



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

26 October 2023

23/02223/LIPN - New Premises Licence

Urban Doner Kebab
Ground Floor
127 Praed Street
London
W2 1RL

Director of Public Protection and Licensing

Hyde Park

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman
Senior Licensing Officer

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1.	Application		
1-A	Applicant and premises		
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	6 April 2023		
Applicant:	Shaz Food Limited		
Premises:	Urban Doner Kebab		
Premises address:	Ground Floor 127 Praed Street London W2 1RL	Ward:	Hyde Park
		Cumulative Impact Area:	None
		Special Consideration Zone:	None
Premises description:	According to the application form the premises intend to trade as a fast food premises		
Premises licence history:	<p>This is a new premises licence application, and no premises history exists however the premises have been granted a number of Temporary Event Notices (TENs) have been applied for in respect of the premises.</p> <p>A schedule of the TENs granted for the premises appears at appendix 3</p> <p>The application was before the Licensing Sub Committee on 17th August 2023 and was adjourned at the request of the applicant.</p>		
Applicant submissions:	None		
Applicant amendments:	None		

1-B	Proposed licensable activities and hours						
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	02:00	02:00	02:00	02:00	03:00	03:00	02:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				

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:	02:00	02:00	02:00	02:00	03:00	03:00	02:00
Seasonal variations/ Non-standard timings:			From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				
Adult Entertainment:			None				

2.	Representations
2-A	Responsible Authorities
Responsible Authority:	Metropolitan Police Service
Representative:	Tom Stewart
Received:	03 May 2023
<p>I am writing to you on behalf of the Commissioner (The Chief Officer of Police) of the Metropolitan Police Service to make representations opposing the grant of a new premises licence for <u>Ground Floor 127 Pared Street London W2 1RL</u>.</p> <p>The applicant is seeking the following licensable activities at the premises:</p> <ol style="list-style-type: none"> 1. The provision of Late Night Refreshment 'indoors' Sunday to Thursday 23:00-02:00 hours and Friday and Saturday 23:00-03:00 hours. 2. To allow Late Night Refreshment from the end of permitted hours New Year's Eve to the start of permitted hours on New Year's Day. <p>The Metropolitan Police Service ("MPS") believe that the granting of this licence will likely undermine the <i>Prevention of Crime and Disorder and The Prevention of Public Nuisance</i> licensing objectives.</p> <p>The Police have concerns in regard to the potential crime and anti-social behaviour that may be caused as a result of the provision of late night refreshment, particularly in regard to deliveries from the premises. It is unclear from the application's operating schedule if the applicant will be utilising 3rd party delivery platforms for their deliveries or whether the delivery personal will be employed directly by the premises.</p> <p>The application seeks to be on the same terms of a neighbouring premises (as varied), however the variation to the neighbouring premises is undetermined and due to be heard at a licensing sub committee hearing.</p> <p>I would be happy to discuss the application and the Police's representation further with the applicant and/their representative.</p>	
Responsible Authority:	Environmental Health
Representative:	Sally Fabbriatore
Received:	21 April 2023
<p>I refer to the application for a new Premises Licence for the above premises.</p> <p>This representation is based on the Operating Schedule and the submitted plans, for the ground floor (drawing number N05).</p> <p>The applicant is seeking the following on the ground floor:</p>	

1. The provision of Late Night Refreshment 'indoors' Sunday to Thursday 23:00-02:00 hours and Friday and Saturday 23:00-03:00 hours.
2. To allow Late Night Refreshment from the end of permitted hours New Year's Eve to the start of permitted hours on New Year's Day.

I wish to make the following representation in relation to the above application:

1. The provision of and proposed hours for Late Night Refreshment may cause an increase in Public Nuisance in the area and may impact on Public Safety.
2. The non-standard timings may cause an increase in Public Nuisance in the area.

Further information has been provided, which is being considered, but further conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.

The granting of the Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the area and may impact on Public Safety.

2-B Other Persons	
Name:	[REDACTED]
Address and/or Residents Association:	Paddington Waterways & Maide Vale Society (PWMVS)
Received:	03 May 2023
<p>Dear Sir/Madam,</p> <p>Urban Doner Kebab, 127 Praed Street, London W2 1RL Application ref: 23/02223/LIPN</p> <p>Our comments are made as an Amenity Society recognised by Westminster City Council. We are officially charged with working towards the preservation and enhancement of the architectural and environmental quality of Little Venice, Maida Vale and the Paddington Waterway area (including planning and licensing issues).</p> <p>We recognise that these premises are run as a business and we are aware that it has to be a viable operation, providing services for locals. We are very keen to ensure that an appropriate balance is maintained between the legitimate rights of business and the equally legitimate and important rights of residents.</p> <p>Introduction</p> <p>Our representation is made on the basis that the likely impact of the application, if granted as applied for, would be to harm the licensing objectives, particularly that of prevention of public nuisance.</p> <p>Background</p> <p>These premises are located in a very busy road, served by many buses, very close to Paddington Station and St Mary's Hospital. There are also many residential units nearby. We believe the activities and timings proposed will add significantly to the nuisance and noise late at night, in addition to impacting on anti-social behaviour.</p> <p>The premises is described in the application as a 'fast food premises'. The immediate area already has a number of these premises.</p> <p>The application seeks late night refreshment to 2am Sun-Thurs, 3am Fri-Sat. There is no mention of different timings for deliveries/eat in/takeaway so we can only assume that the applicant seeks each of these to those times. These hours are well beyond core hours and</p>	

stretch well into the night.

We are concerned that the conditions proposed are stated to be the same as 135 Praed Street 'as varied'. 135 Praed Street is a branch of 'Chicken Cottage' which is seeking an extension of hours for late night refreshment. We have objected to that application and trust that it has not been granted and the licence varied.

The City Council's Statement of Licensing Policy is clear that fast food premises can act as a 'honeypot' attracting people who have left nearby pubs and bars, or otherwise attract customers late at night who will cause a nuisance and disturb residents. This applied whether customers eat in at the premises (and so remain in the area longer) or take food away for immediate consumption inevitably in the surrounding streets, leading to noise, nuisance, anti-social behaviour and litter.

The application does not specify whether delivery of hot food after 11pm is sought, although there is but a single condition which refers to delivery drivers. It is not clear whether this refers to delivery drivers delivering to or from the premises? If it is intended to facilitate a delivery service from the premises, we would point out that it does not comply with policy DEL1. There is no indication whether delivery drivers would be employed directly by the applicant or not? We would also point out that the premises at 135 Praed Street has been forbidden from operating a delivery service.

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

Name:	██████████
Address and/or Residents Association:	South East Bayswater Residents Association (SEBRA)
Received:	02 May 2023

I am writing on behalf of the South East Bayswater Residents' Association (SEBRA) to make a relevant representation objecting to this licence application on the basis of the likely impact on the licensing objectives of 'prevention of public nuisance' and 'prevention of crime and disorder'.

Introduction

SEBRA was formed in 1970 and works to protect the special character of our area. A non-profit, non party-political, voluntary organisation, we represent more than 1,000 people. SEBRA is consulted by Westminster Council on both major developments and all Council activities which affect the daily lives of residents.

As a recognised amenity society we often engage in consultations with licence applicants both before and during the application process and note with some disappointment that we have not been contacted by the applicant in this case.

Background

The premises is located at the middle section of Praed Street, mixed retail units on ground floor with residential units above and the hinterland is predominantly residential.

SEBRA's position

We do have serious concerns with this application that we make amenity issues in the area worse than they are at present not adequately mitigated by the application, and we believe that nuisance, litter, noise, waking up residents when making deliveries etc will be detrimental to the area.

We note application is described as 'fast food premises' and seeks late night refreshment 2am Sun-Thurs, 3am Fri-Sat. There is no mention of different timings for deliveries/eat in/takeaway

so can only presume they want all three to those times.

The conditions are stated to be the same as 135 Praed Street 'as varied'. As far as we are aware, the 135 Praed Street licence has not been varied, and we have objected to a recent application to do so.

We cannot see any sale of takeaway food by delivery service being able to run without problems as premises are a busy thoroughfare, outside a run of Double Yellow lines with a very busy bus stop and bus gage immediately opposite.

When delivery scooters, bikes etc stop and wait for collection, they are bound to cause blocking road, especially when buses stop to discharge or pick up passengers.

On non delivery take away, we believe reasons why extended hours were refused last time have not changed and since then matters have got worse in terms of nuisance, noise, litter etc from premises offering take away services.

WCC Statement of Licensing Policy

Regrettably the application does not appear to address the clear statements in the Policy highlighting potential problems which ought to be mitigated by applicants and for this mitigation to be set out in the Operating Schedule. We do not consider the sole additional condition proposed to be effective and/or enforceable and note that in any event this deals only with deliveries, not with walk-up takeaway.

There is no justification in the application to extend hours later than those permitted under Policy, and indeed we are concerned with a licence being granted at all as applied for. WCCs concerns with fast food premises operating late at night are clear from the FFP1 policy, eg: F56. Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. 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. Likewise, the city-wide issue of deliveries of late night refreshment are set out clearly in policy DEL1, for instance:

G4. The Licensing Authority is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles. Applicants must consider the potential impact of noise nuisance from delivery personnel and their vehicles at the licensed premises or at the end destination. Appropriate waiting areas inside the licensed premises must be provided to prevent delivery personnel congregating outside the venue.

The criteria and considerations set out in DEL1 simply have not been addressed – for instance are the delivery drivers to be 3rd parties? If so, the policy is much stricter on what hours may be granted.

Conclusion

We are aware of course that applications can be amended, and as ever, SEBRA is always very happy for our contact details, including mobile number, to be passed to the applicant/their solicitors, and to discuss the operation and application with them.

We reserve the right to make further comments /proposals /conditions in due course when we have more information about the application/operation.

Name:	[REDACTED]
Address and/or Residents Association:	Hyde Park Estate Association
Received:	04 May 2023

On behalf of the Hyde Park Estate Ass. (WCC recognised amenity group) we are writing to strongly object to the above application on the grounds that it will not promote the Licensing Authority objectives: the Prevention of Public Nuisance; Prevention of Crime and Disorder; The Prevention of Children from Harm and Public Safety.

We totally concur with SEBRA objections.

Praed Street is a highly residential road on both sides of the street and what happens on one side of the road affects both sides. It is a hugely busy narrow street that needs careful consideration in order to maintain some form order.

The premise is applying for an LNR Licence beyond Core Hours Policy and we strongly believe this is likely to lead to Public Nuisance and increase in Crime and Disorder and Children from Harm and it therefore does not support the Licensing Objectives.

The Met Police advise us constantly that Public Nuisance and Crime and Disorder increase the later the time a LNR premises is open beyond Westminster City Council's Core Hours Policy, which this application seeks to gain. Patrons when leaving are more likely to increase noise and disturbance often talking on mobiles and parking in the residential side streets with car doors banging and loud voices. WCC must continue to balance residents needs with business. We also note the application is described as 'fast food premises' and seeking LNR 2am Sun-Thurs, 3am Fri-Sat. There is no mention of different timings for deliveries/eat in/takeaway so can only presume they want all three to those times.

The conditions are stated to be the same as 135 Praed Street 'as varied'. As far as we are aware. the 135 Praed Street licence has not been varied, and we have objected to a recent application to do so.

We cannot see any sale of takeaway food by delivery service being able to run without problems as premises are a busy thoroughfare, outside a run of Double Yellow lines with a very busy bus stop and bus gage immediately opposite.

When delivery scooters, bikes etc stop and wait for collection, they are bound to cause blocking road, especially when buses stop to discharge or pick up passengers.

On non delivery take away, we believe reasons why extended hours were refused last time have not changed and since then matters have got worse in terms of nuisance, noise, litter etc from premises offering take away services.

"The McDonalds "just along the street closes at 12 midnight. This achieves a reasonable balance for those residents on this very busy road and also; as I have recently witnessed traffic jams after midnight due to the narrowness of the road, the very many buses and the unsocial parking of many cars/bikes picking up takeaways. Recently we objected to 135 Praed to vary hours. It is very worrying for local residents who want a good nights sleep. It is also a concern for the free flowing traffic on this very narrow road which accommodates a Major Hospital and a Paddington station. Ambulances do not need badly parked traffic in order to speed up their emergencies. Lives matter. Delivery vehicles as we know in Westminster is a major problem for traffic hold-ups and residents due to the extra volume of vehicles, noise and extra rubbish that come hand in hand with fast food outlets.

As SEBRA commented:

WCC Statement of Licensing Policy

Regrettably the application does not appear to address the clear statements in the Policy highlighting potential problems which ought to be mitigated by applicants and for this mitigation to be set out in the Operating Schedule. We do not consider the sole additional condition proposed to be effective and/or enforceable and note that in any event this deals only with deliveries, not with walk-up takeaway.

There is no justification in the application to extend hours later than those permitted under Policy, and indeed we are concerned with a licence being granted at all as applied for. WCCs concerns with fast food premises operating late at night are clear from the FFP1 policy, eg: F56. Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. 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. Likewise, the city-wide issue of deliveries of late night refreshment are set out clearly in policy DEL1, for instance:

G4. The Licensing Authority is concerned with the growing levels of residential complaints and issues associated with public nuisance that is either generated at or in the general vicinity of the licensed premises where deliveries are collected or at the end destination where the delivery is made. Complaints often relate to noise from delivery personnel waiting around the licensed premises or from their delivery vehicles. Applicants must consider the potential impact of noise nuisance from delivery personnel and their vehicles at the licensed premises or at the end destination. Appropriate waiting areas inside the licensed premises must be provided to prevent delivery personnel congregating outside the venue.

The criteria and considerations set out in DEL1 simply have not been addressed – for instance are the delivery drivers to be 3rd parties? If so, the policy is much stricter on what hours may be granted.

We are aware that applications can be amended and we reserve the right to make further comments /proposals /conditions in due course when we have more information.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Received:	18 April 2023

The late night opening hours at the neighbouring venue at 135 Praed street are causing the residents extreme nuisance at night already. Large numbers of delivery riders (motor and push bikes) congregate around the premises most nights until 3AM - playing music on their devices and shouting loudly until 3AM. They keep revving their bikes and often have loud arguments. Extending hours of this venue will only bring more nuisance and upset into the neighbourhood.

3.	Policy & Guidance
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
Policy HRS1 applies	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm. 2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation. 3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation. 11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely. 12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises. 13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives. 14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding

	<p>Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p>C. For the purpose of Clauses A and B above, the Core Hours for This application as defined within this policy is: 8. Restaurants: Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.</p>
<p>Policy FFP1 (A) applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1. 2. The hours for licensable activities are within the council's Core Hours Policy HRS1. 3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1. 4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a fast food premises in Clause D. <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> 1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption. 2. Food and drink are: a. Available on the premises for self-selection. b. Prepared on the premises. c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers. 3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption. 4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.
<p>Policy DEL1 applies</p>	<p>A. Applications for premises that intend to sell alcohol and/or late-night refreshment for delivery to customers at a residential or workplace address, which is ancillary to the main use of the premises, will generally be granted subject to not being contrary to other policies within this Statement of Licensing Policy and that it meets the criteria below:</p> <p>Criteria:</p> <ol style="list-style-type: none"> 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1 2. The hours when delivery will take place is within the relevant Core Hours for that premises use, 3. The delivery of alcohol and/or late-night refreshment to customers at their residential address or workplace will be ancillary to the main premises use, 4. The applicant has demonstrated that they will not add to cumulative impact if the premises are located within the West End Cumulative Impact Zone. 5. The applicant has demonstrated that they have taken account of

the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.

6. That the applicant will, a. Implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures, and/or b. ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.

7. That the applicant will, a. implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination, and/or b. ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.

B. Applications that do not meet the criteria in Clause A will be considered on their own merits, subject to other relevant policies within this statement and the following considerations:

Considerations:

1. The likelihood of the effect of the grant of the licence for the delivery of alcohol and/or late-night refreshment on the licensing objectives and whether the applicant has demonstrated that they will meet the criteria and considerations within policies CD1, PS1, PN1 and CH1.

2. The proposed hours for the operation of the delivery service, whether they are beyond the Core Hours as set out in Policy HRS1 and if so, what are the reasons for the additional hours and what has the applicant proposed as measures that will mitigate or eliminate any potential impact on the licensing objectives.

3. If the application is located within:

a. the West End Cumulative Impact Zone, have they demonstrated that they will not add to cumulative impact, or,

b. a designated Special Consideration Zone, have they demonstrated that they have taken account of the issues identified in that area and put forward proposed mitigation measures in relation to those issues in accordance with Policy SCZ1,

4. Whether the premises are located within an area of residential accommodation and/or in close proximity to residential accommodation,

5. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party,

6. How will the applicant ensure that the operation of the delivery service, operated directly by them with their own staff does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act.

7. If a third party will provide the delivery service on behalf of the applicant what are the contractual arrangements with that third party to ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act,

8. The operation and management of the proposed delivery service from the premises,

	<p>9. The types of vehicles that will be used for the delivery of alcohol and/or late-night refreshment and whether they will likely create public nuisance,</p> <p>10. The history of the applicant's operation of licensed premises and the premise's operation in relation to any impact on the licensing objectives, breaches of any terms and conditions of a licence, any reviews of a licence or offences committed under the Act,</p> <p>11. In addition to Sub-clause 6 and 7 above what measures the applicant or the third party providing the delivery service has put forward to mitigate the specific risk of public nuisance by the operation of the delivery service at the premises or at the end point of delivery,</p> <p>12. In addition to sub-clause 6 and 7 above what specific measures and processes the applicant or the third party providing the delivery service has put forward to mitigate the risk from the delivery of alcohol to children to ensure that they are protected from harm.</p> <p>C. For the purposes of this policy premises uses are defined within the relevant premises use policies within this statement.</p>
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4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

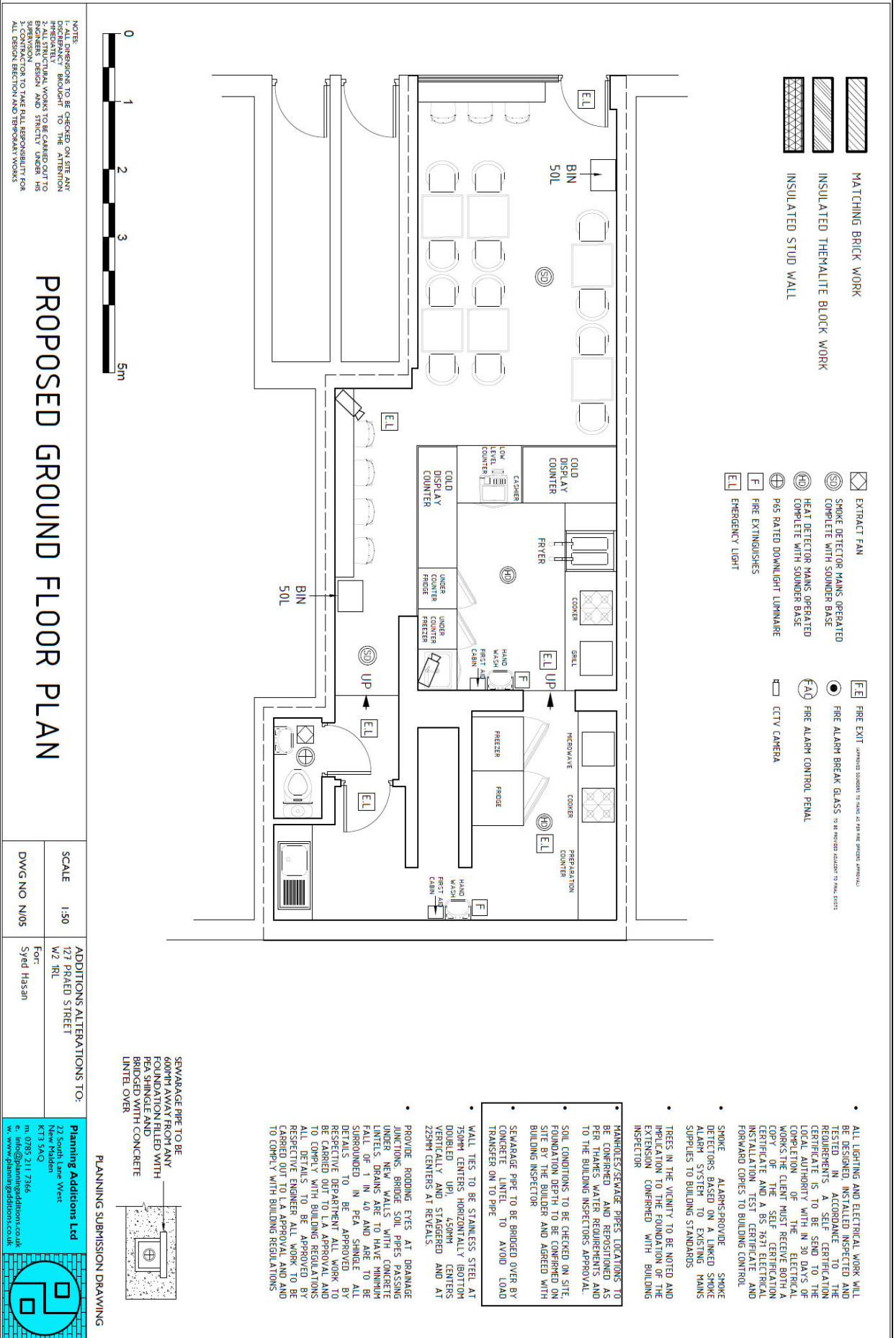
5.	Appendices
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Kevin jackaman Licensing Officer
Contact:	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

If you have any queries about this report or wish to inspect one of the background papers please contact the report author.

Background Documents – Local Government (Access to Information) Act 1972

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	7 th January 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
4	Metropolitan Police representation	03 May 2023
5	Environmental Health representation	21 April 2023
6	Interested Party representation (1)	03 May 2023
7	Interested Party representation (2)	02 May 2023
8	Interested Party representation (3)	04 May 2023
9	Interested Party representation (4)	18 April 2023



PROPOSED GROUND FLOOR PLAN

NOTE: ALL DIMENSIONS TO BE CHECKED ON SITE ANY DISCREPANCY BROUGHT TO THE ATTENTION OF THE ARCHITECT IMMEDIATELY. ALL WORKS TO BE CARRIED OUT TO THE SATISFACTION OF THE ARCHITECT AND STRICTLY UNDER HIS SUPERVISION FOR TO TAKE FULL RESPONSIBILITY FOR ALL DESIGN DEFECTS AND TYPICAL WORKS

SCALE	1:50	ADDITIONS ALTERATIONS TO:
DWG NO N/05		127 PRAED STREET W2 7RL For: Syed Hasan

Planning Additions Ltd
 22 South Lane West
 New Malden
 KT3 5AQ
 m. 0785 2111 7366
 e. info@planningadditions.co.uk
 w. www.planningadditions.co.uk

Applicant Supporting Documents

Appendix 2

None

Licence & Appeal History

Temporary Event Notices	Date of Event	Activities/Hours	Decision
23/00717/LITENN	11.04.2023 to 17.04.2023	Late night refreshment - Tuesday-Thursday to 02:00 Friday & Saturday to 03:00 Sunday to 02:00	Event permitted
23/01893/LITENN	18.04.2023 to 24.04.2023	Late night refreshment - Tuesday-Thursday to 02:00 Friday & Saturday to 03:00 Sunday to 02:00	Event permitted
23/01893/LITENN	25.04.2023 to 01.05.2023	Late night refreshment - Tuesday-Thursday to 02:00 Friday & Saturday to 03:00 Sunday to 02:00	Event permitted

There is no appeal history

CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

Mandatory Conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or

less in a manner which carries a significant risk of undermining a licensing objective;

- (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

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

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

Where -

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

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

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

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

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

8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

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

Conditions consistent with the operating schedule

9. Staff will be trained on the importance of the Licensing objectives.
10. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
11. The external door shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
12. After 23:00 hours, the number of persons permitted in the premises at any one time (excluding staff) shall not exceed 30 persons.
13. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
14. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23:00 hours and 08:00 hours on the following day.
15. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
16. 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.
17. The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, shall at all material times be maintained in good condition and full working order.
18. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.
19. The edges of the treads of steps and stairways shall be maintained so as to be conspicuous.
20. 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.
21. 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 preceding 31 day period.

22. 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 are 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.
23. 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, which will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) any complaints received concerning crime and disorder
 - (d) any incidents of disorder
 - (e) all seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any visit by a relevant authority or emergency service.
24. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
25. Delivery drivers shall be 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 license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.

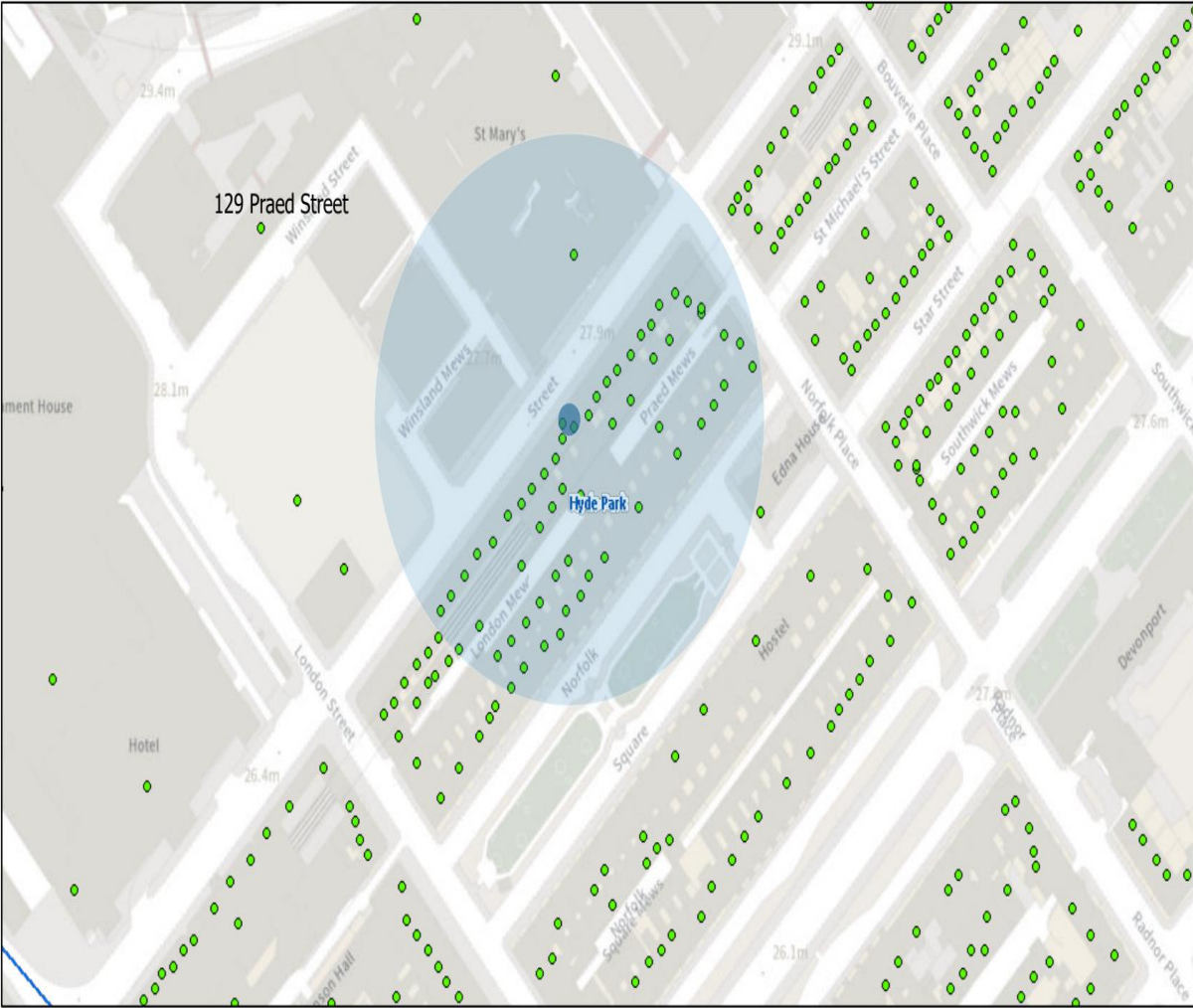
Conditions proposed by the Environmental Health

None

Conditions proposed by the Police

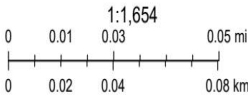
None

127 Praed Street



16/06/2023, 09:58:46

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



Resident count: 68

Licensed premises within 75m of 127 Praed Street London W2 1RL

Licence Number	Trading Name	Address	Premises Type	Time Period
12/03465/LIPN	Bonne Bouche	129 Praed Street London W2 1RL	Cafe	Sunday; 12:00 - 18:00 Monday to Saturday; 12:00 - 20:00
06/11309/WCCMAP	Supersave	125 Praed Street London W2 1RL	Shop	Sunday; 09:00 - 22:30 Monday to Saturday; 07:00 - 23:00
23/00479/LIPRW	Chicken Cottage	135 Praed Street London W2 1RL	Restaurant	Sunday; 12:00 - 01:00 Monday to Saturday; 10:00 - 02:00
12/10800/LIDPSR	St Marys NHS Lindo Wing	St Marys N H S Trust Praed Street London W2 1NY	Surgeries or Health Centres	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
13/02699/LIPN	La Tazza Cafe	Basement And Ground Floor 143 Praed Street London W2 1RL	Cafe	Monday to Sunday; 07:00 - 23:00
06/11378/WCCMAP	Peking-Seoul Restaurant	113-115 Praed Street London W2 1RL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/14197/LIPDPS	Fountains Abbey	Fountains Abbey 109 - 111 Praed Street London W2 1RL	Public house or pub restaurant	Sunday; 07:00 - 23:00 Monday to Wednesday; 07:00 - 23:30 Thursday to Saturday; 07:00 - 00:00
21/07443/LIPT	Subway	147 Praed Street London W2 1RL	Restaurant	Monday to Sunday; 00:00 - 00:00
19/11494/LIPDPS	Ground Floor	31 Norfolk Place London W2 1QH	Shop (large)	Monday to Sunday; 06:00 - 22:00
19/06223/LIPCH	Kentucky Fried Chicken Express	149 Praed Street London	Restaurant	Monday to Sunday; 23:00 - 03:00

06/11511/WCCMAP	Ryath Indian Restaurant	32 Norfolk Place London W2 1QH	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
21/00824/LIPN	Units 36 & 42	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00851/LIPN	Bar At Units 2 And 46 And Rooftop Terrace At Paddington Squa	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Wine bar	Sunday; 09:00 - 22:30 Monday to Thursday; 10:00 - 23:30 Thursday to Saturday; 10:00 - 00:00
21/00845/LIPN	Unit 1	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00817/LIPN	Restaurant At Units 34/35/41	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00850/LIPN	17th And 18th Floors	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 22:30 Monday to Thursday; 09:00 - 23:30 Friday to Saturday; 09:00 - 00:00
21/00848/LIPN	Restaurant Units 38 To 44	Development Site At 31 London Street, 9 Winsland Mews And 128-144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00

21/00847/LIPN	Restaurant At Units 39 And 45	Development Site At 31 London Street, 9 Winsland Mews And 128- 144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00
21/00849/LIPN	Units 37 43	Development Site At 31 London Street, 9 Winsland Mews And 128- 144 Praed Street London	Restaurant	Sunday; 09:00 - 23:00 Monday to Thursday; 08:00 - 23:30 Friday to Saturday; 08:00 - 00:00