



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

24 March 2022

Licensing Ref No:

21/14639/LIPN - New Premises Licence

Title of Report:

Victoria Exchange Food & Wine  
30-31 Leinster Terrace  
London  
W2 3ET

Report of:

Director of Public Protection and Licensing

Wards involved:

Lancaster Gate

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Karyn Abbott  
Senior Practitioner Licensing

Contact details

Telephone: 0207 641 6500  
Email: [kabbott@westminster.gov.uk](mailto:kabbott@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>	22 December 2021		
<b>Applicant:</b>	Victoria London Limited		
<b>Premises:</b>	Victoria Exchange Food & Wine		
<b>Premises address:</b>	30-31 Leinster Terrace London W2 3ET	<b>Ward:</b>	Lancaster Gate
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	According to the application form, the premises proposes to operate as a convenience store.		
<b>Premises licence history:</b>	The premises previously had the benefit of a premises licence (09/03714/LIPN) which was granted in July 2009 and lapsed in October 2018, details can be found at <b>Appendix 3</b> .		
<b>Applicant submissions:</b>	<p>The applicant has provided an email to interested parties to try and address their concerns. The applicant has also provided email correspondence with the Westminster's Citizen Advice Service in relation to conditions plus a copy of the lapsed premises licence. This can be found at <b>Appendix 2</b>.</p> <p>In summary the applicant has advised they have agreed conditions with responsible authorities, confirmed the hours applied for and provided assurances in regards to deliveries and waste.</p>		
<b>Applicant amendments:</b>	None		

1-B Proposed licensable activities and hours							
<b>Sale by retail of alcohol</b>				<b>On or off sales or both:</b>			Off
<b>Day:</b>	<b>Mon</b>	<b>Tues</b>	<b>Wed</b>	<b>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<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>Thur</b>	<b>Fri</b>	<b>Sat</b>	<b>Sun</b>
<b>Start:</b>	08:00	08:00	08:00	08:00	08:00	08:00	10:00
<b>End:</b>	23:00	23:00	23:00	23:00	23:00	23:00	22:30
<b>Seasonal variations/ Non-standard timings:</b>		None					
<b>Adult Entertainment:</b>		None					

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Dave Morgan
<b>Received:</b>	12 January 2022 <b>(Withdrawn 14<sup>th</sup> January 2022)</b>
<p>Re: Application for a new Premise Licence: 30-31 Leinster Terrace, London, W2 3ET - 21/14639/LIPN</p> <p>With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are <b>objecting</b> to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder and The Protection of Children from Harm.</p> <p>There is insufficient detail within the operating schedule to promote the Licensing Objectives and we have concerns that this application may cause further policing problems in an already demanding area.</p> <p>To move forward, I have attached a list of conditions that I would like to see added to the licence. Please have a read through and let me know if you are happy to accept them.</p> <p>If you wish to discuss any conditions in more detail, please feel to contact me.</p> <p><b>The Metropolitan Police Service withdrew their representation on 14<sup>th</sup> January 2022 due to conditions proposed agreed with the applicant. These conditions can be found at Appendix 5.</b></p>	
<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Maxwell Koduah
<b>Received:</b>	13 January 2022 <b>(Withdrawn 10<sup>th</sup> March 2022)</b>
<p>I refer to the application for a new Premises Licence number 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 is seeking to supply alcohol for consumption off the premises Monday to Saturday 08:00 – 23:00 and Sunday 10:00 – 22:30 hours</p> <p><b>Following consideration of the application and how it may affect the Licensing Objectives and meeting the requirements of the Council's Statement of Licensing Policy I wish to make the following representations:</b></p> <p>The supply alcohol and the hours requested to supply alcohol may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area</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>Conditions, to replace those contained within the operating schedule, have been proposed to support the licensing objectives of Prevention of Public Nuisance and Public Safety below. Applicant is advised to study these conditions and discuss same if they are minded.</p>	

## **Proposed Environmental Health Conditions**

1. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises
2. 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 and cans
3. 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.
4. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV
5. 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
6. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
7. 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
8. No deliveries to the premises shall take place between 23.00 and 08.00 hours on the following day
9. 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
10. 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 from the Licence by the licensing authority

Please contact me if you wish to discuss these further.

**The Environmental Health Service withdrew their representation on 10<sup>th</sup> March 2022 due to conditions proposed agreed with the applicant. These conditions can be found at Appendix 5.**

<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	11 January 2022

Please let me know whether the application relates to an off licence or a licence to serve food and alcohol between 11pm and 6 am seven days a week. I spoke to someone in your department this morning but he was unable to help. We would certainly oppose the application for any night time trade because of noise, anti social behaviour and litter. We are already concerned about drinking in the roads in front and at the side of our building and the litter outside the Premises every morning not to mention shouting and general noise.

**Further submissions received 15 January 2022**

Photo taken on 15<sup>th</sup> January 2022.



On 22<sup>nd</sup> February 2022 Mr Vance confirmed location of photo was taken of premises from other side of the road.

<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]
<b>Received:</b>	12 January 2022

The [REDACTED] [REDACTED] object to this application on ground of potential nuisance and crime and disorder.

We note that there was a previous Premises Licence (attached) on these premises which had a number of conditions, some of which have not been offered on the new application.

[REDACTED] require, to satisfy our concerns, all conditions of previous Licence to be on any new Licence granted.

We also require additional condition that no deliveries, or refuse & recycling collections, between the hours of 20.00 and 08.00

As always, [REDACTED] is content for our representation and contact details to be forwarded to the applicant or their agent.

Also we are more than happy to discuss our concerns with the applicant or his agent with the view of agreeing the conditions on the proposed Licence, which may mean application does not need to go to a public hearing.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<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"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>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.</li> </ol>

	<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. 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 this application for each premises use type as defined within this policy are:</p> <p><b>11b. Shops (off-sales of alcohol where it forms either the ancillary or primary use of the premises)</b></p> <p>Monday to Saturday: 8am to 11pm.  Sunday: 9am to 10.30pm.</p>
<p><b>Policy SHP1 applies</b></p>	<p>A. Applications for a shop outside the West End Cumulative Impact Zone will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.</li> <li>4. The applicant having taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>5. The application and operation of the venue meeting the definition of a shop in Clause C.</li> </ol> <p>B. Applications for a shop inside the West End Cumulative Impact Zone will be considered on their own merits and subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> </ol>

	<p>3. The operation of any delivery services for alcohol meeting the council's Ancillary Alcohol and/or Latenight Refreshment Delivery Service Policy DEL1.</p> <p>4. The applicant having demonstrated that they will not add to cumulative impact within the Cumulative Impact Zone.</p> <p>5. The application and operation of the venue meeting the definition of a shop in Clause C.</p> <p>C. For the purposes of this policy:</p> <p>1. A shop is defined as a stall, vehicle, vessel, temporary structure, building or part of a stall, vehicle, vessel, temporary structure or building where the primary activity is the sale of goods or services to customers upon payment.</p> <p>2. The licensable activities for the sale of alcohol for consumption on the premises, regulated entertainment and/or late night refreshment must be ancillary to the primary use of the premises as a shop.</p> <p>3. The licensable activity of the sale of alcohol for consumption off the premises must be an ancillary function to the primary use of the premises unless that primary use is to sell alcohol for consumption off the premises, e.g. a traditional off licence.</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

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

<b>Report author:</b>	Karyn Abbott Senior Practitioner Licensing
<b>Contact:</b>	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**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	October 2022
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service <b>(Withdrawn 14<sup>th</sup> January 2022)</b>	12 January 2022
<b>5</b>	Environmental Health Service <b>(Withdrawn 10<sup>th</sup> March 2022)</b>	13 January 2022
<b>6</b>	Representation 1	11 January 2022
<b>7</b>	Representation 2	12 January 2022



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**From:** John Hegarty  
**Sent:** 20 January 2022 13:09  
**To:** Pring, Mary: WCC <[mpring@westminster.gov.uk](mailto:mpring@westminster.gov.uk)>  
**Cc:** Fiona Smith <[fiona@knighttraining.co.uk](mailto:fiona@knighttraining.co.uk)>; Koduah, Maxwell: WCC <[mkoduah@westminster.gov.uk](mailto:mkoduah@westminster.gov.uk)>; Abbott, Karyn: WCC <[kabbott@westminster.gov.uk](mailto:kabbott@westminster.gov.uk)>; Gadd, Daisy: WCC <[dgadd@westminster.gov.uk](mailto:dgadd@westminster.gov.uk)>  
**Subject:** FW: 21/14639/LIPN - 30-31 Leinster Terrace, W2 3ET

Good afternoon Mary – I have received your email below from my colleague Fiona.

Thank you for confirming the reps received from the residents to which I would respond as follows:

██████████ – please confirm to ██████████ that the opening times of the premises are 08.00 to 23.00 Monday to Saturday, and 10.00 – 22.30 on Sundays. There will be no late opening after 23.00 on any day. The applicant and their staff will, 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. We hope that this will satisfy ██████████ and that he will withdraw his representation to the application.

██████████ We believe that we have agreed to the conditions contained in the previous Licence application, as per the attached conditions agreed with the Environmental Health Officer. The applicant also agrees that no deliveries or refuse and recycling collections will take place between the hours of 20.00 and 08.00. We hope that this will satisfy SEBRA and that they will withdraw their representation to the application.

We look forward to hearing that the representations of the residents have been withdrawn, and therefore the representation from EHO.

Kind regards,

**John Hegarty**  
Licensing Agent | [email](#)

## Correspondence with Westminster's Citizen Advice Service

**From:** [Richard Brown](#)  
**To:** [John Hegarty](#); [REDACTED]  
**Cc:** [Gadd, Daisy: WCC](#)  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.  
**Date:** 28 February 2022 14:44:48  
**Attachments:** [image001.png](#)

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Hi John,

I can confirm that there is agreement as between your client and [REDACTED] on the basis of the email trail below i.e. that in addition to the police and EH conditions, the previous licence conditions will also be included (obviously in as much as they don't duplicate the police/EH conditions).

[REDACTED] practice is not to actually withdraw their rep unless/until other objectors do so. This is so that they can assist at any hearing which needs to take place if the other objector does not withdraw.

However, I can confirm that if the other objector does withdraw (I believe Daisy Gadd, cc'd, is chasing this) along with police/EH then [REDACTED] will withdraw too.

Kind regards,

Richard  
**Richard Brown**  
Licensing Advice Project  
[Citizens Advice Westminster](#)

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**From:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
**Sent:** 28 February 2022 13:32  
**To:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>; [REDACTED]  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Good afternoon Richard and [REDACTED] is there anything still outstanding that we have not responded to below?

Regards,

**John Hegarty**  
Licensing Agent | [email](#)



134 The Barracks | White Cross Business Park | South Road | Lancaster LA1 4XQ  
tel 0330 999 3199 Direct Dial: 01524 917042 | [knight.training](#) | [email](#) | [map](#)

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**From:** John Hegarty  
**Sent:** 25 February 2022 16:57  
**To:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Cc:** [REDACTED]  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard

Attached:

Police conditions – agreed to  
EHO Conditions – agreed to  
Previous licence – conditions agreed to

Regards,

**John Hegarty**  
Licensing Agent | [email](#)



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**From:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Sent:** 25 February 2022 16:25  
**To:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
[REDACTED]  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi John,

Thanks for confirming. This was not clear from the EH and police conditions WCC had previously sent to [REDACTED]

Do you have a complete list of the conditions now proposed with the application, [REDACTED] can consider?

Kind regards,

Richard  
**Richard Brown**  
Licensing Advice Project  
[Citizens Advice Westminster](#)

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**From:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
**Sent:** 25 February 2022 14:51  
**To:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
[REDACTED]  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard many thanks for coming back to me – on 20<sup>th</sup> January, via Westminster Licensing team, we agreed to all the conditions that were in the previous licence. Can we now agree that [REDACTED] representation can be withdrawn?

Regards,

**John Hegarty**  
Licensing Agent | [email](#)



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**From:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>

**Sent:** 25 February 2022 13:58

**To:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>

**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi John,

I have taken instructions and write to clarify the position.

The condition [REDACTED] has requested is model condition 28:

*'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.'*

This mirrors condition 5 on the previous licence, which uses different wording:

*'Intoxicating Liquor is to be displayed or exposed for sale on shelving or in cabinets all of which outside of the hours of the Premises Licence can be secured behind locked metal grilles or locked rigid shutters or secured behind locked cabinet doors.'*

[REDACTED] position is that conditions on the previous licence should also be included on this licence. The wording means that if the premises is open before or after sale of alcohol has finished, the alcohol is locked away to prevent access to it. Whilst I appreciate that the opening and closing times in the application are the same as the hours for sale of alcohol, the following is relevant:

1. The opening hours on the previous licence were also the same as the hours for sale of alcohol, but nevertheless the condition was put on the licence.
2. In SEBRA's experience, there is something of a grey area as regards the enforcement of opening hours on a retail shop licence. Whilst SEBRA's view is that if a shop opens outside of the opening hours on the licence it would be amenable to enforcement action/require a variation, they would rather simply retain the condition (albeit reworded) on the licence.

Kind regards,

Richard  
**Richard Brown**  
Licensing Advice Project  
[Citizens Advice Westminster](#)

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**From:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>



**Sent:** 25 February 2022 11:47  
**To:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard I'm afraid not as we cannot contact them, and the council are receiving no response, even though we have clarified their misunderstanding of the application.

We feel the condition requested by [REDACTED] little contradictory - ***Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public*** – this is not a fact of the application as alcohol sales times match opening times to the public. Can I suggest the change of one word, so that we could then agree to the condition?:

*Outside of the hours authorised for the sale of alcohol and whilst the premises are **closed** 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.*

I look forward to hearing from you.

Regards,

**John Hegarty**  
Licensing Agent | [email](#)



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**From:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Sent:** 24 February 2022 16:47  
**To:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
**Cc:** Fiona Smith <[fiona@knighttraining.co.uk](mailto:fiona@knighttraining.co.uk)>  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

John – has the other resident withdrawn their objection?

Thanks,

Richard  
**Richard Brown**



**Licensing Advice Project**  
**Citizens Advice Westminster**

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**From:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
**Sent:** 24 February 2022 15:19  
**To:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Cc:** Fiona Smith <[fiona@knighttraining.co.uk](mailto:fiona@knighttraining.co.uk)>  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Thanks Richard – we just don't understand what the wording means as there is no timings that the shop will be open and not selling alcohol, so no need to have it locked up, and when the shop is closed, it's locked with shutters.

The other objection has been responded to – he believed that the premises would be open from 11pm to 6am which is not the case as the premises will close at 11pm.

Regards,

**John Hegarty**  
Licensing Agent | [email](#)



134 The Barracks | White Cross Business Park | South Road | Lancaster LA1 4XQ  
tel 0330 999 3199 Direct Dial: 01524 917042 | [knight.training](#) | [email](#) | [map](#)

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**From:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Sent:** 24 February 2022 15:15  
**To:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
**Cc:** Fiona Smith <[fiona@knighttraining.co.uk](mailto:fiona@knighttraining.co.uk)>  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi John,

I am just clarifying with [REDACTED] whether he still wants that condition. I believe that is the only

point in dispute. I will get back to you on this as soon as I hear back.

Have you managed to resolve the concerns of the other objector?

Kind regards,

Richard  
**Richard Brown**  
Licensing Advice Project  
[Citizens Advice Westminster](#)

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**From:** John Hegarty <[john@knighttraining.co.uk](mailto:john@knighttraining.co.uk)>  
**Sent:** 24 February 2022 15:08  
**To:** Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Cc:** Fiona Smith <[fiona@knighttraining.co.uk](mailto:fiona@knighttraining.co.uk)>  
**Subject:** RE: Premises Licence : 30 - 31 Leinster Place.

Hi Richard can you please come back to me on the below? The applicant at the premises is losing business every day the Licence is not granted. We are trying to mediate with representations but do not understand the wording below and would appreciate a quick chat.

Kind regards,

**John Hegarty**  
Licensing Agent | [email](#)



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**From:** John Hegarty  
**Sent:** 24 February 2022 13:10  
**To:** To: Richard Brown <[licensing@westminstercab.org.uk](mailto:licensing@westminstercab.org.uk)>  
**Cc:** Fiona Smith <[fiona@knighttraining.co.uk](mailto:fiona@knighttraining.co.uk)>

**Subject:** Premises Licence : 30 - 31 Leinster Place.

**Importance:** High

Hi Richard.

Further to your recent advisory e-mail to John Zamit regarding the above Premises Licence Application, the hours open to the public and the retail sale of alcohol are the same.

When closed to the public the Premises is secured with steel roller shutter blinds.

**Hours for the retail sale of alcohol :** Mon – Sat, 08:00 – 23:00.  
Sun, 10:00 – 22:30.

**Hours open to the public :** Mon – Sat, 08:00 – 23:00.  
Sun, 10:00 – 22:30

I hope this clarifies the situation, please do contact me as soon as possible to discuss further if required – my mobile number is 07860620765.

Kind Regards

**John Hegarty**

Licensing Agent | [email](#)



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# Copy of Lapsed Licence 09/03714/LIPN



## City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: Lancaster Gate  
UPRN: 999000145063

Premises licence

Regulation 33, 34

Premises licence number:

09/03714/LIPN

Original Reference:

09/03714/LIPN

### Part 1 – Premises details

#### Postal address of premises:

Medo Market  
30-31 Leinster Terrace  
London  
W2 3ET

Telephone Number: 0207 723 3904

#### Where the licence is time limited, the dates:

Not applicable

#### Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

##### Sale by Retail of Alcohol

Monday to Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

#### The opening hours of the premises:

Monday to Saturday:

08:00 to 23:00

Sunday:

10:00 to 22:30

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

Alcohol is supplied for consumption off the Premises.

**Part 2**

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

Medo Market (Medo UK Ltd)  
33 Leinster Terrace (30-31)  
London  
W2 3ET  
*Telephone Number: 0207 723 3904*

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

06542633

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

**Name:** Nabil Guirguis

*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:** 001348  
**Licensing Authority:** London Borough Of Hounslow

**Date:** \_\_\_\_\_ 14<sup>th</sup> July 2009 \_\_\_\_\_

**Signed:** pp  
Director of Community Protection

#### **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.

## **Annex 2 – Conditions consistent with the operating Schedule**

4. The premises will 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 kept available for a minimum period of 31 days with time and date stamping. Recordings shall be made available, immediately upon the request of an authorised officer or a police officer together with facilities for viewing throughout the preceding 31 day period.
5. Intoxicating Liquor is to be displayed or exposed for sale on shelving or in cabinets all of which outside of the hours of the Premises Licence can be secured behind locked metal grills or locked rigid shutters or secured behind locked cabinet doors.
6. There shall be no more than 15% of the shop floor area being used to display alcohol for sale.
7. There shall be no sale of beer or cider above 5.5% Alcohol by Volume
8. The licence will have no effect until the CCTV and locked metal grills or locked rigid shutters or locked cabinet doors, have been assessed as satisfactory by the Metropolitan and this condition has been removed from the licence.
9. No self service of spirits except for 'spirit mixers' not above 5.5% Alcohol by Volume
10. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
11. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 hours and 07:00 hours.
12. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
13. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

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

None







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

Schedule 12  
Part B

WARD: Lancaster Gate  
UPRN: 999000145063

Premises licence  
summary

Regulation 33, 34

Premises licence number:

09/03714/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Medo Market  
30-31 Leinster Terrace  
London  
W2 3ET

**Telephone Number:**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Sale by Retail of Alcohol

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

**Sale by Retail of Alcohol**

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday:	08:00 to 23:00
Sunday:	10:00 to 22:30

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

Alcohol is supplied for consumption off the Premises.

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

Medo Market (Medo UK Ltd)  
33 Leinster Terrace (30-31)  
London  
W2 3ET

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

06542633

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

**Name:** Nabil Guirguis

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

Restricted

**Date:** 14<sup>th</sup> July 2009

**Signed:** pp  
Director of Community Protection

**Premises History****Appendix 3****Temporary Event Notices**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
21/14452/LITENP	Temporary Event Notice	21 December 2021	Notice Granted
21/14471/LITENP	Temporary Event Notice	21 December 2021	Notice Granted
21/14473/LITENP	Temporary Event Notice	21 December 2021	Notice Granted

**Licensing Act 2003**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
09/03714/LIPN	New Premises Licence Application <b>Sale by Retail of Alcohol – Off Premises</b> – Monday to Saturday 08:00 to 23:00 Sunday 10:00 to 22:30	14 July 2009	Granted under Delegated Authority

**There is no appeal history for the premises.**

**\*\* Licence Lapsed due to Licence Holder dissolved in October 2018\*\***

**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 premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
    - (a) a holographic mark, or
    - (b) an ultraviolet feature.
- 5(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 5(ii) For the purposes of the condition set out in paragraph 5(i) above -
  - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act

1979;

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

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

Where -

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

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

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

5(iii). Where the permitted price given by Paragraph 5(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

5(iv). (1) Sub-paragraph 5(iv)(2) below applies where the permitted price given by Paragraph 5(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

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

6. Intoxicating Liquor is to be displayed or exposed for sale on shelving or in cabinets all of which outside of the hours of the Premises Licence can be secured behind locked metal grills or locked rigid shutters or secured behind locked cabinet doors.

7. The licence will have no effect until the CCTV and locked metal grills or locked rigid shutters or locked cabinet doors, have been assessed as satisfactory by the Metropolitan and this condition has been removed from the licence.

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

**Conditions proposed by the Police and agreed with the applicant 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 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. 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.
12. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
13. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall not be consumed on the premises.
14. 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 and cans.
15. 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.
16. There shall be no self-selection of spirits on the premises, save for spirit mixtures less than 5.5% ABV.

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

17. 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.

18. 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 from the Licence by the licensing authority.

**Conditions proposed by the Interested Party and agreed with the applicant to form part of the operating schedule.**

19. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 20.00 hours and 08.00 hours on the following day.
20. No deliveries to the premises shall take place between 20.00 and 08.00 hours on the following day.

**Conditions proposed by the Interested Party and not yet agreed with the applicant.**

21. 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.

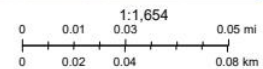


30-31 Leinster Terrace



10/03/2022, 10:05:57

- Property Mailing List
- Ward Labels
- Stress Areas
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries
- Special Consideration Zones



Resident Count = 255

Licensed premises within 75 metres of 30-31 Leinster Terrace, London				
Licence Number	Trading Name	Address	Premises Type	Time Period
06/10306/WCCMAP	Zorba Greek Taverna	35-36 Leinster Terrace London W2 3ET	Restaurant	Sunday; 12:00 - 23:00   Monday to Saturday; 12:00 - 00:00
06/10324/WCCMAP	Annam Food And Wine	25 Leinster Terrace London W2 3ET	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
16/12760/LIPDPS	Craven Gardens Hotel	16 Leinster Terrace London W2 3EU	Hotel, 3 star or under	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
21/14641/LIPDPS	Leinster Arms Public House	17 Leinster Terrace London W2 3EU	Public house or pub restaurant	Sunday; 12:00 - 23:00   Monday to Thursday; 10:00 - 00:00   Friday to Saturday; 10:00 - 00:30   Sundays before Bank

				Holidays; 12:00 - 00:30
06/10250/WCCMAP	Halepi Restaurant & Kebab House	18 Leinster Terrace London W2 3ET	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30