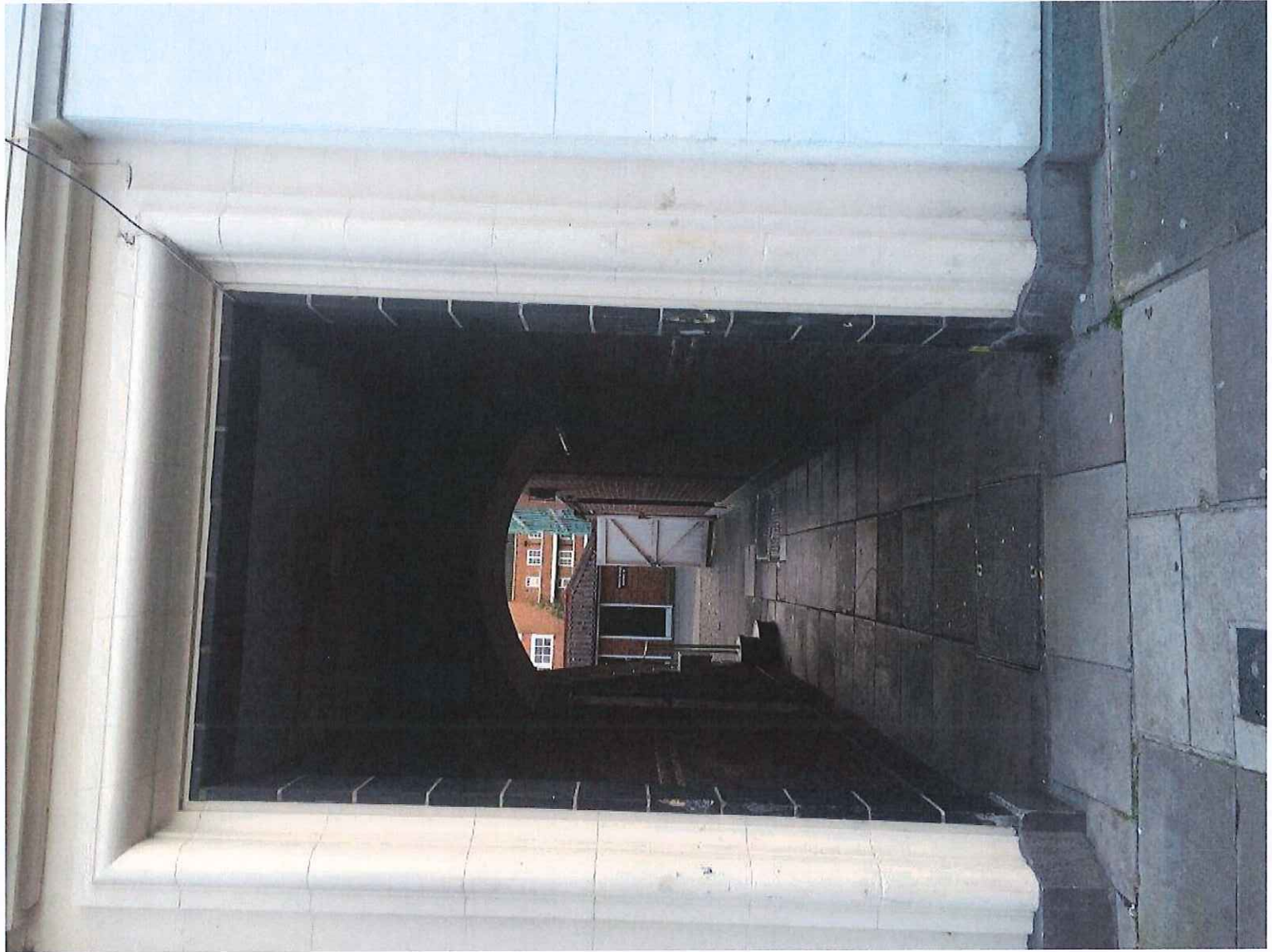


# APPENDIX 3









# APPENDIX 4

## Licence & Appeal History

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/07990/LIPC	Application to covert and vary existing Justice on Licence	13.09.2005	Conversion and variation granted under delegated authority
06/02219/LIPDPS	Application to vary the designated premises supervisor	25.03.2006	Granted Under Delegated Authority
06/12532/WCCMAP	Application for a new premises licence	21.03.2007	Granted Under Delegated Authority
07/02370/LIPT	Application to transfer the premises Licence from Ask Restaurant Ltd to Heathlink Ltd	25.04.2007	Granted Under Delegated Authority
07/02371/LIPDPS	Application to vary the designated premises supervisor	13.04.2007	Granted Under Delegated Authority
15/09020/LIPT	Application to transfer the premises Licence from Heathlink Ltd to Co-operative Group Food Limited	Pending	
15/09339/LIPN	Application for a new premises licence	Pending	

## 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 proposed by Applicant as part of the operating schedule

9. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 28 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.
  - (a) **Proposed alternative by The Police:** The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
10. There shall be "CCTV in Operation" signs prominently displayed at the premises.
11. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.
12. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.
  - (a) **Proposed alternative by The Police:** 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.
  - (b) **Proposed alternative by The Environmental Health Service:** A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification shall be a photographic driving licence, passport, Military ID or proof of age card bearing the PASS logo. In addition, any other form of identification approved by the Secretary of State shall be acceptable
13. The premises will be fitted with a burglar alarm system.
14. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.
15. The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.
16. A complaints procedure will be maintained, details of which will be made available in store and upon request.
17. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.

18. An age till prompt system will be utilised at the premises in respect of age restricted products.

(a) **Proposed alternative by The Environmental Health Service and The Police:** All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.

19. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

(a) **Proposed alternative by The Police:** A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the ID of the member of staff who refused the sale. The log 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.

20. The Premises Licence Holder shall not sell super strength beer, lager or cider with an alcohol content above 5.5% ABV. This restriction shall not apply in respect of specialist branded, premium priced products such as craft ales, local or micro-brewery specialist products, boxed gifts or national celebratory or commemorative beer, lager or cider with an alcohol content above 5.5% ABV.

(a) **Proposed alternative by The Environmental Health Service:**  
No super-strength beer, lagers, ciders or spirit mixtures of 5.5% ABV (alcohol by volume) or above shall be sold at the premises, except for premium beers and ciders supplied in glass bottles. *As was the case with the Strand Co-Op application, I am of the opinion that the applicant's proposed wording is too cumbersome and difficult to enforce thereby diluting its intent. My advice is that model condition MC29 should apply if there is intention to supply premium products.*

#### **Conditions proposed by the Environmental Health**

21 All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.

22 All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale. **(agreed with applicant)**

23 Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a locked store room or behind locked grilles, locked screens or locked cabinet doors so as to prevent access to the alcohol by both customers and staff.

24 No single cans of beer or cider shall be sold at the premises. **(agreed with applicant)**

25. No more than **15%** of the sales area shall be used at any one time for the sale, exposure for sale, or display of alcohol.

26 There shall be no self service of spirits on the premises, save for spirit mixtures less than 5.5% ABV. **(agreed with applicant)**

- 27 Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display **(agreed with applicant)**.
- 28 All refuse to be collected from inside the premises. ***I note the applicant's comments and have amended the wording (see comment below)***
- 29 No deliveries to the premises shall take place between **23.00** and **08.00** on the following day. ***I maintain my request for this condition and will allow LSC to decide (see comment below)***

***I have today 2nd December visited the premises to assess the premises and surrounding area. I have forwarded photos taken on this visit to Licensing. There is a single yellow line and residents' bays directly outside the premises. I note that the area shown on the submitted plans as the 'Goods Entrance' will only be accessible on foot through a partially enclosed passageway underneath Henry House. I have concerns regarding for the potential for Public Nuisance arising from servicing the premises. I would also welcome further detail on the proposed delivery/collection strategy for this premises.***

30. 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. **(agreed with applicant)**
- 31 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.
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.

#### **Conditions proposed by the Police**

33. Hours for Supply of Alcohol amended to  
Mon to Sat – 0800 – 2300hrs  
Sunday 1000 – 2230
34. There shall be no self service of spirits on the premises except for spirit mixtures below 5.5% Alcohol by Volume.
35. Outside of the hours authorised for the sale of alcohol, all alcohol within the trading area is to be secured behind locked grilles/screens or secured behind locked cabinet doors so as to prevent access to the alcohol by both customers and staff.
36. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

37. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
  
38. 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.
  
39. Any faults in the CCTV system or searching equipment or scanning equipment will be reported by the premises licence holder as soon as reasonably practicable to the company which carries out maintenance repairs for the premises licence holder.



City of Westminster

87 Allitsen Road London NW8 7AS

# APPENDIX 6



Residential / Proposed Residential

264

Under Construction

Other Uses

Proportion Residential of all Uses

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Data Source: Uniform Database

Date: 27/11/2015

7

Meters

**Premises within 75 metres of: The Co-operative 87 Allitsen Road, London**

<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
31119	The Rotisserie	Restaurant 87 Allitsen Road London NW8 7AS	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-24466	Tinos Restaurant	128 Allitsen Road London NW8 7AU	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00





25/10/2015 14:48:08

Storing The Photos from A-camera/Soft





25/10/2015 14:46:39

StampThePhoto from ArvanSoft





25/10/2015 14:45:28

Stamp The Photo from ArvanSoft