

**Legal report on appeals****Appeal case summary****Vintage, 563 Fulham Road, London SW6**

- The Metropolitan Police sought a summary review of the licence on the grounds of serious crime and disorder. The review was supported by the Licensing Authority.
- The review was determined by the sub-committee on 23 August 2012 when the premises licence was revoked.
- The Premises appealed, and the appeal was due to heard at West London Magistrates Court on 4-5 March 2013
- The appellant decided to withdraw the appeal before trial.

**Pepe's Peri Peri, 507 Fulham Road, London SW6 5UA**

- Mirza Adil Shahzad and Mr Mirza Mubbashir Shahzad applied for a new premises licence to provide late night refreshment from 11pm – 2am on Friday and Saturday
- Relevant representations were received from the police, environmental protection , licensing authority and local residents who requested that the application should be refused on the grounds of crime and disorder
- The application was determined by the sub-committee on 4 September 2012 who decided to refuse the application
- Mirza Adil Shahzad and Mr Mirza Mubbashir Shahzad appealed the decision, however in view of recent improvements the appeal was settled with late night refreshment permitted until midnight on Friday and Saturday

**Wilton Arms, 203 – 205 Dawes Road, London SW6**

- The Metropolitan Police sought a summary review of the licence on the grounds of serious crime and disorder. The review was supported by the Environmental Health Department on the grounds of the noise and disturbance caused by the premises and the fact that previous conditions requested by the Environmental Health Team to resolve this problem had not been adhered to.
- The review was determined by the sub-committee on 7 March 2013 when the premises licence was revoked.
- The Premises appealed, and the appeal was due to heard at West London Magistrates 'Court on 25<sup>th</sup> April 2013
- The Premises decided to withdraw the appeal before trial.

**Eroma, 182 Uxbridge Road, W12 7JP**

- The Metropolitan Police sought a review of the licence on the grounds of the prevention of crime and disorder and the prevention of public nuisance.
- The review was supported by the Planning department and local residents
- The review was determined by the sub-committee on 28 November 2012 when the terminal hour for the sale of late night refreshment was reduced from 5am to midnight every day.
- The Premises appealed and the appeal was to be heard at Hammersmith Magistrates Court on 24<sup>th</sup> May.
- The Appellant agreed to withdraw the appeal the day before the trial.

### **Nisa Local, 94 North End Road**

- An application for a new premises licence was made to authorise the sale of alcohol (for off-sales only) 24 hours a day seven days a week. The Police, Licensing Authority, two local councillors and 6 local residents objected.
- The committee decided to grant the licence in part from 11 a.m. to 11 p.m. and impose a number of conditions.
- The Premises appealed and the appeal hearing was listed for a three day hearing at Hammersmith Magistrates Court commencing on 16<sup>th</sup> May.
- Since becoming aware of the appeal, licensing officers made several visits to the premises and on each occasion breaches of conditions of the licence were observed.
- The council also obtained further evidence from the Police Licensing officers and SNT officers as well as other persons interested in the case, including a local vicar who ran a kitchen for the homeless in the vicinity of the premises. In total, the council presented 12 witnesses to support its case.
- After 1 day in court the appellant decided to withdraw its appeal. LBHF were awarded costs of £13.5k.

### **Lala Restaurant, 2-4 Queen Caroline Street, London W6 9DX**

- The Metropolitan Police sought a review of the licence on the grounds of the prevention of crime and disorder and public safety
- The review was supported by the Planning Authority
- The review was determined on 1 May 2013 by the sub-committee and it was determined that regulated entertainment would be excluded from the scope of the licence, the sale of alcohol would be restricted from the basement of the premises from 11pm, the conditions of the licence would be modified and the capacity in the premises would be reduced from 150 persons to 120 persons
- Appeal lodged against the decision of the sub-committee and trial to take place at Westminster Magistrates Court from 14-16 October 2013

### **Raving Buddha, 77 Goldhawk Road, London W12 8EG**

- The Metropolitan Police sought a summary review of the licence on the grounds of serious crime and disorder
- The review was supported by the Environmental Health Team and seven interested parties
- The review was determined on 9 May 2013 by the sub-committee when it was determined that the licence would be modified by the addition of all of the conditions suggested by the Police and Environmental Protection and the removal of certain conditions which were no longer relevant.
- Appeal lodged against the decision of the sub-committee and first hearing to take place at Westminster Magistrates Court on 27<sup>th</sup> June 2013.