

# Licensing Sub-Committee

## Supplementary Agenda B

Tuesday 18 June 2024 at 6.30 pm

This meeting will be held remotely

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

### MEMBERSHIP

Administration:	Opposition:
Councillor Mercy Umeh (Chair) Councillor Bora Kwon	Councillor Jose Afonso

**CONTACT OFFICER:** Debbie Yau  
Committee Co-ordinator  
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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://youtube.com/hammersmithandfulham)

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

Date Issued: 17 June 2024

# Licensing Sub-Committee Supplementary Agenda B

18 June 2024

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# Agenda Item 3a

**From:** [REDACTED]  
**Sent:** Monday, June 17, 2024 5:20 AM  
**To:** Licensing HF: H&F <licensing@lbhf.gov.uk>  
**Subject:** Re: Notice of Hearing - Tops Pizza, 74 Fulham Palace Road London W6 9PL

Dear Ms McKenna,

Please find attached 3 pieces of supplementary documentation, which I will draw upon with regards to my objection.

These documents are from your own LBHF Planning portal, and relate to previous license rejections in 1995, 1996 and 2011 for the same premises.

Thanks,

[REDACTED]

Town and Country Planning Act 1990  
The Town and Country Planning  
(General Development Procedure) Order 1995

Refusal to Vary Condition(s)

Applicant: Tops Pizza Ltd

Application dated: 05.09.95

Agent: Tops Pizza Ltd  
Address: Mr A M Yazdi  
74 Fulham Palace Road  
W6 9PL

T.P.Number: 00332/0074/000

U.P.R.N: 01738/0074/0/000

Reg. Number: 95/20/01567

Location and Description

74 Fulham Palace Road, SW6

Variation of condition of permission to extend hours of operation of Pizza take away, from allowed closing time of 11 pm to 1 am. (Condition 03 of planning permission dated 02/04/84 RN: 84/00452).

Particulars of Decision

Variation of Condition(s) Refused  
for the following reason(s):

- 01 The proposal is unacceptable in that the extended opening hours are considered to be detrimental to the amenities of residential occupiers by reason of unacceptable levels of noise and disturbance and as such the proposal is contrary to Policies EN21 and SH11 of the Unitary Development Plan.

For your information:-

- 01 In connection with this refusal of planning permission, and in pursuance of its powers under the above Act, the Council has decided that it is expedient to take enforcement action in respect of the unauthorised development and has instructed the Head of Legal Services accordingly.

You will shortly receive a communication from the Head of Legal Services informing you of the precise nature of the action being taken. This may be the service of a notice or, if appropriate, court proceedings.

continued/


95/01567



Director of the Environment Department.

Dated: 12th February 1996

Registered Number: 95/01567

Duly authorised by the Council to sign  
this notice. 

Refer to the Statement of Applicants' Rights and general information enclosed.



# The Planning Inspectorate

An Executive Agency in the Department of the Environment and the Welsh Office

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st5

2007

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The Oxford Building Design Studio  
Premier House  
1 Canning Road  
HARROW  
Middlesex HA3 7TS

Council Ref:  
SXA/23419  
Our Ref:  
T/APP/H5390/A/96/270304/P8

Date: 27 NOV 1996

Dear Sir

**TOWN AND COUNTRY PLANNING ACT 1990, SECTION 78 AND SCHEDULE 6  
APPEAL BY MR A YAZDI  
APPLICATION NO:- 95/20/01567**

1. I have been appointed by the Secretary of State for the Environment to determine the above mentioned appeal. This appeal is against the decision of the London Borough of Hammersmith and Fulham Council to refuse an application No 95/20/01567 made on 5 September 1995 for planning permission under Section 73A(2)(c) of the Town and Country Planning Act 1990, for the development of land without complying with a condition subject to which a previous planning permission was granted. The planning permission was No 84/20/00452/14 dated 2 April 1984 for change of use of ground floor to take-away hot food shop at 74 Fulham Palace Road, London W6.

2. The condition in dispute is No 03, which states that the use hereby permitted shall operate only between the hours of 9 am and 11 pm on any day. The reason for the condition was stated as to ensure that the amenities of the surrounding neighbourhood are not unduly affected.

3. I have considered the written representations made by you and by the Council. I inspected the site on 5 November 1996.

4. From my view of the site and its surroundings and having read the representations, I consider that the main issue in this case is the effect of a change in the opening hours on the residential amenities of adjoining occupiers, having regard also to local planning policies.

5. You ask that the hours be extended from 2300 to 0100 which you say would be in line with your client's practise over the past 8 years and also that of the previous owner of the site. You say that the appellant was granted a Night Cafe Licence from February 1993 and for the subsequent year up until June 1994. Renewal of the licence was not granted only because it was discovered that planning permission had not been obtained for operating beyond 2300.

6. The development plan policies most relevant to this appeal are Policies EN21 Environmental Nuisance and SH11 Food and Drink Establishments of the Borough's Adopted Unitary Development Plan (UDP). These policies are concerned to ensure that there is no undue detriment to the general amenities enjoyed by existing surrounding occupiers of their properties particularly those in residential use. I am required to decide the appeal having regard to the development plan and to make my determination in accordance with it unless material considerations indicate otherwise.
7. The appeal site is located at the northern end of Fulham Palace Road between Chancellors Road and Distillery Lane. In this parade at ground floor level there is (going from north to south) an estate agent, a shoemaker, an antique shop, the appeal site which is a pizza take-away, a fish and chips/kebab shop, a Chinese take-away and a public house. There are several doors between these commercial premises giving access to two floors of residential accommodation above. At least some of these residential units are in occupation. I am told by the local planning authority that the upper two floors above the appeal site are occupied as a residential maisonette and from the street I saw curtains and blinds at other windows. I also saw at my site visit that there is residential accommodation on the upper floors opposite the appeal site, (with 87 Fulham Palace Road also appearing to be in residential use) and that Chancellors Road to the north and Yeldham Road opposite the appeal site are mainly in residential use.
8. I saw a notice at the appeal site regarding the hours of opening stating that the premises are open from 11.30 to late every day. There was no information given at the adjoining fish and chips/kebab shop or the Chinese take-away. At the public house a notice stated that the premises are open all day Monday to Saturday and closing time on Sunday is 2230.
9. You argue that this is a busy main traffic route in a town centre location some distance from any concentrated residential area where A3 uses may be permitted to operate later than in predominantly residential locations. You say that there have been no well-founded objections lodged in respect of the extended hours. A subsequent application has been made by your client for the extended hours to be operated over a trial period of 12 months to allow the impact to be closely monitored by the local planning authority. I have not been told of any decision relating to that application.
10. When the condition in question was originally imposed it was to ensure that the amenities of the surrounding neighbourhood were not unduly affected. In my opinion, this is still an important consideration here in this area of mixed uses. There are residential neighbours above and reasonably close to the appeal premises and the development plan requires that their amenities are taken into account. The permission does not allow the use at the appeal site to operate beyond 2300. After such a time, ambient noise levels are likely to be lower, even on this busy road. I would expect later opening to 0100 to add materially to the activity and noise close to the appeal site which would be likely to disturb residential occupiers living above and close by. The extra noise, whether from people, cars or delivery motor-cycles could reasonably be expected to disturb residents' sleep. I note that in the officer's report to committee reference is made to two objections received from local residents. This to some extent confirms my opinion. I conclude that to approve the hours you have requested would unacceptably harm the amenities of neighbouring residential occupiers and would be contrary to Policies EN21 and SH11 and the objectives of the UDP.

11. I have considered all the other points raised including that the Safety and Licensing Department of the Council is willing to continue to grant a Night Cafe Licence for the premises. I have found nothing as important as the matters I have discussed.

12. For the above reasons, and in exercise of the powers transferred to me, I hereby dismiss the appeal.

Yours faithfully

Handwritten signature of Caroline Briggs in black ink, with a horizontal line underneath the name.

CAROLINE BRIGGS BA(Hons) FRTPI Barrister  
Inspector



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## 1. THE APPLICATION

1.1. On the 8<sup>th</sup> July 2011, Mr Ali Yazdi submitted an application under section 34, Licensing Act 2003 for a variation of a Premises Licence in respect of the premises known as Tops Pizza, 74 Fulham Palace Road, W6 9PL. The current licence has two premises licence holders named. We have since received confirmation from the other licensee Miss S. Yazdi that she is happy for the application to proceed. A copy of this confirmation can be viewed on page 31.

### 1.2. Application Requested

1.2.1. The applicant is applying to vary the current licence to add the licensable activity of Late Night Refreshment.

#### 1.2.2. Current Hours Permitted:

Supply of Alcohol is authorised (for consumption off the premises only):

Monday to Saturday	08:00 until 23:00
Sunday	10:00 until 22:30

With the exception of:

- (a) Good Friday, 08:00 to 22:30
- (b) Christmas Day, 12:00 to 15:00 and 19:00 to 22:30

Premises open to the public:

Monday to Saturday:	08:00 until 23:00
Sunday:	10:00 until 22:30

#### 1.2.3 Proposed Hours

The applicant has applied to vary the licence as follows:

Supply of Alcohol is authorised (for consumption off the premises only):

Monday to Saturday:	08:00 until 23:00 (no change to current licence)
Sunday:	10:00 until 22:30 (no change to current licence)

With the exception of:

- (a) Good Friday, 08:00 to 22:30
- (b) Christmas Day, 12:00 to 15:00 and 19:00 to 22:30

Late Night Refreshment

Everyday: 23:00 until 01:00 (the following day)

Premises open to the public

Everyday: 11:00 until 01:00 (the following day)

### **1.3. Applicants Operating Schedule**

1.3.1. In addition to the conditions currently on the premises licence, the applicant has stated the following additional steps to promote the four licensing objectives in Section P of the application form:

1. CCTV will operate 24 hours a day.
2. Door to have a secure quality mortise lock.
3. All incidents are to be reported to the police.
4. The premises will be adequately ventilated
5. Streets nearby are to be monitored nightly and any rubbish generated from the pizza shop to be picked up by staff and disposed of correctly.

The other steps presented in the operating schedule are unable to be converted into conditions on the premises licence as they are duplicated by other legislation or are unenforceable. A copy of the application form can be found on pages 7-31 of this report

### **1.4 Existing Licence (pages 32-34)**

1.4.1 The justices' licence was converted to a premises licence in September 2005 during the transitional period of the Licensing Act 2003. Since this time there has been no variation to the licence and the licence has not been transferred.

## **2. BACKGROUND**

- 2.1. The premises operate as a pizza take away and delivery store which has permission to supply alcohol for consumption off the premises only. The premises operate solely on the ground floor. A plan of the premises can be found on page 41 of this pack.
- 2.2. The premises are located on Fulham Palace Road, in a busy area of Hammersmith. In the immediate vicinity of Tops Pizza are many commercial premises including retail units, off-licences restaurants, cafes and public houses. In addition, some areas in the near vicinity are predominantly residential. Several retail units of Fulham Palace Road have residential accommodation above the shops.
- 2.3. There are several options of transport away from the area including taxis or the several bus routes which operate along Fulham Palace Road. Hammersmith bus station is also close by and the tube at both Hammersmith and Baron's Court are within walking distance. A plan of the local area can be viewed on page 42 of this report
- 2.4. Planning records show that planning permission was granted in 1984 for Change of use of ground floor to take-away hot food (Class A5)

This planning permission was subject to a time condition as follows:-

The use hereby permitted shall operate only between the hours of 9 am and 11 pm on any day.

Further applications were submitted in 1995 and 1996 to vary the condition of the planning permission to extend the hours of operation from 11:00pm to 01.00 am. Both of these applications were refused permission.

- 2.5 The Licensing Authority carried out a test purchase at the premises on 24<sup>th</sup> June 2011. The test purchase was to establish if the premises was offering late night refreshment without the correct authorisation. At 23:30 an officer successfully purchased hot food from the premises. The sale of hot food without the correct authorisation is an offence under Section 136 of the Licensing Act 2003. A warning letter has been issued to both licensees.

### **3. CONSULTATION**

- 3.1. A public notice was displayed at the premises for 28 days. The application was advertised in a local circular. The applicant notified all the statutory consultees as required by the regulation. The Council has served written notice of hearing upon the applicant and parties that have made representations in respect of the application.

#### **3.2. Relevant Representations**

- 3.2.1 The Licensing section has received a total of 3 representations against the application. Both the Planning Authority and the Environmental Protection Department of the London Borough of Hammersmith and Fulham have objected to the application as well as 1 interested party from the local area.

- 3.2.2 The representation from Ms Gloria Gross details concerns relating to the Public Nuisance licensing objective. The representation can be seen on page 35 of this report

- 3.2.3 The representation from Environmental Protection states that the operating schedule does not adequately address the prevention of public nuisance in relation noise from patrons visiting the premises late at night. Environmental Protection have recommended that the application be amended as follows:

1. The opening hours requested are amended to 11:00 until midnight
2. A radius of 100m from the shop shall be swept as required

A copy of the representation from Environmental Protection can be viewed on page 36 of this report.

- 3.2.4 The representation from the Planning Authority draws the committee's attention to the fact that the application, if granted, would breach the current planning permission by 2 hours. The representation also states that the proposed hours would fail to meet the licensing objectives in terms of public nuisance and crime and disorder. The proposed hours would also be contrary to Policies EN21 and SH11.

The licensing authority has received further information from the planning authority which corrects the factual inaccuracies made in its original representation in relation to locality of the premises. The original representation can be viewed on pages 37-38 and the

additional information correcting inaccuracies on the first email can be viewed on page 39-40.

#### **4. POLICY CONSIDERATIONS**

- 4.1. Section 14 of the Council's Statement of Licensing Policy (pages 22 – 23) gives guidance in relation to planning permission. It states that applications for premises licences should normally relate to premises with an existing lawful use for the activities proposed.
- 4.2. Section 14 goes on to say that in general, the planning position should be resolved before a licence application is made. The Licensing Authority may refuse to grant a licence if the activity to be authorised would amount to an unlawful use of the premises or the hours being sought exceed those authorised by any planning permission. However the Licensing Authority may nonetheless determine a licence application without evidence of lawful planning use where the applicant satisfactorily demonstrates special reason justifying such approach.
- 4.3. Section 10 of the Council's Statement of Licensing Policy (pages 17-18) gives particular guidance in relation to the prevention of nuisance. It states that the Council will require applicants to demonstrate within the operating plan how they intend to prevent nuisance arising, prevent disturbance and protect amenity so far as it is appropriate to ensure the licensing objectives are met. In considering an application the council will consider the adequacy of proposed measures to remove or effectively manage the potential for nuisance and anti social behaviour.

#### **5. PROPOSED CONDITIONS**

- 5.1. It is the Council's duty under the Licensing Act 2003 to determine applications with a view to promoting the four licensing objectives; Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.
- 5.2. In reaching a decision the Council shall consider the details of any relevant representations received; the applicant's Operating Schedule; the Council's adopted Statement of Licensing Policy and the guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.
- 5.3. The operating schedule and the comments made by the interested parties are clearly important considerations.
- 5.4. There are currently 5 existing conditions attached to the premises licence. 4 of the existing conditions can be seen on the current premises licence which can be viewed on pages 32-34 of the report pack. In addition, a further condition was imposed in 2010 when the new mandatory conditions were introduced for all premises licences. This condition reads:

(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

5.4.1. Should the committee decide to grant the application, it is requested that all the remaining conditions on the existing licence be retained and that consideration be given to any additional conditions to promote further the licensing objections that may be offered by the applicant at the hearing.

5.4.2. The complete set of mandatory conditions attached to this premises licence are:

### **Mandatory Conditions**

1. No supply of alcohol may be made under the premises licence -
  - a) at a time when there is no designated premises supervisor in respect of the premises licence
  - b) or at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.  
  
(2) 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 a holographic mark.

08 JUL 2011  
PPS

LBHF Ref: \_\_\_\_\_

Office use only

Schedule 4 Regulation 12

**Application to London Borough of Hammersmith and Fulham  
to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form.  
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We ALI YAZDI \_\_\_\_\_ being  
(Insert name(s) of applicant)

the premises licence holder, apply to vary a premises licence under section 34 of the  
Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

2005/03577/LAPRT

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference, or description	
74 FULHAM PALACE ROAD HAMMERSMITH	
Post town LONDON	Postcode W6 9PL

Telephone number at premises (if any)

0208 741 0090

Non-domestic rateable value of premises

£ 2854.20

LIPREM7A

V 19.2.07

Variation Premises Licence Application

LILASD13

22/08/2007 Version 1

Page 1 of 25

**Part 2 – Applicant details**

Daytime contact telephone number

0208 2262060

E-mail address (optional)

[Redacted]

Current postal address if different from premises address

[Redacted]

Post Town

[Redacted]

Postcode

[Redacted]

**Part 3 - Variation**

Do you want the proposed variation to have effect as soon as possible?

Please  yes

If not do you want the variation to take effect from

Day      Month      Year

--	--	--	--	--	--	--	--	--	--

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

[Redacted]



Please describe briefly the nature of the proposed variation (Please see guidance note 1)

## Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

	Please ✓ yes
<b><u>Provision of regulated entertainment</u></b>	
a) plays (if ticking yes, fill in box A)	<input type="checkbox"/>
b) films (if ticking yes, fill in box B)	<input type="checkbox"/>
c) indoor sporting events (if ticking yes, fill in box C)	<input type="checkbox"/>
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	<input type="checkbox"/>
e) live music (if ticking yes, fill in box E)	<input type="checkbox"/>
f) recorded music (if ticking yes, fill in box F)	<input type="checkbox"/>
g) performances of dance (if ticking yes, fill in box G)	<input type="checkbox"/>
h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)	<input type="checkbox"/>
<b><u>Provision of entertainment facilities for:</u></b>	
i) making music (if ticking yes, fill in box I)	<input type="checkbox"/>
j) dancing (if ticking yes, fill in box J)	<input type="checkbox"/>
k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)	<input type="checkbox"/>
<b><u>Provision of late night refreshment</u></b> (if ticking yes, fill in box L)	<input checked="" type="checkbox"/>
<b><u>Sale by retail of alcohol</u></b> (if ticking yes, fill in box M)	<input type="checkbox"/>

**In all cases complete boxes N, O and P**

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please ✓ yes (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the exhibition of films take place indoors of outdoors or both – please ✓ yes (please read guidance note 2)</b>	Indoors	
				Outdoors	
				Both	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Please give further details here (please read guidance note 3)</b>		
Mon					
Tue					
			<b>State any seasonal variations for the exhibition of films (please read guidance note 4)</b>		
Wed					
Thur					
			<b>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Fri					
Sat					
Sun					

**C**

<b>Indoor Sporting Events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)	
Day	Start	Finish		
Mon			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)	
Tue				
Wed				
Thur				<b>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Fri				
Sat				
Sun				

**D**

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please ✓ yes (please read guidance note 2)	Indoors		
				Outdoors		
Day	Start	Finish		Both		
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed					State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)	
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

V 19.2.07

**E**

<b>Live music</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of live music take place indoors or outdoors or both – please ✓ yes</b> (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<b>Please give further details here</b> (please read guidance note 3)	Both	
Tue			<b>State any seasonal variations for the performance of live music</b> (please read guidance note 4)		
Wed			<b>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please <input checked="" type="checkbox"/> yes (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variations for playing of recorded music (please read guidance note 4)		
Wed			Non standard timings. Where you intend to use the premises for the playing of live music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Thur					
Fri					
Sat					
Sun					

V 19.2.07



**G**

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please ✓ yes (please read guidance note 2)		Indoors	
					Outdoors	
Day	Start	Finish	Please give further details here (please read guidance note 3)			
Mon						
Tue						
Wed			State any seasonal variations for performance of dance (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						



H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing</b>		
Day	Start	Finish	<b>Will the entertainment take place indoors or outdoors or both – please ✓ yes (please read guidance note 2)</b>	Indoors	
				Outdoors	
				Both	
Mon			<b>Please give further details here (please read guidance note 3)</b>		
Tue			<b>Please give further details here (please read guidance note 3)</b>		
Wed			<b>Please give further details here (please read guidance note 3)</b>		
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</b>		
Fri			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)</b>		
Sat			<b>Non standard timings. Where you intend to use the premises for entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		
Sun			<b>Non standard timings. Where you intend to use the premises for entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</b>		

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please ✓ yes (please read guidance note 2)	Indoors	
				Outdoors	
Mon				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

**J**

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please ✓ yes (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon						
Tue				Please give a description of the facilities for dancing you will be providing		
Wed				Please give further details here (please read guidance note 3)		
Thur				State any seasonal variations for providing dancing facilities (please read guidance note 4)		
Fri				Non standard timings. Where you intend to use the premises for provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

V 19.2.07

**K**

<b>Provision of facilities for entertainment of a similar description to that falling within J or K Standard days and timings (please read guidance note 6)</b>			<b>Please give a description of the type of entertainment facility you will be providing</b>	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Will the entertainment facility be indoors or outdoors or both – please ✓ yes (please read guidance note 2)</b>	<b>Indoors</b>
				<b>Outdoors</b>
<b>Mon</b>				<b>Both</b>
<b>Tue</b>			<b>Please give further details here (please read guidance note 3)</b>	
<b>Wed</b>				
<b>Thur</b>			<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within J or K (please read guidance note 4)</b>	
<b>Fri</b>				
<b>Sat</b>			<b>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 5)</b>	
<b>Sun</b>				

L

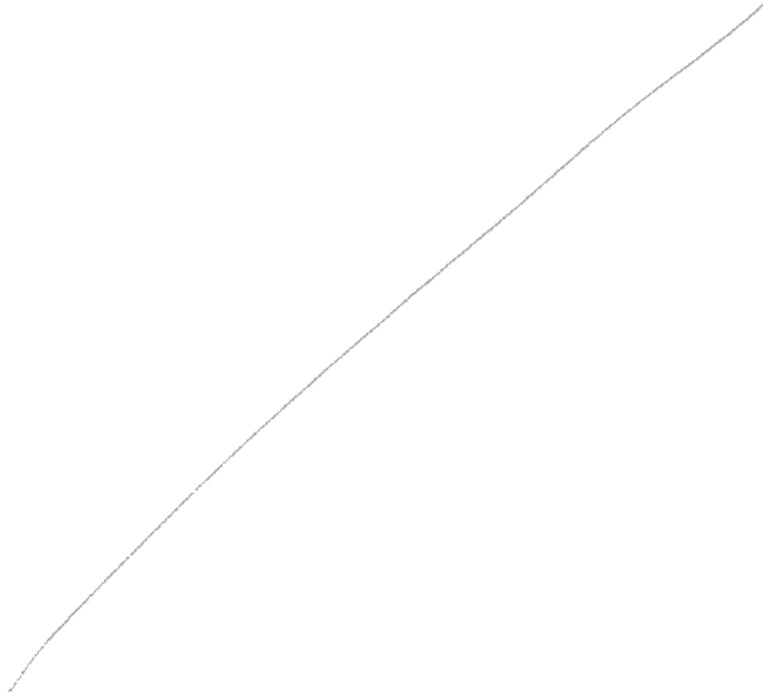
Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please ✓ yes (please read guidance note 2)	Indoors				
				Outdoors				
				Both	✓			
Day	Start	Finish						
Mon	11.00	01.00	<b>Please give further details here (please read guidance note 3)</b> FOR THE SALE OF PIZZA & SOFT DRINKS FOR CONSUMPTION ON OR OFF THE PREMISES.					
Tue	11.00	01.00						
Wed	11.00	01.00				<b>State any seasonal variations for the provision of late night refreshment (please read guidance note 4)</b>  N/A		
Thur	11.00	01.00						
Fri	11.00	01.00						
Sat	11.00	01.00	<b>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)</b>					
Sun	11.00	01.00	N/A					

**M**

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 6)			<b>Will the sale of alcohol be for consumption</b> (please ✓ yes) (please read guidance note 7)	On the premises				
				Off the premises	✓			
				Both				
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)					
Mon	11.00	23.00						
Tue	11.00	23.00						
Wed	11.00	23.00						
Thur	11.00	23.00						
Fri	11.00	23.00						
Sat	11.00	23.00						
Sun	11.00	23.00						
						<b>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		

**N**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)**





O

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 6)			<b>State any seasonal variation (please read guidance note 4)</b>           <b>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)</b>
Day	Start	Finish	
Mon	11.00	01.00	
Tue	11.00	01.00	
Wed	11.00	01.00	
Thur	11.00	01.00	
Fri	11.00	01.00	
Sat	11.00	01.00	
Sun	11.00	01.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

WE ARE SEEKING TO ~~CHANGE THE~~ SELL HOT FOOD BETWEEN 11pm + 01.00

Please ✓ yes

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**P**  
Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)**

HEALTH & SAFETY AT WORK  
HAZARD ANALYSIS  
FOOD SAFETY MANAGEMENT  
FIRE PREVENTION.

**b) The prevention of crime and disorder**

CCTV IN OPERATION 24 HOURS A DAY  
DOOR TO HAVE A SECURE QUALITY MORTISE  
LOCK  
ALL INCIDENTS TO BE REPORTED TO THE  
POLICE

**c) Public safety**

PORTABLE FIRE EQUIPMENT AND FIRST AID  
EQUIPMENT SUPPLIED

PUBLIC LIABILITY INSURANCE TO BE  
MAINTAINED

**d) The prevention of public nuisance**

PREMISES TO BE ADEQUATELY VENTILATED

STREETS NEARBY TO BE MONITORED NIGHTLY  
AND ANY RUBBISH GENERATED FROM THE  
PIZZA SHOP TO BE PICKED UP BY STAFF AND  
DISPOSED OF CORRECTLY

STAFF TO DIFFUSE ANY POTENTIAL ANTI-SOCIAL  
BEHAVIOUR.

e) The protection of children from harm

N/A


Please ✓ yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

**IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE (UP TO £5000) , UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**Part 5 – Signatures** (please read guidance note10)

**Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent** (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature .....   
 Date..... 06/07/11 .....  
 Capacity ... DIRECTOR .....

**Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> applicant’s solicitor or other authorised agent** (please read guidance note12). **If signing on behalf of the applicant please state in what capacity.**

Signature .....  
 Date.....  
 Capacity .....

<b>Contact name (where not previously given) and address for correspondence associated with this application</b> (please read guidance note 13)	
<b>Post town</b>	<b>Postcode</b>
<b>Telephone number (if any)</b>	
<b>If you would prefer us to correspond with you by e-mail your e-mail address (optional)</b>	

**Aldous Lewis**

---

**From:** S. Yazdi [mailto:Syazdi@tops-pizza.com]  
**Sent:** 25 August 2011 12:33  
**To:** [redacted]  
**Cc:** [redacted]  
**Subject:** 74 Fulham Palace Road, W6 9PL

Dear [redacted]

Further to your conversation with my colleague [redacted] I am writing to confirm that I am happy for the application to extend the opening hours at the above property to go ahead.

I am currently out of the country but contactable by email should you require anything further.

Kind Regards

S. Yazdi  
Tops Pizza



# LONDON BOROUGH OF HAMMERSMITH & FULHAM

**Hammersmith  
& Fulham**  
*Serving our Community*

Licensing Act 2003 Premises Licence Schedule 12 Part A, Regulation 33, 34

**Premises Licence Number: 2005/03577/LAPRT**

## Part 1 – Premises details

**TOPS PIZZA  
74 FULHAM PALACE ROAD**

Post town: **LONDON**

Post code: **W6 9PL**

Phone: **020 8741 0090**

Where the licence is time limited the dates:

**Not Applicable**

Licensable activities authorised by the licence:

**Sale of Alcohol**

The times the licence authorises the carrying out of licensable activities:

	From	until	To
<b>Monday</b>	<b>8am</b>	<b>until</b>	<b>11pm</b>
<b>Tuesday</b>	<b>8am</b>	<b>until</b>	<b>11pm</b>
<b>Wednesday</b>	<b>8am</b>	<b>until</b>	<b>11pm</b>
<b>Thursday</b>	<b>8am</b>	<b>until</b>	<b>11pm</b>
<b>Friday</b>	<b>8am</b>	<b>until</b>	<b>11pm</b>
<b>Saturday</b>	<b>8am</b>	<b>until</b>	<b>11pm</b>
<b>Sunday</b>	<b>10am</b>	<b>until</b>	<b>10.30pm</b>

With the exception of

**Christmas Day** 12 midday to 3pm and 7pm to 10:30pm  
**Good Friday** 8am to 10:30pm



# CONTINUATION PREMISES LICENCE 2005/03577/LAPRT

Subject to the following exceptions no person shall, except during the permitted hours listed above, sell or supply alcohol or take alcohol from the premises. The exceptions are

- i. During the first 20 minutes after the above hours the taking of the alcohol from the premises , provided it is not taken in an open container.
- ii. The ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- iii. The sale of alcohol to a trader or club for the purposes of the trade or club;

## The opening hours of the premises:

	Opening		Closing
<input type="radio"/>			
Monday	8am	until	11pm
Tuesday	8am	until	11pm
Wednesday	8am	until	11pm
Thursday	8am	until	11pm
Friday	8am	until	11pm
Saturday	8am	until	11pm
Sunday	8am	until	11pm

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

**Off Supply (only) permitted**

**P. 2**

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

**Ali Morad Yazdi and Safieh Yazdi**  
**74 Fulham Palace Road**  
**Hammersmith**  
**London**  
**W6 9PL**  
**Phone: 020 8569 5555**

Registered number of holder, for example company number, charity number (where applicable):

**Not Applicable**

# CONTINUATION PREMISES LICENCE 2005/03577/LAPRT

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

**Ali Morad Yazdi**  
**74 Fulham Palace Road**  
**Hammersmith**  
**London**  
**W6 9PL**

**Phone: 020 8569 5555**

Personal licence number: **2005/03676/LAPERG**

Issuing authority: **London Borough of Hammersmith and Fulham**

## Annex 1 – Mandatory conditions

1. No supply of alcohol may be made under the premises licence –
  - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

## Annex 2 – Conditions consistent with the operating Schedule

### General – all four licensing objectives

3. Alcohol shall not be sold or supplied in an open container or be consumed in the licensed premises.
4. Alcohol shall not be sold or supplied unless it is paid for before or at the time when it is sold or supplied.

## Annex 3 – Conditions attached after a hearing by the licensing authority

Not Applicable

## Annex 4 – Plans

See attached.

Signed:   
Authorised Officer

Date: 22/19/05

[REDACTED]

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**From:** [REDACTED]  
**Sent:** 01 August 2011 11:22  
**To:** [REDACTED]  
**Subject:** 2011/01082/LAPR 74 Fulham Palace Road 'TOPS PIZZA'  
**Importance:** High

Dear [REDACTED]

As outlined when we spoke – I am concerned about yet another extended license in this area even if at this stage they have not asked to extend the alcohol license. No doubt this will be sought at some later date.

We suffer major noise, filth and drunken behaviour in our streets at night. Public nuisance will just be increased if there is one more place to entice people to hang around here longer. We, the residents, just can't take any more!

Therefore I object to this extension.

Best regards

[REDACTED]

NHW – Winslow Road  
FULHAM REACH – Ward Panel Member

## LICENSING CONSULTATION INTERNAL MEMO

To: **Lewis Aldous**

From: **Somayya Yaqub**

Date: **22 July 2011**

Premises: **Tops Pizza 74 Fulham Palace Road London W6 9PL**

CAPS Ref: **2011/07022/EPLAC**

Application: **Variation**

---

I have considered the above application with regard to the prevention of public nuisance. On behalf of Environmental Protection I would like to:

### **Make representations to the Variation**

On the following grounds:

That the operating schedule does not adequately address the prevention of public nuisance from:

- *Noise from patrons visiting the premises late at night*

### **Supporting Information**

The premises is outside the Hammersmith Town Centre. It is located among a parade of shops between two public houses. There are residential premises above and opposite the 74 Fulham Palace Road. The two licensed premises do not open past 11:30pm. In light of this it would be unreasonable to allow this premises to operate past midnight as this would encourage people to remain in the area at a time when it is reasonable to expect people to be sleeping.

I would therefore recommend the following restrictions / conditions be attached to the premises licence:

1. Opening hours: 11am to midnight
2. A radius of 100m from the shop front shall be swept as required

**Somayya Yaqub**  
**Environmental Health Officer**  
**Environmental Protection**  
**22 July 2011**

**From:** Thornton Cathy  
**Sent:** 27 July 2011 08:08  
**To:** Aldous Lewis  
**Subject:** Tops Pizza 74 Fulham Palace Road

Planning permission was granted in 1984 for Change of use of ground floor to take-away hot food (Class A5) (1984/00452/FUL)

This planning permission was subject to a time condition as follows:-

The use hereby permitted shall operate only between the hours of 9 a.m. and 11 p.m. on any day.

Further applications were submitted in 1995 and 1996 to vary the condition of the planning permission to extend the hours of operation from 11:00pm to 01.00 am. Both these applications were refused permission.

Clearly the proposed licence application would exceed the permitted hours of operation by 2 hours and therefore would be in breach of the planning condition.

The premises is located within the retail frontage of Fulham Town Centre. North End Road is a busy and well-used route with day and night bus services and also carries a substantial flow of other vehicles within Fulham Town Centre. There is a significant level of pedestrian and other activity in this location during the day when the background noise levels would be relatively high. There are residential properties on North End Road which are located above the ground floor premises.

The main issues relates to whether the use as a hot food take away in operation until 01.00am would adversely affect the amenity of the area in terms of environmental nuisance, noise and disturbance and traffic generation in the area. The Council's Unitary Development Plan (Policy SH11) advises that in town centres, food and drink establishments shall not be open to customers later than midnight.

Policy EN21 - Environmental Nuisance requires that all developments (including changes of use) shall ensure that there is no undue detriment to the general amenities at present enjoyed by existing surrounding occupiers of their properties, particularly where commercial and service activities are close to residential properties.

The general area comprises retail shops on both sides of the street; the shops trade generally between 9.00am and 5:00pm. After the shops close whilst it is true that this is a Town Centre location on a bus route, the ambient noise levels after the shops have closed would be considerably lower. There are many restaurants and pubs in North End Road; however these are concentrated further south closer to Fulham Road and Fulham Broadway; these premises are lawful long standing uses without planning controls several of which operate until after

midnight.

A hot food take away outlet is by its very nature more likely to generate an increase in activity in and around the premises. (As opposed to a restaurant, which primarily provides for the consumption of food on the premises where customers enjoy a sit down meal with beverages with waitress service. The target audience is generally small groups i.e. families, couples etc., where the diners will spend a number of hours on the premises; they generally arrive and leave the premises at different times in small groups, and not all at once at closing time. Diners also generally do not loiter outside the premises after vacating the restaurant). By contrast, hot food take away outlets provide fast food and are more likely to attract a different target audience. Fast food take aways often attract large groups (often younger people). This could give rise to anti-social behaviour; including increased litter and general noise and disturbance.

There are numerous drinking establishments in the immediate vicinity and in the nearby Fulham Broadway Town Centre. A take away of this nature with a closing time beyond 01:00am (in this case up to 3 and 4 am) would inevitably attract customers leaving the nearby drinking establishments. This would further increase the potential for anti-social behaviour since there would be a high level of activity with people entering and leaving the premises. Patrons are also more likely to congregate outside on the pavement resulting in a public nuisance due to noise and disturbance especially in the early morning hours when ambient noise levels are generally much lower.

The proposed opening hours until 01.00am are therefore considered to be unacceptable and would be contrary to Policies EN21 and SH11 of the Council's Unitary Development Plan. As such, it is unlikely that planning permission would be granted for the extended hours as proposed.

In my opinion a more reasonable hour would be 24:00hrs in line with Town Centre Policy SH11. However, I would however reserve the right to exercise powers of enforcement under the Town and Country Act in the event that by reason of the extended hours the use gave rise to noise and disturbance to neighbouring occupiers.

Catherine Thornton  
Deputy Team Leader (Planning Enforcement)  
Development Management  
Planning Division  
Environment Services Department  
London Borough of Hammersmith and Fulham  
Tel: 0208 753 3496  
cathy.thornton@lbhf.gov.uk  
web [www.lbhf.gov.uk](http://www.lbhf.gov.uk)  
Nigel Pallace, Director of Environment

[REDACTED]

---

**From:** [REDACTED]  
**Sent:** 23 August 2011 15:33  
**To:** Aldous Lewis  
**Subject:** Premises License, Tops Pizza 74 Fulham Palace Road W6

I refer to the Licence application to extend the hours of operation from 23:00hrs to 01:00hrs.

Planning permission was granted in 1984 for Change of use of ground floor to take-away hot food (Class A5) (1984/00452/FUL)

This planning permission was subject to a time condition as follows:-

The use hereby permitted shall operate only between the hours of 9 a.m. and 11 p.m. on any day.

Further applications were submitted in 1995 and 1996 to vary the condition of the planning permission to extend the hours of operation from 11:00pm to 01.00 am. Both these applications were refused permission.

Clearly the proposed licence application would exceed the permitted hours of operation by 2 hours and therefore would be in breach of the planning condition.

The premises is located within a terrace of shop premises fronting Fulham Palace Road. In the immediate vicinity 9 of the total of 16 business are food and drink establishments, comprising 4 Takeaways, 2 Public house, and 2 Restaurants. Fulham Palace Road is a busy and well-used route with day and night bus services. It is the main North to South access road through Fulham linking Hammersmith Broadway to the South of the Borough. There is a significant level of pedestrian and other activity in this location during the day when the background noise levels would be relatively high. There are residential properties located above many of the shops and wholly residential side streets running off Fulham Palace Road.

The premises is not within the town centre although it is the primary bus route, which links Hammersmith to the South of the Borough. The ambient noise levels after the shops and offices have closed would be considerably lower; and more particularly much lower after 11.00pm as the levels of activity progressively decrease. A hot food take away outlet is by its very nature more likely to generate an increase in activity in and around the premises. (As opposed to a restaurant, which primarily provides for the consumption of food on the premises where customers enjoy a sit down meal with beverages with waitress service. The target audience is generally small groups i.e. families, couples etc., where the diners will spend a number of hours on the premises; they generally arrive and leave the premises at different times in small groups, and not all at once at closing time. Diners also generally do not loiter outside the premises after vacating the restaurant). By contrast, hot food take away outlets provide fast food and are more likely to attract a different target audience. Fast food take aways often attract large groups (often younger people). This has the potential for anti-social behaviour; including increased litter and general noise and disturbance.

The noise of customers arriving/leaving these premises, together with the noise of delivery motor cycles which forms a substantial and essential part of a pizza takeaway business, would be more noticeable during the quieter later evening hours. To operate such a use during these quieter periods late at night is likely to cause noise and disturbance to neighbouring residential properties, especially those dwellings located directly above the shops in this parade. This view was held by the Council when they refused to grant planning permission for 2 planning applications to extend the hours of operation to 01:00hrs and pursuing enforcement action following those refusals gives a clear indication of its concerns on this matter.

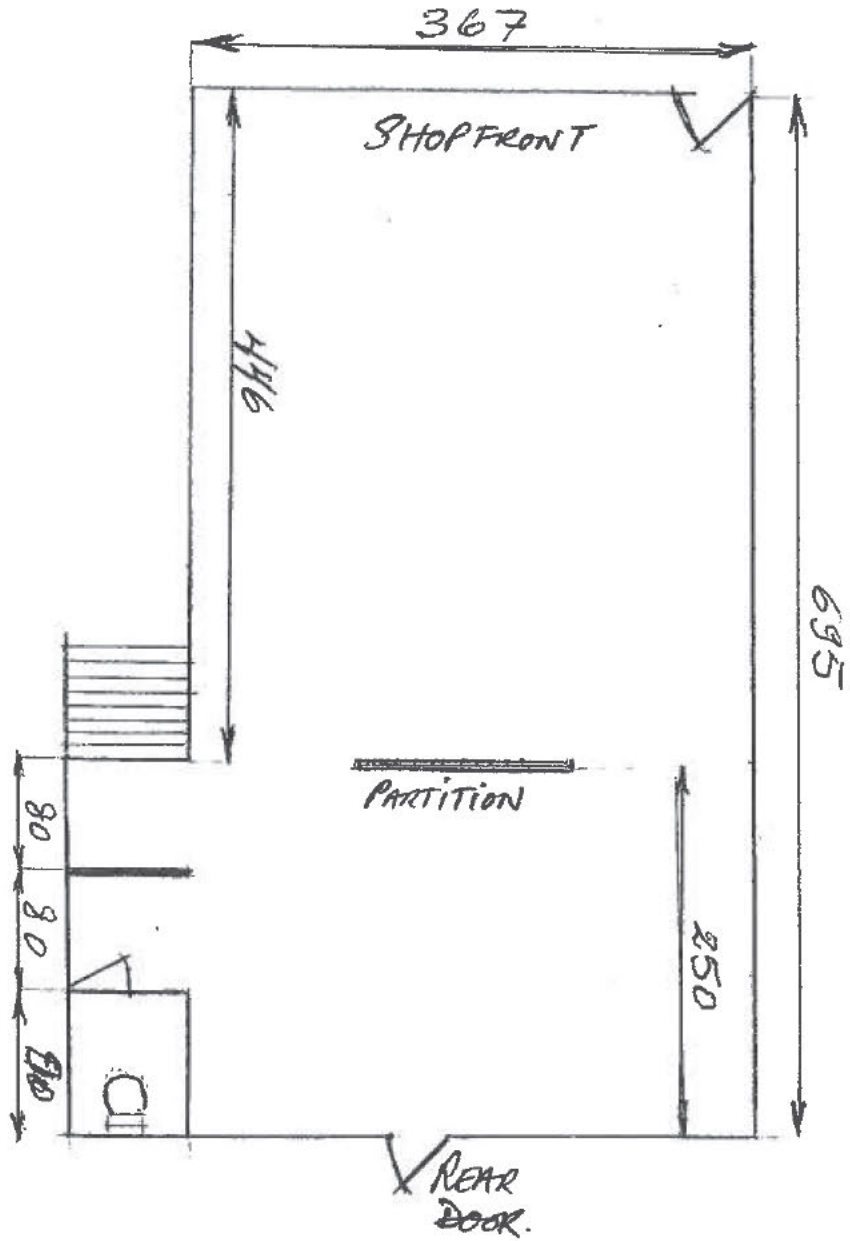
There are a number of drinking establishments in the immediate vicinity and in the nearby Hammersmith Broadway Town Centre. A take away of this nature with a closing time beyond 11:00pm until 01.00 am would inevitably attract customers leaving the nearby drinking establishments. This would further increase the potential for anti-social behaviour since there would be an increased level of activity with people entering and leaving the premises. Patrons are also more likely to congregate outside on the pavement resulting in a public nuisance due to noise and disturbance especially in the later hours when ambient noise levels are generally much lower.

The proposed opening hours until 01.00am are therefore considered to be unacceptable and would fail to meet the Licensing objectives in terms of Nuisance and crime and disorder; and contrary to Policies EN21 and SH11 of the Council's Unitary Development Plan. On this basis the Council would object to the application.

Catherine Thornton  
Deputy Team Leader (Planning Enforcement)  
Development Management  
Planning Division  
Environment Services Department  
London Borough of Hammersmith and Fulham  
Tel: 0208 753 3496  
cathy.thornton@lbhf.gov.uk  
web [www.lbhf.gov.uk](http://www.lbhf.gov.uk)  
Nigel Pallace, Director of Environment



Tops Pizza

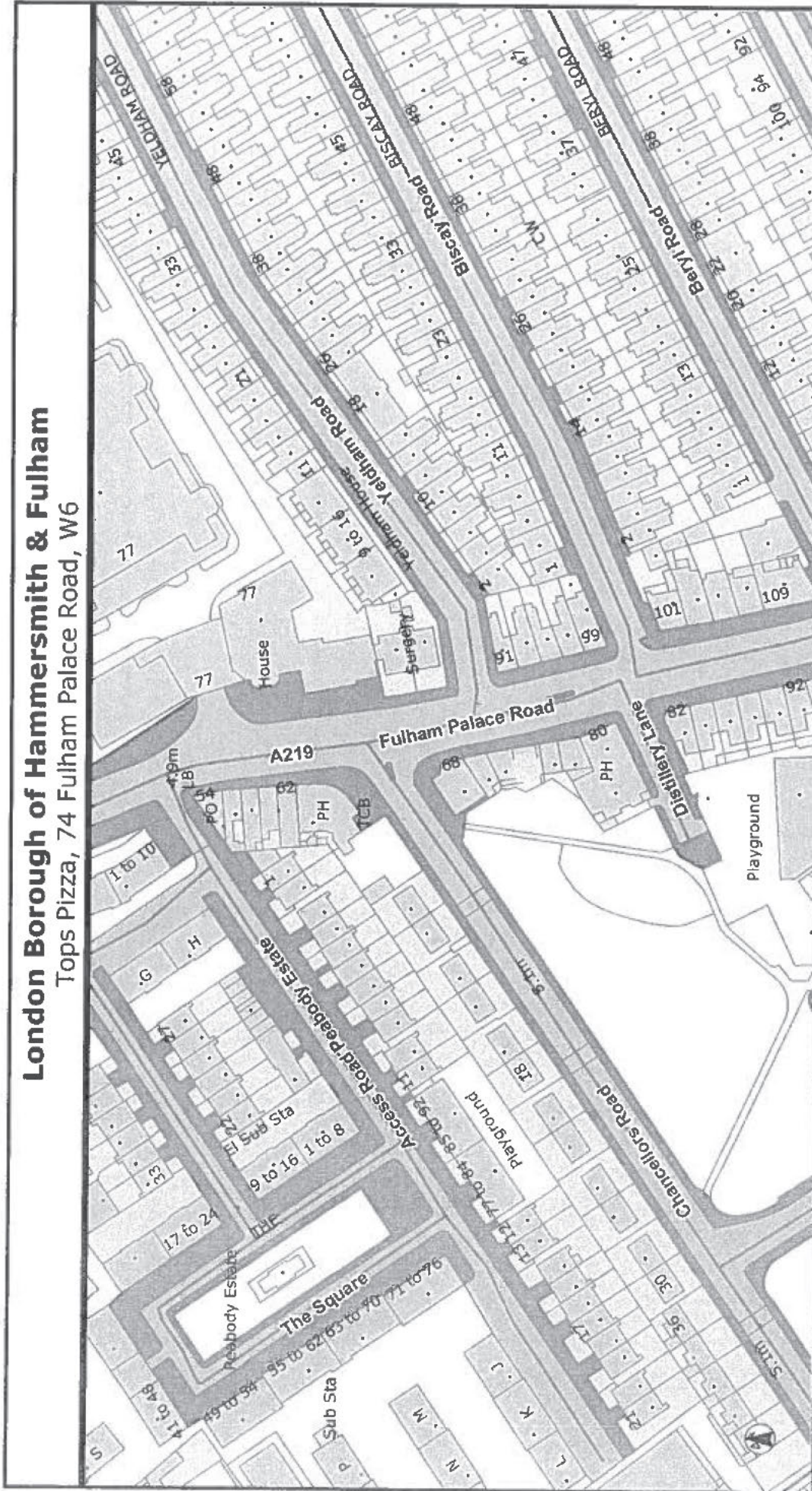


Floor Plan for 74 FULLHAM PARADE ROAD,  
London  
W6 9PL.

SCALE : 1:50.

# London Borough of Hammersmith & Fulham

## Tops Pizza, 74 Fulham Palace Road, W6



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Scale 1:1411

Printed on 25-Aug-2011



**From:** [REDACTED]  
**Sent:** Friday, June 14, 2024 5:28 PM  
**To:** Licensing HF: H&F <licensing@lbhf.gov.uk>  
**Cc:** Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk>; [REDACTED]  
**Subject:** Re: 2024/00542/LAPR JD Wetherspoons 474 Fulham Road (Old Market Hall/former Tube Station)

Dear Lorna,

Many thanks for circulating the email trail below as supplemental evidence.

Apologies for this late submission as I am away this week at a work event but I forgot to mention the off sales.

Permission for sales of alcohol to be consumed off the premises should not be granted by the licensing committee. The premises are situated in the heart of Fulham on a major road and in a key location by the tube station, shopping centre and importantly the Chelsea Football Club home ground at Stamford Bridge, less than 5 minutes walk away.

This area has a significant footfall, which increases hugely on match days at Stamford Bridge. Licensed premises in the vicinity are prohibited from off premises sales of alcohol before and after games. This is to prevent large groups of fans drinking alcohol on the streets before and after games, which is likely to lead to anti-social behaviour. We already have a significant issue with fans urinating in side streets, on the Samuel Lewis estate and Oswald Stoll grounds. This issue in residential areas, where children and the elderly live, will be exacerbated by fans drinking alcohol on the street - especially as there are no public toilets in the vicinity. Away supporters are usually banned from the pubs closest to the ground and will therefore be unable to use the facilities. Local residents are working closely with CFC to tackle this issue, and would therefore ask for off sales by Wetherspoon to be prohibited.

I am writing this in a personal capacity but my views are based on my personal experience. I have had the privilege of serving on the local Ward Panel for many years and am the Chair of the Independent Advisory Group to the police for the borough, so am well aware of the local issues in this area. Residents are supportive of a healthy, thriving local retail economy but have a reasonable and understandable expectation that businesses and the council include these local considerations in the operation of licensed businesses.

Kind regards

[REDACTED]

**From:** Barclay Road Residents  
**Sent:** Friday, June 14, 2024 4:31 PM  
**To:** Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk>  
**Cc:** [REDACTED]  
**Subject:** Supplemental 2024/00542/LAPR from Barclay Road Conservation Area Neighbourhood Watch (Barclay Road Residents)

Dear Lorna

Thank you for clarifying a few more points for us on this application and the upcoming hearing on Tues 18 June.

We are concerned about 'off-sales' and have been trying to reach Wetherspoons on this point. I just left a voicemail with their Senior Solicitor re this point. Progress: She has now rung me, and discussed in depth—this is not about a Condition-- and will be passing this on to the her colleague for the hearing so that everyone is on the same page.

We would like to remind the Committee that Fulham Broadway is a Met Police crime hotspot and that footfall numbers show that at least 7,500 pedestrians walk in front of the proposed Premises at 472 Fulham Broadway every normal day. On Match Days/Evenings, it's over 41,000 visiting the CFC stadium and grounds, and the vast majority pass by 472 Fulham Road.

Off sales would allow patrons of the proposed Premises to walk out with what is now termed 'plastic pints'; we recognise that in n September 2023 relaxed legislation around such sales were extended to March 2025, but with or without lids, ie so-called 'sealed' or not, bringing alcohol out on to the pavement within such close proximity of the entrance to the Fulham Broadway tube station poses a public safety risk that we really do not need in Fulham Broadway. It also increases the potential for nuisance, including more litter on the pavement, drinks spilling onto the pavement posing then a health hazard of possible slipping of passersby etc.

Most off licences along the heavily pedestrianised routes for reaching tubes at Fulham Broadway, Parsons Green, West Brompton and Imperial Wharf are prohibited from selling 3 hours before and 1 hour after a football match. Beyond match days, we see little sense in tempting patrons to move the party onto the pavement outside of the proposed Premises.

Request: We request that the licence be for ON SALES only, full stop, 365/6 days a year.

I will be representing my Fulham neighbour, [REDACTED], who has already named me to represent him in his Representation.

Thank you.

[REDACTED]  
Barclay Road Conservation Area Neighbourhood Watch (Barclay Road Residents)

From: Barclay Road Residents [REDACTED]  
Sent: Saturday, June 15, 2024 6:50 PM  
To: Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk>  
Subject: Media 2-page PDF for Supplemental Wetherspoons hearing  
2024/00542/LAPR

Lorna

Please add this 2-page PDF to the Supplemental info, as further evidence to support the Representations made by Barclay Road Residents. This media article was only published after 5pm on Friday, and I only saw it later, thus I hope the Committee will understand the rather late submission.

Thank you

[REDACTED] with and for Barclay Road Residents (Barclay Road Conservation Area Neighbourhood Watch)

## London Underground station's old ticket office could become a Wetherspoon's pub

Some residents are unhappy about the plan to serve booze after midnight but one supporter said cheap places for food and a pint are needed

BY BEN LYNCH 18:45, 14 JUN 2024 UPDATED 18:46, 14 JUN 2024



The building on Fulham Road was most recently used as a food court (Image: Google)

A former ticket office by Fulham Broadway Station is being eyed up to become JD Wetherspoon's latest West London pub. [The popular chain](#) is looking to turn the building into a two-storey pub and restaurant, with the application stating it will offer 'no music and a substantial food offer'.

A total of 20 objections were received during consultation, including one from local councillor and Deputy Leader of [Hammersmith](#) and Fulham Council Ben Coleman, raising concerns about crime and young people accessing the glass roof. The local authority's Licensing Sub-Committee is next week (June 18) due to make a decision on the submission.

<https://www.mylondon.news/whats-on/whats-on-news/wetherspoons-pub-hammersmith-london-underground-29358285?>

Originally used as a ticket office, the building was most recently utilised as a food court. The requested opening hours for the premises are 8am to midnight Sunday to Thursday, and 11pm to 1am Friday and Saturday. Alcohol is to be sold until 11.30pm Sunday to Thursday, and 12.30am Friday and Saturday, with late-night refreshment also to be provided indoors and outdoors.

In his submission, Cllr Coleman wrote that 'many residents' had questioned the midnight closing time due to crime and disorder concerns, and that he expects the applicant to address this. He continued: "Second, I am concerned about the possibility of children and young people being able to access the glass roof of the proposed premises via adjoining dangerous roofscapes.

"I understand that residents have already made detailed representations about this and have asked for the applicant to bring local building owners/freeholders together to address it. I would expect the applicant to wish to do this to ensure young people's safety."

Other objectors echoed Cllr Coleman's concerns regarding crime, with several representations noting local pubs recently being squatted in as evidence of disorder in the area. The request to sell alcohol after midnight was a point of particular contention.

One objector wrote: "In the three years that I and my husband have lived near the Fulham Broadway end of Barclay Road, we and our neighbours have been subjected to crime and disorder caused by excessive and late drinking. We need the assistance of LB Hammersmith and Fulham to start dialling back the levels of crime and disorder we are seeing on any given weekday or weekend. Late hours are a particular problem - please please do not grant a licence allowing the sale of alcohol after midnight at the Old Market Hall in Fulham Road."

A representation was also submitted from a local resident supporting the application, who wrote the area is in need of more affordable drinking and eating spots. "We need simple, pub grub, with a pint that's not a party place, that's not going to cost north of £30 for 2 people, and the staffing at JD Wetherspoon's will exceed the staffing numbers at the 3 local pubs combined."

Currently, the nearest Wetherspoon's in the borough are the William Morris and Plough and [Harrow](#), both located in Hammersmith.

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From: Barclay Road Residents  
Sent: Sunday, June 16, 2024 11:57 PM  
To: Mckenna Lorna: H&F <Lorna.Mckenna@lbhf.gov.uk>  
Subject: 15 June Update for Committee re residents' call with Wetherspoons

Please accept this 1 page PDF as further evidence to support our Representation. It is typed text with one photo embedded.

██████████ for and with Barclay Road Residents (Barclay Road Conservation Area Neighbourhood Watch)



Dear H&F Licensing Committee,

I, [REDACTED], would like to add further evidence to my Rep by updating the Committee on a few things, including our phone call with the Wetherspoons [W] legal counsel on Friday 14 June, late afternoon.

Public safety concern and Protection of Children from Harm during licensable hours:

Background: I personally witnessed this proposed licensed roof terrace area when it was used by Market Halls and opened up for a Wimbledon screening, in 2019. I recall specifically seeing the glass roof below, as you walked outside onto the roof terrace, from indoors; it was to the right/downwards looking. It has not been possible to make a site visit, unfortunately, mainly because the proposed Premises had to be internally chain linked on the inside, after residents contacted W's legal counsel 14 April to report to them directly about the squatters taking over next door in Stonegate's Fulham Broadway Bar and Grill 474 Fulham Road.

This lower glass roof is shown clearly on the Plan, on page 21 of the Application, where it is marked 'Void over Ground Floor Natural Daylight from glazed roof above'. This is the natural light brought into the original Walham Green rail station when the station was opened in 1880. I attach a TfL archive photo.



We now have assurances that Wetherspoons' architect will be looking at the outside roof terrace drinking/eating area specifically in regard to public safety risks of Wetherspoons customers who would be using the terrace, during licensable hours, as it relates to the lower glass roof visible below and the potential for falling or being pushed in that direction during licensable hours.

Wetherspoons's, legal counsel K. Doyle will keep me updated and I asked that we meet with the architect, on site; she has kindly agreed to this.

I have reported back to Cllr Ben Coleman on this new development.

The further concerns regarding this roof terrace proposed to be licensed and the lower glass roof and the ability of anyone to climb along and onto the roofscape at the Proposed Premises/adjoining properties with neighbouring roofs, are mentioned by Deputy Leader Cllr Ben Coleman in his Representation. He has been trying to resolve this safety and trespass issue; this is not only about Promoting Public Safety for anyone of any age, but the concern is also regarding promoting the licensing objective Protecting children from Harm during licensable hours.

Several of our residents have contacted me regarding the 8am alcohol start time

1) It is difficult for residents to understand why Wetherspoons is proposing to start serving alcohol at 8am. Eleven o'clock in the morning is the usual start of serving alcohol in pubs, residents continue to tell me.

They would like the committee to know that they feel that anyone needing a drink at 8am and until 11 am is probably in need of assistance to assure their own public safety and to limit any nuisance caused to other customers as well as on the outside pavement with regard to vomiting, urination etc. Why encourage children passing by on their way to school to see people drinking alcohol at 8am, or worse, being confronted by such outside on the pavement, residents have asked me?

—Residents hope that the Committee will address this seemingly unnecessarily early licensing time in some way.

Midnight closing, indoors, 7 days a week

2) Notwithstanding any possible change in the 8am drinking start time reiterated in 1), above, and the Applicant's proposed closing of the roof terrace at 23:00, **we continue to request closing at midnight on all days**, ie vs the proposed 01:00 on Friday and Saturday.

We note the usual drinking up time of 30 minutes is already built into the Application for proposed opening hours and proposed alcohol selling hours.

Would the Committee please address this request for midnight closing on all days, with special regard to the increased crime, asb, nuisance and safety problems we have around Fulham Broadway, with its two boarded up pubs and several shuttered shops directly next to and around the proposed premises and in the tube station.