



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	18 January 2024
Licensing Ref No:	23/06874/LIPN - New Premises Licence
Title of Report:	Crispies 412 Harrow Road London W9 2HU
Report of:	Director of Public Protection and Licensing
Wards involved:	Harrow Road
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: <a href="mailto:kjackaman@westminster.gov.uk">kjackaman@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>	10 October 2023		
<b>Applicant:</b>	Mr Irshad Ullah Tabib		
<b>Premises:</b>	Crispies		
<b>Premises address:</b>	412 Harrow Road London W9 2HU	<b>Ward:</b>	Harrow Road
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form the premises trade as a quick service takeaway and restaurant.		
<b>Premises licence history:</b>	The premises previously held a premises licence from September 2005 until May 2016 when the licence lapsed due the Licensing Holder company was dissolved.		
<b>Applicant submissions:</b>	<p>The applicant is applying for a premises licence to be able to serve items from food and beverage menu to customers after 11pm for both walk in takeaway and orders made via the internet for delivery by third party couriers and the applicants own drivers.</p> <p>Full details of the proposal and how it supports relevant policies contained in the Statement of Licensing policy are included in a explanatory letter which appears at appendix 2.</p>		
<b>Applicant amendments:</b>	<p>Following consultation, the applicant has reduced the hours applied for from midnight Sunday to Thursday and 01:00 Friday and Saturday to Monday to Thursday 23:30 Friday and Saturday 00:30 and removed Sundays from the application.</p> <p>The hours as now applied for are set out at appendix 1-B below.</p>		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Indoors
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	23:00	23:00	23:00	23:00	23:00	23:00	N/A
<b>End:</b>	23:30	23:30	23:30	23:30	00:30	00:30	
<b>Seasonal variations/ Non-standard timings:</b>		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
<b>Start:</b>	10:00	10:00	10:00	10:00	10:00	10:00	10:00
<b>End:</b>	00:15	00:15	00:15	00:15	00:15	00:15	00:15
<b>Seasonal variations/ Non-standard timings:</b>	None						
<b>Adult Entertainment:</b>	None						

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	Tom Stewart
<b>Received:</b>	07 November 2023 (withdrawn 21 November 2023)
<p>Dear Westminster Licensing Service,</p> <p>I am writing on behalf of the Chief Officer of Police for the Metropolitan Police Service ("The Police") to make representations opposing the grant of a premises licence application for <b><u>412 Harrow Road, London, W9 2HU</u></b>.</p> <p>I have considered the information that has been provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant is seeking:</p> <p><b><u>Late night refreshment</u></b></p> <p>Sunday to Thursday: 23:00 to 00:00</p> <p>Friday to Saturday: 23:00 to 01:00</p> <p>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:</p> <ul style="list-style-type: none"> <li>The hours requested to provide late night refreshment may have the likely effect of undermining the licensing objectives; <b>The Prevention of Crime and Disorder and The Prevention of Public Nuisance.</b></li> </ul> <p>The hours requested fall outside of the Core Hours Policy (HRS1) of Westminster's Statement of Licensing Policy (SLP).</p> <p>Westminster City Council's SPL recognises that Core hours are an essential element to ensure businesses can operate for a reasonable period whilst protecting the impact on the licensing objectives (Para E2). The Revised Guidance also confirms that the Licensing Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy</p>	

statement. The Guidance further states at paragraph 10.13 that Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities (such as the Police).

Paragraph E10 of Westminster's SPL states:

*"The consideration of hours of operation will be in the context of the particular circumstances of each application and the licensing objectives. The hours at which noise may occur and disturbance of residents' rest, relaxation and sleep will be of particular concern. In general, ensure that closing hours on nights when residents have to get up for work the next morning are earlier than when it is less likely that they will have to do so."*

The Police have concerns that the premises may attract customers who may have been consuming alcohol, which may lead to crime and anti-social behaviour in an area that is primarily residential in nature. Paragraph F56 of Westminster's SPL states:

*"Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and*

*drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour."*

The police also have concerns with how the premises intend to control third party delivery riders. This is also recognised within the SLP at paragraph G4 where it states:

*"The Licensing Authority is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles"*

Paragraph G6 continues:

*"The applicant will be expected to consider where delivery vehicles or cycles will be parked or stored when the delivery service is being operated or when the premises is closed. Applicants should ensure that the public highway is not obstructed and that delivery vehicles are not in contravention of the Road Traffic Act. If the applicant intends to use a specific area for the delivery vehicles to wait, then this should not be located in a place that is likely to cause nuisance to residents. Premises that are located in an area of residential accommodation or are in close proximity to residential accommodation, e.g. have residential properties immediately above them must consider the impact that this can have on residents, especially if the operation of the delivery service will be late at night when roads are quieter"*

Paragraph G15 states:

*"Applicants who employ their own delivery staff are likely to have far greater control to ensure that the licensing objectives are not negatively impacted upon. Therefore, the Licensing Authority will consider whether the delivery service is being delivered by the applicant or provided by a third party and their ability to*

*manage any risk associated with the licensing objectives when determining that application. Applicants that do provide their own delivery service, with sufficient measures in place to*

*promote the licensing objectives are likely to be considered more favourably than those using third party delivery companies.”*

I am happy to discuss the Police representation further with the applicant and their representative.

**Following a reduction in the hours applied for, the Metropolitan Police withdrew the representation on 21 November 2023**

<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Ayesha Bolton
<b>Received:</b>	07 November 2023

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

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

The applicant is seeking the following:

1. To provide Late Night Refreshments Indoors from the premises Sunday to Thursday 23.00 to 00.00 and Saturday to Friday 23.00 to 01.00 hours.

I wish to make the following representation:

1. The provision of Late Night Refreshment and hours requested 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 impact on Public Safety within the area.

<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	06 November 2023

The area is 90% residential so is not suitable for such hours.

This is not a commercial zone so late trading will impact people's sleep.

An application has recently been granted for Wraps and Wings, 3 Chippenham Road, for delivery only. This application for 412 Harrow Road, 23/06874/LIPN is also to allow people to sit on the premises, and is likely to cause noise, nuisance and shouting from customers visiting the premises.

This premises is located close to the Prince of Wales Junction where there is already anti-social behaviour, so opening later at this location could relocate the ASB down the road.

### 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

	<p>account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for This application as defined within this policy is:  <b>8. 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.</p>
<p><b>Policy FFP1 (A) applies</b></p>	<p>A. Applications outside the West End Cumulative Zones 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 and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</li> <li>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meet the definition of a fast food premises in Clause D.</li> </ol> <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> <li>1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption.</li> <li>2. Food and drink are: a. Available on the premises for self-selection. b. Prepared on the premises. c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers.</li> <li>3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption.</li> <li>4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.</li> </ol>
<p><b>Policy DEL1 applies</b></p>	<p>A. Applications for premises that intend to sell alcohol and/or late-night refreshment for delivery to customers at a residential or workplace address, which is ancillary to the main use of the premises, will generally be granted subject to not being contrary to other policies within this Statement of Licensing Policy and that it meets the criteria below:</p> <p>Criteria:</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 when delivery will take place is within the relevant Core Hours for that premises use,</li> <li>3. The delivery of alcohol and/or late-night refreshment to customers at their residential address or workplace will be ancillary to the main premises use,</li> <li>4. The applicant has demonstrated that they will not add to cumulative impact if the premises are located within the West End</li> </ol>

Cumulative Impact Zone.

5. The applicant has demonstrated that they have taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.

6. That the applicant will, a. Implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures, and/or b. ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.

7. That the applicant will, a. implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination, and/or b. ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.

B. Applications that do not meet the criteria in Clause A will be considered on their own merits, subject to other relevant policies within this statement and the following considerations:

Considerations:

1. The likelihood of the effect of the grant of the licence for the delivery of alcohol and/or late-night refreshment on the licensing objectives and whether the applicant has demonstrated that they will meet the criteria and considerations within policies CD1, PS1, PN1 and CH1.

2. The proposed hours for the operation of the delivery service, whether they are beyond the Core Hours as set out in Policy HRS1 and if so, what are the reasons for the additional hours and what has the applicant proposed as measures that will mitigate or eliminate any potential impact on the licensing objectives.

3. If the application is located within:

a. the West End Cumulative Impact Zone, have they demonstrated that they will not add to cumulative impact, or,

b. a designated Special Consideration Zone, have they demonstrated that they have taken account of the issues identified in that area and put forward proposed mitigation measures in relation to those issues in accordance with Policy SCZ1,

4. Whether the premises are located within an area of residential accommodation and/or in close proximity to residential accommodation,

5. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party,

6. How will the applicant ensure that the operation of the delivery service, operated directly by them with their own staff does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act.

7. If a third party will provide the delivery service on behalf of the applicant what are the contractual arrangements with that third party to ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act,



	<p>8. The operation and management of the proposed delivery service from the premises,</p> <p>9. The types of vehicles that will be used for the delivery of alcohol and/or late-night refreshment and whether they will likely create public nuisance,</p> <p>10. The history of the applicant's operation of licensed premises and the premise's operation in relation to any impact on the licensing objectives, breaches of any terms and conditions of a licence, any reviews of a licence or offences committed under the Act,</p> <p>11. In addition to Sub-clause 6 and 7 above what measures the applicant or the third party providing the delivery service has put forward to mitigate the specific risk of public nuisance by the operation of the delivery service at the premises or at the end point of delivery,</p> <p>12. In addition to sub-clause 6 and 7 above what specific measures and processes the applicant or the third party providing the delivery service has put forward to mitigate the risk from the delivery of alcohol to children to ensure that they are protected from harm.</p> <p>C. For the purposes of this policy premises uses are defined within the relevant premises use policies within this statement.</p>
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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

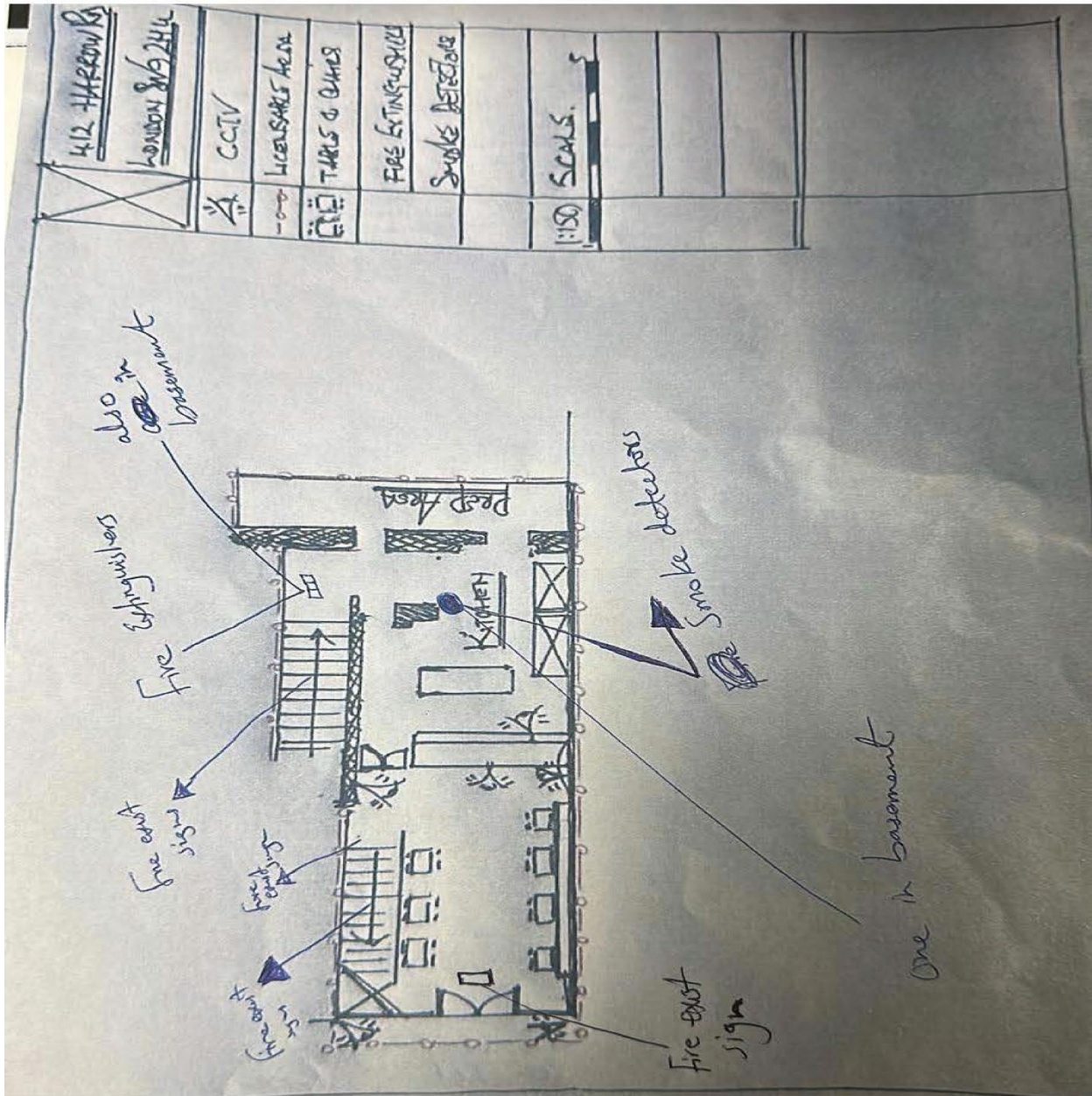
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

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

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

<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	December 2022
<b>4</b>	Metropolitan Police representation	07 November 2023
<b>5</b>	Environmental Health representation	07 November 2023
<b>6</b>	Interested Party representation	06 November 2023



Associate Consultants:

Ken Macleay  
Philip Andrews  
Mark Altman  
Brian Crouch – Legal Advisor

**Joshua Simons & Associates Ltd**

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Dispatch: By email

**Addressee:**

Westminster City Council  
Licensing authority

Telephone:  
Fax:  
Email:

Your ref:

Our ref: PRE-LIC-APP-CRISPIES

Date: 10/10/23

Dear Licensing Authority,

**\*\*APPLICATION FOR A NEW PREMISES LICENCE – Crispies, 412 Harrow Road, Maida Vale, W9 2HU\*\***

We write as the authorised licensing agents for and on behalf of the applicant in the above matter. This letter provides details on the application for a new premises licence in particular details of the proposed licensable activity, days and timings, details of an assessment of Westminster City Councils Statement of licensing policy, and control measures as licensing conditions under appendix 1.

**1.Assessment of the statement of licensing policy**

Prior to the development of this application the applicants licensing agents assessed WCC Statement of Licensing Policy dated 1 October 2021 to understand how licenced premises should operate and assess the policies that are relevant and how they could affect an application for late night refreshment.

Initial enquiries established Westminster City Council do not have any defined cumulative impact policy where the premises are located, however there is a Core Hours policy HRS1 that has framework opening times for late night refreshment premises as Monday to Thursday up until 23.30, Friday and Saturday 00:00 and Sunday 22.30.

The licensing policy at section E7 states that WCC is prepared generally to grant premises licences for longer hours at the end of the week outside a Cumulative Impact Zone as this enables people to travel home relatively easily by tube, train, bus, licensed private hire vehicle and/or taxi, while retaining opportunities for residents to have an additional respite on Sunday.

It is understood that Policy FFP1 deals with Fast food premises and states these types of premises can attract large groups of customers, that can lead to additional noise and disturbance and further congestion in the area. The SOLP considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour. In relation to this application it is acknowledged there are some residential roads nearby to the premise for example Windsor Gardens and those on the corner of Chippenham Road and Harrow Road. This application has considered, risk assessed and included in the applicant operating schedule control measures (some of these are extracted from Westminster City Councils list of model conditions) to aid in the prevention of both collection drivers and customers congregating and making noise outside the premises.

On the basis of policy E7 and the control measures offered under the operating schedule this application proposes later trading times on Saturday and Sunday mornings until 01:00.

Policy B41 - minimising waste/litter from premises this policy could be supported by the business providing receptacles for recycling business waste and receptacles for customer litter in the premise.

Policy G10 – Raises the issue of the environment specifically packaging that is used for any products that are being delivered either to their premises or from it. The policy points out that the use of packaging made from recyclable materials is highly recommended and operators are encouraged to avoid the use of single use plastic packaging. Crispies do offer some non plastic materials for packaging. With the implementation on the ban of single use disposable plastic cutlery from October 2023 this is a policy that could be complied with.

Policy G13 refers to delivery personnel having access to toilet provisions within the licensed premises and that the applicant must ensure that delivery personnel are made aware of the availability of toilet facilities at the premises. The applicant can provide these facility if required by collection drivers.

**2.Liason with Metropolitan Police Service** - The applicant is aware at Appendix 10 of the WCC – SOLP that The Metropolitan Police Service are committed to reducing the levels of crime and disorder associated with premises undertaking 'Licensable activities. As part of the operating schedule the applicant has provided a number of control measures under the licensing objective concerned with the Prevention of Crime and Disorder.

### **3.Control mesures as proposed licence conditions**

A number of control measures have been assessed and are detailed under appendix 1 of this letter as licensing conditions under the 4 licensing objectives.

**Other matters** - In the first instance if the licensing authority have any queries please direct these to Joshua Simons and Associates as the authorised and instructed licesning agents.

**Yours faithfully**

*Joshua Simons*

**Joshua Simons**

**Principal Licensing Agent, Joshua Simons & Associates Limited**

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**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/08068/LIPC	Conversion licence	21.09.2005	Granted under delegated authority
07/00592/WCCMAP	Master Licence	21.09.2005	Granted under delegated authority
08/10279/LIPT	Transfer application – Mrs Shereen Chowdhury to Chillies Balti Indian Restaurant Ltd	20.11.2008	Granted under delegated authority
09/03895/LIPDPS	Application to vary the designated premises supervisor	08.06.2009	Granted under delegated authority
10/06886/LIPT	Transfer application – Chillies Balti Indian Restaurant Ltd to Mr Ghazi Sultani	22.09.2010	Granted under delegated authority
11/00705/LIPDPS	Application to vary the designated premises supervisor	24.03.2011	Granted under delegated authority
14/09347/LIPT	Transfer application – Mr Ghazi Sultani to Zones24 Limited	03.02.2015	Granted under delegated authority (Licence lapsed 31.05.2016)

**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 responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.



8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

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

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## Conditions consistent with the operating schedule

9. The applicant shall maintain and operate a comprehensive CCTV system taking into account some of the minimum requirements these shall include:
  - (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.
10. CCTV equipment shall be checked on a daily basis and any faults and corresponding engineer call outs; immediately arranged and recorded in the Incident Log.
11. Adequate lighting to be provided.
12. 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.
13. There shall be an area allocated permanently for seated customers in order to prevent overcrowding and to allow those customers who purchase food and beverages to be able to consume these on the premises.
14. Staff levels shall be maintained at a minimum of 3 persons on the premises during the provision of late night refreshment to ensure customers can be served effectively and to reduce any queues that may form.
15. A manager shall always be deployed at the premises during licensable timings.
16. Warning signs about crime prevention measures shall be prominently displayed inside the premises retail area.
17. An incident log shall be kept at the premises, and made available on request to an authorized officer of the Local Authority or the Police, which shall record the following:
  - All crimes reported to the venue
  - Any complaints received
  - Any faults in the CCTV system.
  - Any visit by a relevant authority or emergency service
18. Delivery drivers employed by the applicant or third parties shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway and to park in the demarcated loading bays directly outside the premises.

19. A manager shall be on duty during licensable timings. Part of the role of the manager shall be to ensure customers and or delivery drivers do not congregate outside the premises.
20. Notices shall be prominently displayed at the customer service counter and at the exit requesting customers and delivery drivers to respect the needs of local residents and leave the area quietly.
21. 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.
22. 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
23. Exclusion of person/s under 18 years of age from the premises (unless accompanied by a parent or guardian) when any licensable activities are taking place past midnight – this shall be communicated by staff to customers where required and enforced by a manager if required.

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

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. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
26. 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 and businesses in the vicinity.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 and 08.00 hours on the following day.
29. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day.
30. Deliveries of food shall only be made to a bonafide residential or business addresses.

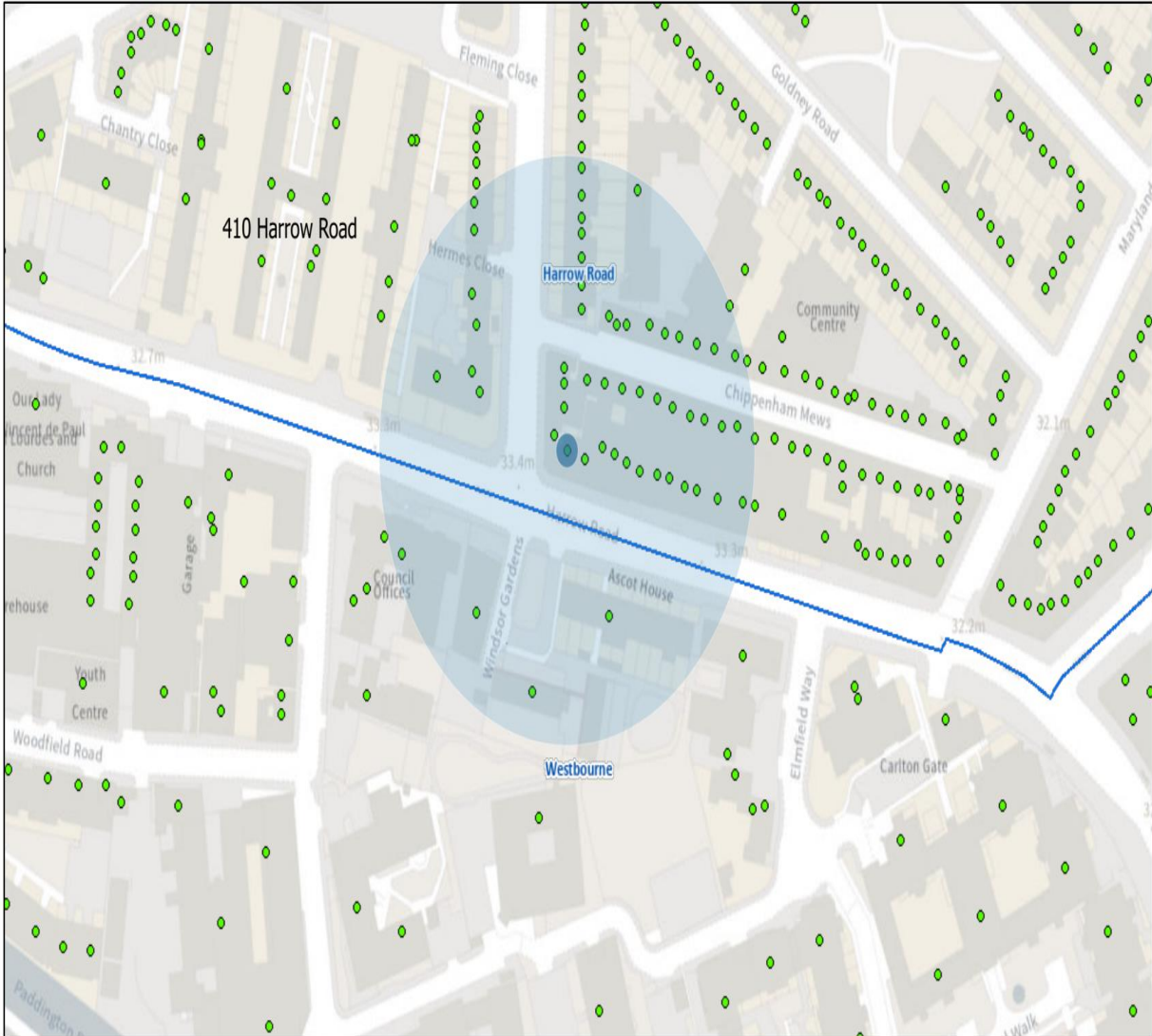
**Conditions proposed by Environmental Health yet to be agreed**

31. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 15 persons.

**Conditions proposed by the Police**

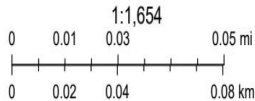
**None**

412 Harrow Road, London, W9 2HU



13/12/2023, 12:44:42

- Property Mailing List
- ▭ Ward Boundaries
- Ward Labels



Resident Count: 240

Licensed premises within 75m of 412 Harrow Road, London, W9

Licence Number	Trading Name	Address	Premises Type	Time Period
23/02055/LIPN	Wraps And Wings	3 Chippenham Road London W9 2AH	Restaurant	Monday to Sunday; 10:00 - 05:00
11/07847/LIPN	Supermercado Portugal	Basement And Ground Floor 396 Harrow Road London W9 2HU	Cafe	Sunday; 10:00 - 22:00   Monday to Saturday; 08:00 - 22:00