



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

11 February 2021

Licensing Ref No:

20/10761/LIPN - New Premises Licence

Title of Report:

Basement And Ground Floor
294 Elgin Avenue
London
W9 1JS

Report of:

Director of Public Protection and Licensing

Wards involved:

Maida Vale

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott
Senior Licensing Officer

Contact details

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Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	19 November 2020		
Applicant:	Mr Dragan Romanic		
Premises address:	Basement And Ground Floor 294 Elgin Avenue London W9 1JS	Ward:	Maida Vale
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form, the premises proposes to operate as an independent eatery serving fresh food and coffee with an external seating area.		
Premises licence history:	This is a new premises licence application and therefore no premises licence history exists.		
Applicant amendments:	On original submission of the application, the hours applied for sale of alcohol for on and off the premises were Monday to Friday 07:30 to 22:30, Saturday 08:00 to 22:30 and Sunday 09:00 to 22:30. These hours have since been amended and are reflected in 1-B of the report.		

1-B Proposed licensable activities and hours							
Sale by retail of alcohol (On sales hours)				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	12:00
End:	22:30	22:30	22:30	22:30	22:30	22:30	22:30
Seasonal variations/ Non-standard timings:		None					

Sale by retail of alcohol (Off sales hours)				On or off sales or both:			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	08:00	08:00	08:00	08:00	08:00	08:00	10:00
End:	22:30	22:30	22:30	22:30	22:30	22:30	22:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	07:30	07:30	07:30	07:30	07:30	07:30	07:30
End:	22:30	22:30	22:30	22:30	22:30	22:30	22:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police
Representative:	Cheryl Boon PC1344AW
Received:	2 December 2020 (Withdrawn 4 th December 2020)
<p>Dear Mr Romanic,</p> <p>With reference to the above application, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application. It is outside the Cumulative Impact Area but it is our belief that if granted the application would undermine the Licensing Objective in relation to The Prevention of Crime and Disorder and the Protection of Children from Harm.</p> <p><u>Hours - Supply of Alcohol:</u></p> <p>We would like to propose the following hours for the supply of alcohol both on and off the premises, this is to bring the application in line with the core hour Policy for Westminster.</p> <p>Police proposed hours for on sales: Monday – Saturday 10:00 – 22:30hrs Sunday 12:00 – 22:30hrs</p> <p>Police proposed hours for off sales: Monday – Saturday 08:00 – 22:30hrs Sunday 10:00 – 22:30hrs</p> <p><u>Proposed Conditions</u></p> <p>We would then like to propose the following conditions to be added to any future operating schedule:</p> <ol style="list-style-type: none">1. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open. This staff member must be able to provide a Police Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.3. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.4. The supply of alcohol for consumption on the premises shall be by Server, Waiter or Waitress service only.5. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.6. 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

7. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:

- (a) all crimes reported to the venue
- (b) all ejections of patrons
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

8. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.

9. 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.

10. There shall be no self-service of Alcohol.

11. Sales of alcohol for consumption off the premises shall be in sealed containers only, save for any external seating area shown on the plan.

12. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables and ancillary to their meal.

13. When accepting delivery orders including alcohol, staff must remind the customer the premises operates Challenge 25. Customers will be asked to provide ID on delivery if they look younger than 25. Restaurant staff must notify delivery drivers if an order contains alcohol. Similar procedures shall be implemented in respect of online orders.

Please let me know whether you are willing to agree to these hours and conditions that the Police are proposing as this may enable us to withdraw our representation.

Conditions and changes to Sale of Alcohol hours were agreed between the applicant the Police. As a result, the Metropolitan Police Service as a responsible authority withdrew their representation on 4th December 2020. The agreed conditions can be found at Appendix 4.

Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	17 December 2020

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

The following plans of the premises have been submitted:

- Ground Floor and Basement, Drg No. 204, Rev C1, dated Jan 2016

The applicant is seeking the following licensable activity:

1. Supply of alcohol 'On' and 'Off' the premises on Mon to Fri 7.30 to 22.30 hours, Sat 8.00 to 22.30 hours and Sun 9.00 to 22.30 hours.

I wish to make the following representations based on the plans and operating schedule submitted:

1. The Supply of Alcohol and for the hours requested may have the effect of increasing Public Nuisance in the area.

Environmental Health also makes the following further comments:

- I understand the premises has been operating as a non-licensed café for several years and a premises history check of Environmental Health records shows no relevant issues, particularly with regards to nuisance, reported against the premises.
- Some undertakings have been offered in the operating schedule and these are under consideration as to whether they there are sufficient to allay Environmental Health concerns. In any case they will need to be converted into enforceable conditions based on the Council's 'model' conditions.
- Before the start of licensable activities the premises will need to be visited by Environmental Health for Public Safety and check that the submitted plans are an accurate reflection of the premises.
- The provision of sanitary accommodation for any proposed public capacity is recommended to be in line with the guidance set out in British Standard 6465 and separate facilities for staff provided in compliance with guidance to Food Hygiene legislation.

The applicant is therefore requested to contact the undersigned to discuss the above issues and arrange a further site visit after which Environmental Health may propose additional conditions for the proposed use.

Conditions have been proposed by Environmental Health and agreed with the applicant and can be found at Appendix 4.

2-B Other Persons			
Name:		[REDACTED] (Withdrawn 2 nd February 2021)	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	3 December 2020		
Dear Sir/Madam,			
Basement And Ground Floor 294 Elgin Avenue London W9 1JS			
Application ref: 20/10761/LIPN			
<u>Introduction</u>			
Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the			

architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).

We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals as well as people who are not residents in this area. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.

The application

The application is described as '*An independent eatery in the heart of Maida Vale, serving fresh food and bespoke coffee. A quiet space with contemporary feel and free wi-fi.*'

The premises appears to have planning consent for A3 café/restaurant use, subject to conditions.

The application seeks permission to sell alcohol for consumption on and off the premises between 7.30am and 10.30pm Mon-Fri, 8am to 10.30pm Sat, and 9am to 10.30pm Sun.

The premises opening times would be 7.30am to 10.30pm each day.

Our representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objective of prevention of public nuisance.

Reasons for representation

We are aware that there is significant residential use in the vicinity of the premises in the shape of flats above shops both sides of this parade.

We are concerned that additional noise and nuisance arising from the premises could impact on local residents.

Whilst some conditions have been proposed, they fall some way short of the safeguards we would want in order to be content with the application.

In particular, there is no condition proposed that sale of alcohol would be ancillary to a table meal. Absence of such a condition would mean that the premises could operate as a bar.

We note that off sales have been applied for. Is the purpose of this for customers to drink outside the premises, or to take sealed containers away?

The commencement times for sale of alcohol are well outside the City Council's 'core hours' policy.

We would also request conditions regarding smokers; outside drinking; and dispersal of customers.

We may propose other conditions once we are more fully aware of what the nature of the operation is.

For these reasons, we object to this licence being granted as presented.

Conclusion

We are aware that applications are often amended to take into account concerns raised by responsible authorities or other persons. Please let us know if any amendments are made to this application so that we can consider if they resolve our concerns and, if appropriate, liaise

with local residents.

If a hearing takes place, we will endeavour to attend. Or appoint Richard Brown to represent us.

Yours sincerely

Name:

[REDACTED]

Address and/or Residents Association:

[REDACTED]
[REDACTED]
[REDACTED]

Status:

Valid

In support or opposed:

Opposed

Received:

16 December 2020

16/12/2020 7:37 PM As local residents, we are concerned about the granting of a liquor license to 294 Elgin Avenue, The Peppermint.

Our concerns are:

(1) NOISE (public nuisance) - The Peppermint already keeps very long opening hours - far in excess of other restaurants open in the area. While The Peppermint was granted longer hours by the council, the establishment has never actually kept these extended hours and it is impossible to determine how this will impact local residents. The Peppermint presently operates as a local coffee/independent eatery and is self-described in this application as a "quiet space." However, this seems inconsistent with the desire to obtain an on and off premise license with extended opening hours.

The restaurant's kitchen faces behind the establishment and onto the rear yard of homes on Elgin Mews South. Homes on the mews can hear dishes being washed and other kitchen activities conducted on the premises.

No other restaurants in the area border this residential rear yard. No other restaurant operates with such extensive opening hours.

(2) SATURATION (prevention of crime and disorder/public nuisance) - Elgin Parade is presently saturated with establishments offering local residents access to both on and off premise licenses. This includes - The Elgin Pub, Banana Tree, Thai Rice, Supersave Food & Wine, and Local Supermarket. All within one block

The number of establishments offering this service is becoming excessive by any measure.

(3) VAGRANCY - Elgin Mews South already experiences both vagrancy and excessive litter as a result of customers leaving both The Elgin Pub and the tube late at night. We would not like to see this increase further.

Unfortunately, both Elgin Mews South and Lanark Road, in particular, have become a blight due to being removed from Westminster's regular cleaning schedule.

Name:

[REDACTED]

Address and/or Residents Association

[REDACTED]
[REDACTED]
[REDACTED]

Status:

Valid

In support or opposed:

Opposed

Received:

17 December 2020

17/12/2020 10:25 AM ANTISOCIAL BEHAVIOUR

Licensing starting at 7.30am to 10.30pm causes concern. We regularly have people drinking outside our children's room in the morning. This could increase.

NOISE

The potential for increased noise from the premises which can be heard inside our houses through the windows on the back of the Peppermint.

3. Policy & Guidance

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

Policy HRS1 applies

- A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.
- B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:
1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.
 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.
 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.
 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.
 5. The proposed hours when any music, including incidental music, will be played.
 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.
 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.
 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.
 9. The capacity of the premises.
 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.
 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.
 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.
 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.
 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities

	<p>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 this application for each premises use type as defined within this policy are:</p> <p>8. Restaurants</p> <p>Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p> <p>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 RTN1 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 applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 4. 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 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. <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. 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:	Karyn Abbott Senior Licensing Officer
Contact:	Telephone: 07866 019698 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	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police	2 December 2020
5	Environmental Health	17 th December 2020
6	Representation Comment 1 (Withdrawn 2nd February 2021)	3 rd December 2020
7	Representation Comment 2	16 th December 2020
8	Representation Comment 3	17 th December 2020

Applicant Supporting Documents

Appendix 2

None provided

Premises History

Appendix 3

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 Police and agreed by the applicant so as to form part of the operating schedule.

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. 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 Officer or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. The supply of alcohol for consumption on the premises shall only be to a person seated taking a table meal there and for the consumption by such a person as ancillary to their meal.
12. The supply of alcohol for consumption on the premises shall be by Server, Waiter or Waitress service only.
13. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
14. 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
15. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service.
16. Notices shall be prominently displayed at all exits and the outside smoking area requesting patrons to respect the needs of local residents and leave the area quietly.
17. 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.
18. There shall be no self-service of Alcohol.
19. Sales of alcohol for consumption off the premises shall be in sealed containers only, save for any external seating area shown on the plan.
20. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables and ancillary to their meal.

21. When accepting delivery orders including alcohol, staff must remind the customer the premises operates Challenge 25. Customers will be asked to provide ID on delivery if they look younger than 25. Restaurant staff must notify delivery drivers if an order contains alcohol. Similar procedures shall be implemented in respect of online orders.

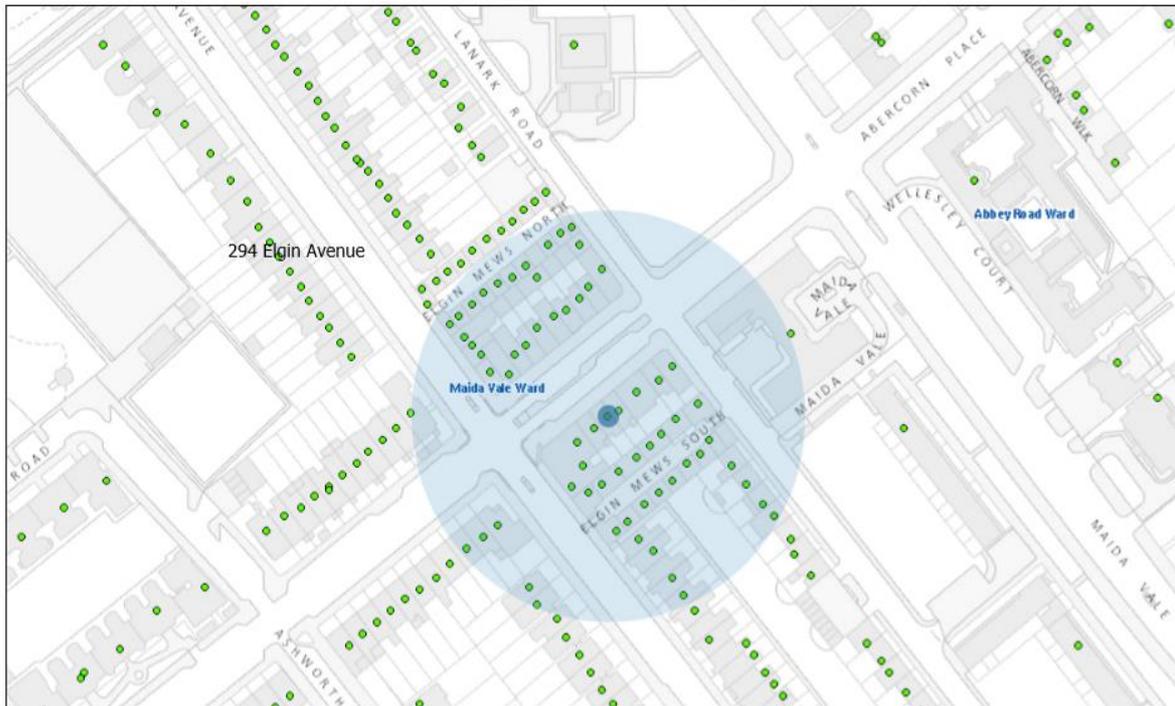
Conditions proposed by the Environmental Health and agreed by the applicant so as to form part of the operating schedule.

22. Sales of alcohol for consumption off the premises shall only be supplied with, and ancillary to a take-away meal.
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. 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.
25. All outside tables and chairs shall be removed or rendered unusable by 22.30 each day.
26. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
27. 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.
28. The licence holder shall enter into an agreement with a hackney carriage and/or private carriage firm to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.
29. 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.
30. No deliveries to the premises shall take place between 23.00 and 07.00 on the following day.
31. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.

Condition proposed by the Representation Comment 1 and agreed by the applicant so as to form part of the operating schedule.

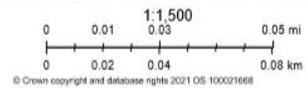
32. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 21.00 hours and 07.00 hours on the following day unless placed out during the scheduled collection times.

294 Elgin Avenue, London



27/01/2021, 10:25:26

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



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Resident Count = 250

Licensed premises within 75 metres of 294 Elgin Avenue

Licence Number	Trading Name	Address	Premises Type	Time Period
06/11688/WCCMAP	Supersave	292 Elgin Avenue London W9 1JS	Shop	Monday to Saturday; 08:00 - 23:00 Sunday; 10:00 - 22:30
15/05461/LIPDPS	Banana Tree	166-166A Randolph Avenue London W9 1PG	Restaurant	Monday to Saturday; 10:00 - 00:30 Sunday; 12:00 - 00:00
20/06396/LIPDPS	Lord Elgin Public House	255 Elgin Avenue London W9 1NJ	Public house or pub restaurant	Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00 Sunday; 10:00 - 23:00