

Licensing Sub-Committee Report

Item No:	
Date:	13 th October 2016
Licensing Ref No:	16/07884/LIPN - New Premises Licence
Title of Report:	Kebab Centre 368 Harrow Road London W9 2HU
Report of:	Director of Public Protection and Licensing
Wards involved:	Harrow Road
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mrs Sumeet Anand-Patel Senior Licensing Officer
Contact details	Telephone: 020 7641 2737 Email: sanandpatel@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	27 July 2016		
Applicant:	Mr Bashir Jafari		
Premises:	Kebab Centre		
Premises address:	368 Harrow Road London W9 2HU	Ward:	Harrow Road
		Cumulative Impact Area:	None
Premises description:	<p>Premises shall operate as a cafe providing hot food and drink after 23:00 on ground floor level with an outside yard area.</p> <p>The Licensing Service has asked the applicant to confirm if the yard area is privately owned but are still awaiting their confirmation.</p>		
Premises licence history:	This premises has not previously benefitted from a premises licence under the Licensing Act 2003.		
Applicant submissions:	The applicant contacted the objectors, addressing their concerns within their submission, attached at Appendix 2. One resident's representative has provided a response to the applicant's submission directly to the Licensing Service. Please see resident objections below.		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Both
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	01:30	01:30	01:30	01:30	02:00	02:00	01:30
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	10:00	10:00	10:00	10:00	10:00	10:00	10:00
End:	01:30	01:30	01:30	01:30	02:00	02:00	01:30
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Metropolitan Police
Representative:	PC Adam Deweltz
Received:	3 rd August 2016
Status:	Withdrawn
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, will be making a representation against this application.</p> <p>It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.</p> <p>There are no conditions contained within the operating schedule.</p> <p>I have listed the following conditions the Police would like to see on the Premises Licence. If these are agreed to I would be willing to withdraw my representation:</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 or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested. 3) 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: <ol style="list-style-type: none"> (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) any faults in the CCTV system, (f) any visit by a relevant authority or emergency service. <p>Note: following the applicants agreement to this application, the Police have withdrawn their representation.</p>	
Responsible Authority:	Environmental Health
Representative:	Maxwell Koduah
Received:	27 th July 2016
<p>I refer to the application for a New Premises Licence number for the above premises.</p> <p>This representation is based on plans of ground floor and basement by Saeed Dadkhah Architect dated 06/09/09 submitted with the operating schedule.</p>	

The applicant is seeking the following licensable activities:

1. Provision of late night refreshment "Indoors" and "Outdoors" at the following times
Sunday - Thursday: 23:00 to 01:30
Friday - Saturday: 23:00 – 02:00

I wish to make the following representations:

1. Provision of late night refreshment and hours requested may have the likely effect of increasing Public Nuisance in the area and impact on Public Safety.

Conditions have been offered in the operating schedule and these are under consideration.

The applicant is asked to contact the undersigned to arrange a site visit to assess the premises to ensure the premises is satisfactory and following this, additional conditions may be recommended by Environmental Health to support the licensing objectives Prevention of Public Nuisance and Public Safety.

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 Area.

Environmental Health have provided a list of noise complaints received for this premises:

Date	Complaint	Officer observation
14.12.2015	At 22:28 Complaint of loud music at rear of complainant's premises. Complainant alleged that a large marquee had been set up without license and loud music blaring out and	At 23:10, an officer visited. Faint music audible in mews. Went to the neighbouring restaurant and spoke to a manager who confirmed a private party in a tent to rear of building. Party finished whilst officers were on site. Officer was informed that it was a one off event. NFA
11.09.2015	At 16:47 Complaint of constant loud noise from air conditioning unit	No visit done
19.03.2015	At 10:21 Complaint that 368 Harrow road London w9 2hp has been trading as kebab & pizza centre late into the night without illegally (without late night refreshment licence). This has been going on for the past 6 months	Officer visited and found no evidence of LNR
25.10.2012	At 15:38 Complaint about noise from refrigeration and plant from 368 Harrow Road and 366 Harrow Road	Officer noted that unattended and attended measurements showed little evidence of the newsagents or kebab shops impacting the received noise level at the resident's property. Complainant was advised that the measurements were not showing anything prominent. Complainant was advised there may be a better chance at finding the offending plant during summer when the

		noise is more prominent. Complainant agreed and NFA was taken
25.09.2012	At 07:26 Complaint about droning noise	At 21:40, a council officer visited and advised that no nuisance from both chillers. Need to revisit when weather warmer.
19.09.2012	At 22:15 Complaint about chiller type noise	At 23:22, a council officer visited. Noted that some plant noise could be heard in complainant's rear bedroom but at the time of visit, the kebab shop had closed. Officer was not able to confirm source of the noise and NFA was taken
11.07.2012	At 20:37 Compliant of noise from unit at rear	At 20:38, an officer visited and monitored from rear roof terrace. Some fan noise heard but from various units and nothing excessive. Officer agreed to arrange further night visit to assess
Note: Environmental Health have proposed conditions which are attached at Appendix 4 but Licensing are yet to receive the applicants comments regarding these.		

2-B Other Persons	
Name:	Ms Sara Poland
Address and/or Residents Association:	6 Chippenham Mews London W9 2AW
Received:	16 th August 2016
<p>This is the third application. I see no reason whatsoever for the current closing times to be extended - ever. I live directly behind the premises and already have to put up with noise, unpleasant cooking smells, extremely noisy out of date extractor fans which operate around the clock, not to mention an unsightly yard which probably is a good home for vermin - all of which makes sleeping well nigh impossible.</p> <p>I am entitled to enjoy my home and rest at night and not to have to undergo this constant disturbance. Additional opening hours should absolutely not be permitted under any circumstance. This establishment has never been refurbished or updated to accommodate the concerns of this now largely residential neighbourhood. The additional foot and vehicle traffic encouraged by yet another 'late night' fast food stop will only increase the public nuisance and noise.</p> <p>We have sufficient cheap fast food outlets and the closure of the Chicken shop on the corner of Marylands Road and the Harrow Road has significantly improved the quality of living in the area. Less chicken bones, less noise and less disturbances. But it took 4 years or more from local residents to make this happen. I believe this application could be yet another attempt to</p>	

use the basement and whole premises for yet another unsociable men only shisha bar or something similar.

One such bar a few doors up the road has finally been served notice to close - much to our relief and gratitude to the council. The type of food and eating habits establishments such as these promote are not conducive to public health and every measure should be made to discourage them. The people who own these premises do not live in the vicinity so have no idea of the problems it causes to the area.

Name:	Diana Carrasco
Address and/or Residents Association:	2C Chippenham Mews London W9 2AW
Received:	3 rd August 2016

I write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance and prevention of crime and disorder.

Introduction

I live at 2C Chippenham Mews. I live directly above the premises, on the first and second floors Bedroom windows face to the rear. I enclose a photograph showing my property with the application premises below it.

I live with my husband and my 19 month-old baby.

The Mews where we live is mainly a residential street, with a few businesses that operate short hours. It is a very quiet street, family oriented with no parking allowed during the week and very little traffic, Therefore, the noise and disturbance levels are minimal at the moment. The concern relates to four possibilities:

1. Noise nuisance from customers of the premises loitering in the Mews eating their food.
2. Anti-social behaviour from customers of the premises loitering in the Mews eating their food.
3. Residents feeling intimidated returning to their homes in the late evening or in the early hours.
4. Litter and packaging left in the Mews.

I am not aware of any premises on this stretch of Harrow Road which both a) operate to the hours proposed by the applicant; and b) operate in the same manner as proposed by the applicant. Other nearby premises seem to either be subject to an earlier terminal hour, or are restricted to providing a delivery service only or an eat-in service only after a certain hour.

The application

The application would fundamentally change the way that the premises operates, as it would permit the premises to provide hot food and hot drinks until well into the early hours.

The premises are currently open during the day.

The application is for a fast food takeaway, with limited dining on the premises. According to the plans, there will be an area out at the back of the premises which could be used by customers, staff breaks or for keeping the garbage bins. I understand that 'late night refreshment' is the provision of hot food and hot drinks. Will this be for consumption on the premises, outside in the area at the back of the premises, or for takeaway?

Granting a premises licence for late night refreshment to enable the premises to provide hot food later than 11pm would certainly cause a great deal of nuisance.

This area will be connected to the food preparation area, with windows and doors that, when open, will let all the noise and smells come out and up straight to our windows.

Actually, the use of the yard, which is of course one of the main points of contention, is very opaque:

- The application states 'The yard is used for sitting out and recreation.' Use by whom? For what purpose? Until when?
- What do they intend by provision of late night refreshment outdoors? Is this to the yard?
- Conditions were proposed on the previous application and assurances given re: the use of the yard. It seems strange that they not been replicated here?
- The plan submitted with the application does not show the yard. The plans submitted with the previous application did show the yard (albeit not with the licensable area). Is there a reason for this?

Hot takeaway will also attract people having been drinking, with a potential increase in litter, crime and noise. It is also likely that the customers gather in the tranquillity of the Mews to eat their take away, bringing the above mentioned nuisance to the front of our property as well.

I do not believe that the application is compliant with policies PN1, HRS1 and FFP1 as set out in the Council's Statement of Licensing Policy 2016.

FFP1 states that 'Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.' Para 2.5.18 of the Policy states that 'Fast food premises which are open after 23:00 can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars and nightclubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area...The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour.' Para 2.5.19 states that 'The Metropolitan Police have raised concerns about the levels of crime and disorder that happen outside fast food premises late at night due to alcohol fuelled behaviour, and the opportunities for crime afforded by the congregation of people. Studies of 11 major fast food premises in Westminster show that they have a comparatively high association with reports of crimes of violence against the person. The consumption of food outside premises can result in food waste

and litter on pavements, to an extent that amounts to public nuisance.'

Conclusion

For the reasons stated, I am opposed to the application being granted.

I look forward to being kept informed of any developments. I would very much like to attend the hearing, but will have limited availability in certain dates that I am happy to discuss with the Council.

Note: Ms Vime's representative, Mr Richard Brown (CAB), has provided a response to the applicant's submission attached at Appendix A2:

Summary

1. Mrs Carrasco Vime lives in Chippenham Mews, which runs parallel to Harrow Road. The houses on the west side of the mews overlook the back of the premises. This is where the concerns about the use of the yard/garden area at the rear of the premises arise.

2. The Mews itself is narrow, cobbled, and quiet, particularly in the evenings and at night. This is what attracts residents to the properties. However, regrettably, there is a concern that the self-same characteristics are likely to attract customers of no368 in the late evening and late at night. This concern relates to four possibilities:

2.1 Noise nuisance from customers of the premises loitering in the Mews eating their food.

2.2 Anti-social behaviour from customers of the premises loitering in the Mews eating their food.

2.3 Residents feeling intimidated returning to their homes in the late evening or in the early hours.

2.4 Litter and packaging left in the Mews.

3. These concerns are reflected by the Policy.

3.1 Policy FFP1 states that 'Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.' In particular, paras 2.5.18 and 2.5.19 (set out in the representation) are relevant.

3.2 A late night takeaway premises can act as a 'honeypot' for people to gather, who may have been drinking. Para 2.5.18 of the Policy states that 'Fast food premises which are open after 23:00 can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars and nightclubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area...The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour.'

Comments on document submitted on behalf of applicant

4. In para 3.2, it is stated that there is a rear garden, but that this will 'not be subject to the Licence if granted.' Use of the rear garden is among Mrs Carrasco Vime's major concerns. Residents' properties overlook the yard. The application states that the yard is used 'for sitting out and recreation'. The application for provision of late night refreshment includes 'indoors' and 'outdoors'. Clarification is requested as to whether the yard will be used by customers and/or staff.

5. In para 5.3, it is stated that other premises are open late, that there are similar

establishments nearby, and that a new licence will therefore not add materially to the problems.

6. However, Mrs Carrasco Vime is not aware of any premises on this stretch of Harrow Road which both a) operate to the hours proposed by the applicant; and b) operate in the same manner as proposed by the applicant. An analysis of nearby premises reveals that there is a range of fast food premises in the vicinity:

- Paddington Fish Bar, 2 Marylands Road – no premises licence, therefore cannot lawfully provide hot food after 11pm

- Chicken Cottage, 360 Harrow Road – no premises licence, therefore cannot lawfully provide hot food after 11pm

- PJ's, 358 Harrow Road – premises licence permits late night refreshment to midnight Sun-Thurs, 1am Fri-Sat. However, the licence is subject to a condition that 'After 2300 no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address'.

Other nearby premises seem to either be subject to an earlier terminal hour, or are restricted to providing a delivery service only or an eat-in service only after a certain hour.

Conclusion

7. By opening later, Mrs Carrasco Vime feels that it is likely that the issues set out in para 2 above will become more serious. Accordingly, she concludes that the application does not promote the licensing objectives of 'prevention of public nuisance' or 'prevention of crime and disorder'.

8. Mrs Carrasco Vime would like to state that she wishes the applicant well in running his business, but remains of the view that the application as it currently stands should be refused for the reasons set out above.

Name:	Ms Jen Lindsay
Address and/or Residents Association:	1C Chippenham Mews London W9 2AN
Received:	4 th August 2016

I see absolutely no reason why the current closing time of 2300 needs extension. It is not conducive to the public good to have these premises open until the early hours of the morning: particularly to residents in the immediate vicinity who are already disturbed by cooking smells, extractor fan noise and the general disturbance of conversation and people moving around.

The additional foot and vehicle traffic as people get to know this is a 'late night stop', and possibly gather and eat in and around it, will only exacerbate this public nuisance. There is a plethora of fast food outlets such as this in this area, none of which serves the daily needs or the interests of local residents, and which cause waste food and packaging to be strewn in the streets. The type of food and the eating habits these establishments promote are not conducive to public health and every measure should be taken to discourage them.

3. Policy & Guidance

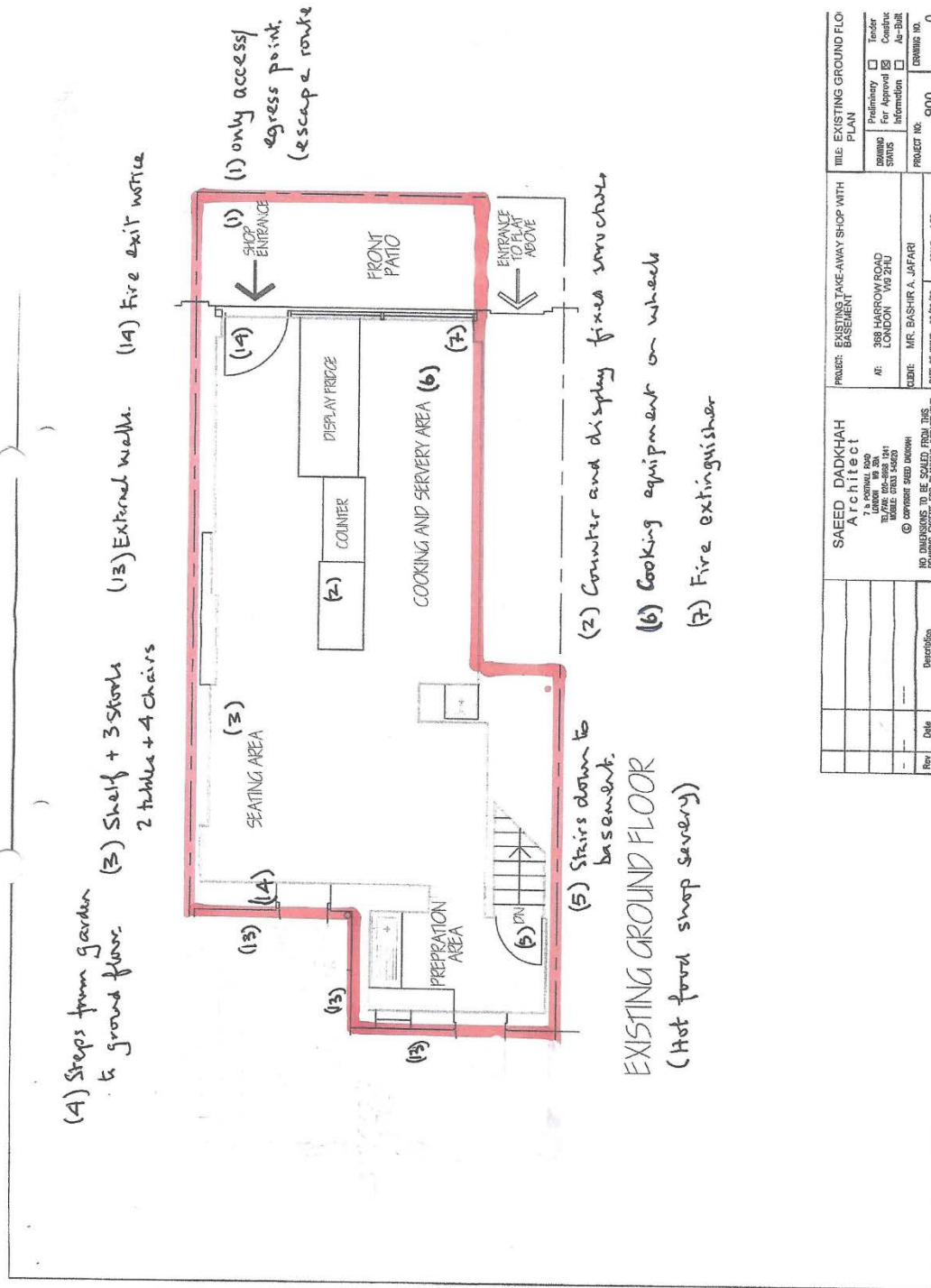
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy FFP1 applies	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1
Policy HRS1 applies:	(i) Applications for hours within the core hours set out below in this policy 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 set out below in this policy will be considered on their merits, subject to other relevant policies

4. Appendices

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

Report author:	Mrs Sumeet Anand-Patel Senior Licensing Officer	
Contact:	Telephone: 020 7641 2737 Email: sanandpatel@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 2016
3	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
4	Application Forms	27 th July 2016
5	Plans	27 th July 2016
6	Environmental Health Representation	27 th July 2016
7	Metropolitan Police Representation	3 rd August 2016
8	Sara Poland Representation	16 th August 2016
9	Diana Carrasco Representation	3 rd August 2016
10	Jen Lindsay Representation	4 th August 2016

25/7/16



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**COMMENTS ON REPRESENTATIONS MADE BY
MEMBERS OF THE PUBLIC RELATING TO
PROPOSED LATE NIGHT LICENCE**

at

368 HARROW ROAD, LONDON, W9 2HU

(16/07884/LIPN)

16 September 2016

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Appendices:

1. Police: Suggested Conditions
2. Environmental Health Officer: Suggested Conditions

1. INTRODUCTION

- 1.1 A further application has been submitted by Bashir Jafari for extended late night opening at 368 Harrow Road W9.
- 1.2 This second application follows an earlier one which was withdrawn at the suggestion of Westminster City Council as it did not contain sufficient information for a determination.
- 1.3 The current application is going forward to the Licensing Committee at Westminster City Hall on Thursday 13 October 2016.
- 1.4 These comments are intended to address issues raised by members of the public.

2. THE APPLICANT

- 2.1 Bashir Jafari is a married family man with three children. He lives along the Harrow Road and is able to walk to work.
- 2.2 He was formerly the owner of Pars Restaurant at 370 Harrow Road adjoining the subject premises. He worked there from 2004-2013.
- 2.3 At No.368 he employs three staff and works long hours himself dealing with cooking and supervision of the shop. He is not aware of any anti-social behaviour and the Police have not been called.
- 2.4 Also he has not directly received complaints from the public.

3. THE PREMISES

- 3.1 The Licenced activity will only take place on the ground floor (shop) part of the building.

3.2 In addition there is the rear garden and the basement (use for preparation) but these will not be subject to the Licence if granted.

4. HOURS OF OPERATION

4.1 The extended opening hours are set out in the licence application as:

Monday	23:00-01:30
Tuesday	23:00-01:30
Wednesday	23:00-01:30
Thursday	23:00-01:30
Friday	23:00-02:00
Saturday	23:00-02:00
Sunday	23:00-01:30

4.2 These are considered fair and reasonable having regard to the location of the premises on a busy thoroughfare with a residential hinterland.

5. PUBLIC CONSULTATION

5.1 The application was advertised in a local newspaper and a notice displayed on the premises. To date three representations have been received via the Licensing Department. Our comments are being circulated to these people.

5.2 Representations raise a number of points. Chiefly these are noise and disturbance in the vicinity as patrons walk away from the premises with their food consuming this as they go. They may be noisy and drop litter.

5.3 Unfortunately this can occur at any time when the premises are currently open. They are one of number of such units along Harrow Road which is a main thoroughfare. Other premises are open late and it is not considered that the application premises will add materially to any such problems.

5.4 Allegations of noise from the premises have also been made. This again might occur as patrons leave the premises and walk into the surrounding area. This could occur from any of the similar establishments nearby and it is not thought that a new licence here will add materially to the problems.

6. CONSULTATIONS WITH STATUTORY BODIES

6.1 Two bodies have made their views known – The Police and The Environmental Health Officer (EHO).

6.2 The Police have no objection to three conditions regarding a CCTV system.(Appendix1). As Mr. Jafari already has CCTV installed there is no difficulty in complying with these conditions.

6.3 On being informed of this the Police are content with the application.

6.4 The EHO has also requested conditions (Appendix 2). These are acceptable except No.2 which relates to hours of opening and differs from those in the application. Such more restricted hours are not acceptable to the applicant who wishes the application to be judged on these basis of the hours set out therein (para 4.1) above.

7. SUMMARY

7.1 The application seeks a late night refreshment licence in respect of the shop at 368 Harrow Road. Only the shop itself will be licenced and not any other part of the premises

7.2 The applicant has, for a number of years, run a restaurant and this hot food take-away shop. He is highly experienced and is on the premises between most of the opening hours. He intends to be present during extended opening hours if the licence is granted.

7.3 The applicant requests the following opening hours:

Monday to Thursday 23:00-01:30

Friday and Saturday 23:00-02:00

Sunday 23:00-01:30

7.4 The applicant is a responsible and experienced cater and wishes to extend his opening hours to meet local demand. The premises are suitable, the proposed opening hours reasonable and there seems to be no reason why he should not trade like other in the vicinity.

APPENDIX 1

POLICE: SUGGESTED CONDITONS

POLICE: SUGGESTED CONDITIONS

368 Harrow Road, London, W9 2HU

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 or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
3. 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) any faults in the CCTV system,
 - (f) any visit by a relevant authority or emergency service.

APPENDIX 2

ENVIRONMENTAL HEALTH OFFICER:

SUGGESTED CONDITIONS

Application reference: 16/07884/LIPN

Premises: **Kebab Centre**
368 Harrow road
London
W9 2HU

18 August 2016

Proposed EH conditions

1. Prominent signage indicating the permitted hours for walk-in service and home delivery services shall be displayed so as to be visible before entering the premises and at the point of sale
2. There shall be no walk-in sales of hot food or hot drink for consumption "on" or "off" the premises after 00.00 hour (midnight) Sunday to Thursday and 01:00 hour Friday and Saturday
3. There shall be no sales of hot food or hot drink for home delivery after 00.00 hour (midnight) Sunday to Thursday and 02:00 hour Friday and Saturday
4. The menu board lights in the customer service area shall be turned off at 00.00 hour (midnight) Sunday to Thursday and 01:00 hour Friday and Saturday
5. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 12 persons
6. Notices shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and businesses and leave the area quietly
7. No persons shall be permitted to use the garden at the rear of the premises after 23:00 hour
8. No noise generated on the premises, or by its associated plant or equipment or delivery cars/motorbikes, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
9. All windows and external doors shall be kept closed after 23:00 hour except for the immediate access and egress of persons
10. There shall be no queuing on the pavement outside the premises at any time
11. All tables and chairs shall be removed from the pavement along Harrow Road by 23.00 hour each day
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
13. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas including rear garden between 23.00 hour and 08.00 hour on the following day

14. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hour and 08.00 hour on the following day
15. No deliveries to the premises shall take place between 23.00 hour and 08.00 hour on the following day
16. 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
17. 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
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 of business

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

None

Conditions consistent with the operating schedule

None

Conditions proposed by the Environmental Health

1. Prominent signage indicating the permitted hours for walk-in service and home delivery services shall be displayed so as to be visible before entering the premises and at the point of sale
2. There shall be no walk-in sales of hot food or hot drink for consumption "on" or "off" the premises after 00.00 hour (midnight) Sunday to Thursday and 01:00 hour Friday and Saturday
3. There shall be no sales of hot food or hot drink for home delivery after 00.00 hour (midnight) Sunday to Thursday and 02:00 hour Friday and Saturday
4. The menu board lights in the customer service area shall be turned off at 00.00 hour (midnight) Sunday to Thursday and 01:00 hour Friday and Saturday
5. The number of persons permitted in the premises at any one time (excluding staff) shall not exceed 12 persons
6. Notices shall be prominently displayed at the exit requesting patrons to respect the needs of local residents and businesses and leave the area quietly
7. No persons shall be permitted to use the garden at the rear of the premises after 23:00 hour

8. No noise generated on the premises, or by its associated plant or equipment or delivery cars/motorbikes, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance
9. All windows and external doors shall be kept closed after 23:00 hour except for the immediate access and egress of persons
10. There shall be no queuing on the pavement outside the premises at any time
11. All tables and chairs shall be removed from the pavement along Harrow Road by 23.00 hour each day
12. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times
13. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas including rear garden between 23.00 hour and 08.00 hour on the following day
14. No collections of waste or recycling materials (including bottles) from the premises shall take place between 23.00 hour and 08.00 hour on the following day
15. No deliveries to the premises shall take place between 23.00 hour and 08.00 hour on the following day
16. 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
17. 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
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 of business

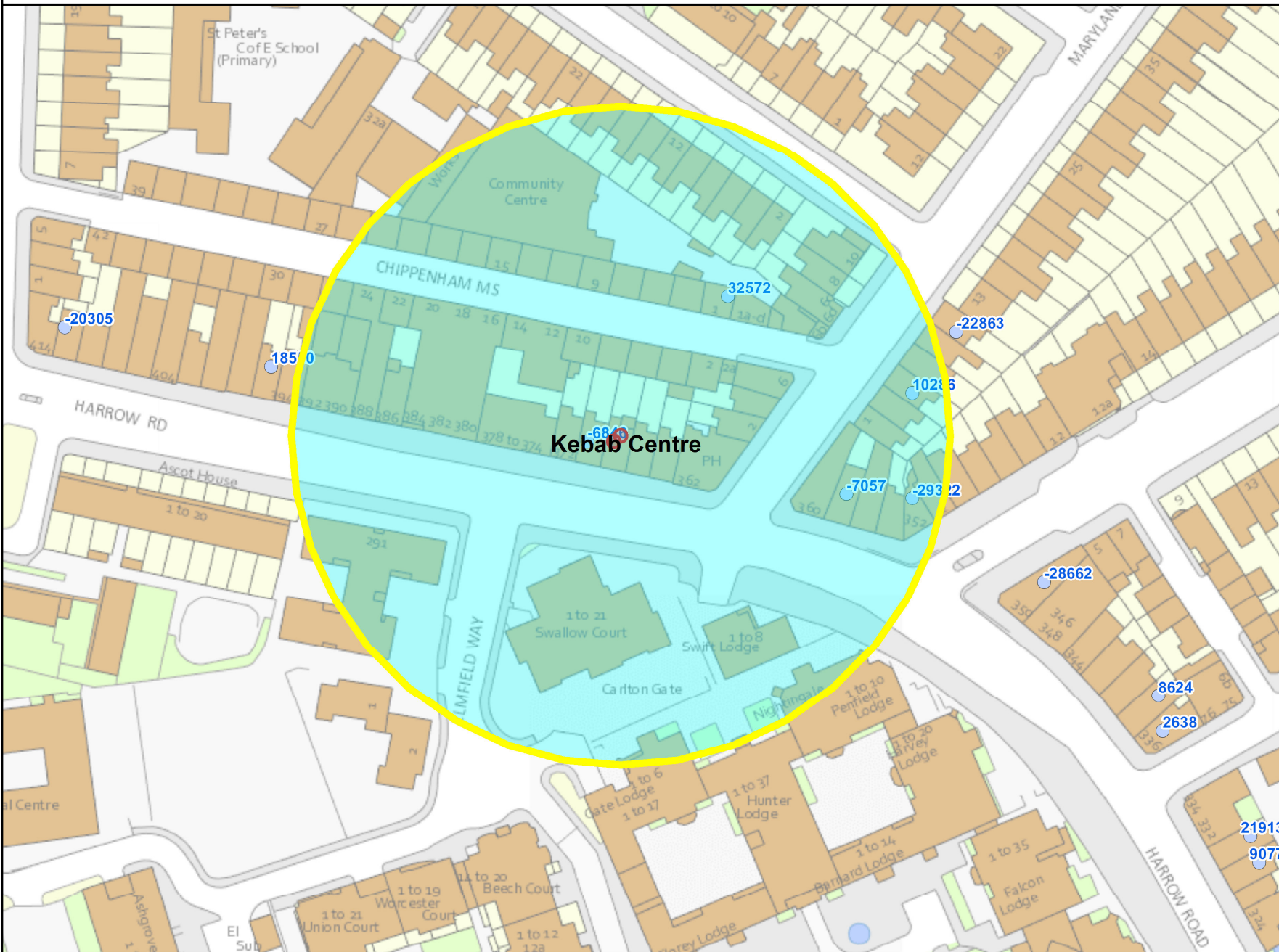
Conditions proposed by the Police

19. 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.
20. 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.

21. 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) any faults in the CCTV system,
 - (f) any visit by a relevant authority or emergency service.



Kebab Centre, 368 Harrow Road, London



Residential / Proposed Residential	237
Under Construction	Not Known
Other Uses	Not Known
Proportion Residential of all Uses	Not Known

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Data Source: Uniform Database
 Date: 29/09/2016

Premises within 75 metres of: Kebab Centre, 368 Harrow Road, London

p / n	Name of Premises	Premises Address	Opening Hours
-29322	Champers	Basement And Ground Floor 352 Harrow Road London W9 2HT	Monday to Saturday 08:00 - 23:00 Sunday 10:00 - 22:30
-7057	PJ's Pizza	Basement And Ground Floor 358 Harrow Road London W9 2HT	Friday to Saturday 09:00 - 02:00 Monday to Thursday 10:00 - 01:30 Sunday 10:00 - 01:30
10286	Tsiakkos & Charcoal	5 Marylands Road London	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00
32572	The Yaa Centre	1 Chippenham Mews London W9 2AN	Monday to Sunday 09:00 - 00:00
-6846	PARS Restaurant	Ground Floor 370 Harrow Road London W9 2HU	Monday to Saturday 10:00 - 00:30 Sunday 12:00 - 00:00