

Licensing Sub-Committee

Agenda

Wednesday 1 December 2021

6.30 pm

Online - Virtual Meeting

MEMBERSHIP

Administration:	Opposition:
Councillor Natalia Perez (Chair) Councillor Matt Uberoi	Councillor Dominic Stanton

CONTACT OFFICER: Amrita White
Committee Co-ordinator
Governance and Scrutiny
☎: 07776672845
E-mail: Amrita.White@lbhf.gov.uk

Public Notice

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

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

THIS MEETING WILL BE HELD REMOTELY It will be streamed via YouTube on:
<https://youtu.be/IEZ842MfBX8>

Date Issued: 22 November 2021

Licensing Sub-Committee Agenda

1 December 2021

<u>Item</u>		<u>Pages</u>
1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST	
	<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
3.	TIPPLE BAR LTD, 239 MUNSTER ROAD LONDON SW6 6BT	3 - 29

Agenda Item 3

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1. THE APPLICATION

On 29 September 2021, Tipple Bar Ltd (“the applicant”) submitted an application for a new premises licence to be granted in respect of the premises known as Tipple Hub located at 239 Munster Road London SW6 6BT.

1.1 Application Requested

The applicant has applied for a new premises licence for the sale of alcohol both on and off the premises as outlined below:

Sale of Alcohol – Both On and Off the Premises

Monday to Sunday 11:00 - 23:00

Hours open to public:

Monday to Sunday 11:00 - 23:00

A copy of the application form and plan can be seen on pages 9-14 of this report.

1.2 Applicants Operating Schedule

The applicant has proposed a number of steps to promote the four licensing objectives if the application is granted. A copy of these proposed conditions can be seen on pages 12-13 of this report.

On 18 October 2021, following correspondence received from the Police, the applicant agreed to add extra conditions to their licence if granted. A copy of these agreed conditions and relevant correspondence can be seen on pages 15-19 of this report.

2. BACKGROUND

The main access to the premise’s unit will be located on Mablethorpe Road. There is a mixture of both residential and commercial premises within the area. A map showing the location of the premises and neighbouring licensed premises can be seen on pages 20-21 of this report.

There are several options for transport away from the area including buses and taxis which run from in and around the Munster Road area. Parsons Green tube station is a 16-minute walk away and Fulham Broadway tube station is a 18-minute walk away.

3. CONSULTATION

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

3.1. Relevant Representations

The licensing section received four representations from local residents objecting to the licence application. A copy of these representations can be seen on pages 22-26 of this report.

On 9 November 2021 the applicant submitted additional information and clarifications detailing how they wish to operate. In response to these clarifications some further comments were received from a local resident. A copy of this information and relevant correspondence can be seen on pages 27-29 of this report.

4. OTHER INFORMATION

4.1 Enforcement History

There have not been any warnings, simple cautions or prosecutions given in respect of the premises during the past three years.

4.2 Temporary Event Notices (“TENS”)

No TENS have been submitted in respect of this premises in the past twelve months.

5. POLICY CONSIDERATIONS

5.1 Section 5.1 page 12 of the Statement of Licensing Policy (“SLP”) states that where there is a relevant representation, the Licensing Authority will consider each particular case on its merits having regard in particular to the following matters:

- Whether the licensed activities are likely to have an adverse impact especially on local residents and, if there is potential to have an adverse impact, what, if any, appropriate measures will be put in place to prevent it;
- Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;
- Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;
- Whether the activity will be likely to lead to a harmful and unmanageable increase in car parking demand in surrounding residential streets suffering high levels of parking stress or on roads forming part of the Strategic London Road Network or the London Bus Priority Network leading to a negative impact on the Licensing Objectives relating to the prevention of crime, disorder and nuisance; and
- Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative.

5.2 Section 5.4 page 13 of the SPL states that the Licensing Authority advises applicants that it would be beneficial if a lawful planning use can be demonstrated for the activities proposed in all applications for premises licences.

5.3 Section 8.1 page 15 of the SLP states that the Licensing Authority will require applicants to detail in their operating schedule the steps proposed to ensure the deterrence and prevention of crime and disorder on, and in the vicinity of, the premises, having regard to their location, character, condition, the nature and extent of the proposed use and the persons likely to use the premises.

5.4 Section 8.10 page 16 of the SLP states that it is important that staff working at off licences are suitably trained and receive appropriate refresher training in their responsibilities under the Act and can discharge their duties in full compliance with the licence conditions and requirements of the Act. This includes the ability to competently check a customer's age with acceptable forms of identification where necessary. The Licensing Authority will particularly consider the following matters where they are material to the individual application:

- The likelihood of any violence, public order or policing problem if the licence is granted;
- The measures taken to control admission to the premises, and to take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside the premises, where and to the extent that these matters are within their control.
- Past conduct and prior history of complaints against the premises;
- Whether a dispersal policy has been prepared to minimise the potential for disorder as customers leave the premises; and
- Any relevant representations.

5.5 Section 10.3 pages 19-20 of the SLP states that the Licensing Authority will particularly consider the following matters where they are material to the individual application:

- One of the most common complaints the Licensing Authority receive is about nuisance caused by customers as they leave licensed premises at night. The Licensing Authority recommends that primarily alcohol led premises such as nightclubs and pubs, located close to any residential premises, implement a dispersal policy at their venue. All relevant staff should be trained on any policy, and all reasonable steps should be taken to ensure it is fully implemented and adhered to at all times.
- The proximity of residential accommodation;
- The type of use proposed, including the likely numbers of customers, proposed hours of operation and the frequency of activity;
- The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;
- The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises. This will usually be of greater importance late at night and/or in the early hours of the morning. However nuisance can arise at any time of the day or night so the Licensing Authority will consider representations from Responsible Authorities and/or Interested Parties relating to potential nuisance from any activity at all times dependant on the merits of the application/steps taken or proposed to prevent nuisance.

- Limiting the number of people permitted to use a garden/other open-air areas, including those for the use of smoking, at any one time.
- Restricting the use of a garden/other open-air areas, including those for the use of smoking, after a particular time e.g. 11:00pm (or such earlier time as may be considered appropriate).
- The steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction;
- The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly;
- The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents;
- The provision for public transport in the locality (including taxis and private hire vehicles) for patrons;
- The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;
- The delivery and collection areas and delivery/collection times;
- The siting of external lighting, including security lighting that is installed inappropriately;
- The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards);
- The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence holder;
- The history of the applicant in controlling anti-social behaviour and preventing nuisance;
- The generation of odour, e.g. from the preparation of food;
- Any other relevant activity likely to give rise to nuisance;
- Any representations made by the Police, or other relevant agency or representative;

6. DETERMINATION

6.1 In determining this application, the Committee must have regard to the representations and take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Grant the application in full
- (b) Grant the application in part – modifying the proposed hours, activities or conditions.
- (c) Reject the application.

It is the Council's duty under the Licensing Act 2003 ("The Act") 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.

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 Act.

If the Committee is minded to grant the application, conditions may be attached to the licence to alleviate the concerns raised through any representation(s).

Correspondence address

Daytime/ business telephone
number

Evening/ home telephone
number

Mobile phone number

Email address

OPERATING SCHEDULE

When do you want the premises licence to start?

01/11/2021

If you want the licence to be valid for only a limited period, when do you want it to end?

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please give a general description of the premises.

A craft beer bottle shop selling primarily drinks to be consumed off the premises with the sale of drinks to be consumed on the premises to account for a small amount of the business too.

What licensable activities do you intend to carry on from the premises?

~~recorded music~~, supply of alcohol

HOURS OPEN TO THE PUBLIC

Standard days

Mondays

Start 11:00

Finish 23:00

Tuesdays

Start 11:00

Finish 23:00

Wednesdays

Start 11:00

Finish 23:00

Thursdays

Start 11:00

Finish 23:00

Fridays

Start 11:00

Finish 23:00

Saturdays

Start 11:00

Finish 23:00

Sundays

Start 11:00

Finish 23:00

Please state any seasonal variations

Non standard timings. Where you intend to use the premises at different times to those listed above, please list

RECORDED MUSIC

Please give further details here

Background recorded music to be played within reasonable levels indoors only.

Will the performance of recorded music take place indoors, outdoors or both?

Indoors

Standard days

Mondays

Start 11:00

Finish 23:00

Tuesdays

Start 11:00

Finish 23:00

Wednesdays

Start 11:00

Finish 23:00

Thursdays

Start 11:00

Finish 23:00

Fridays

Start 11:00

Finish 23:00

Saturdays

Start 11:00

Finish 23:00

Sundays

Start 11:00

Finish 23:00

Please state any seasonal variations

Non standard timings. Where you intend to use the premises for recorded music at different times to those listed above, please list.

SUPPLY OF ALCOHOL

Please give further details here

Sale of alcohol to be consumed off and on the premises.

Will the supply of alcohol be for consumption on the premises, off the premises or both?

Both

Standard days

Mondays

Start 11:00

Finish 23:00

Tuesdays

Start 11:00

Finish 23:00

Wednesdays

Start 11:00

Finish 23:00

Thursdays

Start 11:00

Finish 23:00

Fridays

Start 11:00

Finish 23:00

Saturdays

Start 11:00

Finish 23:00

Sundays

Start 11:00

Finish 23:00

Please state any seasonal variations

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed above, please list.

Details of the individual whom you wish to specify on the licence as the designated premises supervisor

Full name

Date of birth

Home address of prospective designated premises supervisor

Personal licence number (if known)

Issuing authority (if known)

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

Describe the steps you intend to take to promote the licensing objectives

a) General- all four licensing objectives (b,c,d and e)

Install a number of independent CCTV cameras that will record 24/7 and store information about day-to-day activities. The supervisor will work closely with staff and customers in order to promote the licensing objectives.

b) The prevention of crime and disorder

Notices about the CCTV will be displayed.

Drunkenness in any form will be discouraged on and off the premises.

Strict anti-drugs policy will be implemented.

Violence and anti-social behaviour in any way will not be tolerated and the business will communicate with the local community and the local authorities in order to prevent crime and disorder.

c) Public safety

All sorts of risk assessments will be performed and policies will be implemented and tested regularly and staff will be trained accordingly. Adequate fire alarms will be fitted and the electrical installation will be tested. Overcrowding will not be allowed.

d) The prevention of public nuisance

Noise levels will be strictly observed.

Collection and disposal of litter in the vicinity will be practiced.

Notices about respecting the neighbours' wellbeing will be displayed.

e) The protection of children from harm

There will be a strict Proof-Of-Age policy with a Challenge 25 policy in addition to that too.

All children will have to be accompanied by an adult at all times.

DECLARATIONS

I have enclosed a plan of the premises

Yes

I have enclosed the consent form completed by the individual I wish to be designated premises supervisor

Yes

I understand I must now advertise my application

Yes

It is an offence, under section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum And Nationality Act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work.

I have the consent of any individuals or third parties listed in this form to provide their personal details and I am authorised to submit this application on behalf of all applicants.

I have read the privacy policy and agree for my details to be used by the council to contact me about this application and any changes to this service that may affect me.

I agree to the above

Yes I agree to the above declaration

Full name

Ivailo Penev

Capacity

Director

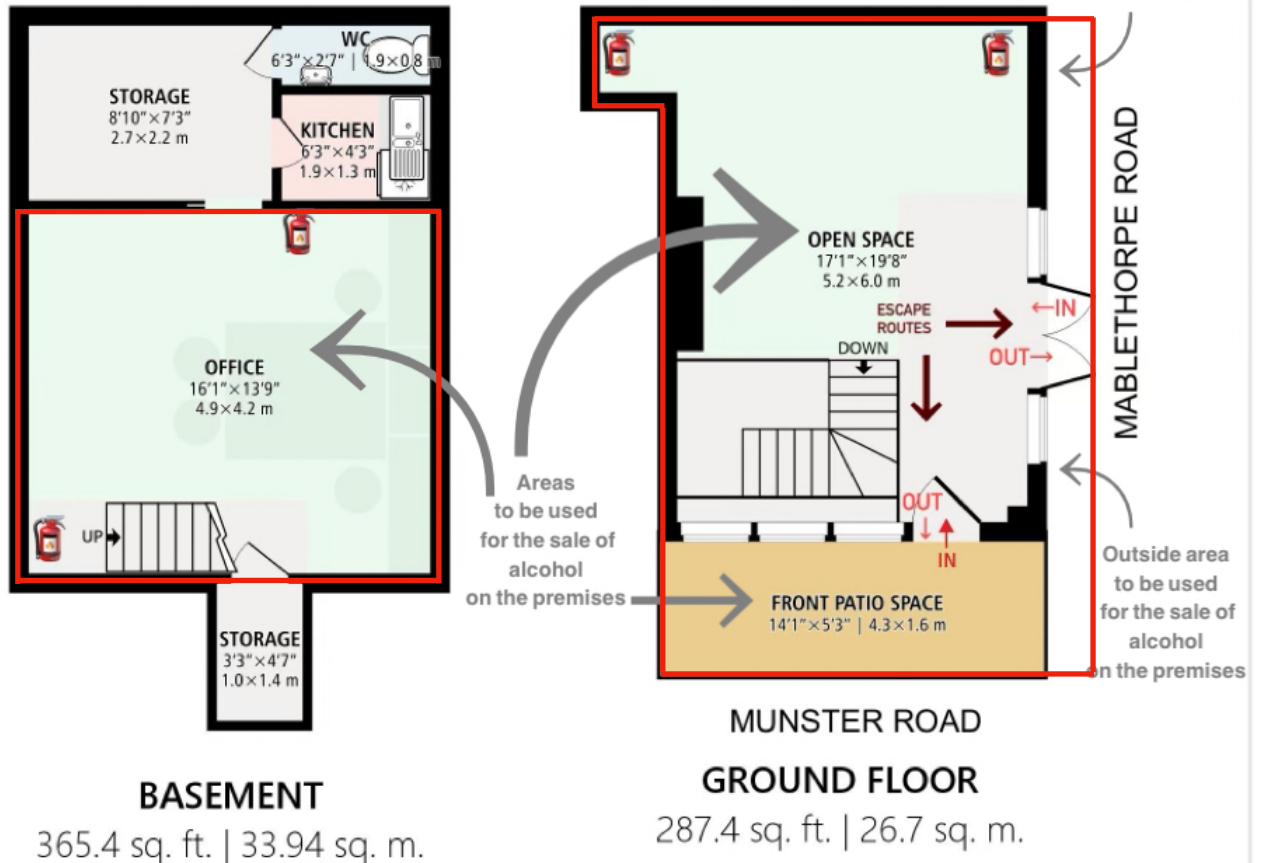
Date

29/09/2021



COMMERCIAL UNIT

Total gross internal area:
652.8 sq. ft. | 60.64 sq. m. (approximate)



Disclaimer: This floor plan is for illustrative purposes only. Whilst every attempt has been made in accordance with RISC Property Measurement Standards to ensure the accuracy of the plan contained here, measurements of doors, windows, fixtures and any other items are approximate. All measurements for the individual area lengths and widths are maximum, metered at the widest points. Due to rounding, numbers may not add up precisely. Plots and gardens are illustrative only and excluded from all area calculations. The services, systems and appliances shown have not been tested and no guarantee to their working order can be given.

From: Tom Stewart
Sent: 18 October 2021 12:52
To: Ivailo Penev
Cc: Licensing HF: H&F; Cardwell Kris J - AW-CU; Asante William: H&F
Subject: Re: Licensing Act 2003 - Premises Number: 2021/01134/LAPR

Dear Mr Penev,

Thank you getting back to me and agreeing to the proposed conditions. I have copied in the Licensing Authority for their information. To confirm, the agreed conditions as follows

1. High Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - shall be checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, full length image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.
 - recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
 - footage shall be provided free of charge to Police or authorised council officer within 24 hours of a request.
 - a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times. This staff member will be able to show police or authorised officers of the Licensing Authority recent data footage with the minimum of delay when requested. This data or footage reproduction shall be almost instantaneous
2. The sale of alcohol for the consumption ON the premises shall be restricted to pre-booked tasting events only. A record of the events will be kept and made available to the police or authorised officers from the local authority. There shall be no consumption of alcohol permitted directly outside or adjacent to the premises.
3. Beer, lager, cider or stout above 5.5% ABV shall not be sold. This restriction shall not apply in respect of specialist branded premium priced products, for example Craft ales, local or micro-brewery specialist products.
4. All staff responsible for selling alcohol shall receive training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made available to police and authorised officers of the Licensing Authority on request. This training will be repeated at least at least biannually. New members of staff will receive the training prior to selling alcohol
5. A daily incident log (electric or paper based) shall be kept at the Premises and made available on request to an authorised officer of the Council or the Police or the Fire Service which shall record the following:
 - (a) all crimes reported to the venue
 - (b) all ejection of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service

Please feel free to get in touch if I can be of assistance going forward

Kind Regards

Tom

Pc Tom Stewart | Licensing Officer | Hammersmith and Fulham Borough - Licensing Team
Hammersmith Police Station

From: Ivailo Penev
Sent: 18 October 2021 12:19
To: Stewart Tom - AW-CU
Subject: Re: Licensing Act 2003 - Premises Number: 2021/01134/LAPR

Good afternoon Mr Stewart,

Thank you for your confirmation email. I can now confirm that you can add all the suggested conditions to the application. I look forward to hearing from you.

Kind regards,
Ivailo Penev

On 18 Oct 2021, at 09:44, Tom Stewart wrote:

Good morning Mr Penev,

I can confirm that conditions 3 will NOT restrict that sales of wines or spirits. The condition is designed to restrict the cheaper high strength beers and ciders that attract street drinkers and lead to alcohol related anti-social behaviour.

Kind regards

Tom

Pc Tom Stewart | Licensing Officer | Hammersmith and Fulham Borough - Licensing Team
Hammersmith Police Station

From: Ivailo Penev
Sent: 18 October 2021 09:30
To: Stewart Tom - AW-CU
Subject: Re: Licensing Act 2003 - Premises Number: 2021/01134/LAPR

Dear Mr Stewart,

Thank you for your email. Before we proceed, I only need to confirm with you that condition 3 is not restricting me from selling wine and spirits to be consumed OFF the premises. I look forward to your response.

Kind regards,
Ivailo Penev

On 15 Oct 2021, at 10:47, Tom Stewart wrote:

Dear Mr Ivailo,

Thank you for your prompt response and clarification around the nature and operation of the business. Further to this I would request that the following conditions are added to the application in order to assist in the promotion of the licensing objectives:

1. High Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities or customers are on the premises and;
 - shall be checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request
 - at least one camera will show a close-up of the entrance/entrances to the premises, to capture a clear, full length image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.
 - recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
 - footage shall be provided free of charge to Police or authorised council officer within 24 hours of a request.
 - a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times. This staff member will be able to show police or authorised officers of the Licensing Authority recent data footage with the minimum of delay when requested. This data or footage reproduction shall be almost instantaneous
2. The sale of alcohol for the consumption ON the premises shall be restricted to pre-booked tasting events only. A record of the events will be kept and made available to the police or authorised officers from the local authority. There shall be no consumption of alcohol permitted directly outside or adjacent to the premises.
3. Beer, lager, cider or stout above 5.5% ABV shall not be sold. This restriction shall not apply in respect of specialist branded premium priced products, for example Craft ales, local or micro-brewery specialist products.
4. All staff responsible for selling alcohol shall receive training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Staff shall sign to confirm that they have received and understood the training. Written records of this training shall be retained and made

available to police and authorised officers of the Licensing Authority on request. This training will be repeated at least at least biannually. New members of staff will receive the training prior to selling alcohol

5. A daily incident log (electric or paper based) shall be kept at the Premises and made available on request to an authorised officer of the Council or the Police or the Fire Service which shall record the following:
 - (a) all crimes reported to the venue
 - (b) all ejection of patrons
 - (c) any complaints received
 - (d) any incidents of disorder
 - (e) seizures of drugs or offensive weapons
 - (f) any faults in the CCTV system
 - (g) any refusal of the sale of alcohol
 - (h) any visit by a relevant authority or emergency service

Please read through these conditions carefully and if you are are happy to add them to the application, let me know by return email. I will then forward to the Licensing Authority so that the application can be amended,

Kind Regards

Pc Tom Stewart | Licensing Officer | Hammersmith and Fulham Borough - Licensing Team
Hammersmith Police Station

From: Ivailo Penev
Sent: 13 October 2021 10:51
To: AW Mailbox - Licensing
Subject: Re: Licensing Act 2003 - Premises Number: 2021/01134/LAPR

Dear Mr Stewart,

We have applied for the ON sales in order to have an option for tastings and similar events. The premises have been classified by the planning authorities for class E business use and I understand we cannot operate as a pub/bar. The ON sales would only be ancillary and social gatherings or activities will not be encouraged in any format. The place's primary business would be a high end off-licence/beer boutique. I look forward to your decision. Please, do not hesitate to contact me if you have any further questions.

Kind regards,
Ivailo Penev

On 12 Oct 2021, at 11:47, AWMailbox.Licensing@met.police.uk wrote:

Dear Tipple Bar Ltd,

My name is Pc Tom Stewart and I am one of the Police Licensing Officers who covers Hammersmith and Fulham borough. My colleague, Pc Kris Cardwell is cc'd.

I am in receipt of your application for **Tipple Hub 239 Munster Road London SW6 6BT.**

The following licensable activities have been applied for:

Licensable activities sought:

The sale of alcohol both on and off the premises

Days and times sought:

Monday to Sunday between 11:00 between 23:00

Prior to consulting on your application further, please could you provide some further detail in regard to the ON sales. Do you intend to do tasting sessions/events or do you intend to operate as a pub/bar?

It is important for me to understand your intentions so that the appropriate conditions can be proposed.

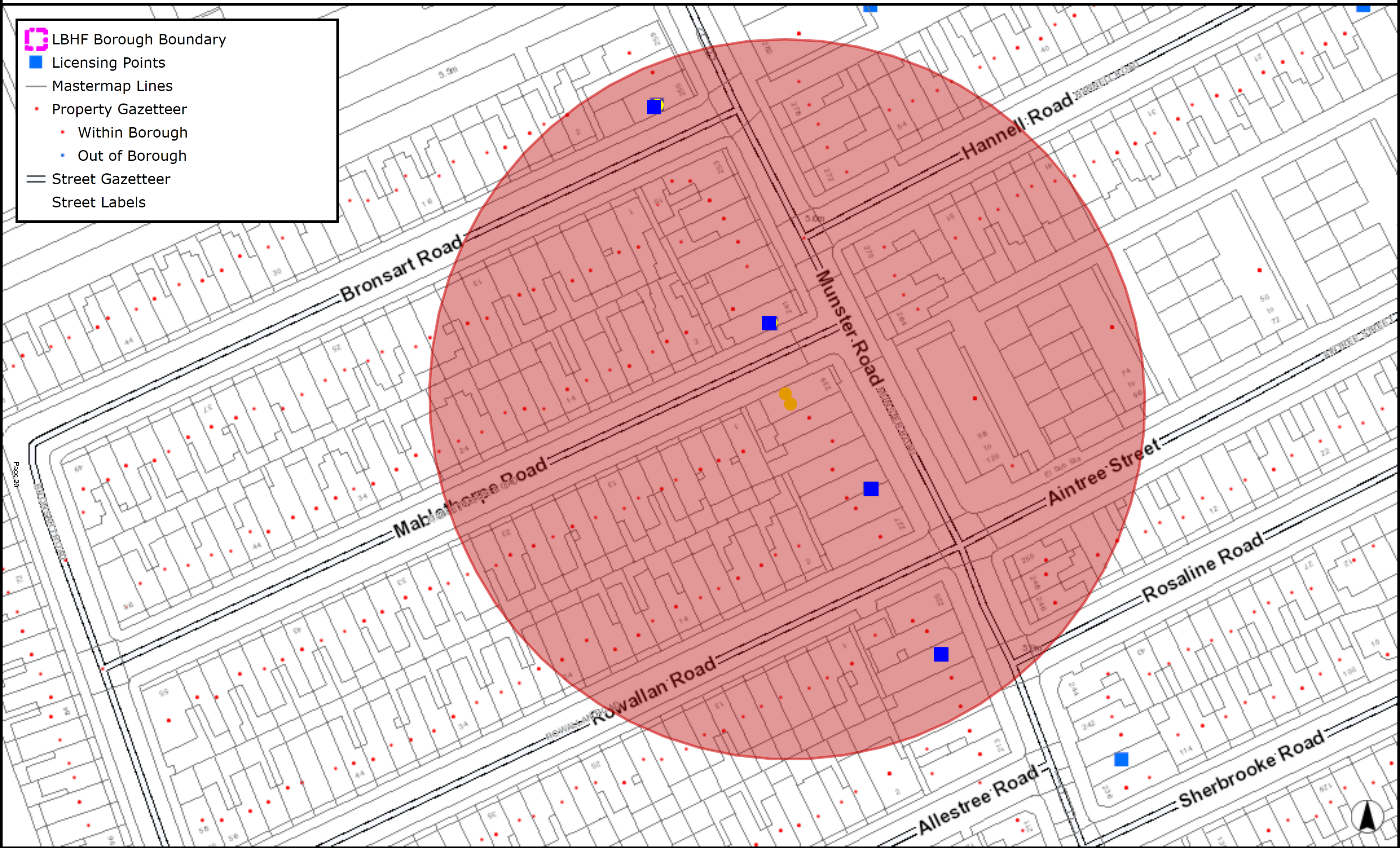
I look forward to hearing from you. Please feel free to contact me by phone or email.

Kind Regards

Pc Tom Stewart | Licensing Officer | Hammersmith and Fulham Borough - Licensing Team
Hammersmith Police Station

London Borough of Hammersmith & Fulham

- LBHF Borough Boundary
- Licensing Points
- Mastermap Lines
- Property Gazetteer
 - Within Borough
 - Out of Borough
- Street Gazetteer
- Street Labels



Reference	Name	Address	Activities	Monday - Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2015/00872/LAPR	Bellillo	255 Munster Road London SW6 6BW	Late Night Refreshment	23:00 - 00:00							
			Sale of Alcohol On the Premises Only		12:00 - 23:30	12:00 - 23:30	12:00 - 23:30	12:00 - 23:30	12:00 - 23:30	10:00 - 23:30	10:00 - 23:30
2020/01008/LAPR	Retro Café	241 Munster Road London SW6 6BS	Sale of Alcohol Both On and Off the Premises	10:00 - 22:00							
2020/00259/LAPR	Co-Operative	227 - 233 Munster Road London SW6 6BT	Sale of Alcohol Off the Premises Only	07:00 - 23:00							
2020/00322/LAPR		221 Munster Road London SW6 6BU	Sale of Alcohol Off the Premises Only		09:00 - 23:00	09:00 - 23:00	09:00 - 23:00	09:00 - 23:00	09:00 - 23:00	09:00 - 23:00	10:00 - 22:30

From: Bryn Jones
Sent: 08 October 2021 13:12
To: Licensing HF: H&F
Cc: Giorgia Grassia
Subject: 239 Munster Road Licensing Application - 2021/01134/LAPR

To whom it may concern,

We are the owners of the leasehold property located at Munster Road (the property above the site to which the application "Tipple Bar Ltd, 239 Munster Road" (2021/01134/LAPR) relates). We wish to dispute the application.

1. The proposed action constitutes development by virtue of it being a material change in use of the land (a change from an interior design studio to a bar/restaurant). That is a change from use class A1 to use class A3. Any change in use class constitutes development and there does not seem to be any corresponding planning permission application to support this change in use. Please note we would also seek to dispute the planning permission.
2. Our lease agreement for Munster Road (between ourselves and the freeholder of 239 Munster Rd) contains a clause expressly restricting the freeholder from allowing the ground floor premises to be used as a bar. We can provide a copy of this if helpful. Accordingly, any licence (were it to be granted) would not be able to be implemented as it would directly breach that restriction and/or would give rise to a breach of contract claim.
3. We purchased our leasehold property on the basis that the downstairs property was not, and could not, be used as a food or beverage operation. This was an important consideration for us when deciding whether or not to acquire the property. To allow the change in use would have a significantly detrimental effect on our use and enjoyment of our property (i.e. noise, increase of people, possible damage caused by intoxicated people etc).
4. The application is not in line with the purposes or principles of the Licensing Act 2003.

Very happy to discuss.

Kind regards,
Bryn Jones and Giorgia Grassia
Munster Road, SW6 6BT

Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below. Comments were submitted at 20/10/2021 3:56 PM from Mrs Jackie Leahy.

Application Summary

Address: 239 Munster Road London SW6 6BT

Proposal: Licensing Act - Premises Licence

Case Officer: Mr William Asante

[Click for further information](#)

Customer Details

Name: Mrs Jackie Leahy

Email:

Address: The Byway Sutton Surrey

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 20/10/2021 3:56 PM It is unclear from the proposed activities if:

1. any brewing processes will be undertaken on site as this would require further investigation regarding smell and noise considerations.

2. "on site" alcohol consumption effectively constitutes the operation of a Bar which may require a formal change of use application and further considerations regarding noise, disorder and crime.

The premises at 239 Munster Rd is in a densely populated and affluent residential area commonly known as Munster Village. The local vicinity is already saturated by the availability of alcohol from multiple independent retail operators, and both CoOp and Tesco's are within 50/100 yards.

There is already late-night alcohol available at a Music Bar/Diner on the adjacent corner of Mablethorpe / Munster Rd,

(which would involve further noise / nuisance / crime considerations if this application is effectively for another bar). There are also many local restaurants serving alcohol and pubs The Captain Cook and The Bedford Arms are within 1/2 mins walk.

In addition, Fulham Cross Girls School for 11-19-year-old children is about 100 yards away and Fulham Cross Academy, Kingswood Rd, is circa 400 yards away which the proposed Licence application cannot be considered as a positive activity for the high density of young children / adults attending these education centres in the local area.

Leases to the first & second floor flats above the premises explicitly prohibit the ground floor premises from operating as a bar, restaurant or cafe.

Comments summary

Dear Sir/Madam,
Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 27/10/2021 9:25 PM from Chloe Smith.

Application Summary

Address: 239 Munster Road London SW6 6BT

Proposal: Licensing Act - Premises Licence

Case Officer: Maria Dimitriou

[Click for further information](#)

Customer Details

Name: Chloe Smith

Email:

Address: Munster road London

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

Comments: 27/10/2021 9:25 PM It is not clear from the license request what activities will be in scope for the licence - the mention of Sales of Alcohol On and Off the Premises indicates the possibility of a bar opening.

We already have a late-night alcohol venue the Music Bar/Diner which is next door to 239 Munster road - therefore an additional bar would increase noise/crime/ nuisance for our neighbourhood.

There are numerous restaurants, pubs all within walking distance, along with supermarkets serving alcohol so again an addition to this is concerning for the neighbourhood/seems unnecessary.

The request also does not outline whether any brewing will be taking place onsite which again would have noise and smell implications/considerations.

I also understand that leases to the first & second floor flats above the premises prohibit the ground floor premises from operating as a bar, restaurant or cafe.

From: Alexandra Swann
Sent: 21 October 2021 21:17
To: Licensing HF: H&F
Subject: application 2021/01134/LAPR

I am writing to complain about the application of a license for a bar at 239 Munster Road. I live at flat Munster Road SW6 6BT. My name is Alexandra Swann and I am the owner of the flat in which I live with my mother and two teenage daughters.

I am extremely worried as this would affect our quality of life a great deal. The bedrooms are facing the street and there would be noise and possibly drunken behaviour till late at night. My daughters are at school and need to be in bed by 9.

My mother has heart issues and needs to rest a great deal.

Thank you for your assistance with this.

Warm wishes and thanks
Alexandra

Alexandra Swann

From: Ivailo Penev
Sent: 09 November 2021 07:59
To: Dimitriou Maria: H&F
Subject: Re: Premises Licence application number: 2021/01134/LAPR

Dear Ms Dimitriou,

Thank you for your email and the pdf copy of the representations that is attached. I have read them carefully and completely sympathise with the opinion of the members of the local community that I would love to be part of. I wish to clear the misunderstanding caused by my application for ON sales that was solely intended to include occasional tasting events with educational purpose rather than entertainment and would not have caused nuisance, noise pollution or danger to the public as suggested. The model of the business intended to be is an independent shop selling craft beer, fine wine and spirits in sealed containers to be consumed off the premises. No change of use will be applied for and the business would definitely not operate as a drinking establishment or hospitality venue in any form. Also, no seating area, loud(licensed) music or any other entertainment will be provided as well as no brewing will occur on site as suggested by two of the disputes. All these conditions were meant to be added to the application by the Metropolitan Police in addition to other conditions that will promote the four licensing objectives as you can see in my correspondence with PC Tom Stewart in the forwarded email below.

I apologise in advance for the length of this email but I would like to take the chance to quickly address the representations individually too:

Re: Bryn Jones and Giorgia Grassia at Munster Road(the property above)

1. The property falls within (the newly introduced) class E. No change of use will be applied for and the business would not operate as a drinking establishment or hospitality venue in any form.
2. No seating area, loud(licensed) music or any other entertainment will be provided as well as see 1.
3. The business will operate as an independent shop selling craft beer, fine wine and spirits in sealed containers to be consumed off the premises. Please, see 1. and 2.
4. Please see 1., 2. and 3.

Re: Mrs Jackie Leahy at The Byway Sutton Surrey

1. No brewing processes or any similar activities involving smell or noise will be undertaken.
2. The business will aim to operate as an independent shop selling craft beer, fine wine and spirits in sealed containers to be consumed off the premises. The property falls within (the newly introduced) class E. No change of use will be applied for and the business would not operate as a drinking establishment or hospitality venue in any form. No seating area, loud(licensed) music or any other entertainment will be provided.

Re: Alexandra Swann at Munster Road

The business will aim to operate as an independent shop selling craft beer, fine wine and spirits in sealed containers to be consumed off the premises. The property falls within (the newly introduced) class E. No change of use will be applied for and the business would not operate as a drinking establishment or hospitality venue in any form. No seating area, loud(licensed) music or any other entertainment will be provided.

Re: Maria Teresa Patterson

The business will aim to operate as an independent shop selling craft beer, fine wine and spirits in sealed containers to be consumed off the premises. The property falls within (the newly introduced) class E. No change of use will be applied for and the business would not operate as a drinking establishment or hospitality venue in any form. No seating area, loud(licensed) music or any other entertainment will be provided.

Re: Chloe Smith

The business will aim to operate as an independent shop selling craft beer, fine wine and spirits in sealed containers to be consumed off the premises. The property falls within (the newly introduced) class E. No change of use will be applied for and the business would not operate as a drinking establishment or hospitality venue in any form. No seating area, loud(licensed) music or any other entertainment will be provided. Also, no brewing processes or any similar activities involving smell or noise will be undertaken.

I look forward to your decision and the possible outcome of the application. Please do not hesitate to contact me should you have any further enquiries.

Kind regards,

Ivailo Penev

From: Mark Leahy
Sent: 11 November 2021 10:52
To: Dimitriou Maria: H&F
Cc: Jackie Leahy
Subject: Re: Further clarifications - 2021/01134/LAPR - Tipple Hub 239 Munster Road London SW6 6BT

Maria

Many thanks for the feedback and clarification in respect of the proposed licence application.

Whilst these do partly mitigate some aspects of our concerns, currently there remains the potential for a large group of people (say up to 50) to be consuming alcohol 7 days a week, for up to 12 hours a day, [until 11pm](#) every night, with audible music, which would be highly undesirable and detrimental to the local community. Could you please seek further clarification regarding these aspects of the proposed business activities, and commitments / conditions which the Applicant would be happy to be attached to the Licence.

At this point, we therefore remain of the opinion that:

1. The location is a densely populated affluent residential area and the proposed licence would be detrimental to the character of our local neighbourhood.
2. The local vicinity is already saturated with the availability of alcohol by way of 2 supermarkets Coop (30 yards away) & Tesco's (100 yards away) who both sell alcohol until 11pm / 7 days per week, two pubs and numerous restaurants / retail outlets selling alcohol within very close proximity. In addition to a music/ diner / bar on the adjacent corner of Mablethorpe Rd, (10 yards away) serving alcohol up to 10pm daily.
3. There are 2 schools within 100/400 yards.

At this juncture, we therefore continue to object to the proposed licence application.

Mark & Jackie