



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

6 December 2023

Licensing Ref No:

23/05680/LIPV - Premises Licence Variation

Title of Report:

Dorset House Service Station
170-172 Marylebone Road
London
NW1 5AR

Report of:

Director of Public Protection and Licensing

Wards involved:

Regent's Park

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott
Senior Licensing Officer

Contact details

Telephone: 0207 641 6500
Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	29 August 2023		
Applicant:	Motor Fuel Limited		
Premises:	Dorset House Service Station		
Premises address:	170-172 Marylebone Road London NW1 5AR	Ward:	Regent's Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises operates as a Petrol Station.		
Variation description:	<p>This variation application seeks to permit the following:</p> <ol style="list-style-type: none"> 1. To extend the hours for the sale of alcohol to 24hrs daily. 2. To include the following conditions on the licence: <ol style="list-style-type: none"> 1) The sale of alcohol from the premises outside the following times: 0800-2300 Monday to Saturday 0900-2230 Sunday shall be for delivery only by couriers employed by the licence holder or through 3rd party courier contractors. 2) An incident log/register shall be maintained to record all incidents of crime and disorder occurring on delivery of products. This log/register will be available for inspection by a police officer or other authorised officer on request. 3) The premises licence holder will ensure that an age verification policy will apply whereby all 3rd party courier contractors will ensure that couriers will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence. 4) All 3rd party courier contractors shall be required to ensure that couriers receive training in age restricted sales. 5) A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the courier will carry out age verification on delivery. The customer will be required to declare that he or she aged 18 or over. 		

Premises licence history:	<p>The premises first had the benefit of a premises licence since 2005, and his was surrendered in September 2013 due to the site closing.</p> <p>The current premises licence was granted in October 2017.</p> <p>The current premises licence (23/03496/LIPCH) can be viewed at Appendix 1 of this report.</p> <p>A full licence history for the premises appears at Appendix 3</p>
Applicant submissions:	None
Applicant amendments:	None

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	05:00	No Change		Ground Floor	
Tuesday	23:00	05:00				
Wednesday	23:00	05:00				
Thursday	23:00	05:00				
Friday	23:00	05:00				
Saturday	23:00	05:00				
Sunday	23:00	05:00				
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			Off		No Change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	23:00	00:00	23:59	Ground Floor	
Tuesday	08:00	23:00	00:00	23:59		
Wednesday	08:00	23:00	00:00	23:59		
Thursday	08:00	23:00	00:00	23:59		
Friday	08:00	23:00	00:00	23:59		
Saturday	08:00	23:00	00:00	23:59		
Sunday	10:00	22:30	00:00	23:59		
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	00:00	00:00	No Change		Ground Floor	No Change
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				
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No Change	

1-C Layout alteration
No Change

1-D Conditions being added		
Proposed Condition		
1. The sale of alcohol from the premises outside the following times: 0800-2300 Monday to Saturday 0900-2230 Sunday shall be for delivery only by couriers employed by the licence holder or through 3rd party courier contractors.		
2. An incident log/register shall be maintained to record all incidents of crime and disorder occurring on delivery of products. This log/register will be available for inspection by a police officer or other authorised officer on request.		
3. The premises licence holder will ensure that an age verification policy will apply whereby all 3rd party courier contractors will ensure that couriers will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.		
4. All 3rd party courier contractors shall be required to ensure that couriers receive training in age restricted sales.		
5. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the courier will carry out age verification on delivery. The customer will be required to declare that he or she aged 18 or over.		
Adult entertainment:	Current position: None	Proposed position: No Change

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Reaz Guerra
Received:	6 September 2023
<p>With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>There is insufficient detail contained within the operating schedule to promote the licensing objectives.</p> <p>The hours sought exceed Westminster's Core Hours Policy.</p> <p>It is for these reasons that we object to this application.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbricatore
Received:	22 September 2023
<p>I refer to the variation application for the Premises Licence, 23/03496/LIPCH, for the above premises.</p> <p>This representation is based on the Operating Schedule and the plans attached to the current licence.</p> <p>The applicant is seeking the following on the ground floor:</p> <ul style="list-style-type: none">• To extend the hours for the supply of alcohol 'off' the premises from Monday to Saturday 08:00 -23:00 hours and Sunday 10:00-22:30 to 24 hours 7 days a week. Conditions have been proposed. <p>I wish to make the following representation in relation to the above application:</p> <p style="padding-left: 40px;">The increase of hours for the supply for alcohol may cause an increase in Public Nuisance in the area.</p> <p>The granting of the variation as presented would have the likely effect of causing an increase in Public Nuisance in the area.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	26 September 2023
<p>OBJECTION re: 23/05680/LIPV Premises Licence - Variation Pending Decision 170-172 Marylebone Road London NW1 5AR</p> <p>To whom it may concern:</p> <p>As local residents [REDACTED] we wish to outline our objections to parts of the requested application for licence under the Licensing Act.</p> <ol style="list-style-type: none"> 1. As this is predominately a residential area, we object to the proposed 24 hour licence for sale of alcohol from the Service Station which is out of step with the area and other local licence provisions 2. We wish to prevent noise and public nuisance on the street disturbing residents (and pedestrians) late into the evening and overnight with courier gatherings 3. We are concerned that the current proposed license conditions will increase noise, nuisance and potentially impact public safety for residents near and around Dorset House 	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	2 September 2023
<p>[REDACTED] petrol station. We strongly object to the extension of this licence which will simply create more disturbance and noise pollution. We should at least have the right to peaceful nights. Please have some mercy on residents.</p> <p>(More generally we are bemused that alcohol would be allowed to be sold at a petrol station, which seems like a direct encouragement of drink driving)</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	24 September 2023
<p>I am the [REDACTED].</p> <p>I objected to the granting of a license when the original application was made on the grounds of anti-social behaviour in the area. I also pointed out that there are numerous shops in the near by area that sell alcohol and so the need to sell alcohol at a petrol station was not appreciated. My belief of anti-social behaviour has been borne out and although most of these incidences might not have been reported, I suggest that Westminster contact the police to get some statistics before deciding on granting an extension of the license.</p> <p>I object to varying the license</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 September 2023
<p>[REDACTED]. We strongly object to the extension of this licence which will simply create more disturbance and noise pollution. We should at least have the right to peaceful nights. Please do give some consideration to the residents of this block of flats which consists of 204 units.</p> <p>we are afraid if alcohol is allowed to be sold at a petrol station, it will be like a direct encouragement of drink driving</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 September 2023
<p>There are several places in close proximity selling alcohol until late into the night. Already, there are unruly customers in the vicinity late at night. Access to late night alcohol is only going to increase the number of already intoxicated customers at the petrol station late at night. I query how safe it is to have drunk customers buying more alcohol when there are cars passing through the crowded forecourt of the petrol station. This feels like a hazard and health and safety issue.</p> <p>The noise and disturbance will be especially bad on match days when the Allsop Arms is already overrun with drunken football supporters. Surely, Westminster does not need another place selling alcohol with so much already available nearby.</p>	

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 this application for each premises use type as defined within this policy are:</p> <p>11a. 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) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight.</p> <p>11b. 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.</p>
<p>Policy SHP1 applies</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"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. The applicant having taken account of the Special 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. <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"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1. 4. 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. <p>C. For the purposes of this policy:</p> <ol style="list-style-type: none"> 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. 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. 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.

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 Licence 23/03496/LIPCH
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:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service	6 September 2023
5	Environmental Health Service	22 September 2023
6	Representation 1	26 September 2023
7	Representation 2	2 September 2023
8	Representation 3	24 September 2023
9	Representation 4	22 September 2023
10	Representation 5	22 September 2023



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

Schedule 12
Part A

WARD: Regent's Park
UPRN: 100023070670

Premises licence

Regulation 33, 34

Premises licence number:	23/03496/LIPCH
Original Reference:	17/08439/LIPN

Part 1 – Premises details

Postal address of premises: Dorset House Service Station 170-172 Marylebone Road London NW1 5AR
Telephone Number: Not Supplied

Where the licence is time limited, the dates: Not applicable
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Licensable activities authorised by the licence: Late Night Refreshment Sale by Retail of Alcohol
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The times the licence authorises the carrying out of licensable activities:
Late Night Refreshment Monday to Sunday: 23:00 to 05:00
Sale by Retail of Alcohol Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30

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:

Motor Fuel Limited
10 Bricket Road
St Albans
Hertfordshire
AL1 3JX

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

05206547

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

Name: Varatharajah Dushianthan

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: 5870/0501504
Licensing Authority: London Borough of Sutton

Date: 26 May 2023

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

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 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.

Annex 2 – Conditions consistent with the operating Schedule

None

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

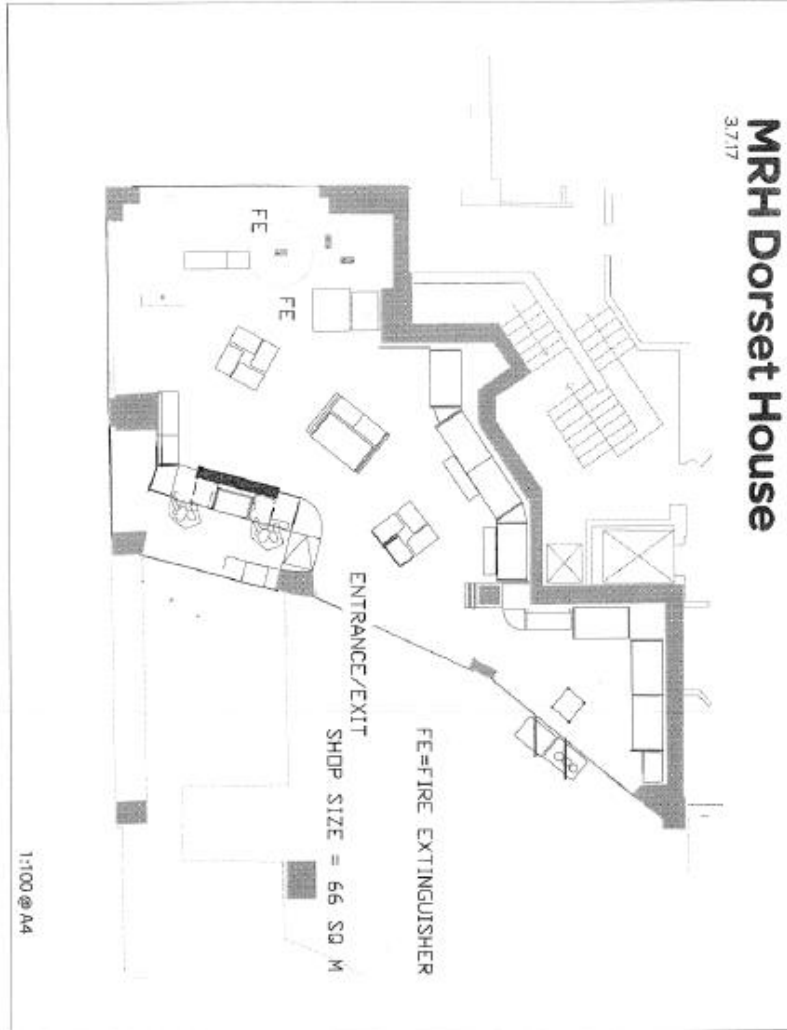
6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points and the night pay window and the petrol forecourt will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
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 (excluding 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.
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 service 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 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. 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.

19. Late night refreshment at the premises is limited to the provision of hot drinks for consumption off the premises after 2300 and before 0500.
20. The entrance door to the shop will be locked to customers between the hours of 0000 and 0500 a remote door lock facility will be available for use by any cashier on duty.
21. The licence holder will maintain a written risk assessment which covers the training for the cashiers in when to deploy the door lock facility. This assessment must be reviewed on a weekly basis and signed by the DPS. It must always be available for Police and the Responsible Authorities to view.
22. 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.

Annex 4 – Plans

The entire store is to be licensed for the sale of alcohol and the provision of late night refreshment





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

Schedule 12
Part B

WARD: Regent's Park
UPRN: 100023070670

Premises licence
summary

Regulation 33, 34

Premises licence number:

23/03496/LIPCH

Part 1 – Premises details

Postal address of premises:

Dorset House Service Station
170-172 Marylebone Road
London
NW1 5AR

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment	
Monday to Sunday:	23:00 to 05:00
Sale by Retail of Alcohol	
Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

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:

Motor Fuel Limited
10 Bricket Road
St Albans
Hertfordshire
AL1 3JX

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

05206547

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

Name: Varatharajah Dushianthan

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

Not Applicable

Date: 26 May 2023

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

Applicant Supporting Documents

Appendix 2

There are no submissions from the applicant.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
17/08439/LIPN	New Premises Licence Application – Late Night Refreshment Monday to Sunday 23:00 to 05:00 Sale by Retail of Alcohol Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30	3 October 2017	Granted in full by Licensing Sub-Committee
18/03630/LIPT	Transfer of Premises Licence Holder from Malthurst Petroleum Limited to Malthurst Limited	20 July 2018	Granted under Delegated Authority
18/03633/LIPDPS	Vary the DPS	20 July 2018	Granted under Delegated Authority
18/09451/LIPVM	Minor Variation – Replace conditions	3 September 2018	Granted under Delegated Authority
19/00841/LIPCH	Change of Licence Holders Details	22 January 2019	Granted under Delegated Authority
19/03672/LIPT	Transfer of Premises Licence Holder from Malthurst Limited to Motor Fuel Limited	17 April 2019	Granted under Delegated Authority
23/03496/LIPCH	Change of Licence Holders Details	26 May 2023	Granted under Delegated Authority

There is no appeal history.

There is no temporary Event Notice 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 appropriate for the promotion of the licensing objectives.

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

Conditions: On Current Licence -

Mandatory:

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

- 5(ii) For the purposes of the condition set out in paragraph 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.

Annex 2 – Conditions consistent with the operating Schedule

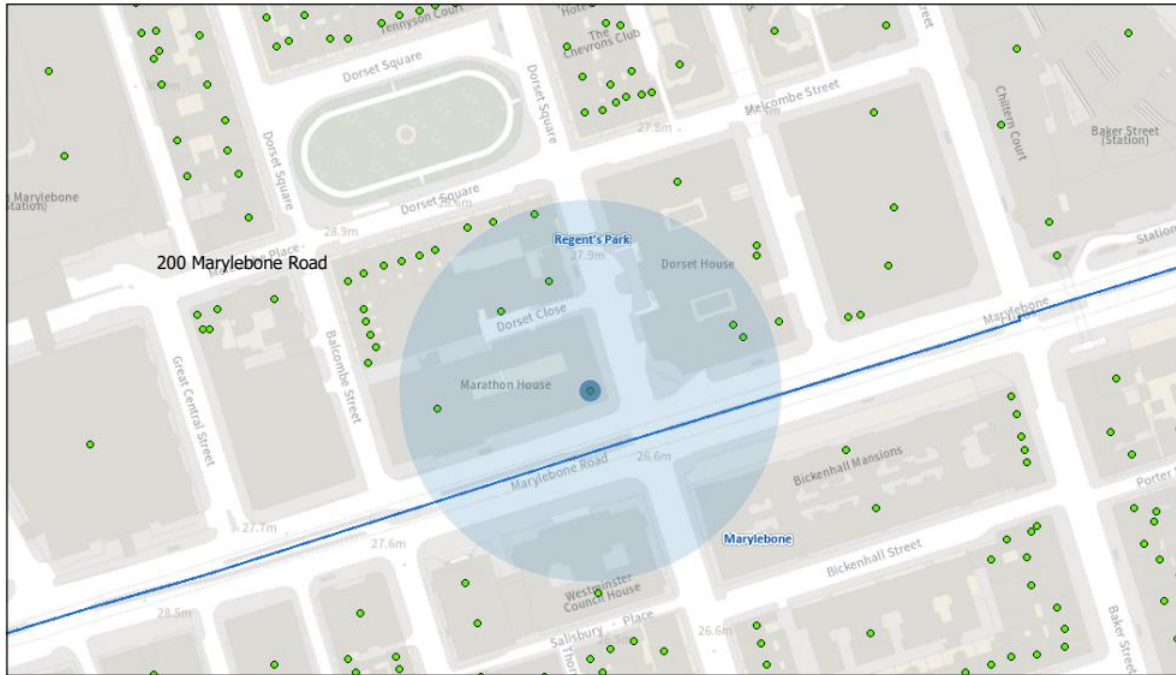
None

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

6. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points and the night pay window and the petrol forecourt will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
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. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
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 (excluding 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.
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 service 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 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.

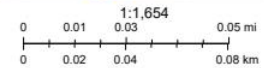
18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) 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.
19. Late night refreshment at the premises is limited to the provision of hot drinks for consumption off the premises after 2300 and before 0500.
20. The entrance door to the shop will be locked to customers between the hours of 00:00 and 05:00 a remote door lock facility will be available for use by any cashier on duty.
21. The licence holder will maintain a written risk assessment which covers the training for the cashiers in when to deploy the door lock facility. This assessment must be reviewed on a weekly basis and signed by the DPS. It must always be available for Police and the Responsible Authorities to view.
22. 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.

170-172 Marylebone Road, London



17/11/2023, 11:10:07

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count = 383

Licensed premises within 75 metres of 170-172 Marylebone Road, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
23/03496/LIPCH	Dorset House Service Station	170-172 Marylebone Road London NW1 5AR	Petrol filling station	Monday to Sunday; 00:00 - 00:00
22/09365/LIPDPS	Allsop Arms Public House	137-143 Gloucester Place London NW1 5AL	Public house or pub restaurant	Sunday; 12:00 - 23:00 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
22/04284/LIPDPS	Dorset Square Hotel	39-40 Dorset Square London NW1 6QN	Hotel, 3 star or under	Sunday; 12:00 - 22:30 Monday to Saturday; 10:00 - 23:30 Monday to Sunday; 00:00 - 00:00