



City of Westminster

Committee Agenda

Title: **Licensing Sub-Committee (2)**

Meeting Date: **Thursday 29 September 2022**

Time: **10.00 am**

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

Members: **Councillors:**

Maggie Carman (Chair)
Judith Southern
Caroline Sargent

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. TROPICA, 1 LOWER GROSVENOR PLACE, SW1W 0EJ

(Pages 1 - 50)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Knightsbridge and Belgravia * None ** Victoria	Tropica 1 Lower Grosvenor Place SW1W 0EJ	Premises Licence Variation	22/06523/LIPV
*Cumulative Impact Area ** Special Consideration Zone			

2. TACO BELL, 346-348 EDGWARE ROAD, W2 1EA

(Pages 51 - 158)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
Church Street * None ** None	Taco Bell 346-348 Edgware Road W2 1EA	New Premises Licence	22/05206/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

3. POKEHOUSE, BASEMENT AND GROUND FLOOR, 13 NEW ROW, WC2N 4LF

(Pages 159 - 182)

Ward CIA* SCZ**	Site Name & Address	Application Type	Licensing Reference No.
St James's * West End ** None	Pokehouse Basement and Ground Floor 13 New Row WC2N 4LF	New Premises Licence	22/06963/LIPN
*Cumulative Impact Area ** Special Consideration Zone			

**Stuart Love
Chief Executive
22 September 2022**

In considering applications for Premises Licences under the Licensing Act 2003, the Sub Committee is advised of the following:

Policy Considerations

The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy, effective from January 2021.

Guidance Considerations

The Licensing Sub-Committee is required to have regard to any guidance issued by the Secretary of State under Section 182 the Licensing Act 2003. The most recent version was published in April 2018.

Core hours When Customers Are Permitted to Be on The Premises

Core hours, as set out in the Council's Statement of Licensing Policy 2021, are when customers are permitted to be on the Premises. The maximum opening hours permitted will not exceed the start time and terminal hour for each of the days where licensable activity is permitted.

Note: The core hours are for all licensable activities but if an application includes Late Night Refreshment, then the starting time for that licensable activity will be 11.00 pm.

1. Casinos

Up to 24 hours a day whilst Casino Gaming is permitted by a Premises Licence under the Gambling Act 2005.

2. Cinemas, Cultural Venues and Live Sporting Premises

Monday to Sunday: 09:00 hours to 24:00 hours

3. Hotels

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

Sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours

4. Off licences

Monday to Saturday: 08:00 hours to 23:00 hours

Sunday: 09:00 hours to 22:30 hours

5. Outdoor Spaces

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

6. Pubs and bars, Fast Food and Music and Dance venues

Monday to Thursday: 10:00 hours to 23:30 hours

Friday and Saturday: 10:00 hours to 24:00 hours

Sunday: 12:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 12:00 hours to 24:00 hours

7. Qualifying Clubs

Monday to Thursday: 09:00 hours to 24:00 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

8. Restaurants

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

9. Sexual Entertainment Venues and Sex Cinemas

Monday to Thursday: 09:00 hours to 23:30 hours

Friday and Saturday: 09:00 hours to 24:00 hours

Sunday: 09:00 hours to 22:30 hours

Sundays Immediately Prior To A Bank Holiday: 09:00 hours to 24:00 hours

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City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	29 September 2022
Licensing Ref No:	22/06523/LIPV - Premises Licence Variation
Title of Report:	Tropica 1 Lower Grosvenor Place London SW1W 0EJ
Report of:	Director of Public Protection and Licensing
Wards involved:	Knightsbridge and Belgravia
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	30 June 2022		
Applicant:	Mr Adriano Dulgher		
Premises:	Tropica		
Premises address:	1 Lower Grosvenor Place London SW1W 0EJ	Ward:	Knightsbridge and Belgravia
		Cumulative Impact Area:	None
		Special Consideration Zone:	Victoria
Premises description:	The premises operates as a Bar.		
Variation description:	<p>This variation application seeks to permit the following:</p> <p>To extend the hours for Late Night Refreshment and Retail Sale of Alcohol for Sunday to Wednesday to 23:45 and Thursday, Friday and Saturday until 1:45 am.</p> <p>Also, extend the opening hours Thursday, Friday and Saturday until 02:00.</p>		
Premises licence history:	<p>The premises has had the benefit of a premises licence since June 2022.</p> <p>The current premises licence (22/07818/LIPRW) can be viewed at Appendix 2 of this report.</p> <p>A full licence history and Decision from the recent Licensing Sub-Committee on the 16th of June 2022 for the premises appears at Appendix 3.</p>		
Applicant submissions:	None		
Applicant amendments:	None		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	23:45	Ground and Lower Floor	No change
Tuesday	23:00	23:30	23:00	23:45		
Wednesday	23:00	23:30	23:00	23:45		
Thursday	23:00	23:30	23:00	01:45		
Friday	23:00	00:00	23:00	01:45		
Saturday	23:00	00:00	23:00	01:45		
Sunday	N/A	N/A	23:00	23:45		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			On new years eve to new years day we can operate until operate 5am the next day	

Sale by Retail of Alcohol						
On or off sales		Current :			Proposed:	
		Both			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	23:45	Ground and Lower Floor	No change
Tuesday	10:00	23:30	10:00	23:45		
Wednesday	10:00	23:30	10:00	23:45		
Thursday	10:00	23:30	10:00	01:45		
Friday	10:00	00:00	10:00	01:45		
Saturday	10:00	00:00	10:00	01:45		
Sunday	12:00	22:30	10:00	23:45		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			On new years eve to 5 am on new years day	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	08:00	00:00	10:00	00:00	Ground and Lower Floor	No change
Tuesday	08:00	00:00	10:00	00:00		
Wednesday	08:00	00:00	10:00	00:00		
Thursday	08:00	00:00	10:00	02:00		
Friday	08:00	00:00	10:00	02:00		
Saturday	08:00	00:00	10:00	02:00		
Sunday	08:00	00:00	10:00	00:00		
Seasonal variations/ Non-standard		Current:			Proposed:	
		None			On new years eve to 5 am on new years day	

timings:		
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2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Tom Stewart
Received:	20 July 2022
<p>I refer to the above-mentioned application for a full variation.</p> <p>Following consideration of the application and how it may affect the Licensing Objectives, I wish to make the following representations:</p> <p>The proposed extension of licensable activities is likely to undermine the following licensing objectives:</p> <ul style="list-style-type: none"> • The Prevention of Crime and Disorder <p>The hours requested are beyond the core hours for a premises of this type and the conditions offered within the operating schedule are insufficient to promote the licensing objectives.</p>	
Responsible Authority:	Environmental Health Service
Representative:	Maxwell Koduah
Received:	20 July 2022
<p>I refer to the variation application for the above-mentioned premises. I have considered the information that you have provided within and accompanying this application. I have also considered the application in line with the relevant policies within the Councils Statement of Licensing Policy dated October 2021.</p> <p>The applicant seeks to extend the hours for the provision of late-night refreshment indoors and outdoors Thursday to Saturday from 23:00 to 01:45 hours</p> <p>Proposed Environmental Health conditions in addition to those contained within operating schedule</p> <ol style="list-style-type: none"> 1. The hours requested to provide late night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area <p>The hours sought are outside the Council's core hours further discussions will be held with applicant on the unique merits of the applicant.</p> <p>As presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area</p> <p>Please contact me if you are minded discussing any of the matters above.</p>	

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	26 July 2022
<p>No other premises in the area, including all the licensed premises in Nova, extend beyond 11 pm. I along with other neighbours strongly object to the this licensee receiving a license longer than anyone else. We fear that any permission outside the normal hours will be "the thin end of a wedge" which will not be reversible in the future.</p> <p>I believe that this was an argument accepted by the Committee at a hearing earlier this year in respect of the same applicant/premises. The application was rejected then and should be rejected again, This was also an argument accepted by the planning/licensing committee in the case of BBar (in the Rubens Hotel) in 2016 when such an extension again as "a club" was refused. We strongly request that the committee continues to follows this precedent.</p> <p>The block of houses/shops bounded by (a) 19 to 25 Victoria Square (b) the nail bar to the Bag of Nails pub on Buckingham Palace Road (c) 1 to 5 Lower Grosvenor Place form a closed rectangle of which the terrace of 1 Lower Grosvenor Place is part. Noise easily ricochets around the buildings. I believe that this application (unlike the last one) does not include outside drinking in the gardens. Nevertheless I fear that noise will escape and accordingly the quiet enjoyment of all the premises mentioned above will be disturbed.</p> <p>So on both the above grounds I request that the Committee does not grant any extension to the "normal" hours for the area (i.e. the same licensing terms as all the other entertainment venues in this area).</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	26 July 2022
<p>I object to this application in the strongest terms. The original application by this applicant for an extension was rejected. It is a gross abuse of process to be submitting a further application so soon after that rejection and trying to use temporary late night extensions to undermine and circumvent the decision that has been made. Notwithstanding its central location, Victoria Square and the surrounding area has a strong residential character, including a number of young families, and the residential concentration is increasing with the recent social housing on part of Buckingham Palace Road and the new developments underway on Buckingham Palace Road and Eaton Lane, which is to be welcomed. Our Square is particularly vulnerable to the effects of increased numbers of people using hospitality venues. We already frequently suffer from the noise of rowdy late-night revellers in Victoria Square which is amplified by the enclosed architecture of the Square. This would only get worse if licensing hours were extended. We have recently had problems with people breaking into the Square garden in the early hours of the morning and with drug dealing taking place. There is clearly a risk of antisocial problems increasing if establishments were to be permitted to extend their licensing hours. I do not think the licensing hours for any establishment in the area should be extended beyond those applicable to the area generally. I am extremely concerned that approving an extension of licensing hours as requested by the applicant would create a dangerous precedent and be completely incompatible with a residential neighbourhood. I strongly believe the emphasis in planning should be on encouraging people and families to move back into central London to live, with shops that support a large and diverse residential community, not on creating a late-night economy.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	8 July 2022
<p>I strongly oppose this application. Very recently indeed, the Licensing Committee decided to restrict the opening hours until midnight. This in itself I found extremely disappointing for all of the reasons explained in my previous representations. Most pertinently, this premises has a yard backing directly onto a space which has the rear elevations (and rear bedroom windows) of numbers 19, 20, 21, 22, 23, 24 and 25 Victoria Square, as well as residential premises on Buckingham Palace Road and Lower Grosvenor Place. As predicted, there are already very loud noises including the moving of large numbers of bottles echoing around this space at all hours, disturbing the residents and their families and children. There is absolutely no basis for this establishment to be permitted to operate until 3am. If that is permitted then we will be driven to consider all of our options including legal action.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	8 July 2022
<p>We face increasingly anti social behaviour in the neighbourhood due to late openings of such venues.</p> <p>Recently, we have had our plants stolen and car damaged. Not to count intoxicated people yelling and drug deliveries happening in our area.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	19 July 2022
<p>As a resident of [REDACTED] I have a particular interest in this as we objected to the original application. I also attended the Licensing Subcommittee hearing on 16 June at 10am where the Committee specifically denied the request to extend hours.</p> <p>It is puzzling to me why this request is even being evaluated as the decision was clear and unambiguous at the hearing. This is obviously an attempt to subvert the established process and to circumvent the outcome. This Temporary Event Notice application has no additional information and does nothing to support a reversal of the original decision.</p> <p>I strongly encourage you to deny this application and to restrict this enterprise to the established opening and closing times of the area.</p> <p>Finally, it appears that the establishment is currently violating two of the existing conditions as the door is frequently left open, and there are chairs outside on the street. It was my understanding that the door was to remain closed and that no outside space was to be allocated.</p>	

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ████████████████████

Received: 26 July 2022

We wish to object strongly to the above application of a variation to a premises licence, subjected by Mr. Adriano Dulgher.

We live at ████████████████████ and since the completion of the nearby Nova development and the renovation of the Grosvenor Estates' owned commercial properties on the north side of Buckingham Palace Road (opposite the Nova development) there has been a significant increase in the number of licensed restaurants and bars operating in the vicinity. These, together with the other businesses that have acquired leases and occupied premises in the Nova Development and the renovated Grosvenor properties along Buckingham Palace Road has resulted in a massive increase in traffic and pedestrian flow in and around Victoria Square. The increase in traffic is due largely to people seeking to access and depart the numerous new commercial premises and to the various service and produce suppliers to such business premises. The latter in vans, cars, trucks and bicycles (motor and push) thereby increasing the road traffic in and around Victoria Square. The Square and nearby roads have now become so congested that the exit from Victoria Sq to Beeston Place has frequently become a bottleneck.

Victoria Square has also become a focal point for a number of the customers of the numerous nearby restaurants and bars to gather once they have finished their meals and drinks, particularly late at night and we have frequently been woken by the shouting, laughing and general anti social behaviour of those gathered in the Square. This has extended to personal relief and drug taking and dealing. We believe that the drug dealers have recently been identified by the police and this activity appears to have ceased for the time being.

These gatherings often take place late into the night and to the early hours of the morning. We have personally suffered from this nocturnal activity as we had a plant and plant pot stolen from the steps of 1 Victoria Square on the night of the 3/4 July this year.

We consider that there are more than enough licenced restaurants and bars without further premises being granted liquor licences especially until 1.30-3am. We understand that there are no other late night liquor licences granted to restaurants and bars in the area, although there have been a number of applications made by existing business owners. These have so far been rejected. Mr Dulgar appears to have applied for a number of Temporary Event Notices (TENs) to seek extended licences up to 1.30 am which I understand if granted can lead to a permanent late licence. Such a late licence would only put increased pressure on the Council and licensing authorities to grant more which will further increase the traffic flow and the number of late night revellers in the Square. We very much hope that for the well-being of the local community you will decide to reject Mr Dulger's application/ applications.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████

Received: 8 July 2022

The applicant was granted a licence for core hours recently, and his application for extended hours was refused. I opposed the first application and oppose this application for the same reasons. The application contravenes PN1 (as well as CD1 and PS1). There is a problem with disturbance to local residents caused by noise at night and other antisocial behaviour which extended hours would worsen. It would inevitably result in the dispersal of customers late at night in Victoria Square. The square is very quiet at night and the houses, being listed, have no sound insulation or double glazing. Drunk customers leaving local premises frequently

congregate in the square after dark and wake up local residents. This often occurs late, particularly over the weekend but also in the week. People also break into the garden square by climbing over the railings to sit on the benches. There have also been a number of thefts and problems with people relieving themselves in the square. These problems have become worse, probably because the applicant has been operating very late hours using TENs.

The application provides no significant proposals for avoiding nuisance. Management of the dispersal of customers is not properly addressed. The premises are in the Victoria SCZ and the application contains no concrete proposals addressing local issues. D56 states that noise at night is a particular local issue.

The application is also contrary to the Council's Core Hours Policy. The proposed hours go well beyond the time periods granted to other nearby premises. The applicant has also been using the TEN system to operate very late hours (to 3:00am) despite being refused permission for late hours on his initial application. There have been no "special events". The TEN system has been used to get round the licensing committee's original decision which is totally inappropriate.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████

Received:	13 July 2022
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I have lived ██████████ for nearly 30 years and during this period the Council has been excellent in prohibiting licensing hours to go beyond 12.00 in our neighbourhood. Even so over the years there has been regular bad behaviour but tolerable. However in May this year we were subject to regular bad behaviour at weekends with drunks in the square garden just after 3.00 am. One lot played football another lot we're having increasingly loud heated conversations with young women. Even normal conversation because of the shape of the square is amplified. I object strongly to any licence that goes beyond 12.00. I also find it disgraceful that there seems to be a way to get special extensions that make a mockery of the Council's decision not to give a licence beyond 12.00 and results in broken nights for residents as well as fear as to what these drunkards could get up to.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████

Received:	27 July 2022
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My husband and I recently purchased a home in Victoria Square and are keenly interested in its development and security. Being located at close proximity to Victoria Station, we knew that there would be traffic and pedestrians as a result. We did not, however, see the area as a late-night district because we were aware of the opening and closing restrictions on the establishments near us. Specifically, we thought that the closing hour of 11pm would give us a decent respite from the daytime buzz that inevitably results from such a location.

This request, if approved, would turn that decision on its head and would surely invite the neighbouring competitors to demand late hours as well. I know that each application would be judged on its own merits, but the precedent would be set and I fear it would only be a matter of time before the area became alive until the middle of the night.

I attended the recent hearing where this application was denied, and for good reason. I thought the case was closed. Additionally, the police made it clear at the hearing that their patrol is unavailable for any such extended hours.

I strongly request that you restrict the applicant to the standard opening and closing hours of the area.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 July 2022
<p>I object to the licence being applied for above. Periodically I am wakened in the early hours by young people partying outside my home, music is played sometimes; I assume the revellers come after leaving a local establishment. The noise continues until between 4am and 5am, this is antisocial behaviour. I am a seventy-four-year-old widow and I do not challenge the young people because I fear reprisals. If a licence is granted allowing alcohol to be served until 3am antisocial behaviour will increase. There are many flats and houses in the area. Residents include school children and adults of working age, both need uninterrupted sleep at night to function during the working day.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	28 July 2022
<p>An extension of opening hours will cause further nuisance, primarily interrupting our sleep, with our bedrooms at the front of our apartment just a few doors up from the bar.</p> <p>Through TENs the venue has been operating early into the morning and this has disturbed us in the following ways:</p> <ul style="list-style-type: none"> - Music volume has been well beyond background level and has be audible in our apartment in the early hours of the morning - People drinking on tables outside have been making noise that has kept us awake - Noise from the bar has also be audible from the rear of our property as well as from the front <p>We recognise that with TENs in place, the venue has likely not breached any conditions. But with the conditions in the license freshly discussed as a way to ensure the venue operates without causing nuisance, the decision not to adhere to them during late night trading strongly indicates there is no genuine regard for neighbours:</p> <ul style="list-style-type: none"> - The front door has regularly been propped open - The rear window has been open - Customers are sitting outside on tables and chairs provided by the venue - Music has been considerably louder than background level <p>Later opening hours were discussed at the original license hearing with the possibility of focusing these around the weekend. This has already been rejected by the committee. There has been no material change to the premises or offer to impact this decision. But the issues above highlight how later trading definitely causes a nuisance.</p> <p>Noise issues have been reported to Environmental Health twice; late evening on Saturday 25th June and early morning on Sunday 24th July.</p> <p>We would like to highlight that the council is still to publish the license, and no notes from the hearing were circulated. This, in our opinion, undermines this consultation process. We feel this does not comply with reg. 28 of Licensing Act 2003 (Hearings) Regulations 2005.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	27 July 2022
<p>We strongly object to this application. Victoria Square seems to have become a focal point for some groups of people to continue their late night revelling after the local restaurants and bars close. We are awoken on a regular basis at any time between Midnight and 3am by loud talking, shouting and general anti social behaviour. Drugs are used and on many occasions we have seen people climbing over the railings into the garden. These regular disturbances have become unbearable.</p> <p>We understand that the Applicant has received a number of Temporary Event Notices already and are horrified at the thought of him receiving more which can presumably only lead to other premises making the same applications.</p> <p>We consider that there are already more than enough licenced restaurants and bars in the area without further premises being granted late night liquor licences.</p> <p>We very much hope that for the well being of the Residents of this beautiful residential square you will decide to reject Mr Dulger's application.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 July 2022
<p>On 16th June 2022 the applicant was granted a licence within the normal Victoria licensing hours, namely, Monday to Thursday 23:30pm, Friday and Saturday midnight and Sunday 22:30pm. We opposed his application to open to 3am daily because it was outside the above hours and if granted would cause considerable nuisance to all the surrounding residential areas including Victoria Square, Buckingham Palace Road, Lower Grosvenor Place, Nova and Eaton Lane. Victoria is not and should not become another Soho with a late night economy. It is now a mixed use residential and commercial area with the residential element increasing. Victoria Square does suffer from invasion of the gardens, some late night drug dealing and antisocial behaviour including loud noise.</p> <p>The committee in giving its decision agreed that the normal hours should apply in this case. Since the decision the applicant has applied for a series of 3 day weekend TENS. This is a snub to local democracy and seeks to circumvent the committee's decision. This application seeks to do the same by refusing to accept the legitimate decision making process of the licensing authority as seen in the decision of 16th June. The police and environmental health officers also objected to the extension of the hours beyond the normal on the grounds of health and safety. I object to this application on the grounds above and the fact that,if granted, the extension of the hours will prevent residents quiet enjoyment of their premises during the night.</p> <p>Additional Submissions Received 13th September 2022</p> <p>I would like to supplement my original objection submitted in relation to the granting of a licence to 1 Lower Grosvenor Place as a response to the new hearing requested by Mr Adriano Dulgher.</p> <p>The extension of the hours requested by the applicant will damage the VSCZ because it would undermine the licensing objectives if the hours are extended beyond the core hours as set out in the WCC core hour policy. Such an extension would add further problems to the area in respect of public nuisance, crime and disorder.</p> <p>Since the licence was granted the applicant has breached at least two of the subcommittee's conditions.</p> <p>First in the hearing, the applicant stated there would be no outside service and that there were 65 seats inside and 5 standing places at the bar. The attached photo shows there is outside seating which is used for service creating potential noise late in the evening and breaches the undertaking given at the hearing.</p>	

Second in condition 22 the subcommittee stipulated that all windows and the ground floor external doors should be kept closed at all times except for the immediate access and egress of persons. The attached photo shows the external ground floor door is open as it is regularly during the day and evening.

These breaches indicate that the applicant is not prepared to comply with the conditions imposed by the subcommittee and raises the question whether he is a fit and proper person to hold a licence. In the light of his existing breaches any extension of the hours beyond the core hours policy would also be likely to be breached.

I therefore strongly oppose all aspects of the application.



Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	22 July 2022
<p>As a near neighbour, I am alarmed to see this license request for extended hours. I have already objected and have noticed an increased use of parked cars opposite my house, with people returning merrily to them long after midnight. With windows open due to the heat, the rowdy drivers and revellers who just sit on my doorstep, drinking, has increased.</p> <p>I have found bottles and cigarette butts on my doorstep and in my pot plants. It wouldn't take much to ignite these tinder dry plants and pots, as I have been away for a few days.</p> <p>London has seen awful heatwave wildfires and glass bottles are a real threat. I have also found</p>	

glass bottles tossed into my basement well, along with combustible litter dropped by passers by and dead leaves from my large grape vine.

This area does not need an off license open until the wee small hours. Alcohol can be bought from nearby Waitrose until late and of course, the next door pub, which is well attended. I have also seen cars parked outside my house for hours with the driver sitting at the wheel with the headlights on. I have to assume he's up to no good and possibly selling drugs.

We have many young children living in Victoria Square and this application should not be granted as detrimental to the health and safety of its neighbours.

3. Policy & Guidance

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

<p>Policy SCZ1 applies</p>	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>B. For the purpose of Clause A, the designated Special Consideration Zones are:</p> <ul style="list-style-type: none"> • West End Buffer. • Queensway/Bayswater. • Edgware Road. • East Covent Garden. • Mayfair. • Victoria.
<p>Policy HRS1 applies</p>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.

	<p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>6. Pubs and bars, Fast Food and Music and Dance venues Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to Midnight. Sunday: Midday to 10.30pm. Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement. Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p>Policy PB1 applies</p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or

	<p>latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>4. The applicant has taken account of the Special Consideration Zones policy SCZ1 if the premises are located within a designated zone.</p> <p>5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.</p> <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1. 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1, and/or, 2. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 3. The application and operation of the venue continuing to meet the definition of a Public House or Bar in Clause D. <p>D. For the purposes of this policy a Public House or Bar is defined as a premises, or part of a premises that's primary use is the sale or supply of alcohol for consumption on those premises and/or for consumption off the premises for consumption outside the venue.</p>
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4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

Appendix 1	Current Premises Licence 22/07818/LIPRW
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kabbott@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service	20 th July 2022
5	Environmental Health Service	20 th July 2022
6	Representation 1	26 th July 2022
7	Representation 2	26 th July 2022
8	Representation 3	8 th July 2022
9	Representation 4	19 th July 2022
10	Representation 5	26 th July 2022
11	Representation 6	8 th July 2022
12	Representation 7	13 th July 2022
13	Representation 8	27 th July 2022
14	Representation 9	18 th July 2022
15	Representation 10	28 th July 2022
16	Representation 11	27 th July 2022
17	Representation 12	13 th July 2022
18	Representation 13	22 nd July 2022



Schedule 12
Part A

WARD: St James's
UPRN: 100023345074

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

Premises licence

Regulation 33, 34

Premises licence number:	22/07818/LIPRW
Original Reference:	22/08523/LIPV

Part 1 – Premises details

Postal address of premises:
Tropica
1 Lower Grosvenor Place
London
SW1W 0EJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:
Not applicable

Licensable activities authorised by the licence:
Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment	
Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sale by Retail of Alcohol	
Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

The opening hours of the premises:
Monday to Sunday: 08:00 to 00:00

Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:
Alcohol is supplied for consumption both on and off the Premises.

Part 2

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

Mr Adriano Dulgher

Please note: It is the policy of the Licensing Authority not to display the address details of a licence holder where that is an individual.

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

Not Applicable

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

Name: Mr Adriano Dulgher

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: 11/00005/LIPERS
Licensing Authority: London Borough Of Croydon

Date: 15th September 2022

Signed:



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This licence has been authorised by Karyn Abbott 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 responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
 - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.

7. The responsible person must ensure that—

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

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

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

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

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

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

Where -

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

- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

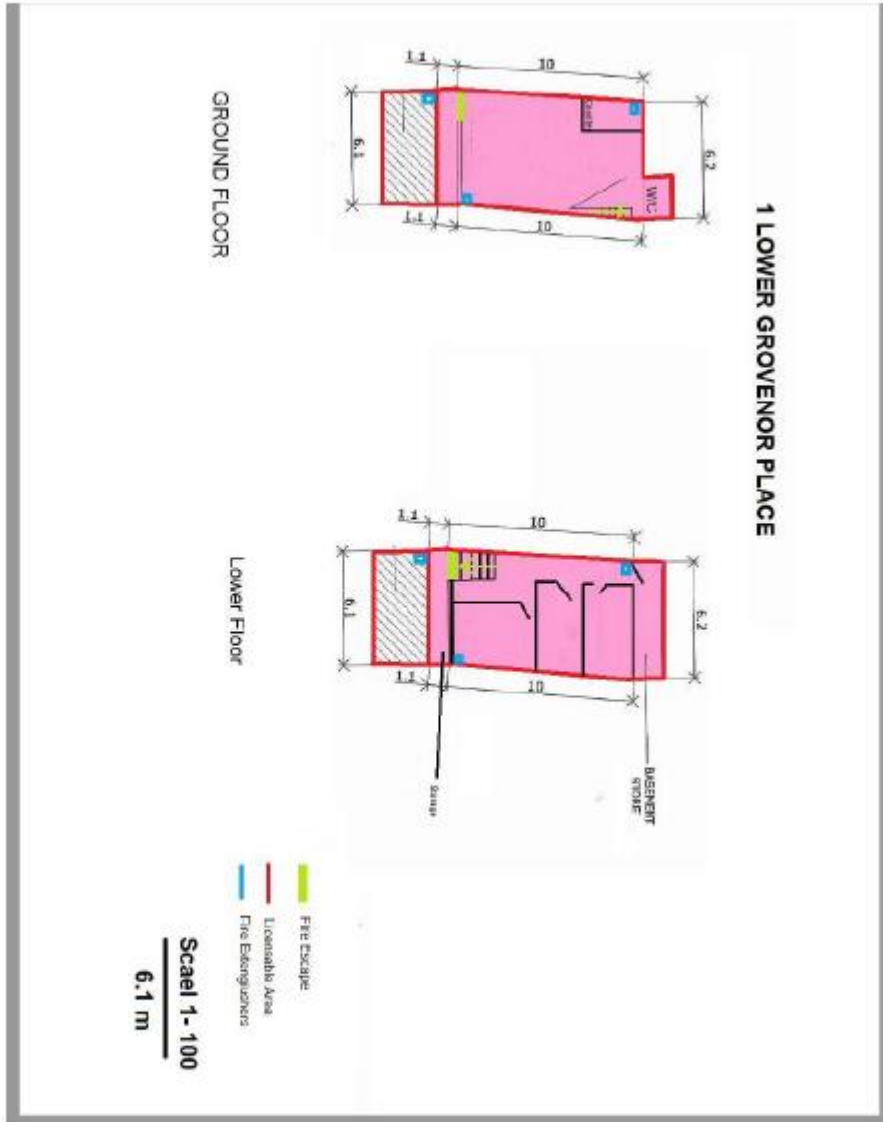
Annex 3 – Conditions attached after a hearing by the licensing authority

10. There shall be no self-service of alcohol on the premises.
11. 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.
12. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
13. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
14. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
15. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
18. All sales of alcohol for consumption off the premises shall be in sealed containers only.
19. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. There shall be no smoking of shisha at any area dedicated for smoking.
23. All waste shall be properly presented and place out for collection no earlier than 30 minutes before the scheduled collection times.
24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
26. All windows and the ground floor external doors shall be kept closed at all times, except for the immediate access and egress of persons.

27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. 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.
29. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
31. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
32. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
33. 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 and will include the external area immediately outside the premises entrance. 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.
34. 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.
35. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
36. A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance of the premises every Friday and Saturday from 2200 until closing and they must correctly display their SIA licence(s) when on duty so as to be visible.
37. 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.

38. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
39. All staff at the premises shall receive Welfare And Vulnerability Engagement (WAVE) training, which shall be refreshed annually. You will be aware of the recent high number of reports in relation to drink spiking and suspects using needles to administer a substance to incapacitate the victim. Safety of customers is a top priority and this condition will assist the venue in ensuring customers are looked after properly should they become highly intoxicated through drink or drugs.





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

Schedule 12
Part B

WARD: St James's
UPRN: 100023345074

Premises licence
summary

Regulation 33, 34

Premises licence number:

22/07818/LIPRW

Part 1 – Premises details

Postal address of premises:

Tropica
1 Lower Grosvenor Place
London
SW1W 0EJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment
Sale by Retail of Alcohol

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

Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00

Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30

The opening hours of the premises:

Monday to Sunday:	08:00 to 00:00
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Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:

Alcohol is supplied for consumption both on and off the Premises.

Name and (registered) address of holder of premises licence:
Mr Adriano Dulgher
Please note: It is the policy of the Licensing Authority not to display the address details of a licence holder where that is an individual.

Registered number of holder, for example company number, charity number (where applicable)
Not Applicable

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

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

Date: 15th September 2022

Signed:



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

Applicant Supporting Documents

Appendix 2

There are no supporting documents

Licence & Appeal History

Licensing Act 2003 History

Application	Details of Application	Date Determined	Decision
22/00200/LIPN	Licence attached in Appendix 2	16 June 2022	Granted by Licensing Sub-Committee (<i>Full Decision below</i>)
22/07818/LIPRW	Removal of Works Condition	16 August 2022	Granted under Delegated Authority

Temporary Event Notice History

Application	Details of Application	Date Determined	Decision
22/05347/LITENP	Temporary Event Notice	26 May 2022	Notice Granted
22/05438/LITENP	Temporary Event Notice	27 May 2022	Late Notice Refused due to Representation from the Police
22/06378/LITENP	Temporary Event Notice	16 July 2022	Notice Granted
22/06334/LITENP	Temporary Event Notice	5 July 2022	Notice Granted
22/06335/LITENP	Temporary Event Notice	5 July 2022	Notice Granted

There is no appeal history

WESTMINSTER CITY COUNCIL LICENSING SUB-COMMITTEE NO. 3
("The Committee")

Thursday 16th June 2022

Membership: Councillor Aicha Less (Chair) Councillor Robert Eagleton and Councillor Melyvn Caplan.

Officer Support Legal Advisor: Horatio Chance
 Policy Officer: Aaron Hardy
 Committee Officer: Sarah Craddock
 Presenting Officer: Emanuela Meloyan

Others present: Adriano Dulgher (Applicant), Maxwell Koduah (Environmental Health Service), PC Dave Morgan (Metropolitan Police Force), Richard Brown (Solicitor, Westminster's Citizens Advice), [REDACTED]

Application for a New Premises Licence – 1 Lower Grosvenor Place, London SW1W 0EJ – 22/00200/LIPN

FULL DECISION

Premises

1 Lower Grosvenor Place
London
SW1W 0EJ

Applicant

Mr Adriano Dulgher

Ward

St James's

Cumulative Impact

N/A

Special Consideration Zone

Victoria Special Consideration Zone (VSCZ)

Activities and Hours applied for

Sale by retail of alcohol (On and Off sales)

Monday to Sunday 10.00 to 02:00 hours

Seasonal Variations: From the end of New Year's Eve Day till 5am on New Year's Day and From End of Sunday before bank holiday till 3am the next day. The Friday and Saturday open till 3am on the bank holiday weekends.

Late Night Refreshment (Indoors) Originally 23:00 to 03:00 hours

Monday to Sunday 10.00 to 02:00 hours

Seasonal Variations: From the end of New Year's Eve Day till 5am on New Year's Day and From End of Sunday before bank holiday till 3am the next day. The Friday and Saturday open till 3am on the bank holiday weekends.

Opening Hours

Monday to Sunday 10:00 to 02:00

Seasonal Variations: From the end of New Year's Eve Day till 5am on New Year's Day and From End of Sunday before bank holiday till 3am the next day. The Friday and Saturday open till 3am on the bank holiday weekends.

Summary of Application

The Sub-Committee has determined an application for a New Premises Licence under the Licensing Act 2003 ("The Act"). The Premises intends to operate as a Bar and is situated in St James's Ward and the Victoria Special Consideration Zone. The Premises have had the benefit of the use of Temporary Event Notices but does not have an existing premises licence. The Applicant has provided submissions to address the VSCZ.

Subject to the grant of this application the Applicant is proposing to surrender the premises licence for 23 Grosvenor Gardens (19/08301/LIPN). During consultation, the Applicant reduced the terminal hour for Late Night Refreshment, the Sale by Retail of Alcohol and the Opening Hours from 03:00 to 02:00. There is a resident count of 93.

Representations Received

- Metropolitan Police Service
- Environmental Health Service
- 11 Local Residents (opposing the application)

Summary of Representations

- The Metropolitan Police Service and Environment Health Service have made representations in relation to the application on the basis that if granted it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and the hours sought are beyond core hours as set out in the Westminster Council's Core Hour Policy. The Premises is also located in the Victoria Special Consideration Zone.
- Resident concerns were the change of use of the Premises from shop to bar, the very late night opening until 03:00 hours, noise and pollution nuisance, smoking outside of the Premises, anti-social behaviour and an overall detrimental effect on the residential area.

Policy Position

SCZ1

In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule. Consideration Zone for this application is: Victoria.

HRS1

Applications within the core hours set out below in this policy will generally, be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:

The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.

PB1

Applications outside the West End Cumulative Impact Zone will generally be granted subject to: 1. The application meeting the requirements of policies CD1, PN1 and CH1. 2. The hours for licensable activities being within the Council's Core Hours Policy HRS1. 3. The applicant has taken account of the Special Consideration Policy SCZ1 if the Premises are located within a designated zone. 4. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.

SUBMISSIONS AND REASONS

The Presenting Officer, Emanuela Meloyan, introduced the application to the Sub-Committee and advised that this was an application for a New Premises Licence in respect of 1 Lower Grosvenor Place, London SW1W 0EJ. The Premises intends to operate as a bar. She advised that representations had been received by the Environmental Health Service, the Metropolitan Police Service and 11 local residents. The Premises is within the St James's Ward and the Victoria Special Consideration Zone.

Mr Adriano Dulgher (Applicant) addressed the Sub-Committee. He explained that he had been running a restaurant at 23 Grosvenor Gardens for 14 years. He now wished to move to a smaller Premises and continue to operate on the same terms as he had been allowed at 23 Grosvenor Gardens. He advised that it was a family run business operated by his mum, brother and cousin and that there were very few independent restaurants left in the area. He advised that this new Premises was three times smaller than his previous restaurant. He outlined that he would surrender the Premises Licence for 23 Grosvenor Gardens (19/08301/LIPN) subject to the grant of this application. He outlined that during consultation, he had reduced the terminal hour for Late Night Refreshment, the Sale by Retail of Alcohol and the Opening Hours from 03:00 to 02:00.

Mr Dulgher advised that his customers were mainly locals who worked in the hospitality industry and who came to his bar after their shift at work. He said that his customers usually arrived between 22:00 hours and 01:30 and there was never any trouble because he actively promoted the licensing objectives. He advised that he had proven he could successfully run a business over the past 14 years whilst at 23 Grosvenor Gardens.

Mr Dulgher confirmed that he had agreed to all the conditions requested by the Responsible Authorities. He said that the Temporary Event Notices (TENs) in operation until 02:00 had run smoothly and there had been no noise complaints by residents. He confirmed that there was no courtyard at the back of the Premises and that the Premises did not have access to any outdoor space. He advised that when customers left the Premises, they either booked an Uber or walked towards Victoria Station so there would be no impact on the residents in Victoria Square. He confirmed that he had never received any noise complaints whilst operating at 23 Grosvenor Gardens.

Mr Dulgher advised that it was becoming harder to compete with the Nova complex as all the units there had Premises Licences which allowed all-day trading. He advised that he did not have the ability to trade all day because the Premises did not have a full kitchen and as it was a listed building, he was unable to install an extraction system. He said that they did have a full menu on offer consisting of cold foods and foods that were easy to heat up in a microwave. He emphasised that the Premises was not a 'destination place' where people headed to, but more of a Premises where people came to relax after work.

In response to questions from the Sub Committee, Mr Dulgher confirmed that the Premises would operate as a small bar where local people would come for a drink after work. He added that there would be background music and that alcohol was not ancillary to food. He explained that it was a family-owned business. He confirmed that he was aware of the four licensing objectives and had a good relationship with residents. He advised that during the day people came to the Premises for a coffee/glass of wine and to hold meetings. Mr Dulgher emphasised that he wished to be granted a New Premises Licence on similar terms as what he had at 23 Grosvenor Gardens because his clientele (that he had spent years building up) worked in the hospitality industry and did not finish work until 23:00. He advised that he was literally just moving his customers 100 metres down the road into much smaller Premises. He added that his SIA had been with him for over 10 years and knew the customers. He confirmed that the Premises would not be a nightclub or a private members bar as was originally thought. He added that the Landlord would not allow the Premises to operate as a private members bar because of its A1 planning use. The Sub Committee noted that no other Premises in the area operated beyond 01:00 hours.

Mr Dulgher advised that the Temporary Event Notices (TENs) had worked well. He said that he had stopped serving alcohol at 01.40 so that customers were ready to leave the Premises at 02:00. He advised that he was happy to reduce his operating hours to 01:00 on Monday, Tuesday and Wednesdays as these were quiet evenings, however, he wanted to keep operating until 02:00 on Thursday, Friday, Saturday and Sunday evenings. The Sub Committee advised Mr Dulgher that the Council's Core Hours Policy stated that bars should close at 22:30 on a Sunday to give residents respite from the noise created by licensed Premises during the week.

PC Dave Morgan representing the Metropolitan Police Service, advised that the Police had maintained their representation on the basis that if the application was granted, it would undermine the licensing objectives, namely the Prevention of Crime and Disorder. PC Morgan also advised that the Premises was situated within Victoria's SCZ and the hours sought were beyond those of Westminster Council's Core Hours Policy.

PC Morgan stated that this application was essentially for a late-night bar operating until 02:00 and if granted it would cause further policing problems in an already demanding area. He advised that intoxicated people leaving bars in the early hours of the morning were more likely to become victims of crime. He explained that it was a highly quiet and residential area so there was a high probability of crime taking place on the streets. He advised that if the application were granted it would be the only Premises in the area with a 02:00 Premises Licence. It would therefore become a destination point for people when other Premises closed for the evening. PC Morgan emphasised that the Police would like the hours to be in line with the Council's Core Hours Policy.

In response to questions from the Sub Committee, PC Morgan advised that the area was very busy during the evenings however none of the other Premises in the area had a Premises Licence until 02:00 hours. PC Morgan advised that if the application were granted SIAs would be needed every night of the week to ensure the safety of the Premises, customers and surrounding area.

Mr Maxwell Koduah, representing the Environmental Health Service, advised that Environmental Health had maintained their representation as the hours requested for late night refreshment and the supply of alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area. He added that the hours sought were outside the Council's core hours policy and that if the application was granted, a condition regarding smoking would need to be added to the Premise Licence.

Mr Richard Brown from Westminster's Citizens Advice and representing local residents, advised that residents were relieved that the Premises would only play background music and that there was no access to outside space. He emphasised that the Sub Committee was licensing the Premises and not the Applicant. Mr Brown referred to a map of Victoria Square and advised that all customers would have to pass by or through Victoria Gardens to reach the train/tube stations and that any noise was magnified because of the surrounding tall buildings. He explained that this area was becoming increasingly residential. He added that the Premises was located within the Victoria SCZ and therefore the Council's core hours policy should be applied to this application.

██████████ local resident, advised that residents were in favour of mixed neighbourhoods and that a vibrant area needed a mixture of residential, commercial, retail and licenced Premises however it had to be proportionate. She explained that in Victoria there were residents in Buckingham Road, the Nova building and Victoria Square. She advised that the Premises at 23 Grosvenor Gardens was irrelevant to this application as it was located much further away from these residential areas. She stated that this Premises was much smaller, had limited capacity, no kitchen facilities and should be used for retail purposes.

██████████ explained that Victoria Square had been suffering from increased noise as well as drug dealing in the area. The Police were now doing special patrols through Victoria Square to deal with drug dealers as the Gardens were well known as a quiet spot hidden with trees where exchanges were made. There were families with young children living in the Square so a 23:00 closing time was still late for children who went to bed around 7-8pm. She said the anti-social behaviour that takes place in the later part of the evenings with people jumping the fence into the garden to urinate, to drink or do drugs and therefore granting a Premises Licence beyond core hours would be quite intolerable as it would increase the number of intoxicated people in the area. She advised that she was delighted to hear that there would be no outside service because people talking was amplified due to the tall buildings. She considered that if this application was granted all the Premises in the area would apply for variations to their Premises Licence. She concluded by asking the Sub Committee that if they were minded granting the application that it be within or less than the Council's core hours policy because the Premises was located in the new Victoria SCZ and so that Victoria remained a good mix of residential properties and businesses.

██████████ local resident, echoed ██████████ submission and advised that it was important to maintain a balance of residential, retail and commercial properties in the area. He advised that it was tolerable for the Premises to remain open until 23:00 but not until 02:00 in the morning. He advised that the

noise from intoxicated people, chatting, smoking and drinking would wake residents in the early hours of the morning. He stated that it was unfortunate that the Applicant's business model relied on other Premises being closed. He wondered if this Premises was the right type of unit for a Licensed Premises as there was no food offer available and food was vital in making a profit.

In response to questions from the Sub Committee, Mr Dulgher advised that the capacity of the Premises was 65 persons. He added all customers would be seated except for maybe 5 customers at the bar. He further added that he could not force people to sit down because the Premises was a bar and not a restaurant. He explained that there would be signage asking customers to leave the Premises quietly and head for Victoria Station.

████████████████████ advised that it would be difficult to stop people from venturing outside of the Premises to drink and/or smoke. The customers would not only block the pavement, but their noise would reach residents with open windows. She emphasised that late night Premises attracted crime and disorder which ruined areas for residents and made the Police's job even more difficult than it was already. She further emphasised that residents were not against having pubs/restaurants in the area but what they were against was them operating beyond the Council's Core Hours Policy.

Mr Richard Brown urged the Sub Committee to not place much emphasis on the operation of the Temporary Event Notices as these events did not reflect the operation of a permanent late night Premises Licence. He explained that if this application was granted it would start a snowball effect which would place a very heavy burden on residents who would have to monitor applications and make endless representation to the Licensing Authority/Licensing Sub Committee. He advised that he understood that each application was considered on its own merits however the nature of the local area and operation of other licenced Premises always formed part of any application.

Mr Dulgher advised that he was happy to extend his personal telephone number to the residents after the hearing. He advised that there would be no outside service and that customers would be dispersed towards Victoria Station. He further advised that the windows would be closed so no noise escaped from the Premises. He requested that the Sub Committee grant the Premises Licence until a terminal hour of 02:00 so he could keep his clientele. He emphasised that he had been operating a similar business for some 14 years with a similar Premises Licence and there had never been any complaints. It was a family business, and it would continue to be a family business.

Conclusion

The Sub-Committee has determined an application for a grant of a NEW Premises Licence under the Act which is to operate as a Bar. The Sub-Committee realises that it has a duty to consider each application on its individual merits and did so when determining the matter. There is no policy presumption to refuse the application, however this is subject to the licensing objectives not being undermined and the

Applicant demonstrating as part of its operating schedule by considering the Victoria SCZ under Policy SCZ1 and risk mitigation measures to be put in place.

The Sub-Committee was not persuaded by the Applicant that the hours applied for with a terminal hour of 02:00 would promote the licensing objectives. Whilst the Applicant may have operated his previous premises at 23 Grosvenor Gardens free from complaint for some 14 years and in accordance with the licensing objectives, this is a different premises altogether in a different location and more importantly no two premises operate the same business model. The Sub-Committee are not dealing with a "like for like" scenario and there is no mechanism in the Act which allows applications to be treated in this way.

The Sub-Committee heard overwhelming evidence from local residents regarding problems experienced in the area when it came to issues of public nuisance and crime and disorder. It was apparent to the Sub-Committee that residents knew the area extremely well and the type of problems associated with public nuisance and crime and disorder and what negative impact this would have on the promotion of the licensing objectives and Victoria SCZ.

The Sub-Committee when considering the Victoria SCZ had regard to policy SCZ1 on pages 53-54 of the SLP and the specific matters contained at Paragraphs D54-D56 on page 59 of the SLP which an Applicant is to address as part of their application.

Paragraph D56 states:-

"The local issues that need to be considered by applicants are:

- *Serious violent at night.*
- *Anti-social behaviour at all times of the day (street drinking and begging).*
- *Incidents relating to ambulance call outs to the licensed premises for intoxication, injury related to intoxication and/or assault.*
- *Theft and noise at night.*

The Sub-Committee did properly consider the Applicants written submission on page 26 of the Agenda Papers when looking at the Victoria SCZ but concluded this was too bareboned and did not go far enough in tackling the issues in the local area when considering the reasons for Policy SCZ1 under Paragraphs D37-D46.

Paragraph D42 states:-

"These areas do have above average or sporadic levels of crime and disorder and public nuisance (noise and waste). As a result, the Licensing Authority has developed this policy to highlight areas of concern within the City of Westminster where there are increased levels of incidents that are linked to licensed premises, but are not conclusively identifiable as being under cumulative stress. These areas will be designated as Special Consideration Zones under this policy. The Licensing Authority believes that any designated area would require a higher level of consideration due to the incident rates in these areas. Applicants who wish to operate within these areas or wish to vary their existing licences will be expected

under this policy to consider and identify, within their operating schedules how they will mitigate the risks associated with their premises and the higher levels of incidents within the area”.

The Sub-Committee therefore concluded that granting a licence beyond core hours until 02:00 is most likely to add further problems to the area when it came to public nuisance and crime and disorder and would not have the desired effect of promoting the licensing objectives.

The Sub-Committee noted the concerns of the Police and the fact that a later terminal hour would cause policing problems in the area and the possibility of the Premises becoming a destination venue for customers already in the area after other licensed premises had closed.

The Sub-Committee did not doubt that the Applicant was a competent operator that would manage the Premises well and in accordance with the promotion of the licensing objectives, however, the overriding factor to be considered here is whether the terminal hour of 02:00 is likely to cause problems in the area as intimated by local residents and the Police. The use of TENs operated until the later terminal hour by the Applicant was in the opinion of the Sub-Committee not a true reflection of how the Premises would be managed in the future as this only represented a snapshot in time for those period of events and not necessarily indicative of how the Premises is to operate in the long term when considering the promotion of the licensing objectives.

Based on the evidence before it, the Sub-Committee considered the right balance had been struck by granting the application to core hours under policy HRS1 on all days seven of the week although it was noted during the hearing that the Applicant had offered to increase the terminal hour only on the days for Thursday, Friday and Saturday but again Thursday-Saturdays are the busiest times for most operators in Westminster and this was considered likely to have a negative effect on the Victoria SCZ for the very reasons set out above under policy SCZ1.

The Sub-Committee concluded that the various safeguards and extensive use of conditions attached to the licence would alleviate the residents’ concerns and the concerns from the Police around safety and patrons leaving the Premises are appropriate and proportionate and would promote the licencing objectives.

The offer by the Applicant to surrender premises licence 19/08301/LIPN was considered by the Sub-Committee but this measure was not felt sufficient to reduce the overall impact on the Victoria SCZ and wider area.

In reaching their decision, the Sub-Committee concluded that the hours it imposed on the licence for the licensable activities applied for having regard to the Core Hours Policy was appropriate and proportionate and therefore struck the right balance when considering the needs of local residents and the Applicants commercial needs to be able to operate and run his business successfully.

The Sub-Committee further concluded that the conditions it has imposed on the licence are appropriate and proportionate having regard to the Victoria SCZ and the promotion of the licensing objectives.

Having carefully considered the committee papers and the submissions made by all parties, both orally and in writing, **the Sub-Committee has decided**, after taking into account all the individual circumstances of this case and the promotion of the four licensing objectives: -

1. To grant permission for **Sale by Retail of alcohol (On and Off)** Monday to Thursday 10:00 to 23:30 hours, Friday to Saturday 10:00 to 00:00 and Sunday 12:00 to 22:30.
2. To grant permission for **Late Night Refreshment (Indoors)** Monday to Thursday 23:00 to 23:30 hours, Friday to Saturday 23:00 to 00:00 Sunday Not applicable .
3. To grant permission for the **Opening Hours for the Premises** Monday to Sunday 08:00 to 00:00 hours.
4. That the New Premises Licence is subject to any relevant mandatory conditions.
5. That the New Premises Licence is subject to the following conditions imposed by the Committee which are considered appropriate and proportionate to promote the licensing objectives.

Conditions imposed by the Committee after a licensing hearing

6. There shall be no self-service of alcohol on the premises.
7. 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.
8. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
9. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
10. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
11. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings

collected and stored in accordance with the approved refuse storage arrangements by close of business.

12. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
13. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
14. All sales of alcohol for consumption off the premises shall be in sealed containers only.
15. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
16. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
17. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
18. There shall be no smoking of shisha at any area dedicated for smoking.
19. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
20. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.
21. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
22. All windows and the ground floor external doors shall be kept closed at all times, except for the immediate access and egress of persons.
23. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
24. 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.

25. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
26. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
27. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
28. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
29. 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 and will include the external area immediately outside the premises entrance. 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.
30. 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.
31. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
32. A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance of the premises every Friday and Saturday from 2200 until closing and they must correctly display their SIA licence(s) when on duty so as to be visible.
33. 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.

- 34. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
- 35. All staff at the premises shall receive Welfare And Vulnerability Engagement (WAVE) training, which shall be refreshed annually. You will be aware of the recent high number of reports in relation to drink spiking and suspects using needles to administer a substance to incapacitate the victim. Safety of customers is a top priority and this condition will assist the venue in ensuring customers are looked after properly should they become highly intoxicated through drink or drugs.

If problems are experienced then a Review of the Premises Licence can be made.

This is the Full Decision of the Licensing Sub-Committee which takes effect forthwith.

**The Licensing Sub-Committee
16 June 2022**

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

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

Conditions: On Current Licence -

Mandatory:

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage

or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

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

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

premises in a capacity that which enables him to prevent the supply of alcohol.

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

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

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

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

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating Schedule

None

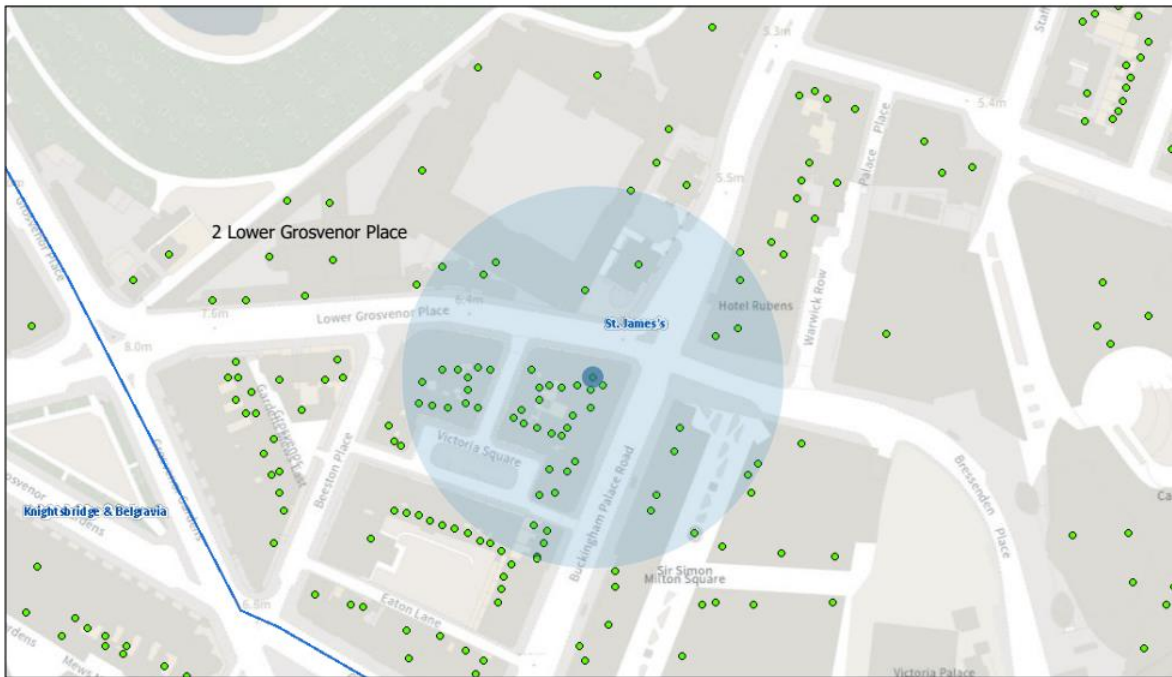
Annex 3 – Conditions attached after a hearing by the licensing authority

10. There shall be no self-service of alcohol on the premises.
11. 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.
12. Notices to be prominently displayed requesting persons to respect the needs of local residents and to leave the premises and area quietly.
13. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
14. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800 hours.
15. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
16. Non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. There shall be no sales of alcohol for consumption off the premises after 23.00 hours.
18. All sales of alcohol for consumption off the premises shall be in sealed containers only.
19. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00 hours.
20. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. There shall be no smoking of shisha at any area dedicated for smoking.
23. All waste shall be properly presented and place out for collection no earlier than 30 minutes before the scheduled collection times.
24. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23:00 hours and 08:00 hours on the following day.

25. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
26. All windows and the ground floor external doors shall be kept closed at all times, except for the immediate access and egress of persons.
27. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
28. 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.
29. All emergency exit doors shall be available at all material times without the use of a key, code, card or similar means.
30. All emergency doors shall be maintained effectively self-closing and not held open other than by an approved device.
31. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
32. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
33. 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 and will include the external area immediately outside the premises entrance. 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.
34. 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.
35. A Challenge 21 or Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
36. A minimum of 1 SIA licensed door supervisor shall be on duty at the entrance of the premises every Friday and Saturday from 2200 until closing and they must correctly display their SIA licence(s) when on duty so as to be visible.

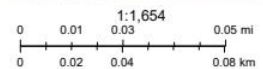
37. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
- (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) 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.
38. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
39. All staff at the premises shall receive Welfare And Vulnerability Engagement (WAVE) training, which shall be refreshed annually. You will be aware of the recent high number of reports in relation to drink spiking and suspects using needles to administer a substance to incapacitate the victim. Safety of customers is a top priority and this condition will assist the venue in ensuring customers are looked after properly should they become highly intoxicated through drink or drugs.

1 Lower Grosvenor Place



15/09/2022, 12:29:07

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



Resident Count = 93

Licensed premises within 75 metres of 91 Wimpole Street, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
22/07818/LIPRW	Tropica	1 Lower Grosvenor Place London SW1W 0EJ	Wine bar	Monday to Sunday; 08:00 – 00:00
22/06162/LIPDPS	Bag O Nails	6 Buckingham Palace Road London SW1W 0PP	Public house or pub restaurant	Sunday; 10:00 - 23:30 | Sunday; 10:00 - 22:30 | Monday to Thursday; 10:00 - 23:30 | Monday to Saturday; 10:00 - 00:00 | Friday to Saturday; 10:00 - 00:00 | Sundays before Bank Holidays; 10:00 - 00:00
20/03991/LIPV	Not Recorded	3 Lower Grosvenor Place London SW1W 0EJ	Not Recorded	Monday; 11:00 - 23:00 | Tuesday; 11:00 - 23:00 | Wednesday; 11:00 - 23:00 | Thursday; 11:00 - 23:00 | Friday; 11:00 - 23:00 | Saturday; 11:00 - 23:00 | Sunday;

				11:00 - 22:00
18/04273/LIPCHT	The English Rose Cafe	Basement And Ground Floor 4 Lower Grosvenor Place London SW1W 0EJ	Cafe	Monday to Sunday; 07:00 - 20:00
21/01508/LIPT	Maverick	Basement And Ground Floor 14 Buckingham Palace Road London SW1W 0QP	Restaurant	Sunday; 08:00 - 00:00 | Monday to Wednesday; 08:00 - 00:30 | Thursday to Saturday; 08:00 - 01:00
18/01266/LIPT	New Noodle Noodle Restaurant	Basement And Ground Floor 18 Buckingham Palace Road London SW1W 0QP	Restaurant	Sunday; 12:00 - 00:00 | Monday to Saturday; 10:00 - 00:30
19/05989/LIPV	Timmy Green Unit 18	11 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Restaurant	Monday; 07:00 - 00:00 | Tuesday; 07:00 - 00:00 | Wednesday; 07:00 - 00:00 | Thursday; 07:00 - 00:00 | Friday; 07:00 - 00:00 | Saturday; 07:00 - 00:00 | Sunday; 07:00 - 23:00
09/00829/LIPDPS	BBAR	43 Buckingham Palace Road London SW1W 0PP	Wine bar	Sunday; 12:00 - 00:00 | Monday to Saturday; 12:00 - 00:30
12/07383/LIPN	Cafe Nouf	Basement And Ground Floor 8 Lower Grosvenor Place London SW1W 0EN	Cafe	Sunday; 09:00 - 22:30 | Monday to Thursday; 09:00 - 23:30 | Friday to Saturday; 09:00 - 23:45
18/05260/LIPN	Grilla Kiosk	12 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Not Recorded	Monday to Sunday; 08:00 - 23:00
22/00473/LIPDPS	Notes Nova Unit 12	10 Sir Simon Milton Square City Of Westminster London SW1E 5DJ	Cafe	Sunday; 07:00 - 22:00 | Monday to Saturday; 07:00 - 23:30



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	29 September 2022
Licensing Ref No:	22/05206/LIPN - New Premises Licence
Title of Report:	Taco Bell 346 - 348 Edgware Road London W2 1EA
Report of:	Director of Public Protection and Licensing
Wards involved:	Church Street
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer

1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	16 May 2022		
Applicant:	Taco-time Limited		
Premises:	Taco Bell		
Premises address:	346 - 348 Edgware Road London W2 1EA	Ward:	Church Street
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application from the premises will trade as a "Taco Bell" Mexican Quick Service Restaurant and take-away.		
Premises licence history:	There is no premises licence history in respect of the premises however the premises does have the benefit of a special treatment licence.		
Applicant submissions:	The applicant has submitted a bundle of supporting documents which appear at appendix 2		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	03:00	03:00	03:00	03:00	03:00	03:00	03:00
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	03:0	03:00	03:00	03:00	03:00	03:00	03:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Adam Deweltz
Received:	18 May 2022
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation against this application.</p> <p>The hours sought for licensable activity (Late Night Refreshment) go beyond Westminster's core hours Policy, and it is our belief that if granted, the application could undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>The Metropolitan have submitted two supporting statements from the Dedicated Ward Officers for the area. The statements appear at appendix 3</p>	
Responsible Authority:	Environmental Health
Representative:	Dave Nevitt
Received:	01 June 2022
<p>I wish to make Representations on the following grounds: Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.</p>	

2-B	Other Persons
Name:	██████████
Address and/or Residents Association:	████████████████████ ██████████ ██████████
Received:	04 June 2022
<p>I would like to object to this licence being granted to Taco-time ltd. I am living in ██████████. I am worried that by granting the licence to Taco Bell it will create disturbance and nuisance outside my flat window as there is no parking place in front of the applicant address and their customers will start parking outside my window which will affect /disturb my sleeping.</p> <p>As you are aware that there is traffic light in front of taco bell and zigzag marking so people can't stop or park there. I will appreciate if you consider my objection kindly.</p>	

Name:	██████████
Address and/or Residents Association:	██ ██
Received:	07 June 2022
<p>We note that the above recently-opened restaurant/burger bar has applied for an extension of trading hours to be Monday to Sunday: 10.00 a.m. to 3 a.m. the following morning.</p> <p>You will know that, within the Westminster Council's extensive local regeneration building scheme, there is already a very large, 10-storey-high block of flats, West End Gate, opposite this establishment, with many bedrooms facing directly on to Edgware Rd, plus two more adjacent tower blocks. The proposed allnight trading hours would inevitably cause unacceptable disturbance to the residents, leaseholders and tenants, many with families, in the opposite buildings and also to new residential buildings planned towards the rear.</p> <p>This section of Edgware Rd is narrower at this point and the height of the new buildings would obviously reflect the noise on the opposite side of the road.</p> <p>We would ask that the Licensing authority give serious consideration to the above objections against this application.</p>	

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HSR1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.

	<p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:</p> <p>10a. Shops (all licensable activities that are provided as ancillary to the primary use of the premises as a shop except the off sale of alcohol) Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to Midnight. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to Midnight. 10b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises) Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.</p> <p>D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy FFP1(A) applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or late night refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a fast food premises in Clause D. <p>D. For the purposes of this policy a Fast Food Premises is defined</p>

	as: 1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption. 2. Food and drink are: a. Available on the premises for self-selection. b. Prepared on the premises. c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers. 3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption. 4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.
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4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation

5.	Appendices
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Metropolitan Police Service Supporting documents
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

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

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	1 st October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police Service representation	18 May 2022
5	Environmental Health representation	01 June 2022
6	Interested part representation (1)	04 June 2022
7	Interested part representation (2)	07 June 2022






THE LOCATION AND TYPE OF ANY FIRE SAFETY AND ANY OTHER SAFETY EQUIPMENT IS SHOWN AS AT PRESENT. THIS MAY BE VARIED AT TIME TO TIME WITH AGREEMENT OF THE FIRE OFFICER OR AFTER A FIRE RISK ASSESSMENT.

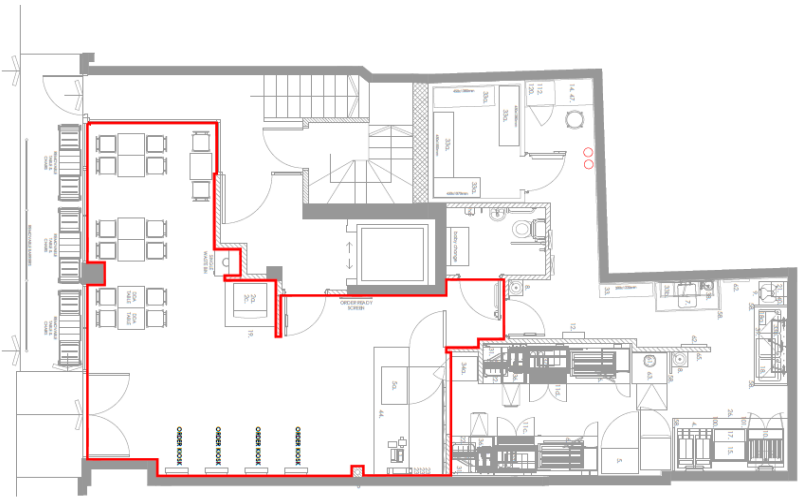
THE LAYOUT OF THE TABLES AND CHAIRS ARE INDICATIVE ONLY

LINE KEY

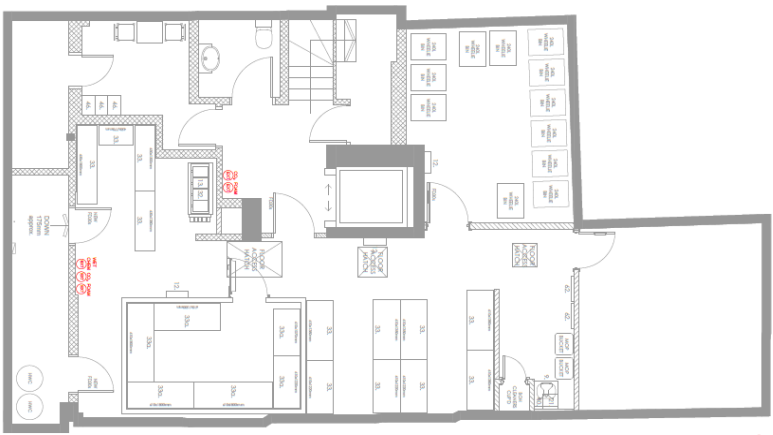
— DENOTES AREA FOR LICENSABLE ACTIVITIES

FIRE FIGHTING EQUIPMENT

-  FIRE EXTINGUISHER - WATER
-  FIRE EXTINGUISHER - CARBON DIOXIDE
-  FIRE EXTINGUISHER - WET CHEMICAL
-  FIRE EXTINGUISHER - FOAM
-  FIRE BLANKET



Proposed general arrangement plan
scale - 1:50 @ A1



Proposed basement plan
scale - 1:50 @ A1



© copyright 2011
This drawing contains copyright and is not to be reproduced without the written consent of the author.

<p>27/1/22 basement floor added</p> <p>rev. date description</p>	
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Frank Belshaw
Building Surveyors Limited

Unit 10, 10000 Old Road, Wokingham, RG40 3EJ
Tel: 01344 720000, Fax: 01344 720001



License plan

fire address
EDGEWARE ROAD
246-248 EDGEWARE ROAD
W2 1EA

drawing title
PROPOSED LICENSING PLAN

drawn by	scale	date
JC	1:50 @ A1	31-05-22
drawing no.		revision
2021/04/LP		A

Taco Bell, 346-348 Edgware Road, W2 1EA

TAC001-6-3

2022-09-19

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LIVE MAS



TACO BELL

WELCOME

TO TACO BELL

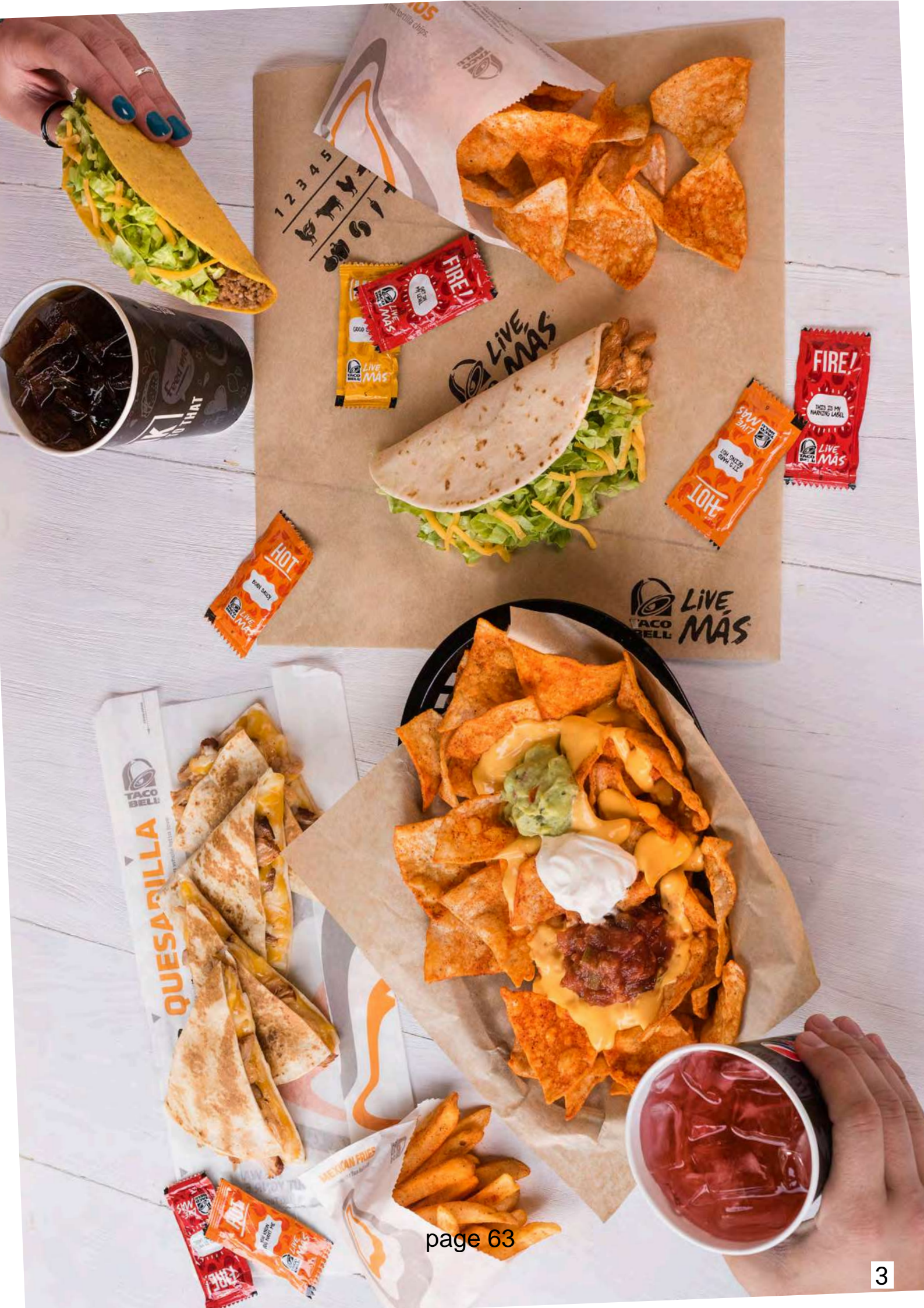
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Taco Bell was founded by Glen Bell and established in 1962 in Downey, California. 56 Years later fans can enjoy our mexican inspired menu across the globe. Still based out of Irvine, California it is now a subsidiary of Yum! Brands, Inc.

As of 2018, Taco Bell has grown to be the world's largest Mexican Inspired food brand, serving more than 2 billion customers each year, with over 7,500 restaurants across the globe. 26 of which now in the UK.

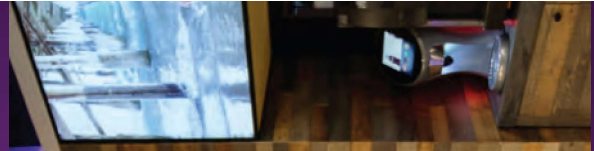
Continuing success with our franchised business means we want to extend our reach, and grow the Taco Bell UK brand. Our aim is to open 150 more branches throughout the UK by 2022.





LOOK AROUND

STEP INTO THE STORE



We create a unique customer experience, with contemporary spaces that are inviting and Instagram worthy.

- / Open kitchens
- / Innovative technology
- / Flexible seating
- / Locally relevant design

SIMPLE, COMBO DRIVEN MENU STRUCTURE



BIG BELL BOX

6 \$6.99

FAJITA BURRITO, TACO, REG. SIDE, CHURROS, REG. SOFT DRINK

BIG BELL BOX

FAJITA BURRITO OR CRISPY CHICKEN BURRITO
TACO
BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN

MEAL FOR 2

10 \$10.99

QUESADILLA, MACHOS SUPREME, 2 TACOS, FRIE, FRIES, 7 REG. DRINKS

TACOS
BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN
QUESADILLA
PULLED PORK OR GRILLED CHICKEN
BEANS

BBC PORK QUESADILLA

4 \$4.49

SMOKY SAUSAGE, SHREDDED SWISS CHEESE, MEXICAN CHICKEN, MILD QUESADILLA

UPGRADE YOUR DRINK

TO A FREEZE OR TWISTED FREEZE

FREEZE +\$0.50P

TWISTED FREEZE +\$1.50

FREEZE
TWISTED FREEZE

MINI BELL

CHOOSE ONE OF THESE **2** \$2.99

CHEESE QUESADILLA
CHICKEN QUESADILLA

PICK A SIDE

MEXICAN CHICKEN
MEXICAN PORK
MACHOS SUPREME
CHURROS

ADD A DRINK

BLAZING BERRY
DIPLOMAT
FRUIT
SUNSHINE
MILK SHAKE

DRINKS & DESSERTS

SOFT BEER \$2.49
FREEZE \$1.99
FREEZE TWISTED \$2.99

SOFT DRINKS
MOUNTAIN DEW
MOUNTAIN DEW COFFEE TEA \$2.99
MOUNTAIN DEW JUICE \$1.99
WATER \$1.29

CHOCOMANISH MELT \$1.29
CHURROS \$1.29

CRUNCHWRAP SUPREME

5 \$5.29

LETTUCE, TOMATO, MACHO QUESO, SAUCE, MILD QUESADILLA, TORTILLA, SOFT CREAM

BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN

DOUBLE MEAT

GRILLED STUFF BURRITO

5 \$4.99

CHEESE BLEND, REFRIED BEANS, MILD QUESADILLA, RICE

BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN

DOUBLE MEAT

VOLCANO BURRITO

5 \$5.29

CRUSHED MACHO CHIPS, MILD QUESADILLA, SAUCE, RICE

BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN

DOUBLE MEAT

FAJITA BURRITO

4 \$4.99

GRILLED PORK AND ONIONS, CHEDDAR QUESO, SAUCE, MILD QUESADILLA

BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN

DOUBLE MEAT

2 TACOS SUPREME

4 \$4.89

LETTUCE, TOMATO, CHEDDAR QUESO, SAUCE, MILD QUESADILLA

BEF OR MEXICAN CHICKEN OR MEXICAN CHICKEN

DOUBLE MEAT

QUESADILLA

5 \$5.29

CHEDDAR BLEND, CHEDDAR QUESO, SAUCE, MILD QUESADILLA

PULLED PORK OR GRILLED CHICKEN OR MEXICAN CHICKEN

DOUBLE MEAT

CRISPY CHICKEN BURRITO

5 \$5.49

CRISPY CHICKEN STRIPS, CHEDDAR QUESO, SAUCE, MILD QUESADILLA, TOMATO, CHEDDAR QUESO

SHAREABLES

3 \$3.99

NACHOS SUPREME
PICO DE GALLO, SOUR CREAM, MACHO QUESO SAUCE, PICO SAUCE ON MACHO CHIPS

4 \$4.49

FULLY LOADED FRIES
A DOUBLE PORTION OF BEEF, MACHO QUESO SAUCE, PICO SAUCE ON MEXICAN FRIES

CRAVERS

FOR AN UNUSUAL TASTE

1 \$1.79

CHEESY DOUBLE DECKER TACO

2 \$1.79

CHEESY TOPPED FRIES

3 \$1.99

TACO SUPREME

4 \$1.99

SPICY CHICKEN GRILLER

5 \$1.99

BEEFY MELT GRILLER



CULT FANBASE

STEP INTO THE BRAND



Whether in our restaurants or through our social media channels, fans continue to support our brand throughout the UK. With a strong brand awareness, and a growing Mexican category, Taco Bell is really coming to life in the UK!

STAY CONNECTED

@TACOBELLUK f Instagram Twitter

WWW.TACOBELLUK.CO.UK



CONCEPTS

& PROPERTY REQUIREMENTS FOR TACO BELL



FOOD COURT

- 750 SQ FT +
- A3/A5 PLANNING
- HIGH FOOTFALL LOCATIONS
- SHOPPING CENTRES / TRANSPORT HUBS
- ESTIMATED INVESTMENT PER SITE 250K - 300K
- A MINIMUM POWER SUPPLY OF 100 KVA



HIGH STREET

- 1,200 SQ FT - 2,500 SQ FT
- A3/A5 PLANNING
- GROUND FLOOR ONLY UNITS PREFERRED
(TWO STOREY'S WILL BE CONSIDERED)
- PRIME RETAIL LOCATIONS
- PROXIMITY TO EVENING PITCH PREFERRED
- ESTIMATE INVESTMENT PER SITE 400K
- A MINIMUM POWER SUPPLY OF 100 KVA



DRIVE THRU

- 1,500 SQFT - 2,000 SQFT / 0.4 ACRE PLOT +
- A3/A5 PLANNING
- PROMINENT ROADSIDE LOCATION
- RETAIL/SHOPPING/LEISURE PARKS
- HIGH VISIBILITY STANDALONE LOCATIONS
- DEDICATED / SHARED PARKING
- ESTIMATED INVESTMENT PER SITE 600K - 1M
- A MINIMUM POWER SUPPLY OF 100 KVA

FOOD COURTS



HIGH STREET UNITS



STAND ALONE/DRIVE THRU







ORDER

ORDER

ORDER



QUESADILLA

ORDER HERE
TOUCH TO START

This station features a large digital screen displaying a vibrant image of a quesadilla. Below the screen is a touch-sensitive interface with the text "ORDER HERE" and "TOUCH TO START". To the right of the screen is a payment terminal with a card reader and a small display.



GET A FREE CRUNCHY TACO

ORDER HERE
TOUCH TO START

This station features a large digital screen displaying an image of a crunchy taco. Below the screen is a touch-sensitive interface with the text "GET A FREE CRUNCHY TACO" and "ORDER HERE TOUCH TO START". To the right of the screen is a payment terminal.



VOLCANO SUPPITO

ORDER HERE

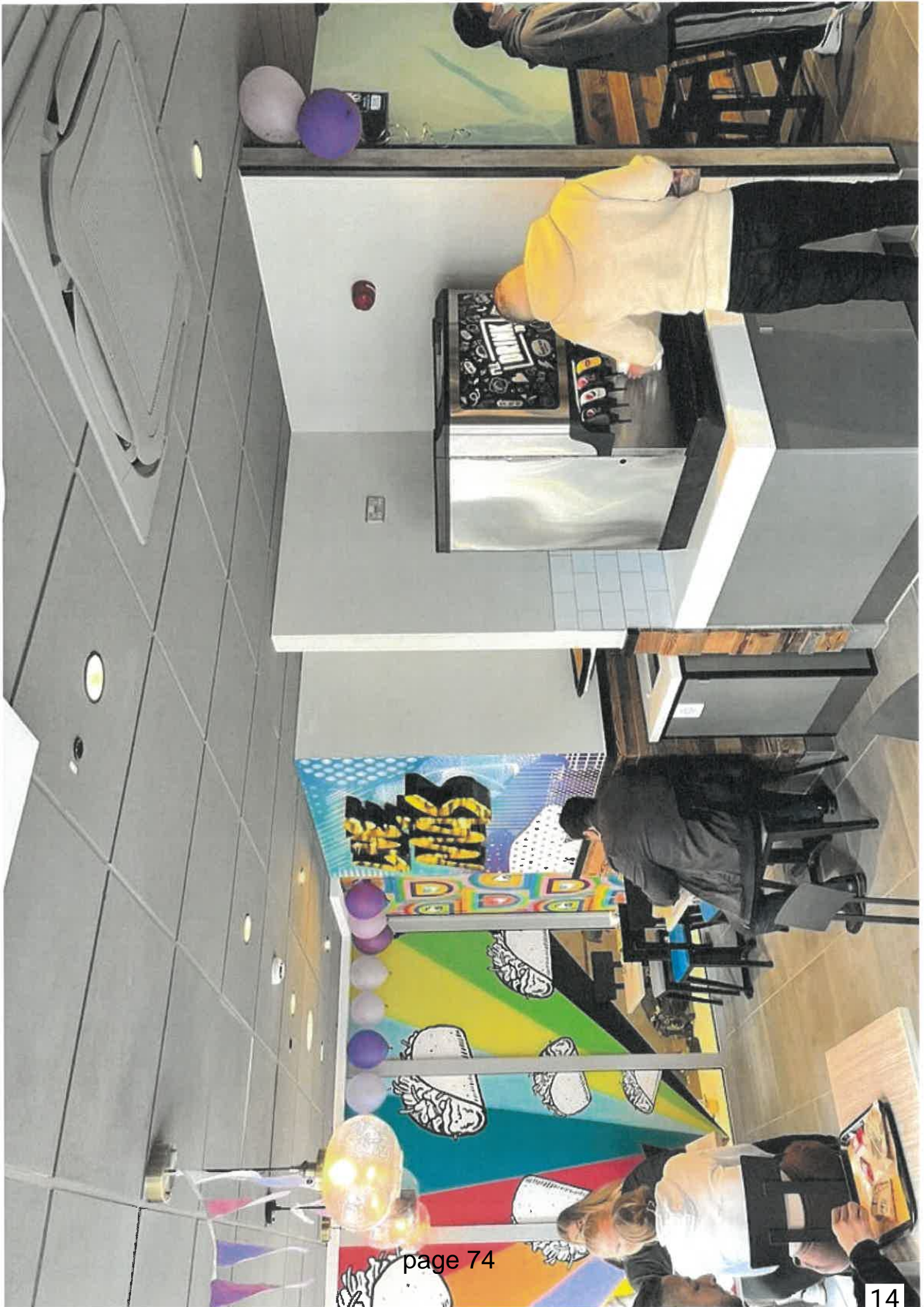
This station features a large digital screen displaying an image of a volcano. Below the screen is a touch-sensitive interface with the text "VOLCANO SUPPITO" and "ORDER HERE". To the right of the screen is a payment terminal.



VOLCANO SUPPITO

ORDER HERE

This station features a large digital screen displaying an image of a volcano. Below the screen is a touch-sensitive interface with the text "VOLCANO SUPPITO" and "ORDER HERE". To the right of the screen is a payment terminal.





City of Westminster

Office Name: Dave Nevitt
 Designation: EHO
 Date: 10.5.2022
 Contact number: 07971 616281
 Email: dnevitt@westminster.gov.uk
 Uniform Reference: 22/04587/PREAPS

Trading name of business and Address: 346 - 348 Edgware Road		
Licence: N/A	Applicant: Chris Reece-Gay chris@woodswhur.co.uk	Cumulative Impact Area: N/A
Type of Business: RESTAURANT/HOT FOOD TAKE AWAY		
<p><u>PROPOSED:</u></p> <p><i>'We are instructed by Taco Time Limited to submit a new premises licence application for a new Taco Bell quick service restaurant and take-away. The application is for Late Night Refreshment only (no alcohol). We are applying for normal Taco Bell hours and operate these without incident across the estate. As a premium operator and in line with the S182 Guidance we have attached a draft application and plan and are seeking feedback on both prior to submission.'</i></p> <p>The applicant has submitted a draft application form which includes a <u>number of proposed conditions</u>. These are <u>mostly acceptable but are subject to comments below</u>. I note that one of the proposed conditions specifies a maximum capacity of 45 persons (excluding staff) and that use of outside tables and chairs will cease at 2300hrs.</p> <p><u>EH COMMENTS:</u></p> <p>The premises is not located in a Cumulative Impact Area or a Special Consideration Zone.</p> <p><u>The City Council's Statement of Licensing Policy states in respect of 'Fast Food' and Restaurant type premises that the 'Core Hours' for Licensable activities are:</u></p> <p><i>Monday to Thursday: 10am to 11.30pm.</i> <i>Friday and Saturday: 10am to 12am.</i> <i>Sunday: 9am to 10.30pm.</i> <i>Sundays immediately prior to a bank holiday: 12pm to 12am.</i></p> <p>In this regard and application for a Premises Licence to authorise Provision of Late Night Refreshment to 0300hrs 7-day a week would appear to be <u>against the City Council's Policy</u>. This is because the hours sought are likely to increase the risk of</p>		

Public Nuisance to local residents. It is noted that there are a significant number of local residents in the immediate vicinity of the premises.

The draft application seeks to authorise the following:

- 1. Provision of LNR to patrons accommodated at the premises to 0300hrs**
- 2. Provision of LNR to persons seeking 'take-away' hot food from the premises to 0300hrs**
- 3. Provision of LNR by way of delivery to 0300hrs**

In relation to 'fast food' type premises the City Council's Policy makes the following statements:

F30. Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour.

F31. The Licensing Authority and the Metropolitan Police Service are concerned with the levels of crime and disorder that happen outside fast food premises late at night due to alcohol fuelled behaviour, and the opportunities for crime afforded by the congregation of people. Fast food premises within Westminster have a comparatively high association with reports of crimes of violence against the person. The consumption of food outside premises can result in food waste and litter on pavements, to an extent that amounts to a public nuisance. Crowding the pavement and the dropping of litter late at night can make effective street cleaning impossible at that time.

An application for a Premises Licence for hours as drafted is therefore likely to attract Representations from EH, the Police, local residents and possibly the Licensing Service. I recommend that the application seeks hours that do not exceed the 'Core Hours'.

In relation to the proposed capacity of 45 persons I make the following comments:

It would be better to specify the capacity as 'seated persons' or 'persons dining at the premises' because there is likely to be a number of patrons briefly attending the premises for the purposes of ordering/collecting a take-away and a number of delivery personnel/contractors attending to collect orders. It would be difficult in practise to monitor and control capacity so as to ensure compliance with the

proposed condition. In addition, it would appear from the floor plans that there is only 1 WC on the premises available for patrons. It appears that the BMT WC is for staff. In this regard a capacity of 45 patrons would fall short of the minimum standard as set out in BS6465 Table 10 in respect of the provision of sanitary appliances. A maximum seated capacity of 25 patrons would be more compliant with BS6465. If the applicant is minded to provide additional toilet facilities a revised maximum capacity could be discussed with EH.

The applicant is advised to make sure that noise from the operation of mechanical plant (e.g. extract ventilation systems, chiller unit compressors etc) is not likely to be a source of nuisance/disturbance to neighbouring residents.

The applicant is advised to investigate the possibility of quiet alternatives to traditional petrol/diesel mopeds and other vehicles so as to reduce the risk of nuisance being caused by late night delivery activities.

I recommend that the following conditions are included in the application:

Where delivery is part of the operation I recommend that this is covered by a condition referring to delivery to a 'bona fide address'.

MC37 The number of persons permitted in the premises at any one time (including staff) shall not exceed (X) persons.

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.

MC81 No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.

MC87 No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

MC90 No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.

Please note that any advice given will not guarantee that your application will be granted by the Licensing Service and the Environmental Health Consultation Team may still choose to make a representation to the application submitted.

Taco-Time Limited
Taco Bell, 346-348 Edgware Road, London, W2 1EA
Conditions

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 9)

Please see b), c) and d) below.

b) The prevention of crime and disorder

1. 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. The Premises Licence Holder shall undertake a risk assessment to determine whether or not a SIA licensed door supervisor is required during the hours of 23:00-03:00 and this risk assessment should be available to the licensing authority upon request.
4. The number of persons permitted to be seated in the premises at any one-time (excluding staff) shall not exceed 20 persons.
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.
6. The store shall operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the premises.
7. Signage stating that "no open alcohol containers to be allowed on the premises" shall be displayed at the premises.
8. Signage stating that "anti-social behaviour and/or disorder will not be tolerated" shall be displayed at the premises.

9. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
10. All staff to be trained on induction and every 6 months, in relation to conflict management. This training to be recorded and provided to the Responsible Authorities upon request.
11. A Staffsafe™ system with both audio and visual monitoring capability shall be installed and maintained in the premises. This system should be capable of being activated by either fixed or mobile panic buttons.
12. Signage stating that “Staff Safe antisocial behaviour monitoring system is in place and operating at the premises” shall be displayed at the premises.

c) Public safety

13. Members of the public will be prevented from accessing hot food and preparation areas to prevent risk of scald or burns.

d) The prevention of public nuisance

14. 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.
15. All outside tables and chairs shall be rendered unusable by (23.00) hours each day.
16. All tables and chairs shall be moved from the outside area by 2300hours each day.
17. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
18. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
20. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
21. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

22. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
23. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
24. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day.
25. 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.
26. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

e) The protection of children from harm

Please see b), c) and d) above.

From: Christopher Rees-Gay
Sent: 08 August 2022 12:50
To: 'Deweltz, Adam: WCC'
Cc: Jackaman, Kevin: WCC
Subject: RE: Taco Bell - Edgware

Hi Adam,

Many thanks for these.

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Deweltz, Adam: WCC [mailto:adeweltz@westminster.gov.uk]
Sent: 8 August 2022 12:45
To: Christopher Rees-Gay
Cc: Jackaman, Kevin: WCC
Subject: Taco Bell - Edgware

Oh that's annoying! I sent these to WCC Licensing services on the 5th July to be circulated.

Please see attached statements.

Regards,

Adam.

From: Christopher Rees-Gay <chris@woodswhur.co.uk>
Sent: 08 August 2022 12:41
To: Deweltz, Adam: WCC <adeweltz@westminster.gov.uk>
Cc: Nevitt, Dave: WCC <dnevitt@westminster.gov.uk>; Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: RE: Taco Bell - Edgware

Hi Adam,

Thank you for this. No, I have not received the statements, could you please send them through. I have copied in Kevin also so that he is aware of the statements.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Deweltz, Adam: WCC [<mailto:adeweltz@westminster.gov.uk>]
Sent: 8 August 2022 12:34
To: Christopher Rees-Gay <chris@woodswhur.co.uk>
Cc: Nevitt, Dave: WCC <dnevitt@westminster.gov.uk>
Subject: Taco Bell - Edgware

Hi Chris,

I have been through all the additional conditions and appreciate you're moving in the right direction. More than happy with the additions and changes.

Can you confirm that Licensing Services have sent you two Police statements from the local SNT?

My position is that I would still want to have an SIA door supervisor (High vis) if the hours for LNF go beyond those of core.

Many thanks,

Adam.

From: Christopher Rees-Gay <chris@woodswhur.co.uk>
Sent: 18 July 2022 17:07
To: Deweltz, Adam: WCC <adeweltz@westminster.gov.uk>; Nevitt, Dave: WCC <dnevitt@westminster.gov.uk>; Hunter, Brian: WCC <bhunter@westminster.gov.uk>
Cc: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Subject: RE: Taco Bell - Edgware

Afternoon Adam, Dave, Brian,

I hope you are both well.

Further to our meeting on 30 June, please see attached an amended operating schedule that reflects the suggestions that you made when we met (less the door staff condition).

If you could please consider the changes to the conditions, as well as the additional conditions and let me have any feedback.

Many thanks,

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay
Sent: 1 July 2022 17:23
To: 'adeweltz@westminster.gov.uk' <adeweltz@westminster.gov.uk>; 'dnevitt@westminster.gov.uk' <dnevitt@westminster.gov.uk>; 'bhunter@westminster.gov.uk' <bhunter@westminster.gov.uk>
Subject: Taco Bell - Edgware

Afternoon Brian, Dave, Adam,

Thank you all for your time yesterday. It was very helpful.

Just to make you aware, as the premises is trading, we next week will submit some TENs to test operating at the later hours.

In terms of the additional conditions we will be offering, I am just waiting for Grant to sign these off, so I hope to have these to you on Monday.

Have a good weekend.

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

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15 hours of free early education and childcare is available for all 3 and 4 year olds for up to 38 weeks per year, with an extended entitlement of 30 hours where eligible.

Funded early education and childcare places are also available for 2 year olds, with up to 15 hours of free education for those eligible.

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From: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Sent: 28 June 2022 08:41
To: Christopher Rees-Gay
Cc: Licensing: WCC; Amy Hayward
Subject: RE: Taco Bell, 346-348 Edgware Road, London, W2 1EA - 22/05206/LIPN

Hi Chris

I will email the objectors and forward your invitation.

Kind regards

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



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From: Christopher Rees-Gay
Sent: 28 June 2022 08:19
To: Jackaman, Kevin: WCC
Cc: Licensing: WCC ; Amy Hayward
Subject: RE: Taco Bell, 346-348 Edgware Road, London, W2 1EA - 22/05206/LIPN

Morning Kevin,

I hope you are well.

As you are aware we are meeting the Police (Adam) and David Nevitt this Thursday at the premises.

In terms of mediation with the residents, as a professional operator who takes residents' concerns very seriously, my client would be more than willing to meet with the residents on site to discuss their concerns. Could you please see if they are available to meet at mid-day this Thursday (30 June).

Many thanks,

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]
Sent: 22 June 2022 09:49
To: Christopher Rees-Gay <chris@woodswhur.co.uk>
Cc: Licensing: WCC <Licensing@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>
Subject: RE: Taco Bell, 346-348 Edgware Road, London, W2 1EA - 22/05206/LIPN

Hi Chris

Following the close of the consultation period, I confirm that we have received representations in respect of this application. A copy of the representations are attached.

You will note that there are representations from:-

1. Environmental Health
2. 2 Interested Parties

Westminster encourage mediation between the parties and should you wish to provide a response addressing the concerns raised, I would be happy to forward this to the objectors to assist with mediation. Should you wish to do so, please could I have this by 29th June 2022.

As representations have been received, if the matter cannot be mediated, the application will need to be determined by the Licensing Sub Committee.

Kind regards

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



City of Westminster



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From: Christopher Rees-Gay <chris@woodswhur.co.uk>
Sent: 21 June 2022 09:32
To: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Cc: Licensing: WCC <Licensing@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>
Subject: RE: Taco Bell, 346-348 Edgware Road, London, W2 1EA

Morning Kevin,

I am just following up on the below, can you please confirm if there are any further representations in relation to this application and when the hearing is likely to be.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay
Sent: 16 June 2022 10:10
To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>
Cc: 'licensing@westminster.gov.uk' <licensing@westminster.gov.uk>; Amy Hayward <amy@woodswhur.co.uk>
Subject: RE: Taco Bell, 346-348 Edgware Road, London, W2 1EA

Morning Kevin,

I hope you are well.

Can you please confirm if there are any further representations in relation to this application.

I am aware of the police representation.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Amy Hayward
Sent: 20 May 2022 14:28
To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>
Cc: 'licensing@westminster.gov.uk' <licensing@westminster.gov.uk>; Christopher Rees-Gay <chris@woodswhur.co.uk>
Subject: Taco Bell, 346-348 Edgware Road, London, W2 1EA

Good Afternoon,

Further to the above application please now find attached copy of the Westminster Extra newspaper containing a copy of the statutory public notice.

Kind regards,

Amy Hayward
Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055

amy@woodswhur.co.uk
Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds LS1 2SP.

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From: Jackaman, Kevin: WCC <kjackaman@westminster.gov.uk>
Sent: 13 September 2022 15:31
To: Christopher Rees-Gay
Cc: Abbott, Karyn: WCC
Subject: RE: Licensing Sub Committee 29th September 2022 - Taco Bell, 346 - 348 Edgware Road, London, W2 1EA (22/05206/LIPN)

Hi Chris

I have forwarded your request to the 2 objectors. I will let you know if I receive a response.

Kind regards

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
15th Floor
64 Victoria Street
London SW1E 6QP
Direct Line: 07816217005
Call Centre (for general queries): 0207 641 6500
Email: kjackaman@westminster.gov.uk
Web: www.westminster.gov.uk



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From: Christopher Rees-Gay
Sent: 13 September 2022 15:14
To: Jackaman, Kevin: WCC
Cc: Abbott, Karyn: WCC
Subject: RE: Licensing Sub Committee 29th September 2022 - Taco Bell, 346 - 348 Edgware Road, London, W2 1EA

(22/05206/LIPN)

Importance: High

Afternoon Kevin,

I have just called and left a message, can you please confirm if you have been able to reach out to the 2 x residents that submitted representations to see if they can attend the meeting on Friday.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Christopher Rees-Gay

Sent: 12 September 2022 20:13

To: 'Jackaman, Kevin: WCC' <kjackaman@westminster.gov.uk>

Cc: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>

Subject: RE: Licensing Sub Committee 29th September 2022 - Taco Bell, 346 - 348 Edgware Road, London, W2 1EA (22/05206/LIPN)

Evening Kevin,

Many thanks for the formal confirmation.

With the hearing set, we would like to reach out to the residents to meet up. Are you able to please let me have contact emails/details for them, or are you please able to contact them to see if they are free to come to the premises at 1130hrs this Friday, 16 September.

Please do let me know.

Many thanks

Chris

Christopher Rees-Gay

Woods Whur 2014 Limited
Tel: +44 (0)113 234 3055
Mobile: 07516029758

chris@woodswhur.co.uk

Woods Whur 2014 Limited, St James House, 28 Park Place, Leeds, LS1 2SP

From: Jackaman, Kevin: WCC [<mailto:kjackaman@westminster.gov.uk>]

Sent: 12 September 2022 12:53

To: Christopher Rees-Gay <chris@woodswhur.co.uk>

Cc: Abbott, Karyn: WCC <kabbott@westminster.gov.uk>; Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; Haq, Roxsana: WCC <rhaq@westminster.gov.uk>

Subject: Licensing Sub Committee 29th September 2022 - Taco Bell, 346 - 348 Edgware Road, London, W2 1EA (22/05206/LIPN)

Good afternoon

Applicant: Taco-time Limited

Application: Premises Licence, New – Licensing Act 2003

Location: Taco Bell, 346 - 348 Edgware Road, London, W2 1EA

In accordance with regulation 6 of The Licensing Act 2003 (Hearings) Regulations 2005 (2005 Regs) Westminster City Council as the Licensing Authority under the Licensing Act 2003 (the Act) hereby gives notice of the need to hold a hearing to determine the above mentioned application.

The Licensing Authority has received representations relating to this application and has scheduled the following public hearing to consider and determine this application:

Committee: **Licensing Sub-Committee**

Start time: **10am**

Date: **Thursday 29th September 2022**

Location: **18th Floor, Westminster City Hall, 64 Victoria Street, London SW1E 6QP –
Room to be confirmed**

***** Please be aware members require all documents for applications to be part of the report. Please submit all documents by 12pm on Tuesday 20th September 2022. If you wish to submit any additional documents after this date members have the discretion to adjourn cases if they do not have adequate time to fully consider all additional documentation.*****

PLEASE PROVIDE CONFIRMATION OF ATTENDANCE WITH FULL NAMES AND ACKNOWLEDGEMENT RECEIPT OF THIS EMAIL BY 12pm 26th September 2022

Each party who has registered to speak, will be invited to make their representations and will be allowed a **maximum of 10 minutes each**.

If you have any special requirements for access to this building e.g. wheelchair access, please contact the case officer on the telephone number or email address listed above.

Subject to regulations 14(2) and 25 of the 2005 Regs, a party may attend the hearing and may be assisted or represented by any person whether or not that person is legally qualified.

At the hearing a party shall be entitled to -

- in response to a point upon which the authority has given notice to a party that it will want clarification under regulation 7(1) (d), give further information in support of their application, representations or notice,
- if given permission by the authority, question any other party, and,
- address the authority.

Under the Act, you are required to give notice to the Authority no later than one week prior to the hearing stating:

- Whether you intend to attend or be represented at the Hearing
- Whether you consider a hearing to be unnecessary

If you wish to request the attendance of any other person (other than the person you intend to represent you at the Hearing), you must submit, with your notice to the Authority, a request for permission for such other person to appear at the hearing. You must also submit the details of the name of that person and a brief description of the point(s) on which that person may be able to assist the Authority in relation to your application / notice / representation or notice of the party making the request. Any such request will be considered by the Committee at the beginning of the Hearing.

If a party cannot attend the hearing at the proposed time or date then they can request an adjournment of the application to a later date. Any request for an adjournment must be sent to the Licensing Authority in writing and express the reasons for the adjournment request. The Licensing Authority will consider the adjournment request and any implications on other parties to the application. It will then inform the requester of its decision.

To view further information on the requirements relating to licence applications and hearings or view the Council's Rules of Procedure please visit the Council's website at www.westminster.gov.uk/licensing.

Confidential and impartial advice is available for local residents and businesses from a specialist licensing solicitor at the Citizens Advice Bureau. You can contact the Licensing Advice Project via telephone on 020 7706 6029 or alternatively you can email licensing@westminstercab.org.uk. Further information about this service can also be found at www.licensingadvice.org.

If you or any other party to this application does not attend the hearing, the application may proceed in your or their absence, or alternatively, the Sub-Committee could decide to adjourn the matter.

If you have any questions relating to this application or this notice please do not hesitate to contact me on 020 7641 6500 or email licensing@westminster.gov.uk.

Many Thanks

Kevin Jackaman
Senior Licensing Officer
Licensing Team
Public Protection & Licensing Department
Westminster City Council
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64 Victoria Street
London SW1E 6QP
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INDEPENDENT REPORT

TACO BELL,

346-348 Edgware Road, London, W2 1EA

ANDREW BAMBER

2nd September 2022

1. Introduction

2. I have been asked by Christopher Rees-Gay of Woods Whur to review the premises licence application for Taco Bell located at 346-348 Edgware Road, London, W2 1EA.

3. The premises have applied for a Late-Night Refreshment Licence to enable them to continue trading from 23.00 until 03.00.

4. The venue is situated on the east footway of the Edgware Road, almost opposite the old Paddington Green Police Station. It is not part of the Edgware Road Special Consideration Zone that terminates south of the venue at the Marylebone Flyover.

5. My assessment is completely independent of my instructing agent and the owners and the managers of the venue.
6. I have no personal involvement with any business or resident in the Hounslow Area.
7. I am able to evaluate the operational environment based upon my considerable experience and qualifications. I can view the environment through several perspectives and make objective and proportionate interpretations of the data and evidence.
8. In brief I have been:
 - A licensing observation officer.
 - A divisional licensing Inspector on a busy and challenging London Borough.
 - The operations manager for the central London Clubs and Vice unit.
 - A Detective Chief Inspector managing divisional crime investigations.
 - A senior investigating Officer.
 - A Borough Commander responsible for developing and delivering local policing plans that include the night-time economy challenges.
 - As an Assistant Director, for 10 years, on a semi-inner London Borough I was responsible for the Safer Communities portfolio that

included the development and delivery of the Partnership Community Safety Strategy. I was directly responsible for the Licensing function and the night-time economy, problem solving local crime and ASB hotspots, and the development and management of Licensing policies.

9. I acknowledge that as an expert witness my primary duty is to the Court and Licensing Sub-Committee. All facts identified in this report are true to the best of my knowledge and experience. They were either witnessed or experienced by me personally or relayed to me in good faith and appear to be credible and reliable.
10. The opinions I have expressed within in this report are honestly held and correct to the best of my judgement and belief. My fee for preparing this report is not conditional on the opinions I have stated within or the eventual outcome of the case.
11. I am very familiar with this area of London, having served at Paddington Green Police Station for 10 years as an Inspector. For 5 of those years, I was the licensing inspector.

12. Prior to my review I was supplied with:

- The licence application
- Plans of the venue
- The operating schedule containing proposed conditions
- The copy of an email from PC Deweltz
- A formal letter of representation from the Metropolitan Police (PC Deweltz)
- A letter of representation from Dave Nevitt on Behalf Of: Environmental Health Administration for Westminster City Council.
- Two public representations
- A web link to StaffSafe website
- Risk Assessment procedure document
- Dispersal policy.

13. My review consisted of:

- A document review including Westminster City Council Statement of Licensing Policy.
- A visit to the Edgware Road on Friday evening/night of the 22nd of July.
- A second visit to the Edgware Road on Wednesday evening/night of the 27th July.

- A third visit on Saturday the 6th of August through to the early hours of Sunday the 7th August 2022.
- A visit to Taco Bell in Shepherds Bush to assess the StaffSafe system.
- The 2 x Police Witness Statements supplied to me on the 8th August 2022.

14. 1st Visit (Friday the 22nd July into the early hours of Saturday the 23rd July 2022).

15. I arrived in Bell Street opposite the old Paddington Green Police Station at 21.30.

16. I walked to the junction with the Edgware Road and stood outside the Green Man Public House. The venue was moderately busy and there was no obvious sign of door security personnel.

17. Walking north along the east footway I noticed that the road traffic was quite busy, and the pedestrian footfall was quite significant. Most of the pedestrian footfall cantered on the east footway.

18. The atmosphere was vibrant with family groups walking together along the footway. There was no evidence of groups of young people that could fall into the category of a gang.
19. The east footway comprised predominantly of café style premises, restaurants, and fast-food outlets. A considerable number of venues had tables and chairs out on their frontage which were, in the main, fully occupied.
20. I walked north to Orchardson Street checking in each of the restaurants and fast-food premises on each side of the road looking for the presence of SIA staff work at each of the premises. There were none.
21. I spent an hour and 15 minutes repeatedly walking the length of the Edgware Road between the Edgware Road London Underground station, beside the Marylebone flyover, and Orchardson Street. On each occasion I checked The Green Man public house, cafés, restaurants, and fast-food premises. At no time was there any indication that any of the premises employed SIA security staff.
22. The footways remained busy throughout with people, including what appeared to be family groups. People appeared to be out walking, shopping

in the supermarkets, standing talking to people who were sat at tables outside the cafés and restaurants, or moving to and from the underground station, or moving through the area.

23. The atmosphere was vibrant, it was not intimidating, and I did not feel vulnerable as a lone individual walking the street.
24. On either side of the Edgware Road beyond the retail outlets the area is quite densely populated with residential properties.
25. Just before 23.00 I walked away from the Edgware Road into Church Street and the surrounding residential area, and I walked further afield to Lisson Grove and the Lisson Green Estate.
26. The estates were quiet with relatively few people about. I passed a number of small groups of young men who were sat at different locations within the residential areas. They were sat talking and drinking soft drinks. They were not intimidating and at no time did I feel uncomfortable or intimidated. I did not encounter any groups of young people, especially young men, in dispute with anybody or behaving badly.

27. I returned to the Edgware Road at about 00.00. The environment had changed, there were less people on the street and many of the cafés and restaurants were closing up for the night.
28. The premises that remained open were, Damascus Bride, Pizza Hut, KFC, Dominos, Chicking, Chicken Valley. There were also 2 supermarkets. The Station Food and Wine Supermarket at 314 Edgware Road advertises that is open 24hrs. The venue was open throughout the period that I was in the Edgware Road. In addition to the supermarket there was the 24hr Petrol Station at 383 Edgware Road that offered convenience store facilities.
29. I stood for some time outside of each of the venues and there was no sign or indication that any of the venues employed SIA security staff.
30. While I monitored the various establishments, I noted that the footways were almost clear of people. The people that were out had the appearance of persons moving purposely from one location to another. There were a number of people standing outside venues that were closing up and they appeared to be owners or employees of those venues.

31. There were small groups of scooter riders with their motorcycles who were obviously delivery riders who were linked to the 3 fast food venues. They were not noisy and were not causing any anti-social behaviour.
32. Three of the venues had customers that were seated in the venue, and one had customers seated just outside the venue on the footway.
33. I left the area just before 01.30. I had not seen any indication that any of the venues employed SIA security staff. I did not see any 'gang' activity in the Edgware Road or surrounding areas, and I did not witness any anti-social behaviour by any groups.
- 34. 2nd Visit**
35. My second visit was on Wednesday the 27th July 2022 through to the early hours of Thursday the 28th.
36. I arrived in Bell Street at about 22.20 and walked into the Edgware Road and stood outside the Green Man Public House. The Green Man was relatively quiet and there was no evidence of any SIA door security present at the venue.

37. The pedestrian footfall was less than on my previous visit on Friday the 22nd of July.
38. There were no family groups out walking and the pedestrian profile tended to be younger. However, there were no groups of young people acting together that could be labelled as a 'gang'. The pedestrian activity tended to be people moving in and out of the food outlets, shopping in the late-, and all-night supermarkets, moving through the area from one location to another, or transiting to and from the underground station, or standing outside the frontage of cafés, etc.
39. As with my visit on the 22nd I spent about an hour walking up and down the area of the Edgware Road between the Marylebone flyover and Orchardson Street.
40. The restaurants, cafés and fast-food venues were all open with a steady flow of customers. Many of the seating areas outside the premises were occupied by individuals and groups who were either talking, eating and or drinking. There was no evidence that alcohol was being consumed.
41. The environment was not uncomfortable, there was no evidence of 'gangs', there was no obvious anti-social behaviour, and I did not feel threatened or

intimidated as a lone pedestrian. The area is clearly a vibrant one that caters for a wide variety of cultures where the cafés and restaurants are the focus of social activity.

42. At about 23.00 it was clear that most of the Cafés and food outlets started closing for the night and that Damascus Bride, Pizza Hut, KFC, Dominos, Chicking, Chicken Valley were remaining open.
43. Around 23.20 I left the Edgware Road and walked around Church Street and the residential blocks to the east of the Edgware Road. I then spent an hour walking around the residential blocks to the east of the Edgware Road and further afield to the Lisson Green Estate.
44. I did not encounter any groups of young people. I did not see or hear any anti-social behaviour by any groups or excessive noise.
45. I returned to the Edgware Road just after 00.25 and continually walked between the Marylebone flyover and the Grand Union Canal.
46. Damascus Bride, Pizza Hut, KFC, Dominos, and Chicken Valley were open and trading and Chicking had closed for the night. Damascus Bride had

customers seated inside the restaurant while the fast-food premises provided a counter (carry out) service and a delivery service by way of scooter riders.

47. The scooter riders either parked outside the venues or in side streets. Although some stood in groups, they were not noisy and did not cause any anti-social behaviour.
48. On my return to the Edgware Road the pedestrian and traffic flow was light, the area was well illuminated, and the venues all appeared to keep their frontage tidy.
49. There were no groups of young people roaming the streets and it was a comfortable environment.
50. I left the area just after 02.00. The 24hr supermarket and the 24hr petrol station were open.
51. As with my previous visit there was absolutely no sign of any venue at this location employing SIA personnel as door security, and no sign gang activity, homeless people, and no anti-social behaviour.
52. **3rd Visit** (Saturday the 6th August through to Sunday the 7th August 2022)

53. I arrived in the Edgware Road at 23.00 on the 6th August 2022. I concentrated my in the Edgware Road and around the Church Street area.
54. When I arrived, the road was busy with both pedestrians and road traffic. There was no anti-social behaviour or any obvious group activity that I would link to gang activity.
55. People were walking to and from the area, quite a number were in and around the restaurants and café style premises, or just standing talking. It was clear that a number of venues were closing for the night and staff were cleaning the pavement, seated areas in the venues and cooking areas.
56. The road traffic was continuous in both directions. Consisting of vans, cars, and night buses. All of the available parking bays were occupied. The 24hr petrol station at 383 Edgware Road, and the supermarket at 314 Edgware Road were busy.
57. Scooter delivery riders either parked in the Edgware Road or in the adjacent side streets. The riders were not always with their vehicles and if they were they were not causing any problems or anti-social behaviour.
58. By 00.00 the only premises that were obviously open was Damascus Bride, Pizza Hut, KFC, Dominos, Chicken Valley, the 24hr petrol station, and the 24hr supermarket.

59. Customers in the fast food venues were either lone individuals, couples, or 2-3 young men. Their behaviour was never a cause for concern. The supermarket was busy with a range of individuals and the petrol station had a steady flow of vehicles.
60. None of these venues had any obvious security arrangements at the entrance, I did not see any SIA security staff nor did I see any groups of young people, or homeless people entering the venues or gathering outside the venues.
61. The pedestrian footfall dropped off after 00.00 but there remained a steady flow of pedestrians in the Edgware Road and to some extent in Lisson Grove. There were no large groups and the pedestrian footfall tended to be lone individuals (male and female) or small groups of people. They all appeared to be walking through the area after a night out.
62. There were no groups that I would attribute as a 'gang' causing any problems in the Edgware Road or in and around the venues that remained open after 00.00.
63. By 03.00 all of the late-night food outlets were closed. There had been no anti-social behaviour or any obvious gang activity. There were no venues employing SIA security.

64. There were no obvious signs of police patrols either on foot or in a vehicle.
65. The venues that remained open after 03.00 were the 24hr Adult Gaming Centre, the 24hr petrol station, and the supermarket.

66. Visit to Shepherds Bush

67. Prior to my second visit to the Edgware Road on the 27th of July 2022, I visited the Taco-Bell restaurant at Shepherds Bush Green. The purpose of the visit was to look at the Staffsafe system used by the company.
68. I am familiar with the system as I have worked for companies that use the system effectively in areas that are, in my opinion, more challenging than this area of the Edgware Road.
69. At Taco-Bell Shepherds Bush I was met by the manager who explained their use of the Staffsafe system. There was a control box beside the counter that was easy to use. With it were a full set of instructions. The manager explained that all of the staff had been trained in how to operate it and under what circumstances. He also highlighted that he had a personal electronic alarm initiation button on a lanyard around his neck that would operate the system if he or his staff found it difficult to get to the control panel.

70. He explained how the premises were supervised remotely and that the Staffsafe operator could monitor the venue remotely via their CCTV system and that the Staffsafe operator could initiate action without waiting to be alerted.
71. I checked the CCTV system and found it to be of a high quality. Every aspect of the venue was covered and the images on the monitor were very clear so that there was excellent facial recognition in the lighting environment.
72. I questioned the staff about the use of the system, and they all agreed that it was easy to use, and they were very happy that it had been installed in the premises. They were confident that the remote operators were looking after them and that they always responded very promptly.
73. I asked if the manager could vouch for the promptness of the service, and he suggested that we test the system. He touched the audible assist button and there was the immediate sound of a loud alarm throughout the venue. All of the customers stopped and looked around. The operator then came on the line asking a number of questions about assistance. Once it was explained that we were testing the system the alarms were switched off. It was a very effective demonstration.

74. The control panel provides a number of options

- Audible assist
- ASB
- Restaurant closing
- Silent assist
- Lock down.

75. Each activation can be linked to the actual event as recorded on the CCTV system.

76. Representations

The representation recorded to date consist of the:

- Metropolitan Police
- The Environmental Health Administration for Westminster City Council.
- Two public representations

77. The Metropolitan Police representation by the police licensing officer seems to have 2 parts. There is an email to the applicants' solicitors, Woods Whur and a letter on official Metropolitan Police letterhead. Both are somewhat different.

78. The email cites the location as an area for known gang activity and the fact that there was a stabbing of a gang nominal in the Edgware Road in June. That being the case the officer requires an undertaking that the venue employs an SIA door supervisor.
79. The formal representation on the official letter makes no mention of gang activity or the requirement to employ a door supervisor, the representation relates solely to the core hours policy stating that the officer has a belief that if granted, the application could undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.
80. My interpretation is that the officer is linking the 2 documents. By stating in the official letter that he has a belief that the application could undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder he is also referring to the email sent on the 7th July 2022 to Woods Whur where he requires an undertaking for a door supervisor to be employed at the venue. Although this is not obvious from the representation.
81. The representation by the officer amounts to a statement or belief. It is not supported by any actual evidence or data that the venue would negatively impact upon the 4 Licensing Objectives or that a door supervisor is necessary.

82. There are 2 statements by police officers that reiterate their beliefs. However, they do not contain any evidence.
83. PC Reading has stated that if the premises stays open until 3am it will attract unwanted customers, ranging from homeless, drunks and become a place for gangs to congregate. During the course of my visits I did not find this to be that case. Once the fast-food venues closed the 24hr supermarket and the 24hr petrol station, with convenience store facilities, remained trading and they did not attract homeless people, drunks, or groups of young people in gangs.
84. I would have expected the police to produce the following.
- Crime data that links crime and disorder to food outlets in the Edgware Road.
 - The suitably redacted crime report for the stabbing highlighting such a link to the food outlets or a specific venue.
 - Redacted crime intelligence reports that highlight gang related activity that links to the food outlets.
 - To ensure that the police representation was necessary and proportionate in respect of the Taco Bell application, I would have expected some detail from the officer explaining the work being taken

by local officers and the licensing team with other food outlets to counter the officer's belief.

85. I note that the officer has not complied with the requirement to detail why his requirement for an SIA door supervisor is necessary and proportionate in these circumstances.
86. I would have expected some analysis of the proposed operating schedule and the Staffsafe System where the officer makes the case for the physical presence of an SIA operative.
87. Without the officer's rationale setting out his reasons and supported with relevant data that links Taco Bell to Crime and Disorder it appears to be a disproportionate request.
88. I am of the opinion that in this case it is appropriate to set out that rationale. It is particularly important given that there are a number of other food outlets that operate very close to the Taco Bell site that do not have the same requirement to employ a SIA door supervisor.

89. Although the representation is set against the Core Hours Policy (HRS1) the officer does not highlight any specific objections against the policy requirements other than the hours applied for.

90. Environmental Health Administration

91. The officer representation is subjective and states.

92. 'Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety'.

93. As with the police representation there is no data and/or objective assessment to support the officers view why such an application should be refused.

94. Public representations

95. There are 2 representations from members of the public. Both are similar in nature and refer to noise and anti-social behaviour.

96. The Edgware Road is a 24-hour route into and out of central London. Neither of the applicant have cited problems with adjacent fast-food premises that currently operate into the early hours, or with the 24-hour supermarket.

97. The proposed conditions ensure that the outside use of tables and chairs will be removed at 23.00 and the sale of alcohol is not part of the application and people with open alcohol containers will not be permitted to enter the venue. The venue is purely food based.

98. Residents and businesses will have access to a telephone number at all times that the venue is open for business to discuss any concerns.

99. There is a dispersal policy in place to ensure that the local residents are not disturbed at the end of trading.

100. Core Hours Policy (HRS1)

101. The police representation refers to the core hours policy and focuses on the time that the venue has applied for.

102. Section B of the policy states that.

- Applications for hours outside the core hours set out in Clause C (fast food premises) will be considered on their merits, subject to other relevant policies.

103. The venue does not sit in a cumulative impact zone or a special consideration zone.
104. The operating schedule clearly addresses policies CD1, PS1, PN1 and CH1 to ensure that there will be no negative impact to the 4 Licensing Objectives.
105. There is residential accommodation on both sides of the Edgware Road behind the retail outlets along the road. There are 4 other premises that operate with late night refreshment licences and there is no evidence that the existence of these venues negatively impacts on the area and the licencing objectives.
106. No alcohol will be served in the venue and people will not be allowed to enter the venue with open alcohol containers.
107. No music will emanate from the venue and any outside table and chairs will be removed by 23.00.
108. There will be a maximum of 20 people allowed to be seated in the venue at any one time.

109. There is a Workplace Violence Risk Assessment Procedure in place that allows the applicant to dynamically respond to issues that may affect their operation and to proactively respond to changing circumstances such as the targeted use of SIA staff if required.

110. The venue will have the Staffsafe system that ensures that the venue is remotely monitored by a security operator who can access loudspeakers in the venue, monitor CCTV, lockdown the venue, and or call the police, requesting a silent approach if necessary.

111. Conclusion

112. The venue is not situated in a Cumulative Impact Zone or Special Consideration Area, and there is no application for the sale of alcohol.

113. None of the representations provide any direct evidence that the granting of the Late-Night Refreshment Licence will undermine any of the 4 Licensing Objectives.

114. The representations from the Responsible Authorities are subjective and are based upon a likelihood or a belief that Crime and Disorder and Public

Nuisance will increase, and that Public Safety will be compromised. No data or police intelligence has been produced to support such claims.

115. The police objection on core hours appears to be linked to an email where the officer has sought to ensure that the applicant employs a SIA door supervisor. Without supporting data and the officer's rationale setting out why it is a necessary and proportionate request, such a request appears to be completely disproportionate given that no other late-night premises in the area employs SIA staff.
116. The applicants proposed operating schedule highlights the experience and knowledge of the operator and their awareness to manage the 4 Licensing Objectives to ensure that there is no negative impact.
117. In my opinion, the direct need for dedicated SIA door staff has not been made by the officers. However, the applicant is cognisant of the potential for problems as environments change.
118. The risk assessment procedure and the Staffsafe system is very effective. Combined together they ensure that the applicant is able to effectively monitor their operating environment and provide a structured response throughout the year that is both responsive and proactive.

119. It is a system that is more versatile and effective than one person standing in a doorway.

120. I am of the opinion that the Taco Bell policies and procedures to manage the 4 Licensing Objectives negate the requirement for Taco Bell to be the only outlet to employ SIA Staff.

Bamber

2nd September 2022

DISPERSAL POLICY

Taco Bell is an experienced late night Quick Service fast food restaurant operator and is aware of the importance of ensuring as far as possible that customers leave as quietly as possible.

Taco Bell is also aware that the Edgware Road Taco Bell location makes safe departure and dispersal of customers of greater importance.

It is also aware of the importance of managing the outside space during trading times which includes the tables and chairs at the front area of the restaurant.

It is anticipated that during the lead up to closing hours, gradual dispersal will be encouraged in the following ways.

1. Calling last orders which will announcement made so there is adequate eating up time.
2. Staff encouraging customers to finish their food and drink and prepare to leave in plenty of time.
3. Adequate signage. Customers will be directed by staff to leave by the main entrance.

Sufficient staff will be present at the main entrance. At that point Staff and Supervisors roles will include the following: -

1. To encourage customers to leave the premises in a quiet and orderly manner
2. If a group of customers are found to be loitering near the building, then they will be politely asked to move on as quickly as possible.

The Restaurant General Manager's on duty is ultimately the responsibility to ensure that:-

1. Other managers and staff act effectively and responsibly to comply with this policy and are aware of the importance of customers leaving as safely and quietly as possible.
2. Customers do not cause any disturbance or nuisance to any residents within the vicinity of the premises.
3. To prioritise and assist wherever possible in ensuring that customers leave as safely, quietly and in an orderly manner as possible.



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

Schedule 12
Part A

WARD: Church Street
UPRN: 100022747503

Premises licence

Regulation 33, 34

Premises licence number:

18/10455/LIPCH

Original Reference:

10/05533/LIPN

Part 1 – Premises details

Postal address of premises:

Chicken Valley
340 Edgware Road
London
W2 1EA

Telephone Number: 020 7724 5505

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence:

Late Night Refreshment.

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

Late Night Refreshment

Monday to Sunday: 23:00 to 01:00

The opening hours of the premises:

Monday to Sunday: 06:00 to 01:00

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

Not applicable

Part 2

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

Shire Future Limited
49 Midhurst Gardens
Uxbridge
Middlesex
UB10 9DN

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

06654348

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

Not applicable.

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Not applicable.

Date: 06 September 2018

A handwritten signature in blue ink, appearing to read 'Roxsana Haq', is written over a light blue grid background.

Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

None

Annex 2 – Conditions consistent with the operating Schedule

1. Notices shall be displayed at the premises requesting patrons to respect the needs of local residents and leave the area quietly.
2. Unaccompanied children shall not be admitted on the premises.
3. The doors of the premises shall remain closed at all times except for entry and egress.
4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period. (consistent with the operating schedule)
5. 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 are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
6. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents in the vicinity.

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

None

Annex 4 – Plans

(attached)



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

Schedule 12
Part B

WARD: Church Street
UPRN: 100022747503

Premises licence
summary

Regulation 33, 34

Premises licence number:

18/10455/LIPCH

Part 1 – Premises details

Postal address of premises:

Chicken Valley
340 Edgware Road
London
W2 1EA

Telephone Number: 020 7724 5505

Where the licence is time limited, the dates:

Not applicable.

Licensable activities authorised by the licence:

Late Night Refreshment.

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

Late Night Refreshment

Monday to Sunday: 23:00 to 01:00

The opening hours of the premises:

Monday to Sunday: 06:00 to 01:00

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

Not applicable.

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

Shine Future Limited
49 Midhurst Gardens
Uxbridge
Middlesex
UB10 9DN

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

06654348

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

Not applicable.

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

Restricted

Date: 06 September 2018

A handwritten signature in blue ink, appearing to read 'Roxsana Haq', written in a cursive style.

Signed:

This licence has been authorised by **Ms Roxsana Haq** on behalf of the Director - Public Protection and Licensing.



City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

15/10341/LIPT

Original Reference:

08/06356/LIPN

Part 1 – Premises details

Postal address of premises:

Domino's Pizza
378 Edgware Road
London
W2 1EB

Telephone Number: 020 7247 7375

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment

Sunday to Thursday: 23:00 to 01:00

Friday to Saturday: 23:00 to 02:00

The opening hours of the premises:

Sunday to Thursday: 11:00 to 01:00

Friday to Saturday: 11:00 to 02:00

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

N/A

Part 2

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

Capital Pizza Limited
The Courtyard
Chapel Lane
Bodicote
Banbury
OX15 4DB

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

09549375

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

N/A

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

N/A

Date: 16 December 2015

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.

Annex 1 – Mandatory conditions

None

Annex 2 – Conditions consistent with the operating Schedule

1. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
3. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
4. All entrance doors to be kept closed except for immediate access and egress of persons after 2300 hours.
5. No deliveries of stock are to be received between 2300 hours and 0800 hours.
6. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800hours.
7. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
8. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.
9. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
10. The maximum number of persons within the customer service area at any one time shall be eight (excluding staff).
11. After 21.00 hours the rear exit door shall not be used by staff for delivery of take-away food

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

None

Annex 4 – Plans

Attached



Schedule 12
Part B

WARD: Church Street
UPRN: 100023477592

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

15/10341/LIPT

Part 1 – Premises details

Postal address of premises:

Domino's Pizza
378 Edgware Road
London
W2 1EB

Telephone Number: 020 7247 7375

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment

Sunday to Thursday:	23:00 to 01:00
Friday to Saturday:	23:00 to 02:00

The opening hours of the premises:

Sunday to Thursday:	11:00 to 01:00
Friday to Saturday:	11:00 to 02:00

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

N/A

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

Capital Pizza Limited
The Courtyard
Chapel Lane
Bodicote
Banbury
OX15 4DB

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

09549375

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

N/A

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

Restricted

Date: 16 December 2015

This licence has been authorised by Mr Ola Owojori on behalf of the Director - Public Protection and Licensing.



Schedule 12
Part A

WARD: Church Street
UPRN: 010033571048

City of Westminster

64 Victoria Street, London, SW1E 6QP

Premises licence

Regulation 33, 34

Premises licence number:

19/06226/LIPCH

Original Reference:

08/08873/LIPN

Part 1 – Premises details

Postal address of premises:

Triple D Limited T/A KFC
380 Edgware Road
London
W2 1EB

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment

Sunday to Thursday: 23:00 to 01:00

Friday to Saturday: 23:00 to 02:00

The opening hours of the premises:

Sunday to Thursday: 10:00 to 01:00

Friday to Saturday: 10:00 to 02:00

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

N/A

Part 2

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

Triple D Limited
50 Seymour Street
London
W1H 7JG
Electronic Mail : kamal@tripledd.co.uk
Telephone Number : 0208 995 7564
Mobile Phone Number : 07946343018

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

2878079

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

N/A

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

N/A

Date: 23 May 2019

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

Annex 1 – Mandatory conditions

None

Annex 2 – Conditions consistent with the operating Schedule

1. The venue shall install and maintain a comprehensive CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period
2. There shall be kept at the premises a refusals/incident book which will be used to record any incidents of disorder or refusal of service.
3. Notices shall be prominently displayed at exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
4. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
5. All entrance doors to be kept closed except for immediate access and egress of persons after 2300 hours.
6. No deliveries of stock are to be received between 2300 hours and 0800 hours.
7. No rubbish including bottles will be moved, removed or placed in outside areas between 2300 hours and 0800hours.
8. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, is swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
9. The highway and public spaces in the vicinity of the premises are kept free of litter from the premises at all material times to the satisfaction of the Council.
10. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. The maximum number of persons within the customer service area at any one time shall be ten (excluding staff).

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

None



Schedule 12
Part B

WARD: Church Street
UPRN: 010033571048

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

**Premises licence
summary**

Regulation 33, 34

Premises licence number:

19/06226/LIPCH

Part 1 – Premises details

Postal address of premises:

Triple D Limited T/A KFC
380 Edgware Road
London
W2 1EB

Telephone Number:

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Late Night Refreshment

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

Late Night Refreshment

Sunday to Thursday: 23:00 to 01:00
Friday to Saturday: 23:00 to 02:00

The opening hours of the premises:

Sunday to Thursday: 10:00 to 01:00
Friday to Saturday: 10:00 to 02:00

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

N/A

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

Triple D Limited
50 Seymour Street
London
W1H 7JG

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

2878079

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

N/A

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

Restricted

Date: 23 May 2019

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

RESTRICTED (when complete)

MG 11 (T)

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 Dylan Richards 1757AW URN: [] [] [] []

Age if under 18 Over 18 (if over 18 insert 'over 18') Occupation: Police Officer 237985

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] Date: 23/06/2022

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

These are my original notes. I have held the rank of Police Constable since 2014. My shoulder number is 1757AW and my warrant number is 237985. I am currently based at Church Street Police Station attached to Church Street Safer Neighbourhood Team.

My current role within the Metropolitan Police service is as a Dedicated Ward Officer. I have held this position for approximately FIVE (5) years and I'm currently ONE (1) of the ward officers for Church Street ward.

This statement is in relation to the opening of TACO BELL on EDGWARE ROAD, W2 and its proposed licence being extended until 0300 hours for SEVEN (7) days a week.

It is evident to all officers who work on the ward that there is an issue with anti-social behaviour predominantly being committed by youths who live on the ward. The anti-social behaviour is heavily linked to youth violence on the ward and drug supply. Most of the youths who are linked to the anti-social behaviour are a part of the LISSON GREEN MEN (LGM), who are the local gang heavily involved in drug supply on the ward. There have been numerous incidents most recently involving gang members resulting in them being arrested for the following offences; being in possession of knives, being in possession of drugs and paraphernalia, Grievous Bodily Harm etc.

TACO BELL is situated on EDGWARE ROAD, W2 attached to CHURCH STREET ward and is essentially junction with BROADLEY STREET, NW8. For numerous years there has been ongoing anti-social

Signature: [Signature] Signature witnessed by: []

2006/07(1): MG 11(T)

RESTRICTED (when complete)

Continuation of Statement of **PC Dylan Richards 1757AW**

behaviour (ASB) issues taking place on EDGWARE ROAD, W2 and on the CHURCH STREET ward in particular around CHURCH STREET, NW8 and BROADLEY STREET, NW8 involving the LGM and other local youths. The ASB generally consists of noise, littering, drug dealing and drug taking. ————— (DR)

These youths can often be seen frequenting restaurants all along Edgware Road until 2300 and 0000 hours which is when the restaurants generally close. Whilst these youths loiter in these restaurants/food outlets other members of the public may not frequent the area which would result in a loss of business. Adding to this whilst these youths are inside the restaurant/ food outlet, the opposing gang members may target these areas and bring violence inside their premises. ————— (DR)

In my personal opinion, from being a dedicated ward officer for the area and working closely with these individuals, if a restaurant/ food outlet was open until 0300 hours on EDGWARE ROAD, W2 it would draw unwanted attention by these gang members and youths. ASB would rise dramatically until the early hours of the morning and there is then the potential for increased violence in the area due to these youths loitering in the area. ————— (DR)

As TACO BELL is proposing that their licence is extended until 0300 hours, I would advise that they employ fully certified security at the location to ensure that genuine customers are kept safe and to ensure that these groups of youths do not loiter at the location unnecessarily. ————— (DR)

Dylan Richards PC1757AW

Signature: *Dylan Richards PC1757AW* Signature witnessed by:

2003(1)

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 **PAUL READING**..... URN:

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

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: ..... Date: **24/06/2022**.....

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

I am Pc Paul Reading and based at Church street Police station. I have been a police officer for 22 years , 15 of them on Edgware road.

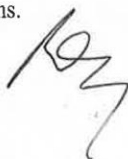
I make this statement in relation to TACO BELL EDGWARE ROAD request to have a licence until 3am.


I strongly object to this for the following reasons, I work permanent late shifts so see how busy Edgware road gets later in the evening. Most restaurants and fast food outlets close around 2330hrs. If TACO BELL stays open until 3am it will attract unwanted customers, ranging from homeless , drunks become a hotspot for gang members to congregate outside , which will then make the premises a target to rival gangs who will attend as they will know LGM members will be at the location. 18 months ago we had a fatal stabbing at the nearby KFC.

It will then become a noise issue late at night as above residents at the location will constantly call the council complaining.

We as the local, SNT do not work until 3am so we will not be providing any police cover at this late hour.

I strongly request this late license is not granted for the above reasons.



Signature: ..... Signature witnessed by:

There is no licence or appeal history for the premises.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

Conditions consistent with the operating schedule

10. 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.
11. 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.
12. The Premises Licence Holder shall undertake a risk assessment to determine whether or not a SIA licensed door supervisor is required during the hours of 23:00-03:00 and this risk assessment should be available to the licensing authority upon request.
13. The number of persons permitted to be seated in the premises at any one-time (excluding staff) shall not exceed 20 persons.
14. 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.
15. The store shall operate a "No Open Alcohol Containers" policy to prevent persons carrying open alcohol into the premises.
16. Signage stating that "no open alcohol containers to be allowed on the premises" shall be displayed at the premises.
17. Signage stating that "anti-social behaviour and/or disorder will not be tolerated" shall be displayed at the premises.
18. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number and/or is to be made available to residents and businesses in the vicinity.
19. All staff to be trained on induction and every 6 months, in relation to conflict management. This training to be recorded and provided to the Responsible Authorities upon request.
20. A Staffsafe™ system with both audio and visual monitoring capability shall be installed and maintained in the premises. This system should be capable of being activated by either fixed or mobile panic buttons.
21. Signage stating that "Staff Safe antisocial behaviour monitoring system is in place and operating at the premises" shall be displayed at the premises.
22. Members of the public will be prevented from accessing hot food and preparation areas to prevent risk of scald or burns.

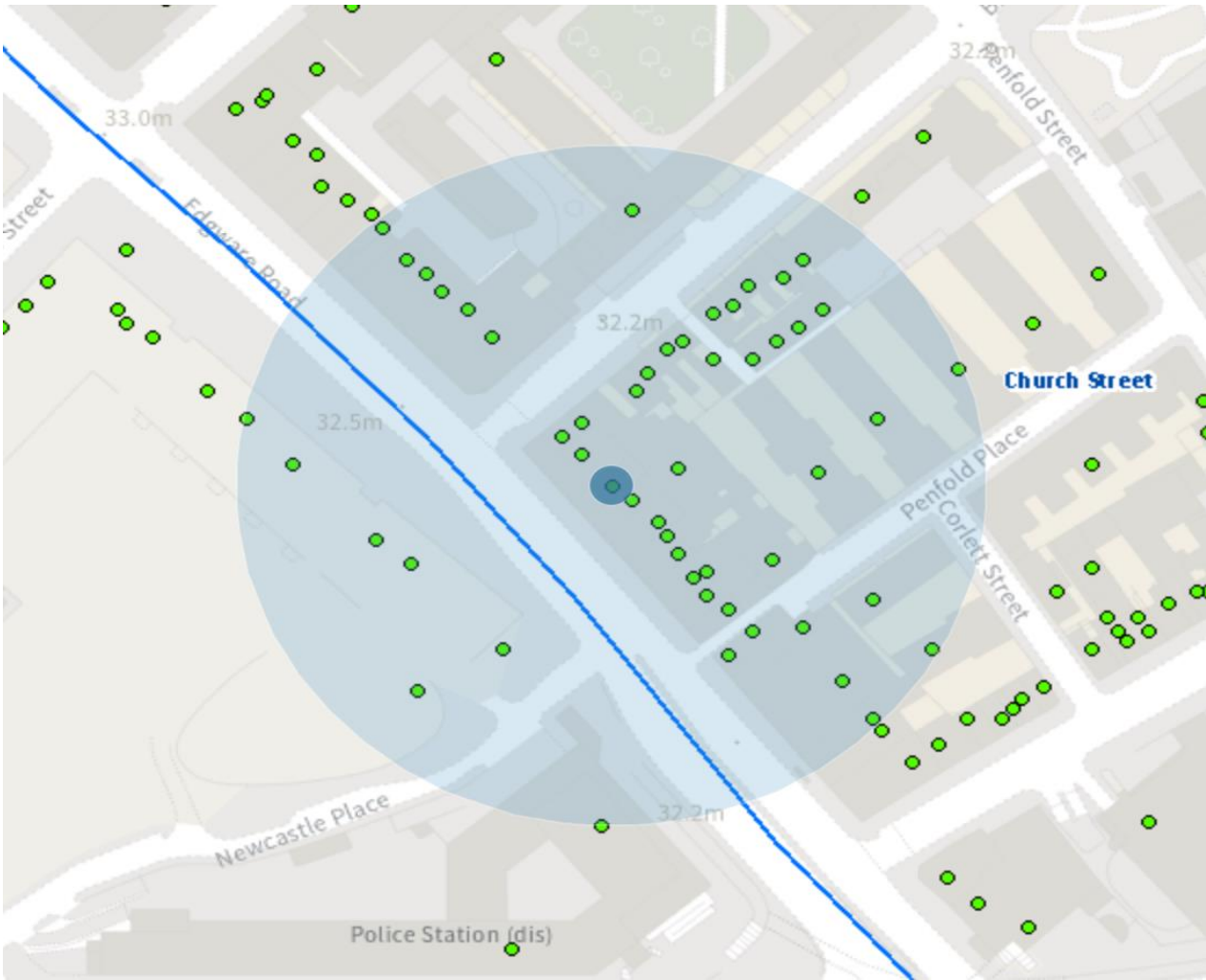
23. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
24. All outside tables and chairs shall be rendered unusable by 23.00 hours each day.
25. All tables and chairs shall be moved from the outside area by 2300 hours each day.
26. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
27. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
28. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
29. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
30. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
31. A copy of the premises' dispersal policy shall be made readily available at the premises for inspection by a police officer and/or an authorised officer of Westminster City Council.
32. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.
33. No collections of waste or recycling materials (including bottles) from the premises shall take place between (23.00) and (08.00) hours on the following day.
34. No licensable activities shall take at the premises until the capacity of the premises has been determined by the Environmental Health Consultation Team and the licensing authority has replaced this condition on the licence with a condition detailing the capacity so determined.
35. 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.
36. No licensable activities shall take place at the premises until the premises has been assessed as satisfactory by the Environmental Health Consultation Team at which time this condition shall be removed from the Licence by the licensing authority.
37. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated

Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

None



Resident count: 345

Licensed premises within 75m of 346 - 348 Edgware Road, London, W2 1EA

Licence Number	Trading Name	Address	Premises Type	Time Period
06/11981/WCCMAP	Zonzo Restaurant	342 Edgware Road London W2 1EA	Restaurant	Sunday; 12:00 - 00:00 | Monday to Saturday; 10:00 - 00:30
18/10455/LIPCH	Chicken Valley	340 Edgware Road London W2 1EA	Takeaway food outlet	Monday to Sunday; 06:00 - 01:00
16/07297/LIPVM	Micky's Fish Bar & Kebab Shop	332 Edgware Road London W2 1EA	Shop	Monday to Thursday; 09:00 - 23:30 | Friday to Saturday; 09:00 - 00:00 | Sundays before Bank Holidays; 09:00 - 00:00
21/00814/LIPN	Not Recorded	Edgware Road Post Office 354-356 Edgware Road London W2 1BG	Shop	Monday; 06:30 - 23:00 | Tuesday; 06:30 - 23:00 | Wednesday; 06:30 - 23:00 | Thursday; 06:30 - 23:00 | Friday; 06:30 - 23:00 | Saturday; 06:30 - 23:00 | Sunday; 06:30 - 22:30
17/11167/LIPT	Chicking	362 Edgware Road London W2 1EB	Takeaway food outlet	Friday to Saturday; 10:00 - 01:00 | Sunday to Thursday; 10:00 - 00:00
20/03023/LIPDPS	Sainsburys	318-324 Edgware Road London W2 1DY	Shop (large)	Monday to Sunday; 00:00 - 00:00
17/14591/LIPDPS	Sainsburys	318-324 Edgware Road London W2 1DY	Shop (large)	Monday to Sunday; 00:00 - 00:00

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Licensing Sub-Committee Report

Item No:

Date:

29 September 2022

Licensing Ref No:

22/06963/LIPN - New Premises Licence

Title of Report:

Pokehouse
Basement And Ground Floor
13 New Row
London
WC2N 4LF

Report of:

Director of Public Protection and Licensing

Wards involved:

St James's

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Ms Jessica Donovan
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: Jdonovan@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	18 July 2022		
Applicant:	Double Seven Hospitality Ltd.		
Premises:	Pokehouse		
Premises address:	Basement And Ground Floor 13 New Row London WC2N 4LF	Ward:	St James's
		Cumulative Impact Area:	West End
		Special Consideration Zone:	None
Premises description:	The premises intends to operate as a quick service restaurant providing poke bowls and drinks.		
Premises licence history:	This is a new premises licence therefore there is no premises licence history.		
Applicant submissions:	There are no submissions from the applicant.		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Recorded Music:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:			None				

Sale by retail of alcohol				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:			None				

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:00	11:00	11:00	11:00	11:00	11:00	11:00
End:	21:00	21:00	21:00	21:00	21:00	21:00	21:00
Seasonal variations/ Non-standard timings:			None				

2. Representations

2-A Responsible Authorities	
Responsible Authority:	The Licensing Authority
Representative:	Roxsana Haq
Received:	15 August 2022
<p>I write in relation to the application (22/06963/LIPN) submitted for a new Premises Licence for:</p> <p>Pokehouse, Basement And Ground Floor, 13 New Row, London WC2N 4LF</p> <p>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 your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the Licensing Objectives:</p> <ul style="list-style-type: none"> • Prevention of Public Nuisance • Prevention of Crime & Disorder • Public Safety • Protection of Children from harm <p>This application seeks to permit the following licensable activities:</p> <p>Supply of Alcohol: (both on and off sales) Monday to Sundays 11:00 to 21:00</p> <p>Recorded Music: (Indoors) Monday to Sundays 11:00 to 21:00</p> <p>The premises are located within the West End Cumulative Impact Zone and as such, a number of policy points must be considered, namely CIP1, RNT1 and DEL1.</p> <p>Cumulative Impact Policy CIP1,states:</p> <p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within core hours under policy HRS1 2. Vary the licence to reduce the overall capacity of the premises. And <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact"</p> <p>Policy RNT1(B) states:</p> <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 4. The application and operation of the venue meeting the definition of a restaurant 	

as per Clause C.

C. For the purposes of this policy a restaurant is defined as:

1. A premise in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves.
2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table.
3. Which do not provide any takeaway service of food and/or drink for immediate consumption.
4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

The Licensing Authority propose the following conditions:

1. The consumption of alcohol at the premises shall only be by a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.

2. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for designated external seating areas.
3. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal or meal consumed in a designated external seating area.
4. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
5. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
6. There shall be no self-service of alcohol at the premises.
7. Deliveries will only be made to bona fide residential or business addresses.
8. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery personnel will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 21 or 25 scheme. If the rider is not satisfied, then the alcohol in the order will be withheld.
9. The premises licence holder will ensure that an age verification policy will apply whereby

all delivery personnel will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.

10. All delivery personnel shall receive training in age restricted sales.

- Induction training must be completed and documented prior to the delivery of alcohol by the rider.
- Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
- Training records will be available for inspection by a Police Officer or other authorised officer on request. Training records will be electronically stored by the licence holder for a period of 12 months.

11. All delivery personnel shall be trained to record refusals of sales of alcohol in a refusal's log/register. The log/register will contain:

- details of the time and date the refusal was made.
 - the identity of the delivery personnel refusing the sale.
 - details of the alcohol the person attempted to purchase.
- This log/register will be available for inspection by a Police Officer or other authorised officer on request.

Furthermore, the Licensing Authority require the applicant to provide submissions as to how the operation of the premises will not add to cumulative impact in the West End cumulative impact zone, in accordance with policy CIP1.

As the Licensing Authority's policies, in relation to the Cumulative Impact Areas, are directed at the global and cumulative effects of licences on the area as a whole. The Licensing Authority encourages the applicant to provide further submissions as to how the premises will not adversely impact the West End Cumulative Impact Zone.

Further discussions will be held with the applicant prior to any scheduled hearing and any further submissions will be forwarded on for Members information.

Please accept this as a formal representation.

Responsible Authority:	Metropolitan Police Service
Representative:	PC Dave Morgan
Received:	04 August 2022

With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are **objecting** to this application as it is our belief that if granted, the application would undermine the Licensing Objectives, namely the Prevention of Crime and Disorder and the Protection of Children from Harm.

The venue is situated in the West End Cumulative Impact Zone, a locality where there is traditionally high crime and disorder and we have concerns that this application will cause further policing problems in an already demanding area.

There is also insufficient detail contained within the application to help promote the Licensing Objectives.

To move forward, I have attached a list of conditions that the Police would like to see added to the licence.

Please have a read and let me know if you are happy to accept them or feel free to contact me should you wish to discuss them further.

Responsible Authority:	Environmental Health Service
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Representative:	Anil Drayan
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Received:	15 August 2022
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The permeases are located in the West End Cumulative Impact Zone. Representations made against the application as it may adversely impact on the licensing objectives of Public Nuisance and Public Safety.

The applicant has not offered sufficient conditions, the plans are unclear, no capacity has been provided and subsequent sanitary accommodations. In addition Environmental Health will also wish to assess cooking ventilation scheme to prevent odour nuisance.

The applicant is requested to contact the undersigned and arrange a site visit to discuss the above issues.

2-B Other Persons

Name:	[REDACTED]
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Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
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Status:	Valid
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In support or opposed:	Opposed
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Received:	10 August 2022
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This application is for the sale of alcohol in a small takeaway premises open during limited hours (sale of alcohol ends at 21:00 and premises close at 21:30). The application also includes recorded music, although this does not require a licence during the hours requested.

[REDACTED] is concerned that if granted as applied for this will fail to support the Licensing Objectives, particularly related to Public Nuisance.

The implication of the application is that alcohol will be accompanying a meal, either eaten on the premises or take-away for consumption off the premises. Given the relatively early terminal hour we do not have a concern about this BUT a condition is required to restrict it to this style of operation.

We ask that the sale of alcohol is restricted by condition so that it can only be made in conjunction with the purchase of substantial refreshment. Alcohol should only be supplied over the counter or by waiter/waitress service, with no self-service from a chiller. We are happy to discuss suitable wording for such a condition with EH and/or the applicant.

We would also ask for MC 12 to be included in any Licence granted for the premises.

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.

We hope that this representation is clear and ask that you advise us well in advance of any meeting at which this application will be discussed.

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]
[REDACTED]

Status:

Valid

In support or opposed:

Opposed

Received:

08 August 2022

I am writing in regard to Poke House. I received notification of New Premises License Application under the Licensing Act 2003.

I am writing to object to this application for 3 reasons.

1) Poke House has been selling alcohol since the day they opened. Since May, they have illegally sold alcohol on the premises. I have seen and witnessed the consumption and purchasing of alcohol from customers. I reported this when the staff left music on all night, and the council tried to notify the manager through a Premise License, because he saw a beer and wine sign, and notify them to turn down the music. This loud music ran from 10pm-9am. For this basic disregard of citywide allowances, they should not be allowed a premise license, and monitored regularly.

2) The female store manager who usually opens the store is aggressive. She has told me to "f off" on multiple occasions when I have asked her to turn the music down, as well as slammed a door in my face. This incident was reported to CBRE, the property managers, as well as Westminster Council.

3) The staff consistently disobey basic commercial rules and guidelines. They play music outside of social hours. They place items in front of the [REDACTED] from entering.

I am happy to provide proof of the noise complaints sent to Westminster Council, as well as CBRE. They are horrible tenants and rude to everyone [REDACTED]

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy CIP1 applies	<p>A. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone for: pubs and bars, fast food premises, and music and dancing and similar entertainment, other than applications to:</p> <ol style="list-style-type: none"> 1. Vary the hours within Core Hours under Policy HRS1, and/or 2. Vary the licence to reduce the overall capacity of the premises. <p>C. Applications for other premises types within the West End Cumulative Impact Zones will be subject to other policies within this statement and must demonstrate that they will not add to cumulative impact.</p> <p>D. For the purposes of this policy the premises types referred to in Clause A are defined within the relevant premises use policies within this statement.</p>
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs

and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.

11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.

12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.

13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.

14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. **Casinos:** Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

2. **Cinemas, Cultural Venues and Live Sporting Premises:**
Monday to Sunday: 9am to 12am

3. **Hotels:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

4. **Off licences:** Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

5. **Outdoor Spaces:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

6. **Pubs and bars, Fast Food and Music and Dance venues:**
Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.

7. **Qualifying Clubs:** Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

8. **Restaurants:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

9. **Sexual Entertainment Venues and Sex Cinemas:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

	<p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p>
<p>Policy RNT1 applies</p>	<p>A. Applications outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities being within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>B. Applications inside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone. 5. The application and operation of the venue meeting the definition of a restaurant as per Clause C. <p>C. For the purposes of this policy a restaurant is defined as:</p> <ol style="list-style-type: none"> 1. A premises in which customers are shown to their table or the customer will select a table themselves to which food is either served to them or they have collected themselves. 2. Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at a table. 3. Which do not provide any takeaway service of food and/or drink for immediate consumption, except if provided via an ancillary delivery service to customers at their residential or workplace address. 4. Where alcohol shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals. 5. The sale and consumption of alcohol prior to such meals may be in a bar area but must also be ancillary to the taking of such meal.

4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

5. Appendices

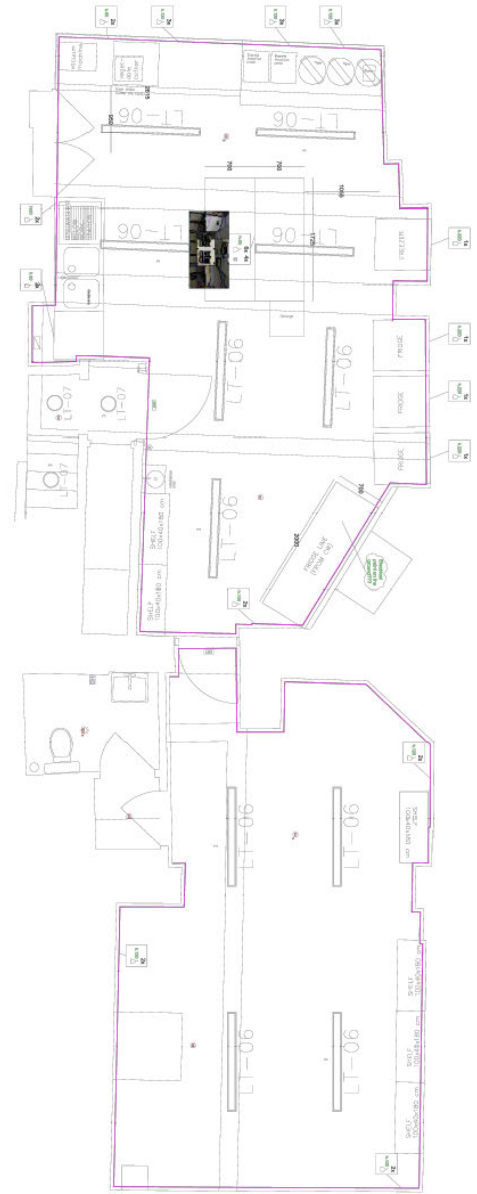
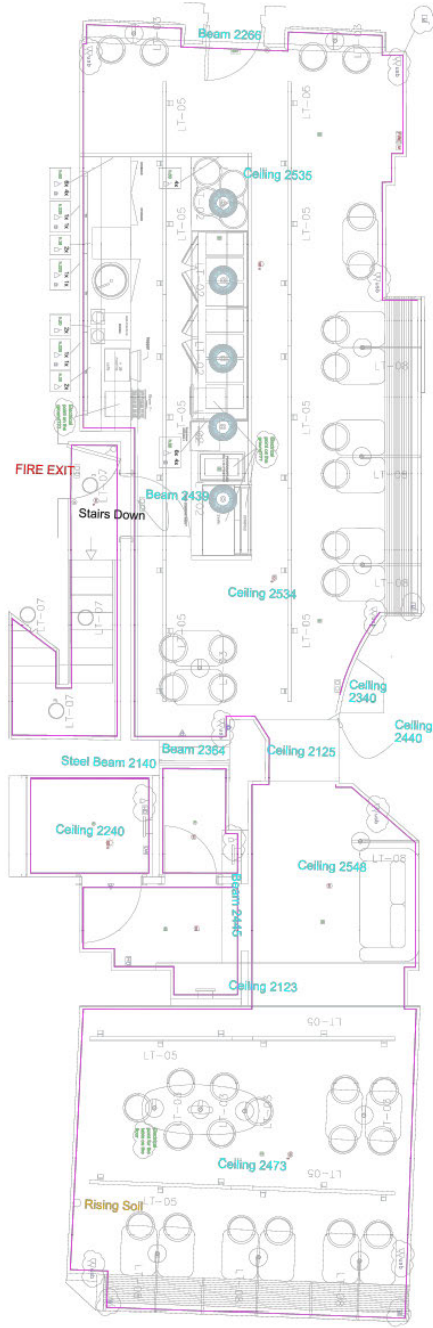
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Ms Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: Jdonovan@westminster.gov.uk

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

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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	The Licensing Authority representation	15 August 2022
5	The Metropolitan Police Service representation	04 August 2022
6	Environmental Health Service representation	15 August 2022
7	Interested party 1 representation	10 August 2022
8	Interested party 2 representation	08 August 2022



NO.	REVISION	DATE	BY	CHKD.
1	ISSUED FOR PERMIT	15/01/2024	...	...
2	ISSUED FOR PERMIT	15/01/2024	...	...
3	ISSUED FOR PERMIT	15/01/2024	...	...
4	ISSUED FOR PERMIT	15/01/2024	...	...
5	ISSUED FOR PERMIT	15/01/2024	...	...
6	ISSUED FOR PERMIT	15/01/2024	...	...
7	ISSUED FOR PERMIT	15/01/2024	...	...
8	ISSUED FOR PERMIT	15/01/2024	...	...
9	ISSUED FOR PERMIT	15/01/2024	...	...
10	ISSUED FOR PERMIT	15/01/2024	...	...

- 1. ALL DIMENSIONS ARE IN METERS UNLESS OTHERWISE SPECIFIED.
- 2. ALL WALLS ARE 200MM THICK UNLESS OTHERWISE SPECIFIED.
- 3. ALL FLOORS ARE TO BE CONCRETE ON COMPACTED GRAVEL.
- 4. ALL ROOFS ARE TO BE GALVANIZED IRON SHEET ON TIMBER RAFTERS.
- 5. ALL CEILING ARE TO BE GYPSUM BOARD ON METAL BATTENS.
- 6. ALL LIGHT FIXTURES ARE TO BE AS SHOWN ON THE DRAWINGS.
- 7. ALL ELECTRICAL WORK IS TO BE DONE IN ACCORDANCE WITH THE WIRING REGULATIONS.
- 8. ALL SANITARY WORK IS TO BE DONE IN ACCORDANCE WITH THE SANITARY REGULATIONS.
- 9. ALL MECHANICAL WORK IS TO BE DONE IN ACCORDANCE WITH THE MECHANICAL REGULATIONS.
- 10. ALL STRUCTURAL WORK IS TO BE DONE IN ACCORDANCE WITH THE STRUCTURAL REGULATIONS.
- 11. ALL FINISHES ARE TO BE AS SHOWN ON THE DRAWINGS.
- 12. ALL MATERIALS ARE TO BE OF THE BEST QUALITY AVAILABLE.
- 13. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE BUILDING REGULATIONS.
- 14. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE LOCAL AUTHORITY REQUIREMENTS.
- 15. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE NATIONAL BUILDING REGULATIONS.
- 16. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE INTERNATIONAL BUILDING REGULATIONS.
- 17. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE EUROPEAN BUILDING REGULATIONS.
- 18. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE AMERICAN BUILDING REGULATIONS.
- 19. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE JAPANESE BUILDING REGULATIONS.
- 20. ALL WORK IS TO BE DONE IN ACCORDANCE WITH THE CHINESE BUILDING REGULATIONS.

Applicant Supporting Documents

Appendix 2

There are no supporting documents from the applicant.

There is no licence or appeal history for the premises.

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

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

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

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

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

- 8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 8(ii) For the purposes of the condition set out in paragraph 8(i) above -
- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -
- $$P = D + (D \times V)$$
- Where -
- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Conditions consistent with the operating schedule

None

Conditions proposed by the Metropolitan Police Service

9. 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 and will include the external area immediately outside the premises entrance. 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.
10. 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.
11. The consumption of alcohol at the premises shall only be by a person seated taking a substantial table meal there and for consumption by such a person as ancillary to their meal.

For the purpose of this condition a 'Substantial Table Meal' means – a meal such as might be expected to be served as the main midday or main evening meal, or as a main course at either such meal and is eaten by a person seated at a table, or at a counter or other structure which serves the purposes of a table and is not used for the service of refreshments for consumption by persons not seated at a table or structure servicing the purposes of a table.
12. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises, except for designated external seating areas.
13. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a takeaway meal or meal consumed in a designated external seating area.
14. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
15. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
16. 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.
17. 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.

18. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system, searching equipment or scanning equipment
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
19. There shall be no self-service of alcohol at the premises.
20. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke or make a phone call, shall not be permitted to take glass containers with them.
21. Deliveries will only be made to bona fide residential or business addresses.
22. A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery personnel will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 21 or 25 scheme. If the rider is not satisfied, then the alcohol in the order will be withheld.
23. The premises licence holder will ensure that an age verification policy will apply whereby all delivery personnel will be trained to ask any customer to whom alcohol is delivered, who appears to be under the age of 25 years to produce, before being sold alcohol, identification being a passport or photocard driving licence bearing a holographic mark or other form of identification that complies with any mandatory condition that may apply to this licence.
24. All delivery personnel shall receive training in age restricted sales.
 - Induction training must be completed and documented prior to the delivery of alcohol by the rider.
 - Refresher/reinforcement training must be completed and documented at intervals of no more than 6 months.
 - Training records will be available for inspection by a Police Officer or other authorised officer on request. Training records will be electronically stored by the licence holder for a period of 12 months.
25. All delivery personnel shall be trained to record refusals of sales of alcohol in a refusal's log/register. The log/register will contain:
 - details of the time and date the refusal was made.
 - the identity of the delivery personnel refusing the sale.
 - details of the alcohol the person attempted to purchase.This log/register will be available for inspection by a Police Officer or other authorised officer on request.

Conditions proposed by the Environmental Health Service

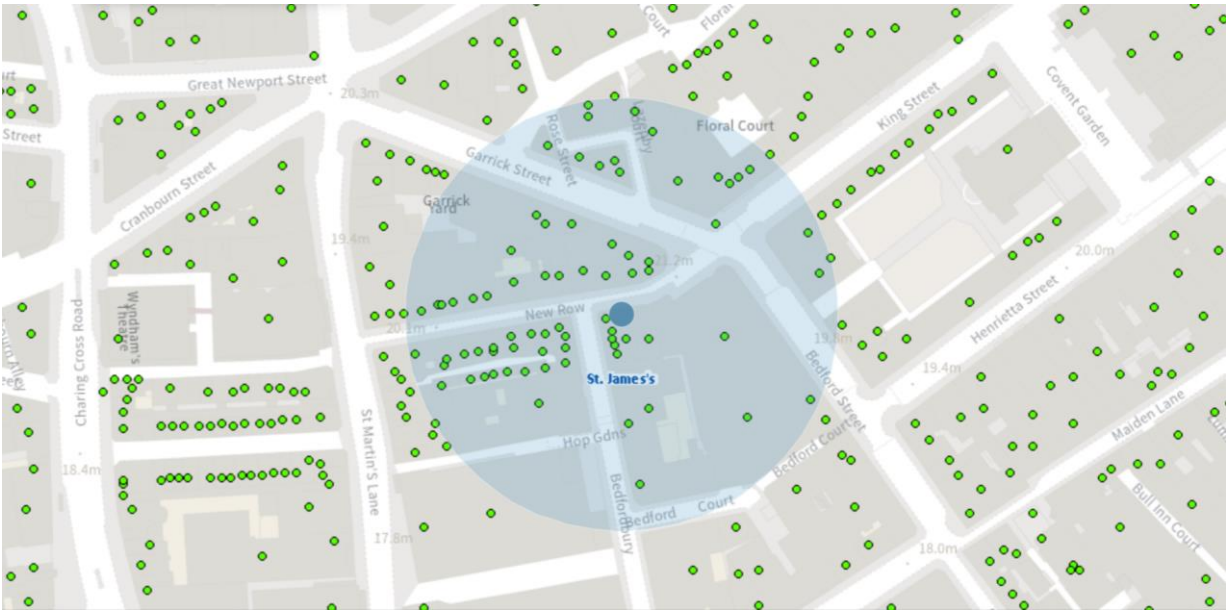
None

Conditions proposed by the Licensing Authority

None

Conditions proposed by interested party 1

26. 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.



Resident count: 132

Licensed premises within 75 metres of Basement and Ground Floor, 13 New Row, London, WC2N 4LF				
Licence Number	Trading Name	Address	Premises Type	Time Period
21/11185/LIPV	The White Swan	14 New Row London WC2N 4LF	Public house or pub restaurant	Sunday; 07:00 - 22:50 | Monday to Thursday; 07:00 - 23:30 | Friday to Saturday; 07:00 - 00:00 | Sundays before Bank Holidays; 07:00 - 00:00
22/02459/LIPDPS	Round House	1 Garrick Street London WC2E 9BF	Public house or pub restaurant	Sunday; 12:00 - 23:00 | Monday to Thursday; 10:00 - 23:30 | Friday to Saturday; 10:00 - 00:00 | Sundays before Bank Holidays; 12:00 - 00:00
21/07028/LIPDPS	CHILL SINCE PIZZA	10 New Row London WC2N 4LH	Not Recorded	Sunday; 12:00 - 22:30 | Monday to Saturday; 10:00 - 23:00
20/06254/LIPDPS	Benitos Hat	Ground 19 New Row London WC2N 4LA	Restaurant	Sunday; 12:00 - 00:00 | Monday to Saturday; 10:00 - 00:30
18/13283/LIPCH	Giovanni's Restaurant	10 Goodwin's Court London WC2N 4LL	Restaurant	Sunday; 12:00 - 15:00 | Sunday; 18:00 - 00:00 | Monday to Saturday; 18:00 - 00:30 | Monday to Saturday; 10:00 - 15:00
22/06946/LIPDPS	Tesco	22-25 Bedford Street London WC2E 9EQ	Shop	Sunday; 10:00 - 22:30 | Monday to Saturday; 08:00 - 23:00
19/09509/LIPDPS	Not Recorded	7 New Row London	Restaurant	Sunday; 08:00 - 22:30

		WC2N 4LH		| Monday to Saturday; 08:00 - 23:00
14/06349/LICV	Garrick Club	15 Garrick Street London WC2E 9AY	Club or institution	Monday to Sunday; 07:00 - 01:30
06/08049/WCCMAP	Grand Indian 1 Restaurant	6 New Row London WC2N 4LH	Restaurant	Sunday; 12:00 - 00:00 | Monday to Saturday; 10:00 - 00:30
14/07843/LIPDPS	Com Viet	2 Garrick Street London WC2E 9BH	Restaurant	Monday to Sunday; 10:00 - 00:30
22/06787/LIPT	Not Recorded	26 King Street Covent Garden London WC2E 8HN	Restaurant	Sunday; 10:00 - 22:30 | Monday to Thursday; 08:00 - 23:30 | Friday to Saturday; 08:00 - 00:00
20/07497/LIPCH	Steak & Co	4 - 6 Garrick Street London WC2E 9BH	Restaurant	Sunday; 12:00 - 00:00 | Monday to Saturday; 10:00 - 00:30
21/09877/LIPDPS	Cafe Nuvo	4 New Row London WC2N 4LH	Restaurant	Monday to Sunday; 08:00 - 23:00
22/02332/LIPDPS	Blame Gloria	Ground Floor And Basement 20 Bedford Street London WC2E 9HP	Public house or pub 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
20/08076/LIPD	Concert Artistes Association	20 Bedford Street London WC2E 9HP	Club or institution	Sunday; 12:00 - 22:30 | Monday to Saturday; 11:00 - 01:00
11/07100/LIPT	Le Garrick	Ground Floor And Basement 10 - 12 Garrick Street London WC2E 9BH	Restaurant	Sunday; 12:00 - 00:00 | Monday to Saturday; 10:00 - 00:30

22/06661/LIPDPS	Trevor Sorbie	27 Floral Street London WC2E 9DP	Hairdresser or beauty salon	Sunday; 09:00 - 18:00 Monday to Saturday; 09:00 - 21:00
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