



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

01 December 2022

22/09054/LIPV - Premises Licence Variation

Shawarma N More
123 Baker Street
London
W1U 6RZ

Director of Public Protection and Licensing

Marylebone

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

Telephone: 0207 641 6500
Email: kjackaman@westminster.gov.uk

1.	Application		
1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	26 September 2022		
Applicant:	Shawarma N More Limited		
Premises:	Shawarma N More		
Premises address:	123 Baker Street London W1U 6RZ	Ward:	Marylebone
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	The premises operate as a take away food shop		
Variation description:	To extend the hours for late night refreshment and the opening hours to 03:00 Monday to Sunday.		
Premises licence history:	The premises have had the benefit of a premises licence since July 2022. The current premises licence reference is 22/01952/LIPN, a copy of which is attached as Appendix 1 of this report. Please see Appendix 6 of the report for a full licence history.		
Applicant submissions:	The applicant has providing supporting documents which can be found at appendix 2		
Applicant amendments:	None		

1-B	Current and proposed licensable activities, areas and hours					
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Outdoors			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	23:00	03:00	Ground floor shop	No change
Tuesday	23:00	23:30	23:00	03:00		
Wednesday	23:00	23:30	23:00	03:00		
Thursday	23:00	23:30	23:00	03:00		
Friday	23:00	00:00	23:00	03:00		
Saturday	23:00	00:00	23:00	03:00		
Sunday	N/A		23:00	03:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		None			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	10:00	03:00	Ground floor shop	No change
Tuesday	10:00	23:30	10:00	03:00		
Wednesday	10:00	23:30	10:00	03:00		
Thursday	10:00	23:30	10:00	03:00		
Friday	10:00	00:00	10:00	03:00		
Saturday	10:00	00:00	10:00	03:00		
Sunday	12:00	22:30	10:00	03:00		
Seasonal variations/ Non-standard timings:	Current: None				Proposed: No change	

1-C	Layout alteration
No change of layout is proposed	

1-D	Conditions being varied, added or removed
Condition	Proposed variation
No change of conditions is proposed	
Adult entertainment:	Current position:
	None
	Proposed position:
	No change

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Dave Morgan
Received:	19 October 2022
<p>With reference to the above, I am writing to inform you that the Metropolitan Police Service as a Responsible Authority are objecting to this application on the basis that if granted, it would undermine the Licensing Objectives, namely The Prevention of Crime and Disorder.</p> <p>Your client is seeking Late Night Refreshment (indoors & outdoors):</p> <p>Sunday to Monday: 2300 – 0300 hours.</p> <p>These hours are beyond Westminster Core Hours policy which are Monday to Thursday 23:00 – 23:30 hours; and Friday – Saturday: 23:00- 00:00 hours</p> <p>At this stage, there is insufficient detail contained within the operating schedule to promote the</p>	

Licensing Objectives and I have concerns that if granted, this application will cause further policing problems in an already demanding area.

I also have concerns with recent events that have allegedly taken place at this venue.

Firstly, there have been complaints from local residents stating that this venue has been trading beyond permitted hours. This is a breach of the current licence which only came into force on the 22/07/2022 (22/01952/LIPN).

Secondly, I have recently been contacted by a Police colleague who stated that the venue failed to supply CCTV for a criminal offence for which he was investigating. Westminster City Inspectors have been made aware of this incident and have written to the venue and continue to monitor the premises. I will supply further information regarding this matter at a later date, but it is again appears to be a breach of the current licence conditions.

With all this in mind, I have legitimate concerns that the applicant will fail to uphold the Licensing Objectives and it is for these reasons that the Metropolitan Police Service are making a representation to this application.

Responsible Authority:	Environmental Health
Representative:	Maxwell Owusu Koduah
Received:	11 October 2022

I refer to the application for a variation for the 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.

Applicant is seeking to extend the hours for the provision of late-night refreshment from core hours (Monday to Thursday 23:00 – 23:30 hours; and Friday – Saturday: 23:00- 00:00 hours) to 03:00 hours Monday to Sunday indoors and outdoors.

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 representation:

1. The hours requested to provide late-night refreshment may have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area

The licence to which this variation seeks to amend came into force on 22/07/2022. On 14/09/2022, a complaint on behalf of 224 apartments in close proximity to the application premises regarding a major breach of the licence (trading beyond permitted hours), was received. That complaint triggered an investigation from the council’s City inspection team. The investigation culminated into the issuance of a notice letter and the premises being placed on a regular monitoring.

Under the above circumstance, it is my considered position that as presented, the application would have the likely effect of causing an increase in Public Nuisance and may affect Public Safety within the area.

Please contact me if you are minded discussing any of the matters above.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022
<p>Dear Westminster Council Colleagues,</p> <p>I strongly object the application for a late night license by Shawarma N More Limited. The proposed late night food service will result in customers consuming food on the pavement outside the establishment as there is no sizeable indoor seating area at the premises. This would in turn create noise and congestion in the immediate vicinity of the establishment and could spill over into the adjacent streets including Brickenhall Street and York street.</p> <p>Increased night time traffic would result in cars and bikes blocking Baker Street, Brickenhall Street, York Street, Porter Street and may spill over further into the area. There Marylebone area has a unique mixture of history, culture and residential spaces.</p> <p>There was and is no night time entertainment provided in the area. I do not see the need for a late night opening of the fast food establishment that could have a negative impact on the unique character of the local community.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022
<p>I am writing to object to the application by Shawarma for a license variation.</p> <p>I have lived on [REDACTED] since 1997. In recent years, my family has witnessed the detriment to the character of the neighbourhood from late licenses in the area (Crawford St between Gloucester Place and Baker St). Cars park on Crawford St, often playing loud music and reducing flow of traffic, while the owners socialise loudly on the pavements outside the cafes. This is not conducive to a largely residential area. While Baker St itself has less residential property, nevertheless permitting a change in license will continue the extension of late night cafes across Marylebone and the accompanying antisocial behaviour late at night spills over for residents in the densely populated neighbouring blocks (in this case Bickenhall, Portman and Montagu Mansions). I am also concerned that these cafes will continue to proliferate.</p> <p>In addition, the junction of York St with Baker St has already become a site of antisocial behaviour from food delivery cyclists, and another late license in the vicinity will only add to the high level of loitering that we observe (and suffer) around this block.</p> <p>I hope the Council will not look at this proposed license change in isolation, and will instead consider the site in the context of the surrounding area which would be negatively impacted by this change.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022

I am concerned that the variation will cause a nuisance for local residents until the early hours, every day of the week. The provision of late night refreshment will be both indoors and outdoors, causing noise, litter, crime and traffic in the area.

I am particularly concerned about 'the prevention of public nuisance':

a)The applicant proposes that the variation would be in effect every day, 365 days a year. This will mean the effect of the nuisance would be continuous. Local residents will certainly be adversely affected by this as there will not be a single day when the restaurant will not be open until 3am.

b)There is an existing issue in the area of large numbers of food delivery riders congregating in the local area (on York Street and on Baker Street) particularly on weekends. They have displayed anti-social behaviour and can be an intimidating presence for some local residents. Extended opening times will mean the food delivery drivers will be a constant presence as customers may order food on apps such as 'Deliveroo' (Shawarma N More currently trades on Deliveroo).

c)Any business that is proposing to be open until 3am is not appropriate for a residential area and there is a risk of disorderly behaviour, which will of course be a nuisance for local residents. Whilst Baker Street is not solely a residential area, the right balance must be struck between the needs of local business and local residents.

d) The applicant does not propose measures to mitigate the nuisance. It is unclear whether it simply fails to acknowledge the resulting nuisance e.g. noise of customers, increased litter or congregating delivery drivers, or whether it recognises that no effective mitigation is possible. The applicant simply refers to 'staff trained to deal with situations', which does not recognise the very real impact this would have on residential life.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED]
Received:	14 October 2022

I would like to object to this licence request on grounds of noise and general security of the neighbourhood

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2022

A late night application has already been refused. All of the reasons for that refusal remain valid and this application should be refused too. The Met Police were against it on the basis of Crime and Disorder. Since the previous application this area has deteriorated more with further problems that could potentially escalate through until 3am if this were approved.

As nearby residents we suffer a lot from the fast food shops. This particular place wants to sit people outside until 3am - what about the noise for residents? We often see queues out of the door which are rowdy and intimidating for others to pass through.

People often purchase takeaways and eat them in quiet adjacent residential streets like ours, sitting on the steps of peoples homes and leaving their litter behind them. This is particularly upsetting for those in flats on lower ground, ground and first.

As this business is already open until after the pubs it also tends to attract people who have been drinking and they are therefore often in large noisy groups. Just yesterday there were large pools of vomit at the end of the street and a further one this morning. We do not want this business to become a destination venue for those who have been out drinking until 3am. This business also appears on some delivery apps so are we now also to have delivery drivers zooming up and down adjacent quiet residential streets?

We understand that this business has already been breaking the terms of their existing licence regularly without any consideration for neighbours (businesses and residents). Should they be rewarded with a further extension to cause even more public nuisance? We strongly object.

This business along with other fast food businesses are now having severe impacts on the residents.

There is increased litter and noise which find its way into our street and we often hearing drunken shouting late at night when this business is open as it attracts people who have been drinking.

We also find that people purchase take aways and eat them outside the shop in groups which is intimidating to walk through. As many of these people have been drinking, they are inconsiderate to neighbours. We do not want this to carry on until 3am or even worse, for this place to establish a reputation as somewhere for people to go after drinking all night. The impacts in the day and evening are bad enough but until 3am would be intolerable.

The mix of commercial and residential is not working here at the moment as there are too many fast food shops. We also have problems with delivery drivers congregating until after dark, we do not want this to continue until 3am. If this business has been breaking the terms of their existing licence they do not seem to be suitably responsible to manage a venue until 3am. The Metropolitan Police and Council are already struggling to cope with the problems in this section of Baker Street, granting a licence until 3am would exacerbate these. I strongly object to this licensing application.

The objector has provided correspondence with the WCC City Inspectors and supporting photographs. A copy of the correspondence and photographs appear at appendix 4

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	22 October 2022

This business along with other fast food businesses are now having severe impacts on the residents.

There is increased litter and noise which find its way into our street and we often hearing drunken shouting late at night when this business is open as it attracts people who have been drinking. We also find that people purchase take aways and eat them outside the shop in groups which is intimidating to walk through. As many of these people have been drinking, they are inconsiderate to neighbours. We do not want this to carry on until 3am or even worse, for this place to establish a reputation as somewhere for people to go after drinking all night. The impacts in the day and evening are bad enough but until 3am would be intolerable.

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Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	03 October 2022

Portman Mansions Management Ltd has 120 leaseholders. Portman Mansions is situated on Chiltern Street (parallel with Baker Street) & Porter Street.

In our view this application impacts the stated objectives of preventing public nuisance & crime & disorder.

- A late licence will result in the premises becoming a 'destination' venue, increasing footfall in the wider area & providing encouragement for additional late licence requests
- Closing late will have a significant impact in a wider area due to reduced public transport. Displacing nuisance over a wider area as customers leave the premises and area
- The application does not demonstrate why the licensing authority should depart from its 'core hours' policy. 'Core hours are an essential element to ensure businesses can operate for a reasonable period whilst protecting the impact on the licensing objectives.'
- Portman Mansions is massively impacted by unacceptable noise levels due to out of hours deliveries on Chiltern Street & patrons leaving the Holmes Hotel both having increased considerably due to the road layout changes on Baker Street (Holmes Hotel entrance is now on Chiltern Street). This will only exacerbate the issue.
- Increased footfall will increase street littering. Chiltern / Porter Street already experience constant littering due to take out food outlets which encourage vermin
- Anti-social behaviour with an increased propensity of drug dealing and unsavoury night-time activity is a distinct possibility
- UBER drivers will congregate later for anticipated deliveries.

We reserve the right to make further representations during the process.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022
<p>My wife & I are owners/residents of a flat in the mansion block above the premises in question. We object strongly to the proposed variation on the grounds that, if approved, it would result in a significant increase in noise, litter and antisocial behaviour. Concerns were raised only 6 months ago when a similar application was lodged (and rejected) on the basis of Public Nuisance, Public Safety and Crime/Disorder, and nothing has changed since then. In common with other residents we remain concerned at the continued decline in the immediate area due to growth in fast food outlets.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	20 October 2022
<p>The area is already seeing disturbing presence of delivery people on the corner of Crawford street and it is scary to walk in-between now all day long.....</p> <p>To have a shop to operate till such a late night it would be changing the beautiful area into more disturbing neighbourhood.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 October 2022
<p>I do not support in any way that you grant the applicant such licence.</p> <p>Granting this Late Night Refreshment Licence increase the likelihood of Public Nuisance due to several reasons, such as: anti-social behaviour; noise from patrons eating at tables outside as well as queuing & leaving the venue; take-away purchases where these might be consumed & where litter might be left; delivery drivers till 3am.</p> <p>So we kindly require that you help us in keeping our neighbourhood calm and safe.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	Marylebone Association
Received:	25 October 2022
<p>THIS REPRESENTATION is made by the Marylebone Association, which is recognised by Westminster as the Amenity Society for the Marylebone Area south of Marylebone Road and so</p>	

represents the interests of those who live and work in this area.

We are writing to object to application by Shawarma N More, 22/09054/LIPV, 123 Baker Street London W1U 76RZ. We believe that if granted this would lead to the creation of serious public nuisance contrary to Policy PN1 as the applicant is requesting hours well outside Core Hours, Policy HRS1. We also believe that there is a risk to Policy CD1.

The current licence 22/01952/LIPN was granted only on 7th July this year on an application originally asking for hours to 5:00am. It is rather irritating that the operator sees fit to re-apply so soon after the grant of their original licence.

This stretch of Baker Street from Marylebone Road to Paddington Street is a rather unpleasant neighbourhood due to its proximity to the major transport hub Baker Street Station. It is populated by numerous fast-food outlets and attracts large numbers of pedestrians looking for food and an increasing number of delivery personnel on bikes who congregate in and around the area creating a severe nuisance. There is a high incidence of drug dealing also.

There are a number of large residential blocks in the adjacent streets – Bickenhall Mansions, Portman Mansions and Montagu Mansions where hundreds of people reside. They are blighted by the litter and noise and are inconvenienced frequently by people eating their take-away food on their steps or environs.

It could be argued that the residents will have known about this problem before buying their flats and this must be true but it is a fact that all the existing food outlets close at or before midnight even on Fridays and Saturdays. Of the 14 fast food outlets in this stretch 6 close at midnight and the rest at 11:30 or earlier. Consequently the residents do currently get some respite.

We have received numerous complaints about the operator who remains open well after its existing permitted hours. The flagrant breaching of their licencing conditions so soon after the grant would suggest that the operator does not care about their neighbour's wellbeing and we worry that any extension of hours will be extremely detrimental to the local residents.

In conclusion we do not believe it is appropriate to grant a licence beyond Core Hours to the early hours of the morning in this location as it would inevitably lead to breaches of PN1 and will do nothing to prevent incidents of crime thereby breaching CD1 as well.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 October 2022

The end of this street is already extremely congested with noise and waste from these types of establishments. Baker Street is plagued by delivery drivers who often congregate until as late as 11.30pm in this area which is already a public nuisance. This impacts both air and noise pollution, putting strain on local services; such as the police & waste services.

Approving the licence will no doubt exacerbate the public nuisance; it will open up the opportunity for late night antisocial behaviour, pollution from littering, noise from customers eating outside/queuing, drunk and disorderly behaviour will no doubt be in play.

Delivery drivers on motorbikes passing throughout the night will cause unwanted disturbances for my children who go to bed early for school as well as dangerous driving on the street. We deserve the right to peaceful living.

We currently accept a level of noise from these establishments; however, the above licence will afford them to magnify this and would severely disrupt peaceful living for all residents.

I see no reason the licence should be extended other than for the businesses personal gain. The density of fast-food shops in this area is already problematic in the daytime and must not be allowed to continue through the night. The council are already struggling to maintain waste in the area and the proposition to extend the opening hours will put a strain on these services.

In light of the above concerns, we urge the Council to recommend that this application is refused.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 October 2022

I strongly object to this application for the same reasons I objected to the very similar application made just a few months ago.

We have already seen considerable deterioration in the quality of residents life in North Baker Street due to the multiplication of fast food chains and delivery drivers. We have also multiple times witnesses antisocial behaviour on the steps of neighbouring streets including the street I reside in - food packages are at times left on the street, and we have witnessed discarded alcohol bottles and gas containers on the street.

I feel the proposed application runs the risk of increasing such antisocial behaviour late into the night.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	15 October 2022

We are truly blighted by some of the fast food outlets. Not only by the sheer number of them but nowadays by the plethora of delivery drivers hanging around day and night .

Schwarma has posted his application, but not in a prominent position, on his window up high so basically unreadable and a lamppost on the opposite side of the street.

He wants to remain open until 3 am 7 days a week, with eating inside and out! Outside until 3 am ! The people who live above his very smelly shop must be dreading this!

Delivery drivers are everywhere, morning non and night? I understand they serve the community but, they smoke and drop their trash everywhere. And where do they urinate? No facilities near by.

On top of their application, another restaurant further down Baker Street want music inside and out until 4 am! And yet another fast food place Döner Shack is due to open at 102 Baker Street, no doubt wanting to open ever later and with 8 outside seats..

The original application was rejected on the grounds of possible antisocial behaviour along with the unsanitary disposal of trash. We live in a residential block of 223 flats, many of which are

occupied by families who feel threatened by this group of men always hanging around. We have seen that Schwarma already does not follow the rules set out on his licence, so why he feels the right to reapply, beats me. I also have photographic evidence of delivery drivers en masse, and trash that is left behind. And Dangerous on Bickenhall street, one resident was left with a broken arm after being struck by a cyclist going the wrong way down Bickenhall Street. This can only get worse!

Name:	██████████ dya
Address and/or Residents Association:	██████████ ██████████ ██████████
Received:	17 October 2022

I am against this application. This will set a precedent in the neighbourhood. We have a number of late night cafes on Crawford Street that already regularly break their planning restrictions with seating outside well beyond their licensed hours.

There is nothing in the application which shows what measures will be introduced to ensure there is no additional noise or nuisance to local residents, or how the council will be able to ensure that restrictions are adhered to.

Allowing this application to be approved will set a precedence for other establishments to also receive approval to open longer hours causing major noise issues in the neighbourhood.

Name:	████████████████████
Address and/or Residents Association:	████████████████████ ████████████████████ ██████████ ██████████
Received:	25 October 2022

We act as the managing agents for York Mansions (Baker Street) Limited, the residential building immediately above this commercial premises and we have already reported this establishment to Environmental Health for the obnoxious smells coming into the residential building from cooking on the premises.

The granting of a Late Night Refreshment Licence would most certainly impact directly on the quiet enjoyment of the residents of our building by extending the hours of operation to 3am.

The residents currently have to tolerate noise and smell generated by this establishment and others fast food premises opposite and nearby on Baker Street which at times is invasive and impacts on residents daily.

This application if granted would undoubtedly increase the anti-social behaviour; noise from patrons eating at tables outside as well as queuing & leaving the venue; and the constant noise from delivery drivers scooters etc, which we already experience and have to tolerate due to current licensing, as well as the increase in littering from take-away purchases where these might be consumed outside by patrons before leaving the area. We have certainly noticed and increase in pest activity from Pigeons and other pest feeding of dropped food etc. Which is a further health hazard.

Many late night patrons seeking food at such hours are likely to be intoxicated and will also be a hot spot for trouble which the police will no doubt have to attend bring more noise with sirens and strobing blue lights.

Do the Met Police have the resource on what is an already stretched service to effectively police this area into the early hours? Currently with all other local fast food premises shutting in normal permitted business hours this at least restricts restricts the impact.

In summary we wish to object on the strongest terms to this application and ask that this application is rejected.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

Received:	18 October 2022
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I would oppose this licence as I would be worried of the crowd that this would attract.

Already in the evenings there are groups of food delivery men on bikes gathered on junction of baker street and york street (outside Chipotle) who speak loudly and sometimes argue or cat call . One does not feel safe walking past them.

Having an eatery opening till 3 am in this area may result in more such gatherings.

They can open in Soho.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED]

Received:	30 September 2022
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On behalf of the Marylebone Councillors I am writing to object to the above application to vary the premises licence for the provision of late night refreshment until 03:00 Monday to Sunday, on the grounds it will not promote the Licensing Objectives; namely the Prevention of Public Nuisance, Crime and Disorder and Protection of Children from Harm.

This premises is in a highly residential area. Residents would be subjected to having their quiet enjoyment/sleep disturbed into the early hours of the morning, by loud voices, patrons coming and going and car doors banging. Restaurant staff leaving the premises are also likely to disturb residents.

This venue would clearly become a destination venue for Late Night Refreshment. It is to be noted that this is for indoor and outdoors. The consumption of food outside a premises can result in food waste and litter on the pavements which amounts to a public nuisance.

It is important to note that the police have stated that after midnight the rates of crime and disorder increase.

I am surprised to see on this restaurant's website that they state they are open until 3am. It would seem that they have a disregard for the Licensing process and are already operating to this hour for LNR without permission.

I respectfully request that you refuse this application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	23 October 2022
<p>As an area full of residences, many of which are occupied by those that work full-time or are families with children in school, I object in the strongest possible terms to extending the licensing hours for this business. It is unacceptable for families and individuals to be subjected to late night noise and disruption when to be frank it really isn't necessary. I cannot believe that there is the demand for such an extension and certainly not from the majority of residents who live close enough to the premises to be affected by the additional noise and traffic.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022
<p>[REDACTED] just above the restaurant.</p> <p>It is inhabited by two young ladies, one is studying in the University and the other wakes up early in the morning to go to her work. They are very worried about the noise, the anti-social behaviour and potential criminality that such late night food servicing could bring to our doorstep.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	15 October 2022
<p>Granting this business late night opening hours will of course add to rubbish and pollution in our street.</p> <p>We have seen anti-social behaviour already. This will increase and add to crime and vandalism.</p> <p>Please consider that we are trying to keep our area safe for our families.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022
<p>I write to express my strong objection to the application for a late night license by Shawarma N More Limited on Baker Street.</p> <p>We are already experiencing increased number of bikes and drinking near that area of Baker</p>	

street and I struggle to see the benefits of a 3 am Shawarma joint in a highly residential part of London with many listed and protected buildings and family residences. It created high level of noise, provides opportunities for substance abuses and distorts the historical part of the area. It will be a downgrade to the neighbourhood with increased security concerns for many families with children and elderly residents living in the adjacent blocks. This particular cafe has no seating area inside which means that granting them late night license will results in consumption on pavements and on the steps of the residential building entrances.

Thank you for your consideration.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022

I would like to strongly object to this application.

Already the shawarma shop I have noticed since it was switched to a Shawarma (even with it's current hours) the shop has caused a significant rise in noise disruption and anti social behavior to the Baker Street area with most coming from directly outside their shop. In addition to this they have not be complying with current hours of opening and have been breaching these times on multiple occasions. I believe there is record of this which they were warned about but they have continued to ignore.

On another subject but still relevant I feel is the matter of their lack of ventilation and how much the nearby area really smells of the spiced food they are cooking. Even with all the other food companies in the nearby area theirs is so overpowering it is all that you can smell.

It appears they do not have correct ventilation as the harsh smell of heavily spiced cooking can be smelt from really far away.

It is particularly unpleasant for the residents who live in the apartments directly above the shop in York Place Mansions.

Especially in the summer if you open the windows for fresh air or to keep cool the smell is very strong even on the higher up floors.

We did not receive notification about this application but luckily have been told about it last minute.

I have sent the details out to the other owners however due to the late notice some of their objections may miss the 25th Oct deadline.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022

Dear Licensing Team,

I am wiring to object to the above licensing application from the Sharwarma Shop located underneath my flat: [REDACTED]. They have applied for a license to stay open until 3 am, seven nights a week, serving foo inside and outside.

We are deeply concerned about the disturbance this will cause from many different aspects:

1. We already suffer greatly from intense cooking smells inundating our flat and the street surrounding the shop. The extension of opening hours would make the situation unbearable.
2. Night-time noise and other public nuisance on the street would greatly increase, from increased activity due to queuing, eating at tables outside, and consumption of takeaway on the street to increase in antisocial behaviour, and resulting increased police activity.
3. We expect that there will be increased litter on the street and a public health hazard from dumping of unfinished food and food wrappings.
4. We already observe a large number of delivery riders loitering around the area, including on our doorstep, waiting for business. This would intensify under extended hours.
5. There is already considerable concern among residents about the character and nature of the classic Baker Street being degraded by the increase number of fastfood outlets on the street.

The extension of licensing hours would make the situation unbearable for all the above reasons and affect the rental and sale price of our property. A similar application was rejected only 6 months ago.

Thank you for considering our concerns.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	13 October 2022

As per the last application made by the applicant, this will lead to general anti social behaviour, more rubbish being put on Bickenhall Street, safety concerns of our residents and noise at night.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

I live in Montagu Mansion, very near Shawarma. Baker Street is already a very busy street and I strongly object to the addition of a late night license so close. I am particularly concerned of the impact on noise, increased footfall and security for the neighbourhood.

We already have a number of late night cafés on Crawford Street that already break their planning restrictions with seating outside and serving outside of their authorised licensed hours.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

Strongly object as there are no mitigation measures that guarantees breaching working hours in the vicinity of a residential area, moreover it will be a venue of unwanted gatherings.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

To whom it may concern

I am not in favour of the granting of a late night license through til 3 am . As the owner of a first floor flat the worry is that the area will become noisier throughout the night . Also the nature of the mainly residential area could alter as a result of this license being granted. This would detract from the neighbourhood as a whole.

Also there are a number of late night cafes already in Crawford St and additional late night openings would make the neighbourhood unpleasant to say the least.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

I see no issue with this

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	13 October 2022

I would like to formally OBJECT to this planning application.

This is a residential area with many families and children who reside in the buildings above this shop and in the immediate vicinity.

Speaking as one of those families, we are already suffering with dirt and rubbish resulting from such outlets/ restaurants and from anti social behaviour due to such outlets. Extending opening hours will create a living nightmare and additional noise. Exactly what we don't want or need as owners and residents in the area.

This has always been a residential area and opening past 10-11pm is really really unacceptable. I would like to make a further comment that this location is already flouting opening hours as it currently stands. And is often open around midnight.

Please know that we need some quiet time and some respect for families to live and need to sleep in this area.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

There appears to be no business reason given to justify the extension of hours into the early hours. At present the neighbourhood becomes quiet after restaurants and pubs have closed which almost all cease trading by 11pm.

The sort of business which serves food and refreshments after this is catering to a different clientele to patrons of existing local businesses and the extension risks importing noise and disturbance to a residential neighbourhood. There are parts of London where the late night economy thrives and it creates economic activity that outweighs the disturbance to residents. But those areas tend not to have a lot of residents.

The balance here is different; the area has quite dense residential space with the existing hospitality businesses limiting their hours to ones sympathetic to their neighbours. Surely a business justification is needed before an area is disturbed in the way that this application threatens. Indeed, the complete lack of supporting evidence and mitigations suggest that the plans may well be for the sort of business which no neighbourhood would want to attract.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	19 October 2022

My family lives in a flat in Montagu Mansions, a residential street that runs directly parallel to Baker Street and we wish to register our concern and objection regarding the application by Shawarma N More Limited in Baker Street to extend their licence until 3am. Although Marylebone is slap bang in the middle of London the wonderful nature of the area is that its streets are primarily residential with shops, restaurants and bars secondary to the housing and not the other way round. Unlike say, Soho or Covent Garden it is not a hub for London nightlife and early morning carousing but rather an everyday, peaceful neighbourhood chosen by those who are lucky enough to live there precisely because its high-time streets are peaceful and safe.

Although we appreciate that business needs to flourish, we very much hope that the licencing authority won't set a new precedent by granting this extension thereby encouraging very late night drinkers to the area and the inevitable non-stop delivery mopeds and accompanying knots of chatty drivers that would greatly disrupt the resting hours of us residents.

The granting of this application would set a new precedent for Marylebone which has the potential to change the area's unique character forever; we very much hope the licencing board will display their wisdom by refusing the extension.

Many thanks

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

I am very concerned about this proposal. Although of course there are restaurants, pubs and cafes etc in Baker St and Crawford St, the surrounding streets are residential, with large mansion blocks containing a substantial number of flats.

I am worried that this kind of licence will allow a lot of noise which will disturb residents in the flats and significantly change the character of the area, especially as it is proposed to run until until 3.00 am. It will also set a precedent for other local cafes etc which I have been told already breach their licensing hours with outside seating . Of course there are parts of London which are known for their night life, but this is not one of them, and this kind of licence would be inappropriate and hugely disturbing here .

I hope that Westminster will take into account the substantially residential nature of this area and the wellbeing of the people who live there when considering this application.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022

I am very concerned about the impact of this application on what is a residential area.

There is already litter and noise associated with this business and extending the opening hours until 3am will only exacerbate this. By granting this license to Shwama N More, a precedent is set for other restaurants/fast food outlets to follow suit. This will negatively affect the tone of our neighbourhood, and I stress the word neighbourhood. I respectfully ask that this license application is rejected.

Thank you.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	17 October 2022

This end of Baker Street is overloaded with "low end" fast food shops which, together with the swarm of delivery men who congregate on the corner of Baker and York Street, combines to give a very down-market and sometimes threatening feel to that area. There are already a number of late night cafes on Crawford Street that do not appear to abide by the applicable licensing restrictions. Adding another risks these standards going completely by the board.

Those cafes attract a late night clientele who typically arrive by high performance cars and park on (or often on the pavements of) nearby roads further limiting available parking for residents and adding to the noise and disturbance that residents already face late into the evening.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	15 October 2022
<p>The objections raised by neighbours, residents and the Police and subsequently upheld by the Planning Commission to the initial application for a late night licence are very much still valid.</p> <p>The noise and risk of anti-social behaviour from patrons crowding the pavements, queuing, eating outside, the sanitation risk from waste dumped on the pavements overnight. The North end of Baker Street is now home to numerous fast-food outlets and an ever-increasing number of delivery drivers who congregate, day and night, without sanitation facilities in the immediate vicinity. Encouraging their continued presence into the early hours further increases the public nuisance and risk of disorderly behaviour</p> <p>Moreover, we have evidence that this establishment is persistently abusing its current permit by serving food beyond its permitted hours. This hardly justifies granting an extension</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	29 September 2022
<p>Allowing this will perpetuate an environment that's already becoming problematic thanks to more fast food restaurants, delivery drivers, and rowdy behaviour on the streets. This won't help with litter, anti-social behaviour, delivery drivers. I am a woman who lives alone and has started to feel disturbed and unsafe in the evenings and allowing extended hours for this sort of restaurant will attract rowdy types of people seeking "drunk food" who will subsequently litter, cause noise pollution and harass me. Delivery drivers will be encouraged to lurk around longer and do the same too. I've been heckled, harassed and constantly find litter on the street of food waste. Please don't let this happen</p> <p>This will set a precedent in the neighbourhood and we have a number of late night cafes on Crawford Street that already regularly break their planning restrictions with seating outside well beyond their licensed hours. If this goes ahead then they would have a better case the next time they seek to extend their hours. We have massive issues with litter, noise pollution these days already and this will further damage the character of the neighbourhood.</p>	
Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]
Received:	25 October 2022
<p>I do not have the objection if they want to open until 5am if they improve their extraction system of the cooking smell. The smell from the restaurant is very strong, comes up to the second floor and around the area even on the Bickenhall Street. My flat cannot open the window all day and night because of the smell. I do not think that their extraction of cooking smell meet the standard. Please investigate.</p>	

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]

Received:	25 October 2022
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The granting of the Late Night Refreshment Licence to Shawarma to stay open till 3am, seven nights a week is unthinkable-

1. It is located in a residential block, residents, after a hard day's work need to be allowed to have a restful and peaceful night, and also over the weekends when they can truly relax. The noise generated by serving food indoors and outdoors, the queues, and that from delivery drivers will certainly cause nuisance and disturb the peace of the residents.

2. People seek for food at such hours are likely to have consumed a high level of alcohol and are prone to cause trouble and can potentially be dangerous. This and its surrounding areas largely residential, not an entertainment hub, should trouble erupt, will there be enough police force patrolling throughout these hours to see to the safety of the public.

I therefore strongly object to the granting of the licence.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]

Received:	17 October 2022
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I believe that allowing dining until 3am will significantly undermine our residential neighbourhood. Allowing very late night/early morning opening hours will inevitably cause late night disturbance.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]

Received:	25 October 2022
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We act for Bickenhall Freehold Limited ("the Company").

We are instructed to make representations on behalf of the Company in relation to Application Reference 22/09054/LIPV ("the Application").

Background

1. The Company is the owner of the freehold property at Bickenhall Mansions, Bickenhall Street, London, W1 U 6BW ("Bickenhall Mansions"). Bickenhall Mansions contains 223 flats across two blocks and is situated on Bickenhall Street, which is a side street off of Baker Street leading to Gloucester Place.
2. Shawarma N More Limited ("the Applicant") trading as Shawarma & More operates a fast-food restaurant business from 123 Baker Street, London, W1 U 6RZ ("the Property").
3. The Property is situated one unit from the corner of Baker Street/Bickenhall Street. This area contains a large number of food outlets including:
 - Bills: 119-121 Baker Street;
 - Wok to Walk: 129 Baker Street;
 - Pizza Express: 133 Baker Street;

- Chick'N: 134 Baker Street;
- Itsu: 132 Baker Street;
- KFC: 128 Baker Street;
- Starbucks: 126 Baker Street;
- McDonalds: 122 Baker Street;
- Pret-a-Manger: 120 Baker Street;
- Joe & The Juice: 105 Baker Street;
- Nandos: 133 Baker Street.

4. The Applicant is currently licenced to open until 23:30pm on Mondays to Thursdays, and until midnight on Fridays and Saturdays. These hours are pursuant to a Decision of the Licensing Sub-Committee on 07 July 2022 following a previous application for extended hours by the Applicant. The Decision stated in material part:

- "PC Dave Morgan for the Metropolitan Police Service (MPS) had maintained their representation as this application exceeded core hours which caused them concern for the increase of crime and disorder in the area. PC Morgan stated that takeaway premises that are opened late attract people that have been drinking -which leads to a risk of violence and assaults. "
- "Mr. Anil Drayan on behalf of Environmental Health Service advised that he was originally concerned that the application for a 5 am licence as this ,ould make the premises a destination with people in the West End to congregating Mr Drayan informed the Sub-Committee that the premises are located close to the Marylebone Road and already have high levels of noise. "
- "The Sub-Committee decided to grant the licence with core hours as they were concerned that any later hours would detrimentally impact the licensing objectives, namely, public nuisance and crime and disorder".
- Condition 4: "Takeaways of food and drink by use of a courier service shall only be r with a courier service who have agreed that their delivery divers have been given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the licenced premises; not to leave engines running when the vehicles are parked; not to obstruct the highway. "
- Condition 5: "All outside tables and chairs shall be removed or rendered unusable by 23:00 each day".

A copy of the Decision is enclosed/attached for ease of reference.

Application

5. The Application is for a new premises licence to enable "the provision of late night refreshment" until 3:00am on Monday to Saturdays. However, the Application also indicates that the Applicant intends to open until 3:00am on Sundays.
6. The Applicant is not currently licensed to sell alcohol and is not applying for a licence to sell alcohol. However, the Application also states that the Applicant's staff will receive full alcohol training and that they will implement a "challenge 25" policy.

Objections

7. We are instructed that our client opposed the Application on the following basis:
 - 7.1. Baker Street is becoming increasingly noisy and dirty and this issue will get worse if food outlets are allowed to operate overnight. Food litter is a particular problem for the residents of Bickenhall Mansions, who have previously complained to Westminster City Council about the issue.

- 7.2. Late opening hours may lead to an increase in anti-social behaviour. Residents of Bickenhall Mansions already find strangers sitting on the front doorsteps of Bickenhall Mansions eating fast food late at night and this problem will worsen if food outlets open overnight.
- 7.3. Our client considers that granting the Application would contradict the City Plan:
- Paragraph 16.2 of the City Plan provides that proposals for food should be accompanied with an assessment of development impacts. This paragraph notes that later opening hours are likely to have a disproportionate impact on surrounding areas.
 - Paragraph 16.3 of the City Plan states that: "The cumulative impact of multiple food ... uses in a particular area can have a negative impact on the functioning and use of an area and can negatively impact residential amenity. We will therefore prevent the over-concentration of these uses and require proposals to make sure any negative impacts are managed ... "
 - Paragraph 16.8 of the City Plan states: "In recent years there has been significant growth in mobile technology-based platforms used to order hot food. This often leads to negative impacts on the amenity of residents and businesses arising from the noise and other disturbance from large numbers of delivery agents outside food premises or elsewhere. Hot food takeaways fall under a different use class to restaurants and cafes and by their nature, can result in increased disturbance as a result of motor vehicles, mopeds and motorbikes taking deliveries of food to customers we will ensure that any negative impacts are minimised and managed. We will therefore seek to control numbers and hours of operation
- 7.4. Other local fast-food restaurants on Baker Street such as McDonalds, KFC and Chick'N are only licensed to open until midnight at the latest. Our client is concerned that if the Application is granted, it will set a precedent for other local fast-food restaurants.
- 7.5. The Applicant has been operating beyond its permitted hours:
- Our client has emailed Westminster City Council on a number of occasions since 07 July 2022 with photographic evidence showing that the Applicant has been serving food later than 12:00am on a number of occasions, sometimes as late as 01 :20am, and that on these occasions customers have been sitting outside and also forming large queues obstructing Baker Street. Our client has also provided Westminster City Council with photographs of delivery bikes laying on the ground outside of the Property at these times. Copy photographs are closed/attached for your ease of reference.
 - We enclose/attach a print-out of the Applicant's Google profile, which states that the Applicant is open until at least 2:00am every day.
 - At the hearing of the Licensing Sub-Committee on 07 July 2022, the Applicant, who attended, was informed that it was not permitted to operate outside its licensed hours until its application had been determined. Accordingly, the Applicant is well aware that it should not be operating beyond 12:00am.
 - Our client understands that Westminster City Council has issued letters to the Applicant warning that it is breaching its license by trading beyond permitted time. Our client also understands that Westminster City Council is planning to carry out an inspection under the Licensing Act.
- 7.6. Given the Applicant's flagrant disregard to comply with its current licence, our client is also concerned that if the Application is granted, the Applicant may also open late on Sundays and/or attempt to sell alcohol, both of which are referred to in the Application.
- 7.7. Delivery drivers use Bickenhall Street as a "cut through" between Gloucester Place and Baker Street, frequently travelling in the wrong direction. This is a hazard to pedestrians. Further, the noise of these vehicles is having an adverse impact on the residents' amenity and is disrupting sleep. This problem will worsen if food outlets open overnight.