

# Licensing Sub-Committee Report

Item No:	
Date:	12 January 2017
Licensing Ref No:	16/12377/LIPN - New Premises Licence
Title of Report:	Churreria Espanola 177-179 Queensway London W2 5HL
Report of:	Director of Public Protection and Licensing
Wards involved:	Bayswater
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	New Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	11 November 2016		
<b>Applicant:</b>	Mr Faton Mexhuani		
<b>Premises:</b>	Churreria Espanola		
<b>Premises address:</b>	177-179 Queensway London W2 5HL	<b>Ward:</b>	Bayswater
		<b>Cumulative Impact Area:</b>	Queensway & Bayswater
<b>Premises description:</b>	<p>According to the application, Churreria Espanola is an authentic Spanish restaurant, able to seat approximately 50 people. It operates predominantly for lunchtime and evening meals, and has an outside seating area.</p> <p>It proposes to add the sale of alcohol to complement its existing offering.</p>		
<b>Premises licence history:</b>	The premises has not previously been licensed.		
<b>Applicant submissions:</b>	<p>Following consultation with the responsible authorities, the applicant has agreed to conditions with Environmental Health and the Licensing Authority (see <b>Appendix 4</b>).</p> <p>In addition, the applicant has written to the residential objector, Miss McAskie in an attempt to mitigate any concerns (see <b>Appendix 2</b>).</p>		

1-B Proposed licensable activities and hours							
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Both
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	11:30	11:30	11:30	11:30	11:30	11:30	11:30
<b>End:</b>	20:30	20:30	20:30	20:30	20:30	20:30	20:30
<b>Seasonal variations/ Non-standard timings:</b>			None				

Hours premises are open to the public							
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thurs</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	07:00	07:00	07:00	07:00	07:00	07:00	07:00
<b>End:</b>	21:00	21:00	21:00	21:00	21:00	21:00	21:00
<b>Seasonal variations/ Non-standard timings:</b>			None				
<b>Adult Entertainment:</b>			N/A				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Maxwell Koduah
<b>Received:</b>	21 November 2016
<p>The Supply of Alcohol and the hours requested will have the likely effect of causing an increase in Public Nuisance and impact on Public Safety within the Queensway / Bayswater Cumulative Impact area.</p> <p>The applicant has indicated the premises has a seating capacity of 50 persons and yet the supporting plan shows one WC each for staff and the public. This does not comply with the provisions of BS 6465-1:2006+A1:2009 Table 10. By law, lavatories in food premises are not to open directly into rooms in which food is handled and additional information is required to demonstrate that the public WC conforms to this legal requirement.</p> <p>The applicant has provided some conditions in support of the application which are being considered but do not fully address the concerns of Environmental Health.</p> <p>The granting of the new premises licence as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the Queensway / Bayswater Cumulative Impact area.</p> <p>In an email dated 5 January 2017, the Environmental Health Officer has clarified that a check of noise records for the premises shows no noise complaints have been received within the last 24 months.</p> <p><b><i>Following the agreement to conditions, Environmental Health withdrew their representation on 5 January 2017.</i></b></p>	
<b>Responsible Authority:</b>	Metropolitan Police
<b>Representative:</b>	PC Michael Day
<b>Received:</b>	22 November 2016
<p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a responsible authority, are making a representation. It is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>The venue is situated close to the Queensway Cumulative Impact Area, a locality where this is traditionally high crime and disorder but I believe this application will cause further policing problems in the area.</p> <p>On 14 December 2016, the Police proposed six model conditions to be attached to the licence, if granted (see <b>Appendix 4</b>).</p>	

<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Mr Steven Rowe
<b>Received:</b>	5 December 2016

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:

- Public Nuisance
- Prevention of Crime & Disorder
- Public Safety
- Protection of Children from Harm

As it stands the application does contravene Westminster's Statement of Licensing Policies CIP1, OS1, RNT2 and PB2.

The application seeks to permit:

The Supply of Alcohol both 'on' and 'off' the premises:  
Monday to Sunday 11:30 to 20:30 hours

The applicants have indicated that the premises operates as an authentic Spanish restaurant. The premises is located inside the Cumulative Impact Area.

Policy CIP1 states (i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1. However part (ii) states: Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.

Policy OS1 states 'Applications will be granted subject to the relevant criteria in Policies CD1, PS1, PN1, CH1 and HRS1 and other policies in this statement, provided it is demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

Policy RNT2 which relates to restaurants within the CIA states 'Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

Paragraph 2.5.3 of the Council's Policy relating to restaurants states in part that '.....The Council is particularly concerned that restaurant premises in the cumulative impact areas do not, even in part, come to operate as bars and particularly not as "vertical drinking" premises where customers consume alcohol standing throughout the evening.'

Policy PB2 which relates to pubs and bars states 'It is the Licensing Authority's policy to refuse applications in the CIA other than applications to vary the hours within the core hours under policy HRS1'.

Please therefore accept this as a formal representation.

Please could you provide me with further details in relation to the following:

How do the applicants intend to operate the supply of alcohol (on and off sales)

Will alcohol only be supplied to those seated at a table? Will this be ancillary to food? – have you considered Model Condition 66?

Is there a bar?

Will there be vertical drinking at the premises?

How does the applicant demonstrate that they will not add to cumulative impact in the Cumulative Impact Area.

***Following discussions with the applicant and the agreement to apply MC66 to the licence, if granted, the Licensing Authority withdrew its representation on 13 December 2016.***

2-B Other Persons	
<b>Name:</b>	Miss Gill McAskie
<b>Address and/or Residents Association:</b>	Flat 4, 10 Hatherley Grove London W2 5FRB
<b>Received:</b>	17 November 2016
Granting the license will have a direct negative impact upon me and result in more noise late at night which can be heard from the premises. I already get a reasonable amount of noise from the cafe during the day.	

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	(i) Applications for hours within the core hours will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.  (ii) Applications for hours outside the core hours will be considered on their merits, subject to other relevant policies and with particular regard to the criteria specified.
<b>Policy CIP1 applies</b>	(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core

	Hours under Policy HRS1.  (ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.
<b>Policy RNT2 applies</b>	Applications will be granted subject to other policies in this Statement and subject to the relevant criteria in Policies CD1, PS1, PN1 and CH1, provided it can be demonstrated that they will not add to cumulative impact in the Cumulative Impact Areas.

#### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history - None
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

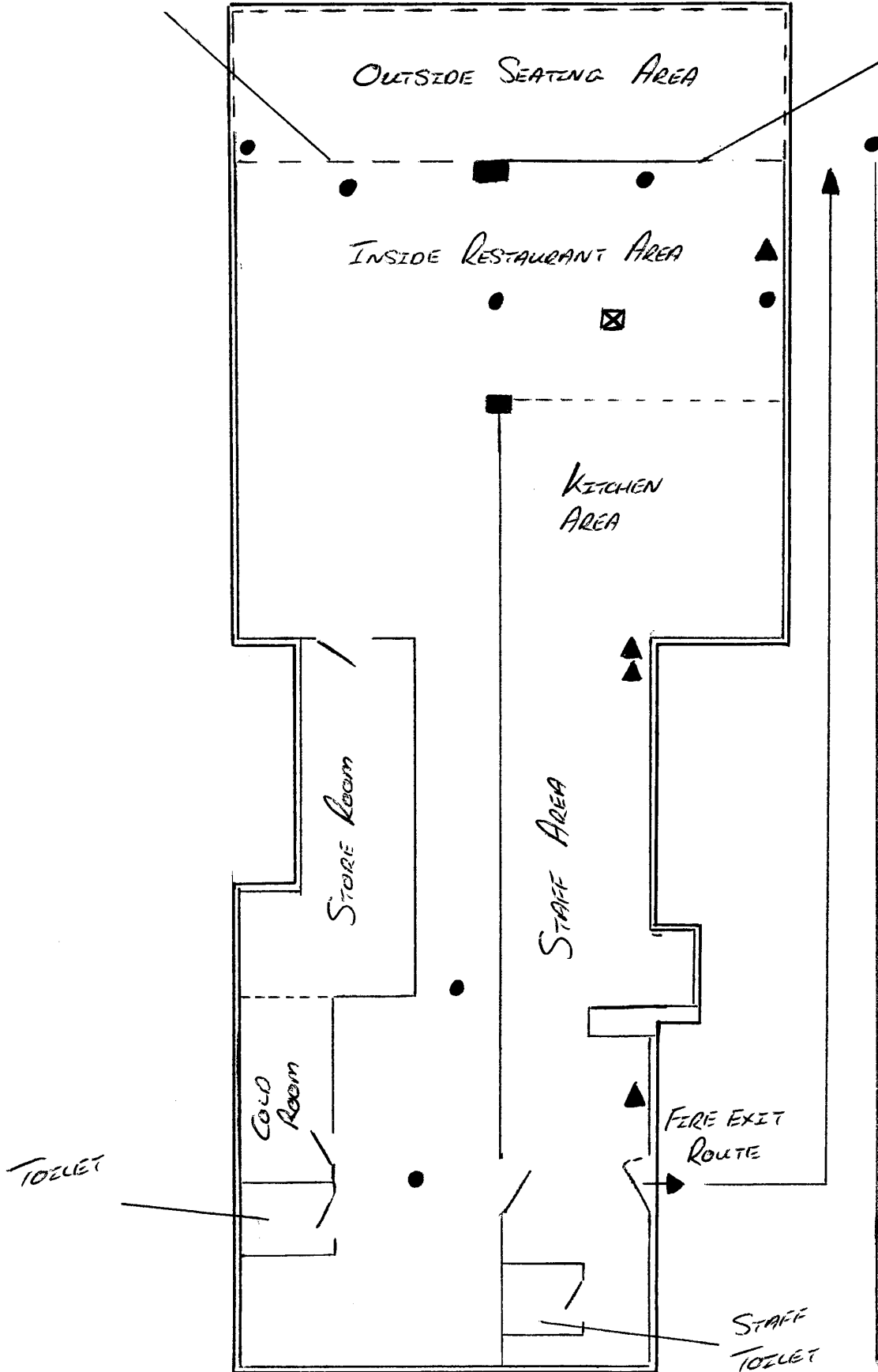
<b>Report author:</b>	Mr Nick Nelson Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

SCALE = 1:100 @ A4

- = CCTV CAMERA
- ▲ = FOAM FIRE EXTINGUISHER
- ▲ = WATER FIRE EXTINGUISHER
- ▲ = CO<sup>2</sup> FIRE EXTINGUISHER
- ☒ = FIRE ALARM

BI-FOLD DOORS

MAIN ENTRANCE



Dear Miss McAskie,

I am the licensing consultant instructed on behalf of Faton Mexhuani in relation to the premises licence application for Churreria Espanola.

I am writing to you in response to your representation to the premises licence application of which I have been notified by the Licensing Department for Westminster Council.

Thank you for giving our application consideration, my client and I have discussed your representation and fully understand your concerns. I would like to address the concerns raised in your representation in order that a reasonable conclusion can be found for all concerned.

It is clear from your representation that you believe that noise and other nuisance would be detrimental to your standard of living given that your residence is situated in the vicinity of the premises.

We would very much like to reassure you that there will be no detrimental effect to your amenity as a local resident.

We have in consultation with the Licensing Authority, Police and Environmental Health Service agreed the following conditions in relation to noise nuisance, over and above those contained within our operating schedule.

1. The premises, including the outside seating area, shall only operate as a restaurant
  - i. in which customers are shown to their table,
  - ii. where the supply of alcohol is by waiter or waitress service only,
  - iii. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
  - iv. where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
2. All tables and chairs shall be removed from the outside area by **21.00** each day
3. 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.
4. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons

Below are the conditions offered in our operating schedule:

1. All highway and public spaces in the vicinity of the premises will be kept free from litter to the satisfaction of the council.
2. Refuse such as bottles will be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.
3. No deliveries to or collections from the premises will take place between 18:00 and 06:00 hours.



4. Notices shall be prominently displayed at all exits requesting patrons to leave the premises quietly

Equally as you can see from our application the business is to open at **7am** and close at **9pm** with the sale of alcohol only happening between **11:30am** and **8:30pm** and therefore will not be making noise late into the night.

It is, as a matter of course, worth noting that there are 8 responsible authorities in the area ranging from the Police and Planning Department to Children's Safeguarding Boards and Environmental Health who are statutory consultees on every premises licence application, and in relation to this particular application there are no objections from the responsible authorities following successful mediation to ensure that the premises does not cause a problem to its neighbours.

In light of the additional information in relation to the business and conditions which would be attached to the premises licence both proposed above and in our application, please confirm that you are willing to withdraw your representation which can be done by notifying the licensing authority who can be contacted on the details below.

E-mail: [licensing@westminster.gov.uk](mailto:licensing@westminster.gov.uk)

Phone: 020 7641 6500

Address: Licensing Team, Westminster City Hall, 4th Floor, 64 Victoria Street, London SW1E 6QP

I am also more than happy to answer any questions that you may have or provide further clarity on any of the points raised above with you directly, and you can reach me on any of the contact details below, alternatively if you would prefer to meet with Mr Mexhuani and/or myself to discuss the matter then please feel free to let me know and we can make the necessary arrangements

Yours Sincerely



Gui Chipchase A.CiEx  
Head of Licensing

E-mail: [gui.chipchase@cpltg.com](mailto:gui.chipchase@cpltg.com)

Phone: 0151 650 6910

Mob: 0758 6565 754

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

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

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

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

**Mandatory Conditions**

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

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

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

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

### **Conditions consistent with the operating schedule**

9. Front of house staff shall be trained in First Aid, Age Verification and Underage sales prevention.

10. CCTV shall be installed, operated and maintained in agreement with the Police. The system will enable frontal identification of every person entering the premises. The system shall record in real time and operate whilst the premises are open for licensable activities. The recordings shall be kept available for a minimum of 31 days.
11. Recordings shall be made available immediately on request to an Authorised Officer or a Police Officer (subject to the Data Protection Act 1998) throughout the 31 day period following any incident.
12. The CCTV system will be maintained and checked every 12 months.

*The Police have proposed the following alternative condition in place of the above conditions 10, 11 & 12:*

- 10A *The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.*
13. A member of staff with knowledge of the CCTV system will be present on site whilst the premises are open to the public to aid any enquiry from a Police Officer or Authorised Officer requiring recent CCTV recordings with the minimum of delay when requested.

*The Police have proposed the following alternative condition in place of the above condition 13:*

- 13A *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.*
14. All exit routes shall be kept unobstructed, with non-slippery and even surfaces, free of trip hazards and clearly signed.
15. Public areas will be maintained free from obstruction and trip hazards.
16. Adequate and appropriate first aid equipment and materials will be kept on site, regularly checked and kept in an easily accessible place by staff.
17. Appropriate fire escape route signs will be displayed.
18. Refuse such as bottles will be placed into receptacles outside the premises at times that will minimise the disturbance to nearby properties.

19. No deliveries to or collections from the premises will take place between 18:00 and 06:00 hours.
20. Notices shall be prominently displayed at all exits requesting patrons to leave the premises quietly.
21. A challenge 25 policy will be adopted with proportionate and appropriate signage displayed.

*The Police have proposed the following alternative condition in place of the above condition 21:*

- 21A *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.*
22. A refusal to serve log shall be maintained and made available for inspection by a Police Officer or Authorised Officer, this log shall include the Date, Time, Name and signature of the staff member who refused the sale.

*The Police have proposed the following alternative condition in place of the above condition 22:*

- 22A *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.*
23. The refusal to serve log shall be signed by the DPS of the premises on a monthly basis.
24. Staff shall be trained in Licensing Law with regards to age verification, children and alcohol, and the procedures that shall be adopted if it is considered that an individual may be under the age of 18.

**Conditions proposed by Environmental Health and agreed by the applicant:**

25. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
26. All tills shall automatically prompt staff to ask for age verification identification when presented with an alcohol sale.
27. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
28. The premises, including the outside seating area, shall only operate as a restaurant:
  - a. in which customers are shown to their table,
  - b. where the supply of alcohol is by waiter or waitress service only,

- c. which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- d. where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

*The Licensing Authority has agreed MC66 in place of the above with the applicant. The Police have also proposed the full MC66 condition:*

The premises shall only operate as a restaurant:

- (i) in which customers are shown to their table,
- (ii) where the supply of alcohol is by waiter or waitress service only,
- (iii) which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
- (iv) which do not provide any take away service of food or drink for immediate consumption,
- (v) which do not provide any take away service of food or drink after 23.00, and
- (vi) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there, and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.

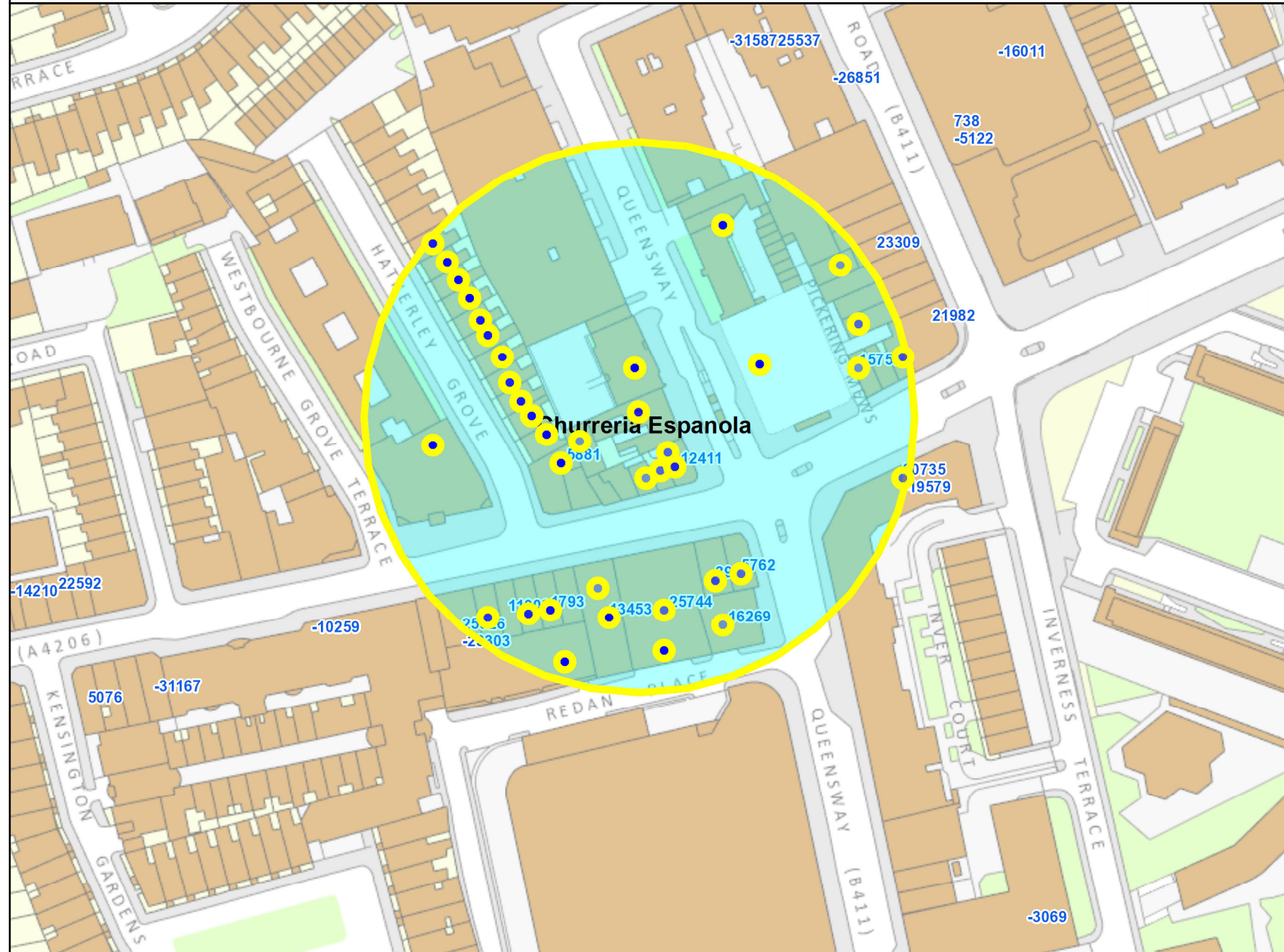
- 29. All tables and chairs shall be removed from the outside area by 21.00 each day.
- 30. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- 31. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
- 32. 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.
- 33. 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.

**Conditions proposed by the Police (in addition to the alternative conditions already listed above):**

34. 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.



# Churreria Espanola, 177-179 Queensway



Residential Properties	228
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

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 Meters

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<b>Premises within 75 metres of: Churreria Espanola, 177-179 Queensway</b>			
<b>p / n</b>	<b>Name of Premises</b>	<b>Premises Address</b>	<b>Licensed Hours</b>
1793	Arancina	19 Westbourne Grove London W2 4UA	Friday to Saturday 11:00 - 00:00 Monday to Thursday 11:00 - 23:30 Sunday 12:00 - 22:30
30735	Masala World	71-75 Bishop's Bridge Road London W2 6JF	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
-25744	Bestone	5-7 Westbourne Grove London W2 5RU	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-16269	Sainsbury's	169 - 171 Queensway London W2 4SB	Monday to Sunday 00:00 - 00:00
-19579	Bishop Cut Price	81 Bishop's Bridge Road London W2 6BG	Monday to Sunday 06:00 - 22:00
39	Tawana Thai Restaurant	3 Westbourne Grove London W2 4UA	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
5762	The Redan Public House	The Redan 1 Westbourne Grove London W2 4UA	Friday to Saturday 07:00 - 00:00 Sunday 07:00 - 22:30 Monday to Thursday 07:00 - 23:30
11008	Banana Tree Canteen	21 - 23 Westbourne Grove London W2 4UA	Sunday 10:00 - 22:30 Monday to Saturday 10:00 - 23:00
15757	El Efes Restaurant	94 Bishop's Bridge Road London W2 5AA	Monday to Saturday 11:30 - 00:00 Sunday 11:30 - 23:30
-5881	Spirited Wines	Bayswater Mansions 10 - 12 Westbourne Grove London W2 5RA	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-12411	Sweetbury	2 - 4 Westbourne Grove London W2 5RA	Monday to Sunday 08:00 - 23:30

19649	Fresco	Basement And Ground Floor 25 Westbourne Grove London W2 4UA	Friday to Saturday 08:00 - 00:00 Monday to Thursday 08:00 - 23:30 Sunday 09:00 - 22:30
13453	Khan's Restaurant	Ground Floor Bourne House 13 - 15 Westbourne Grove London W2 4UA	Monday to Saturday 10:00 - 00:30 Sunday 23:00 - 00:00

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	11 November 2016
<b>5</b>	Representation – Environmental Health	21 November 2016
<b>6</b>	Representation – Police	22 November 2016
<b>7</b>	Representation – Miss Gill McAskie	17 November 2016