

Licensing Sub-Committee

Supplementary Agenda

Wednesday 10 November 2021

6.30 pm

Online - Virtual Meeting

MEMBERSHIP

Administration:	Opposition:
Councillor Natalia Perez (Chair) Councillor Asif Siddique	Councillor Dominic Stanton

CONTACT OFFICER: Charles Francis
Committee Co-ordinator
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Public Notice

Members of the press and public are welcome to attend at the YouTube link below:

Speaking at Licensing meetings is restricted to those who have submitted a representation and registered to speak.

THIS MEETING WILL BE HELD REMOTELY It will be streamed via YouTube on:
<https://youtu.be/Y33hT42YRw8>

Licensing Sub-Committee Supplementary Agenda

10 November 2021

<u>Item</u>		<u>Pages</u>
4.	KENNEDYS FULHAM, 609 FULHAM ROAD, LONDON SW6 5UA <ul style="list-style-type: none">• Response from the Applicant• Additional correspondence following agreed conditions	3 - 7

Agenda Item 4

From: Elton Shgjuni

Sent: 02 November 2021 11:59

To: Dimitriou Maria: H&F

Subject: Re: representations received - Kennedys Fulham, 609 Fulham Road London SW6 5UA

Dear Maria,

Thank you for the email with the various comments as well as concerns from interested parties.

I would first of all like to stress that Kennedys is a traditional fish and chip restaurant and we are neither a bar nor a late-night outlet.

We have two licensed premises in Islington, London with an excellent track record with both the Police as well as licensing officer.

As per the licence application we are applying for a premises licence with the ability to serve alcoholic beverages as ancillary to food.

In terms of the licensing objectives of the Council I would respond to the various comments as follows.

Prevention of Crime and Disorder

As you will appreciate, we have been liaising with the Chris Cardwell from the Metropolitan Police, and have agreed with and support his amendments.

We are aware of public disorder concerns in the area as indeed we have suffered from vandalism as a result of being next to a bus stop.

We have high definition CCTV at the entrance and exit as well as covering the rear which the public has access to inside the restaurant. The data is stored and is available upon request to the Police and or the licensing officer and kept for 31 days.

Chelsea Football Games and Parades

We are also aware of potential issues when football matches are played as Chelsea's ground or on a "victory parade day". We have agreed with the Police that no off sales will be made for three hours before the advertised start time and in any event as per the application only, then when as ancillary to a food order.

On the same days and times drinks will only be served within the restaurant in plastic glasses for the three hours before the game.

We have and are investing a considerable amount of money to create a high-quality seafood and fish and chip restaurant and do not wish to attract the style of customer who is likely to commit crimes and disorder.

Prevention of Public Nuisance

We are not applying and have no wish to apply for a late-night licence. The clients that we wish to attract are those who wish to enjoy good food in an excellent atmosphere.

We have already a high-level extraction system which was professionally installed and is professionally maintained and indeed has planning and has been in place since 2014.

We have discussed with and agreed the recommendations of the Council's Noise and nuisance officer James Rawlinson.

In respect of the fish and chip range filtration system the equipment installed is a low emission "Rational" range, the equipment is low energy efficient whereby the fryers are powered by electric thus only producing steam. It only operates as and when needed and switches off when not in use. Unlike traditional gas fryers that produce fumes which need heavy filtration, Kennedys has invested in this choice for the future sustainability. This is of the highest quality environmentally friendly equipment available.

We are proudly one of the first Zero Emissions Fish and Chips Seafood restaurants.

Equally our efforts extend to being eco-friendly where all of our packaging and cutlery is recyclable, and paper based. This is something we switched to reduce plastic waste and littering that end up polluting our seas, where we try to educate our customers whenever we can.

Public Safety

All our equipment has been professionally installed and is maintained including requirements to fire safety.

The fire officer has approved the existing entry and exit.

Protection of Children from Harm

As with our other two outlets we operate a strict "challenge 25" policy.

Conclusion

We are as I stated at the start of this email a high quality traditional British fish and chips and seafood restaurant, with an excellent track record with the Police, Licensing offices as our customers.

We wish to be able to compliment meals with customers being able to enjoy a glass of wine or beer with their food.

We take the environmental concerns very seriously, as you will have seen from the equipment we use, as well as both paper and plant-based containers which are compostable.

We wish to work with the authorities as well as our neighbours to ensure that they can enjoy a peaceful existence and we can enjoy our legitimate business in peace too.

The majority of the concerns raised by the residents are clearly aimed at pure drinking establishments and late night off licences and bars and not the local restaurants.

We share their concerns in respect of the crime and disorder in the area and are happy to work with the authorities to ensure that we are perceived as a quality addition to the area.

Kind Regards,

Elton Shgjuni
KENNEDYS OF LONDON

From: Kristen Cardwell
Sent: 28 October 2021 18:43
To: Charlotte Dexter
Cc: Stewart Tom - AW-CU; Dimitriou Maria: H&F; Annabel cottrell
Subject: RE: So far...28 Oct Re: Agreed conditions with the Police - 2021/01039/LAPR - Kennedys Fulham 609 Fulham Road London SW6 5UA

Hi Charlotte,

Regarding the application for Kennedy's, I dealt with this personally as I am aware of the concerns from residents on Barclay Road and my understanding of the possible issues when Chelsea play a home fixture.

As you are aware, with applications, the Police ultimately deal with the prevention of crime and disorder and I believe that this licence has been conditioned correctly. The premises is after all a Chip Shop that sells alcohol and not a bar that sells food. With that in mind, I am fully aware that the premises licence stays with the premises and not the operator, if the current operator decides to leave. By conditioning the requirement to only sell alcohol with food for both on and off-sales, the premises can never operate as just a drinking establishment and if it tried to do so, I can assure you that this would be dealt with by myself and Tom.

Prior to the licence being granted, I conducted a site visit and met the applicant to get a clear understanding on how they intend to operate the premises. I explained the meaning of 'food' and how the Police would interpret this. As you say, if alcohol was sold with just a Mars Bar, I would deem this to be irresponsible and would act accordingly.

Regarding football, the premises cannot sell alcohol for a period of three hours prior to the kickoff and must use plastics inside. I feel that these conditions go above and beyond what would be expected of a business of this nature will assist greatly in reducing any indecent of potential disorder.

I work most Chelsea home games, and I am not concerned with how this premises is conditioned to operate. Myself and Tom will of course take appropriate action if this or any premises operates irresponsibly.

I hope you are well, and I will see you at the Residents Meeting on Tuesday the 2nd of November,

Kind regards,

Kris.

Kris Cardwell
Police Constable 3286AW
Licensing Officer - Hammersmith and Fulham (Central West BCU)
Metropolitan Police Service

From: Charlotte Dexter
Sent: 28 October 2021 14:28
To: AW Mailbox - Licensing
Subject: Fwd: So far...28 Oct Re: Agreed conditions with the Police - 2021/01039/LAPR - Kennedys Fulham 609 Fulham Road London SW6 5UA

Dear Tom and Kris

We would appreciate further clarity, as below. Also, their front is made up of two windows. One was broken last weekend 24/25th. It's apparently not tough enough for skirmishes on the pavement, which is the bus stop 'F' (Fulham Broadway) as well.

Would appreciate your applied wisdom.

Charlotte Dexter Murray
Barclay Rd

Begin forwarded message:

From: Charlotte Dexter
Date: October 28, 2021 at 11:39:57 AM GMT+1
To: Dimitriou Maria: H&F
Cc: Martin, Lissa, Adrian Dear, Laura Salvatori, Archie, Liberte Nuti, Roland Wells, teresa Fry, Belinda Donovan
Subject: So far...28 Oct Re: Agreed conditions with the Police - 2021/01039/LAPR - Kennedys Fulham 609 Fulham Road London SW6 5UA
Thurs 28 Oct
To: LBHF Licensing
From: Charlotte Dexter

Dear Maria

Thank you for the first set of agreed conditions below regarding
-match day sale of alcohol as well as
-overall cctv requirements and
-training requirements for staff re upholding the four objectives of the 2003 Licensing Act.

1) a. We feel that Point 4 does not define 'food' clearly enough. Buying alcohol and a chocolate could constitute 'food'. Much clearer language is needed. This is a matter of legal phrases that could be upheld in court, from what we understand. Often, Conditions use the words 'a substantial meal', or similar. We are not the experts on such language, so we turn to you.

1) b. We can well envisage many match days fans standing around, inside and outside this Premises, quickly creating overcrowding at the bus stop 'F' (in front of the Premises) and crowding the pavement on the Barclay Road side. What Conditions are needed for the Premises License holder to manage such crowds, or better, eliminate them altogether from developing?

1) c. Regarding standing around inside the Premises, we feel that what is termed 'vertical drinking' should be clearly prohibited in the Conditions as this would assist the Premises in making clear to customers that vertical drinking is not allowed or people need to sit down to eat and drink, and sitting down to only drink alcohol is not allowed.

2) Your LBHF Licensing Pool of Conditions document, used as a basis of pre-approved language, has language that mentions staff being trained to recognise potential customers who are inebriated and therefore should neither be served nor sold alcohol for off or on the Premises. Surely, such clear language should be added to the Conditions.

We pointed out in our letter that this is an ongoing problem for the Premises next door, Domino's at 613 Fulham Road and that they have voluntarily stopped serving to those trying to collect after 11pm because, 'everyone is drunk' and it is deemed a high risk for their employees as well as the Premises, as well as their motorbikes lines up outside.

3) Re cctv, we know from the Police that the biggest problem with cctv footage is lack of a 'full face', 'head on/straight on' shots of a person; this is necessary, so please define this in the Conditions so that the installer of the cctv will take great care to assure that such full face shots will be made (position of cameras).

4) I DO NOT wish to withdraw my letter setting out various concerns that should be addressed through Conditions.

We need far more clarity on those further issues.

Charlotte Dexter Murray
Barclay Rd

From: Roland Wells

Sent: 02 November 2021 15:24

To: Dimitriou Maria: H&F

Subject: Re: Response from applicant - Kennedys Fulham 609 Fulham Road London SW6 5UA

We are in full agreement with our neighbour Charlotte Dexter that there are many additional safeguards that need to be in place before we would be happy to allow this to go through.

Our street is plagued with noise and nuisance caused by excess late-night drinking. We do not feel that the current conditions are strong enough to counter these problems. Vertical drinking should not be allowed, and alcohol served only with a full meal.