

# Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

18 May 2023

23/01277/LIPN - New Premises Licence

Basement And Ground Floor 111 Queensway London W2 4SJ

Director of Public Protection and Licensing

Lancaster Gate

City of Westminster Statement of Licensing Policy

None

Emanuela Meloyan Licensing Officer

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Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

## 1. Application

| 1-A Applicant and premis   | Ses   |               |                |
|----------------------------|---|---------------|----------------|
| Application Type:          | New Premises Licence, Licensing Act 2003                    |               |                |
| Application received date: | 2 March 2023  |               |                |
| Applicant:                 | Naser Supermarket Limited                                   |               |                |
| Premises address:          | Basement And Ground<br>Floor                                | Ward:         | Lancaster Gate |
|                            | 111 Queensway   | Cumulative    |                |
|                            | London  | Impact Area:  |                |
|                            | W2 4SJ  | Special       | Queensway      |
|                            |   | Consideration | and Bayswater  |
|                            |   | Zone:         |                |
| Premises description:      | According to the application form the premises intend to    |               |                |
|                            | operate as a retail supermarket.                            |               |                |
| Premises licence history:  | This is a new premises licence application, and no premises |               |                |
|                            | history exists.   |               |                |
| Applicant submissions:     | None  |               |                |
| Applicant amendments:      | None  |               |                |

| 1-B Proposed licensable activities and hours |  |        |       |       |          |       |       |
|--|--|--------|-------|-------|----------|-------|-------|
| Sale by ret                                  | Sale by retail of alcohol Indoors, outdoors or both Outdoors |        |       |       | Outdoors |       |       |
| Day:   | Mon  | Tues   | Wed   | Thur  | Fri      | Sat   | Sun   |
| Start:                                       | 09:00  | 09:00  | 09:00 | 09:00 | 09:00    | 09:00 | 10:00 |
| End:   | 23:00  | 23:00  | 23:00 | 23:00 | 23:00    | 23:00 | 22:00 |
| Seasonal standard t                          | variations/ N<br>imings:                                     | Non- N | one   |       |          |       |       |

| Hours premises are open to the public |                          |       |       |       |       |       |       |
|---------------------------------------|--------------------------|-------|-------|-------|-------|-------|-------|
| Day:                                  | Mon                      | Tues  | Wed   | Thur  | Fri   | Sat   | Sun   |
| Start:                                | 09:00                    | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 | 09:00 |
| End:                                  | 03:00                    | 03:00 | 03:00 | 03:00 | 03:00 | 03:00 | 03:00 |
| Seasonal v<br>standard t              | variations/ N<br>imings: | Non-  | None  |       |       |       |       |
| Adult Ente                            | rtainment:               |       | None  |       |       |       |       |

### 2. Representations

| 2-A Responsib             | le Authorities               |
|---------------------------|------------------------------|
| Responsible<br>Authority: | Environmental Health Service |
| Representative:           | Ayesha Bolton                |
| Received:                 | 04 April 2023                |

#### Re: Basement and Ground Floor, 111 Queensway, London, W2 4SJ

I refer to the application for a new Premises Licence for the above premises.

The applicant has submitted floor plans of the premises.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following:

1. To provide for the Supply of Alcohol 'Off' the premises only from Monday to Saturday 09.00 to 23.00 and Sunday 10.00 to 22.00 hours.

I wish to make the following representation:

1. The provision of Supply of Alcohol and the hours requested for the Supply of Alcohol will have the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.

Conditions have been proposed by The Environmental Health Service which have been agreed by the applicant. The agreed conditions appear at Appendix 4.

| Responsible<br>Authority: | Metropolitan Police Service |
|---------------------------|-----------------------------|
| Representative:           | Steve Muldoon               |
| Received:                 | 05 April 2023               |

Metropolitan Police as a responsible authority proposed conditions on the 05 April 2023 which were accepted by the applicant. On that basis the Metropolitan Police did not submit a formal representation.

The agreed conditions appear at Appendix 4.

| 2-B Other Persons  |
|--|
| Name:  |
| Address and/or Residents Association:  |
| Received: 26 March 2023  |
| Dear Sirs,   |
| I am writing on behalf of the <b>second second second</b> |
| Introduction   |
| was formed in 1970 and works to protect the special character of our area. A non-profit,<br>non party-political, voluntary organisation, we represent more than 1,000 people. Is<br>consulted by Westminster Council on both major developments and all Council activities which<br>affect the daily lives of residents.<br>As a recognised we often engage in consultations with licence applicants both<br>before and during the application process and note with some disappointment that we have not<br>been contacted by the applicant in this case.   |
| Background   |
| This mini market premises is located in middle section of Queensway, with commercial units along the street on ground floor and basement with residential units above and opposite with the surrounding area predominantly residential.<br>Under the Council's Licensing policy the premises are in the Queensway/Bayswater Special Consideration Zone.  |
| position   |
| We welcome the applicant to the area and do not object to a licence being granted, but we do have concerns that issues in the area are at present not adequately mitigated by the application.   |
| We have concerns on the number of premises in Queensway holding Premises Licences, particularly 'off licences', so we would want additional conditions, dame as to those granted to other 'off licence' premises in Queensway, most recent being one at No 52 Queensway. The main conditions we require are below but there are others required as in Premises Licence for No 52 Queensway.  |
| We would require only 15% of ground floor sales area to be dedicated to sale, exposure for sale, or display of alcohol and all spirits to be kept and displayed behind the sales counter with all other alcohol to be displayed behind locked grills /screens or secured behind locked cabinet doors, which are in use at at all times outside hours authorised for sale of alcohol, especially as the premises are open, according to application, daily to 3am.  |
| Also, No self service of spirits except for spirit mixers not above 5.5% ABV.<br>We also require standard conditions on CCTV, Challenge 25 together with hours of deliveries<br>and refuse & recycling collections shall not take place between 23.00 and 08 00 the following<br>day.  |
| We would also not want any 'off sales' of alcohol by way of any deliveries such as by Deliveroo.<br>We would also require no super strength beer, lagers, or ciders to have APV of more than 5.5%  |

- -

| alcohol and standard<br>the premises.   | d condition re no sale c  | of miniature bottles of 20cl alcohol, shall be sold at  |
|---|---|---|
| Also required standard condition in Queensway over the Notting Hill Carnival, namely:<br>On the Sunday and Monday of the Notting Hill Carnival:<br>There shall be no sale of alcohol in glass vessels from the premises.<br>There will be no external advertisement of alcohol promotions at the premises and<br>There shall be no sale of alcohol from the premises after 20.00 hours. |   |   |
| Conclusion  |   |   |
|   | s to be passed to the ap  | an be amended, and as ever, <b>second</b> is very happy oplicant/their solicitors, and to discuss the operation   |
|   | t to make further comn<br>on about the application/             | nents/proposals/conditions in due course when we /operation.  |
| other representations   |   | hinded to withdraw their representation subject to all<br>. However, at the time of publication have  |
| Name:   |   |   |
| Address and/or Res  | sidents Association:  |   |
| Received:   | 07 April 2023   |   |
|   | •   | , for the same reasons as outline by <b>second and </b> ke sure this is acceptable for all in the area.   |
| Name:   |   |   |
| Address and/or Res  | sidents Association:  |   |
| Received:   | 27 March 2023   |   |
| I would also like to ed   | cho objections a  | and conditions.   |
| Name:   |   |   |
| Address and/or Res  | sidents Association:  |   |
| Received:   | 27 March 2023   |   |
| Hi team,  |   |   |
| this application to be<br>nuisance in a resider   | e acceptable we need t<br>ntial area:<br>ground floor sales are | oplication in the email subject header. I believe for<br>o ensure the following conditions to prevent public<br>ea to be dedicated to sale, exposure for sale, or |

- All spirits to be kept and displayed behind the sales counter with all other alcohol to be displayed behind locked grills /screens or secured behind locked cabinet doors, which are in use at all times outside hours authorised for sale of alcohol.
- No self-service of spirits except for spirit mixers not above 5.5% ABV.

- Standard conditions on CCTV and Challenge 25
- Hours of deliveries and refuse & recycling collections shall not take place between 23.00 and 08 00.
- No 'off sales' of alcohol by way of any deliveries such as by Deliveroo.
- No super strength beer, lagers, or ciders to have APV of more than 5.5% alcohol shall be sold at the premises and standard condition re no sale of miniature bottles of 20cl alcohol.
- Also required standard condition in Queensway over the Notting Hill Carnival, namely. On the Sunday and Monday of the Notting Hill Carnival:
  - $\circ$   $\;$  There shall be no sale of alcohol in glass vessels from the premises.
  - There will be no external advertisement of alcohol promotions at the premises and
    - There shall be no sale of alcohol from the premises after 20.00 hours

| Name:                                     |  |  |
|---|--|--|
| Address and/or Res                        | sidents Association:   |  |
| Received:                                 | 27 March 2023  |  |
| Dear Sir / Madam,                         |  |  |
| the likely impact on the representation m | /LIPN at Basement and<br>the licensing objective of<br>hade by the | to object to licence<br>Ground Floor 111 Queensway, W2 on the basis of<br>of 'prevention of public nuisance'. We fully support<br>() and<br>ed be enacted if the licence is to be granted. |
| have indicated                            | that they would be min   | nded to withdraw their representation subject to all   |

have indicated that they would be minded to withdraw their representation subject to all other representations also being withdrawn. However, at the time of publication have not formally withdrawn their representation.

## 3. Policy & Guidance

| The following policies with | nin the City Of Westminster Statement of Licensing Policy apply:  |
|-----------------------------|---|
| Policy SCZ1 applies         | <ul> <li>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</li> <li>B. For the purpose of Clause A, the designated Special Consideration Zone for this application is:</li> </ul>                                |
|                             | • Queensway/Bayswater.  |
| Policy SHP1 applies         | <ul> <li>A. Applications for a shop outside the West End Cumulative Impact<br/>Zone will generally be granted subject to: <ol> <li>The application meeting the requirements of policies CD1,<br/>PS1, PN1 and CH1.</li> <li>The hours for licensable activities are within the council's<br/>Core Hours Policy HRS1.</li> <li>The operation of any delivery services for alcohol meeting<br/>the council's Ancillary Alcohol and/or Latenight Refreshment<br/>Delivery Service Policy DEL1.</li> <li>The applicant having taken account of the Special</li> </ol> </li> </ul> |

|                     | Consideration Zone Policy SCZ1 if the premises are located   |
|---------------------|--|
|                     | within a designated zone.  |
|                     | 5. The application and operation of the venue meeting the definition of a shop in Clause C.  |
|                     | <ul> <li>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to: <ol> <li>The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.</li> <li>The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> </li> </ul>   |
|                     | <ul> <li>C. For the purposes of this policy: <ol> <li>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>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>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 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 unless that primary use is to sell alcohol for consumption off licence.</li> </ol> </li> </ul> |
| 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<br>C will be considered on their merits, subject to other relevant<br>policies, and with particular regard to the following:  |
|                     | <ol> <li>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.</li> <li>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.</li> <li>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.</li> <li>The proposed hours of the licensable activities and when</li> </ol>   |
|                     | customers will be permitted to remain on the premises.   |
|                     | 5. The proposed hours when any music, including incidental   |

| <ul><li>music, will be played.</li><li>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.</li></ul>  |
|---|
| <ol> <li>The existing hours of licensable activities and the past<br/>operation of the premises (if any) and hours of licensable<br/>premises in the vicinity.</li> </ol>   |
| <ol> <li>Whether customers and staff have adequate access to public<br/>transport when arriving at and leaving the premises,<br/>especially at night.</li> </ol>  |
| <ol> <li>9. The capacity of the premises.</li> <li>10. The type of use, recognising that some venues are more<br/>likely to impact the licensing objectives than others; for<br/>example, pubs and bars are higher risk than theatres,<br/>cinemas and other cultural and sporting venues due to the<br/>nature of the operation.</li> </ol>  |
| nature of the operation.<br>11. The Licensing Authority will take into account the active<br>measures proposed for a 'winding down' period including<br>arrangements for people to be collected from the premises to<br>travel home safely.   |
| <ol> <li>Conditions on hours may be attached that require that the<br/>supply of alcohol for consumption on the premises ceases a<br/>suitable period of time before customers are required to leave<br/>the premises.</li> </ol>   |
| 13. The council, acting as the Licensing Authority, may reduce<br>hours if, after review, it is necessary to impose conditions<br>specifying shorter hours in order to promote the licensing<br>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 are expected to be covered by Temporary Event Notices or variation applications. |
| 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:  |
| 10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol)   |
| <ul> <li>Monday to Thursday: 9am to 11.30pm.</li> <li>Friday and Saturday: 9am to Midnight.</li> <li>Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</li> </ul>   |
| 10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.   |
| 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                                   |

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

| Report author: | Emanuela Meloyan<br>Licensing Officer                          |
|----------------|--|
| Contact:       | Telephone: 0207 641 6500<br>Email: emeloyan@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.

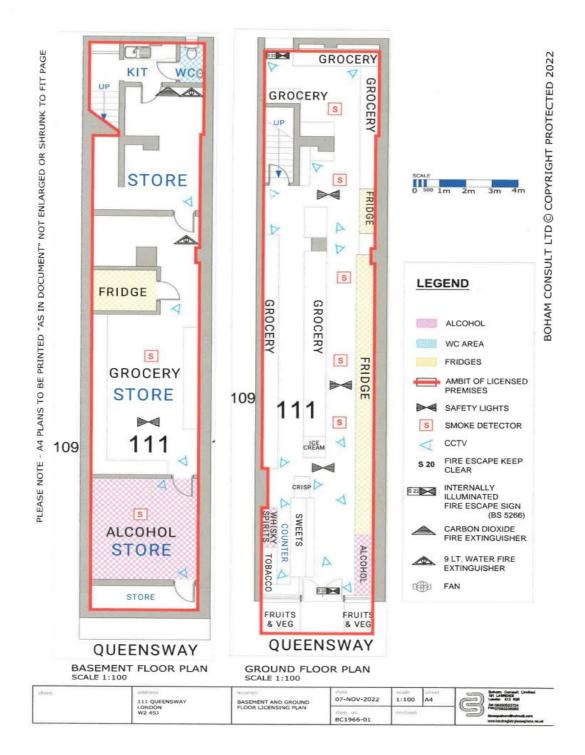
Background Documents – Local Government (Access to Information) Act 1972

| 1 | Licensing Act 2003  | N/A           |
|---|---|---------------|
| 2 | City of Westminster Statement of Licensing<br>Policy                | October 2021  |
| 3 | Amended Guidance issued under section 182 of the Licensing Act 2003 | December 2022 |

| 4  | Environmental Health Service        | 04 April 2023 |
|----|-------------------------------------|---------------|
| 5  | Metropolitan Police Service         | 05 April 2023 |
| 6  | Interested Party representation (1) | 07 April 2023 |
| 7  | Interested Party representation (2) | 27 March 2023 |
| 8  | Interested Party representation (3) | 27 March 2023 |
| 9  | Interested Party representation (4) | 27 March 2023 |
| 10 | Interested Party representation (5) | 26 March 2023 |

## Premises Plans

### Appendix 1



## **Applicant Supporting Documents**

## Appendix 2

None

## Premises History

Appendix 3

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:  $\frac{1}{2}$  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+(DxV)

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
- 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 proposed by the Metropolitan Police Service to replace those contained in the operating schedule as agreed by the applicant.

- 9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police licensing team
  - a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - b) 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.
  - c) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - d) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period. MC02 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.
- 10. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
- 11. Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
- 12. 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.
- 13. No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.
- 14. 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.
- 15. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.
- 16. Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display, and at the point of sale.
- 17. 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.
- 18. 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.

- 19. 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.
- 20. No miniature bottles of spirits of 20 cl or below shall be sold from the premises.
- 21. On the Sunday and Monday of the Notting Hill Carnival:
  - a) There will be no sale of alcohol in glass vessels from the premises; and
  - b) There will be no external advertisement of alcohol promotions at the premises.
  - c) There shall be no sale of alcohol from the premises after 20:00 hours.

## Conditions proposed by the Environmental Health Service to form part of the operating schedule agreed by the applicant.

- 22. All sales of alcohol for consumption off the premises shall be in sealed containers only and shall not be consumed on the premises.
- 23. There shall be no 'off sales' of alcohol by way of any deliveries such as by Deliveroo.
- 24. 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.
- 25. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
- 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 on the following day.
- 29. No deliveries of alcohol to the premises shall take place between 23.00 and 08.00 on the following day.

## Appendix 5

## **Residential Map and List of Premises in the Vicinity**



111 Queensway, London, W2 4SJ

## Resident Count: 285

| Licensed premises within 75m of Basement and Ground Floor,<br>111 Queensway, London, W2 4SJ |                      |  |            |   |
|---|----------------------|--|------------|---|
|   | Trading              |  | Premises   |   |
| Licence Number  | Name                 | Address  | Туре       | Time Period   |
| 21/10367/LIPN   |                      | 115<br>Queensway<br>W2 4SJ                                 | Cafe       | Monday to Sunday –<br>06:00 – 22:00   |
| 19/00389/LIPT   | Preto                | 117 - 119<br>Queensway<br>W2 4SJ                           | Restaurant | Monday to Thursday –<br>10:00 – 23:30; Friday to<br>Saturday – 10:00 – 00:00;<br>Sunday – 10:00 – 22:30 |
| 20/08509/LIPT   | Pizza Hut            | Basement And<br>Ground Floor<br>103<br>Queensway<br>W2 4SJ | Restaurant | Monday to Friday – 10:00<br>– 00:30; 12:00 – 00:00  |
| 06/09762/WCCMAP   | Santorini<br>Taverna | 10-12 Moscow<br>Road<br>London<br>W2 4BT                   | Restaurant | Monday to Saturday –<br>10:00 – 00:30; Sunday –<br>12:00 – 00:00  |

| 14/00835/LIPT   | Beity<br>Lebanese                        | 92 Queensway<br>W2 3RR   | Restaurant      | Monday to Saturday –<br>09:00 – 01:30; Sunday –<br>09:00 – 00:30  |
|-----------------|--|--|-----------------|---|
| 13/05504/LIPDPS | The<br>Beachcomber                       | Ground Floor<br>86 Queensway<br>W2 3RR                           | Night Club      | Monday to Thursday –<br>09:00 – 01:00; Friday to<br>Saturday – 09:00 – 02:00;<br>Sunday – 12:00 – 00:00                               |
| 22/05146/LIPDPS | Athenian<br>Grocery                      | 16A Moscow<br>Road<br>W2 4BT                                     | Shop            | Monday to Saturday –<br>08:00 – 23:00; Sunday –<br>10:00 – 22:30  |
| 13/08965/LIPDPS | Four<br>Seasons<br>Chinese<br>Restaurant | 84 Queensway<br>W2 3RL   | Restaurant      | Monday to Saturday –<br>10:00 – 00:30; Sunday –<br>12:00 – 00:00  |
| 10/02136/LIPT   | Art Cafe                                 | Basement And<br>Ground Floor<br>96 Queensway<br>W2 3RR           | Restaurant      | Monday to Saturday –<br>08:00 – 23:00; Sunday –<br>08:00 – 23:00  |
| 13/05099/LIPDPS | Horapha Thai<br>Cuisine                  | Basement And<br>Ground Floor<br>82 Queensway<br>London<br>W2 3RL | Restaurant      | Monday to Saturday –<br>10:00 – 00:30; Sunday –<br>12:00 – 00:00  |
| 06/10206/WCCMAP | Halal<br>Restaurant                      | Basement And<br>Ground Floor<br>98 Queensway<br>London<br>W2 3RR | Restaurant      | Monday to Saturday –<br>23:00 – 01:00; Sunday –<br>23:00 – 00:00  |
| 18/15895/LIPDPS | Bayswater<br>Arms                        | 99 Queensway<br>London<br>W2 4QH                                 | Public<br>House | Monday to Thursday –<br>07:00 – 23:30; Friday to<br>Saturday – 07:00 – 00:00;<br>Sunday – 07:00 – 23:00                               |
| 20/08346/LIPCHT | Gold Mine<br>Restaurant                  | 100<br>Queensway<br>W2 3RR                                       | Restaurant      | Monday to Saturday –<br>10:00 – 00:30; Sunday –<br>12:00 – 00:00  |
| 22/11247/LIPT   | McDonalds                                | 76-78<br>Queensway<br>W2 3RL                                     | Restaurant      | Monday to Sunday –<br>05:00 – 00:00   |
| 19/12635/LIPT   | Noodle Oodle                             | 106<br>Queensway<br>W2 3RR                                       | Restaurant      | Monday to Wednesday –<br>11:00 – 00:00; Thursday<br>– 11:00 – 02:00; Friday to<br>Saturday – 11:00 – 03:00;<br>Sunday – 11:00 – 23:30 |
| 21/06481/LIPCH  | Burger King                              | 70-72<br>Queensway<br>London<br>W2 3RL                           | Restaurant      | Sunday to Thursday –<br>23:00 – 00:00; Friday to<br>Saturday – 23:00 – 01:00  |
| 21/14341/LIPVM  | Bella Italia                             | 108 - 110<br>Queensway<br>London<br>W2 3RR                       | Restaurant      | Monday to Saturday –<br>09:00 – 00:30; Sunday –<br>09:00 – 00:00  |