



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (6)**

Meeting Date: **Thursday 26 May 2022**

Time: **10.00 am**

Venue: **Rooms 18.01 - 18.03 - 18th Floor, 64 Victoria Street, London, SW1E 6QP**

Members: **Councillors:**

Aziz Toki (Chairman)
Maggie Carman
Jim Glen

Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.

Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 64 Victoria Street from 9.00am.

If you have a disability and require any special assistance, please contact the Committee Officer (details listed below) in advance of the meeting.

If you require further information, please contact the Committee Officer, Sarah Craddock, Committee and Councillor Co-ordinator.
Email: scraddock@westminster.gov.uk Tel: 07790980186
Corporate Website: www.westminster.gov.uk

Note for Members: Members are reminded that officer contacts are shown at the end of each report and Members are welcome to raise questions in advance of the meeting. Regarding Item 2, guidance on Declarations of Interests is included in the Code of Governance. If Members and Officers have any questions, they should contact the Director of Law before the meeting please.

AGENDA

PART 1 (IN PUBLIC)

1. MEMBERSHIP

To report any changes to the membership.

2. DECLARATIONS OF INTEREST

To receive declarations by Members and Officers of the existence and nature of any pecuniary interests or any other significant interest in matters on this agenda.

Licensing Applications for Determination

1. PITCH, 1726 DUKE STREET

(Pages 1 - 68)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
West End * **	Pitch 1726 Duke Street	Street Trading Variation	05/04822/LI_STE
*Cumulative Impact Area: N/A ** Special Consideration Zone: N/A			

2. AMK FOOD AND WINE, 35B QUEENSWAY, LONDON, W2

(Pages 69 -
216)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Lancaster Gate * None ** Queensway And Bayswater	AMK Food and Wine 35B Queensway London W2 4QJ	Review of a Premises Licence	22/02885/LIREVP
*Cumulative Impact Area: N/A ** Special Consideration Zone			

Stuart Love
Chief Executive
19 May 2022

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City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

05/04822/LI_STE

Date:

26 May 2022

Classification:

For General Release

Title of Report:

Street Trading Variation - Isolated Pitch 1726 Duke Street

Report of:

Executive Director Environment & City Management

Policy context:

To provide a safe, well-regulated environment.

Financial summary:

None

Report Author:

**Shannon Pring
Senior Practitioner Street Trading**

Contact Details:

Telephone: 07971 920 413
E-mail: spring3@westminster.gov.uk

PROPOSAL DETAILS

Proposal:	The street trading licence (reference 05/04822/LI_STE) be varied to remove Sausages as an approved commodity to take effect from 1 st January 2023.
Pitches and Locations:	Pitch 1726 Duke Street is located on Duke Street (south) east footway, 0.91m from pedestrian crossing push button pole, 1.22m from kerb edge.
Pitch Dimensions:	The size of pitch is L: 3.04m W: 3.04m
Ward Name:	West End

1. Purpose of the report

The Licensing Sub-Committee is asked to vary the Street Trading licence (reference 05/04822/LI_STE) to remove sausages as an approved commodity to take effect from 1 January 2023. Mr Stein's licence is included as Appendix 1 of the report.

Summary

The Street Trading Policy adopted in December 2013 sets out in Policy ST8(4) – Guidelines for goods on sale – The council may vary street trading licences, subject to section 16 of the City of Westminster Act 1999, in order to promote any development strategy which may be in place. This may involve adding to or amending the list of prohibited goods. This may also involve the making of specifying resolutions in respect of isolated pitches where this is considered appropriate.

There is a specifying resolution in place for street trading pitches in and around Oxford Street. The specifying resolution dated 28 June 2007 “prohibits the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spare-ribs...” Pitch 1726 Duke Street is one of the pitches listed in the specifying resolution. A copy of the specifying resolution is included as Appendix 2 of the report.

Due to officer administrative error a prohibited commodity was added to Mr Stein's licence and the Licensing Service now seeks to rectify that error by requesting that the commodity (sausages) is removed from the licence.

2. Background

On 17 August 2019 Mr Stein submitted a variation application to add hot and cold food and remove phone cards. During the application process Mr Stein provided a menu highlighting the foods that he wanted to be added to the licence, one of which was sausages. The variation application was granted as applied on 7 August 2020. The variation application is included at Appendix 3 of the report.

On 26 October 2020, Ms Pring wrote to Mr Stein advising of the error and giving him the opportunity to remove sausages from his licence, free of charge. Mr Stein responded on 27 October 2020, advising that he only wanted to sell sausages in a baguette, he had waited over a year for the variation to be completed and that other traders had been permitted to sell sausages in Oxford Street. A copy of Ms Pring's letter and Mr Stein's email in response are included as Appendix 4 and 5 of the report.

3. Consultation

In seeking to vary the licence for Pitch 1726 Duke Street to remove sausages, Ms Pring wrote to Mr Stein on 10 April 2020 advising him of the Licensing Service's proposed variation and the grounds for seeking the variation in accordance with Section 17 of the City of Westminster Act 1999. Ms Pring also advised Mr Stein that he would have the opportunity to appear before the Licensing Sub-Committee and gave him 21 days to provide his comments in relation to the proposed variation.

In addition, Ms Pring sent a copy of the letter to the West End Street Trading Association (WESTA) who represent Mr Stein.

A copy of the notification of intent to vary the licence is included as Appendix 6 of the report.

4. Consultation Response:

Licence Holder Response:

The licence holder wrote to Ms Pring on 11 May 2022 with the following submissions:

"Thank you for your email, which I have received today.

This notification should have been sent 4 weeks ago.

Firstly, the council issued this variation after over a year of delay.

Now after 2 years they wish to remove the sausages from my licence.

The specification order is out date, and obsolete and was designed for a different time.

The sausages I am selling are already cooked and are heated up to the required temperature, producing no smell or lingering odour.

Also, any trader outside Oxford Street is allowed to have this item on their licence.

There are already Traders in Oxford Street cooking food from raw which is breaking the specification, which the council have granted a licence.

So why am I being single out?

This is restraint of trade.

The only reason this specification order was made was to keep the smells away and the rubbish that may be caused from it, also to appease big business

.Finally, during the disaster of the pandemic, people lost their jobs, whole country is suffering of declining of economy, recently millions people cannot afford foods and bills. This is a small business for our family, we are working so hard to get limited income to support family, please could you consider all above situation to waive this specification."

Ms Pring responded to Mr Stein's concern regarding the notification being submitted late, to advise that the letter dated 8 April, advised that this matter would be considered on 26 May and therefore the email sent on 11 May was to confirm the location and time of the Sub-Committee hearing and therefore the correct timelines had been adhered to.

Mr Stein's submissions and Miss Pring's email of response are included as Appendix 7 of the report.

West End Street Trading Association (WESTA) response:

The West End Street Trading Association (WESTA) wrote to Ms Pring in a letter dated 14 April 2022 advising that "in principle WESTA is opposed to specifying resolutions", however, understand that the "purpose of a specifying resolution is to ensure that any prohibition applies equally to all pitches without fear or favour and regardless of individual circumstances". They advised further that they were "surprised, therefore, to learn that the Council has permitted sausages as an authorised commodity on Pitch 1726. (WESTA) understands this was a result of human error and should not have happened. WESTA supports, therefore, the recommendation of Council officers that sausages should be removed as an authorised commodity..."

The full letter from WESTA is included as Appendix 8 of the report.

5. Street Trading Policy

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

- 8(4) The council may vary street trading licences, subject to section 16 of the City of Westminster Act 1999, in order to promote any development strategy which may be in place. This may involve adding to or amending the list of prohibited goods. This may also involve the making of specifying resolutions in respect of isolated pitches where this is considered appropriate.

6. Legal Framework

Variation of licences

- Section 16(1) of the City of Westminster Act 1999 (the Act) provides:
In addition to changes to any of the standard conditions which the council may make under section 10 (Standard conditions) of this Act the council may vary a street trading licence on 1st January in any year during the currency of the licence.
- Section 17(1)(c) of the Act provides:
The council shall before—
(c) varying a street trading licence other than a variation to a standard condition as set out in section 10 (Standard conditions) of this Act;
give to the applicant or licence holder at least 21 days notice in writing of their proposal and the grounds on which the proposed refusal, revocation or variation would be based and giving the applicant or licence holder the opportunity to appear before the committee, sub-committee, authorised officer, or panel of officers determining the matter.
- Section 17(3) of the Act provides:
If an application is refused or a licence is revoked or varied (other than under subsection (2) of section 16 (Variation of licences) of this Act) the council shall notify the applicant or licence holder in writing of—
(a) the decision together with the grounds and reasons for that decision; and
(b) any rights of appeal against that decision.

Appeals against refusal, revocation, or variation of licences

- Section 18 of the Act provides:
(1) Any person aggrieved—
(a) by a decision of the council to refuse an application under section 11 (Applications) of this Act other than on any of the grounds specified in section 12 (Mandatory grounds of refusal) of this Act or to revoke a street trading licence; or

(b) by a decision of the council to grant a street trading licence on terms other than those sought; or

(c) by a decision of the council to vary a street trading licence other than by a change to the standard conditions; or

(d) by the attachment to a street trading licence of any condition other than a condition to which the licence had hitherto been subject or a standard condition; or

(e) by a prohibition under subsection (2) of section 4 (Itinerant ice cream trading) of this Act;

may appeal to a magistrates' court acting for the area in which the street trading pitch is situated or in which is situated the street to which the prohibition relates.

(2) An appeal under subsection (1) above may be brought—

(a) in the case of an appeal under subsections (1)(a) to (d) above, at any time before the expiration of the period of 21 days beginning with the date upon which notification in writing is given of the decision.

List of Appendices

Appendix 1	Street Trading licence reference 05/04822/LI_STE dated 24/01/2022
Appendix 2	Specifying Resolution dated 28 June 2007
Appendix 3	Variation application and Menu received 17 August 2019
Appendix 4	Letter to Mr Stein from Ms Pring dated 26 October 2020
Appendix 5	Email from Mr Stein to Ms Pring dated 27 October 2020
Appendix 6	Notification of intent to vary licence sent 10 April 2022
Appendix 7	Licence holder submissions & Miss Pring's response
Appendix 8	Letter from WESTA supporting variation dated 14 April 2022

If you have any questions about this report, or wish to inspect one of the background papers, please contact **Shannon Pring** at spring3@westminster.gov.uk

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

- City of Westminster Act 1999
- City of Westminster Statement of Street Licensing Policy adopted in December 2013
- Rules of Procedure for Licensing Sub-Committee

NOTES

The Council may revoke this licence on certain specified grounds e.g. for misconduct, failure to pay charges or failure to personally make full use of this licence.

There are rights of appeal to a Magistrates Court against revocation or refusal to renew.

The holder of this licence may register up to three persons with the Council to ASSIST him/her in the conduct of the business without any further licence being required. The licence may not be transferred to any other person nor may it be altered or tampered with in any way. Any failure by an Assistant to comply with licence conditions will be deemed to be a failure by the licence holder.

Any breach of this licence is punishable by a penalty not exceeding Level 3.



CITY OF WESTMINSTER

CITY OF WESTMINSTER ACT 1999

STREET TRADING LICENCE

Pitch 1726



1. THE WESTMINSTER CITY COUNCIL hereby grants to **Mr Paul Simon Stein** a licence to engage in street trading in the City of Westminster, pursuant of section 9(1) of the City of Westminster Act 1999, on Pitch 1726.
2. This licence authorises the holder to trade solely in the articles, and in the manner, and at the places and times specified in the Schedule to the licence and is granted subject to: (i) the standard conditions made under section 10(1) of the City of Westminster Act 1999; (ii) any Act amending the same and to any Orders made thereunder; (iii) any other statutory enactment which is in force for the time being; and (iv) any further conditions stated below that are specific to this licence.
3. This licence shall remain in force until it is cancelled or revoked by the Council.

Dated this: 24 January 2022

Robert Williams
Senior Licensing Officer
On behalf of the Director – Public
Protection and Licensing

SCHEDULE

Class of Articles	Fish & chips, Halal, Sandwiches, Sausages, Gourmet, Ice cream, Cold beverages, Patisserie including donuts						
Street	Pitch 1726 - Duke Street						
Position or Place at which the holder may trade	Duke Street southeast footway, 0.91m from pedestrian crossing push button pole, 1.22m from kerb edge						
Size of Pitch	L: 3.04m W: 3.04m						
Day	MON	TUE	WED	THUR	FRI	SAT	SUN
From Time	10:00	10:00	10:00	10:00	10:00	10:00	10:00
To Time	22:00	22:00	22:00	22:00	22:00	22:00	22:00

FURTHER CONDITIONS

1. Must retain a fully operational Fire Blanket and suitable Fire Extinguisher for use with deep frying equipment.



City of Westminster

Licensing Sub-Committee Report

Item No:	Agenda Item 5
Date:	28 th June 2007
Classification:	For General Release
Title of Report:	Approval of a proposed Specifying Resolution
Report of:	Director of Legal and Administrative Services
Policy context:	Promoting Order and Supporting Enterprise in Oxford Street and the Adjoining Streets (Oxford Street Pitches)
Financial summary:	There are no financial implications arising from this report
Report Author:	Chris Wroe Head of Licensing
Contact Details:	Telephone: 020 7641 7832 E-mail: cwroe@westminster.gov.uk Fax: 020 7641 7815

Report No		
LAS -17-07		
LICENSING SUB COMMITTEE	28 th June 2007	FOR GENERAL RELEASE
CITY OF WESTMINSTER ACT 1999: ISOLATED PITCHES IN OXFORD STREET		Ward : BRYANSTON AND DORSET SQUARE MARYLEBONE HIGH STREET WEST END
Proposal	To pass a Specifying Resolution at Oxford Street pitches.	
Recommendations	1) That the Council pass a specifying resolution under section 5(1)(b)(ii) of the City of Westminster Act 1999 to prohibit the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spare-ribs from the street trading pitches at the licence streets listed at Annex A.	
List of Annexes	ANNEX A	List of Licence Pitches and Commodities
	ANNEX B	Map of Street Trading Pitches in Oxford Street
	ANNEX C1	Consultation letter to traders
	ANNEX C2	Representation from Mr Munro, Pitch 938 – Wells Street
	ANNEX C3	Representation from West End Branch NMTF
	ANNEX C4	Representation from JR Wainwright
	ANNEX D1	Comments from the Cleansing Service
	ANNEX D2	Comments from Community Protection
	ANNEX E1	Application Guidelines for Isolated Street Trading Pitches
	ANNEX E2	Oxford Street Commodity and Application Guidelines
	ANNEX F	Email regarding wording of specifying resolution

1. SUMMARY

- 1.1 The Licensing Sub-Committee is asked to consider a proposal to pass a specifying resolution under section 5(1)(b)(ii) of the City of Westminster Act 1999 for street trading pitches in Oxford Street and adjoining streets (Oxford Street pitches) to prohibit the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spare-ribs from the street trading pitches at the licence streets listed at Annex A.

Licensing Sub-Committee – 8 March 2007

- 1.2 The proposal to pass a specifying resolution was originally scheduled to be determined by the Licensing Sub-Committee on 8th March 2007. At this hearing, the Sub-Committee decided to adjourn the matter so as to allow the Licensing Service to investigate a claim made by the West End Street Traders Branch of National Market Traders Federation (WESTB of NMTF) that the Council still had outstanding variation applications for the sale, supply and provision of hot food and hot drink that were submitted before consultation had taken place on the proposed specifying resolution and had not been determined as yet. The Sub-Committee felt that these outstanding applications would need to be investigated before the proposed specifying resolution could be heard. Investigation has taken place and there is no record of any such applications.
- 1.3 The original report, scheduled for the Committee on 8th March 2007, outlined the following options for the Committee to consider in the passing of a specifying resolution:-
- prohibit the sale, offer or provision of hot food from the street trading pitches at the licence streets listed at Annex A;
Or :-
 - prohibit the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages and frankfurters from the street trading pitches at the licence streets listed at Annex A;
And:-
 - prohibit the sale, offer or provision of hot drinks from the street trading pitches at the licence streets listed at Annex A.
- 1.4 Subsequent to the adjournment of the hearing, WESTB of NMTF proposed amendments to the wording of the proposed specifying resolution. They considered that the original proposal to prohibit hot food and hot drink was too broad. As the object of the proposed specifying resolution was to prevent nuisance due to odour, it was considered that it would be sufficient to prohibit certain foods which may result in an odour nuisance. Accordingly, the Specifying Resolution has been amended as set out in paragraph 1.1 above and the paragraph 9 of the report. (also refer to Annex F).

2. BACKGROUND – REASON FOR THE PROPOSED SPECIFYING RESOLUTION

Application and Commodity Guidelines

- 2.1 Section 9(2)(b) of the City of Westminster Act 1999 (the Act) provides that a street trading licence can be granted subject to a condition that identifies the articles, things or services or the classes of articles, things or services which the licence holder may sell or expose or offer for sale or provide. The Council has developed application and commodity guidelines to help determine whether to restrict the articles, things or services that can be sold, offered or provided on a particular pitch. These are attached as Annex E1 and Annex E2.
- 2.2 The current application guidelines for isolated pitches (Annex E1) provide that the potential nuisance arising from the sale of the commodity in terms of additional litter

and cleansing requirements must be taken into account, as well as the safety of the public and any risks, when determining applications. This is a specific consideration in the filling of pitches in Oxford Street (Annex E2).

- 2.3 Section 13(1)(a) of the Act allows the Council to refuse a new application for a licence where the Council considers that there are enough traders in the goods in which the applicant wishes to trade. In determining such application the Council has regards to it's commodity guidelines. However, recent legal advice received from Counsel in connection with an appeal against a decision by the Licensing Sub-Committee to refuse an application to sell hot food and hot drink in Oxford Street highlighted that there is no power in the Act to refuse an application to vary a street trading licence so as to change commodities, even where the commodities are excluded by the Council's commodity guidelines.
- 2.4 In order to ensure that nuisance is not caused and (in accordance with section 13(1)(i) of the Act) that in the vicinity of the street trading pitch concerned undue disturbance is not caused as a result of the proposed activities of the applicant, through the sale, supply and provision of hot food, Officers are recommending that the Sub-Committee pass a specifying resolution, as shown in paragraph 1.1 above and 9.1 below. Paragraph 4 of this report sets out the legal framework for passing a specifying resolution.

The Oxford Street Pitches

- 2.5 There are thirty-seven 'Oxford Street' pitches, four of which are currently vacant. A list of commodities that may presently be sold on the pitches is attached as Annex A. A map identifying the location of these pitches is attached as Annex B.
- 2.6 The current commodity guidelines for Oxford Street pitches do not include hot food or hot drinks (See Annex E2). Members of the Licensing Sub-Committee have previously expressed the view that the visual aspects and the smells associated with certain types of hot food are not consistent with Oxford Street as the Capital City's premier shopping location. Neither is it consistent with the Council's policy aspiration to market the West End as a premium brand.
- 2.7 Notwithstanding the guidelines, there are currently four Oxford Street pitches already licensed to sell hot chestnuts, hot caramelised peanuts or hot drinks:-
- ❖ Pitch 937, Berners Street has been permitted since 1987 to sell hot chestnuts.
 - ❖ Pitch 944, Vere Street has been permitted since 1990 to sell hot chestnuts.
 - ❖ Pitch 1709, Princes Street has been permitted since 1984 to sell hot chestnuts and hot drinks.
 - ❖ Pitch 1710, Davies Street has been permitted since 1993 to sell hot chestnuts and caramelised peanuts.
- 2.8 On 1 March 2007, the Licensing Sub-Committee, having received Legal advice that there were no legal powers to refuse, granted a variation application made by Mr R Munro, the licensee of Pitch 938, Wells Street, to sell hot food. In the report of 1 March 2007, the Sub-Committee was advised that if a specifying resolution is passed subsequent to the grant of any variation to his licence, it would be recommended that

the specifying resolution would also apply to pitch 938. Mr Munroe was also advised of this recommendation prior to the hearing.

- 2.9 On 25th April 2006, the Licensing Sub-Committee refused a variation application made by Mrs Wainwright, the licensee of pitch 1710, Davies Street, to sell hot food. An appeal was lodged with the Magistrates Court by Mrs Wainwright to this decision and was upheld when the Council withdrew from the appeal. It is recommended that the proposed specifying resolution also apply to pitch 1710.
- 2.10 Mr Munro and Mrs Wainwright were aware at the time of the grant of hot food and hot drink that the Council had a policy aspiration to restrict the sale of hot food and hot drink and the intention to utilise legal powers in order to do so. It is therefore recommended that the proposed specifying resolution, as set out in paragraph 1.1, also apply to pitch 938 and 1710.

3. POLICY

- 3.1 A Licensing Sub-Committee report dated 15 March 1999 states that for many years licensed street trading in Oxford Street, in common with the street markets, has operated within commodity guidelines. The aims of the guidelines are to:
- (i) Indicate preferred commodities and to indicate those commodities which would not be permitted;
 - (ii) Achieve a balance of commodities;
 - (iii) Protect small shops from traders selling the same commodity; and
 - (iv) Protect the trade of individual licence holders from other licence holders seeking to duplicate a successful commodity line.
- 3.2 The application guidelines for Isolated Street Trading Pitches are set out at Annex E1. The Commodity and Application Guidelines for Street Trading Pitches in Oxford Street is set out at Annex E2.
- 3.3 As part of the One City Programme to seek and enhance order, opportunity, enterprise and renewal, the City Council is reviewing the West End and the City. In parts of the City there are Action Plans (Soho and Edgware Road) and Business Improvement Districts, proposed Action Plan for Oxford Street, Regent Street and Bond Street (ORB), together with Local Area Regeneration Partnerships (LARPS).

4. LEGAL FRAMEWORK

- 4.1 Under the provisions of section 5 (1)(b)(ii) of the City of Westminster Act 1999, the Council may pass a resolution specifying that in relation to a licence street or streets either the sale, offer or provision of specified articles, things or services or classes of articles, things or services are prohibited in that street.
- 4.2 Under the provisions of section 7 of the 1999 Act, the Council shall not pass a specifying resolution unless they have first given notice in writing to all licence holders who they could reasonably expect to be affected by it; and to any body, which appears to the Council to represent such licence holders. Such notice shall give details of the proposed resolution and state that representations may be made

regarding the proposed resolution by a date not less than 28 days after the notice has been given.

- 4.3 In accordance with the legislation, 28 days were allowed for the submission of representations in writing, but was extended by a further 10 days, by the Licensing Service Manager, when a request was made by WESTB of NMTF for an extension in order to discuss the proposal with branch members.
- 4.4 The Council must give to any person who makes representations by the due date an opportunity to make oral representations to the Council and may at their discretion consider/hear other representations received after that date.
- 4.5 The Council may pass the resolution with any modifications, which they consider appropriate as a result of any representations received.
- 4.6 As soon as practicable after passing a resolution, the Council must by notice in writing inform all parties given notice of the proposed resolution.
- 4.7 Any person aggrieved by a specifying resolution may appeal to the Secretary of State whose decision is final.
- 4.8 An appeal may be brought at any time before the expiration of a period of three months commencing on the date the person aggrieved was notified in writing of the passing of the resolution.
- 4.9 Under the provisions of section 15(1)(b) of the Act, the Council may at any time revoke a street trading or a temporary licence if they are satisfied that the licence holder is trading in breach of the terms of a specifying resolution.
- 4.10 The City Council has a duty under the European Convention on Human Rights to take into account the rights of a licensed street trader to operate his business without undue interference (Article 1 of the first protocol).

5. WARD MEMBER CONSULTATION

- 5.1 Ward Members for Bryanston and Dorset Square, Marylebone High Street and West End have been consulted. Any comments received after the publication of the report will be reported verbally at the hearing.

6. CONSULTATION

- 6.1 On 30th November 2006, the Licensing Service were authorised by the Licensing Sub-Committee to undertake statutory consultation to introduce a specifying resolution for the prohibition of the sale, offer or provision of hot food or hot drink at Oxford Street pitches.
- 6.2 Just before the above meeting Mrs JR Wainwright, the licence holder of pitch 1710, Davies Street, submitted to the Council correspondence seeking to be excluded from the proposal due to an outstanding appeal. This letter is attached as Annex C4. After authorisation was given by the Licensing Service to undertake statutory

consultation, Mrs Wainwright was consulted with regard to the specifying resolution. However, no further comments have been received.

- 6.3 On 12th December 2006 the Licensing Service wrote to all the street traders occupying the pitches along and adjoining Oxford Street and The WESTB of NMTF, informing them of the proposed specifying resolution. (Refer to Annex C1).
- 6.4 On 19th December 2006, a meeting took place between officers of the Licensing Service and representatives of the WESTB of NMTF to discuss the current commodities within Oxford Street and the specifying resolution. This fulfilled a commitment given by officers to meet with the WESTB of NMTF to discuss representations they had made to the Licensing Sub-Committee on 30th November 2006. The representations made by the WESTB of NMTF indicated that their members would be inclined to agree with prohibiting certain foods that they consider directly cause the issues outlined in paragraph 2.6 above, rather than all hot foods and hot drinks. In particular, hotdogs, beef burgers, hamburgers, sausages and frankfurters should be specifically prohibited (Refer to paragraph 7.2 below).
- 6.5 On 26th February 2007 a further meeting took place between representatives of the Licensing Service and representatives of the WESTB of NMTF, to discuss the draft report.
- 6.6 The Council's Community Protection, Cleansing Division and Planning Service have been consulted regarding the proposals. Their comments are outlined at paragraph 8 below.

7. REPRESENTATIONS

- 7.1 On 3rd January 2007 representations were received from Mr R Munro, the licence holder of Pitch 938 – Wells Street, on the grounds that he had submitted an application to the Council to change the commodities for his pitch. This application was submitted on 25 July 2006 and was to change the current commodities from Souvenirs, hats and gloves, toys, festive decorations and neckwear to hot and cold food, hot and cold drinks and ice cream. (See copy letter attached as Annex C2). Mr Munro's application was granted by the Licensing Sub-Committee on 1st March 2007. (Refer to paragraph 2.9 above).
- 7.2 On 19th January 2007, representations were received from the WESTB of NMTF regarding the specifying resolution set out in the consultation. The letter is attached as Annex C3. The WESTB of NMTF asked for the specifying resolution to contain a more specific form of wording. Viz *"That pursuant to Section 5(1)(b) and Section 7 of the City of Westminster Act 1999, in relation to the following streets designated as "licence streets" (defined in Section 2 of the 1999 Act) the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages and frankfurters are prohibited."*

The grounds for representations were as follows:-

- The resolution (as originally proposed) would be an unnecessary restraint of trade and would enshrine the commercial advantage of four traders.
- The Council has produced no evidence to justify the resolution on safety grounds

- To trader's knowledge, there has been no accident involving hot food being sold from street trading stalls either in Westminster or elsewhere in the country.
- Visual and similar amenity considerations are nowhere mentioned in the City of Westminster Act 1999.
- The proposed resolution is premature. There should firstly be a full review of the Commodity Guidelines.
- The branch understands the concerns of the Council in relation to smells associated with hotdogs, hamburgers etc and in the spirit of compromise would be prepared to agree to an amended wording (see paragraph above).

7.3 Since this representation was made WESTB of NMTF has proposed an amendment to the wording of the Specifying Resolution (Refer to paragraph 1.4 above).

8. OFFICER COMMENTS

8.1 The Council's Cleansing Division stated that the main concern is the litter and staining that would be caused by discarded food and drink (by customers) as a result of the sale of hot food and hot drink from isolated pitches, leading to further degradation of the street environment. The Cleansing Division have stated that whilst it is appreciated that there are a number of fast food establishments in the area that provide take away facilities, most offer customers the opportunity to eat inside the premises, which isolated pitches could not provide. (Refer to Annex D1).

8.2 The Community Protection Department has stated that the main concern with the sale, offer or provision of hot food and hot drink is that smoke, cooking fumes and especially cooking odours are likely to give rise to complaints from pedestrians and retailers, to the extent that they might become a statutory odour nuisance under the Environmental Protection Act 1990. Food stalls do not have high level extract systems that comprise of grease filters, extract trunking, high velocity fans and odour suppression systems such as carbon filters that help to ensure that cooking odours are eliminated and dispersed at high levels (as do food premises). Therefore, the cooking odours from food stalls will dilute and disperse at low level from a simple fan unit in the structure of the stall, whereupon odours would have to rely on strong winds at ground level. Furthermore, the cooking and heating of Pizzas, hotdogs and burgers can produce strong, lingering and prolonged odours that can impregnate clothes that may be of concern to clothes retailers. It is therefore considered that the siting of any food stalls, which would generate odours is important in order to ensure that the Council does not receive odour complaints.

8.3 The Community Protection Department has further stated that in addition to being mindful of where cooking odours could cause a nuisance, it would be advisable not to place food stalls where queues of customers could form to the extent that it would impede or interfere with the flow of pedestrian traffic. There is also concern that people holding hot drinks and hot food could be accidentally knocked. Therefore, as some food stalls may become popular and with large queues, partly because of the time it takes to assemble a food item and drink, consideration should be given to ensure that food stalls are not sited close to;

- ❖ steps, where pavements are narrow
- ❖ tube station entrances
- ❖ busy road crossings

(Refer to Annex D2).

9. RECOMMENDATIONS AND REASONS

- 9.1 That, *pursuant to Section 5(1)(b) and Section 7 of the City of Westminster Act 1999, in relation to the following streets designated as “licence streets” (defined in Section 2 of the 1999 Act)* the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spare-ribs at the licence streets listed at Annex A, shall be prohibited.
- 9.1.1 The Licensing Sub-Committee has previously, in refusing applications for hot food sales on Oxford Street, expressed the view that the smells associated with hot food are not appropriate in Oxford Street. It is considered that they are not consistent with Oxford Street’s role as the Capital City’s “Premier shopping location” nor with the aspiration to market the West End as a “premium brand.”
- 9.1.2 This is supported by the Council’s Community Protection Team who has stated that smoke, cooking fumes and cooking odours are likely to give rise to complaints from pedestrians and retailers, to the extent that they might become a statutory odour nuisance under the Environmental Protection Act 1990.
- 9.1.3 Some of the current pitches are located near tube stations and near shops where wind could blow the smoke from the cooking of hot food and cause a nuisance to shops and passers by.
- 9.1.4 There is also a concern that permitting the sale of hot food would lead to an increase in litter on the streets. The majority of current street trading stalls are licensed for commodities that are more likely to be placed in a bag and taken away from the pitch, whereas hot food and drink is likely to be eaten in the vicinity of the area. Such food litter may also lead to the staining of the street caused by discarded food and drink and lead to further degradation of the street environment. However, concerns can be mitigated by the use of appropriate trading stalls and by applying suitable conditions to a licence.
- 9.1.5 Recent legal advice has stated that the Council has no powers to refuse an application to vary a street trading licence, so as to change commodities (refer to paragraph 2.3 above). Therefore, if a variation application were granted for the sale of hot food and hot drink and the above problems outlined in paragraphs 9.1.2 to 9.1.4 above were to occur, the Licensing Authority would not be permitted to refuse a variation application.
- 9.1.6 It is considered that it would be sufficient to prohibit certain types of food that may result in odour nuisance, rather than the original proposal of all hot food and hot drinks.

9.1.7 It is also recommended that in order to prevent odour nuisance from all licence stalls, the prohibition of commodities listed at paragraph 9.1 above shall also apply to pitches 1710 and 938.

IF YOU HAVE ANY QUESTIONS ABOUT THIS REPORT, PLEASE CONTACT AYESHA FLEMMING ON 020-7641 2542 OR AT aflemming@westminster.gov.uk

BACKGROUND PAPERS

- ❖ City Of Westminster Act 1999
- ❖ Licensing Sub-Committee Report 15 March 1999
- ❖ Licensing Sub-Committee Report 30 November 2006
- ❖ Licensing Sub-Committee Report 1st March 2007
- ❖ Licensing Sub-Committee Report 8th March 2007

**PROPOSED LIST OF PITCHES TO BE COVERED BY SPECIFYING
RESOLUTION PROHIBITING THE SALE, OFFER OR PROVISION OF
HAMBURGERS, BEEF BURGERS, HOTDOGS, SAUSAGES,
FRANKFURTERS, HOT CHICKEN, STEAKS AND SPARE-RIBS**

Key: Pitches currently selling either hot chestnuts, hot caramelised peanuts or hot drinks

	PITCH NUMBER	STREET	COMMODITIES PERMITTED TO SELL
1	912	Stratford Place	Souvenirs, festive decorations, toys
2	916	Tottenham Court Road	Leather goods, watches, neckwear, clocks, jewellery, cold drink and festive decorations
3	918	Marylebone Lane	Souvenirs, toys, festive decorations, telephone cards, audio goods, video tapes, hats, gloves
4	919	John Princes Street	Souvenirs, toys, festive decorations, bus tour tickets, telephone cards
5	927	Old Quebec Street	VACANT
6	928	Bird Street	Leather goods, neckwear, toys, watches, clocks, telephone cards, jewellery
7	929	James Street	Souvenirs, toys, festive decorations, bus tour tickets, purses
8	930	Duke Street	Leather goods, neckwear, telephone cards, diaries, filofaxes
9	931	Marylebone Lane	Leather goods, cold drink, neckwear, watches, clocks, jewellery, machined ice cream, telephone cards
10	932	Great Castle Street	Newspapers, cold drinks, cigarettes, telephone cards, periodicals, post cards, bus tour tickets, confectionery
11	933	Great Titchfield Street	Souvenirs, toys, hats, gloves, watches, clocks, jewellery, telephone cards
12	934	Orchard Street	Fruit, neckwear, leather goods, cold drink, festive decorations, telephone cards, flowers (Leather goods are not to be displayed for sale when fruit and vegetables are displayed for sale)
13	937	Berners Street	Watches, jewellery, clocks, cold drinks, cards, toys, festive decorations.
14	938	Wells Street	Souvenirs, toys, hats, gloves, bus tour tickets, telephone cards, hot and cold food, hot and cold drinks, ice cream.

		drinks, ice cream.
15	942	Old Cavendish Street Shirts, neckwear, telephone cards, leather goods, machined ice cream
16	944	Vere Street Fruit, soft ice cream, cold drink, pop corn, , telephone cards
17	945	John Princes Street Watches, hats and gloves, clocks, festive decorations, toys, jewellery, cold drink
18	1662	Woodstock Street Fruit, vegetables, toys, festive decorations, pictures, cold drink
19	1663	Little Argyll Street Souvenirs, hats, neckwear, gloves, telephone cards, leather goods, bus tour tickets
20	1677	Hill's Place Diaries, costume jewellery, watches, leather goods, clocks, filofaxes, neckwear, telephone cards
21	1697	Argyll Street Flowers
22	1698	Oxford Street VACANT
23	1709	Princes Street Fruit, leather purses, wallets, belts, vegetables, flowers, plants, dried artificial flowers and plants, and cold drinks, toys, ice-cream, neckwear,
24	1710	Davies Street Cold drink, neckwear, ice cream, confectionery, leather goods, fruit, flowers, plants, forest sundries, bags, belts, purses, wallets, key holders, passport covers, wrapped confectionery including , items of a similar but unspecified nature to bags, belts, purses and wallets, (Leather goods shall not be displayed for sale at the same time that flowers are sold/displayed for sale).
25	1711	Dering Street Souvenirs, cold drink, neckwear, toys, bus tour tickets, telephone cards
26	1713	Binney Street Souvenirs, neckwear, hats, gloves, cold drinks, confectionery
27	1717	New Bond Street VACANT
28	1718	Park Lane Souvenirs, telephone cards, bus tour tickets
29	1719	Lumley Street Leather goods, hats, toys, gloves, telephone cards, neckwear
30	1720	Gilbert Street VACANT
31	1721	Argyll Street Fruit, vegetables, cold drink, machined ice cream, festive decorations, toys, confectionery
32	1722	Park Lane Bus tour tickets, cold drink, ice cream, telephone cards, flowers, fruit

33	1724	North Audley Street	Souvenirs, neckwear, cold drink, festive decorations, diaries
34	1726	Duke Street	Ice cream, cold drink, fruit, hot chestnuts, telephone cards
35	1731	Balderton Street	Souvenirs, diaries, leather goods, neckwear, telephone cards
36	1792	Charing Cross Road	Souvenirs, nightwear, hats, gloves, bus tour tickets, telephone cards
37	3005	Portman Street	Ice cream and frozen confectionery

STREET TRADING PITCHES IN OXFORD STREET



ANNEX B

○ Street trading pitch

Source:
Licensing



City of Westminster

LICENSING

12/12/06

«Full_Name»
«Home_Address»

Ref: «Pitch_Number»

Dear Sir/Madam

**CITY OF WESTMINSTER ACT 1999:
OXFORD STREET PITCHES – PROPOSED SPECIFYING RESOLUTION PROHIBITING HOT
FOOD OR DRINK**

I am writing to give you notice, in accordance with Section 7 of the City of Westminster Act 1999, that the City Council will be recommended, at a future meeting of its Licensing Sub-Committee, to pass the following specifying resolution:

- (i) That, pursuant to Section 5(1)(b) and Section 7 of the City of Westminster Act 1999, in relation to the following streets designated as 'licence streets' (defined in Section 2 of the 1999 Act), and save as provided in (iii) below, the sale, offer or provision of hot food or hot drink are prohibited.
- (ii) That this specifying resolution shall apply to the following 'licence streets':

Street	Pitch	Street	Pitch
1) Argyll Street	1697	19) Little Argyll Street	1663
2) Argyll Street	1721	20) Lumley Street	1719
3) Balderton Street	1731	21) Marylebone Lane	918
4) Berners Street	937	22) Marylebone Lane	931
5) Binney Street	1713	23) North Audley Street	1724
6) Bird Street	928	24) New Bond Street	1717
7) Charing Cross Road	1792	25) Old Cavendish Street	942
8) Davies Street	1710	26) Old Quebec Street	927
9) Dering Street	1711	27) Orchard Street	934
10) Duke Street	930	28) Oxford Street	1698
11) Duke Street	1726	29) Park Lane	1718
12) Great Castle Street	932	30) Park Lane	1722
13) Great Titchfield Street	933	31) Portman Street	3005
14) Gilbert Street	1720	32) Princes Street	1709
15) Hill's Place	1677	33) Stratford Place	912
16) James Street	929	34) Tottenham Court Road	916
17) John Prince's Street	919	35) Vere Street	944
18) John Princes Street	945	36) Wells Street	938
		37) Woodstock Street	1662

- (iii) That this specifying resolution shall not apply to prohibit the sale, offer or provision of hot drinks, hot chestnuts and hot caramelised peanuts at any of the pitches referred to in (ii)

above that are licensed for such sale offer or provision at the date of the passing of this resolution..

The effect of the specifying resolution if it is passed will be that the Council will be entitled at any time to revoke a street trading licence or a temporary licence if it is satisfied that the licence holder is trading in breach of the terms of the resolution. In addition, the Council will be required to refuse to grant any application for the grant or variation of a street trading licence where the grant of the application would be contrary to the terms of the resolution.

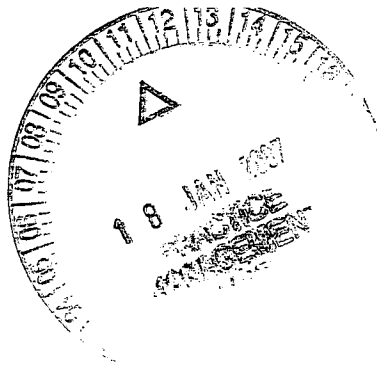
Representations may be made regarding the proposed resolution to the undersigned by no later than [at least 28 days after date of letter]. Any person who makes representations by that date will be given an opportunity to make oral representations, if they wish, to the Licensing Sub-Committee before any decision is taken. If any resolution is passed, the Council will inform you in writing as soon as possible thereafter.

Yours sincerely

For Director

24, Richmond House,
Park Village East,
London NW1 3EE

3rd January 2007



Miss. A F Lemming,
Senior Licensing Officer,
Westminster City Hall,
64, Victoria Street,
London, SW1E 6QP

Dear Madame,

Robert Munro
PITCH 938 - WELLS STREET

I am writing in reply to your letter of the 12th of December 2006 regarding the proposed specifying resolution prohibiting hot food or drink in the Oxford Street area.

As you may be aware I have on file an application to change my commodities to food and therefore I strongly object to any specifying order being passed.

I understand that Council Officers are not happy with the Heritage Type Kiosk which I and others' trade from, but if my application for food is successful I would have to change my kiosk to accommodate food, and would be happy to negotiate with the Council which type of receptacle they would prefer.

Yours sincerely,

Robert Munro.

WEST END STREET TRADERS BRANCH N.M.T.F.

2 Wisteria Close, Flower Lane, Mill Hill, London, NW7 2HZ

TELEPHONE: 020 8959 1330 – OFFICE: 020 8591 1004

Committee Chairman: Wally Watson. Secretary: Caroline Patterden

Vice Chairman: Charlie Baldwin

Committee Members: Mark Impleton, Stephen Burney, Peter Compobassi

Treasurer: Stephen Burney

Philip Doyle,
Deputy Head of Licensing,
Westminster City Council,
Westminster City Hall,
64 Victoria Street,
London, SW1E 6QP



16 January 2007

Dear Mr. Doyle,

PROPOSED SPECIFYING RESOLUTION

Firstly may I thank you for the helpful discussion representatives of the West End Branch had with you and your colleagues before Christmas. Thank you also for extending the deadline for representations so that the issue could be considered by a General meeting of the West End Branch of the NMTF.

The Branch met last night and members remain opposed in principle to the proposed specifying resolution. They believe the resolution would be an unnecessary restraint of trade and would enshrine the commercial advantage of four traders.

Furthermore the members point out that the Council has produced no evidence to justify the resolution on safety grounds. To their knowledge there has been no accident involving hot food being sold from street trading stalls either in Westminster or elsewhere in the country. The law permits hot food or drink to be sold from stalls subject to compliance with the relevant regulations. Visual and similar amenity considerations are nowhere mentioned in the City of Westminster Act 1999.

Furthermore as has been previously indicated the Branch considers the proposed resolution is premature. It believes there should first be a full review of the Commodity Guidelines.

However, as we discussed at the meeting and confirmed in the e-mail of 20 December 2006 from David Chambers the Branch understands the concern of the Council in relation to smells associated with hot dogs, hamburgers etc. The Branch officers indicated that in a spirit of compromise they would be prepared to recommend to the Branch members an amended resolution that would prohibit such commodities. Proposed wording was included in that e-mail for consideration by your legal officers. To date no response has been received from the legal officers regarding the proposed wording.

Despite this the Branch officers put to the meeting a proposal recommending a compromise resolution. This was agreed by the meeting.

The Branch, therefore, urges the Council to exercise its powers to amend the proposed specifying resolution in the light of the representations received. The Branch asks that the resolution be in the following terms:

“that, pursuant to Section 5(1)(b) and Section 7 of the City of Westminster Act 1999, in relation to the following streets designated as “licence streets” (defined in Section 2 of the 1999 Act) the sale, offer or provision of hamburgers, beef burgers, hot dogs, sausages and frankfurters are prohibited.”

The Branch believes that this resolution should deal with the items that have historically caused Councillofs concern whilst allowing the Council to consider applications to sell things like soups, teas, coffees, hot potatoes etc on their individual merits.

The resolution is slightly different to what we discussed at the meeting because on reflection it was felt that the words “of a similar nature” could be subject to varying interpretation and that it is important for the resolution to be crystal clear.

I look forward to hearing from you.

Yours sincerely,



WALLY WATSON (CHAIRMAN) WEST BRANCH N.M.T.F.

J R WAINWRIGHT

30th November 2006

Councillors Tombolis, Mitchell, Vearncombe and any other members of tonight's committee.

Committee Services
C/o Ellie Clay

By fax to 020 7641 ~~2042~~ *adv works 2025*

And to

C T Wilson
Director
Legal and Administrative Services
Westminster City Council

by fax to 0207-641-3325

c.c. to Mr Doyle by fax to 020 7641 7815.

MOST URGENT - PLEASE ACTION THIS DAY

Tonight's Licensing Sub-Committee 30/11/06 - 6.0 p.m.

Consultation on a Proposed Specifying Resolution

Dear Councillors Tombolis, Mitchell, and Vearncombe, and Mr Wilson,

I have only today seen the report before tonight's committee, my comments are not therefore exhaustive.

I thank Ms Clay for agreeing to watch out for this fax and to forward it to members before tonight's meeting.

I am the licensee of pitch 1710. In respect of my pitch the commodities listed to be sold are quoted inaccurately in the report. I refer the committee to the decision of the same committee dated 25/4/06. In particular hot food is a licensed item.

That decision is subject to an appeal before Marylebone Magistrates Court where the council have been summonsed to attend, and as such is subjudice. I believe it is inappropriate for the council to consider a specifying resolution until that appeal is determined, especially where the evidence Mr Doyle has given to that court is or appears to be in conflict with the advice he has given to this committee.

I ask Mr Wilson to consider withdrawing his report on this matter, or of excluding my pitch from it.

Otherwise I ask members to consider the representations below to the extent, if they

consider it prudent, of sending the report back to officers for full and proper consideration and consultation, or to take advice regarding the specifics of my subjudice appeal including the evidence Mr Doyle has given to the Court with a view to instructing that my pitch be excluded from the current proposals.

Mr Doyle has not given a thorough briefing.

The council do indeed seem to have quite improperly slipped into the process of controlling street trading by guidelines and not by the provisions of the City of Westminster Act.

When adopted the guidelines were intended simply as the method whereby officers could decide applications under delegated authority. If within guidelines officers would approve, if not it would be referred to the committee for decision in accordance with the provisions of the law. Latterly officers have not understood this.

The Act generates quite sufficient powers (without the need for a specifying order) under sections 12 and 13 to control what may be sold, the council have chosen not to apply those provisions but rely on guidelines.

There are also very strong powers under section 15 which at any time allow the council to revoke a licence or vary its conditions if *inter alia* and for example *in the vicinity of the street trading pitch concerned undue disturbance has been caused by the activities of the licence holder.*

There are rights of appeal against a specifying order under section 19 of the Act which are bound to be invoked at considerable cost to the council and licencees, especially if the council go off half cocked.

It is at least controversial if not unlawful or an abuse of process to propose any such resolution is acted upon before the appeal process is exhausted.

There are clearly matters arising under The Human Rights Act 1998 in respect of the rights of individuals.

As ever in street trading matters the report makes no mention of human rights issues, Westminster appear not to believe the Human Rights Act applies.

Section 6 of the Human Rights Act makes it unlawful for a public authority to act in a way incompatible with a Convention right including a failure to act.

I suggest before proceeding further with any consultation that detailed consideration should be given to, *inter alia*, Schedule 1 Article 14, and the First Protocol Article 1.

I would remind you that the Department for Constitutional affairs has updated its handbook for public authorities on implementing the Human Rights Act 1998. A new edition entitled Human Rights Human Lives has been published in October 2006 and is available on their website.

If you do nothing else I suggest you question Mr Doyle as to whether Human Rights Issues have been fully taken into account and if he is fully familiar with that legislation and the advice of the Department for Constitutional Affairs.

In particular that advice which says that possessions and property include licences which allow people to exercise a trade or profession, that the right to peaceful enjoyment of that property includes the right to develop it, and that before a public authority can interfere there must be both a law that allows them to so and there is an overriding need to do so in the public interest.

Mr Doyle has demonstrated no such overriding need.

And that public authorities must not take a sledgehammer to crack a nut. A perfectly adequate nutcracker exists in the form of the City of Westminster Act sections 12, 13, and 15.

In terms of schedule 1 article 14 none of Mr Doyle's arguments apply to Oxford Street alone. Hot food etc is widely licensed and sold throughout the City without any of the problems he predicts in equally busy areas such as markets, Piccadilly Circus, Westminster Abbey, Westminster Bridge and Madame Tussauds.

Section 2.3 of the report describes a policy that is clearly unlawful under the First Protocol Article 1 and section 13 (1) (a) of the City of Westminster Act. Which section applies only in respect of a grant rather than a variation of a licence and thereby recognises that with an existing licence property exists and it would be improper under the Human Rights Act to impede its development by restricting what may be sold in relation to other premises.

Street trading committee resolutions and minutes never seem to contain consideration of Human Rights legislation. I believe there is a statutory requirement and duty upon you to take Human Rights issues into account and you must mention these issues specifically in your decision. It would be a serious matter indeed if you fail to take Human rights into account at this early stage and after much expenditure these proposals eventually fall due amongst other reasons for Human Rights issues.

Mr Doyle is wrong to rely on both the application guidelines for isolated pitches and for Oxford Street. Section 2 of the isolated guidelines is clearly in conflict with section 9 of the Oxford Street Guidelines that states it only applies to vacant pitches, otherwise the council act in breach of section 13(1) (a) of the City of Westminster Act.

In that respect the provisions of section 2.2 of the report before the committee is clearly unlawful.

The report before the licensing sub committee of 15/3/99 at section 3.15 makes it clear that a single separate set of guidelines will apply to Oxford Street, the isolated guidelines are of no relevance. Again officers have not understood this.

There is clearly a contradiction between the proposals of this report to restrict development of businesses and the criteria proposed on this same agenda regarding relief from fees that requires traders to demonstrate they have taken or are taking steps to improve their business.

Yours Sincerely,

J R Wainwright (Mrs)

J R Wainwright (Mrs)

Cleansing Comments

-----Original Message-----

From: Sharland, Vernon
Sent: 26 January 2007 11:12
To: Flemming, Ayesha
Subject: RE: Consultation Memo

Hi Ayesha

The main concerns, as far as the Cleansing service is concerned, is the litter, spillage and staining that will be caused from discarded food and drink by customers as a result of the sale of hot food and drink by isolated pitches, which will lead to further degradation of the street environment. Whilst we appreciate that there are a number of fast food establishments in the area that provide take away facilities, most however offer customers the opportunity to eat in, which the isolated pitches don't provide.

Regards

Vernon.

-----Original Message-----

From: Flemming, Ayesha
Sent: 23 January 2007 14:00
To: Sharland, Vernon
Subject: Consultation Memo

Hi Vernon

How are you. It's been a long time since, I've had to email you,,but once again I need your help. Please see attached memo.

<< File: Specification Order - Consultation memo to Cleansing.doc >>

Ayesha Flemming
Senior Licensing Officer

Licensing Service
Westminster City Council
14th Floor
64 Victoria Street
London, SW1E 6QP

Tel: 020 7641 2542
Fax: 020 7641 7815
Email: aflemming@westminster.gov.uk
Web: www.westminster.gov.uk

Community Protection Comments

Environmental Health Concerns in Serving Hot Food along Oxford Street from Licensed Stalls

Cooking Odours

Smoke, cooking fumes and especially cooking odours are likely to give rise to complaints from pedestrians and retailers, to the extent that they might become a statutory odour nuisance under the Environmental Protection Act 1990.

Food premises typically have high-level kitchen extract systems that comprises of grease filters, extract trunking, high velocity fans and odour suppression systems such as carbon filters that helps to ensure that cooking odours are eliminated, diluted and dispersed at high levels.

Food stalls do not have that luxury and therefore cooking odours will dilute and disperse at low level from a simple fan unit in the structure of the stall, whereupon odours would have to rely on strong winds at ground level. Furthermore, the cooking and heating of pizzas, hot dogs and burgers can produce strong, lingering and prolonged odours that can impregnate clothes that may be of concern to clothes retailers.

Therefore, the careful siting of any food stalls is critical in order to ensure that the Council does not receive odour complaints.

Siting of Food Stalls

In addition to being mindful of where cooking odours could cause a nuisance, it would be advisable not to place food stalls where queues of customers could form to the extent that it would impede or interfere with the flow of pedestrian traffic. There is also the worry that people holding hot drinks and food could be accidentally knocked.

Therefore, as some food stalls may become popular and with large queues, partly because of the time it takes to assemble a food item and drink. Consideration should be given to ensure that food stalls are not sited close to; steps, where pavements are narrow, tube station entrances and busy road crossings.

APPLICATION GUIDELINES
FOR ISOLATED STREET TRADING PITCHES

1. Fruit, vegetables, flowers, pot plants and newspapers are to be preferred before any other commodities.
2. In determining applications, the Council will take into account:-
 - (a) The appropriateness of the commodity in relation to the potential adverse visual impact that it would have upon the character and appearance of conservation areas and on adjacent listed buildings.
 - (b) The willingness of the applicant to comply with the design brief.
 - (c) The extent to which the sale of the commodity will provide a useful service to the local community not otherwise provide in the area.
 - (d) The potential nuisance arising from the sale of the commodity in terms of additional litter and cleansing requirements.
 - (e) The safety of the public and any risks.
3. Applications will not normally be granted:
 - (a) where enforcement action is pending against the licence holder: or
 - (b) where the licence holder is subject to a complaint; or
 - (c) where the licence holder is currently in arrears of charges.
4. Where applications are made by licensees to add a commodity to their licence, the Council will consult shops (excluding major department stores, multiple stores and souvenir shops) and neighbouring street trading licence holders whose business include the same or similar commodities within a distance of 100 yards in either direction on the same side of the street, and within 50 yards of each side of a point directly opposite the pitch, shops and other licence holders on the opposite side of the street.
5. If, in any individual case and for whatever reason, the Council decides to grant an application which is in breach of these guidelines, such a decision should not be taken to create any kind of precedent in respect of future applications.

COMMODITY AND APPLICATION GUIDELINES FOR STREET TRADING PITCHES IN OXFORD STREET
(To be used when considering applications for new street trading licences or for variation of such licences)

Effective from 15 March 1999

1. Only commodities listed below may be sold.
2. Any application by a licence holder to change commodities will be subject to consultation with the West End Street Traders' Association and is unlikely to be approved unless the stall complies with the Council's design brief.
3. Normally a maximum of 3 commodities from the approved list will be permitted on any one licence.
4. In considering applications for changes of commodities, regard will be had to maintaining an appropriate balance of commodities traded in Oxford Street as a whole. To assist in achieving this balance special consideration would need to be given to requests to relinquish fruit and flowers or to requests to change the authorised commodities to souvenirs or leather goods.

NB: In this connection regard will be had to views of the West End Street Traders Association and whether the application has the support of the Association.

5. In considering applications for more than one commodity from a given stall, regard will be given to the appropriateness of the proposed combination, including the effect on the appearance of the stall.

NB: It is considered inappropriate for leather goods to be sold with fruit or flowers. Licence holders wishing to have such commodities on their licence will be asked to accept a condition providing that only one of these commodities will be displayed for sale at any one time.

In addition it is considered that the current restriction of ice cream to licence holders selling fruit, vegetables and flowers should be continued.

6. Applications will not normally be granted:
 - (a) where enforcement action is pending against the licence holder; or
 - (b) where the licence holder is subject to a complaint; or
 - (c) where the licence holder is currently in arrears of charges.
7. Where applications are made by licensees to add a commodity to their licence, the Council will consult shops (excluding major department stores, multiple stores and souvenir shops) within a distance of 100 yards in either direction on the same side of the street and, within 50 yards of each side of a point directly opposite the pitch, shops on the opposite side of the street.
8. If, in any individual case and for whatever reason, the Council decides to grant an application which is in breach of these guidelines, such a decision should not be taken to create any kind of precedent in respect of future applications.

9. When determining applications to fill vacant pitches the Council will take into account:

- (a) The appropriateness of the commodity in relation to the potential adverse visual impact that it would have upon the character and appearance of conservation areas and on adjacent listed buildings.
- (b) The willingness of the applicant to comply with the design brief.
- (c) The extent to which the sale of the commodity will provide a useful service to the local community not otherwise provided in the area.
- (d) The potential nuisance arising from the sale of the commodity in terms of additional litter and cleansing requirements.
- (e) The safety of the public and any risks.

NOTE A: These guidelines supplement the general guidelines for filling of vacant pitches.

NOTE B: In respect of pitches subject to the block application by WESTA agreed by Licensing (Major Issues) Sub-Committee on 15 March 1999 not more than 5 commodities may be licensed on any of these pitches.

COMMODITIES

1. Leather goods to include PVC or vinyl purses, wallets, bags and belts (not large hold-alls, weekend bags, or any type of clothing).
2. Watches and small clocks, costume jewellery.
3. Miniature paintings, prints and frames (up to size 12" x12").
4. Fruit and vegetables
5. Flowers, plants and dried flowers
6. Ice Cream (in conjunction with fruit, vegetables and flowers only). (except for Pitch no. 3005, Portman Street which is the subject of a specification order which only permits it to be licensed for ice-cream, frozen confectionery and other similar commodities).
7. Greetings cards, wrapping paper, festive decorations, tags and cellotape, postage stamps.
8. Souvenirs (including badges, caps, souvenir type hats and helmets, souvenir T shirts/sweatshirts, balloons, calendars, novelties, umbrellas, pop and sport memorabilia, 35mm films and batteries, sunglasses; postage stamps, phonecards.)
9. Toys
10. Neckwear to include shawls, ponchos, ties and scarves.
11. Hot chestnuts (special): only those already licensed.
12. Bus sight seeing tickets
13. Wrapped confectionery
14. Cold Drinks
15. Diaries, filofax
16. Compact discs, tapes, videos and computer games
17. Hats and gloves
18. Candles
19. Pot pourri and small containers, aromatherapy oils and burners.
20. Newspapers, Periodicals, Maps, Postcards, Stamps and Phonecards

The Council will consider applications to sell exclusively single ranges of branded goods which would be appropriate to Oxford Street, e.g. Disney or Warner Bros. Merchandise.

ANNEX F

-----Original Message-----

From: David [mailto:David.A.Chambers@lineone.net]
Sent: 08 June 2007 20:41
To: Flemming, Ayesha
Cc: Wally Watson
Subject: RE: Meeting on 26 February 2007 with Licensing Service re:
Specifying Resolution

Hi Ayesha,

I hope you had a good weekend. Wally and I are agreed that this draft removes the uncertainty that the last draft contained. Whilst it goes further than what was proposed by the West End Branch of the NMTF I am authorised to say that the Branch will not oppose it.

Best wishes,

David

-----Original Message-----

From: Flemming, Ayesha [mailto:AFlemming@westminster.gov.uk]
Sent: 08 June 2007 10:57
To: David; WALLY
Cc: Wroe, Chris; Large, Peter; Hemple, Pamela
Subject: RE: Meeting on 26 February 2007 with Licensing Service re:
Specifying Resolution

Hi David and Wally

Following on from your meeting with Peter Large and Chris Wroe, the proposed specifying resolution has been amended to the following:-

"that pursuant to Section 5(1)(b) and Section 7 of the City of Westminster Act 1999, in relation to the following streets designated as "licence streets" (defined in Section 2 of the 1999 Act) the sale, offer or provision of hamburgers, beefburgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spareribs shall be prohibited."

The Licensing Sub-Committee date has now been set for 28th June 2007 (I'll be formally confirming this in letter format). The Licensing Sub-Committee report therefore needs to be drafted by Wednesday 12th June. Can you please therefore inform me by Wednesday morning as to whether there is agreement to the above wording.

Regards

Ayesha Flemming
Senior Licensing Officer

Licensing Service
Westminster City Council
14th Floor
64 Victoria Street
London, SW1E 6QP

Tel: 020 7641 2542



Minutes

Meeting:

Licensing Sub-Committee No.1

Date of meeting:

Thursday 28th June at 6.00pm

Attendees:

Councillors:

Audrey Lewis (Chairman)

Nicholas Evans

Mushtaq Qureshi

Officers:

Gitanjali Gopeesingh (Legal Advisor)

Pam Hemple (Policy Advisor)

Ellie Clay (Committee Officer)

Apologies:

None

Contact:

Ellie Clay

Committee and Scrutiny Officer

Details:

Tel: 020 7641 7056

Fax: 020 7641 2042

Email: eclay@westminster.gov.uk

1. MEMBERSHIP OF THE COMMITTEE

- 1.1 There were no changes to the membership of the Sub-Committee.

2. DECLARATIONS OF INTEREST

- 2.1 Councillor Lewis declared an interest in scheduled item 6.5 (K2, 4a Upper St Martins Lane, WC2) as she had had discussions with objectors about the application. She agreed to withdraw for the consideration of this application.
- 2.2 Councillor Mitchell commented that he was only present for item relating to pitch 1643 Bridge Street not for any of the applications in his ward.

3. MINUTES

- 3.1 **RESOLVED:** That minutes of the Licensing Sub-Committees held on 17 May 2007 and 31 May 2007 be approved by the Chairman as a correct record of proceedings.

4. REGULATION OF STREET TRADING: PITCH 1643 BRIDGE STREET - WAIVER OF STANDARD CONDITIONS

In attendance:

Applicant: Councillor Tim Mitchell (Ward Councillor), Mrs Hurrell (Licence holder)

Objector: Sergeant Eric Stuart (Metropolitan Police)

Council Officers: Mr Mike Gray (Planning Development Services), Mr Peter Reeves (Planning Contingency Team)

Ms Nichola Stratford, Licensing Manager, briefly introduced the report, noting that at 6.4 of the report it would be the highway authority who would apply for to the Court for a removal and disposal order and not the Police. Additional letters of support from Mr Joe Benton MP and Lord Laird of Artigarvan had been submitted by the applicant and distributed to all parties prior to the hearing.

Applicant

Councillor Tim Mitchell, on behalf of Mrs Hurrell, highlighted that Mrs Hurrell was in effect the news agent for the Houses of Parliament which was a long standing, family business. Councillor Mitchell explained that all negotiations which had taken place during the planning process had been about a permanent structure and that public safety had been taken into consideration during the designing of the stall.

Councillor Mitchell explained that on 20th December 2006 Mrs Hurrell received a request from the Council to remove her stall for the New Year's Eve celebrations. This had not happened in previous years. Mr Hurrell co-

operated and arranged for the stall to be removed but the stall was damaged in the process as it was build as a permanent structure. On 24th January 2007 Mrs Hurrell received a penalty points notice for not removing her stall overnight. Mrs Hurrell had never removed her stall overnight as planning permission had been given for a permanent structure. Councillor Mitchell commented that clarification was required on the effect of planning permission on Mrs Hurrell's licence and that he supported her application in its entirety.

Objectors

Sergeant Stuart, Metropolitan Police, highlighted that their objection related to public safety, specifically crowd control during major events. Sergeant Stuart explained that during the 2005 New Year's Eve celebrations areas around Bridge Street and Embankment became overcrowded which resulted in 120 casualties. Radical action was required in the area to ensure against future incidents and plans had been developed with a crowd dynamics expert. However, all work would be null and void if there was a narrowing in the area, which would be caused by Mrs Hurrell's stall. Sergeant Stuart highlighted that Mrs Hurrell would only be asked to remove her stall when it was absolutely necessary. For example it was not felt necessary for the London Marathon.

Mr Reeves, Planning Contingency Team, confirmed that Mrs Hurrell would only be asked to remove her stall on a reasonable basis.

Councillor Mitchell asked whether it would be possible to place barriers either side of Mrs Hurrell's stall. Sergeant Stuart explained that it would still causing a narrowing and the only solution would be to narrow the whole area.

RESOLVED: That (a) the application made be Mrs Hurrell for waiver of standard conditions 26 and 27 applicable to her street trading licence be **refused** for the reasons given in paragraph 6.3 of the report: and

(b) the application made by Mrs Hurrell for waiver of standard condition 28 be **granted** for the reasons given in paragraphs 6.5 and 6.6 for a period of five years.

5. LICENSING APPLICATIONS

The Director of Legal and Administrative Services submitted reports in relation to the following applications for determination by the Sub-Committee, copies of which are included in the register in the custody of the Head of Cabinet, Committee and Scrutiny Secretariat.

It was noted that scheduled application 6.6 (Pizza Express, 450 Strand, WC2) had been granted under delegated authority and therefore did not need to be considered.

Councillor Lewis withdrew from the Chamber. Councillor Evans took the Chair for the following item.

5.1 K2, 4a Upper St Martins Lane, WC2

Application to vary a Premises Licence

In attendance:

Applicants: Mr Alun Thomas (Representative)

Responsible Authorities: Ms Miriam Flynn (Environmental Health)

Interested Parties: Ms Amanda Rigby (local resident) and witnesses Ms Jo Weir (Covent Garden Community Association) and Ms Helen Dawson (local resident).

Mr Steve Rowe, Senior Licensing Officer, briefly introduced the report. It was noted that additional conditions submitted by the Environmental Health Service which had been seen by all parties prior to the meeting. Mr Rowe also submitted that the under part 2 of the application on page 3 of the report, the applicant had also applied to remove condition 8 on their current licence.

Applicant

Mr Alun Thomas, representing the applicant, explained that the premises had been closed for 9 months and had previously known as 'Denim' which operated as a bar, breaching licence conditions and causing noise nuisance. Mr Thomas explained that he had discussed the application with the local residents and he understood that their main concern was noise. The Sub-Committee received photos of the proposed interior of premises and noted that it would not be a nightclub. There would be a restaurant in the basement and customers would be expected to pay in the region of £12.50 for a gin and tonic.

With regard to conditions, Mr Thomas submitted a set of conditions proposed by the applicant which incorporated those requested by the Environmental Health Service. Mr Thomas informed the Sub-Committee that the conditions which were not agreed related to the installation of an acoustic lobby and the waste conditions. The applicant also did not agree to a condition regarding the supply of alcohol being ancillary to table meal in the basement, mezzanine and rear ground floor area but had offered a condition that substantial food would be available throughout the premises during the whole of permitted hours and that in the basement the supply of alcohol will be to persons taking a table meal only. Mr Thomas also submitted that the applicant had agreed to limit the facilities for dancing to 9 pre-booked functions per year. A capacity figure of 250 persons for the whole premises had been agreed.

Mr Thomas highlighted that the applicant was offering a number of additional conditions and that a noise survey had been carried out, the results of which had also been made available to the Sub-Committee.

Interested Parties

Ms Rigby, local resident, sought reassurance from the applicant that they would not be disturbed by noise from the premises. She explained that when the premises was operating as 'Denim' a sound limiter was installed but residents were told by the premises that the sound limiter was not used as the music was not loud enough. Mrs Rigby highlighted that residents would be

strongly in favour of an acoustic lobby being installed and would also like the premises to be run primarily as a restaurant.

In response, Mr Thomas explained that the new operators would adhere to a condition regarding a sound limiter and would not abuse their licence. He commented that the applicants could not agree to an acoustic lobby at this time but the Sub-Committee could impose a condition. Mr Thomas also highlighted the recommended works resulting from the noise survey which would be carried out by the applicant and that the premises would have a substantial food element.

Responsible Authorities

Ms Miriam Flynn, Environmental Health Officer, maintained their representation as the premises was in the Stress Area. If the Sub-Committee were minded to grant the application, a condition regarding the supply of alcohol being ancillary to persons taking table meals in all parts of the premises would help to promote the licensing objectives. Ms Flynn also commented that an acoustic lobby would help the premises to not cause a noise nuisance and requested that the wording of proposed condition 23 'Save for areas hatched black' be replaced with 'Save for the ground floor bar and mezzanine bar areas'. This was agreed by Mr Thomas.

RESOLVED: That the application for a variation to the Premises Licence be determined as follows:

1. Regulated Entertainment
To permit Live Music (two performers), Exhibition of Films and Facilities for Dancing Monday to Wednesday 10:00 to 00:30, Thursday to Saturday 10:00 to 01:00 and Sunday 12:00 to 23:30 – **granted to core hours.**
2. Conditions
To remove existing condition 6 (which related to ancillary nature of alcohol and private functions), condition 15 (which details the permitted hours for the Sale of Alcohol and any restrictions thereto) and condition 8 and replace with new conditions – **granted** subject to conditions listed below.
3. To carry out alterations to the premises to alter the bar at ground floor and mezzanine level and to re-arrange the dumb waiters and the dining areas within the basement and create two VIP dining rooms – **granted subject to conditions listed below.**

That the following conditions be attached to the Premises Licence:

Conditions relating to Public Safety

Escape Routes

1. The approved arrangements at the premises, including means of escape provisions, fire warning and fire fighting equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
2. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
3. All exit doors shall be available at all material times without the use of a key, code, card or similar means.
4. All emergency doors will be maintained effectively self-closing, and not held open other than by an approved device.
5. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
6. Curtains and hangings shall be arranged so as not to obstruct emergency signs.

Certificates

7. The certificates listed below shall be submitted to the Council annually.
 - a) Any emergency lighting battery or system
 - b) Any electrical installation
 - c) Any fire alarm system

CCTV (to replace present Condition 11)

8. The premises will maintain a comprehensive CCTV system that ensures all areas of the licensed premises are monitored including all entry and exit points, and the street environment and which enable frontal identification of every person entering in any light condition. All cameras shall continually record whilst the premises are open to the public and the video recordings shall be kept available for a minimum of 31 days with time and date stamping. (ii) Tape recordings shall be made available to an authorised officer or a police officer together with facilities for viewing. (iii) The recordings for the preceding two days shall be made available immediately on request. Recordings outside this period shall be made available on 24 hours notice. (Subject to the Data Protection Act 1998).

Capacity limits

9. The premises shall not be used for the purposes of regulated entertainment until the building has been assessed under the "Technical Standards for Places of Public Entertainment" issued by the District Surveyors Association and appropriate accommodation

numbers established. The maximum persons to be accommodated at any one time (including staff) shall not exceed 250

10. Arrangements will be made to ensure that any capacity limit set for the premises can be properly monitored. Information regarding the capacity should be given to an authorised officer on request.

Children

11. All persons under 18 in the public areas of the premises after 21:00 to be accompanied by an adult.

Special Risks

12. Any special effects or mechanical installations shall be arranged and stored so as to minimise any risk to the safety of those using the premises. The following special effects will only be used on 7 days prior notice being given to the Council where consent has not previously been given.
 - a) dry ice and cryogenic fog
 - b) smoke machines and fog generators
 - c) pyrotechnics including fire works
 - d) firearms
 - e) lasers
 - f) explosives and highly flammable substances.
 - g) real flame.
 - h) Strobe lighting.
13. No person shall give at the *premises* any exhibition, demonstration or performance of hypnotism, mesmerism or any similar act or process which produces or is intended to produce in any other person any form of induced sleep or trance in which susceptibility of the mind of that person to suggestion or direction is increased or intended to be increased.

NOTE: (1) This rule does not apply to exhibitions given under the provisions of Section 2(1A) and 5 of the Hypnotism Act 1952.
14. No striptease, no nudity, and all persons on the premises to be decently attired at all times.

Conditions relating to Prevention of Public Nuisance

Noise and Vibration

15. A ground floor acoustic entrance lobby shall be installed and the premises shall not be used for dancing, live music or exhibition of films

until the lobby is completed to the satisfaction of officers of Environmental Health Consultation Team.

16. There shall be no speakers, amplification or live entertainment to take place within the front entrance lobby of the premises.
17. The external door to be kept closed after 23:00 except for the immediate access and egress of persons.
18. A sound limiting device shall be located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service's Community Protection Department so as to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officers from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
19. No alteration or modification to any existing sound system(s) should be effected without prior knowledge of an authorised Officer of the Environmental Health Services.
20. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
21. Notices will be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
22. No rubbish including bottles will be moved, removed or placed on the street between 00:00 hours and 08:00 hours.

Waste

23. All waste is to be properly presented and placed out on the street for collection no earlier than 30 minutes before the scheduled collection times.

Food

22. Substantial food and substantial beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.

23. Save for in the ground floor and mezzanine bar areas, the service of alcohol for consumption on the premises shall be by way of waiter/waitress service.
24. No alcohol to be consumed by persons standing outside the premises.
25. The Basement:

Alcohol shall not be sold or supplied on the premises otherwise than to persons taking substantial refreshment.
26. The Ground Floor and Mezzanine:

After 11pm, alcohol shall not be sold or supplied otherwise than to persons frequenting the premises for the purpose of musical entertainment and substantial refreshment to which the consumption of alcohol is ancillary. The alcohol must be sold or supplied at a time before the provision of substantial refreshment has ended.

General

27. A regulated taxi, limousine or company car service will be contracted for the use of patrons
28. At least one SIA registered door supervisor shall be employed at the entrance to the Premises after 9pm whenever the Premises are in use under this Licence.
29. The contact number of the Designated Premises Supervisor will be displayed at a prominent position in the premises and circulated amongst local residents associations as appropriate.
30. The Licence will have no effect until the alterations to the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.
31. The facilities for dancing will be restricted to 9 pre-booked days per annum.

Councillor Lewis returned to the Chamber and resumed that Chair

5.2 Coach & Horses, 26 Greek Street, W1 Application for a Temporary Event Notice

In attendance:

Applicants: None

Responsible Authorities: Mr Barry Vinton (Police)

Mr Steve Rowe, Senior Licensing Officer, briefly introduced the report. It was noted that the applicant was not present.

Responsible Authorities

Mr Barry Vinton, on behalf of the Police, explained that they had tried to speak to the applicant. Their objections were as outlined in the report.

RESOLVED: That a counter notice be issued for the reasons as outlined in the Police objection contained within the report.

5.3 Kingly News, 61 Kingly Street, W1

Application for a New Premises Licence

In attendance:

Applicants: None

Responsible Authorities: Mr Barry Vinton (Police)

Mr Steve Rowe, Senior Licensing Officer, briefly introduced the report informing the Sub-Committee that the applicant was not present and had requested an adjournment. Mr Barry Vinton, on behalf of the Police agreed to the adjournment.

RESOLVED: That the application be **adjourned** to the Licensing Sub-Committee taking place on 26th July 2007.

5.4 Soho Area

Application for a new Premises Licence

In attendance:

Applicant: Mr Tim Owen (Assistant Director, Events, Filming & Contingency Planning)

Responsible Authorities: Ms Miriam Flynn (Environmental Health)

Mr Steve Rowe, Senior Licensing Officer, briefly introduced the report.

The Sub-Committee agreed that the application should be granted as an exception to the Council's Policy.

RESOLVED: That the application for new Premises Licence be **granted** so as to allow:

1. Regulated Entertainment
This will be part of an agreed Event Plan through the Licensing, Operational and Safety Planning Group (LOPSG) as part of a publicly advertised programme and includes events held indoors as they may be managed within covered areas with temporary walls (large marquees or covered stages)

Performance of Plays: (Public performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Exhibition of Films: (Short introductory film and longer feature presentation) Monday to Sunday: 18:00 to 23:00 (19.00 - 22.00 in the Winter, 21.00 -23.00 in the Summer) 5 occasions per calendar year

Indoor Sporting Events: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Performance of Live Music: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Recorded Music: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Performance of Dance: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Anything of a similar description to Live Music, Recorded Music or Performance of Dance: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Provision of Facilities for Making Music: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Provision of Facilities for Dancing: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

Provision of facilities for entertainment of a similar description to Making Music or Dancing: (Performance times will be between 12:00 and 20:00) Monday to Sunday: 10:00 to 21:00

2. Sale by Retail of Alcohol: On and Off
This will be part of an agreed Event Plan through LOPSG as part of a publicly advertised programme and includes events held indoors as they may be managed within covered areas with temporary walls (large marquees or covered stages)

Monday to Sunday: 12:00 to 20:30

3. Seasonal Variations and/or Non Standard Timings:
This will be part of an agreed Event Plan through LOPSG as part of a publicly advertised programme and includes events held indoors as they may be managed within covered areas with temporary walls (large marquees or covered stages)

Recorded Music

New Years Eve: finish time to be 00.30 hrs to provide for dispersal of the public in connection with an agreed event plan.

That the conditions at appendix D to the report be attached to the premises licence.

5.5 Jaeger, 200-206 Regent Street, W1

Application to a new Premises Licence

In attendance:

Applicants: Ms Patricia Negus-Fancey (Representative)

Responsible Authorities: Ms Miriam Flynn (Environmental Health)

Mr Steve Rowe, Senior Licensing Officer, briefly introduced the report.

Applicant

Ms Patricia Negus-Fancey, representing the applicant, explained that the application was for a small café area within the store which was for customers only. Alcohol would be served to seated customers only by waiter/waitress service. There were only 28 seats and there would be no external advertising.

Responsible Authorities

Ms Miriam Flynn, Environmental Health Service, submitted that conditions had been agreed with the applicant but the as the premises were in the West End Stress Area their representation was maintained.

RESOLVED: That the application for a new premises licence be **granted** so as to allow:

1. Sale by Retail of Alcohol
Monday to Wednesday 10:00 to 18:30, Thursday 10:00 to 20:00,
Friday 10:00 19:00, Saturday 10:00 to 19:00 and Sunday 12:00 to 18:00.

That the conditions at appendix D to the report be attached to the premises licence.

5.6 Canela Café, 1 Newburgh Street, W1

Application to vary a Premises Licence

In attendance:

Applicants: Mr Alun Thomas (Representative)

Responsible Authorities: Ms Miriam Flynn (Environmental Health)

Mr Steve Rowe, Senior Licensing Officer, briefly introduced the report

Applicant

Mr Thomas, representing the applicant, explained that the café had been trading for a year and that the application had been made to remove

conditions so as to allow off-sales of wines in sealed containers and customers to have alcohol with small 'tapas' style dishes. There was no change to the hours. Mr Thomas highlighted that a similar licence had been granted for the premises 'C'est Ici' in Kingly Court.

Responsible Authorities

Ms Miriam Flynn, Environmental Health Service, maintained their representation as the premises were in the West End Stress Area.

RESOLVED: That the application to vary a premises licence be determined as follows:

1. Variations to conditions:
 - (i) To remove condition 13 & 14 from the current premises licence to allow off sales be **granted**.
 - (ii) To remove condition 10 (condition 8 on the current premises licence) which reads 'The sale of alcohol on the premises shall only be to persons taking a table meal there and consumption by such person as ancillary to their meal' be **refused** in accordance with the recommendation and for the reasons as set out in the report.
 - (iii) To remove condition 18 (condition 15 on the current premises licence) which reads 'throughout the Bar Area, beverages (whether alcohol or otherwise) shall be supplied only to persons ancillary to their meal' be **granted**.
 - (iv) To add condition which reads 'Alcohol will only be supplied by waiter/waitress service to persons seated' – **no need to consider** as already on licence.
 - (v) To add condition which reads 'any sale of alcohol for consumption off the premises (save to persons seated at tables and chairs outside the premises) will be supplied in sealed containers be **granted**.'
 - (vi) To remove conditions relating to inspection of works be the Responsible Authorities – **no need to consider** as removed under delegated authority following confirmation of satisfactory completion of works.

6. APPROVAL OF A PROPOSED SPECIFYING RESOLUTION

In attendance:

Licensing Service: Miss Ayesha Flemming (Senior Licensing Officer)
Representations: Ms Geraldine Dolan (representing Mr Robert Munro), Mr Robert Munro (Pitch 938)

Miss Ayesha Flemming, Senior Licensing Officer, briefly introduced the report informing the Sub-Committee that consultation on the proposed specifying resolution had been carried out. Representations had been received from the West End Street Traders branch of National Market Traders Federation, Mrs Wainwright from pitch 1710 Davies Street and Mr Munro from pitch 938 Wells Street. Ms Flemming informed the Sub-Committee that Mr Wally Watson from the Federation had confirmed that they were content with the wording of the proposed specifying resolution, they therefore would not be present at the meeting.

Representations

Ms Dolan, on behalf of Mr Munro, explained that he had been a trader for 30 years and had not received any penalty points. Application made on 26th June 2006 to vary his licence to include the sale of hot food and drink, cold food and drink and ice creams. This application was granted on 1st March 2007. Ms Dolan submitted that at this hearing the Chairman had advised that an advisory note would be written to the Sub-Committee considering the specifying resolution informing it that Mr Munro would be exempt from a resolution.

Ms Gopeesingh, legal advisor, confirmed that she was the legal advisor at the 1st March 2007 hearing and that the Chairman had actually stated that the specifying resolution may or may not affect Mr Munro, as was stated in the minutes of hearing, not that Mr Munro would be exempt from any specifying resolution. Furthermore, Mr Munro was given a maximum period of nine months from the 1st March 2007 to continue to sell his current licensed commodities so as to allow him to sell his current stock before changing to his new licensed commodities of hot food and drink. Ms Flemming confirmed that she had listened to the tape and also understood that the Chairman stated that specifying resolution may or may not apply to Mr Munro.

Ms Dolan submitted that Mr Munro had not yet started to trade his hot food and that it was not right for him to have this right taken away from him. Ms Dolan also commented that Mr Munro should have had 28 days to prepare for the hearing but that he had only had been told that the revised specifying resolution was being considered on 11th June.

Ms Flemming explained that the matter had been adjourned from a Sub-Committee meeting in March 2007 and therefore Mr Munro had been given 28 days notice to make a representation. All traders had been consulted in December 2006 about the specifying resolution and were given until January 2007 to make written submissions. Ms Flemming explained that although the resolution had been amended since it was originally listed for Sub-Committee in March, the list was now more specific in prohibiting specific items.

The Sub-Committee noted that Mr Munro was currently selling souvenirs and had not yet started selling food and drinks, furthermore, the proposed specifying resolution was very specific about the items of food that were to be prohibited from being sold, offered or provided.

RESOLVED: That (a) pursuant to Section 5(1)(b) and Section 7 of the City of Westminster Act 1009, in relation to the following designated as ‘licence streets’ (defined in Section 2 of the 1999 Act) the sale, offer or provision on hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spare ribs at the licence streets listed at Annex A to the report shall be prohibited; and

(b) in order to prevent odour nuisance from all licence stalls, the prohibition of commodities listed above shall also apply to pitches 1710 and 938.

7. APPEALS – EXCLUSION OF PRESS AND PUBLIC

RESOLVED: That in respect of the following items the Sub-Committee consider the items in private in accordance with regulation 14(2) of the Licensing Act 2003 Hearing Regulations 2005, in that the report contains legal advice to the Authority which outweighs the public interest in the hearing taking place in public.

7.1 Society of Motor Manufacturers & Traders Ltd, Forbes House, 7 Halkin Street, SW1

To consider the settlement of an appeal.

RESOLVED: That, having regard to the officer’s report, authority be given to settle the appeal on the basis set out in the report.

7.2 Automat, 33 Dover Street, W1

To consider the settlement of an appeal.

RESOLVED: That, having regard to the officer’s report, authority be given to settle the appeal on the basis set out in the report.

7.3 224-244 Regent Street, W1

To consider the settlement of an appeal.

RESOLVED: That, having regard to the officer’s report, authority not be given to settle the appeal on the basis set out in the report as the Sub-Committee did not feel that the proposed conditions would not satisfy the Council’s Licensing Policy or the licensing objectives. The Sub-Committee were concerned that the proposed conditions did not go far enough to ensure the premises use as primarily a restaurant with an ancillary bar area.

5. TERMINATION OF MEETING

5.1 The meeting closed at 8.47pm.

CHAIRMAN

DATE



City of Westminster

Licensing Team, Public Protection & Licensing, 4th Floor, City Hall, 64 Victoria Street, London SW1E 6QP
streettradinglicensing@westminster.gov.uk

APPLICATION TO VARY A STREET TRADING LICENCE

This form should be completed and forwarded to the Licensing Team at the above address or email address.

Fee Payable: £55.11

We will contact you to take payment of the application fee by debit/credit card once the application has been received.

1. Applicant Details

Surname STEIN

Date of Birth 18/04/61

Forenames PAUL [REDACTED]

Title (Mr/Mrs etc.) MR

[REDACTED]

Postcode: [REDACTED]

[REDACTED]

Will you be using a vehicle at the market?
Yes/No (Please circle)

Make & Model:

[REDACTED]

Registration No:

[REDACTED]

2. Pitch Number:

1726

3. Market, Street or Exhibition:

DUKE STREET (SOUTH)

4. Please give details of variation requested

(Any commodities that you wish to add or remove from the scope of your licence should be set out in part 6 below)

HOT & COLD
FOOD
REMOVE PHONE CARD

5. Please give brief reason for request.

NEW VENTURE

6. Commodities

a) Please select up to eight descriptors that best describe the new things you wish to sell or services you wish to provide:

Food Commodities

Cuisine: Description

Afghani	<input type="checkbox"/>	Ethiopian	<input type="checkbox"/>	Korean	<input type="checkbox"/>	Singaporean	<input type="checkbox"/>
Argentinean	<input type="checkbox"/>	Finnish	<input type="checkbox"/>	Lebanese	<input type="checkbox"/>	Slovakian	<input type="checkbox"/>
Austrian	<input type="checkbox"/>	French	<input type="checkbox"/>	Maltese	<input type="checkbox"/>	Slovenian	<input type="checkbox"/>
Bangladeshi	<input type="checkbox"/>	German	<input type="checkbox"/>	Mexican	<input type="checkbox"/>	Spanish	<input type="checkbox"/>
Barbadian	<input type="checkbox"/>	Ghanaian	<input type="checkbox"/>	Moroccan	<input type="checkbox"/>	Swedish	<input type="checkbox"/>
Belgium	<input type="checkbox"/>	Greek	<input type="checkbox"/>	New Zealand	<input type="checkbox"/>	Swiss	<input type="checkbox"/>
Brazilian	<input type="checkbox"/>	Haitian	<input type="checkbox"/>	Nigerian	<input type="checkbox"/>	Syrian	<input type="checkbox"/>
Bulgarian	<input type="checkbox"/>	Hungarian	<input type="checkbox"/>	Palestinian	<input type="checkbox"/>	Taiwanese	<input type="checkbox"/>
Canadian	<input type="checkbox"/>	Indian	<input type="checkbox"/>	Peruvian	<input type="checkbox"/>	Thai	<input type="checkbox"/>
Chilean	<input type="checkbox"/>	Indonesian	<input type="checkbox"/>	Philippines	<input type="checkbox"/>	Trinidad & Tobago	<input type="checkbox"/>
Chinese	<input type="checkbox"/>	Iranian	<input type="checkbox"/>	Polish	<input type="checkbox"/>	Tunisian	<input type="checkbox"/>
Columbian	<input type="checkbox"/>	Iraqi	<input type="checkbox"/>	Portuguese	<input type="checkbox"/>	Turkish	<input type="checkbox"/>
Cypriot	<input type="checkbox"/>	Irish	<input type="checkbox"/>	Puerto Rican	<input type="checkbox"/>	United States	<input type="checkbox"/>
Czech	<input type="checkbox"/>	Israeli	<input type="checkbox"/>	Romanian	<input type="checkbox"/>	Venezuelan	<input type="checkbox"/>
Dominican Republic	<input type="checkbox"/>	Italian	<input type="checkbox"/>	Russian	<input type="checkbox"/>	Vietnamese	<input type="checkbox"/>
Egyptian	<input type="checkbox"/>	Jamaican	<input type="checkbox"/>	Scottish	<input type="checkbox"/>	Welsh	<input type="checkbox"/>
English	<input checked="" type="checkbox"/>	Japanese	<input type="checkbox"/>	Senegalese	<input type="checkbox"/>		

OR

Cuisine: Region

African (Central)	<input type="checkbox"/>	American (South)	<input type="checkbox"/>	Asian (South East)	<input type="checkbox"/>	European (East)	<input type="checkbox"/>
African (East)	<input type="checkbox"/>	Asian (Central)	<input type="checkbox"/>	Asian (South West)	<input type="checkbox"/>	European (North)	<input checked="" type="checkbox"/>
African (North)	<input type="checkbox"/>	Asian (East)	<input type="checkbox"/>	Asian (West)	<input type="checkbox"/>	European (South)	<input type="checkbox"/>
African (South)	<input type="checkbox"/>	Asian (North)	<input type="checkbox"/>	Australian	<input type="checkbox"/>	European (West)	<input type="checkbox"/>
African (West)	<input type="checkbox"/>	Asian (North East)	<input type="checkbox"/>	Balkan	<input type="checkbox"/>	Mediterranean	<input type="checkbox"/>
American (Central)	<input type="checkbox"/>	Asian (North West)	<input type="checkbox"/>	Caribbean	<input type="checkbox"/>	Scandinavian	<input type="checkbox"/>
American (North)	<input type="checkbox"/>	Asian (South)	<input type="checkbox"/>	European (Central)	<input type="checkbox"/>	Middle Eastern	<input type="checkbox"/>

AND

Cooking Method/Detail

Barbecue	<input type="checkbox"/>	Grill	<input checked="" type="checkbox"/>	Organic	<input type="checkbox"/>	Smoothies	<input type="checkbox"/>
Burgers	<input type="checkbox"/>	Halal	<input checked="" type="checkbox"/>	Pasta based	<input type="checkbox"/>	Soups	<input type="checkbox"/>
Cold beverages	<input type="checkbox"/>	Hot dogs	<input type="checkbox"/>	dishes	<input type="checkbox"/>	Stews	<input type="checkbox"/>
Curries	<input type="checkbox"/>	Hot beverages	<input type="checkbox"/>	Pizzeria	<input type="checkbox"/>	Street food	<input type="checkbox"/>
Fish & chips	<input checked="" type="checkbox"/>	Kebab	<input type="checkbox"/>	Rice based dishes	<input type="checkbox"/>	Sushi	<input type="checkbox"/>
Fish & seafood	<input type="checkbox"/>	Kim chi	<input type="checkbox"/>	Rotisserie meat	<input type="checkbox"/>	Tapas	<input type="checkbox"/>
Fusion	<input type="checkbox"/>	Kosher	<input type="checkbox"/>	Salads	<input type="checkbox"/>	Vegan	<input type="checkbox"/>
Gluten free	<input type="checkbox"/>	Locally sourced	<input type="checkbox"/>	Sandwiches	<input checked="" type="checkbox"/>	Vegetarian	<input type="checkbox"/>
Gourmet	<input checked="" type="checkbox"/>	Meze	<input type="checkbox"/>	Sausages	<input checked="" type="checkbox"/>	Wraps	<input type="checkbox"/>

Fresh Produce & Grocery

Artisan	<input type="checkbox"/>	Cheese	<input type="checkbox"/>	Farm foods	<input type="checkbox"/>	Olives	<input type="checkbox"/>
Baked goods	<input type="checkbox"/>	Confectionery	<input type="checkbox"/>	Fish monger	<input type="checkbox"/>	Oils	<input type="checkbox"/>
Butcher	<input type="checkbox"/>	Dairy	<input type="checkbox"/>	Frozen yoghurt	<input type="checkbox"/>	Patisserie	<input type="checkbox"/>
Canned foods	<input type="checkbox"/>	Dried fruit & nuts	<input type="checkbox"/>	Fruit & vegetables	<input type="checkbox"/>	Pre-packed foods	<input type="checkbox"/>
Charcuterie/deli meats	<input type="checkbox"/>	Dried goods	<input type="checkbox"/>	Ice cream	<input type="checkbox"/>		

Non-food Commodities

General

Bespoke	<input type="checkbox"/>	Restored	<input type="checkbox"/>	Second hand	<input type="checkbox"/>	Vintage	<input type="checkbox"/>
Fair trade	<input type="checkbox"/>	Retro	<input type="checkbox"/>	Up-cycled	<input type="checkbox"/>	Variety store	<input type="checkbox"/>
Organic	<input type="checkbox"/>						

Clothing & Accessories

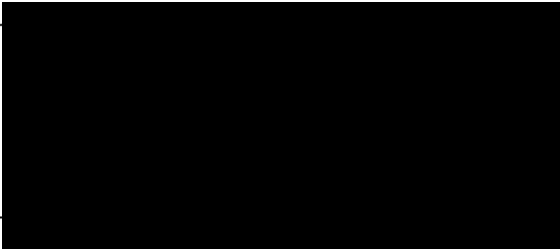
Baby's clothing	<input type="checkbox"/>	Hats & headpieces	<input type="checkbox"/>	Sportswear	<input type="checkbox"/>	Women's clothing	<input type="checkbox"/>
Children's clothing	<input type="checkbox"/>	Hosiery	<input type="checkbox"/>	Sunglasses	<input type="checkbox"/>	Women's Footwear	<input type="checkbox"/>
Children's footwear	<input type="checkbox"/>	Jewellery	<input type="checkbox"/>	Trainers/sports shoes	<input type="checkbox"/>		
Clothing accessories	<input type="checkbox"/>	Men's clothing	<input type="checkbox"/>	Underwear /	<input type="checkbox"/>		
Hair accessories	<input type="checkbox"/>	Men's footwear	<input type="checkbox"/>	nightwear	<input type="checkbox"/>		
Handbags, purses & wallets	<input type="checkbox"/>	Shoe repairs & accessories	<input type="checkbox"/>	Watches, watch accessories & repairs	<input type="checkbox"/>		

Home			
Bake ware <input type="checkbox"/>	Curtains & blinds <input type="checkbox"/>	Home décor <input type="checkbox"/>	Large electrical goods <input type="checkbox"/>
Bathroom accessories <input type="checkbox"/>	Fabric & textiles <input type="checkbox"/>	Household linen & towels <input type="checkbox"/>	Small electrical appliances/accessories <input type="checkbox"/>
Cleaning & laundry equipment/products <input type="checkbox"/>	Glassware & china <input type="checkbox"/>	Kitchenware <input type="checkbox"/>	Tableware <input type="checkbox"/>
Carpets & rugs <input type="checkbox"/>	Haberdashery <input type="checkbox"/>		
Beauty & Grooming			
Artisan beauty products <input type="checkbox"/>	Cosmetics <input type="checkbox"/>	Health & wellbeing <input type="checkbox"/>	Toiletries <input type="checkbox"/>
	Fragrances <input type="checkbox"/>		
Entertainment			
Audio/visual equipment <input type="checkbox"/>	Books & periodicals <input type="checkbox"/>	DVDs <input type="checkbox"/>	Mobile phones & accessories <input type="checkbox"/>
Board games & puzzles <input type="checkbox"/>	Children's toys <input type="checkbox"/>	Fancy dress <input type="checkbox"/>	
	CDs/vinyl <input type="checkbox"/>	Games consoles & accessories <input type="checkbox"/>	
Gifts, Stationery, Arts & Crafts			
Artists' materials <input type="checkbox"/>	Musical instruments & accessories <input type="checkbox"/>	Photographic equipment & accessories <input type="checkbox"/>	Souvenirs <input type="checkbox"/>
Crafts <input type="checkbox"/>	Party accessories <input type="checkbox"/>		Stationery <input type="checkbox"/>
Festive decorations <input type="checkbox"/>			
Greeting cards & gift wrapping <input type="checkbox"/>			
Hobbies, Sports & Leisure			
Camping equipment <input type="checkbox"/>	DIY tools & materials <input type="checkbox"/>	Memorabilia & collectibles <input type="checkbox"/>	Pet store <input type="checkbox"/>
Car care & car accessories <input type="checkbox"/>	Luggage, travel bags & accessories <input type="checkbox"/>		
Horticulture			
Artificial flowers <input type="checkbox"/>	Christmas trees <input type="checkbox"/>	Florist (including plants) <input type="checkbox"/>	Garden centre <input type="checkbox"/>
Providing Service			
Cobblers <input type="checkbox"/>	Key cutting <input type="checkbox"/>	Promotional stall <input type="checkbox"/>	Tailoring/alterations <input type="checkbox"/>

b) If you wish to remove any of the commodities that you are currently permitted to sell or services that you are permitted to offer from your licence, please list them below:

PHONE CARD

c) Please give the full address(es) at which things to be sold will be stored before they are to be offered for sale



7. Changes to Receptacle

- a) If you wish to change your receptacle, the equipment used or layout of the stall as a result of this variation, please describe the changes that you wish to make below:-
Please provide photos of the new receptacle/equipment

HAVE A REFORBISHMENT
DRAWING ENCLOSED

- b) Is the new/modified receptacle, easily and readily removable?

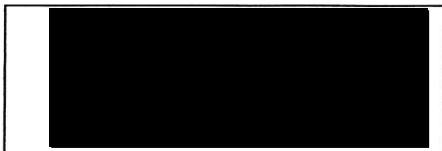
NO

- c) Please give the full address at which the receptacle will be stored outside trading hours

DUKE STREET W1

I wish to apply to vary my street trading licence as set out above and confirm that the information given by me on this form is correct. I realise that giving false information could lead to prosecution.

SIGNED:



DATE:

7/8/19

Documents to be submitted with this application (please tick as applicable)

Photograph/Illustration of trading receptacle

Manufactures specification of trading receptacle

Safety certificates for material covering the receptacle: Fire Retardant BS: 7837

Data Protection Act 1998: This information will only be used for the purposes stated above. Please address any data protection enquiries to the Data Protection Officer, Information Services, 5 Strand, London WC2N 5HR



PAUL STEIN CATERING MENU

Hot Baguettes

THE ENGLISH

-English Pork, Sage & Onion Stuffing with apple sauce

STEAK CHEESE MELT

-Philly Steak filled with melted cheese and peppers

TRADITIONAL FISH AND CHIPS

-Fresh fried fish with a side of chunky chips and tartar sauce

GOURMET SAUSAGES

-Toasted baguette filled with either, English, German or Polish gourmet sausage

SALTED BEEF

-Warm baguette with salted beef, gherkins and pickles

Cold Baguette

THE BLT

-Classic bacon lettuce and tomato with option of mayonnaise

THE ITALIAN JOB

-Italian ham, pepperoni and salami

THE TUNA MIX

-Tuna with sweetcorn and mayonnaise

Side Orders

CHUNKY CHIPS

COLD DRINKS

-Mineral Water

-Coke

-Diet Coke

-Fanta

-7up

HOT BEVERGES

-Latte

-Cappuccino

-Espresso

-Americano

-Speciality Teas

-Hot Chocolate



City of Westminster



Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 020 7641 6500

BY EMAIL ONLY: 

Date: 26/10/2020

RE: Variation of commodities for Pitch 1726, Duke Street

Dear Mr Stein,

I write in respect of your application to vary the commodities on your licence for the above pitch, to now include Fish & chips, Halal, Sandwiches, Sausages, Gourmet, Ice Cream, Cold Beverages, Fruit and Hot Chestnuts.

Since the grant of this licence on 07 August 2020, it has been brought to our attention by the West End Street Trading Association that there is a specifying resolution in place dated 28th June 2007, that prohibits the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steak and spare ribs from the street trading pitches in Oxford Street. I attach a copy of the specifying resolution for your records.

Unfortunately, your pitch is one of the pitches affected by the specifying resolution as you have applied to sell sausages as part of your most recent variation. Please accept my sincere apologies that this was not picked up earlier in the variation process.

Under the Section 11 of the City of Westminster Act 1999 (the Act), your variation application should have been refused for being contrary to the terms of the specifying resolution.

Section 11(1) of the Act states:

- (1) *The council shall refuse to grant an application made under section 11 (Applications) of this Act—*

...where the street to which the application relates is a street in respect of which a specifying resolution is in force and the grant of the licence would be contrary to any of the terms of that resolution...



However, due to the administrative error of this licence being granted and issued to you incorrectly, we would like to offer you the opportunity to submit a further variation application to remove sausages from your licence but keep the remainder of the varied commodities. As a further sign of goodwill, we will of course waive the fee of the variation application.

If you are not minded to accept our offer to vary your licence I must inform you that we will have to commence our own application to vary your licence in accordance with Section 16 of the Act which states:

“...the council may vary a street trading licence on 1st January in any year during the currency of the licence”.

In light of the above, I would be grateful if you would respond to this letter by no later than 9th November 2020 with a decision on whether you will be submitting a variation application.

Yours sincerely,

A handwritten signature in black ink, appearing to be 'S. Pring', written on a light blue background.

Shannon Pring
Senior Practitioner Street Trading

Cc: Wally Watson, West End Street Trading Association

From: [paul.stein](#)
To: [Pring, Shannon: WCC](#); [Wally Watson](#)
Subject: Re: 05/04822/LI_STE - Pitch 1726, Duke Street
Date: 27 October 2020 11:17:11
Attachments: [image003.png](#)

Hi Shannon,

Thank you for your email.

I have waited over one year for this variation to be completed, my application was submitted on the 7th July 2019,

I only want to put gourmet sausages in a baguette.

You have allowed other traders in Oxford Street to do this, why am I the exception?

Also approximately 3 years ago, near Christmas on a Sunday closing Oxford Street the council allowed

Gourmet Sausages in a baguette to be sold in the middle of Oxford Street.

Does the council like to move the goalposts for its own convenience.

I will be taking legal advice over this matter, also I am sure the media would be interested in this.

Also because of your slow process, I have had to invest in a new kiosk.

Regards

Paul Stein

On Mon, Oct 26, 2020 at 11:29 AM Pring, Shannon: WCC
<spring3@westminster.gov.uk> wrote:

Der Mr Stein,

Please see attached a letter relating to your recent variation application for the above pitch.

Attached is the specifying resolution as referred to in my letter and the corresponding minutes of the hearing on the 26/06/2007 in which section 6 is applicable.

Kind regards,

Shannon

Shannon Pring

Senior Practitioner for Street Trading

Licensing Team

Public Protection & Licensing

Westminster City Council

15th Floor

64 Victoria Street

London

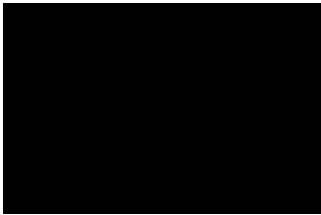
SW1E 6QP

Telephone: 020 7641 6500 (Contact Centre)

Direct dial: 07971 920 413

E-mail: spring3@westminster.gov.uk

Web: www.westminster.gov.uk/licensing



Public Protection & Licensing
15th Floor
City Hall
64 Victoria Street
London SW1E 6QP

Tel. No: 020 7641 6500

BY EMAIL ONLY: 

Date: 08/04/2022

RE: Proposed variation of commodities for Pitch 1726, Duke Street

Dear Mr Stein,

I write in respect of the letter sent to you on 1 April 2022, please note that this letter is withdrawn. This letter is intended to be a replacement of that notice.

I wrote to you previously on 26 October 2020 regarding your variation application to add food commodities including sausages; that was granted in error in August 2020.

As advised in that letter, the part of your application relating to sausages should have been refused in accordance with Section 12(1)(e) of the City of Westminster Act 1999 (the Act) as it is subject to the specifying resolution, dated 28 June 2007, that is in effect for pitches on and around Oxford Street.

Proposed variation

I note that you have not accepted our offer to submit your own variation application to remove sausages from your licence and as such notice is given in accordance with Section 16 of the Act "...the council may vary a street trading licence on 1st January in any year during the currency of the licence". Therefore, it is proposed to vary your licence with effect from 1 January 2023 so as to remove sausages as an approved commodity.

Grounds for variation

Your variation application (reference 19/10380/LI_STP) was received on 07 August 2019 to add hot and cold food and remove phone cards. During the application process you provided a menu highlighting the foods that you wanted to be added to your licence, one of which was sausages.

The ground for this proposed variation is that the listing of sausages as an approved commodity is contrary to the specifying resolution passed on 28 June 2007 which applies to your pitch which prohibits the sale, offer or provision of hamburgers, beef burgers, hotdogs, sausages, frankfurters, hot chicken, steaks and spare-ribs.



The Council's Licensing Sub-Committee will consider the proposed variation on 26 May 2022 and full details of that meeting will be sent to you shortly. Under Section 17 of the Act, you have the right to appear before that Sub-Committee and I shall be grateful if you will let me know whether you wish to avail yourself of that opportunity.

If you wish to make any written representations regarding the proposed variation, please send these to me at spring3@westminster.gov.uk by 02 May 2022.

Yours sincerely,

A handwritten signature in blue ink, appearing to read 'SP'.

Shannon Pring
Senior Practitioner Street Trading

Cc: Wally Watson, West End Street Trading Association

From: [Paul Stein](#)
To: [Pring, Shannon: WCC](#)
Subject: Re: Confirmation of Licensing Sub-Committee - VARIATION OF COMMODITIES FOR PITCH 1726, DUKE STREET
Date: 13 May 2022 17:57:37
Attachments: [image001.jpg](#)
[image002.jpg](#)
[image001.jpg](#)
[image002.jpg](#)

Thank you
I will be attending
Regards
Paul Stein

Sent from my iPhone

On 13 May 2022, at 14:37, Pring, Shannon: WCC
<spring3@westminster.gov.uk> wrote:

Dear Mr Stein,

Thank you for your email, you were notified in the letter of 8 April that the Licensing Sub-Committee would consider this variation on 26th May, and that letter gave you the time to provide your submissions.

The letter that I sent to you on Wednesday was to advise you of the time and location of the committee and to advise that we had not received any submissions from you, should you wish to have them included in the report.

Can you please advise whether you will be attending the committee hearing and if so will you be bringing anyone with you as we will need to ensure that they are permitted to attend.

I will send you the final version of the report to be considered on Wednesday next week.

Kind regards,

Shannon

Shannon Pring
Senior Practitioner Street Trading
Licensing Service
Public Protection and Licensing

Westminster City Council
15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Tel: 07971 920 413

0207 641 6500 (Contact Centre)
spring3@westminster.gov.uk
Westminster.gov.uk

www.westminster.gov.uk/markets-available-guide

image001.jpg



image002.jpg



From: paul stein [REDACTED]
Sent: 11 May 2022 22:00
To: Pring, Shannon: WCC <spring3@westminster.gov.uk>
Subject: Re: Confirmation of Licensing Sub-Committee - VARIATION OF
COMMODITIES FOR PITCH 1726, DUKE STREET

Dear Shannon Pring,

Thank you for your email, which I have received today.
This notification should have been sent 4 weeks ago.
Firstly the council issued this variation after over a year of delay.
Now after 2 years they wish to removed the sausages from my licence.
The specification order is out date, and obsolete and was designed for a different time.
The sausages I am selling are already cooked and are heated up to the required temperature, producing no smell or lingering odour.
Also any trader outside Oxford Street is allowed to have this item on their licence.
There are already Traders in Oxford Street cooking food from raw which is breaking the specification, which the council have granted a licence.
So why am I being single out?
This is restraint of trade.
The only reason this specification order was made was to keep the smells away and the rubbish that may be caused from it, also to appease big business
.Finally, during the disaster of the pandemic, people lost their jobs, whole country is suffering of declining of economy, recently millions people cannot afford foods and bills. This is a small business for our family, we are working so hard to get limited income to support family, please could you consider the all above situation to waive this specification.

Yours Sincerely
Paul Stein

On Wed, May 11, 2022 at 4:10 PM Pring, Shannon: WCC
<spring3@westminster.gov.uk> wrote:

Dear Mr Stein,

Please see attached the confirmation of the time and date of the Licensing Sub-Committee to determine the variation of commodities for your street trading licence. I also attach the rules of procedure for licensing sub-committee for your reference.

We have not yet received any submissions from you, please can you send these to me as soon as possible?

Kind regards,

Shannon

Shannon Pring
Senior Practitioner Street Trading
Licensing Service
Public Protection and Licensing

Westminster City Council
15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

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image001.jpg

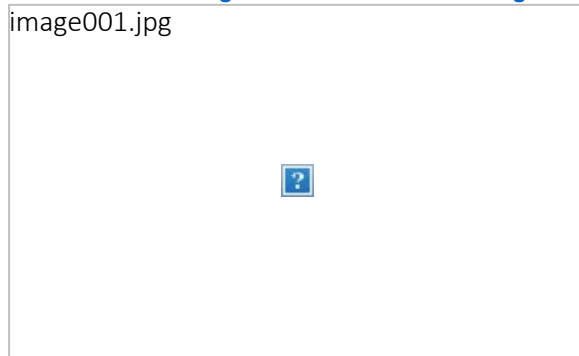


image002.jpg



COVID-19 VACCINATIONS AND TESTING

Testing is the most effective way to control the spread of coronavirus. For information on how to get tested, testing sites, and more visit: www.westminster.gov.uk/covid-19-testing

The COVID-19 vaccine has been proven to be safe and effective at protecting people against serious illness from coronavirus. For

WEST END STREET TRADERS BRANCH
N.M.T.F.

THE OLD VICARAGE, LANGLEYBURY,
KINGS LANGLEY, HERTS WD4 8QR
FAX NUMBER: 0208 5915427– OFFICE: 020 8591 1004
Committee Chairman: Wally Watson. Secretary: Caroline Pattenden
Committee Members: Mark Impleton, Victoria Munroe
Stephen Burney, Peter Compobassi
Treasurer: Stephen Burney

BY EMAIL

14 April 2022

Shannon Pring
Senior Practitioner for Street Trading
Public Protection & Licensing
15th Floor, City Hall
64 Victoria Street
London SW1E 6QP

Dear Shannon

Pitch 1726 – Duke Street – Proposed Variation of Commodities

Thank you for supplying WESTA with a copy of your letter of 8 April 2022 to Paul Stein. WESTA wishes to make the following representations to the Licensing Sub-Committee considering the proposed variation.

In principle WESTA is opposed to specifying resolutions as an unnecessary restraint of trade except where needed for public safety reasons such as the prohibition on second hand electrical goods. WESTA opposed the original proposed specifying resolution for the Oxford Street pitches. However, in the course of constructive discussions with Council officers the current wording of the specifying resolution was agreed by both the Council and WESTA.

One of the purposes of a specifying resolution is to ensure that any prohibition applies equally to all pitches without fear or favour and regardless of individual circumstances. WESTA was surprised, therefore, to learn that the Council had permitted sausages to be an authorised commodity on Pitch 1726. It understands this was a result of human error and should not have happened. WESTA supports, therefore, the recommendation of Council officers that sausages should be removed as an authorised commodity from the street trading licence of Pitch 1726, Duke Street.

Yours sincerely



Wally Watson
Chairman – West End Street Trading Association

wallywatson@kws-imports.co.uk

Office 0208-591 1004

Mobile 07973210161



City of Westminster

Licensing Sub-Committee Report

Item No:

Licensing Ref No:

22/02885/LIREVP

Date:

26 May 2022

Classification:

For General Release

Title of Report:

**AMK Food & Wine
35B Queensway
London
W2 4QJ**

Report of:

Director of Public Protection and Licensing

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Miss Jessica Donovan
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 6500
E-mail: jdonovan@westminster.gov.uk**

1. APPLICATION DETAILS

Application Type:	A review of premises licence made under section 51 of the Licensing Act 2003.		
Applicant:	Metropolitan Police Service	Date Application Received:	16 March 2022
Premises Name and Address:	AMK Food & Wine 35B Queensway London W2 4QJ		
Ward Name:	Lancaster Gate	Cumulative Impact Area/Special Consideration on Zone:	Queensway and Bayswater Special Consideration Zone
Description of Premises:	The premises currently operate as an off licence and has held a licence since 2005. The licence is held by Amk Innovation Limited.		
Preliminary Notes:	During the consultation period, the applicant submitted a minor variation application to add four model conditions to the premises licence as requested by the Metropolitan Police Service on 15 April 2021. An updated licence can be found at Appendix 4 (Conditions 8-12).		

2. SUMMARY OF APPLICATION

- 2.1 An application was submitted by the Metropolitan Police Service for a review of the premises licence for the premises known as AMK Food & Wine, 35B Queensway, London, W2 4QJ. The application was received on 16th March 2022 on the grounds of the Prevention of Crime and Disorder and the Protection of children from harm. **Please see Appendix 1.**
- 2.2 Revised Home Office Guidance (April 2018 issued under section 182 of the Licensing Act 2003 (para 11.2) states that at any stage following the grant of a premises licence, a responsible authority, such as the Police or the Environmental Health Service, or any other person who can seek a review, may ask the Licensing Authority to review the premises licence because of a matter arising at the premises in connection with any of the four licensing objectives.
- 2.3 As such, in accordance with section 52(2) of the above-mentioned Act, the Licensing Authority must hold a hearing to consider the application and any relevant representations.
- 2.4 The premises currently benefits from a premises licence that permits:

Playing of Recorded Music: Unrestricted

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

Sale by Retail of Alcohol:

Monday to Saturday: 08:00 to 23:00

Sunday: 10:00 to 22:30

Sale by Retail of Alcohol (Off Sales):

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

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (d) On Good Friday, 08:00 to 22:30

NOTE - The above restrictions do not prohibit:

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

A copy of the existing Premises Licence (22/03073/LIPVM) is attached at **Appendix 4**.

- 2.5 On submission of this application, the applicant provided an in-depth description of the issues relating to the premises which stated the following:

Westminster Police Licensing were first made aware of the alleged sale of alcohol to children in February 2021. Information was passed to the local Lancaster Gate SNT and a criminal intelligence report was created and passed to Police Licensing. Over time, similar reports came in via their criminal intelligence database and Police Licensing set up test purchasing operations using the Police Cadets to buy alcohol from the venue.

Westminster City Council were passed all these reports, and Trading Standards along with City Inspectors, also conducted their own test purchasing operations.

The licensee has passed every single test purchasing operation that the authorities have conducted. It is therefore believed that the licensee knows and trusts who he is selling alcohol to.

Several other anonymous reports came in via their criminal intelligence database, that the licensee was still selling alcohol to children. Parents of the children that bought alcohol, were engaged with and asked to assist Police by giving statements. Many of the parents would not provide statements and would not engage with Police any further. This was because they were worried about any reprisals.

In December 2021, Police received another report that a child had bought alcohol from the venue. The parent was contacted and they provided a statement to Police Licensing.

On the 26th February 2022, a CAD (3604/26FEB22) report came in that two other children had bought alcohol from the premises on the 25th February 2022. Police Licensing engaged with the parent to see whether a statement could be given.

On Wednesday 2nd March 2022, Police Licensing and Westminster City Council Inspectors attended the premises to check CCTV cameras and conduct a full licensing inspection. Officers asked to see recordings between the hours of 17:00 and 17:30 on the 25th February 2022, which was when the children bought the alcohol. This was a bottle of vodka.

There was no CCTV recordings, as the licensee, stated that they automatically delete after 3 days. This was checked by officers and confirmed. There was no DVR and the CCTV system was a basic one, which worked off the internet. There was also no CCTV condition on the premises licence and work has been on-going with WCC and Police over the last year to get the premises licence updated.

The premises licence holder has failed to promote the licensing objectives. He has a duty of care to his customers and he has demonstrated on numerous occasions that he does not care for the safety of children. He is all too willing to sell alcohol to children in order to make profit. He goes out of his way to cover his tracks. He has not worked with the authorities to conduct the simplest of tasks to update his premises licence with conditions. Westminster Police Licensing have no faith in the licence holder and do not regard him as a responsible operator.

- 2.6 Witness statements and incident reports were submitted in addition to the review application and can be found at **Appendix 2**.
- 2.7 Submissions have been received from the premises licence holder in response to the review application and the interested parties representations and can be found at **Appendix 3**.
3. **REPRESENTATIONS:**
- 3.1 The application has received a representation in support of the review from the Environmental Health Service on 13 April 2022 on the grounds of Protection of Children from Harm, Prevention of Public Nuisance, and Public Safety and can be found at **Appendix 5 and 5.1**.
- 3.2 The application has received a representation in support of the review from the Licensing Authority on 11 April 2022 on the grounds of the protection of children and can be found at **Appendix 6**.
- 3.3 The application has also received representations in support of the review from 6 interested parties and can be found at **Appendix 7**.
4. **OPTIONS:**
- 4.1. The licensing Sub-Committee will have a range of powers to exercise on determining a review where it considers them appropriate for promotion of the licensing objectives.
- 4.2 The Authority must, having regard to the application and the representations, take such steps (if any), as it considers appropriate for the promotion of the licensing objectives. The steps to be taken by the Licensing Sub-Committee using their powers in determining the matter are:
- (a) to modify the conditions of the licence;
 - (b) to exclude a licensable activity from the scope of the licence;
 - (c) to remove the designated premises supervisor;
 - (d) to suspend the licence for a period not exceeding three months;
 - (e) to revoke the licence;
- and for this purpose the conditions of the licence are modified if any of them is altered or omitted or any new condition added.
- 4.3 In accordance with section 52(6) of the 2003 Act, if the authority takes measures to modify conditions or exclude licensable activities from the licence, it may stipulate that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.
- 4.4 The licensing authority's determination of this application does not have effect until the 21-day appeal period has expired or if the decision is appealed the date the appeal is determined and/or disposed of.

- 4.5 The applicant is seeking revocation of the licence due to the weight of evidence that has been submitted and that the premises fails to promote the licensing objectives:
- 1) The prevention of crime and disorder
 - 2) The protection of children from harm

5. LICENSING ACT 2003 APPLICATIONS AND APPEAL HISTORY

- 5.1 Any applications under the Licensing Act 2003 are set out in **Appendix 8**.
- 5.2 The chronology relating to appeals and applications is set out in **Appendix 8**.

6. 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, Marriages and Civil Partnerships, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

List of Appendices:	Appendix 1 – Application for Review Appendix 2 – Applicant’s supporting documents Appendix 3 – Premises licence holder’s supporting documents Appendix 4 – Current Premises Licence (22/03073/LIPVM) Appendix 5 – Environmental Health Service representation Appendix 5.1 – Environmental Health’s supporting documents Appendix 6– The Licensing Authority’s representation Appendix 7 – Interested Parties representations Appendix 8 – Licence and Appeal History Appendix 9 – Residential Map and list of premises in the vicinity
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Background Documents – Local Government (Access to Information) Act 1972

- Licensing Act 2003
- City of Westminster Statement of Licensing Policy (01 October 2021)
- Amended Guidance issued under section 182 of the Licensing Act 2003 (April 2018)

Please see next page



Application for the Review of a Premises Licence or Club Premises Certificate under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

- Before completing this form please read the guidance notes at the end of the form.
- If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
- You may wish to keep a copy of the completed form for your records.

I **PC Adam Deweltz**

apply for the review of a premises licence under Section 51 of the Licensing Act 2003 for the premises described in Part 1 below

Part 1 – Premises or club premises details

Postal address of premises or club premises, or if none, ordnance survey map reference or description:

AMK Food and Wine, 35B Queensway

Post town:

London

Post code:
(if known)

W2 4QJ

Name of premises licence holder or club holding club premises certificate (if known):

AMK Innovation Limited, 199 Uxbridge Road, W12 9DH

Number of premises licence or club premises certificate (if known):

20/09113/LIPCHT

Part 2 – Applicant details

I am:

Please tick Yes

1	an individual, body or business which is not a responsible authority (please read guidance note 1 and complete (A) or (B) below)	<input type="checkbox"/>
2	a responsible authority (please complete (C) below)	<input checked="" type="checkbox"/>
3	a member of the club to which this application relates (please complete section (A) below)	<input type="checkbox"/>

PROTECTIVE MARKING

(A) DETAILS OF INDIVIDUAL APPLICANT (fill in as applicable)

Mr	<input type="checkbox"/>	Mrs	<input type="checkbox"/>	Miss	<input type="checkbox"/>	Ms	<input type="checkbox"/>	Any other title (e.g. Rev.)	<input type="checkbox"/>
Surname:				First Names:					
I am 18 years old or over				<input type="checkbox"/>					
Current postal address if different from premises address:									
Post town:				Post code:					
Daytime Tel. No.:				Email: (optional)					

(B) DETAILS OF OTHER APPLICANT (fill in as applicable)

Name and Address:	
Telephone Number (if any):	
Email address: (optional)	

(C) DETAILS OF RESPONSIBLE AUTHORITY APPLICANT (fill in as applicable)

Name and Address:	
PC Adam Deweltz, Westminster Police Licensing Unit, Metropolitan Police Service	
Telephone Number (if any):	020 7641 1705
Email address: (optional)	adam.s.deweltz@met.police.uk

This application to review relates to the following licensing objective(s)

		Please tick one or more boxes
1	The prevention of crime and disorder	<input checked="" type="checkbox"/>
2	Public safety	<input type="checkbox"/>
3	The prevention of public nuisance	<input type="checkbox"/>
4	The protection of children from harm	<input checked="" type="checkbox"/>

Please state the ground(s) for review: (please read guidance note 2)

Westminster Police Licensing are bringing this review on the grounds of protection of children from harm and the prevention of crime and disorder.

The premises licence in question is for AMK Food and Wine, 35B Queensway, W2 4QJ. The premises licence number is 20/09113/LIPCHT. The premises licence holder is AMK Innovation Limited, 199 Uxbridge Road, London, W12 9DH. The Designated Premises Supervisor (DPS) is Mr Mustafa ALKIFRAY.

Westminster Police Licensing were first made aware of the alleged sale of alcohol to children in February 2021. Information was passed to the local Lancaster Gate SNT and a criminal intelligence report was created and passed to Police Licensing. Over time, similar reports came in via our criminal intelligence database and Police Licensing set up test purchasing operations using the Police Cadets to buy alcohol from the venue.

Westminster City Council were passed all these reports, and Trading Standards along with City Inspectors, also conducted their own test purchasing operations.

PROTECTIVE MARKING

The licensee has passed every single test purchasing operation that the authorities have conducted. It is therefore believed that the licensee knows and trusts who he is selling alcohol to.

Several other anonymous reports came in via our criminal intelligence database, that the licensee was still selling alcohol to children. Parents of the children that bought alcohol, were engaged with and asked to assist Police by giving statements. Many of the parents would not provide statements and would not engage with Police any further. This was because they were worried about any reprisals.

In December 2021, Police received another report that a child had bought alcohol from the venue. The parent was contacted and they provided a statement to Police Licensing.

On the 26th February 2022, a CAD (3604/26FEB22) report came in that two (2) other children had bought alcohol from the premises on the 25th February 2022. Police Licensing engaged with the parent to see whether a statement could be given. The parent stated they would assist Police.

On Wednesday 2nd March 2022, Police Licensing and Westminster City Council Inspectors attended the premises to check CCTV cameras and conduct a full licensing inspection. Officers asked to see recordings between the hours of 17:00 and 17:30 on the 25th February 2022, which was when the children bought the alcohol. This was a bottle of vodka. They used cash to do this.

There was no CCTV recordings, as the licensee Mr ALKIFRAY, stated that they automatically delete after 3 days. This was checked by officers and confirmed. There was no DVR and the CCTV system was a basic one, which worked off the internet. There was also no CCTV condition on the premises licence and work has been on-going with WCC and Police over the last year to get the premises licence updated.

Mr ALKIFRAY has come to Police notice a number of times, which has led to him being arrested. Details of this will be in my MG11 Police Statement.

It is clear MR ALKIFRAY has failed to promote the licensing objectives. He has a duty of care to his customers and he has demonstrated time and time again that he does not care for the safety of children. He is all too willing to sell alcohol to children in order to make profit. He goes out of his way to cover his tracks. He has not worked with the authorities to conduct the simplest of tasks to update his premises licence with conditions. Westminster Police Licensing have no faith in Mr ALKIFRAY and do not regard him as a responsible operator. The Metropolitan Police Service seek full revocation of the premises licence in order to protect children from harm.

Please provide as much information as possible to support the application: (please read guidance note 3)

PROTECTIVE MARKING

Information contained above.

Have you made an application for review relating to this premises before?

(Please tick yes)

PROTECTIVE MARKING

	Day	Month	Year				
If yes, please state the date of that application:							

If you have made representations before relating to this premises please state what they were and when you made them:

N/A


PROTECTIVE MARKING

Please tick Yes	
I have sent copies of this form and enclosures to the responsible authorities and the premises licence holder or club holding the club premises certificate, as appropriate.	<input checked="" type="checkbox"/>
I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.

Part 3 – Signatures (please read guidance note 4)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 5). If signing on behalf of the applicant please state in what capacity.

Signature:		Date:	16/03/2022,
Capacity:	N/A		

Contact name (where not previously given) **and postal address for correspondence associated with this application:** (please read guidance note 6)

N/A

Post town:		Post code:	
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Telephone Number (if any):

If you would prefer us to correspond with you using an e-mail address, your e-mail address (optional):

Notes for Guidance

1. A responsible authority includes the local police, fire and rescue authority and other statutory bodies which exercise specific functions in the local area.
2. The ground(s) for review must be based on one of the licensing objectives.
3. Please list any additional information or details, for example dates of problems which are included in the grounds for review if available.
4. The application form must be signed.
5. An applicant’s agent (for example, solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. This is the address which we shall use to correspond with you about this application.

Retention Period: 7 years
MP 321/12

Please see next page

5WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

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Statement of: Bryan LEWIS PC 4161AW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable p200892

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: *Bryan Lewis PC 4161AW* Date: 25/04/2022

I am currently employed with the Metropolitan Police Service as a Police Constable. For the last thirteen years, I have been a member of the Westminster Police Licensing Team. I have amassed extensive knowledge of licensed premises in the city of Westminster from both a licensing and enforcement perspective. Prior to that, I was employed on a Westminster Council / police partnership team, and I was a police emergency response officer on both the boroughs of Hammersmith, Twickenham and Richmond.

On Friday 15th April 2022 about 4pm, PC Reaz Guerra and myself from the Westminster Police Licensing Team visited 35b Queensway to check the premises was complying with its new CCTV licence condition. We entered the shop and made our introductions to Mr Mustafa Alkifray, the licence holder, who was alone and sat behind the counter. Mr Alkifray was familiar to me as I believe we were to him; due to previous visits we had both conducted. As on previous occasions, I found Mr Alkifray's answers to our questions to be vague, and ambiguous. He informed us that the CCTV was working but that its installation was not completed and the individual who had fitted it, would be returning to finish the job. I asked him how many days it had been recording for. He said twenty days. He also said he was not sure how to operate the system. There was a monitor fitted at ceiling height, which was working but was partially obscured by both the shelf it rested on and because it was not angled downwards. This was also where the small digital recording recorder (DVR) box was located, along with its control mouse. I asked to see recorded footage. Mr Alkifray found a short step ladder. As I informed Mr Alkifray, having to go up a ladder to operate the DVR and view footage was not satisfactory, as following an incident, Police may need to view

Witness Signature:

Signature Witnessed by Signature:

Continuation of Statement of:

footage upon immediate request. When I checked the recorded footage, it was only available from the 2nd of April 22 and therefore about thirteen days, not twenty, as he had informed us. There was live footage currently being shown from four cameras. There had only ever been only four cameras working since the system had commenced operating, as we viewed recorded footage from the first days in April it had been operating. This did confirm that the system was fully operational in relation to the four cameras. However, Mr Alkifray repeatedly maintained that there were six cameras in operation. I ticked the boxes of the first six cameras on the DVR operation display but the other two camera images did not appear. Mr Alkifray continued to insist that there were 6 cameras. I then noticed that below the monitor, were the red feed cables for the cameras. There were only four cable leads connected, confirming that there could only be four cameras in operation, which I pointed out to Mr Alkifray. We also noted that the cameras not working, were the two dome cameras fixed to the ceiling above where Mr Alkifray served his customers and appeared originally positioned to capture all transactions at the counter.

At about this time during our visit, a young female, I would estimate to be in her mid-teens, entered the shop. She hesitantly looked at the three of us rather than the goods on sale, and abruptly left the shop.

I informed Mr Alkifray that I had confirmed the CCTV system was operating but that I wasn't entirely satisfied as the need for the use of a ladder meant DVR was too difficult to access, the monitor couldn't be viewed properly, and two important cameras weren't working. Therefore, he was breaching his CCTV licence condition in that the system did not meet our minimum standard. The DVR and monitor required repositioning and the two counter cameras connecting to the system. I gave him one week, despite him arguing for more time. In my experience, his shop CCTV system was a simple inexpensive analogue system, a homeowner might purchase. It is basically a plug and play system and requires virtually no technical knowledge to fit and operate. Our visit completed; we left the shop.

As we crossed the high street, PC Guerra and I observed two young females, I would estimate to be in their teens, enter the shop; then leave a short time later. PC Guerra went over to the girls to speak to them as they walked away, finally catching up with them in Bayswater tube Station. He phoned me, requesting I join him. When I arrived at the station, he was just leaving the platforms. PC Guerra informed me he had identified himself as a
Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

police officer to the girls and enquired as to why they had visited the shop. I did not make a note of the conversation, but I specifically remember he said the girls mentioned that they had heard on Snapchat, an internet chat site popular with young people, that you could purchase 'bad' things in the shop, or words to that effect. They had gone on their way.

We returned to the shop a short time later. On arrival, PC Guerra requested from Mr Alkifray, that he produce a recording of the CCTV, from 4pm to 4.30pm. This would cover the time period the two females had entered the shop. Mr Alkifray said this couldn't be done, as he didn't know how to download from the system. PC Guerra informed him it was a requirement of his CCTV condition, to provide a copy of the CCTV following a police request. It should be downloaded onto a USB memory stick, and it was agreed with Mr Alkifray that I would return the following day to collect it, at some time from 11am onwards when he opened the shop. I made a note of his two phone numbers and his company email address, so that I could contact him the following day, to notify him roughly what time we would be arriving. In fact, when searching on the internet for the company name within his email address, I was surprised to find that he described his business as a repairer of electronic and optical equipment, suggesting he would not have any trouble installing a basic CCTV system and downloading from it.

The following day, Saturday 16th April 2022 about 6pm, I returned to the shop, accompanied by another police licensing officer, PC Nicole Sondh; who had also previously visited the shop. I had tried to phone Mr Alkifray in advance, but he had not answered. On arrival, Mr Alkifray was sat behind the counter. I was keen to be as brief as possible, in order to visit other premises. When I asked him for the download, he said he hadn't done it. He said a number of times, if I wanted it, I could use my phone, which I took to mean I could find the relevant recording times myself, and again standing on the ladder, I could film the footage on my mobile phone. I said to him that he had been requested to produce downloaded footage on a USB memory stick, and in any case, I am not permitted to capture CCTV evidence on my own mobile phone. Mr Alkifray changed his manner from confusion to hostility. He said several times why his shop? Suggesting we were targeting him for no good reason. PC Sondh patiently explained to Mr Alkifray in detail the purpose of our visit and exactly why it was his shop we were visiting. That this was following a number of allegations that he sold alcohol to children. As we were speaking a young girl entered the shop, I would

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

estimate to be in her mid-teens, dressed in a white top and trouser outfit. Mr Alkifray said to her "give me two minutes", and she left. I thought this was odd, as when an older male had previously entered the shop, which generally seems to have few customers, Mr Alkifray had immediately turned his attention away from us, and served the male some cigarette papers. We then had a conversation about the sale of alcohol. Mr Alkifray said he wanted to cease the sale of alcohol. I said why don't you surrender your licence. He then clarified that he only meant temporarily. I took this to mean while the troubles he was having with the Responsible Authorities blew over. I said he could not temporarily surrender his licence. He then spoke of a visit by another police officer earlier that day, who he couldn't name or why he had visited. The officer had also wanted to look at his shop CCTV. We had no knowledge of this visit, but it is possible that it was following two crime reports for assaults that had occurred at the shop in the past weeks. He then showed us on his mobile phone, footage from his outside cameras looking onto the street, which had been captured earlier that day 16/04/22, and which he had said he had shown the officer. I said to Mr Alkifray then you are able to download footage, as you have just shown me. He then claimed that he had simply used the phone-camera, to film the monitor image holding the phone-camera. I knew this wasn't true as it was clear the images he had shown me were properly downloaded.

PC Sondh in a further attempt to assist Mr Alkifray, suggested that we would send him an email with a link to a police contractor (Axon) web site, enabling the downloading of CCTV footage directly without the need for a storage device. Again, he would not provide clear answers, in my opinion feigning ignorance of how to conduct a simple download. However, he finally agreed to carry out our further request for the same footage originally requested the day before. We left the shop and crossed Queensway. When I looked back, I noticed the same young female dressed in white, had re-entered the shop, and had sat down in a swivel chair by the counter, suggesting a familiarity with visiting the shop. We then left the area, to conduct other licensing visits.

As far as I am aware, Mr Alkifray has still not produced the CCTV footage requested by police.

Bryan Lewis PC 4161 AN

Witness Signature:

Signature Witnessed by Signature:.....

Continuation of Statement of:

Bryan Lewis PC4161CW

Westminster Police Licensing Team

Bryan Lewis PC4161CW

Witness Signature:

Signature Witnessed by Signature:.....

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

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Statement of: Constable Tom Stewart

Age if under 18: Over 18

Occupation: Police officer

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature:



Date: 10 Mar 2022

I am PC Tom Stewart 4230AW and I am attached to the Central West Licensing team, covering Westminster borough. I have been a police officer for 13 years and a Licensing officer 4 ½ years.

On Wednesday 2nd of March 2022 at approximately 15:50 hours, I was on duty in plain clothes, accompanied by Pc Bryan Lewis and Westminster City Council (WCC) City Inspectors Floyd Harris and Sam Bucpapaj. We had arranged to conduct a licensing visit at AMK Food and Wine, 35b Queensway.

Police Licensing had received numerous reports that the Licence Holder and DPS (Designated Premises Supervisor) had been selling alcohol to children. The most recent allegation was that he had sold a bottle of vodka to two girls aged 13 and 14 years old who were in school uniform. This had allegedly happened on Friday 25th February between 17:00-17:30.

The Licensee, Mr Mustafa Alkifray had previously denied all of the allegations of underage sales and following engagement with the police licensing team, agreed to submit a minor variation to add several conditions to his licence, including a condition requiring CCTV that recorded for a minimum of 31 days. Westminster City Council had informed us that the variation had been applied for, but payment had not been made, thus making the application invalid until the payment had been received. Since the application had been submitted by Mr Alkifray, it would be a fair assumption to make that the CCTV would be compliant with the conditions he had included on the application.

The intention of the visit was to establish if the CCTV was compliant and whether the alleged sale of alcohol was captured on CCTV. If the incident hadn't taken place, then this could also be corroborated by the CCTV.

We entered the premises, which is a very small and narrow shop, with the counter and till area located at the far end. There were only two people on the premises when we entered. A male stood behind the counter, who I now know to be Mr Mustafa Alkifray and a young male, possibly around 13 or 14 years old. When the customer saw us enter, he appeared quite nervous. He quickly picked up something from the sweets section, paid for the item and then left the premises. At this point I approached Mr Alkifray and introduced myself and the other officers. I produced my warrant card and showed it to Mr Alkifray.

I asked him if he had the summary part of his premises licence (Part B) to hand, as I could not see it displayed. He appeared confused by the question but indicated that he did not have it. I then asked Mr Alkifray if he had the original copy of his premises licence available for inspection. Again, he stated that he did not have it, but could access one on his computer. I explained to Mr Alkifray that it was a legal requirement to display the Summary (Part B) licence and to have the full premises licence on the premises. I asked Mr Alkifray if he had his personal licence on him, which he did. He handed this over and I inspected it. It appeared to be in order. The licence had been issued by the London Borough of Hammersmith and Fulham.

Signature:



Signature Witnessed by:


Continuation of Statement of: Constable Tom Stewart

I asked Mr Alkifray about the minor variation that he had submitted, informing him that payment had not been received and that if the payment was not made by the 4th of March, then WCC would invalidate the application. Mr Alkifray insisted that he had paid for the application to two separate occasions but could not provide a receipt or email confirmation of the payment. I asked him if he was aware of the conditions that he had requested to be added to the premises licence, and he responded by saying that he was just doing what the police had told him to do. He didn't appear to have any interest, professional or otherwise in the conditions that were requested by police or the reasons for why we had asked for them. It had been explained to Mr Alkifray on numerous occasions of our concerns in regard to the allegations of underage sales, and that the implementation of CCTV, Challenge 25 and an incident log would assist him in promoting the licensing objectives. Mr Alkifray's complete lack of comprehension was very concerning. He literally seemed to shrug off the idea that there was an issue.

I could see that there were at least two CCTV cameras within the premises. One positioned above the till area, facing downwards and the other was by the entrance/exit. I could also see that the spirits, including a bottle of vodka was behind the count on a shelving unit. This could only be accessed by someone behind the counter. I asked Mr Alkifray how long his CCTV recorded for. He stated that it only recorded for three days. I asked if the premises was open on Friday 25th February. Mr Alkifray appeared confused by the question, stating that he could not remember. He then stated that the shop had not been open much at all during the last few weeks. I asked him if anyone other than himself worked or sold alcohol from the shop. He confirmed that he was the only person who worked there but stated that he often gave the keys to other people to lock up. I asked again if he was working on Friday 25th at around 5pm. He again returned a blank look and finally stated that he thought he came to the shop that evening around 8pm.

I then informed Mr Alkifray that we had received a recent allegation that he had sold a bottle of vodka to two underage females. I stated that this had allegedly happened on Friday 25th February around 17:00-17:30. I asked Mr Alkifray if his CCTV would have recorded what had taken place, if anything, during these times. He showed me his mobile phone (where the CCTV recording could be accessed via an application). I could see from the information on the application that the recordings only went back three days. This was indicated by a small dot over the preceding three days. Mr Alkifray scrolled to Friday 25th February and there were no recordings.

Throughout my interactions with Mr Alkifray, I got the impression that he was not taking the situation seriously and was perhaps 'playing dumb' and being deliberately obstructive and unhelpful. This sort of behaviour is very concerning considering he is the premises licence holder and DPS. This is further compounded by the fact that we were discussing the very serious allegations of selling high strength spirits to children.

Witness Signature: 

Signature Witnessed by:

5 WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of: Bryan LEWIS PC 4161AW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable p200892

This statement (consisting of 4 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature:

Bryan Lewis PC4161AW

Date: 10/03/2022

I am currently employed with the Metropolitan Police Service as a Police Constable. For the last thirteen years, I have been a member of the Westminster Police Licensing Team. I have amassed extensive knowledge of licensed premises in the city of Westminster from both a licensing and enforcement perspective. Prior to that, I was employed on a Westminster Council / police partnership team, and a police emergency response officer on both the boroughs of Hammersmith, Twickenham and Richmond.

On Wednesday 2nd of March about 3.50pm, I was on duty in plain clothes, accompanied by fellow Police Licensing officer, PC Tom Stewart. That afternoon we met with Westminster City Council (WCC) Licensing Inspectors Floyd Harris and Sam Bucpapaj. We then conducted a joint licensing visit at AMK Food and Wine shop, 35b Queensway. The visit was arranged due to information we had received, that underage youths had been sold alcohol in the shop, the previous Friday. As we entered, there was one young male customer conversing with a male who appeared in his forties or fifties, sat at the rear of the shop, who I now know to be the shop owner, Mr Mustafa Alkifray. The shop is long and narrow and appears to have once been a larger shop now subdivided. Mr Alkifray was seated behind a screen, wearing a dark baseball cap. PC Stewart introduced us and explained that we were conducting a licensing visit. Mr Alkifray confirmed he was the owner, and I knew from having seen the premises licence before our visit, he was also the Designated Premises Supervisor. The young male customer selected some items, paid and left the premises. I noted that there were cans of alcohol for sale on my left in a refrigerated cabinet, and numerous bottles of spirits in a horizontal wall-

Witness Signature:

Bryan Lewis PC4161AW

Signature Witnessed by Signature:

Page 1 of 3

Continuation of Statement of:

to-wall wooden shelf above Mr Alkifray. Examining the interior of the shop, my impression was that little time and money had been spent on its appearance. PC Stewart queried where part B of the premises licence was displayed and if Mr Alkifray could produce the hard copy part A of the licence. He was unable to produce either. PC Stewart informed Mr Alkifray that he was required by law to produce these documents to the authorities upon request. Throughout our visit, Mr Alkifray's answers were vague and he often appeared mildly amused by something. PC Stewart asked to see his personal licence which he immediately produced. It appeared to be in order. PC Stewart then asked Mr Alkifray about a minor variation application to add a CCTV licence condition to his premises licence, that he had submitted some time before. Police Licensing had requested this on a previous occasion, due to other allegations of underage sales against the premises. Apparently, the variation had been submitted but not paid for and therefore had not been processed successfully. There was some discussion about whether he had paid for it, but it was apparent that he had not confirmed if it had been added to his premises licence. Mr Alkifray said he would resolve this matter.

I noticed two wireless CCTV cameras in the shop, one behind the counter, the other at high level covering the alcohol display. PC Stewart queried with Mr Alkifray whether his CCTV system complied with the condition he had applied for, including the 31-day storage requirement. He replied that the CCTV system only stored footage for three days. PC Stewart asked why this was the case, to which a satisfactory answer was not provided. PC Stewart asked if he was open for business the previous Friday, 25/2/2022. Mr Alkifray repeatedly said he couldn't remember, despite it being only five days before. He stated no one else worked there and gave the impression that the shop's opening times were intermittent.

PC Stewart explained that we had received information that some school children had purchased a bottle of Vodka the previous Friday and asked for Mr Alkifray's response. He then said that he now remembered he had not worked that day and the shop would not have been open, therefore the sale could not have taken place. We

Witness Signature:

Signature Witnessed by Signature: *Byrne Lee & PC4161A*

Continuation of Statement of:

left the shop, having completed our visit, intending to follow up whether the minor variation regarding a CCTV condition was resolved, and the condition added to the licence.

Bryan Lewis PC4161CW

Bryan Lewis PC4161CW

Westminster Police Licensing Team

Witness Signature:

Signature Witnessed by Signature:.....

WITNESS STATEMENT

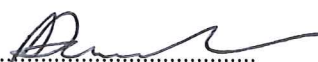
CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **Adam Deweltz**..... URN:

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Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: ... **1**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: **A.Deweltz PC 2556 AW**  Date: **10/03/2022**.....

Tick if witness evidence is visually recorded (supply witness details on rear)

My name is Adam Deweltz and I am a Police Constable for the Metropolitan Police Service. I have been a Police Officer for 20 years and I am an experienced licensing officer currently working in the Westminster Police Licensing Unit. I have been in this role since November 2014. Since then I have dealt with a wide range of licensing matters including applications for new premises licences, licence committee hearings, licence review hearings and a large number of licensing visits to a variety of licensed premises within the City Of Westminster. My unit is responsible for approximately 5000 licensed premises across Westminster, Kensington and Chelsea and Hammersmith and Fulham. When visiting any licensed premises, we aim to work in partnership with them by making improvements and offering advice to ensure the licensing objectives are promoted.

This MG11 statement refers to AMK Food and Wine, 35B Queensway, W2 4QJ. The Premises licence number is 20/09113/LIPCHT. The premises licence holder is AMK Innovation Limited, 199 Uxbridge Road, London, W12 9DH. The Designated Premises Supervisor (DPS) is Mr Mustafa ALKIFRAY.

Following on from PC BOON's work, I took over dealing with the licensed premises in November 2021. With the licensee passing our Police test purchase on the 15th April 2021, a decision was made at the time to not review the premises licence. I had also liaised with Trading Standards and City Inspectors who had also conducted test purchases on different dates. Once again, the licensee had passed these tests and challenged the cadets for identification. It was viewed that these results would undermine any review brought by the authorities. Instead, it was decided to get conditions added to the premises licence. These conditions, such as CCTV model conditions, would ensure that officers could view any CCTV over a 31 day period if or when any further allegations of underage sales were made. PC BOON first made this request in person on the day of the Police test purchase operation. She later sent him a follow up email on the 23rd April 2021 requesting him to submit the minor variation to add conditions to the premises licence. PC BOON exhibited the email thread as CB/5.

Police Licensing knew the CCTV at the premises deleted itself after 1-3 days. This meant that by the time we received any complaints and attended the venue, it was likely that all evidence would be lost. The licensee was well aware of this fact. With the passing of the test purchases, the licensee was getting away with selling alcohol to children. We decided to request for his premises licence to be updated with CCTV conditions, as well as challenge 25 and refusal log. This request was considered both completely reasonable and proportionate. The licensee already had a CCTV system in place. It just required an update to ensure recordings were kept for 31 days. The other conditions asked for would not cost him any extra money to adhere to them.

On the 12 May 2021, the licensee submitted the application to update his premises licence. However, no conditions were contained within the application form. This therefore made the application invalid. Police could not have been any clearer and it can be seen from the emails sent by PC BOON on the 23rd April 2021 (exhibit number CB/5) that the conditions were there.

Licensing services contacted the licensee and told him he would have to reapply. He failed to do this.

On the 4th October 2021, Westminster City Council were contacted by a Council colleague whose friend's daughter bought alcohol with her friends from AMK Food and Wine. The group of underage girls who were 14-15 in age, bought a bottle of vodka from the licensee and went to Hyde Park where they consumed it. This information was passed to Westminster Police licensing on the 9th November. I immediately contacted the informant who put me in touch with her friend. I obtained a statement from her, which I exhibit as ASD/1.

Signature:  page 92 Witnessed by:

Continuation of Statement of **Adam Deweltz**

A further complaint came in to Westminster City Council also on the 9th November 2021. This was also passed to Westminster Police licensing. I made contact with this informant. Please see exhibit ASD/2, which is the email thread to them. Initially this parent wanted to assist Police, but unfortunately they stopped engaging with me.

It was clear that the licensee was becoming more active again after not coming to Police Licensing’s notice for approximately five (5) months.

On the 15th November 2021, I emailed Mr Mustafa ALKIFRAY to ask for an update on the minor variation request from my colleague PC BOON. I exhibit the email thread at ASD/4. I had no response from him. I then asked my two colleagues, PC GUERRA and PC SONDH to visit the premises and make enquiries as to why the minor variation had not been submitted. They attended on the 18th November 2022. I bring your attention to PC Guerra’s statement.

On the 17th November 2021 I was made aware that another report of underage sales was made. I made contact with the informant. I exhibit the email as ASD/3. Unfortunately I did not get any response from them.

On the 23rd November 2021 I wrote a letter to Mr ALKIFRAY and tasked PC ALI from the Lancaster Gate SNT to hand deliver it. I exhibit this as ASD/6. The letter was yet another reminder to submit the minor variation. This letter was delivered on the 30th November 2021.

Mr ALKIFRAY finally submitted the Minor Variation application on the 1st December 2021. However, he did not pay the fee and therefore it was invalid once more. Westminster Police Licensing were not made aware that the application was invalid. When the application was sent to Police, it was consulted on and not objected to. This was on the 2nd December 2021. As far as the Police were concerned, the conditions were now on the premises licence and a new premises licence would be issued.

On the 10th January 2022 I emailed another informant having received information that the licensee had sold cigarettes to her daughter, who was under 18. I spoke with the informant and passed all her details to Trading Standards. I exhibit the email thread as ASD/7.

On the 25th February 2022, Police were made aware of yet another report relating to underage drinking at the premises. I phoned the informant and send her a text message to contact me. We managed to speak on Tuesday 1st March and they explained to me that their child had gone into the premises with another child and they had bought a small bottle of vodka. They were not challenged for ID. They then went home and consumed the bottle of vodka in their bedroom. The next day the informant entered the room and discovered the empty bottle. I asked whether I could take a statement over the phone and they told me they would. A statement was due to be taken on Tuesday 8th March 2022, however, the parent became reluctant to assist.

I asked PC Lewis and PC Stewart to attend the premises to check the CCTV. A joint visit with WCC City Inspectors, Floyd Harris and Sam Bucpapaj was conducted on Wednesday 2nd March 2022. The officers asked to see CCTV between the hours of 17:00 and 17:30. These were the times the two children entered the premises.

I bring your attention to the statements provided by the above officers.

Enquiries were then conducted with licensing services and it became known that the minor variation I had requested for CCTV conditions to be added to the licence, was invalid as payment was never made by the licensee back in December 2021.

On Tuesday 8th March 2022, Mr ALKIFRAY withdrew his application for the minor variation he submitted in December 2021. It is unclear what his motives are for this, but on Wednesday 9th March 2022, he submitted another minor variation application for the conditions to take effect on 01/01/2023. This was not what Police had requested and Mr ALKIFRAY knew we wanted the conditions on the licence to take immediate effect. This is yet more evidence of him not working with the authorities and using delay tactics to keep the conditions off his premises licence.

The Licensee, Mr ALKIFRAY, is also known to the Police. He has been arrested a number of times for GBH and Robbery and at the time of completing this statement, he is Wanted by Police for ‘failing to appear’ at Wimbledon Magistrates Court for being charged with ‘failing to provide a specimen of breath’ at Kingston Custody Suite. Arrangements have been made to arrest him and put him before the court. He has been charged for the GBH and is due to go to trial in August 2022. The robbery case is still being investigated. The courts will be informed that he is a Personal Licence holder (Licence number 2019-01726-LAPER issued by Hammersmith and Fulham).

It is clear MR ALKIFRAY has failed to promote the licensing objectives. He has a duty of care to his customers and he has demonstrated time and time again that he does not care for the safety of children. He is all too willing to sell alcohol to children in order to make profit. He has not worked with the authorities to conduct the simplest of tasks to update his premises licence with conditions. He has dragged


Signature: 

Signature witnessed by:

Continuation of Statement of **Adam Deweltz**

his feet and been obstructive. Westminster Police Licensing have no faith in Mr ALKIFRAY and do not regard him as a responsible operator.

Whilst the existing premises licence is devoid of any conditions, having only the mandatory conditions attached to it, it is the view of the Police that even with the addition of further conditions the premises would continue to operate in an irresponsible and negligent manner. Therefore, The Metropolitan Police Service seek full revocation of the premises licence in order to protect children from harm and prevent further crime.



Signature:  page 94 witnessed by:

Witness contact details

Home address:
..... Postcode:

Home telephone number Work telephone number

Mobile/pager number Email address:

Preferred means of contact:

Male / Female-(delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? **No.** If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:

Signature of parent/guardian/appropriate adult: Print name:

Address and telephone number if different from above:

Statement taken by (print name): **PC Deweltz**..... Station: **N/A**

Time and place statement taken: **16:00 hours at City Hall, Victoria Street, SW1**

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of **PC Reaz Guerra 1614CW** URN:

Age if under 18 **Over 18**..... (if over 18 insert 'over 18') Occupation: **Police Officer**.....

This statement (consisting of: **4**..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: *Reaz Guerra 1614CW* Date: 17/03 2022.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit. I joined the Metropolitan Police Service in 2002 and was posted to the Borough of Westminster in 2003, working in numerous operational roles. I moved to the Westminster Police Licensing Unit in April 2011. Since my appointment in the Licensing Unit I have dealt with a wide range of licensing matters including applications for new premises licences, variations to existing premises licenses, licensing committee hearings, licensing reviews and a large number of licensing visits to licensed premises within the City of Westminster. I am also a specially trained search officer, Licensed by the Home Office, with over 16 years' experience performing this role.

I submit the below information in relation to an application to review the premises licence for 35B Queensway, London W2, Premises licence 20/09113/LIPCHT.

The premises is located on the west footway of Queensway, W2, approximately 100 metres north of the junction with Bayswater Road, W2. The main entrance to the premises is via a single door on Queensway. I would describe the premises as a long narrow premises. As you enter the premises there is a booth/cabin to the right, which appears to sell or repair used mobile phones.

Signature: *Reaz Guerra 1614CW* Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

There are display shelves along the sides of the wall and the till is located at the back of the premises.

The current plans as submitted to the licensing authority, do not accurately reflect the current layout of the premises, as the booth/cabin is not shown on the current plans.

On Thursday 18th November 2021 at approximately 18:25hrs, PC Sondh and I attended the premises to conduct further enquiries on behalf of PC Deweltz regarding the submission of a minor variation to add a number of conditions to the premises licence. On entering the premises, we spoke with Mr Mustafa ALKIFRAY, who confirmed he was the owner and the Designated Premises Supervisor. Having introduced ourselves I asked Mr ALKIFRAY if he had any recollection of the request to submit the minor variation. Mr ALKIFRAY gave the impression that he did not understand what I was asking, replying something like, "What is this? Is there a problem here? Why are you here?" I then explained that my colleague had previously requested he voluntarily add a number of conditions, regarding CCTV, age challenge policy and incident log. He then said he had already done it and tried to look on his phone to find an email, but couldn't show me any emails relating to the minor variation. In speaking with ALKIFRAY I formed the opinion that he was being evasive, pretending not to understand what was being asked of him. I recorded his details and informed him we would be in touch to discuss this further, we then left the premises. There appears to be a discrepancy and two variations with spelling of Mr Alkifray's surname. 'Companies House' shows him as the sole director, with his name spelt as Mr Mustafa Mahmoud Ibrahim ALKFIRAY, his personal licence shows his name as Mustafa ALKIFRAY.

On Friday 9th March 2022, the Westminster Police Licensing team were served with a minor variation application in respect of this premises (35B Queensway), reference 22/02401/LIPVM to add a number of conditions, however the applicant, Mr ALKIFRAY, had requested that the minor variation not take immediate effect, but instead be deferred, and take effect from 01/01/2023. The Police objected to this application, as having the start date deferred for such

Signature:  1614CW

Signature witnessed by:


Continuation of Statement of **PC Reaz Guerra 1614CW**

an extended period did not show a proactive and determined approach to promote the licensing objectives. In addition to this the Westminster Police licensing team had taken the decision to review this premises licence. On Wednesday 16th March 2022, PC Deweltz, and myself, along with several uniformed colleagues attended the premises. It was our intention to serve the review application on Mr Alkifray, however, he was also wanted for failing to appear at Wimbledon Magistrates on 1st March 2022 for a separate offence (Failing to provide a specimen of breath), and therefore the uniformed officers would arrest Mr Alkifray should he be present. On approach to the premises, the main door had been locked and an internal roller shutter, which was set back approximately one (1) metre from the main door was being closed, the shutter was unable to close fully as it had been obstructed by a case of plastic water bottles, leaving a gap of approximately 30cms at the bottom. It was our belief that Mr Alkifray had locked himself within the premises. There were several wet footprints that could be clearly seen under the shutter going back into the premises, however there were no foot prints leading out of the premises towards the street. Although Mr Alkifray had not been seen, it is my belief that Mr Alkifray had seen or been alerted to the police presence and locked himself to avoid being arrested. There is only one entrance to the premises, that being the main entrance on Queensway.

Being unable to speak in person with Mr Alkifray, PC Deweltz posted a copy of the Review application through the letter box of the premises. A copy of the review was subsequently served on Mr Alkifray by email.

Later that same day, two further minor variation applications were received by Westminster Licensing, submitted by Mr Alkifray, proposing to add conditions as previously requested, however the variation was now requested to take immediate effect.

In preparation for this review having assessed the numerous criminal intelligence reports regarding the sale of alcohol to children, there is one prominent factor in that all the sales that have been reported, have been sales made to young girls.

Signature:  1614AW Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

Police seek revocation of this licence to prevent crime and disorder, and foremost to protect children from harm.

Reaz Guerra 1614CW

Signature: *Reaz Guerra 1614CW* Signature witnessed by:

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness? Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **PC1614CW P207028 PC GUERRA**..... Station: **City Hall Westminster**

Time and place statement taken:

WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of PC Reaz Guerra 1614CW URN:
Age if under 18 Over 18 Occupation: Police Officer.....

This statement (consisting of: 2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [Signature] 1614AW Date: 30/04 2022.....

Tick if witness evidence is visually recorded (supply witness details on rear)

I am the above-named person, currently employed in the Westminster Police Licensing Unit. Further to my statement dated 17/03/2022, I submit the below information in relation to an application to review the premises licence for 35B Queensway, London W2, reference 22/02885/LIREVP

This statement relates to a minor variation, submitted by Mr ALKIFRAY and subsequently granted by Westminster Council on 22/03/2022, reference 22/03073/LIPVM. The minor variation added the following conditions to the premises licence, as previously detailed these conditions sought to provide further control measures to promote the licensing objectives.

These conditions were:-

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


Signature: [Signature] 1614AW Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

- 2. 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.**
- 3. 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.**
- 4. 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.**
- 5. 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.**

On Friday 15th April 2022 at approximately 4pm (Good Friday Bank Holiday during the school Easter holiday), I attended the premises with PC Lewis. The purpose of the visit being to ensure the premises was complying with its licence conditions. Upon entering the premises Mr ALKIFRAY was sat behind the counter at the rear of the premises on his phone. There were no other people present.

We approached Mr ALKIFRAY who appeared to recognise us. We identified and introduced ourselves.


Signature:  Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

We explained the purpose of our visit and asked about the CCTV system, MR ALKIFRAY stated he had a new system fitted, which had SIX (6) cameras recording to a stand-alone Digital Video Recorder (DVR). We then asked if he could show us recorded footage from when the system was installed. The CCTV monitor was located high up on a pillar toward the rear of the shop, with the DVR positioned underneath the monitor. MR ALKIFRAY appeared confused with our request to view CCTV, saying "IS THERE A PROBLEM, DID SOMETHIING HAPPEN"? He appeared reluctant to show us the CCTV. I then explained to him that he should be able to show us recorded footage, to which he replied, "I HAVE THE CAMERAS, THE CCTV IS THERE, YOU CAN LOOK FOR YOURSELF," implying that we should operate the CCTV system ourselves. I then explained that it was a requirement that there should be a member of staff on the premises who could operate the CCTV. Again he gave the impression of being confused. In my opinion he fully understood what was required of him, but he pretended to not understand.

Eventually he agreed to show us footage. The positioning of the monitor and DVR made it difficult for MR ALKIFRAY to operate the CCTV, particularly with the location of the monitor being so high up, that it was hard to see the footage on the screen. MR ALKIFRAY was able to show us footage from the 2nd April shortly after the new system had been installed. I then noticed that although he had stated he had SIX (6) cameras installed, there were only FOUR (4) cameras shown on the recorded footage and also on the live view. MR ALKIFRAY kept insisting that there were SIX (6) cameras. I walked through the shop to identify where the cameras were located. There were two external cameras mounted high up on either corner of the external shop sign, one inside the entrance, one in the middle of the premises and two at the back looking at the till and counter area. I then noticed that the rear of the DVR was visible and I could see that there were two connections that were not connected. I suspected that they were intentionally disconnected.

At this point I noticed a young female walk into the premises. I would describe her as a white female, approximately 14 years old, slim build, long brown hair, fair complexion, 5' tall. Having walked into the premises, she stopped suddenly and looked at us, appearing extremely nervous. She then promptly turned around and left the premises.

Signature: 

Signature witnessed by:


Continuation of Statement of **PC Reaz Guerra 1614CW**

I then asked MR ALKIFRAY why there were only 4 cameras working. Again MR ALKIFRAY kept insisting he had six cameras, but it was clear to me that there were only four working cameras and notably the two (2) cameras located over the till/counter area were not connected, and therefore not recording. These cameras would crucially capture any transactions being made at the venue and it is my belief that these cameras were intentionally not connected for this reason, and were there just for show.

I then asked MR ALKIFRAY where his premises licence summary was displayed. Again he looked at me blankly and said, "YES I HAVE MY LICENCE," appearing not to understand what I was asking for. For completeness I explained the requirement to display the premises licence.

PC LEWIS, then explained that the layout and setup of the CCTV was inadequate, as the DVR could not be easily operated and the monitor not viewed, and that this needed to be rectified.

We then left the premises. PC Lewis and I then walked away from the premises, crossing over to the West footway of Queensway, approximately 20 metres South of 35B QUEENSWAY. We discussed the visit and the issues that had been identified. I then noticed two young girls enter the shop, aged approximately 15 years old, one of whom, was carrying a small Pret a Manger paper bag. We continued to observe and saw that the girls left the premises a few minutes later. At the same time MR ALKIFRAY left the premises, after locking the front door. He walked North along the West footway, while the girls walked South along the West footway of Queensway towards Bayswater Underground Station. As they entered the station I approached them and identified myself as a Police officer, showing them my warrant card. I asked the girls, where they had just been. The girls looked anxious and nervous. I explained that they were not in trouble and that I just wanted to establish why they had gone in that premises. The girls said that they had heard that you could buy 'bad things' from that shop. I asked them what they meant by 'bad things.' They replied things like alcohol and vape. I asked them if they had bought anything, and again they looked nervous and said no, but said they had heard they could buy alcohol and vape from this shop. The girls were reluctant to provide me with their details. They then walked away and boarded a tube train.

Signature:  Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

I was then joined by PC Lewis and I explained what the girls had told me. We then returned to the premises to speak with Mr ALKIFRAY, to request CCTV to be downloaded. Again MR ALKIFRAY stated he didn't know how to download the CCTV, appearing to me to be ignorant and pretending not to understand. I explained it was a condition on his premises licence to comply with my request. PC Lewis said he would return the following day to collect the downloaded CCTV.

I was informed by PC Lewis that when he attended with PC SONDH the following day, the CCTV had not been downloaded, therefore breaching the CCTV condition on the premises licence,

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.

PC SONDH had provided Mr ALKIFRAY with an alternative, that he could provide the CCTV via an internet link (AXON Evidence.com). MR ALKIFRAY later uploaded several files, none of which contained any viewable footage. PC Deweltz subsequently emailed MR ALKIFRAY stating that the uploaded files could not be viewed and again requested that the footage be downloaded to a USB drive. To date, this request has not been complied with, further evidencing MR ALKIFRAY's failure to comply with requests from the Police, a Responsible Authority, and promote the licensing objectives.

MR ALKIFRAY's neglectful and dismissive approach is evidenced in his reluctance to work with Police, following their request to add several conditions to the premises licence. The following details the timeline:

Date	Details	Outcome
28/09/2019	Ref 19/12499/LIPN	Application invalidated by WCC

Signature: 

Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

	MR ALKIFARY submits new licence application for premises licence, informed by WCC licensing that the premise is already licence and explain the requirements in relation to transferring existing premises licence	
30/09/2019	Ref 19/12548/LIPN WCC email MR ALKFIRAY detailing same as above,	Application invalidated by WCC
01/11/2019	Ref 19/14324/LIPN Application for new premise licence as per previous application, applicant states submitted in error, application withdrawn	Application withdrawn.
01/11/2019	Ref 19/14327/LIPT Application to transfer existing premises licence to Mr ALKFIRAY (AMK INNOVATION LTD), however to associated application to vary the Designated Premises Supervisor.	Application processed and granted by WCC
04/11/2019	Ref 19/14402/LIPDPS Application to vary designated premises supervisor,	Application deemed invalid as incorrect details provided, also Licensing state annual fees have not been paid.
24/01/2020	Ref 20/01050/LIPDPS Application to vary DPS to Mr ALKFIRAY	Application processed and granted
06/10/2020	20/09113/LIPCHT Application to change trading name to AMK FOOD AND WINE, advised by WCC as to process	Application processed and granted
12/05/2021	21/04603/LIPVM Application following Police request to add conditions, application did not contain necessary detail.	Application deemed invalid by WCC
01/12/2021	21/13915/LIPVM As above, Application following Police request to add conditions, application fee not paid despite reminder email from WCC, application then withdrawn by applicant on 08/03/2022.	Application withdrawn by applicant.
08/03/2022	22/02401/LIPVM As above, Application following Police request to add conditions, but MR ALKFIRAY requests that the variation does not take effect until 01/01/2023	Police object to application as it would not take effect immediately.

Signature:

 1614CW

Signature witnessed by:

Continuation of Statement of **PC Reaz Guerra 1614CW**

16/03/2022	Ref 22/02885/LIREVP Application to review premises licence submitted by Westminster Police Licensing.	Review application processed by WCC
16/03/2022	Ref 22/02919/LIPVM - Application following Police request to add conditions as per previous request – no fee paid by applicant.	WCC invalidate application.
16/03/2022	Ref 22/02922/LIPVM - Application following Police request to add conditions as per previous request – no fee paid by applicant.	WCC invalidate application.
22/03/2022	Ref 22/03073/LIPVM following Police request to add conditions as per previous request.	Police do not object, Variation granted by WCC

This additional evidence reinforces the opinion of the Police that revocation of the current premises licence for 35b Queensway, is essential to prevent further crime and disorder associated with this shop, and protect children from harm who may be tempted to visit there.

Reaz Guerra 1614AW

Signature: *Reaz Guerra* 1614AW Signature witnessed by:

Witness contact details

Home address:
..... Postcode:
Home telephone number Work telephone number
Mobile/pager number Email address:
Preferred means of contact:
Male / Female (delete as applicable) Date and place of birth:
Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability

Witness care

- a) Is the witness willing and likely to attend court? Yes / No. If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
Yes / No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? Yes / No. If 'Yes' what are they? (Disability, healthcare, childcare, transport, , language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **PC1614CW P207028 PC GUERRA**..... Station: **City Hall Westminster**

Time and place statement taken:

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

Statement of *SAM BUCPAPAJ*

Age of Witness
(if over 18 enter "over 18") *OVER 18*

Occupation of Witness *CITY INSPECTOR PUBLIC PROTECTION & LICENSING*

This statement, consisting of 2 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 3rd March 2022

Signed.....

My name is Sam Bucpapaj and have being employed as City inspector in public protection and licencing department for Westminster City Council since October 2013

On Wednesday 2nd March 2022, I was deployed on duty with fellow City Inspector (CI) Floyd Harris to attend an Off Licence at an address; 35 Queensway W2. We were tasked to assist two Police officers from the Licensing team PC Bryan Lewis and PC Tom Stewart. As a result of an allegation of sale of alcohol to a 13-year-old child. We entered the premises at about 3:50pm and spoke with a male at the rear of the premises sitting behind a counter. The premises were narrow, with confectionary and other commodities on either side. At the rear behind the male on a raised shelf were bottles of alcohol, and below this a further recess with sliding door containing tobacco etc. There were also bottles of alcohol in a box-like case above the counter and a large fridge with bottled and canned beers, ciders and wine

PC Stewart introduced all of us and asked whether the male was the owner? This male is described as Arabic/Middle eastern ethnicity, stocky build, dark short hair wearing a black

Dated 04th _____ day of March _____ 2022 _____

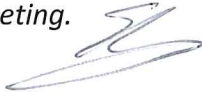
Signed  _____

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

baseball cap and dark clothing. The male replied stating that he was the owner and that his name was Mustafa. PC Stewart explained that he was a police officer and that he was conducting a Licensing visit. PC Stewart then asked to see the Part B section of his premises licence. Mr Mustafa made a show of trying to look for it, but eventually gave up claiming that he couldn't find it. PC Stewart told Mustafa that he was in breach of licensing conditions and that he should always have a copy of the licence on display for inspection by Licensing and members of the public. I could clearly see one CCTV camera located above Mustafa's left shoulder pointing at the costumers and the paying till and one camera on the allocated halfway the shop, pointing at the incoming costumers

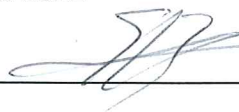
Pc Stewart asked me to stand by the front entrance and make sure the door remains closed until we had finished the meeting with Mustafa in order to stop costumers entering the shop and interfering with the meeting.



Dated 04th March 2022

2

Signed _____



page 110

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

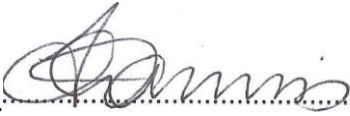
Statement of FLOYD 1 HARRIS

Age of Witness
(if over 18 enter "over 18") OVER 18

Occupation of Witness CITY INSPECTOR PUBLIC PROTECTION & LICENSING

This statement, consisting of 2 pages each signed by me, is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false or do not believe to be true.

Dated the 3rd March 2022

Signed... 

My Name is Floyd Harris and I'm employed as a City Inspector for Westminster City Council in Public Protection and Licensing since 2019.

On Wednesday 2nd March 2022, I was deployed on duty with fellow City Inspector (C!) Sam Bucpapaj to attend an Off Licence at an address; 35 Queensway W2. We were tasked to assist two Police officers from the Licensing team PC Bryan Lewis and PC Tom Stewart As a result of an allegation of sale of alcohol to a 13-year-old child. We entered the premises at about 3:50pm and spoke with a male at the rear of the premises sitting behind a counter. The premises were narrow, with confectionary and other commodities on either side. At the rear behind the male on a raised shelf were bottles of alcohol, and below this a further recess with sliding door containing tobacco etc. There were also bottles of alcohol in a box-like case above the counter.

PC Stewart introduced all of us and asked whether the male was the owner? This male is described as Arabic Middle Eastern in appearance (IC2), proportionate build,
th _____ day of March _____ 2022



Continuation sheet
Dated 04

Signed

STATEMENT OF WITNESS

(Criminal Procedure Rules, r 27.1(1);
Criminal Justice Act 1967, s. 9, Magistrates' Court Act 1980, ss 5A(3)(a) and 5B)

dark short hair wearing a black baseball cap and dark clothing. The male replied stating that he was the owner and that his name was Mustapha. PC Stewart explained that he was a police officer and that he was conducting a Licensing visit. PC Stewart then asked to see the Part B section of his premises licence. Mr Mustapha made a show of trying to look for it, but eventually gave up claiming that he couldn't find it. PC Stewart told Mustapha that he was in breach of licensing conditions and that he should always have a copy of the licence on display for inspection by Licensing and members of the public.

Pc Stewart, then asked whether Mustapha was in possession of his Personal License? Which he was and showed it to PC Stewart, the name on the licence was Mr Mustapha ALKFIRAM address 199 Uxbridge Road London WI 2 9DH. PC Stewart went on to say that MrALKFIRAM has applied to the council for a variation on his license (Which required the Licensee to install CCTV), but that the application had been denied due to not being completed on time. Mr Alkfirm, was asked whether his CCTV was working? I saw that there was a white CCTV camera sitting atop a tall unit behind the shop counter Mr ALKFIRAM stated that the CCTV was working. I said to MrALKFIRAM "Can you tell me if you working last Friday 25th Feb"? MrALKFIRAM Said I might have been, but I'm not sure. I may have been here later in the evening". He further stated that he had worked on Saturday. PC Stewart asked to review the recording from last Friday 25th. Mr ALKFIRAM claimed that the CCTV was only installed recently and had been set to overwrite every 3rd day.

It was explained to MrALKFIRAM, that he was currently in breach with 2 conditions on his licence and that there was no confidence in his ability to comply with conditions placed upon his licence. PC Stewart also explained to Mr ALKFIRAM, that there would now be a review of his Licence. I approached Mr ALKFIRAM and asked him to hand over the tape for the CCTV. MrALKFIRAM said that the CCTV records to a 16GB Micro SD card, which I took receipt of and produce as my Exhibit FIH/I. Mr ALKFIRAM signed my pocketbook to confirm I had taken custody and control of the card

Dated 04

Signed

STATEMENT OF WITNESS*(Criminal Procedure Rules, r. 16.2; Criminal Justice Act 1967, s. 9)*

URN

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Statement of: Constable Cheryl Boon

Age if under 18: Over 18

Occupation: Police officer

This statement is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it, anything which I know to be false, or do not believe to be true.

Signature: *CM*

Date: 11 May 2021

My name is Cheryl BOON and I am a Police Constable working for the Metropolitan Police Service. I have been a Police Officer for 15 years, my current role is working within the Westminster Police Licensing Unit. I have been in this role since February 2018. Since then I have dealt with a wide range of licensing matters including applications for new premises licences, licence committee hearings and a large number of licensing visits to a variety of licensed premises within the City Of Westminster. When visiting these licensed premises the aim is to work in partnership with them by making improvements and offering advice to ensure the licensing objectives are achieved.

This statement is in relation to a Licensed Premises AMK FOOD & WINE, 35B QUEENSWAY, W2 4QJ, current premises licence number 20/09113/LIPCHT. Since 30th January 2021 this premises has come to the attention of Police Licensing, there have been numerous reports made to Police since this time in relation to under age sales of alcohol and cigarettes at the venue, there has also been mention of drug dealing from the location. The majority of these reports have been submitted in the form of intelligence reports and have been made to Police in various forms, either reported on the street to officers, online or telephone. After receiving this initial report I have contacted the local Dedicated Ward officer for the area, PC Ali 1413AW, to ascertain if he had received any similar information, he stated that he hadn't. We discussed the possibility of arranging a Test Purchase operation for this premises and other off licences within the area but due to COVID restrictions at the time this was not available.

During February and early March 2021 Police have received more intelligence reports of the same nature. Due to the fact that the Test Purchase tactic was still not available the decision was made that Police Licensing attend the venue to speak with the Premises Licence Holder and/or Designated Premises Supervisor to discuss the reports. The nature of the reports and the fact that there were now five separate reports was very concerning, we needed to try and ensure that alcohol was not being sold to children or gather evidence if it was. The main aim was to try and safeguard these children and young adults if they were managing to buying and drinking alcohol and to protect them from coming to any harm.

On Tuesday 9th March 2021 I attended the premises in company with PC SONDH 2438AW, we spoke to a male who I now know as Mustafa ALKFIRAY dob [REDACTED] of [REDACTED]. He stated that he is the Premises Licence Holder and the Designated Premises Supervisor. He also confirmed that he is the only person currently working at the premises. Due to the COVID pandemic his business has suffered and he can't afford to employ anyone else. During this visit the reports of underage sales were discussed with him, he stated that he was already aware of these allegations and they are malicious reports made by local businesses. I explained how there is a requirement as a licensed premises to promote the Licensing objectives, in respect to this, the Protection of Children from Harm. He confirmed the practises he has in place with regards

Signature: *CM*

Signature Witnessed by:

Continuation of Statement of: Constable Cheryl Boon

to age verification policies. He confirmed that he had four fully functioning CCTV cameras and we could view footage of these sales underage sales if we had a time and date, at this stage we did not have a report with these details. I confirmed points discussed during this visit via an email to Mr ALKFIRAY sent on Wednesday 10th March 2021, I exhibit a copy of this email as CB/1 and can produce it at court if required. I did not receive any reply from Mr ALKFIRAY to this email.

On Thursday 18th March 2021 I received confirmation from PC ALI 1413AW that a test purchase operation could now go ahead, it was agreed that the dates for this operation would be Tuesday 6th April and Thursday 15th April 2021. The first date for the test purchase operation was then cancelled due to COVID restrictions with the Police Cadets. Police have continued to receive further reports of the venue selling alcohol to under age children. Due to the fact that the second date was set for the Test Purchase Operation I held off attending the venue again until after that date. A report of particular concern was an online report submitted from CAD 2670 12APR21 crimint CWRT01035924 which was received by Police on 12th April 2021. This report was from a parent [REDACTED] he reported that his 13 year old daughter had been found by Police unconscious in the park, this was after drinking vodka she had bought at the above premises, she was taken to hospital as a result of this. I have sent an email to this informant and spoke to him on the phone to clarify details and to see if his daughter was willing to provide a statement to Police in relation to the matter. Unfortunately the female was unwilling to provide Police with a statement. I exhibit two email threads between myself and [REDACTED] as CB/2 and CB/3. I also contacted the Police officer who dealt with this female, this officer confirmed they had not been told where the female had bought the alcohol from and could not provide any further evidence in relation to this incident.

I have looked more in depth into other reports Police had received. I made contact on Thursday 15th April 2021 with the informant from CAD 7543 02APR21, this informant [REDACTED] stated that her 14 year old daughter had bought an Evian bottle with vodka decanted in it for £8.50 from the venue. I sent an email to this informant and spoke to her on the phone. Her daughter was unwilling to provide a statement to Police in relation to this incident. I exhibit the email thread in relation to this correspondence as CB/4.

On Thursday 15th April 2021 a Test Purchase Operation was conducted, officers present were the local Dedicated Ward Officer PC ALI 1413AW, PC MAROUAN 4126AW who is the Volunteer Police Cadet Co-Ordinator in company with him were Police Cadets, along with myself and PC SONDH from Police Licensing. At approximately 1310hrs PC MAROUAN has attended AMK FOOD & WINE, 35B QUEENSWAY, W2 4QJ with two female cadets believed to be aged 13 and 16, myself and PC SONDH remained outside the venue. A short while later PC MAROUAN and the cadets have come back out of the premises, PC MAROUAN as the witnessing officer confirmed that the cadets attempted to buy alcohol, they were challenged for Identification and when they could not produce any the employee has refused the sale.

Due to the fact that the venue had been part of this operation and the increase in concerns of the reports received, myself and PC SONDH have again attended the venue. We have again been met with Mr ALKFIRAY, I have informed him of how he was part of a Test Purchase Operation, he confirmed that it was him that had been at the premises and refused the sale. We thanked him for his action by challenging ID and refusing to sell alcohol to two females under 18 years old. I then made him aware of the further reports we had received and most importantly the one in relation to the female being hospitalised, I have highlighted the seriousness of this allegation along with the other reports and the importance of the Licensing objectives in relation to this the Protection of Children from Harm. He again has claimed that the reports to Police are malicious and reiterated that he does check ID and refuse sales as outlined by the result of the Police operation. As during our previous visit he had confirmed that he had CCTV and that he would allow Police to view footage of any alleged sales, I have requested to view footage of the time and dates of the two reports mentioned above. Mr ALKFIRAY has stated that the CCTV system he has is linked to his phone and only records for 24 hours before erasing itself. I have recommended an upgrade to this CCTV system to record for 31 days and to submit a Minor Variation Application to his Premises Licence, this to ensure that CCTV enquiries can be made at the venue to prove/disprove these reports for a longer period of time. He appeared to be in agreement that this would be beneficial to his business and assist him in disproving these report. On 23rd April 2021 I have sent him an

Witness Signature: *CM*

Signature Witnessed by:

Continuation of Statement of: Constable Cheryl Boon

email confirming what was discussed and requesting he submit a Minor Variation application with conditions appropriate to promote the Licensing objectives and to assist in any future investigation into reports of a similar nature. This request was felt necessary due to the number of reports received and to try and establish if these sales are being made from this premises. I did not receive a reply to this email or any confirmation of whether he agreed and would action my recommendations. I have sent a follow up email on 5th May 2021 asking for a response, he has sent a reply the same date explaining how he operates and also stating that due to financial implications he can not afford to upgrade this CCTV system currently.

Due to further reports received about the premises and underage sales after the Test Purchase Operation, my colleagues from Police Licensing PC SONDH 2438AW and PC Kris CARDWELL 3286AW in company with Chidi Nweke from Westminster City Council have attended the premises to conduct a further visit at the venue. On Saturday 8th May 2021 at approximately 17:40hrs they have attended the premises and found Mr ALKFIRAY present, they have searched the premises under Section 180 Licensing Act 2003 to see if there was any evidence of decanted vodka into soft drink bottles behind the counter, this information was received in two separate intelligence reports. There was no evidence found to support this. During their time at the premises Mr ALKFIRAY he has stated that he would be upgrading his CCTV system and submitting the Minor Variation application requested by myself during the following week.

Following this visit I have replied to the email from Mr ALKFIRAY on Monday 10th May 2021. This email correspondence between myself and Mr ALKFIRAY from 23rd April 2021 to Monday 10th May 2021 is exhibited as CB/5.

Witness Signature: *CM*

Signature Witnessed by:

CB/1 Copy of email sent to DPS on 10/03/21

Dear Mr Alkifray,

Thanks for taking the time to speak to me and my colleague yesterday when we visited your premises.

I explained how we have received four recent reports from members of the public, these reports are alleging that your venue is selling both alcohol and cigarettes to children under the legal age required to buy these products. I explained how there is a requirement as a licensed premises to promote the Licensing objectives, in respect to this, the Protection of Children from Harm. With regards to the reports you were already aware and state that it is untrue, you believe these are malicious complaints due to ongoing issues you are experiencing with other local businesses and residents. You state that you do attract younger customers to your store but they attend to buy sweets and soft drinks and never alcohol or cigarettes. If young people are being sold these items in the local vicinity then it is not coming from your premises.

You confirmed that you are the Designated Premises Supervisor of the venue, also that you are a personal licence holder and as such that you are fully aware of all age verification requirements for your premises. You have clear signage on the cigarette display behind your counter to challenge the sale of age restricted products. I asked about staff training and if employees were aware of age verification policy and the law for selling both alcohol and cigarettes, you explained how currently you are the only person working at the venue, this is due to the financial loss the business is suffering due to lack of customers with the COVID pandemic. Therefore you are currently the only person completing any sales at the premises.

With regards to your current Premises Licence reference 20/09113/LIPCHT, I draw your attention to condition 6 below which highlights what is expected of you:

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.

You have offered to assist Police in any investigation into these allegations, by stating that if there is a time or date when these sales have taken place you are happy to show us CCTV, you explained that this will show these allegations to be incorrect. You have four fully working CCTV cameras covering different areas of the store. You welcome the idea of a Police operation in the area to try and ascertain which premises are illegally selling these products to children.

As outlined above you state that these are malicious allegations and that as a Licensed premises you are fully aware of your requirements with the lawful sale of alcohol and cigarettes, also that you are promoting the licensing objectives. As discussed during our visit if you experience similar issues with local business or residents, then please feel free to report this via the Police non-emergency number 101 or online.

Kind Regards

Cheryl

Cheryl BOON
PC 1344AW
Westminster Police Licensing Team
15th Floor
64 Victoria Street
SW1E 6QP

CB/2 – copy of first email thread with [REDACTED]

Hi - yes of course. It's [REDACTED]

[REDACTED]

On Tue, 13 Apr 2021, 12:41 , [REDACTED] wrote:

Dear [REDACTED]

Thanks for your quick response. Are you free for a quick call on your mobile? I can discuss the options in more detail then and allow you to decide how to progress this with your daughter.

Many Thanks

Cheryl

From: [REDACTED]
Sent: 13 April 2021 12:29
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway, W2

Cheryl,

Thanks so much for getting back to me. Our daughter is happy to help in any way but I wanted to confirm whether there would be any negative implications for her giving a statement or any information on this matter? We are just concerned if information is held that might be traceable in the future.

Apologies for checking. We are keen to assist but wanted to check with you first.

Regards,

[REDACTED]

On Tue, 13 Apr 2021 at 10:38, [REDACTED] wrote:

Dear [REDACTED]

I am a Police Officer and I work in the Westminster Police Licensing Team dealing with all licensed premises throughout the Borough, including Caps News, 35B Queensway, W2. I have been made aware of the report you submitted online yesterday regarding your daughter, I am really sorry to hear what has happened to her, I hope she is a lot better now?

In order to try and stop this happening to other children/young adults I need to obtain some details from you, this is before I can take further action at the venue. Could you please answer the following questions:

Can I have your daughter's name and date of birth? This will enable me to search the Police systems for when she was found on Friday night. I can then contact the officers who attended.

Where was your daughter found unconscious by Police? How did she get to hospital and which hospital did she attend?

What date and time did your daughter buy this alcohol? Can you please describe your daughter including her clothing. This will enable me to check CCTV at Caps News.

Has your daughter previously bought alcohol or any other age restricted products from Cap News, if so when?

Does your daughter know if her friends bought any alcohol or age restricted products from Cap News, if so when?

Would your daughter be willing to provide us with a full statement about the incident?

I am sorry to bombard you with questions, I just need to obtain as much information as possible. We take these reports extremely seriously and want to try and take action with the correct information as soon as possible. I am happy to discuss this further over the phone if its more convenient for you.

I look forward to hearing from you.

Many Thanks

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

CB/3 – copy of second email thread [REDACTED]

Cheryl,

As discussed, we would appreciate if our daughter's name is not mentioned and she does not feel comfortable giving a statement. Feel free to use my name, [REDACTED]
[REDACTED]

Three girls went in around 14.15 on 9 April. Our daughter was all in black with shoulder length brown hair and a small black shoulder bag. She was wearing a black hoodie, black trousers and white trainers. One companion has long light brown hair with jeans, black hoodie and a light blue shoulder bag. The other girl had long black hair and was probably also wearing black.

They bought a bottle of vodka and some vapes and paid in cash. As mentioned, this shop is well known amongst all the teenagers who hang out in "Hyde".

Please let me know what else I can do to assist.

Regards,

[REDACTED]

On Tue, 13 Apr 2021, 10:38 , [REDACTED] wrote:

[REDACTED]

I am a Police Officer and I work in the Westminster Police Licensing Team dealing with all licensed premises throughout the Borough, including Caps News, 35B Queensway, W2. I have been made aware of the report you submitted online yesterday regarding your daughter, I am really sorry to hear what has happened to her, I hope she is a lot better now?

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What date and time did your daughter buy this alcohol? Can you please describe your daughter including her clothing. This will enable me to check CCTV at Caps News.

Has your daughter previously bought alcohol or any other age restricted products from Cap News, if so when?

Does your daughter know if her friends bought any alcohol or age restricted products from Cap News, if so when?

Would your daughter be willing to provide us with a full statement about the incident?

I am sorry to bombard you with questions, I just need to obtain as much information as possible. We take these reports extremely seriously and want to try and take action with the correct information as soon as possible. I am happy to discuss this further over the phone if its more convenient for you.

I look forward to hearing from you.

Many Thanks

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

CB/4 – email thread [REDACTED]

Cheryl,

Can you call me tomorrow anytime before 14:30 and we can make a time and date. I am useless organising myself like this. My life is all over the place ,
[REDACTED]

Thank you
[REDACTED]

On 27 Apr 2021, at 16:08, [REDACTED] wrote:
[REDACTED]

Sorry I can't do next Monday but I can do any other day next week, if you have any availability then?

Many Thanks

Cheryl

From: [REDACTED]
Sent: 26 April 2021 18:56
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway

Cheryl,
This week is manic, but would next Monday work. She is back by 5

Kind regards,
[REDACTED]

On 26 Apr 2021, at 08:05, [REDACTED] wrote:

Morning [REDACTED]

I appreciate all your help with this and that you think that it is for the best for your daughter to assist further. However in order for me to take a statement it is something your daughter would want to do. I would need to speak to her about it to obtain further details, she will then need to sign the statement after I have completed it. If this case went any further and onto court then she could be called to give evidence and again this is something she would want/need to do.

I am more than happy to chat to you both later today if you think this is something she would be willing to do?

Thanks again.

Cheryl

From: [REDACTED]
Sent: 23 April 2021 21:37
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway

Cheryl,

I am experiencing extreme resistance from my daughter. However, I think this is for the greater good of other children and so she has no choice.
What time are you thinking? She doesn't return until about 16:30/17:00 most days. Monday is the easiest for both of us.

Kind regards,

[REDACTED]

On 23 Apr 2021, at 16:25, [REDACTED] wrote:

[REDACTED]

Thanks for your reply its greatly appreciated.

Is there a suitable time Monday-Thursday next week when I could speak to you and your daughter to discuss this further, with the possibility of taking a statement via telephone?

Many Thanks

Cheryl

From: [REDACTED]
Sent: 23 April 2021 07:55
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Police Licensing Contact - 35B Queensway

Cheryl,

Please see the answers next to each question. Sorry for the delay.

Kind regards

[REDACTED]

On 15 Apr 2021, at 10:57, [REDACTED] wrote:

Dear [REDACTED]

I am a Police Officer and I work in the Westminster Police Licensing Team dealing with all licensed premises throughout the Borough, including Caps News, 35B Queensway, W2. I have been made aware of the report you submitted on 02nd April 2021 regarding your 14 year old daughter being able to buy vodka at the above store.

In order to try and stop this happening to other children/young adults I need to obtain some details from you, this is before I can take further action at the venue. Could you please answer the following questions:

What date and time did your daughter buy this alcohol?- The timing is on the report I filed, 2/4/2021

Can you please describe your daughter including her clothing. This will enable me to check CCTV at Caps News.- light blue jeans, grey t-shirt, cape hoodie- zip. Airforce trainers in white with colouring on the sides. My daughter is about [REDACTED] that may have been up. She was also carrying a [REDACTED]. She was travelling with another girl who was at Joe and the Juice when the event occurred.

Has your daughter previously bought alcohol or any other age restricted products from Cap News, if so when?- no

Does your daughter know if her friends bought any alcohol or age restricted products from Cap News, if so when? - no

Would your daughter be willing to provide us with a full statement about the incident? -yes

I am sorry to bombard you with questions, I just need to obtain as much information as possible. We take these reports extremely seriously and want to try and take action with the correct information as soon as possible.

Many Thanks

Cheryl

Cheryl BOON
PC 1344AW
Westminster Police Licensing Team
15th Floor
64 Victoria Street
SW1E 6QP
0207 6411705

CB/5 – MV request to DPS and response

Dear Mr Alkfiray,

Thanks for your response and for providing me with further details.

Your explanation of how you currently operate with regards to challenging age/ID and refusals is appreciated. I also note that your financial constraints are making it difficult for you to upgrade your CCTV to the requirement set out within the proposed condition. The upgrade of CCTV and the suggested condition are recommended as a means to try to protect your business against these allegations and to prove that they are false and malicious. Police have a duty to follow up these allegations in order to safeguard the children that are allegedly being sold this alcohol.

My colleagues informed me that they visited your premises on 08th May 2021, during this visit you have informed them that you will now be upgrading your CCTV and submitting the Minor Variation request this coming week. I will be monitoring receipt of this application with Westminster City Council.

Please feel free to contact me if you want to discuss the matter further.

Kind regards

Cheryl

From: amk innovation [REDACTED]
Sent: 05 May 2021 13:21
To: Boon Cheryl - AW-CU [REDACTED]
Subject: Re: Please reply - AMK Food & Wine, 35B Queensway, W2 4QJ - Police Licensing visit 15th April 2021

Dear Ms. Boon,

Thank you for your email dated 23rd April, 2021.

Further to the first paragraph of your correspondence, I can confirm that I always check for identification before selling alcohol to customers, and that this has been my attitude towards any person whom I suspect to be under the age of 18. In case they do not provide me with ID, I refuse to sell them alcohol and ask them to leave the premises. As per your response, I can confirm that all the allegations and reports submitted against me are false. I have never acted unlawfully nor sold any alcohol to under 18 years old since I opened the shop in November 2019.

I have been feeling unwanted in the area by many local shop owners. I know that they submit false information/reports, allegations against me, and they will continue doing so, they trying to push me to leave the shop and area.

In regards to the incident you mentioned in paragraph two dated 09th April, 2021, it has never happened, and I have nothing to deal with it.

I understand the significance of the problems that arise from selling alcohol to children, and I appreciate your efforts in trying to prevent such actions from occurring. However, I have

complied with the procedures required of me as a person operating in an off-license shop. Despite my good intentions and my lawful actions, there seems to be reports and allegations made against me. Nevertheless, I am willing to cooperate to prove my innocence.

In regards to the requirements suggested, I am happy to set up CCTV in the shop to assure you that these allegations made against me are false. However, my financial abilities have been limited due to the lockdown and the pandemic. As I am willing to comply with these requirements, I would like to take some time, to get quotes from different providers in order to set a system for the cameras on the premises. By then, hopefully the lockdown measures would have eased and I would be financially able to afford paying for the CCTV.

As for the requirement regarding a list of refused sales to be made, this is something that I already do and that is the way I operate, by keeping a record of the refused sales, noting the date and time accordingly.

I hope this is satisfactory.

Thank you for your cooperation. Your efforts are appreciated.

Kind regards,

Mustafa Alkifray.

On Wed, 5 May 2021, 12:51, [REDACTED] > wrote:

Dear Mr Alkifray,

I am following up on my email below dated the 23rd April 2021. I haven't received a reply from you yet so I wanted to establish if you have put any of the measures we discussed into action yet.

Police are still receiving reports in relation to your premises selling alcohol to under 18 year olds and I wanted to ensure that some action was being taken by yourself to combat this. As we discussed in person and I highlighted in the email below we both felt that an appropriate way for you to disprove these allegations was to install an adequate CCTV system, this was so that Police could view the alleged time/date that you were meant to be making these sales. I requested that you submit a minor variation to your premises licence (reference number 20/09113/LIPCHT) to add the appropriate conditions. This is to ensure that you are promoting the Licensing objectives, in relation to these allegations The Protection of Children from Harm.

Can you please confirm that you are receiving my emails? When we last met in person you confirmed you had received the first email I sent you, which is the same email address I have used now.

Could you also confirm if you have upgraded your CCTV system to the requirements stated below and that you will be submitting a minor variation to your premises licence?

I require a response by 9am on Wednesday 12th May 2021 before I have to consider taking further action.

I look forward to hearing from you.

Kind regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

From: Boon Cheryl - AW-CU

Sent: 23 April 2021 11:58

To: [REDACTED]

Cc: Deweltz Adam S - AW-CU [REDACTED]; Sondh Nicole K - AW-CU [REDACTED]

Subject: AMK Food & Wine, 35B Queensway, W2 4QJ - Police Licensing visit 15th April 2021

Dear Mr Alkifray,

Myself and my colleague, PC Sondh attended your premises on Thursday 15th April 2021, we informed you that you had been part of a test purchasing operation completed by Police Cadets in the Queensway area on the same date. The cadets had attended your premises to try and buy alcohol, you challenged their age and asked for ID, when they could not produce any ID you refused to sell to them. We thank you for this as it evidences that you do challenge ID and refuse to sell alcohol to children.

Despite the result of the test purchase operation noted above, we also had to discuss more reports that Police have received in relation to children as young as 13 and 14 being able to buy alcohol from your store. We had previously attended your venue on 9th March 2021 and spoke to you about similar allegations. From a recent report one of these children was hospitalised, this is alleged to be as a result of drinking vodka she bought from your store on Friday 9th April 2021. I have explained how I am trying to gather evidence of these sales and will look to take further action in relation to this matter if I can.

During our conversation, I have requested that if these allegations are true and you are selling alcohol to under 18 year olds then please stop immediately, you are breaking the law under Section 146 licensing Act 2003. You are also putting the health and well-being of these young people at risk, we expect as a premises licence holder for you to be accountable for these sales and be a responsible operator by not selling alcohol to children. Part of your

responsibility by holding a premises licence is to promote the licensing objectives, in relation to these allegations the protection of children from harm.

When I informed you of these further serious allegations you stated that the sales aren't coming from your premises, you claim they are coming from another store but won't say which one. You state you always ask for ID for every sale, which was evidenced during the test purchase operation. You explained it is only you currently working at your store and you are responsible for all sales. You have a CCTV system that is linked to your mobile phone, when I have asked to view footage from the dates and times when the alleged underage sales have taken place, you explained that the system only records for 24 hours then erases itself, I therefore wasn't able to view this footage. You insisted that I download your CCTV app onto my phone so I can constantly monitor your cameras to view who you are selling to. This is not proportionate or a reasonable request or long term solution.

As we are still receiving these worrying reports of underage sales, we discussed the possibility of you submitting a minor variation application to your current premises licence (licence number 20/09113/LIPCHT). This is to add the following conditions to ensure that in future Police and Local Authorities have a way of monitoring who you are selling to and any refusals to underage children. You appeared happy with this suggestion as a way of proving your innocence. You will find the conditions below, I would urge you to consider operating under these conditions as soon as possible, this will enable you to assist in evidencing that you aren't responsible for these sales:

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

2. 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.

3. 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.

4. 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.

5. 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.

I look forward to a reply acknowledging my request to submit a minor variation. Please feel free to contact me to discuss any of the above.

Kind Regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN

Statement of:

Age if under 18: Over 18 (if over 18 insert 'over 18') Occupation: N/A

This statement (consisting of 2 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: Date: 07/12/2021

This statement refers to the day my 14 year old daughter was with her friends and they bought alcohol from an off licence and consumed it in Hyde Park.

My daughter's name is and her date of birth is the . I am providing this statement as a parent, because I am deeply concerned that children under the age of 18 are able to purchase alcohol from Lebara, (AMK Food and Wine) 35B Queensway, London, W2 4QJ.

On Friday 24th September 2021, my daughter was in London with a group of four (4) her friends. At approximately 16:30 hours, they entered Lebara, 35B Queensway, W2 to buy some vapes or e-cigarettes. Once they had bought the items, my daughter left the shop. At no time was she asked for identification by the licensee and she does not look 18 or older.

My daughter waited outside the shop while one of her friends then went back inside to buy some alcohol. Her friend was 15 years old. After a few minutes she left the shop in possession of a full sized bottle of vodka. She paid in cash. At no time, did the licensee ask her friend for identification or question her age.

My daughter and her four (4) friends then walked up Queensway and crossed over the Bayswater Road, into Hyde Park. Once in Hyde Park, the girls consumed the bottle of vodka. had a couple of sips, as did some of the other girls. However, the girl who bought the bottle of vodka, drunk the most.

After a while, the girl began to act strange and it became apparent that she was drunk. My daughter and her friends left Hyde Park and made their way to Queensway tube station.

Witness Signature:

Signature Witnessed by Signature:.....

Deweltz, Adam: WCC

From: Deweltz, Adam: WCC
Sent: 15 November 2021 16:08
To: [REDACTED]
Cc: [REDACTED]
Subject: 35B Queensway, W2

Hello [REDACTED]

Thank you for coming back to me.

Under no circumstances will the operator have any private details. We would never disclose anything to him. In fact, Police are the only ones that will have them.

All details will be redacted should we decide to review the premises licence for full revocation.

One (1) statement will be sufficient. An officer can attend your home address if you are local and they can sit down with either you [REDACTED] and take the statement on behalf of your daughter. In this statement, we can include the fact that she was with her friend and they both entered the shop. Alternatively you could attend City Hall, 64 Victoria Street, SW1 where Police Licensing work and we can do the statement there.

If you are willing to do this, please let me know and we can get started.

Many thanks,

Adam.

*PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
J20 7641 1705*



From: [REDACTED]
Sent: 15 November 2021 15:46
To: Deweltz, Adam: WCC [REDACTED]
Cc: [REDACTED]
Subject: Re: 35B Queensway, W2

Dear PC Deweltz

Thank you for your email below and reassuring me that this matter will be taken seriously.

I copy the father of my daughter [REDACTED] too. There's also the family of her friend (also 14) with whom she went to the shop.

We can provide a witness statement, if have however a few questions:

1. What information do you need?
2. Do we need to provide four statements (ie two sets of parents), or we can all sign one statement?
3. How about our anonymity? I don't want my daughter's address and details to be known to the shop.

I look forward to hearing from you.

Kind regards

[REDACTED]

Sent from my iPhone

On 15 Nov 2021, at 14:37, Deweltz, Adam: WCC [REDACTED] wrote:

Dear [REDACTED]

Westminster City Council Licensing Services have informed Westminster Police Licensing about the operator at 35B Queensway, W2 selling alcohol to your daughter and her friend. First and foremost, I am sorry this has happened to your 14 year old daughter. This is completely unacceptable and I can confirm the authorities take this matter very serious.

Would you able to provide a statement on behalf of your daughter explaining what happened and that she bought alcohol from the premises? Without evidence, it is very difficult to take further action against the operator.

I look forward to hearing from you soon.

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



COVID-19 VACCINATIONS AND TESTING

Deweltz, Adam: WCC

From: Deweltz, Adam: WCC
Sent: 17 November 2021 09:14
To: [REDACTED]
Subject: Lebara, 35B Queensway, W2

Dear [REDACTED]

Many thanks for notifying Police regarding the underage sales of alcohol from Lebara, 35B Queensway, W2.

My apologies for the late reply. Please rest assured that significant work is being done to take enforcement action against the premises. This week I have been trying to contact other parents in relation to their children buying alcohol from this venue.

I appreciate you are a third party reporting on behalf of a parent. Do you happen to know whether this parent would provide Police with a written statement on behalf of their child? Ideally, Police would like to speak to this parent to gather more information.

Police (Licensing/SNT) and Westminster City Council (Licensing Services/Trading Standards/City Inspectors) are working together to find a solution. The problem we have is that we have conducted several test purchases at the premises authorising Police Cadets to buy alcohol. Unfortunately, the operator has passed all these tests and asked for identification each time. This makes it very difficult to review his premises licence for revocation. The other issue is that there is no CCTV in the venue. Work is being done to get the operator to install proper working CCTV and update the premises licence with strict conditions.

If anymore reports come your way, can I ask that you email me direct so I can build an intelligence picture with a view to take further action against the operator.

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



Deweltz, Adam: WCC

From: [REDACTED]
Sent: 09 March 2022 12:40
To: Deweltz, Adam: WCC
Subject: AMK Food & Wine, 35B Queensway, W2 4QJ - CCTV

Follow Up Flag: Follow up
Flag Status: Flagged

Dear Mr Alkifray,

Good morning to you. My name is PC Adam Deweltz from Westminster Police Licensing.

You have previously dealt with my colleague PC Boon. I bring your attention to the correspondence below.

As stated in your email to PC Boon back in May 2021, you were going to install CCTV cameras after lockdown. Can you please confirm that CCTV has now been installed, which will ensure recordings are kept for a minimum of 31 days?

Police would also like you to submit a minor variation to Westminster City Council Licensing Services to have CCTV and other conditions imposed on your premises licence. You will see this below in PC Boon's email.

You will be aware of the many allegations made against your premises for the sale of alcohol to underage persons. While I have seen from your email below that you strongly refuse these allegations, the Police, local authorities and other agencies are very concerned.

You will be required to show the authorities that you are promoting the licensing objectives namely, The Protection of Children from Harm. Failure to do this, can result in enforcement action being taken against you.

As a matter of urgency, I would like a response to this email please.

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



Dear Ms. Boon,

Thank you for your email dated 23rd April, 2021.

Further to the first paragraph of your correspondence, I can confirm that I always check for identification before selling alcohol to customers, and that this has been my attitude towards any person whom I suspect to be under the age of 18. In case they do not provide me with ID, I refuse to sell them alcohol and ask them to leave the premises. As per your response, I can confirm that all the allegations and reports submitted against me are false. I have never acted unlawfully nor sold any alcohol to under 18 years old since I opened the shop in November 2019.

I have been feeling unwanted in the area by many local shop owners. I know that they submit false information/reports, allegations against me, and they will continue doing so, they trying to push me to leave the shop and area.

In regards to the incident you mentioned in paragraph two dated 09th April, 2021, it has never happened, and I have nothing to deal with it.

I understand the significance of the problems that arise from selling alcohol to children, and I appreciate your efforts in trying to prevent such actions from occurring. However, I have complied with the procedures required of me a person operating in an off-license shop. Despite my good intentions and my lawful actions, there seems to be reports and allegations made against me. Nevertheless, I am willing to cooperate to prove my innocence.

In regards to the requirements suggested, I am happy to set up CCTV in the shop to assure you that these allegations made against me are false. However, my financial abilities have been limited due to the lockdown and the pandemic. As I am willing to comply with these requirements, I would like to take some time, to get quotes from different providers in order to set a system for the cameras on the premises. By then, hopefully the lockdown measures would have eased and I would be financially able to afford paying for the CCTV.

As for the requirement regarding a list of refused sales to be made, this is something that I already do and that is the way I operate, by keeping a record of the refused sales, noting the date and time accordingly.

I hope this is satisfactory.

Thank you for your cooperation. Your efforts are appreciated.

Kind regards,

Mustafa Alkifray.

On Wed, 5 May 2021, 12:51, [REDACTED] wrote:

Dear Mr Alkifray,

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Police are still receiving reports in relation to your premises selling alcohol to under 18 year olds and I wanted to ensure that some action was being taken by yourself to combat this. As we discussed in person and I highlighted in the email below we both felt that an appropriate way for you to disprove these allegations was to install an adequate CCTV system, this was so that Police could view the alleged time/date that you were meant to be making these sales. I requested that you submit a minor variation to your premises licence (reference number 20/09113/LIPCHT) to add the appropriate conditions. This is to ensure that you are promoting the Licensing objectives, in relation to these allegations The Protection of Children from Harm.

Can you please confirm that you are receiving my emails? When we last met in person you confirmed you had received the first email I sent you, which is the same email address I have used now.

Could you also confirm if you have upgraded your CCTV system to the requirements stated below and that you will be submitting a minor variation to your premises licence?

I require a response by 9am on Wednesday 12th May 2021 before I have to consider taking further action.

I look forward to hearing from you.

Kind regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

From: Boon Cheryl - AW-CU

Sent: 23 April 2021 11:58

To: [REDACTED]

Cc: Deweltz Adam S - AW-CU [REDACTED]; Sondh Nicole K - AW-CU [REDACTED]

Subject: AMK Food & Wine, 35B Queensway, W2 4QJ - Police Licensing visit 15th April 2021

Dear Mr Alkifray,

Myself and my colleague, PC Sondh attended your premises on Thursday 15th April 2021, we informed you that you had been part of a test purchasing operation completed by Police Cadets in the Queensway area on the same date. The cadets had attended your premises to try and buy alcohol, you challenged their age and asked for ID, when they could not produce any ID you refused to sell to them. We thank you for this as it evidences that you do challenge ID and refuse to sell alcohol to children.

Despite the result of the test purchase operation noted above, we also had to discuss more reports that Police have received in relation to children as young as 13 and 14 being able to buy alcohol from your store. We had previously attended your venue on 9th March 2021 and spoke to you about similar allegations. From a recent report one of these children was hospitalised, this is alleged to be as a result of drinking vodka she bought from your store on Friday 9th April 2021. I have explained how I am trying to gather evidence of these sales and will look to take further action in relation to this matter if I can.

During our conversation, I have requested that if these allegations are true and you are selling alcohol to under 18 year olds then please stop immediately, you are breaking the law under Section 146 licensing Act 2003. You are also putting the health and well-being of these young people at risk, we expect as a premises licence holder for you to be accountable for these sales and be a responsible operator by not selling alcohol to children. Part of your responsibility by holding a premises licence is to promote the licensing objectives, in relation to these allegations the protection of children from harm.

When I informed you of these further serious allegations you stated that the sales aren't coming from your premises, you claim they are coming from another store but won't say which one. You state you always ask for ID for every sale, which was evidenced during the test purchase operation. You explained it is only you currently working at your store and you are responsible for all sales. You have a CCTV system that is linked to your mobile phone, when I have asked to view footage from the dates and times when the alleged underage sales have taken place, you explained that the system only records for 24 hours then erases itself, I therefore wasn't able to view this footage. You insisted that I download your CCTV app onto my phone so I can constantly monitor your cameras to view who you are selling to. This is not proportionate or a reasonable request or long term solution.

As we are still receiving these worrying reports of underage sales, we discussed the possibility of you submitting a minor variation application to your current premises licence (licence number 20/09113/LIPCHT). This is to add the following conditions to ensure that in future Police and Local Authorities have a way of monitoring who you are selling to and any refusals to underage children. You appeared happy with this suggestion as a way of proving your innocence. You will find the conditions

below, I would urge you to consider operating under these conditions as soon as possible, this will enable you to assist in evidencing that you aren't responsible for these sales:

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

2. 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.

3. 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.

4. 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.

5. 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.

I look forward to a reply acknowledging my request to submit a minor variation. Please feel free to contact me to discuss any of the above.

Kind Regards

Cheryl

Cheryl BOON

PC 1344AW

Westminster Police Licensing Team

15th Floor

64 Victoria Street

SW1E 6QP

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PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
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SW1E 6QP
020 7641 1705



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Deweltz, Adam: WCC

From: [REDACTED]
Sent: 09 March 2022 12:41
To: Deweltz, Adam: WCC
Subject: 35B Queensway, W2
Attachments: MV request 35B Queensway.docx

Follow Up Flag: Follow up
Flag Status: Flagged

Hi Zach,

I have a big favour to ask you if that's ok.....

Police Licensing have engaged with Mr Alkhiray (DPS) via email and a visit over the last 2 weeks but we don't seem to be getting anywhere fast.

Ultimately, I can see this going one way and that will be to review his premises licence to get conditions put on. Unfortunately, a revocation of the licence would be unlikely because he has passed 3 test purchases from Police, WCC Inspectors and Trading Standards. There is no doubt in our mind that he is selling to kids, but we suspect, it is specific children – ones that he knows.

Would you be able to print and drop off the above letter to him in person for me please? And if so, could you notify me the date and time it's dropped off?

Many thanks,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



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Mr Mustafa Alkifray
AMK Food and Wine
35B Queensway
W2 4QJ

Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP

Email:
adeweltz@westminster.gov.uk
Tel. 020 7641 1705

Your ref:
Tuesday 23rd November 2021

Dear Mr Alkifray

You have previously dealt with my colleague, PC Boon, in relation to reports of underage sales of alcohol to children at your premises of 35B Queensway, W2 4QJ.

While I am aware that you strongly refute these allegations of underage sales of alcohol, the Police, local authorities, and other agencies are very concerned.

As stated in an email to PC Boon back in May 2021, you were going to install CCTV cameras after lockdown. I have been informed that this is yet to be done by you.

As a matter of urgency, Police would like you to submit a minor variation to Westminster City Council Licensing Services to have conditions imposed on your premises licence. (The conditions are below).

I emailed you on the 15th November 2021 requesting you to do this, but I had no response. My colleagues, PC Guerra and PC Sondh visited your premises on Thursday 18th November 2021, whereby you told them you did not receive my email.

You are required to show the authorities that you are promoting the licensing objectives namely, The Protection of Children from Harm. Failure to do this, can result in enforcement action being taken against you. Police are giving you 2 weeks to submit a minor variation to have the following conditions put on your premises licence:

1) (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.

(b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.

(c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.

(d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.

(e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.

2) 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.

3) 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.

4) 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

(g) any refusal of the sale of alcohol

(h) any visit by a relevant authority or emergency service

As stated above, failing to submit the minor variation to Westminster City Council will put Westminster Police Licensing in a position of enforcement with all disposal options available.

Yours sincerely,

PC Adam Deweltz 2256AW.

Deweltz, Adam: WCC

From: [REDACTED]
Sent: 09 March 2022 13:13
To: Deweltz, Adam: WCC
Subject: 35B Queensway, W2

From: Deweltz Adam S - AW-CU
Sent: 10 January 2022 12:41
To: [REDACTED]
Subject: 35B Queensway, W2

Hello [REDACTED]

Many thanks for taking my call earlier.

I have passed all the information to Trading Standards within Westminster City Council, so hopefully, you will be contacted in due course.

Can you please confirm that date and time that your daughter bought the cigarettes?

I have also emailed a colleague for further information regarding joining the Police cadets, so once he comes back to me, I will be able to update you.

I appreciate all your assistance. Please rest assured that we are aware of the issues with this premises and work is being done to tackle it.

Kind regards,

Adam.

PC Adam Deweltz
Police Licensing Officer - Westminster - Central West BCU
Westminster Police Licensing Unit
Westminster City Hall
15th Floor, 64 Victoria Street
London
SW1E 6QP
020 7641 1705



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WITNESS STATEMENT

CJ Act 1967, s.9; MC Act 1980, ss.5A(3)(a) and 5B; Criminal Procedure Rules 2005, Rule 27.1

Statement of [REDACTED]
URN: [REDACTED]

--	--	--	--

Age if under 18 **Over 18** (if over 18 insert 'over 18') Occupation: N/A.....

This statement (consisting of:2..... pages each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated anything in it which I know to be false, or do not believe to be true.

Signature: [REDACTED] Date: 06/04/2022.....

Tick if witness evidence is visually recorded (supply witness details on rear)

This statement is in relation to my [REDACTED] and [REDACTED] year old daughters buying vapes and alcohol from an off licence. The off licence address is AMK Food and Wine, 35B Queensway, London, W2 4QJ.

I have two daughters. My oldest is [REDACTED] She is [REDACTED] years old and her date of birth is [REDACTED] My other daughter is [REDACTED] She is [REDACTED] years old and her date of birth is [REDACTED]. I am providing this statement as a parent, because I am deeply concerned and worried that children under the age of 18 are able to purchase vapes and alcohol from this licensed premises.

Around the beginning of February 2001, I noticed that my daughters and their friends were gravitating to the area of Bayswater and Hyde Park. At the time I thought this was unusual because we don't live in that area. My concerns increased when I found some vapes in [REDACTED] coat pocket. I became very anxious, as I am aware that you have to be 18 years and older to purchase vapes. I felt very worried and gravely concerned about this.

I decided to speak with their Father and we checked their bank statements to see if there were any bank transactions to give us a location of the purchase.

We found that on the 14th February 2021, [REDACTED] had bought an item from AMK Food and Wine for £8 using her debit card. There were also other similar transactions where items had been bought from AMK Food and Wine. (These transactions were consistent over the next few months).

We decided to speak to [REDACTED] and [REDACTED] about this matter and they openly admitted that they had bought vapes and alcohol respectively on several occasions from AMK Food and Wine.

My daughters both confirmed that the operator of the shop never asked for photo identification and he

Signature [REDACTED]

Signature witnessed by: [REDACTED]

Continuation of Statement of.....

never asked them how old they were. They had no resistance from the operator.

As a parent, I am unbelievably frustrated and extremely anxious about this situation. I try to keep my children as safe as I possibly can, but I cannot be with them at all times. I am horrified that this operator would sell vapes and alcohol to my children. [REDACTED] is just [REDACTED] years old and she is now vaping on a regular basis. Vaping is very addictive. It is upsetting, as this could be a stepping stone to her buying cigarettes. She tries to hide them from me, but I find the vapes in the pockets of her coat. At her age she is extremely impressionable and there is a lot of pressure on her to fit in with her friends, who also vape. We have had to book an appointment with our GP to help make her aware of the dangers and implications of what vaping and alcohol-use does. I fear for her safety. I fear for both my children's safety.

My daughter [REDACTED] admitted buying a small bottle of vodka from AMK Food and Wine and she has done this on two occasions that I am aware of. At the time of buying these bottles she was only [REDACTED] years old.

I am extremely disappointed with this shop operator and frustrated that he would give my children access to these items. He should have a duty of care to his customers and protect children, but instead he has given no thought to my children's health and safety. This operator will have no idea the effect he is having on families by selling alcohol and vapes to children. He clearly only cares about making a profit.

I hope that this statement will assist the local authorities in taking all necessary and reasonable steps to ensure the licensee does not sell vapes or alcohol to children anymore. I support any enforcement action.

[REDACTED]

[Handwritten signature]

Signature

Signature witnessed by:

[REDACTED]

Witness contact details

Home address: Postcode:

Home telephone number Work telephone number

Mobile/pager number Email

Preferred means of contact:

Male / Female (delete as applicable) Date and place of birth:

Former name: Ethnicity Code (16+1): Religion/belief:

Dates of witness non-availability:

Witness care

- a) Is the witness willing and likely to attend court? **No.** If 'No', include reason(s) on **MG6**.
- b) What can be done to ensure attendance?
- c) Does the witness require a Special Measures Assessment as a vulnerable or intimidated witness?
No. If 'Yes' submit **MG2** with file.
- d) Does the witness have any specific care needs? **No.** If 'Yes' what are they? (Disability, healthcare, childcare, transport, language difficulties, visually impaired, restricted mobility or other concerns?)

Witness Consent (for witness completion)

- a) The criminal justice process and Victim Personal Statement scheme (victims only) has been explained to me Yes No
- b) I have been given the Victim Personal Statement leaflet Yes No
- c) I have been given the leaflet 'Giving a witness statement to police — what happens next?' Yes No
- d) I consent to police having access to my medical record(s) in relation to this matter: (obtained in accordance with local practice) Yes No N/A
- e) I consent to my medical record in relation to this matter being disclosed to the defence: Yes No N/A
- f) I consent to the statement being disclosed for the purposes of civil proceedings e.g. child care proceedings, CICA Yes No
- g) The information recorded above will be disclosed to the Witness Service so they can offer help and support, unless you ask them not to. Tick this box to decline their services:

Signature of witness: Print name:
Signature of parent/guardian/appropriate adult: Print name:
Address and telephone number if different from above:

Statement taken by (print name): **PC Deweltz** Station: **N/A**

Time and place statement taken: **16:00 hours at City Hall, Victoria Street, SW1**

AMK FOOD AND WINE, 35B QUEENSWAY, W2

CRIMINAL INTELLIGENCE REPORTS

- 1) CWRT01033803 - 18/02/2021
Informant has been a local business owner in the area and wanted to report to their local SNT about the increase of ASB on the QUEENSWAY W2 predominantly from young children who look under 16. The informant states that the kids are very rowdy and boisterous and are wreaking havoc in the local area. The informant states that they are on the QUEENSWAY almost every day gathering in groups and breaching lockdown regulations. The informant is part of a residents/business WhatsApp group and has stated that it was mentioned that the kids are attracted to the QUEENSWAY due to them being able to buy alcohol from the CAP NEWS LEBARA shop 35B QUEENSWAY W2 4QJ. The informant states over hearing the kids discuss amongst themselves as to who gets what alcohol.
- 2) CWRT01034179 - 28/02/2021
INFORMANT WANTS TO MAKE A COMPLAINT ABOUT THE OFF LICENSE CAP NEWS ON QUEENSWAY W2 THIS SHOP IS SELLING ALCOHOL TO CHILDREN THAT ARE UNDER AGE - [REDACTED] HAS WITNESSED THIS. CHILDREN AGED AS YOUNG AS 13 YRS OLD WALKING OUT THE OFF LICENCE WITH ALCOHOL. THE FRONT OF THE SHOP IS PACKED WITH YOUTHS. THE SHOP KEEPER IS KNOWN TO BE SELLING CIGARETTES AND ALCOHOL TO THESE CHILDREN. PREMISES IS CAP NEWS 35B QUEENSWAY W2.
- 3) CWRT01034440 - 06/03/2021
On SATURDAY 06/03/2021 at 1332 HOURS a concerned parent called police in relation to CAP NEWS, 35B QUEENSWAY W2. Parent has stated they have concerns that the staff at CAP NEWS are selling alcohol and cigarettes to minors. They know this to be true as their 13 year old daughter has been served cigarettes and VAPS. Apparently all the children go there to buy. I have created ASB report for LPT to look at.
- 4) CWRT01034891 –
Report submitted by AW licensing, information passed onto WCC Licensing services. On Tuesday 9th March 2021 the Designated Premises Supervisor for AMK FOOD & WINE, 35B QUEENSWAY, W2 4QJ was arrested for robbery on the Queensway. The offence is alleged to have happened on the opposite side of the street to the venue and it doesn't appear to be linked directly to it. He has currently be RUI. The DPS is: Mustafa ALKIFRAY, dob [REDACTED], [REDACTED]. The current premises licence number is 20/09113/LIPCHT.
- 5) CWRT01035748 - 07/04/2021
The informant has called police wanting to report his daughter having received a message over Easter from the below person. The text message read, tomorrow anyone can buy anything you need no rules tomorrow (date unknown) get what you want and without bag and anyone blocked from the store he/she can come in for tomorrow. Supposedly it implies the people he's barred for shoplifting were all allowed in over the Easter weekend. The informant stated that they drove past the shop yesterday to ascertain the exact address and he witnessed 3 very overexcited girls standing outside holding Lucozade bottle. It's believed the shop owner decants the alcohol in the Lucozade bottle. The informant states he has a screen shot of the message: [REDACTED] he uses to communicate with customers: [REDACTED] AMK, 35B Queensway, W2
- 6) CWRT01035924 - 12/04/2021
THIS IS A CRIMINT - BASED ONLY ON THE DETS OF A CAD BY THE LRT. Incident number: 2670 Date/time of origin: 12/04/2021 11:52:38. ADDRESS of shop: Location: CAP NEWS, 35B QUEENSWAY, W2 INFT via Holon:
"This shop is selling alcohol and tobacco products to minors. It is well known amongst the teenagers who have started congregating in Hyde Park since the lockdown. My daughter, aged 13, was sold a bottle of vodka and vapes there on Friday 9 April. She was subsequently hospitalised, having been found unconscious by the police. Thankfully she is fine but the shop needs to be dealt with. She tells us that everyone she knows either goes there or knows of the "Lebara shop" (the sign outside says "Lebara" although it is not the name of the shop). I would be really grateful on behalf of all parents if you could look into this."
- 7) CWRT01036086 –
A test purchase operation was carried out on 15th April 2021 within the Queensway area by Police cadets with local SNT and Police licensing officers. This operation was arranged due to on-going reports of youths buying alcohol and drinking within this area resulting in ASB.
CAP NEWS, 35B Queensway - visited at 1310hrs. The Licence holder Mustafa ALKIFRAY asked the cadets for ID and refused to serve when they could not provide any. This venue has been repeatedly coming to notice for selling to under 18's, there have been numerous CRIMINTS and CADs created for it. Police licensing have spoken to the licensee and given strong words of advice from the intel. On- going enquiries to obtain any evidence of these sales.
- 8) CWRT01036091 - 15/04/2021
On Thursday 15th April 2021 officers from the Lancaster Gate/Bayswater wards along with colleagues from police Licencing and Volunteer Police Cadets conducted a test purchasing operation within the Lancaster Gate ward. This operation was planned in response to a number of reports indicating the sale of alcohol to underage persons. CAP News 35B Queensway: PASSED

On attending this venue it was the general observations of the police witness that while the shopkeeper did not complete the sale of alcohol to the test subject, it appeared that this was influenced heavily by the fact that the police witness was present when the purchase was attempted and the shopkeeper was adamant that he serve the police witness before serving the Cadet in order to ensure discretion.

9) CWR01036735 - 29/04/2021

Information received by ward officers via Airspace suggests that the Lebara shop on Queensway has been selling alcohol, tobacco and nicotine products to underage teens for a while now. The informant states the following. "He sells without question and recently I have witnessed people as young as 13 being able to just go in and buy things. I have been aware of this for about a year now but now it seems it is getting serious, it seems as though he is using the fact he sells to underage teens as a way to get close to them in a creepy way. The crime being committed is obviously the selling to teenagers, but however he also [REDACTED] the teens, recently he has started [REDACTED]. This is mostly girls, many (if not most) under 16. I can just see this turning out extremely badly, in the way of him being a predator or just the fact that selling alcohol to, it seems, literally any age. His [REDACTED]. He tells us his name is mike, tall, often wears a cap and is the only worker in the lebara shop.

10) CWR01036795 - 29/04/2021

Information received: AMK off licence/ newsagents QUEENSWAY W2 alleged to be supplying alcohol to minors, which has allegedly resulted in a 13 year old girl being hospitalised with alcohol poisoning.

11) CWR01037241 - 08/05/2021

On Saturday 8th May 2021 at approximately 17:40hrs PC SONDH 2438AW, PC Kris CARDWELL 3286AW and Chidi Nweke from Westminster City Council attended AMK Food and Wine, 35B Queensway, London, W2 in relation to recent reports that the premises is selling alcohol to children. It has been alleged that the shop owner, who is also listed as the DPS is decanting the alcohol into Lucozade bottles and selling to young girls. Given that the premises does not have any additional conditions other than the mandatory conditions, an official visit was not conducted and it was decided that a search of the premises under s.180 Licensing Act 2003 would be more beneficial as there were not conditions on the licence to assess.

When we arrived at the premises Mr Alkifray was sitting behind the counter on his mobile phone there were no customers present. I explained to Mr Alkifray why we visiting him and explained that we wanted to search behind the counter for evidence of the allegations that had been made against him. He complied and allowed me to look behind the counter. It was untidy however there were no opened bottles of alcohol, there were empty water bottles however these were not of the same brand and appeared to have just been thrown on the floor. There were some miniature bottles of Smirnoff Vodka under the counter and also some miniature bottles of Whiskey on a shelf behind the counter, however these were all sealed. On the till were disposable shot glasses and also disposable beakers, I asked Mr Alkifray why these were there and he said they had been there ages and could not offer any other reason. All bottles of alcohol appeared to be sealed and there was no evidence to support that alcohol is being decanted into bottles.

I spoke to Mr Alkifray about the email he had received with regards to the minor variation he had been asked to submit, he stated that he was arranging for the CCTV to be sorted this week and it was reiterated to him the importance of submitting the minor variation for the conditions proposed to be added to his licence. It was explained that should these allegations be malicious as he claims then having these conditions added would assist in proving that, which he appeared to understand.

As we were leaving 3 young girls approximately 13-14 years of age entered the off licence holding cash, they approached the counter where Mr Alkifray told them that we were police.

We waited outside the premises and the girls left shortly after holding chocolate bars.

Premises Licence - 20/09113/LIPCHT

12) CWR01047796 –

Lebara Off Licence, Queensway London W2 will serve any young person with no form of ID.

13) CWR01048005 - 09/01/2022

AMK FOOD and WINE
35B QUEENSWAY
W2

The above location is selling alcohol and cigarettes to people underage, they sell vodka in water bottles.

14) CWR01048031 - 09/01/2022

The shop owners of AMK International Off Licence, Queensway Road, London, W2, is selling alcohol and cigarettes to underage children 14 and 15yrs old. The business has previously been investigated for the same crime, the shop appears to be closed, but the owners are filling water bottles with Vodka, and leaving the bottles behind the door which can be pushed open so the youngsters can take the bottles or cigarettes and leave the money. Behind the door the shutters to the shop are pulled down, there is just enough space for the bottles and cigarettes to be left for collection. Alternatively, the youngsters can contact the owners on a mobile number; the owners will come to meet them and open the shop, so they can buy the cigarettes and alcohol.

15) CWR01049979 - 25/02/2022

On SATURDAY 26/02/2022 at 1300 HOURS informant called police reporting that on 25/02/2022 her daughter age 13 and her friend age 14 managed to purchase a bottle of vodka. Mother believes daughter would have been wearing her school uniform at the time under her jacket. Store where this is located on the park side of QUEENSWAY next to KALINKA 35 and a pizza place and has LEBARA Signage.
Mother was advised by operator to contact local council.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 2670:12APR21

INCIDENT No. 2670 entered at 11:52 on 12APR21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :O (Ordinary)

Call Tel [REDACTED]

Call Name: [REDACTED]

Call Type: [REDACTED]

Call Mail: [REDACTED]

Cntct Tel: [REDACTED]

Att Locn :CAP NEWS, 35B QUEENSWAY, W2

Map :Page 140, Grid Reference 525875,180875

GPA :CA Division: [AWN:CNW]

Inc Locn :(HOLON)CAP NEWS, 35B QUEENSWAY, W2

Map : [REDACTED]

G

Call [REDACTED]

Openi

2:609 (Child / Young Person At Risk)

3:625 (Believed)

Prompt(s) existed for Opening Code(s) at time of creation

Open Text:

Urgency :R (Referred)

Major :

VRMs :

Proposal :

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIME REF:NOT CRIMED

Class 1 :215 (ASB - Nuisance)

Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)

2 :676 (Resolved by LRT)

Res 1 :701 (Assistance Requested / Rendered)

Clo Text :ASB URN NOT REQUIRED P232107

O Dealing:

Metops :

CHS Demid: [REDACTED]

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 2670:12APR21

Linked :

Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)



n **



Remarks:

Time	Date	Opid	Termid
	12APR21	CHS	CHS (pre 1st routing)
11:59:39		CREATED IN: CHS	AT: 2021-04-12 11:52:38 CAD AT: 2021-04-12

=====

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 2670:12APR21

Time Date Opid Termid

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED] y? I don't know

What happened?

This shop is selling alcohol and tobacco products to minors. It is well known amongst the teenagers who have started congregating in Hyde Park since the lockdown. My daughter, aged 13, was sold a bottle of vodka and vapes there on Friday 9 April. She was subsequently hospitalised, having been found unconscious by the police. Thankfully she is fine but the shop needs to be dealt with. She tells us that everyone she knows either goes there or knows of the "Lebara shop" (the sign outside says "Lebara" although it is not the name of the shop).I would be really grateful on behalf of all parents if you could look into this. Are you under 18 years of age? No

Do you have any health, mobility or welfare issues that are making this situation more difficult? No

Do you feel race, ethnicity, sex, gender, sexuality, disability or religion were a factor in this crime? No

Has the suspect clearly left something at the scene; such as clothing, blood, any other bodily fluids, discarded items, obvious fingerprints or footprints? Or has the suspect caused any damage or made a mess searching? No

11:59:39 12APR21 CHS

** **START OF DATA AUTOMATICALLY COPIED FROM OPEN PROMPT** **

OPEN CODE "609" :

01/05/07 Consider contacting METINTEL 24/7 on 768400,or tagging

MET

INTEL,for intel support for critical/serious incidents.

28/09/14 If applicable and call relates to third party
allegation of

child sexual exploitation, please consider SMF/MAKESAFE

** **END OF DATA AUTOMATICALLY COPIED FROM OPEN PROMPT** **

11:59:39 12APR21 CHS

ENTERED BY: CHS (c099174) AT: 2021-04-12 11:59:37

^digital 101 - details passed to lancaster Gate SNT and informant
advised of actions

12:50:30 12APR21 232107

ENTERED BY: CADL (p232107) AT: 2021-04-12 12:50:30

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 2670:12APR21

Time Date Opid Termid

INTO LRT, DETAILS HAVE BEEN PASSED ON TO LANCASTER GATE SNT TO LOOK
THIS.

NO ASB URN REQUIRED, PLEASE CLOSE CAD WITH CODE 676

12:51:02 12APR21 740217 H2722

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":

STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO

RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT

REQUIRED

THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION

MAKER

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **

Previous Actions:

Time Date Opid Termid ACTION

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
11:59:39	12APR21	CHS	CCC:CCL	O() 507:CONTACT RECORD,609:CHILD / YOUNG PE
"	"	"	"	RSON AT RISK,625:BELIEVED
11:59:51	"	259282	DIV:AWN	AK
11:59:52	"	"	"	XP/AK/O609
12:00:00	"	"	"	AWT/LRT
12:01:17	"	CHS	CCC:CCL	CT(V)
"	"	"	"	PI
12:01:34	"	259282	DIV:AWN	AK
12:49:15	"	232107	CCC:CADL	VI/p232107
12:50:30	"	"	"	PI
12:50:32	"	740217	DIV:AWN	AK
12:50:34	"	232107	CCC:CADL	VI/p232107
12:51:02	"	740217	DIV:AWN	AC()
"	"	"	"	AQ()
12:51:09	"	"	"	CTX()
12:51:10	"	"	"	PS/CM
12:57:13	"	093034	"	ACR/NC
12:57:14	"	"	"	CM
"	"	"	"	XP/CM/C215
13:30:44	"	231567	CCC:CADL	VI/p231567
16:38:14	"	218152	"	VI/p218152
23:03:31	"	230259	"	VI/p230259
10:04:24	13APR21	"	"	VI/p230259

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT

PAGE 5

INCIDENT No. 2670:12APR21

Time	Date	Opid	Termid	ACTION
-----	-----	-----	-----	-----
15:56:33	10MAY21	"	CCC:CADL	VI/p230259
15:56:56	"	"	"	IP//1344aw/1/p230259@met.police.uk
13:39:20	08MAR22	204897	"	VI/p204897
13:39:22	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 3604:26FEB22

INCIDENT No. 3604 entered at 13:00 on 26FEB22 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By)
 Call Tel [REDACTED]
 Call Name [REDACTED]
 Call Type: [REDACTED]
 Call Mail:
 Cntct Tel:
 Att Locn :CAP NEWS, 35B QUEENSWAY, W2:Lebara
 Map :Page 140, Grid Reference 525875,180875
 GPA :CA Division: [AWN:CNW]
 Inc Locn :CAP NEWS, 35B QUEENSWAY, W2:Lebara
 Map :Page 140, Grid Reference 525875,180875
 GPA : [REDACTED] NW]
 Call Locn: [REDACTED]
 Map : [REDACTED]
 GPA : [REDACTED]
 Opening 1:
 2:600 (Alcohol)
 Open Text:
 Urgency :R (Referred)
 Major :
 VRMs :
 Proposal :
 Assigned :
 DeAssign :
 TOA :
 DO Name :
 DO Tel :
 CRIME REF:NOT CRIMED
 Class 1 :301 (Licensing)
 Qual 1 :600 (Alcohol)
 2 :676 (Resolved by LRT)
 Res 1 :718 (Police Attendance Not Required)
 2 :709 (CRIMINT Entry)
 Clo Text :CWRT01049979
 O Dealing:
 Metops :
 CHS Demid: [REDACTED]
 Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 3604:26FEB22

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)

[REDACTED]

[REDACTED]

[REDACTED] APPROPRIATE PI/BTP

[REDACTED]

Remarks:

Time	Date	Opid	Termid
13:14:53	26FEB22	CHS	CHS (pre 1st routing)
		CHS	AT: 2022-02-26 13:00:24 CAD AT: 2022-02-26

=====

ENTERED BY: CHS (p240397) AT: 2022-02-26 13:14:54
 ^inft... Yesterday after school My thirteen year old daughter
 and her friend had managed to buy a bottle of vodka, she is 13 and her
 friend is 14. 25/02/2022.
 She would have been in a school uniform under a winter jacket -

[REDACTED]

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 3604:26FEB22

Time Date Opid Termid

This is located on the park side of queensway. Next to kalinka
35 and a
pizza place and has Lebara Signage.
^op... given advice to contact council, number supplied via sms
with

CAD
For the attention of licencing and LIT.
14:57:45 26FEB22 233486 #2
ENTERED BY: CADL (p233486) AT: 2022-02-26 14:57:45
LRT - CRIMINT CWRT01049979
PLEASE CLOSE USING CODE 676

Previous Actions:

Time	Date	Opid	Termid	ACTION
-----	-----	-----	-----	-----
				SYSTEM(EXTERNAL)
13:14:53	26FEB22	CHS	CCC:CCB	O() 301:LICENSING,600:ALCOHOL
"	"	"	"	PI
13:17:09	"	742934	DIV:AWN	AK
13:18:19	"	"	"	AC()
"	"	"	"	AQ()
"	"	"	"	AR()
13:18:23	"	"	"	ACR/NC
13:18:26	"	"	"	PS/CM
13:19:22	"	051617	"	AWT/LRT
14:43:37	"	233486	CCC:CADL	VI/p233486
14:57:45	"	"	"	PI
14:57:46	"	"	"	VI/p233486
14:57:49	"	100374	DIV:AWN	AK
14:58:00	"	"	"	CTX()
14:58:01	"	"	"	PS/CM
14:58:03	"	"	"	Q(600)
14:59:55	"	098724	"	R(718)
15:00:10	"	"	"	CM
10:13:53	28FEB22	740108	CCC:CADL	VI/c740108
10:04:55	01MAR22	204897	"	VI/p204897
10:05:35	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 3699:06MAR21

INCIDENT No. 3699 entered at 13:32 on 06MAR21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
 Call Tel :
 Call Name:
 Call Type: (itness)
 Call Mail:
 Cntct Tel:
 Att Locn :CAP NEWS, 35B QUEENSWAY, BAYSWATER, W2
 Map :Page 140, Grid Reference 525875,180875
 GPA :CA Division: [AWN:CNW]
 Inc Locn :
 Map :
 GPA :
 Call Locn:
 Map :
 GPA :
 Opening 1:215 (ASB - Nuisance)
 2:600 (Alcohol)
 3:608 (Youth Related)
 Open Text:
 Urgency :R (Referred)
 Major :
 VRMs :
 Proposal :
 Assigned :
 DeAssign :
 TOA :
 DO Name :
 DO Tel :
 CRIME REF:
 Class 1 :215 (ASB - Nuisance)
 Qual 1 :202 (Rowdy Or Inconsiderate Behaviour)
 2 :600 (Alcohol)
 3 :608 (Youth Related)
 Res 1 :703 (No Offences Disclosed)
 Clo Text :ASB URN CWRT01034440
 O Dealing:
 Metops :
 CHS Demid:20210306029210

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 3699:06MAR21

Linked :explicitly to 1260:24MAR21
Linked :implicitly to (none)

Gazetteer Comments : (May have existed or altered since Incident creation

-

Use MSS SMF:SPECARCHIVE)



Remarks:

Time	Date	Opid	Termid
13:40:13	06MAR21	CHS	CHS (pre 1st routing)
	CREATED IN: CHS AT: 2021-03-06 13:32:17 CAD AT: 2021-03-06		

=====

ENTERED BY: CHS (c743587) AT: 2021-03-06 13:33:28
 ^ INFT I WOULD LIKE TO REPORT A STORE THAT SELLING ALCOHOL AND
 CIGARETTES TO UNDER AGE CHILDREN
 MY DAUGHER IS 13YRS AND THEY SOLD CIGARETTES AND VAPS TO HER

13:40:13 06MAR21 CHS
 ENTERED BY: CHS (c743587) AT: 2021-03-06 13:35:52
 ALL THE CHILDREN GO THERE AND PURCHASE THESE SORT OF THINGS FROM
 THEM

13:40:13 06MAR21 CHS
 ENTERED BY: CHS (c743587) AT: 2021-03-06 13:36:41
 SMF ASB (For All IncidentS Of Anti-social Behaviour)
 Always consider whether the circumstances of the incident render
 the

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 3699:06MAR21

Time Date Opid Termid

person concerned as vulnerable.
1. Has anything like this happened before?: Yes
2. Has the caller spoken to police about this or any other
matter relating to ASB?: No
3. If the answer to 2 is 'Yes', when were police called
(approximately)? :
4. Prior to this call, has the person sought help from elsewhere
(e.g. Local Authority, Security, Housing Association, Samaritans,
Citizens Advice, BT, etc.)?: No
5. If the answer to 4 is 'Yes' please state who? :
6. Are there any health or welfare issues we need to be aware of
that could help us deal with your call? (VULNERABILITY)? : Yes
7. If the answer to 6 is 'Yes' record details of how/why
vulnerable.

Record any other relevant information? : CHILDREN RANGE FROM 13
AND POSSIBLY YOUNGER
** For 'ASB' calls, you are no longer required to complete the

'REPEAT' or 'VULNERABLE' SMFs **

13:40:13 06MAR21 CHS
ENTERED BY: CHS (c743587) AT: 2021-03-06 13:38:04
^ OP THE INFT WOULD LIKE TO REMAIN ANONOMOUS AND WILL NOT
DIVULGER HER
DETS

SHE STATES THAT HER DAUGHTER VISITS THE AREA AT WEEKENDS AND
SCHOOL HOLIDAYS

13:40:13 06MAR21 CHS
ENTERED BY: CHS (c743587) AT: 2021-03-06 13:38:21
THE OWNER DOES NOT ASK FOR ID

13:40:14 06MAR21 CHS
ENTERED BY: CHS (c743587) AT: 2021-03-06 13:40:13
CAN THE LPT HAVE A LOOK AT THIS PLEASE
I HAVE ADVISED THE CALLER TO CONTACT THE TRADING STANDARDS

OFFICE TOO
13:40:32 06MAR21 720785 H2723

** **START OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
CLOSING CODE "215":
STOP - THIS INCIDENT TO BE PLACED IN THE GPC QUEUE
HAS AN ASB URN BEEN SHOWN? OR
HAS A MEMBER OF GPC CONFIRMED URN NOT REQUIRED - INCLUDE

PAY NO RESULT WITH FORMAT: ASB URN XX123456 OR ASB URN NOT
REQUIRED

THEN FOLLOWED BY THE POLICE/STAFF PAY NUMBER OF DECISION
MAKER

** **END OF DATA AUTOMATICALLY COPIED FROM CLOSING PROMPT** **
14:31:57 06MAR21 233486
ENTERED BY: CADL (p233486) AT: 2021-03-06 14:31:57

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 3699:06MAR21

Time	Date	Opid	Termid
14:55:10	06MAR21	233486	

LRT P233486 DEALING
 ENTERED BY: CADL (p233486) AT: 2021-03-06 14:55:10
 AW LRT - WFH - ASB URN VACW21595 AND CRIMINT CWRT01034440-
 P233486
 PLEASE CLOSE USING CODE 676

Previous Actions:

Time	Date	Opid	Termid	ACTION
13:40:13	06MAR21	CHS	CCC:CCB	O() 215:ASB - NUISANCE,600:ALCOHOL,608:YOUT
"	"	"	"	H RELATED
13:40:17	"	720785	DIV:AWN	PI AK
"	"	"	"	AK
13:40:39	"	"	"	AK AC() AQ() AR()
13:40:41	"	"	"	PS/CM
13:48:42	"	098718	"	AWT/LRT
14:30:27	"	233486	CCC:CADL	VI/p233486
14:31:57	"	"	"	PI
14:32:02	"	"	"	VI/p233486
"	"	084133	DIV:AWN	AK
14:55:10	"	233486	CCC:CADL	PI
14:55:30	"	098718	DIV:AWN	AK
14:55:43	"	"	"	CTX()
14:55:45	"	"	"	CM
"	"	"	"	XP/CM/C215
14:56:12	"	233486	CCC:CADL	VI/p233486
09:29:34	09MAR21	230259	"	VI/p230259
12:19:40	12MAR21	742728	"	VI/c742728
10:11:34	14APR21	723203	"	VI/c723203
13:40:21	08MAR22	204897	"	VI/p204897
13:40:23	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 4282:09JAN22

INCIDENT No. 4282 entered at 16:32 on 09JAN22 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)
Call Tel :
Call Name:
Call Type:
Call Mail:
Cntct Tel:
Att Locn : (LIT?) 35B QUEENSWAY, W2:AMK FOOD & WINE
Map : Page 140, Grid Reference 525875,180875
GPA : CA Division: [AWN:CNW]
Inc Locn : 35B QUEENSWAY, W2:AMK FOOD & WINE
Map : Page 140, Grid Reference 525875,180875

[REDACTED]
[REDACTED]
[REDACTED] tances)

Open Tex
Urgency : R (Referred)
Major :
VRMs :
Proposal : (CCC at 17:11/09JAN22):
TJ3S TJ100B TJ200E TJ200F TJ211 TJ3N TJ71A TJ72A U546 U415
Assigned :
DeAssign :
TOA :
DO Name :
DO Tel :
CRIME REF:
Class 1 : 314 (Suspicious Circumstances)
Qual 1 : 701 (Assistance Requested / Rendered)
Res 1 : 718 (Police Attendance Not Required)
2 : 709 (CRIMINT Entry)
Clo Text : CWRT01048005
O Dealing:
Metops :
CHS Demid:20220109030208

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 4282:09JAN22

Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)

VULNERABLE LUL TUNNEL NEARBY - IF APPROPRIATE PI/BTP

[REDACTED]

[REDACTED]

Remarks:

Time	Date	Opid	Termid
16:36:04	09JAN22	CHS	CHS (pre 1st routing)
		CHS	AT: 2022-01-09 16:32:06 CAD AT: 2022-01-09

=====

ENTERED BY: CHS (p241241) AT: 2022-01-09 16:36:03
 ^INFT THERE IS A SHOP AT QUEENSWAY IN W2 WHO IS SELLING
 CIGARETTES AND
 ALCOHOL TO UNDER-AGE PEOPLE
 -
 TODAY I WENT TO THE SHOP. I SPOKE TO OTHER SHOPS IN THE AREA.
 THEY
 ARE SELLING VODKA IN WATER BOTTLES.

16:36:28 09JAN22 CHS #2
 ENTERED BY: CHS (p241241) AT: 2022-01-09 16:36:28
 ^OP CAN THIS BE PASSED TO LIT/LICENSING/SNT PLEASE? WILL ALSO
 ADVISE
 TRADING STANDARDS.

16:49:05 09JAN22 229134 AW943 #3
 AW OPS - Passed to NPT, LIT and Licensing.

17:18:34 09JAN22 259287 #4
 ENTERED BY: CADL (p259287) AT: 2022-01-09 17:18:34

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 4282:09JAN22

Time Date Opid Termid

CWRT01048005 created

Previous Actions:

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
16:36:04	09JAN22	CHS	CCC:CCL	O() 305:CIVIL DISPUTES,314:SUSPICIOUS CIRCU
"	"	"	"	MSTANCES
"	"	"	"	PI
16:36:08	"	740077	DIV:AWN	AK
16:36:19	"	"	"	LOCA(35B QUEENSWAY, W2:AMK FOOD & WINE)(CA)
16:36:28	"	"	"	AC()
"	"	"	"	AQ()
"	"	CHS	CCC:CCL	PI
"	"	740077	DIV:AWN	AR()
16:36:31	"	"	"	AK
16:36:36	"	"	"	PS/CM
16:38:14	"	230698	"	AWT/OPSROOM
16:49:09	"	229134	"	PS/CM
16:50:47	"	230698	"	AWT/OPSROOM
16:52:57	"	259287	CCC:CADL	VI/p259287
16:58:05	"	229134	DIV:AWN	AWT/CREF
17:18:25	"	259287	CCC:CADL	VI/p259287
17:18:34	"	"	"	PI
17:18:35	"	"	"	VI/p259287
17:18:38	"	741546	DIV:AWN	AK
"	"	"	"	AK
"	"	"	"	AK
17:18:57	"	"	"	CTX()
17:18:59	"	"	"	PS/CM
17:24:05	"	230698	"	CM
17:24:11	"	"	"	R(718)
08:32:59	10JAN22	204897	CCC:CADL	VI/p204897
08:33:02	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk
08:33:19	"	"	"	VI/p204897
11:16:22	07MAR22	207028	"	VI/p207028
11:16:37	"	"	"	IP//P207028/1/p207028@met.police.uk
13:38:56	08MAR22	204897	"	VI/p204897
13:39:00	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 1

INCIDENT No. 7543:02APR21

INCIDENT No. 7543 entered at 20:13 on 02APR21 by CHS/CHS in CCC/IR

INCIDENT WAS ENTERED "EXTERNALLY"

Rec By :)

Call Tel : [REDACTED]

Call Name: [REDACTED]

Call Type: [REDACTED]

Call Mail: [REDACTED]

Cntct Tel: [REDACTED]

Att Locn :35B QUEENSWAY, W2:AMK food and wine.

Map :Page 140, Grid Reference 525875,180875

GPA :CA Division: [AWN:CNW]

Inc Locn :(HOLON) 35B, QUEENSWAY, W2:AMK food and wine.

Map :Page 140, Grid Reference 525875,180625

Cal [REDACTED]

Openi [REDACTED]stances)

2:600 (Alcohol)

Open Text:

Urgency :R (Referred)

Major :

VRMs :

Proposal :(BOCU at 20:23/02APR21):

114VF 13VF 159VF 198VF 235VF 6VF 207VF 189VF 27VF 193VF

Assigned :

DeAssign :

TOA :

DO Name :

DO Tel :

CRIME REF:NOT CRIMED

Class 1 :314 (Suspicious Circumstances)

Qual 1 :701 (Assistance Requested / Rendered)

Res 1 :704 (Inform / Informed)

Clo Text :

O Dealing:

Metops :

CHS Demid:20210402033473

Linked :

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 2

INCIDENT No. 7543:02APR21

Phone Field : (For previous Incidents from this phone use
action:PHD or PHL - use DARIS to extend search)
Location Field : (For previous Incidents at this location use
action:LCD or LCL - use DARIS to extend search)
Gazetteer Comments : (May have existed or altered since Incident creation
-
Use MSS SMF:SPECARCHIVE)

Location Based Comments

** Attendance and Incident Location **

QUEENSWAY,W2 (1 - 120)
VULNERABLE LUL TUNNEL NEARBY - IF APPROPRIATE PI/BTP
* "NR ROYAL PALACES:CONSIDER PI/PAL"
SEE QUEENSWAY LT STN FOR ANY RELEVANT COMMENTS
SEE BAYSWATER LT STN FOR ANY RELEVANT DETAILS
13 QUEENSWAY - "ROYAL CHINA RESTAURANT" *SITE HAZARD* THESE PREMISES
HAVE A FRAGILE ROOF

** Caller Location **

No Comments for this Location

Remarks:

Time	Date	Opid	Termid
	02APR21	CHS	CHS (pre 1st routing)
20:20:53		CREATED IN: CHS	AT: 2021-04-02 20:13:39 CAD AT: 2021-04-02



[Redacted]

[Redacted]

nterest

Your role

Is the victim under 18 years of age?

Yes

Does the victim have any health, mobility or welfare issues that

are

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 3

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid
-----	-----	-----	-----

making this situation more difficult?

No

Incident details

Do you feel race, ethnicity, sex, gender, sexuality, disability

or

religion were a factor in this crime?

No

Evidence

Has the suspect clearly left something at the scene; such as clothing,

blood, any other bodily fluids, discarded items, obvious fingerprints

or footprints? Or has the suspect caused any damage or made a mess

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

searching?

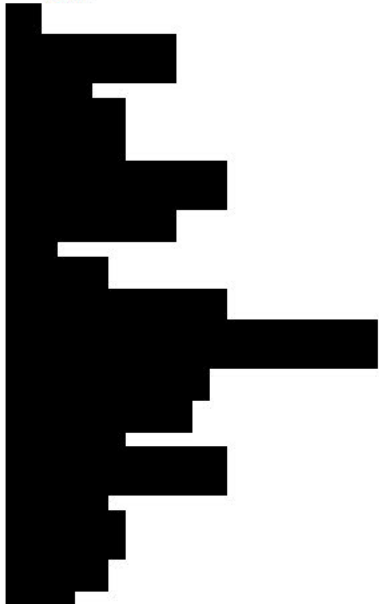
No

All fields

Your details

Your details

tle



20:20:53 R21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

Your role

Your role

CONTINUED ...

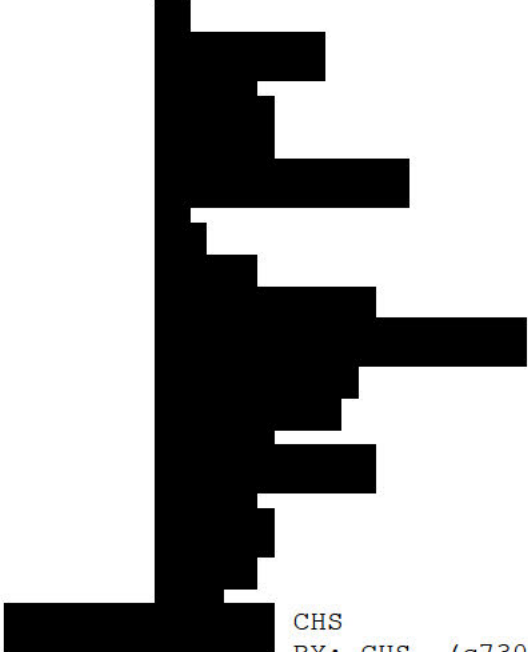
SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 4

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid

How were you involved?
 I'm reporting on behalf of a victim
 Victim's details
 Title



CHS
 BY: CHS (c730178) AT: 2021-04-02 20:14:07

If you do not know the victim's details, please describe them as best

you can
 not given
 If you are connected to the victim, please explain how
 Mother
 Is the victim under 18 years of age?
 Yes
 Title
 not given
 First name
 not given
 Surname
 not given
 Phone number
 not given
 Has the victim experienced any other crimes in the past 12
 months?

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
 NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 5

INCIDENT No. 7543:02APR21

Time Date Opid Termid

No
Does the victim have any health, mobility or welfare issues that
are

making this situation more difficult?

No

Would you like the victim to be contacted by Victim Support?

No

Does the victim have a disability?

No

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

What is the victim s ethnic background?

White-British

Did you do any of the following before you used the website
today?

I called 101

Incident details

Incident details

Has anyone reported this already?

No

When did it happen?

When did it happen?

02/04/2021 - 02/04/2021

Start time

14:45

End time

14:45

If you re unsure about the date or time, please give a few
details

below

Early afternoon

Where did it happen?

Lat long

51.5113499,-0.1875282

Easting northing

525873,180715

Address

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

CAP NEWS, 35B, QUEENSWAY, LONDON, W2 4QJ, UK

Map url

<https://www.google.co.uk/maps?q=51.5113499+-0.1875282>

Map type

ReadOnly

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT

NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 6

INCIDENT No. 7543:02APR21

Time Date Opid Termid

Origin
Triage

You gave us this map location earlier. Is the address correct?

Can you

g else to help pinpoint the exact location?
says that it s called AMK food and wine.
ere you on public transport?

[Redacted]

Please tell us what happened, and the events leading up to it,
to help

us identify if an offence has been committed.
My daughter asked the man at the counter if she could buy Vodka.

She

says he didn t ask her age or for ID. Instead he gave her a
small Evian

water bottle filled with vodka instead which he filled up in
front of

her on the counter. Charging £8.50

Do you feel race, ethnicity, sex, gender, sexuality, disability
or

religion were a factor in this crime?

No

Evidence

Evidence

20:20:53 02APR21 CHS

ENTERED BY: CHS (c730178) AT: 2021-04-02 20:14:07

Has the suspect clearly left something at the scene; such as
clothing,

blood, any other bodily fluids, discarded items, obvious
fingerprints

or footprints? Or has the suspect caused any damage or made a
mess

searching?

No

Do you have any video, audio or photo evidence?

No

Does another person, business or company have video evidence
such as

CCTV or mobile phone footage?

I don't know

Witness details

Witness details

Did anyone else see what happened?
I don't know
Suspect details
Suspect details

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT
PAGE 7

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid
			Suspect 1
			Do you know this person?
			No I don't know anything about them
20:20:53	02APR21	CHS	
			ENTERED BY: CHS (c730178) AT: 2021-04-02 20:20:53
			DD ^ DIG101 the infmt believes this store sold alcohol to 14
			year old
			daughter - possible app needed - no access to call the infmt
			from this
			terminal wfh
20:24:17	02APR21	088140	H2721
			^ AWN THIS IS LICENSING ISSUES..
20:31:08	02APR21	718680	H2657
			LRT^AWNC REL CAN THIS BE PASSED TO THE LICENING TEAM THANKS
12:38:27	03APR21	236496	
			ENTERED BY: CADL (p236496) AT: 2021-04-03 12:38:27
			Sgt Ben Chadwick (Licensing PS for AW) emailed re this
			This CAD can now be closed

Previous Actions:

Time	Date	Opid	Termid	ACTION
				SYSTEM(EXTERNAL)
20:20:53	02APR21	CHS	CCC:EGS	O() 314:SUSPICIOUS
				CIRCUMSTANCES,600:ALCOHO
"	"	"	"	L
"	"	"	"	PI
20:21:04	"	741098	DIV:AWN	AK
20:23:37	"	088140	"	LOCA((HOLON) 35B, QUEENSWAY, W2:AMK food
				an
				d wine.) (CA)
20:24:38	"	"	"	AC()
"	"	"	"	AQ()
"	"	"	"	AR()
20:24:39	"	"	"	PS/CM
20:31:10	"	718680	"	AWT/LRT
12:31:31	03APR21	236496	CCC:CADL	VI/p236496
12:38:27	"	"	"	PI
12:38:30	"	"	"	VI/p236496
12:38:32	"	086028	DIV:AWN	AK
12:38:45	"	"	"	PS/CM
12:43:00	"	095427	"	ACR/NC
12:43:10	"	"	"	GF(E)LICENCING DEALING
12:43:11	"	"	"	CM
12:43:15	"	"	"	LOCA((HOLON) 35B QUEENSWAY, W2:AMK food
				and

CONTINUED ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

SINGLE INCIDENT PRINTOUT

PAGE 8

INCIDENT No. 7543:02APR21

Time	Date	Opid	Termid	ACTION
12:43:15	03APR21	"	DIV:AWN	wine.) (CA)
10:47:56	15APR21	230259	CCC:CADL	VI/p230259
16:07:44	"	"	"	VI/p230259
14:47:58	26APR21	"	"	VI/p230259
14:55:08	"	"	"	VI/p230259
11:51:07	29APR21	"	"	VI/p230259
15:57:23	10MAY21	"	"	VI/p230259
15:57:26	"	"	"	IP//1344aw/1/p230259@met.police.uk
13:39:49	08MAR22	204897	"	VI/p204897
13:39:51	"	"	"	IP//PC Deweltz/1/p204897@met.police.uk

... END OF

PRINT ...

SUBJECT TO FREEDOM OF INFORMATION ACT AND DATA PROTECTION ACT
NO UNAUTHORISED DISCLOSURE-DISPOSE OF AS CONFIDENTIAL WASTE.

Response to the review

My client is discontented with the decision made by the Metropolitan police Service and is appealing the decision of licence provocation due to the absence of any evidence to support the claim.

1. In the application to review, you have stated 'alleged sale of alcohol to children'. Therefore, you are aware that you are investigating allegations with no evidential background.

2. It was mentioned that you have conducted your own test purchasing operations to further investigate the claims regarding the premises license. The aim behind this was to accumulate evidence and examine the rightfulness behind the accusations. However, my client passed every single test. This should provide that my client is abiding by Section 51 of the Licensing Act 2003 and has not failed or breached any of his duties.

3. The latest report CAD (3604/26FEB22) concerning the alleged selling of alcohol to minors on my clients premises (AMK Food & Wine, 35B Queensway, London, W2 4QJ) has no validity. The report wrongfully claims that my client 'goes out of his way to cover his tracks' which is not possible as you have full control of the DVR and CCTV system. Officers have confirmed that recordings get automatically deleted after three days. Police licensing and Westminster City Council Inspectors only attended the premises four days after the report (26th February 2022) which meant the recording was no longer there. Therefore, it is evident that my client is being accused for a delay in action made on your behalf. Moreover, my client is stating that he was not working on the afternoon of the incident as he was visiting a friend in a nearby shop called 'Ismart'. The off-licence has a single employee which is my client; this means if he is away the premises will be closed. Therefore the alleged date and time of the purchase in the report CAD (3604/26FEB22) are misleading and untruthful.

4. As for the earlier reports sent in April and May 2021, the underage girls who allegedly purchased alcohol were both unwilling to provide statements and have not confirmed where they purchased the alcohol from which negates the validity of the reports.

5. In another statement made by PC Reaz Gueraa 1614CW on 17th March 2022, my client is described as being evasive when he was clearly overwhelmed and shocked by the allegations. My client felt distressed having officers on his premises as not only does it make his business look notorious but it also degrades his reputation amongst his neighbours in town and yet he remained responsive and cooperative.

6. You have further stated that that my client had failed to assist you even 'in the simplest of tasks' however my client has been very accommodating. This is seen through his recent purchase of an updated CCTV system which will save recordings for 30 days as requested by you. This purchase was made even though my client is having financial difficulties.

7. My client was adequately trained before getting a licensing approval therefore my client is well aware of the objectives and would not act in a way which contravenes The Licensing Act 2003. My client requests a proof of ID for almost every purchase as per stated in section 6 of the mandatory licensing condition and therefore feels the reports were merely a false statement.

Whilst we understand your duty in protecting children and preventing crime and disorder, this subject does not apply to my client, where he is being accused of suspicion with no evidence to approve any of the allegations. My client has not breached any of his objectives; therefore, the claim for license revocation is considered deficient.

Kind regards,

Response to the interested parties

Reference: 22/02885/LIREVP

Our Client: AMK Food 7 Wine – 35B Queensway, London, W2 4QJ

Re: 22/02885/LIREVP-AMK Food & Wine, 35B Queensway, London, W2 4QJ

Responses to the Interested Parties

Further to the email you have sent our client dated 14th April 2022 at 15:27, we are writing to you in regards to the representations that have been received during the consultation period.

In regards to the public representations received between 4th April and 13th April 2022, our client does not agree with the comments that several parties have made.

We believe that our client is being discriminated against and treated unfairly. Until this day, there is no proof to show that our client is selling alcohol to children. Most of these comments mention that Queensway continues to have issues of young underage people drinking; however, none of the six parties have mentioned that they have seen our client illegally selling alcohol to children nor have any evidence of his actions. Alternatively, these comments refer to the Queensway neighbourhood as a whole. It is considered unjust that our client's licence should be revoked based on the view that most people have about Queensway as an area and not based on our client's shop in particular.

Referring to [REDACTED], Please note that the presence of children outside the premises after school does not incriminate our client. It is of normal social behaviour that school children gather on the street at the end of the school day to buy snacks/ beverages from a corner shop or even gather outside it; it is not unusual and should not be used as evidence of illegal selling of alcohol. Moreover CCTV footage indicates that even when the shop is closed you will still find children standing in front of the place therefore, this point is invalid.

Our client understands the concern of the residents and the council. However, given that there is no evidence of any illegal trading related to our client, the revocation of the licence is unjust and disproportionate with the facts of the case. Please note that the underage girls who allegedly purchased alcohol were both unwilling to provide statements and have not confirmed where they purchased the alcohol from which negates the validity of the reports.

As for [REDACTED] arguments produced in the representation, most of the points listed are pure allegations. This includes 'decanting alcohol into Lucozade bottles' which is a very unreasonable argument, there is zero evidence to support this claim. In addition to that [REDACTED] also mentioned an arrest that took place in March 2021. Whilst we do agree that the arrest took place, no sentence was given regarding this incidence; therefore the 'Robbery' charge mentioned in the report is false which leads us to believe that all other arguments are false two.

By stating that, we are not underestimating the importance of the crime or the significance of the consequences of such an action. Our client himself believes that it is absolutely immoral, unethical, and unlawful to sell alcohol without checking customer's ID's; and since our client of a clear criminal record has passed all the purchasing operations tests that the police have conducted, this shows that there no basis to the accusations made especially that the police had full control of the DVR and CCTV system. Therefore, these accusations are unfounded.

Our client is not against the criminal proceedings taking place; instead, he has respect for the law and abides by it. Furthermore, our client requests that further investigations are thoroughly made so that the decision to revoke his license is fairly and justly issued.

We would like to bring to your attention the fact that our client has been suffering financially due to the Covid-19 pandemic due to the decreased demand and depreciation in the market. Therefore, we request that if a decision to revoke the licence will be made, it should be made based on evidence and not on mere suspicion. Such a decision would make our client's business look notorious, it would degrade his reputation amongst his neighbours in town, and may negatively affect his business further.

AMK Innovation Ltd

Witness Statement from the Premises Licence Holder

Witness Statement of Mr. Mustafa Alkifray

I, Mustafa Alkifray, the premises supervisor and license holder of AMK Innovation Limited of premises 35b Queensway, London, W2 4QJ, states the following:

I have been granted my licence in 2019 and have started my business since then. Unaware of the upcoming pandemic, I faced and continue to face financial difficulties. This was exacerbated by police claims and false accusations that were made on no factual grounds.

My License is being revoked as I am being held accountable for an offence that I have not conducted. I am thus being accused of selling alcohol to minors when in fact I would never execute such a deed as not only does it go against my Licensing objectives, but it also goes against my morals.

I am being denied my right to work based on reports that have no solid grounds to them. The reports drafted are far from the truth and completely untrue; this is supported by the lack of evidence. Allegations and reports are made against me only based on the general social perspective that underage drinking is common in Queensway; however, the revocation of my licence should be based on evidence and proof. I am not the only off-license shop in Queensway; there are at least six other shops around me that sell alcohol. I understand the concern of the residents and the council. However, given that there is no evidence of any illegal trading related to my shop, the revocation of the license is unjust and disproportionate with the facts of the case.

Two reports were drafted earlier to the police claiming that I sold alcohol to minors. However, please note that the underage girls who allegedly purchased alcohol were both unwilling to provide statements; they have not confirmed where they purchased the alcohol from which negates the validity of the reports.

More importantly, I was informed that the police have performed many test purchasing operations to check the validity of the reports; nevertheless, the results have further validated my innocence. This should provide that I am not involved in any of those allegations. In fact, I feel discriminated against and treated unfairly as until this day there is no proof that can confirm any of the claims. I have not breached any of my licensing objectives.

Furthermore, I have been very accommodating where I have done everything within my power to prove that the reports are false. This includes me changing my CCTV cameras to upgraded ones to satisfy the police's request. I have also provided them with all CCTV footages which clearly show that I am not involved in such an act. This further shows that I have nothing to hide; I have been cooperating and acting as requested by the police.

From the CCTV I am in possession of, I have realised a consistent social behavior in the neighbourhood and specifically in front of my shop. Customers that I have refused to sell alcohol to would come back and drink in front of my shop. I have CCTV to proof the following incidents:

- Two young boys who I have refused to sell alcohol to failed to provide me with their ID's when I asked. Afterwards, they were standing in front of my shop; a third person joined the couple of boys. They all had a conversation for a bit before the third customer went solely into my shop requesting to buy alcohol. I have suspected that the two boys that I rejected selling alcohol to have asked the third customer to buy alcohol for them. Consequently, I refused to sell the third customer too as I suspected that the two boys will get hold of the drinks if I did sell the third customer alcohol.
- A couple of young girls walked into my shop; they seemed to be intoxicated. I have asked them what are they were in my shop for, and they replied saying 'we just want to talk to you.' As soon as the girls said that, I told them to leave my premises, but they continued to speak to me. One of the girls pulled out a bottle of alcohol which was hidden in her jacket. Seeing that they are very intoxicated, I asked them where they got their alcohol from. The girl replied saying that they bought it from the souvenir shop on the street. The CCTV footage can show the events of this scenario.
- I have refused to sell two young girls alcohol. The girls passed by in front of my shop without carrying any alcohol bottles. After a while, the two girls can be seen walking with alcohol that they did not initially have. They chose to stand in front of my shop holding alcohol bottles that were bought from an unknown supplier. This proves that there is a supplier around our neighborhood illegally selling alcohol to underage individuals.
- Four young people can be seen in front of my shop with their alcohol bottles. From the footage, it can be seen that those individuals that buy alcohol elsewhere come back to stand in front of my shop.

I have told the police about the footage I have and they did not seem to give this information any importance. I continued to argue that these videos should be taken into account as they would dissolve me from all the allegations/claims that are being made against me.

Overall, these accusations have cost me a lot of money and time. They have also impacted the operation of my business where the police's continuous presence in my shop made me look unpleasant among my neighbor; I have lost a lot of customers as my image in the neighbourhood has been sabotaged. Considering the effect these claims had on myself and my business, I request that the decision is to be issued based on evidence and not on mere suspicion. Please also take into consideration my health condition, mental state, and the fact that this business did not have an opportunity to flourish as the shop was opened in September 2019. Therefore, I request further investigations into this so that the decision to revoke my license is fairly and justly issued.

Finally, I want to make it clear that I want to maintain my shop and continue to trade as long as I am complying with the licensing objectives. I request the present licensing committee to take into account all the mentioned above, and base their decision on logical analysis and sensible thoughts that take into account the movement of the economy, trade in the area, as well as the facts that I have not committed nor supported the allegations in question. I totally deny them all and insist to remain the holder of the licence and operate from the premises.

Except as otherwise stated, the facts included in this statement are true and accurate to the best of my knowledge. When I allude to facts that are not within my own expertise, I shall provide the source of my information along with my statement.

Name: **Mustafa Alkifray**

Date: 16th May 2022



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

Schedule 12
Part A

**WARD: Lancaster
Gate
UPRN: 010033560272**

Premises licence

Regulation 33, 34

**Premises licence
number:**

22/03073/LIPVM

Original Reference:

05/10334/LIPC

Part 1 – Premises details

Postal address of premises:

AMK Food & Wine
35B Queensway
London
W2 4QJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

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

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

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30

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:

Amk Innovation Limited
199 Uxbridge Road
London
W12 9DH

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

12201928

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

Name: Mustafa Alkifray

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: 2019-01726-LAPER
Licensing Authority: London Borough Of Hammersmith & Fulham

Date: 11 April 2022

This licence has been authorised by Jessica Donovan 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.

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

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

In this condition, permitted hours means:

- (a) On weekdays, other than Christmas Day, 08:00 to 23:00
- (b) On Sundays, other than Christmas Day, 10:00 to 22:30
- (c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
- (d) On Good Friday, 08:00 to 22:30

NOTE - The above restrictions do not prohibit:

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

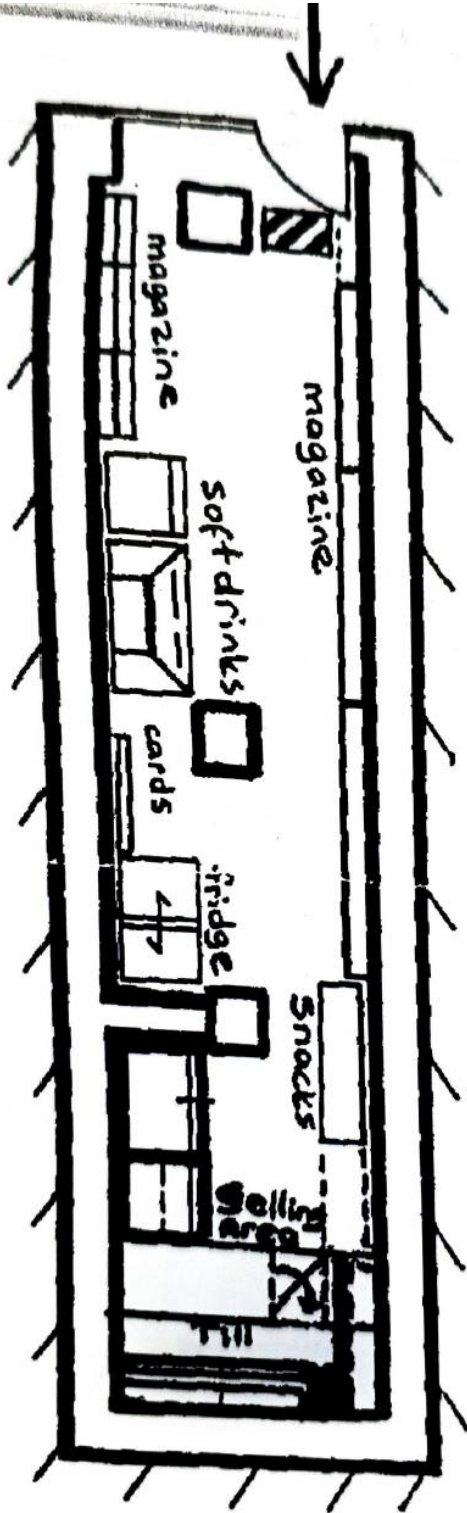
- 7. Alcohol shall not be sold in an open container or be consumed in the licensed premises.

Annex 2 – Conditions consistent with the operating Schedule

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
9. 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. 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.
11. 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.
12. 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.

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

None





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

Schedule 12
Part B

Premises licence
summary

WARD: Lancaster
Gate
UPRN: 010033560272

Regulation 33, 34

Premises licence
number:

22/03073/LIPVM

Part 1 – Premises details

Postal address of premises:

AMK Food & Wine
35B Queensway
London
W2 4QJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

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

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

Playing of Recorded Music Unrestricted

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

Sale by Retail of Alcohol

Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30

For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1

The opening hours of the premises:

Monday to Saturday: 08:00 to 23:00
Sunday: 10:00 to 22:30

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:

Amk Innovation Limited
199 Uxbridge Road
London
W12 9DH

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

12201928

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

Name: Mustafa Alkifray

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

Restricted

Date: 11 April 2022

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

**Consultee Comments for Licensing Application
22/02885/LIREVP**

Application Summary

Application Number: 22/02885/LIREVP
Address: 35B Queensway London W2 4QJ
Proposal: Review of a Premises Licence
Case Officer: Miss Jessica Donovan

Consultee Details

Name: Dave Nevitt
Address: City Hall, 64 Victoria Street, London SW1E 6QP
Email: Not Available
On Behalf Of: Environmental Health Administration

Comments

I wish to make Representations in respect of this application by the Metropolitan Police for a Review of Licence 20/09113/LIPCHT. The Police seek revocation of the Licence. Environmental Health as a Responsible Authority under the Licensing Act 2003 will submit a full list of complaints, details of visits and outcomes in relation to the premises, and a number of proposed conditions which seek to promote the Licensing Objectives (Protection of Children from Harm, Prevention of Public Nuisance, and Public Safety) for consideration prior to the sub-committee Hearing. An Environmental Health Officer will be available to attend and participate at the Hearing

APPLICATION FOR REVIEW OF PREMISES LICENCE 20/09113/LIPCHT

REVIEW APPLICATION REF: 22/02885/LIREVP

AMK Food & Wine, 35B Queensway

ENVIRONMENTAL HEALTH COMMENTS:

- 1. It is noted that the Police seek Revocation of the Licence.**
- 2. It is also noted that the 'Issued' Licence for the premises is 22/03073/LIPVM.**
- 3. The 'Issued' Licence 22/03073/LIPVM includes the following Conditions:**

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

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

In this condition, permitted hours means:

(a) On weekdays, other than Christmas Day, 08:00 to 23:00

(b) On Sundays, other than Christmas Day, 10:00 to 22:30

(c) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30

(d) On Good Friday, 08:00 to 22:30

NOTE - The above restrictions do not prohibit:

(a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

(b) ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;

(c) sale of alcohol to a trader or club for the purposes of the trade or club;

(d) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces.

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

Annex 2 – Conditions consistent with the operating Schedule

8. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
9. 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. 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.
11. 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.
12. 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.

If the Committee is minded to Revoke the Licence 20/09113/LIPCHT Environmental Health have no further comments or observations to make. If, however, the Committee is NOT minded to Revoke the Licence EH request that all of the above Conditions are applied to the Licence. In addition to the above, EH propose the following further Conditions in support of the Licensing Objectives:

MC12 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.

MC13 Loudspeakers shall not be located in the entrance lobby or outside the premises building.

MC28 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.

MC29 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.

MC30 No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.

MC31 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.

MC32 There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

MC33 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.

MC80 Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.

DAVID NEVITT

28.4.2022

I write in relation to the application for a review of the premises licence for AMK Food & Wine - 35B Queensway, London, W2 4QJ.

As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered the application that the Metropolitan Police have submitted a review and have concerns in relation to the operation of the premises and how the premises promote the four Licensing Objectives:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of children from harm

The Licensing Authority raise particular concern to the licence holder not abiding to the protection of children from harm when taking into account the evidence the Police have submitted along with their grounds for review of the premises licence, specifically the continuous selling of alcohol to children.

Paragraph 11.29 of the Revised guidance issued under section 182 of Licensing Act 2003 (the 182 Guidance) in relation to premises licence following persistent sales of alcohol to children states; “*The Government recognises that the majority of licensed premises operate responsibly and undertake due diligence checks on those who appear to be under the age of 18 at the point of sale (or 21 and 25 where they operate a Challenge 21 or 25 scheme). Where these systems are in place, licensing authorities may wish to take a proportionate approach in cases where there have been two sales of alcohol within very quick succession of one another (e.g., where a new cashier has not followed policy and conformed with a store’s age verification procedures).*”

The Licensing Authority make specific reference to the following paragraph;

However, where persistent sales of alcohol to children have occurred at premises, and it is apparent that those managing the premises do not operate a responsible policy or have not exercised appropriate due diligence, responsible authorities should consider taking steps to ensure that a review of the licence is the norm in these circumstances.

This is particularly the case where there has been a prosecution for the offence under section 147A or a closure notice has been given under section 169A of the 2003 Act. In determining the review, the licensing authority should consider revoking the licence if it considers this appropriate.”

The Licensing Authority believes that Mr Alkifray has little respect in abiding by the four licensing objectives as a premises licence holder and agree with the Metropolitan Police’s request to revoke the premises licence as he has continued to put children at risk.

It is for this reason and the other reasons highlighted above that the Licensing Authority submit a formal representation.

Should the Licensing Authority wish to provide further submission they will do so before the hearing.

Many Thanks

Karyn Abbott
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department

Westminster City Council
15th Floor
64 Victoria Street

London SW1E 6QP

Mobile 07866 019698

Call Centre (for general queries) 020 7641 6500

[REDACTED] and walk past the premises daily and see under age teenagers congregate outside the premises almost daily after school and at the weekends and then proceed to Hyde Park to drink dangerous levels of alcohol. Some children are as young as 11 and ambulances are called daily due to dangerous underage drinking that is a direct consequence of these premises illegal selling of alcohol to kids. The sale of alcohol to teenagers by these premises is seriously endangering children and teenagers lives and they must have their license removed or it could prove catastrophic for the children in the area and further away. I know from speaking to my children that kids come from all over London to buy alcohol from

[REDACTED]
Received: 12 Apr 2022
SUPPORT

We have viewed the information regarding the review

We are shocked and appalled that this premises may be undertaking underage sales of alcohol.

We are incredibly concerned for the wellbeing of these children.

We are also very concerned that this sort of thing is happening right under our noses at such proximity to our premises.

It goes without saying that the medical consequences of underage drinking are dire.

We are in favour of the license to be reviewed.

Thank you for your efforts to protect children from harm.

[REDACTED]
Received: 12 Apr 2022
SUPPORT

[REDACTED]
[REDACTED] I have held the position of [REDACTED] for over 3 years and have worked within the [REDACTED] for over 2 years. In my role as a [REDACTED], I am responsible for managing and leading on medium to long-term problem-solving activity on local crime, anti-social behaviour and public realm issues.

I make this statement from my own personal knowledge and the contents are true. If the contents are not within my own personal knowledge, they are true to the best of my knowledge information and belief.

During my time in the role of [REDACTED], I have been witness to and made aware of various types of anti-social behaviour, particularly within the Queensway vicinity. The main types of anti-social behaviour taking place includes: accosting members of the public demanding money, often aided by the use of cardboard signs and cups; littering, urinating and defecating in public places; loitering in public places under the influence of drugs and/or alcohol; obstruction of the highway and the entrances of premises with personal belongings; and behaving in an aggressive and hostile manner when asked to leave private premises by their owners. The area team has recently also seen an increase in violent offences and robberies against young persons on Queensway, as well as alcohol-related antisocial behaviour caused by groups of young persons congregating on Queensway.

Over the past year, I have received a number of reports and intelligence relating to breach of licence by AMK Food and Wine, 35B Queensway. In April 2021, intelligence was received

from a member of the public that the shop was allowing the sales of alcohol to underage persons and decanting the alcohol into Lucozade bottles. Upon liaising with Police colleagues, it was revealed that the DPS had been arrested in March 2021 for robbery on Queensway. In November 2021, a further two complaints were received from concerned parents regarding the sales of alcohol to their underage children. In February 2022, a further report was received regarding the sale of alcohol to two underage females (ages 13 and 14) that had taken place in January. I would support the review of the premises licence as the sales of alcohol to underage persons is contributing to the antisocial behaviour on Queensway.

I am willing for this statement to be shared with the MET Police, Westminster City Council and the Magistrates Court in order to support formal enforcement action.

Licence & Appeal History

Application	Details of Application	Date Determined	Decision
05/10334/LIPC	<p>Conversion Licence</p> <p>Playing of Recorded Music: Unrestricted</p> <p>Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit: Unrestricted</p> <p>Sale by Retail of Alcohol: Monday to Saturday: 08:00 to 23:00 Sunday: 10:00 to 22:30</p>	03.10.2005	Granted under Delegated Authority
06/09887/WCCMAP	Master Licence	03.10.2005	Granted under Delegated Authority
11/06688/LIPT	Transfer Application - Mr Javed Jiwani to Mr Ashok Kumar	24.07.2011	Granted under Delegated Authority
11/06692/LIPDPS	Application to Vary the Designated Premises Supervisor	25.07.2011	Granted under Delegated Authority
19/14327/LIPT	Transfer Application - Mr Ashok Kumar to Amk Innovation Limited	20.12.2019	Granted under Delegated Authority
20/01050/LIPDPS	Application to Vary the Designated Premises Supervisor	12.02.2020	Granted under Delegated Authority
20/09113/LIPCHT	Change of Details	07.10.2020	Granted under Delegated Authority
22/02401/LIPVM	Minor Variation – To add 4 model conditions	29.03.2022	Application rejected
22/03073/LIPVM	Minor Variation – To add 4 model conditions	11.04.2022	Granted under Delegated Authority

There is no Temporary Event Notice or appeal history for this premises.



Resident count: 477

Licensed premises within 75 metres of 35B Queensway London W2 4QJ

Licence Number	Trading Name	Address	Premises Type	Time Period
06/10311/WCCMAP	Taza Take Away	35A Queensway London W2 4QJ	Shop	Monday to Sunday; 10:00 - 00:00
22/03073/LIPVM	AMK Food & Wine	35B Queensway London W2 4QJ	Shop	Monday; 08:00 - 23:00 Tuesday; 08:00 - 23:00 Wednesday; 08:00 - 23:00 Thursday; 08:00 - 23:00 Friday; 08:00 - 23:00 Sunday; 10:00 - 22:30
17/06728/LIPN	Queensway Food Wine	31-31A Queensway London W2 4QJ	Shop	Sunday; 08:00 - 00:00 Monday to Saturday; 07:00 - 00:00
15/03800/LIPT	Queensway Food & Wine	37 Queensway London W2 4QJ	Food store	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
20/04031/LIPD	Kalinka	35 Queensway London W2 4QJ	Shop	Sunday; 12:00 - 18:30 Monday to Saturday; 11:00 - 20:00
10/04568/LIPN	Curry Place	36 Queensway London W2 3RX	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 11:00 - 23:30 Friday to Saturday; 11:00 - 00:00
21/07962/LIPDPS	Rosa's	36 Queensway London W2 3RX	Not Recorded	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00
19/15603/LIPT	Food Basics Limited	28 Queensway London W2 3RX	Restaurant	Sunday; 10:00 - 22:30 Monday to Saturday; 10:00 - 23:00
18/07658/LIPN	Urban Baristas	Ground Floor 11 Queensway London W2 4QJ	Not Recorded	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30
18/08878/LIPT	Del Casa	27 Queensway London W2 4QJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday;

				10:00 - 00:30
21/04671/LIPDPS	Queens Ice Bowl	Queens Ice Club 17 Queensway London W2 4QP	Ice rink	Monday; 09:00 - 23:30 Tuesday; 09:00 - 23:30 Wednesday; 09:00 - 23:30 Thursday; 09:00 - 23:30 Friday; 09:00 - 00:00 Saturday; 09:00 - 00:00 Sunday; 09:00 - 23:00
21/07343/LIPN	Ceru	11 Queensway London W2 4QJ	Restaurant	Sunday; 09:00 - 22:00 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
13/08953/LIPT	Royal China Chinese Restaurant	13 Queensway London W2 4QJ	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/13617/LIPVM	Pizza Pilgrims	38 Queensway London W2 3RS	Restaurant	Monday; 10:00 - 23:30 Tuesday; 10:00 - 23:30 Wednesday; 10:00 - 23:30 Thursday; 10:00 - 23:30 Friday; 10:00 - 00:00 Saturday; 10:00 - 00:00 Sunday; 12:00 - 22:30
20/00632/LIPN	Not Recorded	40 Queensway London W2 3RS	Cafe	Monday to Sunday; 09:00 - 21:00
21/04894/LIPDPS	Not Recorded	18 - 20 Queensway London W2 3RX	Cafe	Sunday; 07:00 - 23:00 Monday to Saturday; 07:00 - 23:30
15/11442/LIPN	The London Shop	10 Queensway London W2 3RX	Shop (large)	Sunday; 10:00 - 22:00 Monday to Saturday; 08:00 - 23:00
06/10112/WCCMAP	Mandarin Kitchen	14-16 Queensway London W2 3RX	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
19/14229/LIPT	Manoush Restaurant	48 Queensway London W2 3RY	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday;

				10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
16/02012/LIPDPS	Taste Of India	51 Queensway London W2 4QH	Restaurant	Sunday; 12:00 - 22:30 Monday to Saturday; 12:00 - 23:30
16/05337/LIPT	Kam Tong Chinese Restaurant	59-63 Queensway London W2 4QH	Restaurant	Sunday; 12:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
21/05954/LIPCH	Bella Italia	55-57 Queensway London W2 4QH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
17/02109/LIPDPS	Maharaja	50 Queensway London W2 3RY	Restaurant	Monday to Sunday; 12:00 - 00:30

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