

# Licensing Sub-Committee Report

Item No:	
Date:	17 January 2019
Licensing Ref No:	18/12660/LIPN - New Premises Licence
Title of Report:	Soor 361 Harrow Road London W9 3NA
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:	Ms Michelle Steward Senior Licensing Officer
Contact details	Telephone: 0207 641 1872 Email: msteward1@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 October 2018		
<b>Applicant:</b>	Soor Cuisine Ltd		
<b>Premises address:</b>	361 Harrow Road London W9 3NA	<b>Ward:</b>	Harrow Road
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	According to the application form, this premises trades as a restaurant providing hot and cold food for consumption on the premises with a takeaway option.		
<b>Premises licence history:</b>	This is a new premises licence application and as such no premises licence history exists.		
<b>Applicant submissions:</b>	The applicant had originally applied for a terminal hour for late night refreshment being 03:00 Monday to Sunday but during consultation the terminal hour was reduced. Please see the current hours sought in box 1-B below.		

1-B Proposed licensable activities and hours							
<b>Late Night Refreshment:</b>				<b>Indoors, outdoors or both</b>			Both
<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>	23:00	23:00	23:00	23:00	23:00	23:00	23:00
<b>End:</b>	23:30	01:00	01:00	01:00	03:00	03:00	23:30
<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	08:00
<b>End:</b>	23:30	01:00	01:00	01:00	03:00	03:00	23:30
<b>Seasonal variations/ Non-standard timings:</b>			None				

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Dave Nevitt
<b>Received:</b>	12 November 2018
The applicant seeks Late Night Refreshment to 0300hrs, 7 days a week.	
I wish to make Representations on the following grounds:	

Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance and may impact upon Public Safety.

The hours sought for Licensable activities are beyond the Core Hours as defined in the City Council's Licensing Policy. There are a significant number of residential dwellings in the vicinity and I am concerned about the risk of public nuisance to occupiers.

The applicant has not provided sufficient information to show how customers will be safely accommodated at the premises.

There are insufficient Conditions in the Operating Schedule to address my concerns and to show how the Licensing Objectives will be promoted.

**Following a meeting at the premises the applicant's representative confirmed the following on the 25 November 2018:**

Following my meeting with my clients after your visit on Tuesday, they have agreed to amend the application as follows:

1. Hours of trade.  
Amend this to the following:  
Sunday and Monday close at 23:30  
Tuesday, Wednesday, Thursday, close at 01:00.  
Friday and Saturday close at 03:00.
2. Delivery of Food to cease at 24:00 hours.
3. Onsite takeaway to be available during the above opening hours.

Conditions to be added:

1. The basement area will not be accessible to the public.
2. After 23:00 hours all windows and doors to be kept closed except for immediate access and egress of persons.
3. All tables and chairs to be removed from the outside area by 23:00.
4. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 and 08:00.
5. The premises licence holder shall best endeavour to ensure that all takeaway deliveries are by foot, bicycle or electric vehicles.

They believe the above hours are required to maximise their business.

<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	PC Adam Deweltz
<b>Received:</b>	21 November 2018

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.

It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder.

There are also insufficient conditions contained within the operating schedule.

This matter will need to be heard before the Licensing Sub-Committee.

<b>2-B Other Persons</b>	
<b>Name:</b>	[REDACTED]
<b>Address and/or Residents Association:</b>	[REDACTED]
<b>Received:</b>	28 November 2018
<p>Whilst I respect the good nature of this restaurant and the contribution to the community, I feel the opening to 3am in the morning is unacceptable in a high street with many residential properties above shop floors. The hard working residents need some quiet on a busy road thats allready sees shops and bars closing at midnight and delivery trucks arriving at 5am. Please allow some quiet time for residents to sleep.</p>	

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies:</b>	<p>(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.</p> <p>(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.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the supply of alcohol for consumption off the premises:</u>  Monday to Saturday: 08:00 to 23:00  Sundays: 10:00 to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>
<b>Policy FFP1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets relevant criteria in Policies CD1, PS1, PN1 and CH1.

#### 4. Appendices

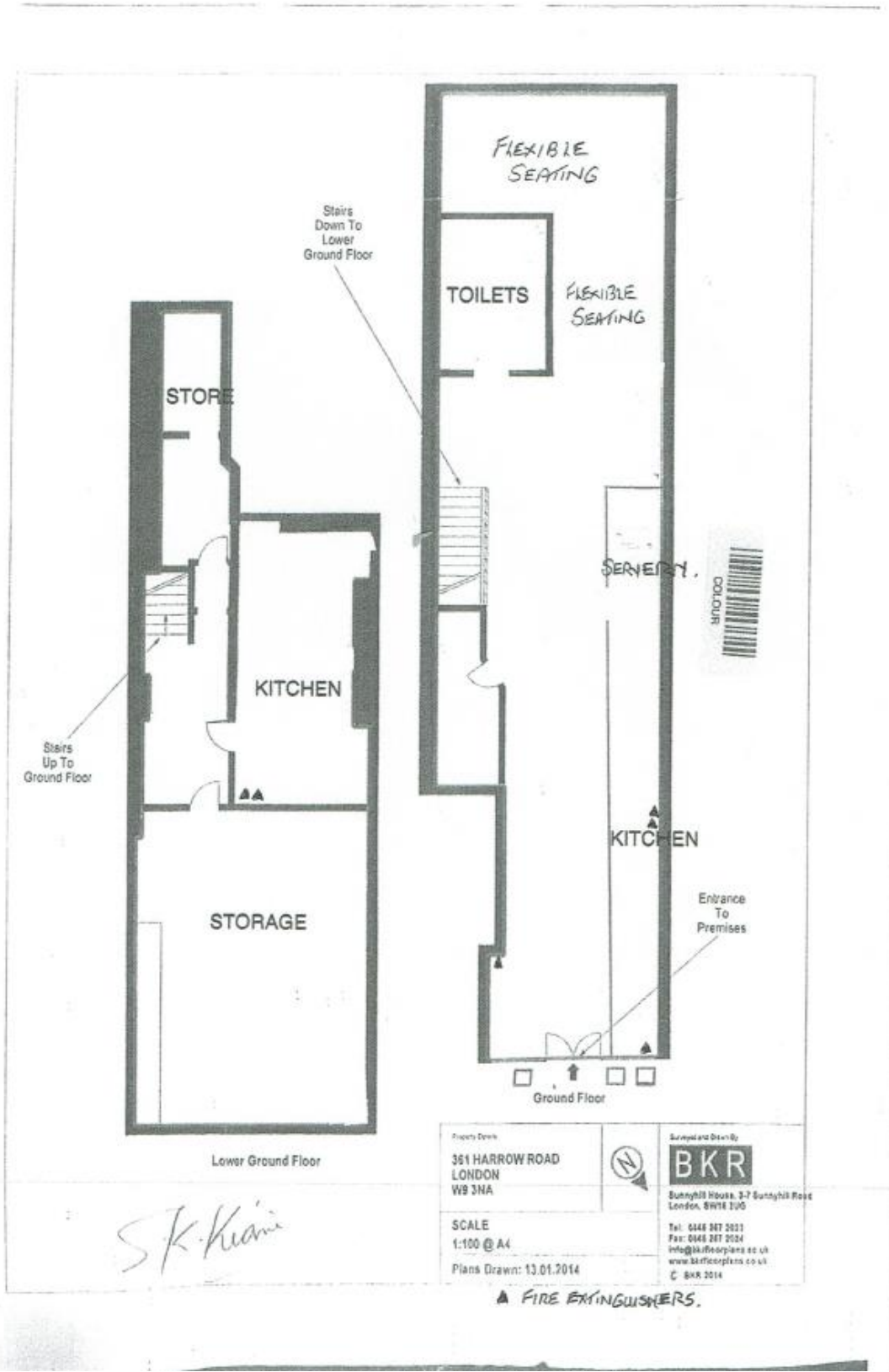
<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Ms Michelle Steward Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 1872 Email: msteward1@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	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Environmental Health Representation	12 November 2018
<b>5</b>	Metropolitan Police Representation	21 November 2018
<b>6</b>	Resident Representation 1	28 November 2018



*S.K. Keane*

Property Desk <b>361 HARROW ROAD                  LONDON                  W9 3NA</b>		Surveyed and Drawn By <b>BKR</b> Sunnyhill House, 3-7 Sunnyhill Road London, SW16 2UG Tel: 0208 287 2021 Fax: 0208 287 2024 info@bkrfloorplans.co.uk www.bkrfloorplans.co.uk © BKR 2014
SCALE 1:100 @ A4 Plans Drawn: 13.01.2014		

▲ FIRE EXTINGUISHERS.

**Applicant Supporting Documents**

**Appendix 2**

None

## **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

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

1. Staff training to be provided to all staff and refresher training to be provided at 6 monthly intervals.
2. A CCTV system is in operation recording 24 hours a day covering all parts of the restaurant both inside and outside. The premises licence holder shall ensure images from the CCTV are retained for a period of 31 days. This image retention period may be reviewed as appropriate by the Licensing Authority. The correct time and date will be generated onto both the recording and the real time image screen. The premises Licence holder shall ensure that there are trained members of staff available during licensable hours to be able to reproduce and download CCTV images into a removable format at the request of an authorised officer of the Licensing Authority or a constable. There shall be clear signage indicating that CCTV equipment is in use and recording at the premises during all trading hours.
3. All relevant fire safety procedures are in place for a premises of this size.
4. An accident book will be kept on the premises at all times with all entries kept for a period of three years.
5. Signage will be located at the exits to the restaurant advising customers to leave the area quickly and quietly, having due consideration for neighbours.
6. Anyone under the age of 18 will be accompanied by an adult after 23:00.

### **Further conditions proposed by the applicant during consultation so as to be incorporated in the operating schedule**

7. The basement area will not be accessible to the public.
8. After 23:00 hours all windows and doors to be kept closed except for immediate access and egress of persons.

9. All tables and chairs to be removed from the outside area by 23:00.
10. No rubbish including bottles will be moved, removed or placed in outside areas between 23:00 and 08:00.
11. The premises licence holder shall best endeavour to ensure that all takeaway deliveries are by foot, bicycle or electric vehicles.
12. The delivery of food to persons not on the premises will cease at midnight.

## Residential Map and List of Premises in the Vicinity

## Appendix 5

Due to a technical issue with the Council's GIS Mapping system, an alternative map of the premises and locality has been provided below:



Resident Count: 254

Photo of premises



**Premises within 75 metres of 361 Harrow Road, London, W9 3NA**

<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>	<b>Application Type</b>
13/06071/LIPV	Sam's Chicken	359 Harrow Road London W9 3NA	Restaurant	Monday to Wednesday; 10:00 - 00:00   Thursday to Saturday; 10:00 - 01:00   Sunday; 10:00 - 00:00	Premises Licence - Variation
15/00547/LIPVM	W9 Food And Wine Smokers Junction	Basement And Ground Floor 355 Harrow Road London W9 3NA	Shop	Monday to Sunday; 07:00 - 23:00	Premises Licence - Variation - Minor
08/10286/LIPDPS	Antello's Wine	Ground Floor 6 Great Western Road London W9 3NN	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30	Premises Licence - Change of DPS
17/14827/LIPDPS	Tops Pizza	Ground Floor 8 Great Western Road London W9 3NN	Restaurant	Monday to Sunday; 11:00 - 00:00	Premises Licence - Change of DPS
17/01421/LIPRW	Great Western Beer & Wine	12 Great Western Road London W9 3NN	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 08:00 - 22:30	Premises Licence - Removal of Works
18/02128/LIPV	M And B Catering	Basement And Ground Floor 494 Harrow Road London W9 3QA	Takeaway food outlet	Friday to Saturday; 11:00 - 01:00   Sunday to Thursday; 11:00 - 00:00	Premises Licence - Variation

09/10415/LIPN	Maida Hill Piazza	Open Space At Junction Of Fernhead Road And Elgin Avenue London	Food store (large)	Monday to Sunday; 00:00 - 00:00	Premises Licence - New
13/05167/LIPN	Maida Hill Place	4 Fernhead Road London W9 3ET	Miscellaneous	Monday to Saturday; 09:00 - 00:00   Sunday; 09:00 - 23:00	Premises Licence - New
17/08550/LIPN	Les Douceurs De La Tentation	Ground Floor 8 Fernhead Road London W9 3ET	Restaurant	Monday to Thursday; 09:00 - 00:00   Friday to Saturday; 09:00 - 01:00   Sunday; 11:00 - 22:30	Premises Licence - New