

Licensing Sub-Committee

Supplementary Agenda F

Tuesday 26 September 2023 at 6.30 pm

This meeting will be held remotely.

Watch the meeting live: youtube.com/hammersmithandfulham

MEMBERSHIP

Administration:	Opposition:
Councillor Paul Alexander (Vice-Chair) Councillor Florian Chevoppe-Verdier	Councillor Dominic Stanton

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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

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

Date Issued: 26 September 2023

Licensing Sub-Committee Agenda

26 September 2023

Item

Pages

9. PAPA JOHNS PIZZA, 63 WALHAM GROVE LONDON SW6 1QR -
ADDITIONAL INFORMATION RESIDENT

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Agenda Item 9

From: [REDACTED]
To: [Mckenna Lorna: H&F](#)
Subject: RE: Include email on cover page
Date: 25 September 2023 19:46:49
Attachments: [Additional Supplemental - Response to Applicants Statements in Supplemental E.pdf](#)

Hi Lorna,

RE: Along with my attachment just sent – I forgot to ask that you include my email to you as the cover page.

Thanks

From: [REDACTED]
To: Lorna McKenna <Lorna.Mckenna@lbhf.gov.uk>
Subject: RE: Response Additional Supplement to The Applicant Statements in Supplemental E

Hi Lorna,

As much as I wish I didn't want to have to send to be included in tomorrow night's hearing. It's important I respond to a few key statements made by The Applicant in his recent response pack E and ask the attached be sent out ahead of tomorrow's Licensing Hearing. Particularly now, as you'll see from point 1 there's a very serious breach of GDPR which I contacted Police on today.

Apologies, I know this is extra work your end too.

Thanks

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Due to time constraints, we will be happy to respond in full to The Applicant's statements made in Supplemental Agenda E. However, we feel it necessary to submit the following to address a few of the Key Points made by The Applicant now:

Supplementary Agenda E (Pages 7 & 8):

The Applicants Response to Supplementary Agenda C 1. Page 3 – Image

- (a) *Image shows three pieces of paper on the floor and no empty cans, it certainly does not substantiate the claim "drivers just chuck their delivery slips and cans into the gutter..." in absence of any driver or details pertaining to the pieces of paper.*

My Response to The Applicant's above point a)

Resident () of Walham Grove who took the photos didn't provide clearer images of the "Papa Johns Fulham" delivery slips on page 99 of the original Public Pack Agenda due to GDPR. The 2nd image on page 99 - if you zoom in shows "Papa Johns Fulham" on the delivery slip. confirmed The original 8MG photo clearly shows the following on each "Papa Johns Fulham" delivery slips that were discarded on Public roads and Footpaths on Walham Grove:

1. Papa Johns Fulham premises name
2. Delivery Ticket number
3. Date and Time
4. Customer Name
5. Customers Full Address
6. Customers Mobile Number

The image in question, demonstrates a very serious breach of Customer GDPR (which we understand is a criminal offense). Today 25th September 2023, I have contacted MET Police to provide them with details of this GDPR breach.

This also impacts on Licensing Objections: Prevention of Crime, Prevention of Public Safety and Prevention of Nuisance (Litter).

Supplementary Agenda E (Page 3):

The Applicants Response to Supplementary Agenda A 1. Page 7 – Quote from Kris Cardwell regarding the nature of the area.

"Unfortunately, this is simply one of many cherry picked quotes isolated and seemingly utilised for the sole purpose of portraying the area in a manner which is not entirely accurate. Once we place the quote within its context, we learn the following:

- (a) *The local police are fully aware of and, in turn, fully appreciate the area and its associated needs with regard to Public Safety and the Prevention of Crime and Disorder; and*
- (b) *Despite this, the local police (including Kris Cardwell) have now, on two occasions, supported applications to increase the operating hours for this premises with conditions which they believe, in their expert view, will effectively and safely mitigate the issues identified. Any deviation from this decision would undermine the Police's authority as the experts for Crime and Disorder.*

My Response to The Applicant's Above Summary and points:

Firstly, I have not "Cherry Picked".

I quoted Kris Cardwell (MET Police Licensing Officer) as follows: "The premises is located in an area of very high anti-social behaviour and is a crime hot spot. I am of the opinion that these later hours of licensable activity would likely increase crime and disorder in the area. I visited the premises yesterday and there appears to be a residential property directly above the premises. It is also situated at the end of a residential street and is the gathering place for a number of delivery riders who park their vehicles directly opposite the premises. These later hours of licensable activity would undoubtedly create general issues that may disrupt local residents".

For full transparency, I included Kris Cardwell's original email from where this quote was taken which can be found in the Appendix section of Supplementary Agenda A page 22.

My Response to The Applicant's Point a):

Kris Cardwell (Met Licensing Police) clearly stated that extending later hours would likely increase crime & disorder in the area.

My Response to The Applicant's Point b):

Licensing Hours are decided by the Sub-Committee and can only be based on the full supplied evidence, supplied in writing and verbally at the License Committee Hearing. It should be noted that a fellow resident has requested a response from The Met Police regarding the 'suggested hours' for both this licensing hearing and the previous 14th Feb 2023 hearing. Please see the Appendix at the end of this PDF.

Supplementary Agenda E (Page 3):

The Applicants Response to Supplementary Agenda A Page 8 – Crime Statistics (last 12 months)

(a) A similar data set, albeit not the most recent, was provided within Supplementary Agenda A, seemingly with the purpose of branding this particular area as one which exceeds the national average with regard to anti-social behaviour.

(b) However, upon a closer inspection of the data (using the same website found in Supplementary Agenda A), we find the following;

i. The data relates to all crime within a one mile of the concerned postcode.

ii. The closest data point to the premises shows only one anti-social behaviour offence in the last 12 months. Therefore, the data provided by the objectors Page 3 Agenda Item 8 does not in any way, shape or form emulate or substantiate their particular objections.

iii. Additionally, the data does not provide the timing of the offence. Therefore, it may be the case that there was in fact no anti-social offending taking place during the hours applied for. Similarly, no way of attributing the one offence to the later hours applied for or these premises. iv. Overall, data such as this most likely explains why the Police have not advocated for an outright refusal of this application.

My Response to The Applicant's above point regarding Supplementary Agenda A Page 8 – Crime Statistics (last 12 months):

The Crime Stats are supplied by Police.UK - UK's national police crime database which are always published a minimum of eight weeks behind. Page 8 of Supplementary Agenda A - purely provides an overview of the **Crime in the Area** based on the Premises postcode. At no point on this page does it state "Papa Johns" is directly responsible for the areas Crime Stats. However, the very nature of extending hours will likely impact further on Anti-social Behaviour, Crime and Disorder etc.

Like it or not, the premises is in the middle of and surrounded by what the Met Police officially term a "Crime Hot Spot".

50 Residents took the time to object to this application and give the Committee rational as well as evidence that Papa Johns is part of the problem and not yet part of the solution to this "very high Crime Hotspot".

Appendix:

From: Barclay Road Residents <[REDACTED]>

Subject: Re: Papa Johns, questions re police suggestions last time vs this time--second application in six months.

Date: September 24, 2023 at 5:09:43 PM GMT+1

To: Dan Evans 4290AW [REDACTED]

Cc: Police licensing <[REDACTED]>

<[REDACTED]>
[REDACTED]

Ref: Papa Johns, questions re police suggestions last time vs this time--second application to be heard in six months.

That was 2022/01816/LAPR and now we have 2023/01216/LAPR in front of us.

Dear Dan

We are looking forward to hearing from you on this vital question in my email of 11 Sept, especially as I see that crime stats for the very high crime rate continue to increase in the immediate area. And crime stats are only the tip of the iceberg, as we all know that most crimes and crime related incidents are hardly reported, and getting anything reported actually validated and logged is a huge barrier for residents; just look at NextDoor where people think they are reporting to Met Police (but are not).

Our question of 12 Sept boils down to how extending hours can decrease crime problems? We residents are very confused and concerned. We need answers, please.

We hope to hear from you as the Tuesday hearing is nigh.

Tx so much

BarclayRoadResidents

[REDACTED]

On 11 Sep 2023, at 14:24, Barclay Road Residents [REDACTED] > wrote:
ref: 2023/01216/LAPR

Dear Dan

You are familiar with this new Papa John/s application, to be heard on 26 Sept, after the one in February was rejected.

That was 2022/01816/LAPR and now we have 2023/01216/LAPR in front of us.

Could you please help us understand the suggestions you made this time around.

To be clear, in February and now, the Premises was supposed to be open only 11:00 - 23:30 and had a Late Night refreshment Licence (aka hot food only, no alcohol) also for 23:00-23:30.

Last time, for 2022/01816/LAPR, your suggested hours, which were rejected by the Sub-Committee were:

LATE NIGHT REFRESHMENT— indoors and outdoors

Sun - Thurs 23:00 - 00:00

Fri and Sat 23:00 - 00:30

Proposed Opening Hours

Sun - Thurs 11:00 - 00:00

Fri and Sat 11:00 - 00:30

This time, for 2023/01216/LAPR you are suggesting:

Sun-Thur 10:00 - 00:00 (an hour earlier in the morning and 30 minutes longer than the current License)

Fri and Sat 10:00 - 01:00 (an hour earlier in the morning and 60 minutes longer than the current Licence)

Our questions:

1) What is the reason for adding an additional hour in the morning (rolling back to 10:00am—do people eat pizza at 10am??) and 60 minutes to Fri and Sat, and an additional 30 minutes Sun-Thurs, this time around?

2) Also, you have suggested four Conditions, which you suggested last time around.

The Committee refused the application six months ago and also stated that these Conditions would not be sufficient to deal with the objectors' concerns and would not promote the licensing objective of prevention of public nuisance and crime and disorder. So, I am wondering why you are suggesting them again.

Looking forward to receiving some insight from you,

[REDACTED]