation and contact details to be forwarded immediately to the applicant or agent.

### 3. Policy & Guidance

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

#### Policy HRS1 applies

- 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.
- 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:
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 measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
  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.
  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.
  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



	<p>are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <ol style="list-style-type: none"> <li>1. <b>Casinos:</b> Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.</li> <li>2. <b>Cinemas, Cultural Venues and Live Sporting Premises:</b> Monday to Sunday: 9am to 12am</li> <li>3. <b>Hotels:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.</li> <li>4. <b>Off licences:</b> Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</li> <li>5. <b>Outdoor Spaces:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>6. <b>Pubs and bars, Fast Food and Music and Dance venues:</b> Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.</li> <li>7. <b>Qualifying Clubs:</b> Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>8. <b>Restaurants:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> <li>9. <b>Sexual Entertainment Venues and Sex Cinemas:</b> Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</li> </ol> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p><b>Policy SHP1 applies</b></p>	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.</li> <li>4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</p>

	<ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.</li> <li>4. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> <li>1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</li> <li>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</li> <li>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</li> </ol>
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#### **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

<b>Appendix 1</b>	Metropolitan Police Service's Witness Statement
<b>Appendix 2</b>	Premises plans
<b>Appendix 3</b>	Applicant supporting documents
<b>Appendix 4</b>	Lapsed licence and premises history
<b>Appendix 5</b>	Proposed conditions
<b>Appendix 6</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Miss Jessica Donovan Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 6500 Email: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a>


**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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	01 October 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Service representation	25 April 2022
<b>5</b>	Metropolitan Police Service representation	01 May 2022
<b>6</b>	Interested party 1 representation	16 April 2022
<b>7</b>	Interested party 2 representation	19 April 2022
<b>8</b>	Interested party 3 representation	05 May 2022

RESTRICTED (when complete)

MG11

<b>STATEMENT OF WITNESS</b> <i>(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)</i>			
URN	<input type="text"/>	<input type="text"/>	<input type="text"/>
Statement of: Sergeant Martin Noon Age if under 18: Over 18 Occupation: Police officer			
This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.			
Signature:  Date: 16 Apr 2022			

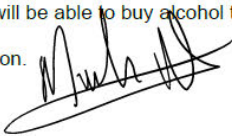
I am a police Sergeant currently working with-in Hyde Park Ward. I have been a police officer for 18 years, six of them as a Sergeant with-in Westminster.

I have been asked to provide a statement by the Licensing Team, just to give an overview of crime in the area, and an opinion on the proposed license extension applied for by Portland Food and Wine, at 15 London Street Paddington. The proposal is to extend the selling of alcohol in this area to 24 hours. The location of Portland News and Wine is in close proximity to Paddington Train Station, St Mary's Hospital and Praed Street. This is a hot spot for vulnerable people to congregate, ie: Rough sleeping, Beggars and people seeking medical attention for mental health issues from St Marys. I am concerned that if the license extension is authorised, the current levels of ASB and violence in the area would only increase, as it will attract more vulnerable adults to the area, once word has spread that alcohol is served all night.

Hyde Park has seen a steady increase in violent crime over the last few months, due to London opening back up to tourists and commuters. Looking at March crime figures, we recorded 250 total crime offences for this period, which is the highest outside of the West End. We are unfortunately top of knife crime offences with 9 reported incidents, we are the 5th highest ward for reported violence with injury offences, showing 65 incidents reported for March, only being beaten by wards that cover the West End, which has a far busier night time economy. We are also seeing increases in ASB during this period, we recorded 93 ASB offences for March, most of which were alcohol related offences. including public urination, minor criminal damage and public disorder. This was only beaten by Whitehall and The Strand ward.

Also if this extension is authorised this will have a knock on effect to the public transport system, as commuters will be able to buy alcohol later to take on trains to drink whilst travelling, this will also have a big effect on football match days, as away fans travelling to and from Paddington will be able to buy alcohol to take on trains, which I believe would cause issues, and an increase in violence.

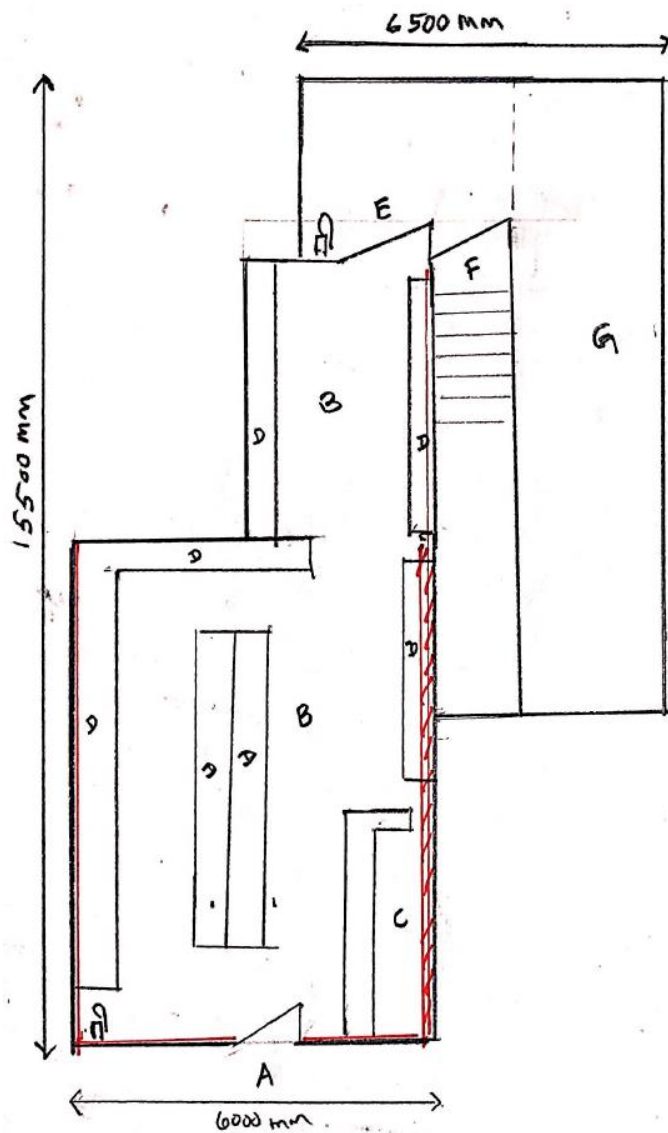
I respectfully submit my statement in relation to the licensing application.



Signature: 

Signature Witnessed by:

RESTRICTED (when complete)



PORTLAND FOOD & WINE 15 LONDON STREET LONDON W2 1HL
SCALE 1:100
A: MAIN ENTRANCE
B: RETAIL FLOOR.
C: SALES COUNTER
D: FRIDGE   FREEZERS   SHELVES
E: ENTRANCE DOOR
F: ACCESS TO BASEMENT
F: DOOR TO STORE ROOMS
G: STORE ROOM.
BASEMENT: OTHER ROOMS
[Symbol] : FIRE EXTINGUISHERS
[Red Box] LICENSABLE AREA
[Hatched Box] ALCOHOL DISPLAY



**Applicant Supporting Documents**

**Appendix 3**

There are no supporting documents from the applicant.



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

Schedule 12  
Part A

WARD: Hyde Park  
UPRN: 100023477632

Premises licence

Regulation 33, 34

Premises licence  
number:

13/03165/LIPVM

Original Reference:

05/06076/LIPCV

**Part 1 – Premises details**

**Postal address of premises:**

Portland Food & Wine  
15 London Street  
London  
W2 1HL

**Telephone Number:** 0870 458 4600

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Playing of Recorded Music** Unrestricted

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

**Sale by Retail of Alcohol**

Monday to Thursday: 07:30 to 23:00  
Friday to Saturday: 07:30 to 00:30  
Sunday: 09:00 to 23:00

*For times authorised for Christmas and Good Friday see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

Alcohol is supplied for consumption off the Premises.

**Part 2**

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

Mr Rahul Patel  
Fox Gloves  
Rickmansworth Road  
Chorleywood  
Rickmansworth  
WD3 5SB

**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:**

**Name:** Rahul Rahul Patel

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

**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:** 50  
**Licensing Authority:** Three Rivers District Council

**Date:** 28<sup>th</sup> August 2013

**Signed:** pp



**Operational Director - Premises Management**

## **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 holds a personal licence.
4.
  - (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
  - (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

### **Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactments**

#### **Conditions for Sale of Alcohol**

5. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

## **Annex 2 – Conditions consistent with the operating Schedule**

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. 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. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.
10. No more than 15% of the sales area to be used at any one time for the sale, exposure for sale, or display of alcohol.
11. There shall be no self service of spirits (except spirit mixers) on the premises.
12. No super-strength beer, lagers or ciders of 5.5% ABV (alcohol by volume) or above shall be sold at the premises
13. All cashiers will receive refresher training on relevant alcohol laws and the licence holders policy on challenging for ID. Such training to take place at least twice a year. Records will be maintained at the premises containing information about the training of any person who may make a sale of alcohol including the date of their training and the nature of the training undertaken. The relevant documentation shall be produced on request to a police officer or a relevant office of a responsible authority.
14. The licence holder shall ensure that all cashiers are trained to ask any customer attempting to purchase alcohol, who appears to be under the age of 25 years (or older if the licence holder so elects) for evidence of age. The evidence shall be photographic, such as passport or photographic driving licence until other effective identification technology (for example, thumb print or pupil recognition) is introduced. All cashiers will be instructed, through training, that a sale shall not be made unless this evidence is produced.
15. There shall be an electronic till prompt when alcohol is scanned through the tills, to remind staff at point of sale of alcohol to ensure purchaser is over the age of 18.
16. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises is open.



17. A Challenge 25 proof of age scheme, shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
18. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.

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

19. Alcohol shall not be sold or supplied except during permitted hours.

In this condition, permitted hours means:

- (a) On Mondays to Thursdays, other than Christmas Day, 07:30 to 23:00;
- (b) On Fridays and Saturdays, other than Christmas Day, 07:30 to 00:30;
- (c) On Sundays, other than Christmas Day, 09:00 to 23:00;
- (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30;
- (e) On Good Friday, 08:00 to 22:30;

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (c) sale of alcohol to a trader or club for the purposes of the trade or club;
- (d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

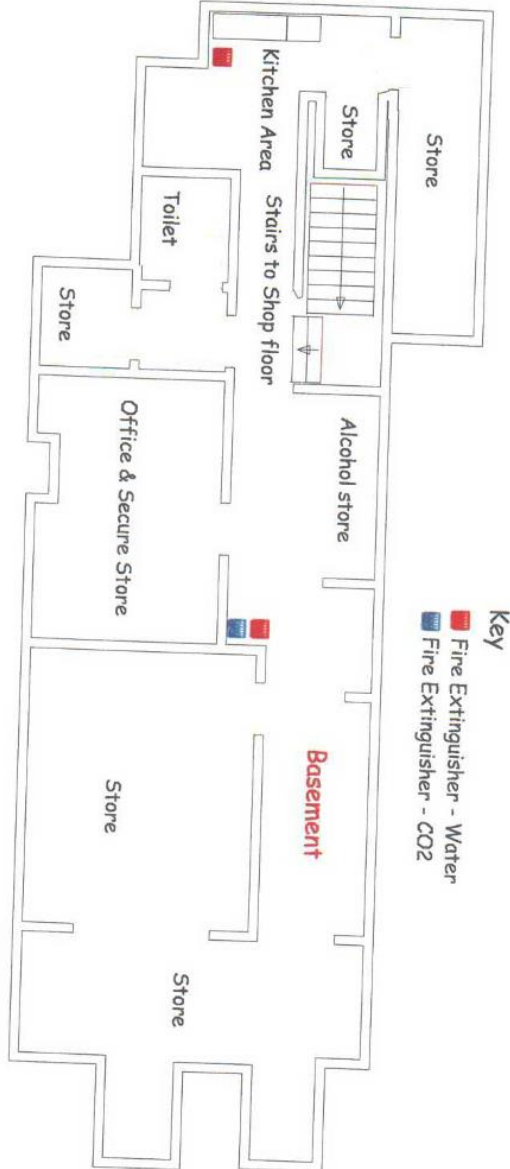
20. CCTV to be installed, maintained and operated in accordance with Westminster City Guidelines and in agreement with the Metropolitan Police Service.

21. No super-strength (5.5% ABV or above) beer, lagers or ciders to be sold.

22. The applicant will at all times maintain adequate levels of staff, such staff levels to be disclosed, on request, to the Licensing Authority and the police.

**Annex 4 – Plans**

Copyright - Lockett & Co, 13Church Street, Kidderminster, Worcestershire DY10 2AH  
 Do not scale from drawing, site dimensions to be used at all times  
 The location and type of any fire safety and other equipment is shown as present  
 This may be varied from time to time with the agreement of the fire officer or after a fire risk assessment



Portland Food & Wine - (Basement)  
 15 London Street  
 London  
 W2 1HL  
 Scale 1:100  
 Drawing Reference: RB0005  
 Drawn by R Baker - Lockett & Co  
 16<sup>TH</sup> May 2005



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

Schedule 12  
Part B

Premises licence  
summary

**WARD: Hyde Park**  
**UPRN: 100023477632**

Regulation 33, 34

**Premises licence  
number:**

13/03165/LIPVM

**Part 1 – Premises details**

**Postal address of premises:**

Portland Food & Wine  
15 London Street  
London  
W2 1HL

**Telephone Number:** 0870 458 4600

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Playing of Recorded Music** Unrestricted

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

**Sale by Retail of Alcohol**

Monday to Thursday: 07:30 to 23:00  
Friday to Saturday: 07:30 to 00:30  
Sunday: 09:00 to 23:00

*For times authorised for Christmas and Good Friday see conditions at Annex 3*

**The opening hours of the premises:**

Monday to Sunday: 00:00 to 00:00

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

Alcohol is supplied for consumption off the Premises.

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

Mr Rahul Patel  
Fox Gloves  
Rickmansworth Road  
Chorleywood  
Rickmansworth  
WD3 5SB

**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:**

**Name:** Rahul Rahul Patel

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

N/A

**Date:** 28<sup>th</sup> August 2013

**Signed:** pp



**Operational Director - Premises Management**



## Premises History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/06076/LIPCV	<p>Conversion Licence</p> <p><b>Sale by Retail of Alcohol (Off sales):</b></p> <p>Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30</p> <p><b>Late Night Refreshment:</b></p> <p>Sunday to Saturday 23:00 to 02:00</p> <p><b>Opening hours:</b></p> <p>Monday to Thursday 07:30 to 23:00 Friday to Saturdays 08:00 to 23:00 Sundays 09:00 to 23:00</p>	07.09.2005	Granted by Licensing Sub-Committee
06/10758/WCCMAP	<p>Master Licence</p> <p><b>Playing of Recorded Music:</b> Unrestricted</p> <p><b>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration with a view to profit:</b> Unrestricted</p> <p><b>Sale by Retail of Alcohol:</b></p> <p>Monday to Thursday 07:30 to 23:00 Friday to Saturday 07:30 to 00:30 Sunday 09:00 to 23:00</p> <p><b>Opening hours:</b></p> <p>Monday to Sunday 00:00 to 00:00</p>	19.10.2006	Granted by Licensing Sub-Committee

	Minor Variation To update conditions attached to the licence	23.05.2013	Granted under Delegated Authority <b>Lapsed 13.01.2021</b>
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**Temporary Event Notices**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
22/03906/LITENP	Temporary Event Notice	14.04.2022	Event allowed to proceed
22/03915/LITENP	Temporary Event Notice	19.04.2022	Event allowed to proceed
22/03926/LITENP	Temporary Event Notice	19.04.2022	Event allowed to proceed

There is no appeal history.

**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 premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act

1979;

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

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

Where -

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

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

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

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

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

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

5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **Conditions consistent with the operating schedule**

6. (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
- (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
- (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
- (e) Viewing of recordings shall be made available immediately upon the request of

Police or authorised officer throughout the entire 31-day period.

7. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
8. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
9. The licence holder shall ensure that all alcohol within the premises are kept behind the counter, is secured behind closed doors so as they are not exposed to public, available on request by customers.
10. No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles and cans.
11. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
12. No more than (15)% of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.
13. 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.
14. 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.
15. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.

**Conditions proposed by the Environmental Health and agreed with the applicant so as to form part of the operating schedule.**

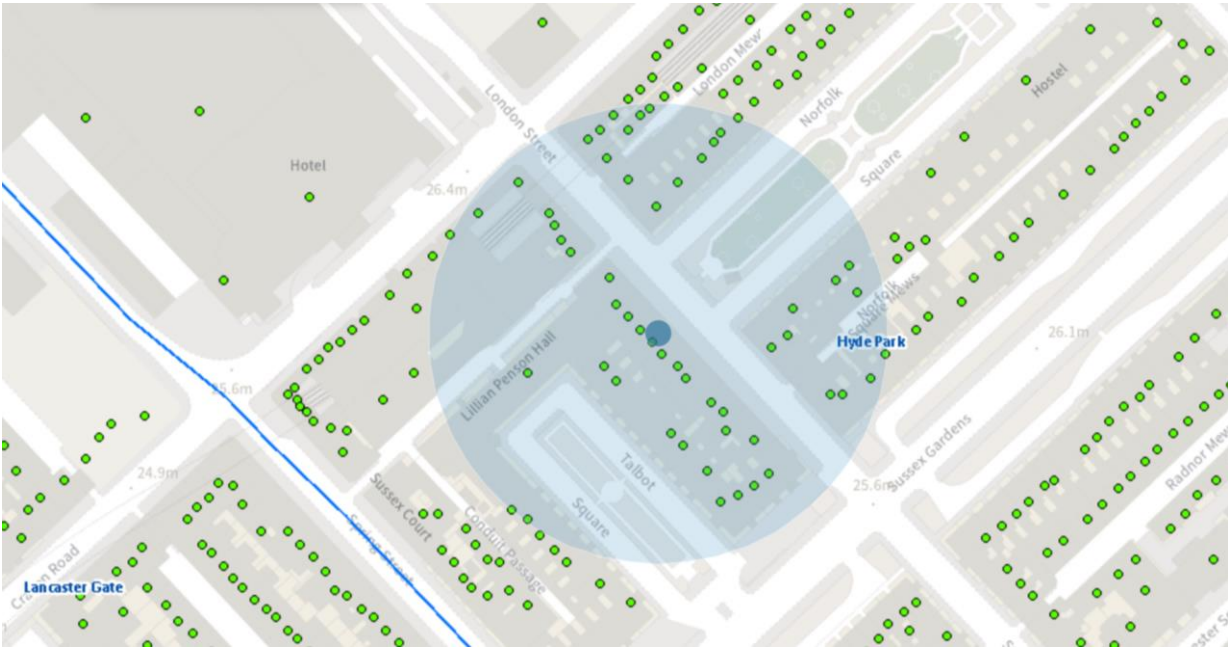
16. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
17. All windows and external doors shall be kept closed after 21:00 hours except for the immediate access and egress of person.
18. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.



19. 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
20. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
21. 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
22. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
23. No deliveries from the premises, either by the licensee or a third party shall take place between 23:00 and 08:00 hours on the following day
24. 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.
25. 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
26. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

**Conditions proposed by the Metropolitan Police Service**

None



**Resident Count: 97**

**Licensed premises within 75 Metres of 15 London Street, London, W2 1HL**

Licence Number	Trading Name	Address	Premises Type	Time Period
19/02484/LIPDPS	Kolossi Taverna	12 London Street London W2 1HL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
09/04987/LIPDPS	Thresher Wine Shop	14 London Street London W2 1HL	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
10/01544/LIPDPS	The Mughal's	Basement And Ground Floor 11 London Street London W2 1HL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
22/04116/LIPN	San Marco	10 London Street London W2 1HL	Restaurant	Monday; 10:00 - 00:30   Tuesday; 10:00 - 00:30   Wednesday; 10:00 - 00:30   Thursday; 10:00 - 00:30   Friday; 10:00 - 00:30   Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
22/01531/LIPCH	San Marco	10 London Street London W2 1HL	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
16/11340/LIPVM	Sawyers Arms Public House	8-9 London Street London W2 1HL	Pub or pub restaurant with lodge	Sunday; 08:00 - 23:00   Monday to Saturday; 08:00 - 23:30
21/10303/LIPDPS	Hotel Indigo	Front Left 16 - 17 London Street London W2 1HL	Hotel, 4+ star or major chain	Monday to Sunday; 07:30 - 23:00
21/09130/LIPDPS	Mercure Hotel Hyde Park	8-14 Talbot Square London W2 1TS	Hotel, 3 star or under	Sunday; 12:00 - 00:00   Monday to Saturday;

				10:00 - 00:30   Monday to Sunday; 00:00 - 00:00
06/10919/WCCMAP	Mimos Cafe Bar	19 London Street London W2 1HL	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 10:00 - 23:30
20/10970/LIPV	Sussex Fish Bar	Ground Front 20 London Street London W2 1HL	Restaurant	Monday; 11:00 - 04:00   Tuesday; 11:00 - 04:00   Wednesday; 11:00 - 04:00   Thursday; 11:00 - 04:00   Friday; 11:00 - 04:00   Saturday; 11:00 - 04:00   Sunday; 11:00 - 04:00
11/09256/LIPN	Lite Bite	Basement Front And Ground Floor 7 London Street London W2 1HL	Restaurant	Sunday; 07:00 - 23:00   Monday to Saturday; 07:00 - 23:30
10/06958/LIPVM	Sussex Arms Public House	Ground Front 21 London Street London W2 1HL	Public house or pub restaurant	Sunday; 10:00 - 00:00   Monday to Saturday; 10:00 - 00:30   Monday to Saturday; 10:00 - 23:30
19/07429/LIPVM	Pilgrm Hotel	25 London Street London W2 1HH	Hotel, 3 star or under	Monday; 00:00 - 00:00   Tuesday; 00:00 - 00:00   Wednesday; 00:00 - 00:00   Thursday; 00:00 - 00:00   Friday; 00:00 - 00:00   Saturday; 00:00 - 00:00   Sunday; 00:00 - 00:00
18/04895/LIPDPS	Dickens Tavern	Basement 25 London Street London W2	Pub or pub restaurant with lodge	Sunday; 07:00 - 22:30   Monday to Thursday;

		1HH		07:00 - 23:30   Friday to Saturday; 07:00 - 00:00
22/05988/LIPVM	Olivers Steakhouse	Basement 25 London Street London W2 1HH	Public house or pub restaurant	Monday; 08:00 - 23:30   Tuesday; 08:00 - 23:30   Wednesday; 08:00 - 23:30   Thursday; 08:00 - 23:30   Friday; 08:00 - 23:30   Saturday; 08:00 - 23:30   Sunday; 08:00 - 23:30   Monday to Thursday; 10:00 - 23:30   Friday to Saturday; 10:00 - 00:00
09/10340/LIPVM	Westpoint - Abbey Court Hotel	174 Sussex Gardens London W2 1TP	Hotel, 3 star or under	Monday to Sunday; 00:00 - 00:00
16/07456/LIPN	Patsons News	3 - 4 London Street London W2 1HL	Shop	Monday to Sunday; 08:00 - 23:00
20/07076/LIPV	Yahala	26 London Street London W2 1HH	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
08/04611/LIPN	Burger King (UK) Ltd	27 London Street London W2 1HH	Takeaway food outlet	Monday to Sunday; 07:00 - 02:00
06/11392/WCCMAP	Paddington Gift Shop	Ground 161 Praed Street London W2 1RL	Restaurant	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
21/07202/LIPN	McDonald's	161 Praed Street London W2 1RL	Restaurant	Monday to Sunday; 06:00 - 00:00
19/16871/LIPDPS	Budgens	171-173 Praed Street London W2 1RH	Shop	Sunday; 10:00 - 05:00   Monday to Saturday; 08:00 - 05:00

13/02856/LIPN	Tavolina	Basement And Ground Floor 159 Praed Street London W2 1RL	Cafe	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:30
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