

Licensing Sub-Committee

Supplementary Agenda

Wednesday 12 October 2022 at 6.30 pm

This meeting will be held remotely

Watch the meeting live: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

MEMBERSHIP

Administration:	Opposition:
Councillor Mercy Umeh (Chair) Councillor Paul Alexander (Vice-Chair)	Councillor Jose Afonso

CONTACT OFFICER: Debbie Yau
Committee Co-ordinator
Governance and Scrutiny
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Public Notice

This meeting will be held remotely. Members of the press and public can watch the meeting live on YouTube: [youtube.com/hammersmithandfulham](https://www.youtube.com/hammersmithandfulham)

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

Date Issued: 10 October 2022

Licensing Sub-Committee Supplementary Agenda

12 October 2022

Item

Pages

4. PEPE'S PERI PERI, 607 FULHAM ROAD, LONDON, SW6 5UA -
ADDITIONAL INFORMATION FROM OBJECTOR AND TOWN
WARD PANEL MEETING

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Agenda Item 4

From: Charlotte Dexter
Sent: 07 October 2022 15:09
To: Licensing HF
Subject: Supplementary Item from Belinda Donovan 2022/00806/LAPR 607 Fulham Road

Dear Licensing
Belinda Donovan is having an eye operation, so has asked me to send this to you as a supplementary item for 2022/00806/LAPR 607 Fulham Road 12 Oct 2022 Lic Hearing 18:30 zoom

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Supplementary Agenda Item 2022/00806/LAPR 607 Fulham Road

To: Licensing@lbhf.gov.uk cc:
From:
Friday, 7 October 2022

Below please find the comments I would like to make during my 5 minutes at the hearing. Could you please add to the Supplementary Agenda so that I can refer to the various hours instead of reading them out. This will save time for the Committee.

Many thanks.

Thank you, Chair.

I am very concerned about any increased hours for this Premises at 607 Fulham Road, under Crime and Disorder and Public Nuisance.

As the police wrote on page 32 of the Agenda Pack in their 28 June email to the Applicant, I quote,

"As discussed, the area of Fulham Broadway and the vicinity suffers with a high level of anti-social behaviour and criminal activity, specifically in the early hours."

This 'anti-social behavior and criminal activity', acknowledged by the Police, in and around Fulham Broadway was made vividly clear at the 2nd Aug Ward Panel meeting. The area has become a late-night, early hour destination for street drinking, nitrous oxide balloon sales and use, as well as the illegal resale of alcohol directly on the pavement, for immediate consumption on the pavement, directly in front of 607 Fulham Road and adjacent shops.

All of this culminates in the serious cumulative impact of too many people in the area during these late hours, leading to overcrowding on the pavement where people are lingering, drinking alcohol, eating takeaway food, and unfortunately partaking in nitrous oxide use and drug use. Residents have explained to me that this area of lower Fulham Broadway has become a destination for late night and early morning outdoor pavement parties along this section of Fulham Road as well as into the pedestrian area of Jerdan Place/Vanston Place, diagonally across from 607 Fulham Road.

I understand that the Supplementary Agenda for this hearing will include the 2-page summary of these concerns raised at the 2 Aug 2022 Ward Panel meeting.

Regarding Existing hours

At the moment, 607 Fulham Road is open to serve food, mainly fried chicken, side dishes and soft drinks as follows:

Monday - Thursdays 11am with closing at Midnight (this is one hour more than suggested in the Policy for Town Centres Late Night Refreshment)

Fridays and Saturdays 11am with closing at 01:30 (this is 30 minutes more than suggested in the Policy for Town Centres Late Night Refreshment)

Sunday 11am with closing at Midnight (this is the closing hour suggested in the Policy for Town Centres Late Night Refreshment)

The Committee will be aware that these existing hours are already longer than the suggested hours for the category called Late Night Refreshment, which is food, not alcohol, in Town Centres, as stated on page 22 of the Council's Licensing Policy.

Please compare these existing hours with the suggested hours of the Council's own Licensing Policy, namely,

Regarding, Suggested hours for Town Centres in the Licensing Policy, page 22

I see that the Council's own suggested hours, on page 22, for Town Centres are:

Monday through Thursdays closing at 23:00

Friday and Saturday closing at 01:00

Sunday closing at 00:00, midnight.

Regarding suggested hours for 'Mixed use areas' vs 'Town Centres'

I would point out that there are residential flats above all the shops in this parade of shops and residences across as well as the Jerdan Place residences in the newer residential buildings which one can see from this very shop.

The Licensing Policy suggests on page 22 for areas more in the direction of what is called 'mixed use', earlier hours for Late Night Refreshment of

Monday through Thursday, closing at 23:00

Friday and Saturday, closing at 00:30

Sunday closing at 23:30

The longer hours requested by the Applicant and even the somewhat compromised longer hours discussed between the Applicant and the Police will exacerbate an already very concerning situation in and around Fulham Broadway.

As a former councillor for this very area, I ask the Committee to take into consideration the crime, disorder, anti-social behaviour, noise, nuisance and general public safety directly in front of 607 Fulham Road as well as along the pavements and in Fulham Road itself where people spill into Fulham Road because of overcrowding on the pavement.

Based on everything I have covered above, as well as all the very valid and real concerns brought forward by residents, it is clear why The Environmental Noise and Nuisance Responsible Authority has rightly upheld their objection to this Application.

Because the current hours allowed on the current licence 2021/00123/LAPR already exceed the suggested hours of the Licensing Authority, and with all the unfortunate crime, disorder, anti-social behaviour and otherwise going on around this Premises and this section of Fulham Road, and the fact that the Environmental Noise Nuisance officers have upheld their objection to this Application, I request the Committee to reject the application.

Belinda Donovan
Representative for H&F to the Met Police Command and Control Call Center ('MetCC')
Former Councillor for Town Ward
Former Mayor of Hammersmith and Fulham

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From: Charlotte Dexter
Sent: 07 October 2022 15:10
To: Licensing HF
Subject: Supplementary item 2022/00806/LAPR - 'CD' response to 5 Aug 2022 email from Kenny Wilkins to LBHF Licensing Authority

Date: 7 October 2022

Dear Licensing Authority and dear Sub-Committee,

Reference: 5 Aug 2022 email from Kenny Wilkins to LBHF Licensing Authority 2022/00806/LAPR - Premises: Pepe's Peri Peri 607 Fulham Road London SW6 5UA;

I submit this as part of Supplementary items being sent today to the Licensing Authority.

I have now read through the 68-page AGENDA for the Pepe's Peri Chicken Application 2022/00806/LAPR to extend hours to 4am.

I note for the first time (this was not sent to me previously) on the last page of the Agenda pack, page 68, that the agent, Kenny Wilkins, wrote the following in an email of 5 Aug 2022 to the Licensing Authority:

"From: Kenny Wilkins

"Sent: 05 August 2022 15:49

"To: Licensing HF: H&F Subject: Fwd: Objections received - Reference: 2022/00806/LAPR - Premises: Pepe's Peri Peri 607 Fulham Road London SW6 5UA

"Dear Sir My response to the first attached is as follows. Many thanks. With all due respect. The comments by CD on my client's application are bothering on personal defamation. My client is a respectable man in society who would never speak on such derogatory terms about his business of which he has other branches and tries to serve his community with good quality food. My client KM has also never spoken to CD as claimed on her statement.

*"Yours faithfully
Kenny Wilkins"*

I, Charlotte Dexter, would like to say that there seems to be some confusion (which I would like to clear up) from the Applicant's agent about whether I, Charlotte Dexter ("CD") met with a person whom I thought was the Applicant/manager of the Premises, whose name I was told by my neighbour is Mohammed Shabbir.

I would like to make clear to the Sub-Committee that I met with Mohammed on Wednesday, 15th June, at approximately 3/3:30pm.—it might have been closer to 4pm.

I realise now, looking more closely at the 12-page Application (dated at top of page 1 as 'amended on the 01/06/2022'), that Kashif Mahmood is the Applicant. I am unclear if Kashif Mahmood and Mohammed Shabbir are the same person or two different persons, as from my experience, sometimes people have many given names as well as different or double surnames. If this is my possible confusion, then I apologise for this possible confusion. Perhaps it might be appropriate and informative to ask the Applicant or the Applicant's agent if they are able to shed any light on this matter and, indeed, if they can explain who Mohammed Shabbir is, what connection he is to them or the Applicant's business and how long they have known him?

In any case, because my neighbour had already spoken to him on or about 7 June, and had sent me a WhatsApp on 7 June at 09:40 with the name of the manager as Mohammed Shabbir, I walked into the Peri Chicken shop at 607 Fulham Road on 15 June sometime between 3-4pm and asked for the

manager. He was on site and was kind enough to speak with me and suggested that we sit down right there at one of the clean tables, specifically in the middle, not to the side wall, to discuss things.

I told Mohammed Shabbir that I had seen that he was applying for longer hours etc. He knew all about the Application, and in light of these facts and circumstances I believe that I was at the time entitled to consider that he was either the Applicant or someone who was well-informed about the Application and close to the Applicant. He both held himself out to me to be the manager of the business and someone with authority to discuss the Application. At no point did he dis-abuse me of this impression. Obviously, I cannot be responsible if those on the premises actively engage with me in detail about the Application (even if they are not authorised to do so by the Applicant and/or their employer). I acknowledge that with the benefit of hindsight I maybe should have double-checked or verified exactly who it was I was talking to but as he encouraged me to have the conversation and willingly offered to discuss the matter, I believe that none of the assumptions that I made at the time were unreasonable in the circumstances. If they are proved to be wrong then again I apologise. However, one might have expected the Applicant to brief their employees or team on the way to deal with anyone making reasonable enquiries about the Application at least to the point where they could have directed me to the Applicant or the agent. This did not happen.

Understandably, at that point I thought that he was the Applicant as well as the manager. He said he had also been visited by someone else. I said that might have been my neighbour, a male (for anonymity reasons I am not mentioning my neighbour's name here).

I have explained the conversation, which lasted about 15-20 minutes, in various detail in my initial Representation of 26 June (made via the comment form online) and subsequent email correspondence to the Licensing Authority on 15 July (email), 29 July (email) as well as 08 July (email)—all in the Agenda Pack here for this hearing.

After meeting with the manager, on the same day, Wednesday, 15th June, at 17:04, I subsequently wrote a WhatsApp to one of my neighbours telling that neighbour, in short, about this in-person conversation with Mohammed Shabbir. Please let me know if you need a screen grab of that dated/time stamped WhatsApp of 15 June 17:04.

I reserve the position that, once the identity of Mohammed Shabbir is clarified by the Applicant/their agent, it may be the case that his feedback given to me during our conversation may remain both pertinent and relevant to the Application. The word "defamation" is too easily and loosely used but in this case, I absolutely refute and deny any such assertion or implication in the circumstances of the Application because:

- 1 the statements made by me do not cause others to think less of the Applicant – after all he is a businessman making a business decision to apply for a licence the process for which relies on open and honest assessment of the facts and the merits of which will be conscientiously weighed and balanced by the Sub-Committee against publicly available criteria none of which require the assessment of the personal qualities of the Applicant; and
- 2 in absolutely no way whatsoever can it be said that the statements caused serious harm to the Applicant's reputation or are likely to. What is "up for grabs" here is the quality of the Application as it relates to the promotion of the four licensing objectives set out in the 2003 Act, not a debate (nor a distraction) about the person making them.

If something is bordering on defamation (which I assume is what Mr Wilkins meant to write) then by definition that very statement implies that what has been said is not defamatory and, therefore, this entire side-show is of no consequence to the Application and should be ignored. Leaving aside the quality of the food the issues here relate to how the Applicant considers, anticipates, acknowledges and serves the Community when it comes to the far more serious matters of crime, disorder, noise and nuisance which his neighbours are so deeply concerned about.

Thank you for allowing me to clarify these points to the Licensing Sub-Committee.
Sent by email, as Signed: Charlotte Dexter

From: Charlotte Dexter
Sent: 07 October 2022 15:14
To: Licensing HF:
Subject: 2022/00806/LAPR - Crime/disorder/ASB Fulham Road and surrounds Discussion at Fulham Town Ward Panel meeting 2.8.22 Supplementary information for Licensing hearing 12 Oct 2022

Fwd: Crime/disorder/ASB Fulham Road and surrounds Discussion at Fulham Town Ward Panel meeting 2.8.22
Supplementary information for Licensing hearing 12 Oct 2022

Dear Licensing,

I submit this 9 Aug email, below, as important supplementary information for the licensing hearing on 12 October 2022, ref 2022/00806/LAPR 607 Fulham Road.

Would the Sub-Committee pls note that the full draft minutes should include the revelations made at the same time about resale of alcohol directly on the pavement, which the Met Police SNT said was most definitely illegal and would be looked into by Licensing Police officers.

Also, for clarity:

--SNT stands for Met Police Safer Neighbourhood Team and

--LET stands for the Law Enforcement Team of London Borough of Hammersmith and Fulham (LBHF).

The LBHF LET is not related to the Met Police.

--The Redback is a pub directly across from 607 Fulham Road at 490-492 Fulham Road.

Begin forwarded message:

From: Ward Panel Chair Fulham Town
Subject: **Redback Discussion at Fulham Town Ward Panel meeting 2.8.22**
Date: August 9, 2022 at 10:56:08 AM GMT+1
To: Charlotte Dexter
Cc: Annabel Cottrell

Dear Both

I hope you are well.

Whilst we wait for the official issue of the Minutes from the recent meeting held on 2.8.22, for your local purposes you asked whether we could note the key outcomes so actions can be follow more quickly

Please find an excerpt from the relevant section of the PROPOSED Minutes and also the proposed revised Ward Priorities, please note these are not yet officially agreed:

1. **Redback/Fulham Broadway Night time Concerns**

a. A meeting had been held with Redback Management as part of the licensing conditions. Three areas were discussed as priorities - getting people through the door, smokers, and getting people to disperse at the end of the evening. A new ID scanner and 'random' ID check at the door should help getting customers in more quickly. The Redback told the group they put their best efforts into managing the second and third issue by constantly taking photos/banning customers, but Residents felt that these issues were ongoing.

b. The Redback felt strongly that post closing time, the real issue in the area was significant numbers of balloon inhalation and drug sales, widespread and openly conducted, which meant the entire area became one outside party, involving many more customers from all establishments along Fulham Broadway not just the Redback

- c. The Redback felt that increased police presence a few weeks ago had really helped decrease the issues and ASB, but now the issue was running rampant, and the police were not there to manage the situation
- d. The SNT stated they were unaware that the problem had got significantly worse. The SNT suggested that the Ward Priorities be revised to include a reference to the issue
- e. The SNT clarified that whilst inhaling balloons was not illegal, selling/dealing methods for inhalation definitely was illegal and should be stopped
- f. It was asked whether there was CCTV available that could help, it was also suggested that LET patrols could be increased

In consultation with the SNT The Ward Panel decided to amend the first Priority, with the second and third Priorities remaining the same:

Proposed Ward Priorities

- a. ASB, knife crime and violence against persons, particularly when driven by balloon inhalation and drugs
 - b. Theft of and from motor vehicles
 - c. Burglary
-

I hope this helps your local conversations.

All the best

***Annabel Cottrell and Georgie Stewart, Ward Panel Co Chairs,
Town Ward (Fulham)***

From: Charlotte Dexter
Subject: supplementary agenda item 2022/00806/LAPR 607 Fulham Road vandalised windows next door at 609-611 and two shops down at 601; 3 photos attached
Date: September 17, 2022 at 8:55:34 AM GMT+1
To: Maria Dimitriou
Cc: Lbhf Licensing Email

Ref:
vandalised windows next door at 609-611
and three shops down from 607, at 601;
3 photos attached

We would like the Sub-Committee to be aware of this broken window in KENNEDY'S 609-611 Fulham Road, next to the Premises applying for later hours at 607 Fulham Road. The manager says, " There was some type of incident outside at about 3.25am on the 4th August 2022 I did not save the cctv...."

It is the sixth time since October 2021 that this Premises' windows at 609-611 Fulham Road have been vandalised/broken; each time after closing at 22:00/22:30.

We also attach a photo of the 18 January 2022 incident at Funeral Directors 601 Fulham Road, to the left of the mini-cab office. The red/white safety cone is supporting the yellow/black striped safety tape across the entire shop front window that is severely cracked from an incident the night before.

These photos give an impression of the physical damage caused by incidences along this parade of shops. We believe it supports our request to not extend hours at 607 Fulham Road as the Crime and Disorder as well as Public Safety issues around and very close to 607 are severe, and unfortunately increasing over time.

FUNERAL DIRECTORS 601 Fulham Rd, photo



xxxxxxxKENNEDY'S photo 1 Aug 4, 03:24 per cctv



xxxxx KENNEDY'S photo 2 Oct 28,2022 approx 03:15 per cctv



From: Charlotte Dexter
Subject: supplemental: 607 FulRd SW6 5UA 2022/00806/LAPR
Date: September 16, 2022 at 8:58:04 AM GMT+1
To: Maria Dimitriou
Cc: Lbhf Licensing Email

Dear Licensing

Pls add this email and photo to the Supplemental Agenda for the now postponed hearing for 607 FulRd SW6 5UA 2022/00806/LAPR. Pepe's Peri Chicken.

This is an example of the daily litter nuisance caused by Peri customers. It is often left here, just into Barclay Road as one turns from Fulham Road. We see daily litter like this in front of their shop, in front of KENNEDY'S, at the bus Stop F, as well as in Barclay Road, because customers come around the corner to sit on the curb you see in the photo. Or they sit in cars and literally dump their Peri trash into the gutter, leaving it as seen in the photo. I have often spoken to these littering people asking them politely to pick up their trash, but they just laugh at me. I have often picked up this trash and put it in the litter bin at the bus stop F on the corner of Fulham/Barclay Roads.

Their existing licence 2021/00123/LAPR states:

"2. Signs shall be prominently displayed at the exit from the premises asking patrons to dispose of their waste in litter bins."

Unfortunately, this sign, if it exists, is having no effect on customers' usual litter nuisance behaviour.

"4. Patrols of the area outside the premises shall be undertaken at regular intervals during the use of the licence and any litter accumulations cleared. A book shall be kept at the premises to record all details of the patrols. The book shall contain the name of the member of staff who carried out the patrol and the time of the patrol."

— REQUEST: Perhaps this log book could be brought to the hearing by the Applicant. I'd be interested in knowing how often litter picks are undertaken daily 'outside the premises'.

— REQUEST: If the Sub-Committee is minded to make any possible changes to the Licence, perhaps further language could be added about picking their customers' litter in at least the first 25 meters of Barclay Road, on the pavement, in the gutter and even in the road itself, several times a day.

— REQUEST: In the interest of the Council's desire to limit litter nuisance, perhaps less paper could be used to wrap the chicken. It looks an inordinate amount of waste.

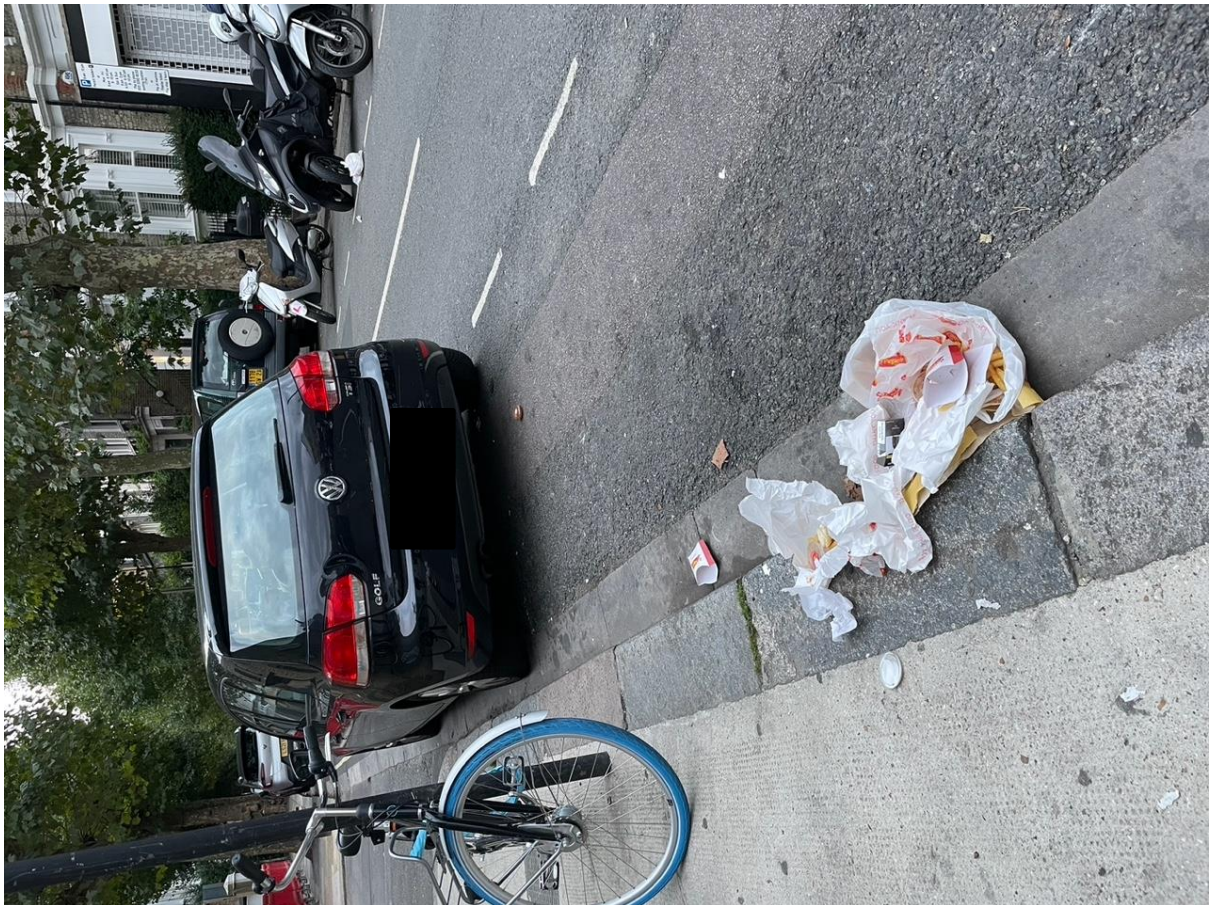
I do not know if the 2003 Licensing Act gives room for such a Condition under Prevention of public nuisance, or even The Promotion of Public Safety as this litter on the pavement is a tripping hazard or gets tangled up in the wheels of baby prams.

— Many years ago a Condition was added to their licence, or another food shop like this one close by, to require them to use branded wrappings, as Peri does. This was done in an effort to be able to recognise whose customers are littering.

(Conditions for older, previous Licences for this address are not available for me to see in the online Licensing Register).

REQUEST: Could the Sub-Committee please consider adding such a Condition to the Licence.

Photo attached taken by me around 18:40 on Thursday Sept 15, 2022.



Charlotte Dexter Murray
Barclay Rd
London SW6