

# Licensing Sub-Committee

## Agenda

Wednesday 7 December 2022 at 6.30 pm

This meeting will be held remotely

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

### MEMBERSHIP

Administration:	Opposition:
Councillor Mercy Umeh (Chair) Councillor Paul Alexander (Vice-Chair)	Councillor Dominic Stanton

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### Public Notice

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

Date Issued: 29 November 2022

# Licensing Sub-Committee Agenda

7 December 2022

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1.	<b>APOLOGIES FOR ABSENCE</b>	
2.	<b>DECLARATIONS OF INTEREST</b>  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.  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.  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.  Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.	
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# Agenda Item 3

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## 1. THE APPLICATION

On 2<sup>nd</sup> September 2022, Simmons Street Light Fulham Limited (“the applicant”) submitted an application to vary the premises licence in respect of the premises known as Simmons Bar, 374 North End Road London SW6 1LY.

### 1.1 Current Hours of Operation

The premises currently benefit from a premises licence. The current premises licence permits the following:

#### **Performance of live music – indoors only**

Monday to Sunday 18:00 - 00:00

#### **Performance of recorded music – indoors only**

Monday to Sunday 10:00 - 00:00

#### **Entertainment Similar to Music or Dance -Indoors Only**

Monday to Sunday 10:00 - 00:00

#### **Sale of Alcohol On the Premises**

Monday to Sunday 11:00 - 23:45

#### **The opening hours of the premises**

Monday to Sunday 08:00- 00:00

A copy of the current premises licence and plan can be seen on pages 16-26 of this report.

### 1.2 Application Requested

The applicant has applied to vary the hours for all licensable activities on the premises licence and add, remove and vary some conditions as outlined below:

#### **Performance of live music – indoors only**

Sunday to Wednesday 18:00 - 00:00

Thursday to Saturday 18:00 - 01:00

#### **Performance of recorded music – indoors only**

Sunday to Wednesday 10:00 - 00:00

Thursday to Saturday 10:00 - 01:00

#### **Performance of anything of a similar description to live music, recorded music or performances of dance- indoor only**

Sunday to Wednesday 10:00 - 00:00

Thursday to Saturday 10:00 - 01:00

#### **Sale of alcohol – on the premises**

Sunday to Wednesday 11:00 - 23:45

Thursday to Saturday 11:00 - 01:00

**The opening hours of the premises**

Sunday to Wednesday 08:00 - 00:00

Thursday to Saturday 08:00 - 01:30

**To add the following conditions:**

- There shall be no admittance or re-admittance to the premises after 00:30, except for patrons permitted to temporarily leave the premises (e.g., to smoke or make a phone call)
- The Premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters.
- Condition 32 amended to:- A minimum of two SIA licensed door supervisors shall be on duty at the premises from 20:00 on Thursday, Friday and Saturday.
- The premises shall operate a dispersal policy and all staff shall be trained in its implementation.
- On days when Chelsea Football Club are playing at home there shall be a minimum of two door supervisors on the premises from 3 hours before the advertised kick off time until three hours after the match has been completed
- On days when Chelsea Football Club are playing at home plastic glasses shall be used for three hours before the advertised kick off time until three hours after the match has been completed.

**To replace conditions 11, 12 and 13 with the below updated wording:**

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 the 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 the 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.
- Appropriate signage shall be displayed in prominent positions, informing customers they are being recorded on CCTV.

Condition 31 be replaced with updated wording:

The incident record shall be kept on the premises and be available for inspection by the Police or authorised officers of the Licensing Authority at all times the premises is opened.

**To amend condition 16 to read as:**

A Proof of Age scheme shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification. The Premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters.

**To remove condition 25:**

The premises shall use chip and pin covers on all payment devices.

A copy of the application form and proposed conditions can be seen on pages 27-44 of this report.

### **1.3 Applicant's Operating Schedule**

The applicant has proposed further additional steps to promote the four licensing objectives if the application is granted. A copy of the proposed conditions can be seen on page 43-44 of this report.

On 06 September 2022, following correspondence received from the Noise and Nuisance Team, the applicant agreed to add three further conditions to the licence, if granted. A copy of this correspondence can be seen on pages 45-46 of this report.

Proposed conditions:

- All external doors and windows shall be kept closed after 10pm during the provision of regulated entertainment, save during access and egress.
- A responsible member of staff shall carry out proactive noise assessments outside the premises at the boundary of the nearest residential property during the provision of regulated entertainment and take any necessary remedial action.
- A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised Council officers at all times the premises are open

## **2. BACKGROUND**

The main access to the premise's unit is located on North end 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 47-49 of this report.

There are several options for transport away from the area including buses and taxis which run from in and around North end road area. Fulham Broadway tube station is a 5-minute walk away, Parsons Green tube station is a 6-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 one representation from the Member of Parliament for Chelsea & Fulham objecting to the licence application. A copy of the representation can be seen on pages 50 of this report.

The licensing section received four representations from local residents objecting to the licence application. A copy of the representations can be seen on pages 51-55 of this report.

In response to representations the applicant provided written submissions in support of the application together with a copy of a pre-application advice report, Simmons Bar Anti-Drink Spiking Policy, Simmons Bar Drugs Policy and Simmons Bar Dispersal Policy. The written submissions and policies can be seen on pages 56-71.

### 4. OTHER INFORMATION

#### 4.1 Enforcement History

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

#### 4.2 Temporary Event Notices (“TENS”)

Thirteen TENS have been submitted in respect of this premises in the past twelve months, details of these TENS can be seen below:

REF	DETAILS	Start Date	End Date
2021/01318/LAT EMP	Temporary Event Notice for no more than 200 people Sale of Alcohol on the premises and Regulated Entertainment Start date: Friday 03 December 2021 to Sunday 05 December 2021 from 00:00-02:00 each day	03/12/2021	05/12/2021
2021/01319/LAT EMP	Temporary Event Notice for no more than 200 people Sale of Alcohol on the premises and Regulated Entertainment Start date: Friday 10 November 2021 to Sunday 12 November 2021 from 00:00-02:00 each day	10/12/2021	12/12/2021
2021/01320/LAT EMP	Temporary Event Notice for no more than 200 people Sale of Alcohol on the premises and Regulated Entertainment Start date: Friday 17 November 2021 to Sunday 19 November 2021 from 00:00-02:00 each day	17/12/2021	19/12/2021

2021/01325/LAT EMP	Temporary Event Notice for no more than 200 people Sale of Alcohol on the premises and Regulated Entertainment Start date: Saturday 27 November 2021 to Sunday 28 November 2021 from 00:00-02:00 each day	27/11/202 1	28/11/20 21
2021/01352/LAT EMP	Temporary Event Notice, Simmons Bar: Applicant has an existing licence and proposes a TEN to extend the hours for the sale of alcohol and regulated entertainment at a New Year's Eve event. The sale of alcohol on the premises only and the provision of regulated entertainment for no more than 200 people on Saturday 01 January 2022 between 00:00 – 04:00 for both licensable activities.	01/01/202 2	01/01/20 22
2022/00401/LAT EMP	Temporary Event Notice Simmons Bar: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol and regulated entertainment during the Easter Bank Holiday period. The sale of alcohol and the provision of regulated entertainment for no more than 220 people. The sale of alcohol on Friday 15 <sup>th</sup> April 2022 to Sunday 17 <sup>th</sup> April between the hours of 00:00 02:00 each day Regulated Entertainment Friday 15 <sup>th</sup> April 2022 to Sunday 17 <sup>th</sup> April between the hours of 20:00 02:00 each day	15/04/202 2	18/04/20 22
2022/00402/LAT EMP	Temporary Event Notice Simmons Bar: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol and regulated entertainment during the May Bank Holiday period. The sale of alcohol and the provision of regulated entertainment for no more than 220 people. The sale of alcohol Friday 29 <sup>th</sup> April 2022 and Saturday 20 <sup>th</sup> April 2022 between the hours of 00:00 02:00. Sunday 1 <sup>st</sup> May 2022 between the hours of 23:45 to 02:00. Regulated Entertainment Friday 29 <sup>th</sup> April 2022 between the hours of 20:00 to 02:00 Saturday 30 <sup>th</sup> April 2022 and Sunday 1 <sup>st</sup> May between the hours of 20:00 to 03:00	29/03/202 2	01/04/20 22
2022/00403/LAT EMP	Simmons Bar: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol and regulated entertainment. The sale of alcohol and the provision of regulated entertainment for no more than 220 people. The sale of alcohol Thursday 2 <sup>nd</sup> June to Saturday 4 <sup>th</sup> June Between the hours of 00:00 to 02:00 Regulated Entertainment Friday 3 <sup>rd</sup> June to Sunday 5 <sup>th</sup> June Between the hours of 20:00 to 02:00	02/06/202 2	05/06/20 22
2022/00934/LAT EMP	Temporary Event Notice Simmons Bar: The premises has an existing licence (2021/00450/LAPR) and the applicant wishes to extend the hours for the sale of alcohol and regulated entertainment during the bank holiday weekend. The bar shall close between 23:45 to 00:00 each day. The sale of alcohol on the premises only and the provision of regulated entertainment for no more than 220 people. Saturday 27 <sup>th</sup> August to Monday 29 <sup>th</sup> August between the hours of 00:00 to 02:00 each day for all licensable activities.	27/08/202 2	29/08/20 22



2022/01719/LAT EMP	Temporary Event Notice, Simmons Fulham: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol. The Sale of Alcohol on the premises only for no more than 220 people. Friday 2 <sup>nd</sup> December 2022 to Sunday 4 <sup>th</sup> December 2022 between the hours of 00:00 to 02:00 each day.	02/12/202 2	30/12/20 22
2022/01723/LAT EMP	Temporary Event Notice, Simmons Fulham: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol. The Sale of Alcohol on the premises only for no more than 220 people. Friday 16 <sup>th</sup> December 2022 to Sunday 18 <sup>th</sup> December 2022 between the hours of 00:00 to 02:00 each day.	16/12/202 2	30/12/20 22
2022/01788/LAT EMP	Temporary Event Notice, Simmons Fulham: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol. The Sale of Alcohol on the premises only for no more than 220 people. Friday 9 <sup>th</sup> December 2022 to Monday 12 <sup>th</sup> December 2022 between the hours of 00:00 to 02:00 each day.	09/12/202 2	12/12/20 22
2022/01820/LAT EMP	Temporary Event Notice, Simmons Fulham: The premises has an existing licence (2021/00450/LAPR) and the applicant proposes a TEN to extend the hours for the sale of alcohol, the bar will close for 15 mins from 23:45-00:00 on 31/12/22. The Sale of Alcohol on the premises only for no more than 220 people. Sunday 1 <sup>st</sup> January 2022 between the hours of 00:00 to 04:00.	01/01/202 3	01/01/20 23

## 5. POLICY CONSIDERATIONS

**5.1** Section 5 pages 12 and 13 of the Statement of Licensing Policy (“SLP”) states that in order to ensure the promotion of the four Licensing Objectives the Licensing Authority will require applicants to detail in their operating schedule:

- the steps proposed to promote the licensing objective of the 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;
- the steps proposed to ensure the physical safety of people using the relevant premises or place;
- how they intend to prevent nuisance arising, prevent disturbance and protect amenity so far as is appropriate to ensure that the Licensing Objectives are met. Where there is a relevant representation regarding extended hours, the Licensing Authority will not permit an extension unless it is satisfied that the Licensing Objectives would be met;
- the measures and management controls in place to protect children from harm. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

**5.2** Policy 1 page 18 confirms that The Secretary of State's Guidance states that applicants are expected to obtain sufficient information to enable them to demonstrate, the steps they propose to take to promote the licensing objectives; and that they understand the layout of the local area and physical environment including:

- a) crime and disorder hotspots;
- b) proximity to residential premises;
- c) proximity to areas where children may congregate;
- d) any risk posed to the local area by the applicants' proposed licensable activities; and
- e) participation in any local initiatives (for example, local crime reduction initiatives or voluntary schemes, such as 'Ask for Angela', local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

Applicants are expected to include positive proposals in their application on how they will manage any potential risks.

The Guidance goes on to state that 'Applicants are expected to provide licensing authorities with sufficient information in this section to determine the extent to which their proposed steps are appropriate to promote the licensing objectives in the local area. Applications must not be based on providing a set of standard conditions to promote the licensing objectives and applicants are expected to make it clear why the steps they are proposing are appropriate for the premises.'

The Licensing Authority notes the contents of these paragraphs from the Secretary of State's Guidance and, in particular, the use of the word 'expected'. Licence applications that do not in any way address the contents of these paragraphs in their operating schedules may be returned to the applicant as 'incomplete'.

**5.3** Policy 3 page 21 of the 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:

- a) 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;
- b) Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;
- c) Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;
- d) 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, anti-social behaviour (ASB), nuisance and vehicle emissions;
- e) Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative.

The Licensing Authority will closely scrutinise extended hours applications to ensure that the Licensing Objectives are met. In determining an application the licensing committee might decide that the circumstances are such that a restriction on hours is

the only appropriate means to achieve the Licensing Objectives. If an 'hours' restriction is imposed, the Licensing Authority will normally require that customers should be allowed a minimum of thirty minutes to consume alcohol.

To act as a guide for new or existing operators we have set out the suggested closing times for licensed premises below:

<b>Type of premises</b>	<b>Town centres</b>	<b>Mixed use areas</b>	<b>Residential areas</b>
Public houses, bars, or other drinking establishments	Fri – Sat 02:30 Mon - Thurs 01:00 Sun – 00:00	Fri – Sat 01:00 Mon - Thurs 00:00 Sun – 23:00	Fri – Sat 23:00 Sun – 22:00

**5.4** Policy 4 pages 22 and 23 of the SLP states that in determining an application where there has been a relevant representation the Licensing Authority will, where appropriate, take into account the cumulative effect of the number, type and density of licensed premises already existing in the area. Consideration will be given to the proximity to any drug and alcohol treatment site, A&E department or homeless hostel in a local area type remit ie applicants need to make the case for how they would not increase further problems for residents/clients nearby.

In coming to any decision regarding cumulative impact the Licensing Authority will consider other mechanisms outside of the licensing regime which may also be available to address this issue, these include but are not limited to:

- Police and other enforcement of the normal law concerning disorder and anti-social behaviour.
- Police powers to close down instantly any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises, for up to 24 hours.
- The power of the police, other responsible authorities, a local resident, business or Councillor to seek a review of the licence or certificate in question.
- Police and Local Authority power to issue a Closure Notice for up to 48 hours where serious antisocial behaviour is taking place at licensed premises under the Anti-social Behaviour, Crime and Policing Act 2014.
- To ensure that residents are protected from the negative impact of late-night local licensing activities the Licensing Authority may decide to adopt an Area Specific Cumulative Impact Policy in relation to a specific area; where the number, type and density of premises providing licensable activities is having a serious negative impact on the local community and local amenities.

**5.5** Policy 11 page 30 of the SLP states that Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour caused by people once they are away from the licensed premises and, therefore, beyond the direct control of the licensee. However, licensing is a key aspect of such control and licensing law is part of a holistic approach to the management of the night time economy.

As a matter of policy the council expects every holder of a licence, certificate or permission, to accept and be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the vicinity of their premises by taking appropriate measures and action consistent with that responsibility.

Licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden or in a smoking area, to the extent that these matters are within their control.

Population densities in this borough are high, with many residential premises located above or in close proximity to licensed premises. This means that the public nuisance and crime and disorder objectives will be of paramount concern when evaluating Operating Schedules. Licensing Committees will place high regard on the control measures put in place by the applicant to ensure that our residents are protected from the potential detrimental effects of any licensed premises

5.4 Policy 15 page 33 of the SLP in relation to drink spiking issues states that licensees and licence applicants are encouraged to establish a clear approach to preventing, identifying and addressing drink spiking in their operating schedules. This should include, but is not limited to:

- Training for door and bar staff to identify where drink spiking may be taking place, how to respond to any reported or observed instances of drink spiking, and how to report to Police.
- Offering drink spiking preventative measures, such as drink covers, serving drinks direct to customers (not leaving these unattended before being provided to customers), and keeping an eye on or clearing drinks left unattended.
- Providing customers with information on keeping safe from drink spiking.
- Operating schemes such as 'Ask for Angela' to encourage customers to seek help if they suspect drink spiking has occurred.
- Requiring the production of a drink spiking risk assessment and procedure for dealing with any such incidents.
- Displaying posters in visible locations at the premises to explain what to do in the event of a spiking incident / what a spiked drink looks like.

5.5 Policy 16 pages 33 and 34 of the SLP in relation to the safety of women and girls in licensed settings states the Licensing Authority will use its powers to regulate the night-time economy, both with specific regard to spiking incidents and more generally in relation to violence against women and girls. This may include:

- a) Using the Licensing Authority's powers to impose conditions or revoke premises licenses, where venues do not take sufficient measures to protect and provide support to customers in spiking incidents;
- b) Considering the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence in licensed premises.
- c) Requiring the presence of suitably trained and accredited door staff,
- d) Require presence of CCTV, or to introduce entry searches for example.

Licence applicants and existing licence holders are encouraged to include in their operating schedules clear policies relating to potential abuse or violence against women and girls.

This would include, but is not limited to the 'Ask for Angela' programme, Welfare and Vulnerability Engagement' training package (WAVE) for staff to identify and assist women and girls being at risk or being subjected to violence, and the implementation of clear policies in the premises on preventing and addressing violence against women and girls

**5.6** Annex 1 pages 35 and 36 of the SLP in relation to the prevention of crime and disorder states licence applicants will be expected to demonstrate the following in their operating schedules:

- a) Measures to control excessive consumption and intoxication.
- b) Consideration of any additional measures or restrictions that may be placed on alcohol sales to prevent binge drinking and promote 'sensible drinking'.
- e) Measures to demonstrate compliance Home Office guidance 'Safer Clubbing' in relation to the control of illegal drugs on their premises. They should agree a protocol with the Licensing Authority and the police on the handling of illegal drugs found on their premises.
- g) Conditions will, so far as possible, reflect local crime prevention strategies, and the Licensing Authority will also have regard to the views of the local Crime and Disorder Reduction Partnership.
- h) **Crime and disorder in the vicinity of the premises:** this may include the crime and disorder risks arising from persons queuing to enter the premises; persons exiting the premises and customers smoking eating or drinking in outdoor areas and on the highway outside the premises. This can also include crime arising from pickpockets and bag snatchers, particularly in open spaces or crowded areas where alcohol is being consumed.
- i) **alternative to glass bottles and glasses** - restricting the use of glass bottles and beer glasses to customers in preference for containers made from polycarbonate materials.
- j) **CCTV** - using CCTV inside and/or outside the premises together with appropriate procedures and having staff properly trained to use CCTV equipment
- k) **dispersal procedures** - establishing appropriate dispersal procedures to minimise the potential for crime and disorder when customers are leaving the premises.
- l) **dealing with and reporting crime and disorder** - training for staff and door security aimed at reducing crime and disorder in the premises and its vicinity and dealing with and reporting incidents if they occur.
- m) **door staff** - considering whether the premises employs a sufficient number of SIA registered door staff, whether Door Premises Supervisors check the legitimacy of the badges and whether SIA staff display their badges prominently. (Note: All door supervisors must be Security Industry Authority (SIA) registered).
- n) **drugs and weapons** - ensuring compliance with relevant guidance regarding illegal drugs and weapons. Attention should be paid to search procedures, procedures for the safe storage and surrender of seized drugs and weapons and drug awareness issues, designing out the ability to take drugs in the premises, etc.
- o) **excessive drinking** - training for staff to recognise when customers are becoming drunk and adopting appropriate 'cut off' procedures for drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.
- p) **local schemes** – joining and attending local Pubwatch meetings and participating in the Behave or Be Banned Scheme (BOBB) and/or signing up and using the Council's Safety Net Radio scheme.

q) **prevention of theft** - using bag hooks and signage to warn customers of pickpockets and bag snatchers.

**5.7** Annex 1 pages 38 to 40 of the SLP in relation to the prevention of public nuisance states that the Licensing Authority will particularly consider the following matters where they are material to the individual application:

i. 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 Page 39 reasonable steps should be taken to ensure it is fully implemented and adhered to at all times.

ii. The proximity of residential accommodation;

iii. The type of use proposed, including the likely numbers of customers, proposed hours of operation and the frequency of activity;

iv. 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;

v. The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises.

viii. 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;

ix. The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly;

x. The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents;

xi. The provision for public transport in the locality (including taxis and private hire vehicles) for patrons;

xii. The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;

xiii. The delivery and collection areas and delivery/collection times;

xv. The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards);

xviii. The generation of odour, e.g. from the preparation of food;

xix. Any other relevant activity likely to give rise to nuisance;

xx. Any representations made by the Police, or other relevant agency or representative;

The following provides a non-exhaustive list of risks associated with the public nuisance objective that applicants may want to consider when preparing their Operating Schedule:

**m) Noise and/or vibration breakout from the provision of regulated entertainment, particularly from (but not limited to) live music** – consider what type of entertainment is to be provided, in what room/area of the premises and the suitability of the construction of this room/area to contain sound. Windows are a particular weak-point for noise break-out so consider providing regulated entertainment in a room without windows or with as few windows as possible, particularly windows that face towards nearby residential properties.

Where suitable, install a lobby to prevent spillage of noise each time an entrance/exit door is opened.

o) **Odour** – odour from cooking is a common source of complaint, particularly from restaurants and fast[1]food takeaways. The Council’s Noise and Nuisance Service may therefore require evidence that the kitchen ventilation and/or extract systems are regularly maintained and serviced to ensure that it is operating efficiently and with minimal nuisance to neighbours arising from odour and also noise. This includes the siting of BBQs.

p) Queue management - establishing appropriate procedures to avoid the need for customers to queue before entering the premises or, where queuing cannot be avoided, to manage queues so as to minimise the potential for crime and disorder or public nuisance by customers who are queuing.

q) **Ventilation** – where regulated entertainment is to be provided there may be a requirement to keep doors and/or windows closed during its provision to limit noise breakout, consider therefore the provision of air conditioning for the comfort of your customers if doors and windows have to be closed during the summer. However, also note air conditioning can be the source of noise complaints in itself, so careful consideration also needs to be given to the siting of this equipment.

r) **Waste** – consider how and where waste will be stored/disposed of at the end of trading hours, particularly if trading until late at night. This is important because the disposal of glass and/or cans to outside bin areas can be very noisy and give rise to complaints, so it may be necessary to store such items and other non-degradable refuse inside the premises until the next trading day. Consideration should also be given to the time of deliveries to minimize disruption to local residents.

## **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 the representations.

# Licensing Act 2003

## Premises Licence



**Premises Licence Number:** 2021/00450/LAPR

### Part 1 – Premises details

#### Postal address of premises, or if none, OS map reference or description of the premises

Simmons Bar  
374 North End Road

**Post town:** London

**Post code:** SW6 1LY

**Telephone:**

#### Where the licence is time limited the dates:

Not Applicable

#### Licensable activities authorised by the licence:

Performance of Live Music -Indoors Only  
Playing of Recorded Music -Indoors Only  
Entertainment Similar to Music or Dance -Indoors Only  
Sale of Alcohol On the Premises

#### The licence authorises the carrying out of the following licensable activities on the days and at the times specified below:

Performance of Live Music -Indoors Only  
Monday to Sunday 18:00 - 00:00

Playing of Recorded Music -Indoors Only  
Monday to Sunday 10:00 - 00:00

Entertainment Similar to Music or Dance -Indoors Only  
Monday to Sunday 10:00 - 00:00

Sale of Alcohol On the Premises  
Monday to Sunday 11:00 - 23:45

#### The opening hours of the premises:

Monday to Sunday 08:00 - 00:00



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

On the premises only

**Part 2**

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

Simmons Street Light Fulham Limited  
3rd Floor  
120 Charing Cross Road  
3rd Floor  
London  
WC2H 0JR

**Email:** kelsey@simmonsbar.co.uk

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

10640039

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

Kelsey Brennan

**Licensing Authority:**  
**Personal Licence Number:**

**Annex 1 – Mandatory Conditions**

1. Mandatory Condition

(1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

(i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

(d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

## 2. Mandatory Condition

The responsible person shall ensure that free potable water is provided on request to customers where it is reasonably available.

## 3. Mandatory Condition

1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

## 4. Mandatory Condition

The responsible person must ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

## 5. Mandatory Condition

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

## 6. Mandatory Condition

(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.

#### 7. Mandatory Condition

Where this licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each individual must be licensed by the Security Industry Authority, with the following exceptions:

- a) premises where the premises licence authorises plays or films
- b) any occasion mentioned in paragraph 8(3)(b) or (c) of Schedule 2 to the Private Security Industry Act 2001 (premises being used exclusively by a club with a club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
- c) any occasion within paragraph 8(3)(d) of Schedule 2 to the Private Security Industry Act 2001

### **Annex 2 – Conditions consistent with the operating Schedule**

8. On days when Chelsea Football Club are playing at home or on days when a Chelsea victory parade takes place, the premises shall not allow any drinking, or provision of food, in any area outside the premises for three hours before the advertised kick off time until three hours after the match has been completed

9. On days when Chelsea Football Club are playing at home there shall be one personal licence holder on duty from three hours before the advertised kick off until three hours after the match has been completed.

10. Appropriate signage shall be displayed, in a prominent position, informing customers they are being recorded on CCTV.

11. CCTV covering areas inside and outside of the premises shall be installed and maintained to police recommendations with properly maintained log arrangements. All images shall be stored for a minimum of 31 days.

12. CCTV shall comply with Data Protection Act 1998 and is to be working and recording correctly when the premises are open to the public. If the CCTV is not working then the premises shall comply with requests by police, including suspension of licensable activity.

13. A staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times that the premises are open to the public. This staff member shall be able to show police recent data footage with the minimum of delay when requested. This data or footage reproduction should be almost instantaneous.

14. A refusals book shall be kept at the premises to record details of all refusals to sell alcohol. This book shall contain the date and time of the incident, a description of the customer, the name of the staff member who refused the sale, and the reason

the sale was refused. The book shall be made available to Police and authorised Council officers on request.

15. The Designated Premises Supervisor shall regularly check the refusals book to ensure it is being consistently used by all staff.

16. A Proof of Age scheme shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification.

17. The Designated Premises Supervisor shall ensure that all existing staff, new staff, supervisors and managers receive an induction in the legality and procedure of alcohol sales, prior to undertaking the sale of alcohol. This training shall include the contents of the premises licence; times of operation, licensable activities and all conditions. Training documents shall be signed and dated, and training records be made available to a police officer or council officer on request. The records shall be retained for at least 18 months.

18. When door supervisors are on duty 'Clickers' or other recognised counting devices shall be used. An accurate log of patron numbers shall be maintained by door supervisors.

19. All door supervisors shall be provided with a handheld radio which allows communication between all members of the door supervisor team and the premise manager.

20. Policy and procedures for door staff shall be put into place around dispersal techniques for customers and procedures for dealing with incidents that occur in or around the vicinity of the premises. These will be provided to the police upon request.

21. A copy of the premises licence shall be provided to any company involved in the provision of security services at the premises.

22. All staff shall be trained in how to manage a crime scene and crime scene preservation. This training shall be repeated at least once a year and written records of the training kept on the premises and made available to Police and authorised Council officers on request.

23. Signs shall be placed in prominent positions throughout the premises requesting patrons to keep their personal property safe.

24. A member of management shall attend pub watch meetings.

25. The premises shall use chip and pin covers on all payment devices.

26. The premises shall maintain a lost property log. As a minimum this shall include details of type of property, imei numbers of mobile phones, personal details attainable and restoration efforts. This shall be available to police or council licensing officers on request.

27. The premises shall carry out random searches of members of staff leaving the premises prior to them going off duty. Staff shall be advised of this fact. A log shall be maintained of staff searches completed.

28. Any outside drinking areas of the premises shall not be used after 11pm.

29. The premises shall employ door staff at a ratio and deployment time as directed in writing by the Metropolitan Police Service.

30. Signage shall be displayed requesting patrons to leave quietly and with consideration for the local area and residents.

31. An incident book shall be kept and maintained at the premises.

32. A minimum of two SIA licensed door supervisors shall be on duty at the premises from 20:00 on Friday and Saturday

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

**Signed:**   
**Authorised Officer**

**Date: 27.05.2021**  
**Reissued Date: 26.04.2022**

**Annex 4- Plans:**

Please insert Plan at page 8

# Licensing Act 2003

## Premises Licence



### Premises Licence Summary

**Premises Licence Number:** 2021/00450/LAPR

### Premises details

**Postal address of premises, or if none, OS map reference or description of the premises**

Simmons Bar  
374 North End Road

**Post town:** London

**Post code:** SW6 1LY

**Telephone:**

**Where the licence is time limited the dates:**

Not Applicable

**Licensable activities authorised by the licence:**

Performance of Live Music -Indoors Only  
Playing of Recorded Music -Indoors Only  
Entertainment Similar to Music or Dance -Indoors Only  
Sale of Alcohol On the Premises

**The licence authorises the carrying out of the following licensable activities on the days and at the times specified below:**

Performance of Live Music -Indoors Only  
Monday to Sunday 18:00 - 00:00

Playing of Recorded Music -Indoors Only  
Monday to Sunday 10:00 - 00:00

Entertainment Similar to Music or Dance -Indoors Only  
Monday to Sunday 10:00 - 00:00

Sale of Alcohol On the Premises  
Monday to Sunday 11:00 - 23:45



**The opening hours of the premises:**

Monday to Sunday

08:00 - 00:00

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

On the premises only

**Name, (registered) address, of holder of premises licence:**

Simmons Street Light Fulham Limited  
3rd Floor  
120 Charing Cross Road  
3rd Floor  
London  
WC2H 0JR

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

10640039

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

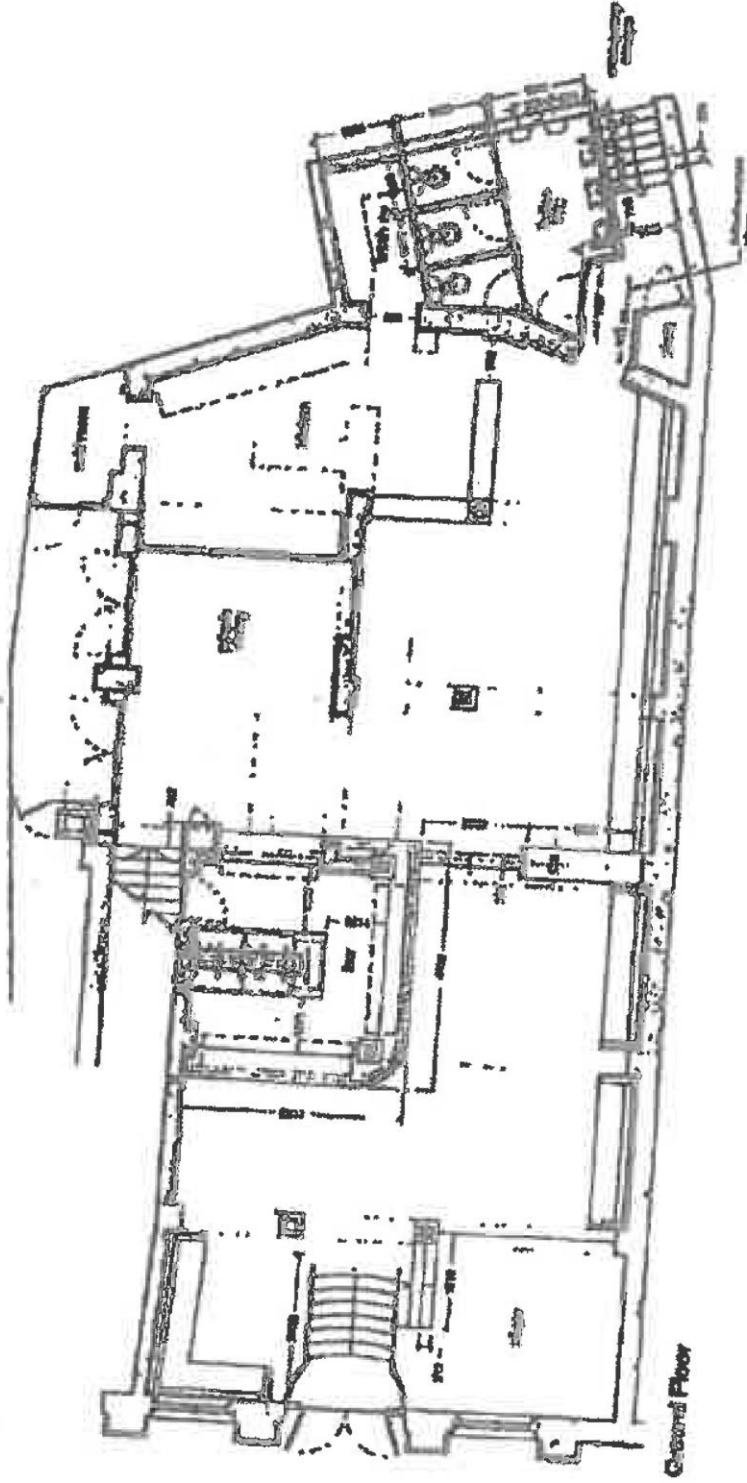
Kelsey Brennan

**State whether access to the premises by children is restricted or prohibited:**

No Restrictions

**Signed:**   
**Authorised Officer**

**Date: 27.05.2021**  
**Reissued Date: 26.04.2022**



Ground Floor



Lower Ground Floor

- 1. All work shall be in accordance with the approved plans.
- 2. All work shall be in accordance with the approved specifications.
- 3. All work shall be in accordance with the approved schedule.
- 4. All work shall be in accordance with the approved budget.
- 5. All work shall be in accordance with the approved quality control plan.
- 6. All work shall be in accordance with the approved safety plan.
- 7. All work shall be in accordance with the approved environmental plan.
- 8. All work shall be in accordance with the approved risk management plan.
- 9. All work shall be in accordance with the approved communication plan.
- 10. All work shall be in accordance with the approved stakeholder engagement plan.

**FOR APPROVAL**

Type	Proposed GA
Project	200 North 1st Street, Dallas
Client	City of Dallas
Project No.	2023-001
Revision	01/01/2024-104
Drawn By	JM

\* required information

**Section 1 of 18**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name  If the applicant's business is registered, use its registered name.

VAT number   Put "none" if the applicant is not registered for VAT.

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

64,000

### Section 3 of 18

#### VARIATION

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

Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To (1) vary the hours for all licensable activities - live music, recorded music, entertainment similar to music and dance and sale of alcohol Thursday, Friday and Saturday to 01:00 hours; (2) vary the hours for opening Thursday, Friday and Saturday to 01:30 hours; (3) to add the attached proposed conditions as stated in the attached annex A; (4) to remove conditions 11, 12, 13, 16 and 31 and replace with the wording as stated in the attached Annex A and (5) to remove condition 25. Please note that pre-application advice was sought prior to this application being lodged and we are applying on the advice of the report (pre-application advice number 2022/04603/LIAPAD)

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

### Section 6 of 18

Continued from previous page...

**PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="18:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors
  Outdoors
  Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes
  No

**Standard Days And Timings**

MONDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.



Continued from previous page...

TUESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes                       No

**Section 11 of 18**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

Start

End

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

FRIDAY

Start

Start

End

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Provide a description of the type of entertainment that will be provided.

Entertainment Similar to Music or Dance

Will this entertainment take place indoors or outdoors or both?

- Indoors       Outdoors       Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for entertainment.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for entertainment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises  Off the premises  Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

*Continued from previous page...*

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

None

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

*Continued from previous page...*

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

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

List here steps you will take to promote all four licensing objectives together.

Please see the attached Annex A. All existing conditions and restrictions (save for those we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

b) The prevention of crime and disorder

Please see the attached Annex A. All existing conditions and restrictions (save for those we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

c) Public safety

Please see the attached Annex A. All existing conditions and restrictions (save for those we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

d) The prevention of public nuisance

Please see the attached Annex A. All existing conditions and restrictions (save for those we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

e) The protection of children from harm

Please see the attached Annex A. All existing conditions and restrictions (save for those we are seeking to remove/amend) attached to the current Premises Licence in relation to the promotion of the licensing objectives will continue to be in effect and will apply to the provision of licensable activities as appropriate.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.



Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 18 of 18

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

315.00

### DECLARATION

\* 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/hammersmith-and-fulham/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**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.**

**OFFICE USE ONLY**

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

**SIMMONS BAR**

**374 NORTH END ROAD LONDON SW6 1LY**

**The following conditions to be added to the licence:**

1. There shall be no admittance or re-admittance to the premises after 00:30, except for patrons permitted to temporarily leave the premises (e.g., to smoke or make a phone call)
2. The Premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters.
3. Condition 32 amended to:- A minimum of two SIA licensed door supervisors shall be on duty at the premises from 20:00 on Thursday, Friday and Saturday.
4. The premises shall operate a dispersal policy and all staff shall be trained in its implementation.
5. On days when Chelsea Football Club are playing at home there shall be a minimum of two door supervisors on the premises from 3 hours before the advertised kick off time until three hours after the match has been completed
6. On days when Chelsea Football Club are playing at home plastic glasses shall be used for three hours before the advertised kick off time until three hours after the match has been completed.

**Conditions 11, 12 and 13 be replaced with the below updated wording:**

7. 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 the 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 the 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.

8. Appropriate signage shall be displayed in prominent positions, informing customers they are being recorded on CCTV.

**Condition 16 be amended to:**

9. A Proof of Age scheme shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification. The Premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters.

**Remove condition 25:**

10. The premises shall use chip and pin covers on all payment devices.

**11. Condition 31 be replaced with updated wording**

The incident record shall be kept on the premises and be available for inspection by the Police or authorised officers of the Licensing Authority at all times the premises is opened.

12. The external doors and windows at the rear of the premises shall be kept closed at all times during the provision of regulated entertainment and should be used for egress only.

**From:** Rawlinson James: H&F  
**Sent:** 17 October 2022 12:36  
**To:** Licensing HF: H&F  
**Subject:** FW: Simmons Bar 374 North End Road London SW6 1LY Reference: 2022/01370/LAPR

Hi Licensing

See below in red the agreed conditions with the applicant. On this bases we shall now remove our objection.

- *All external doors and windows shall be kept closed after 10pm during the provision of regulated entertainment, save during access and egress.*
- *A responsible member of staff shall carry out proactive noise assessments outside the premises at the boundary of the nearest residential property during the provision of regulated entertainment and take any necessary remedial action.*
- *A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised Council officers at all times the premises are open*

**James Rawlinson**  
Noise and Nuisance Officer  
Resident services  
Hammersmith & Fulham Council

[Hammersmith & Fulham – Environmental Health and Public Protection Customer Satisfaction Survey](#)

**From:** Niall McCann  
**Sent:** 05 October 2022 15:24  
**To:** Marilyn Gayle ; Rawlinson James: H&F  
**Cc:** Nick Campbell  
**Subject:** RE: Simmons Bar 374 North End Road London SW6 1LY Reference: 2022/01370/LAPR

Hi James

Could we reword the first condition so it only applies after 10 pm? This is what the applicant has at other venues and it works well. The only complaints we are aware of concern noise outbreak from the rear fire door when inadvertently opened by patrons. Now this door is alarmed these complaints have ceased.

Look forward to hearing from you.

Best,

**Niall McCann | Partner**

*Recognised as a Leading Licensing Lawyer by Chambers & Partners and The Legal 500. Noted for Gaming and Betting by The Legal 500 2022*

KEYSTONE LAW



**From:** Rawlinson James: H&F

**Sent:** 01 October 2022 22:26

**To:** Marilyn Gayle

**Subject:** Simmons Bar 374 North End Road London SW6 1LY Reference: 2022/01370/LAPR

Hi Marylyn

Regarding this application (and subject to your agreement), we would like to see the following added as conditions on the grounds of prevention of public nuisance.

The main concern then being that potential noise breakout from a premises tends to have a disproportionately greater impact the later a premises operates.

- All external doors and windows shall be kept closed at all times during the provision of regulated entertainment, save during access and egress.
- A responsible member of staff shall carry out proactive noise assessments outside the premises at the boundary of the nearest residential property during the provision of regulated entertainment and take any necessary remedial action.
- A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised Council officers at all times the premises are open

I look forward to your response.

**James Rawlinson**

Noise and Nuisance Officer

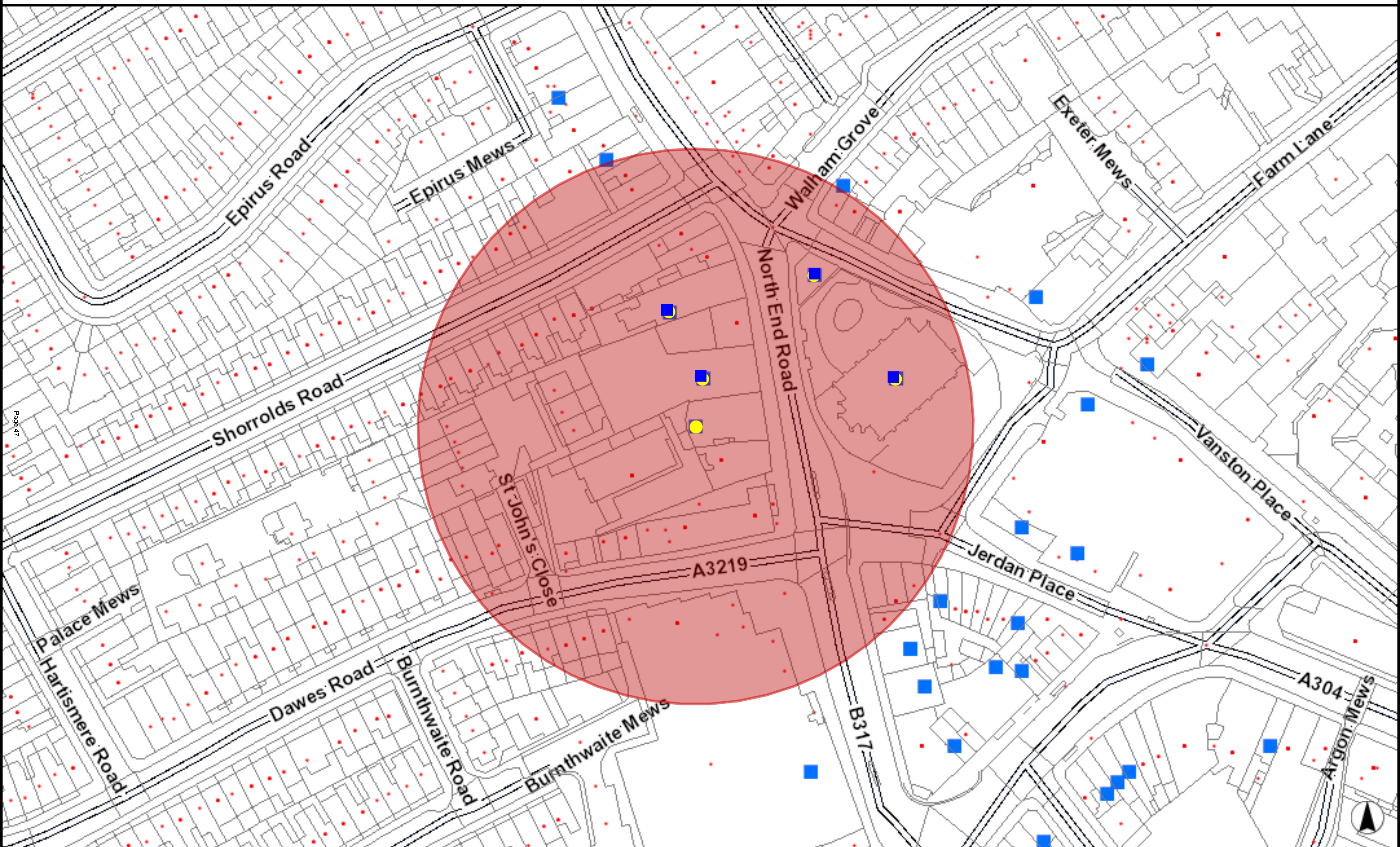
Resident services

Hammersmith & Fulham Council

[www.lbhf.gov.uk](http://www.lbhf.gov.uk)



# London Borough of Hammersmith & Fulham



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2021/00248 /LAPR	Hoxton Market Ltd	St John's Church Walham GreenNorth End RoadLondonSW6 1PB	Sale of Alcohol On and Off the Premises				09:00:00 - 18:00:00			09:00:00 - 18:00:00	
2013/01483 /LAPR	St Johns Church	St John's Church Walham GreenNorth End RoadLondonSW6 1PB	Performance of Live Music	17:00:00 - 23:00:00							
			Performance of a Play	17:00:00 - 23:00:00							
			Sale of Alcohol On the Premises	17:00:00 - 23:00:00							
2019/00248 /LAPR	Fouberts	2 Vanston PlaceLondonSW6 1AY	Sale of Alcohol On the Premises			11:00:00 - 22:30:00	11:00:00 - 22:30:00	11:00:00 - 22:30:00	11:00:00 - 22:30:00	11:00:00 - 22:30:00	11:00:00 - 22:00:00



**Rt Hon Greg Hands MP**  
Member of Parliament for Chelsea & Fulham  
House of Commons, London SW1A 0AA  
Tel: [REDACTED]

Ms Sharon Lea  
Interim Chief Executive  
London Borough of Hammersmith & Fulham  
Town Hall  
King Street  
W6 9JU

30 September 2022

Dear Ms Lea,

I am writing in relation to the Licensing Application for Simmons Bar, 374 North End Road, Fulham, London, SW6 1LY (2022/01370/LAPR).

Constituents have contacted me with their concerns about the extension of opening hours to 01:30h and that the sale of alcohol could possibly be extended to 01:00h on certain nights of the week.

Local residents are very concerned about the potential increase in anti-social behaviour, nuisance and disturbance which would be caused by the sale of alcohol on a Thursday, Friday and Saturday being extended from 23:45h to 01:00h and opening times being extended from 00:00h to 01:30h; which is well into the early hours of the morning. It has been highlighted to me that this would be against the suggested closing times for bars in mixed use areas as set out in the London Borough of Hammersmith & Fulham Statement of Licensing Policy 2022 – 2027.

Specifically, residents who live in the nearby vicinity of the bar such as Barclay Road, have expressed their apprehensiveness about more late-night licenses in their local community. Anti-social behaviour like noise and disorder is already a problem in these residential streets and my constituents are rightly concerned about a potential increase with a late-night licence being approved.

I trust that you will take the concerns of my constituents regarding this application into consideration.

Yours sincerely,

**The Rt Hon Greg Hands MP**  
Member of Parliament for Chelsea & Fulham

[www.greghands.com](http://www.greghands.com) | [mail@greghands.com](mailto:mail@greghands.com)

**From:** Charlotte Dexter

**Sent:** 27 September 2022 15:52

**To:** Licensing HF: H&F

**Subject:** HOLDING REP: 2022/01370/LAPR: extend hours to 01:30 Simmons Bar: 374 North End Road London SW6 1LY -30th Sept deadline

This is my holding Representation for this application 2022/01370/LAPR for extended hours at Simmons Bar. Residents and Ward Panel members want to suggest further conditions regarding

- 1) spiking.

The LGA has just issued helpful guidance for Conditions and best practice re the new, very real concern of spiking drinks. As this is already an alleged current issue at a famous club not far away, we believe it could be a good opportunity for Conditions re training and actual at-the-moment alleged incident management at a Premises like Simmons Bar.

- 2) entry/re-entry:

with all the rather unfortunate and illegal activity going on across at Jerdan Place and around the corner in Fulham Road at later hours, we need to better understand the procedures for not allowing re-entry. How will this be monitored?

- 3) Hours

we understand the Met Police have suggested the following hours—we are concerned about day creep ie Thursday being lumped in with Fri/Sat. As well, with all the after 23:00 problems very close by we wonder why hours should be extended at all.

The Sale of Alcohol - Both On and Off the Premises

Sundays to Wednesdays between 11:00 to 23:00

Thursdays, Fridays and Saturdays between 11:00 to 00:00

Opening Hours of the Premises

Sundays to Wednesdays between 08:00 to 23:30

Thursdays, Fridays and Saturdays between 08:00 to 00:30

- 4) What is planned for alcohol sales 'off the Premises'?

Presumably delivery. If so, the Delivery Economy needs to be addressed through various Conditions. Only last week Shell recharge station/Little Waitrose on Fulham Road submitted their own Conditions to limit their liability regarding deliveries by third-party Delivery Economy providers who are not motivated to check age IDs, and to prohibit deliveries to parks, schools and certain places that in essence are not a bona fides residential or business address.

- 5) Drinks only with a meal

We wonder about requiring that drinks served after 22:00 be served only with food, in an effort to support more responsible drinking.

- 6) further concerns

We might have other concerns that need to be addressed, thus this holding Rep, actually as a partial Representation with the five points above.

Pls read this into the record for 2022/01370/LAPR. Pls confirm back to me.

Charlotte Dexter Murray

Barclay Rd

London SW6

**Subject:** Comments for Licensing Application 2022/01370/LAPR

## Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 30/09/2022 10:16 PM from Miss Annabel Cottrell.

### Application Summary

Address: 374 North End Road London SW6 1LY

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Proposal: Licensing Act - Premises Licence

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Case Officer: Karen Layug

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[Click for further information](#)

### Customer Details

Name: Miss Annabel Cottrell

---

Email:

---

Address: Shottendane Road London

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### Comments Details

Commenter Type: Residents Group

---

Stance: Customer objects to the Licensing Application

---

Reasons for comment:

Comments: 30/09/2022 10:16 PM I reserve the right to comment further on this application as it has only just come to my attention.

However the extension of the hours particularly on a Thursday in a highly residential area will cause noise, ASB and other nuisances in contravention of the licencing principals.

Ward Panel Chair

---

Kind regards

**Subject:** Comments for Licensing Application 2022/01370/LAPR

## Comments summary

Dear Sir/Madam,

Licensing Application comments have been made. A summary of the comments is provided below.

Comments were submitted at 30/09/2022 6:57 PM from Mr Chris Rankine.

### Application Summary

Address:	374 North End Road London SW6 1LY
Proposal:	Licensing Act - Premises Licence
Case Officer:	Karen Layug

[Click for further information](#)

### Customer Details

Name:	Mr Chris Rankine
Email:	
Address:	St John's Church North End Road Fulham

### Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Licensing Application

Reasons for comment:

Comments: 30/09/2022 6:57 PM I am writing for and behalf the Parochial Church Council of St John's Church. We are objecting to the extension of the license on grounds outlined in the Licensing Act 2003. Under the objectives to prevent crime and disorder and maintain public safety, we are concerned that the extended opening hours will provide a magnet for criminal behaviour being the only establishment open late in the area. We already have drug use and selling happening and the abuse of substances such as nitrous oxide. Considering the objective of the prevention of public nuisance and the protection of children from harm, we are concerned that this late night opening is incompatible with area - the community is quite densely populated, including a significant number of children, not only in the immediate vicinity but also on the routes to public transport - a later opening creates a serious danger of public nuisance with adults and children having their sleep disturbed, the absence of footfall late at night is likely to see an increase in existing antisocial behaviours - urinating in doorways, vandalism. This area has a

healthy mix of homes, shops, pubs and eateries; allowing Simmonds to open to a much later hour than other pubs, (e.g. The Cock Pub, just a few doors down) would not only be out of character with the area, but may force the hand of other licensed premises to open later, making it potentially less safe and more harmful for residents.

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Kind regards

From: Rowena Skoulding  
Sent: 30 September 2022 12:47  
To: Licensing HF  
Subject: Ref 2022/01370/LAPR Simmons Bar 374 North End Road

Dear Sir/Madam,

I have just seen a notice on the front of Simmons Bar requesting a licence to close at 01:30(alcohol served till 01:00) on Thursday-Saturday nights.

I am concerned about the effect these proposed hours may have on local residents and believe that they extend beyond those suggested in the LBHF Licensing Policy 2022-2027, Policy 3, pp 20-21, for bars in a 'mixed-use' area, namely closing on Fri-Sat at 01:00, Mon-Thurs 00:00 and Sunday 23:00. Thursday treated as a Fri/Sat night is also not in the Policy.

I would therefore like to record my objection to this application.

Kind regards

Rowena Skoulding

Application to Vary a Premises Licence

Simmons Bar, 374 North End Road, London SW6 1LY (the “Premises”)

Applicant’s Written Submissions

1. This statement provides further information in respect of the application and seeks to address the concerns of those maintaining representations. Amplification of the points made below, together with further submissions, will be made orally at the Licensing Sub-Committee hearing if the outstanding representations are not withdrawn.

Background

2. The Premises first opened in 2016 and is one of approximately 25 Simmons Bars, all of which are located in London. The group prides itself on creating a fun and relaxed atmosphere in a safe environment. The Premises currently employs 12 people, many of whom live in the London Borough of Hammersmith and Fulham.
3. The layout of the Premises is relatively simple with the front of house all being on the ground floor. The only entrance/exit is onto busy North End Road. There is an additional fire exit to the rear next to the toilets, but this is now alarmed. There is a single bar in the centre left of the ground floor with fixed and loose furniture throughout the trading space. Above the Premises is unused office space.

Pre-App Advice

4. Formal pre-app advice was sought and a meeting held at the Premises on 5 July 2022 with council officers and the police. Although the applicant had proposed a variation to 2.00 a.m., following discussions it was agreed that 1.00 a.m. terminal hour for licensable activities was more suitable. Additional conditions were also discussed and a copy of the Pre-App Advice Report is at **appendix 1. All the suggested conditions have been adopted.**



### The Written Representations

5. Given the pre-app report the applicant was pleased, but not particularly surprised, that the Statutory Authorities – effectively independent experts – did not maintain representations. However, additional conditions were agreed with the Noise and Nuisance Team as follows:
- From 22.00 hours all external doors and windows shall be kept closed at all times during the provision of regulated entertainment, save for during access and egress.
  - A responsible member of staff shall carry out proactive noise assessments outside the premises at the boundary of the nearest residential property during the provision of regulated entertainment and take any necessary remedial action.
  - A written record of proactive external noise assessments and, where applicable, remedial actions taken shall be kept for a minimum of 31 days from the date of the last entry in the record and this record shall be available for inspection on demand by authorised Council officers at all times the premises are open.
6. Taking each concern in turn, the applicant's comments on the outstanding representations are as follows:

#### Spiking

The applicant takes the risk of spiking of drinks very seriously and already has a detailed policy in place – please see attached at **appendix 2**. Whilst spiking has not been identified at the Premises the applicant will remain vigilant and review this policy regularly.

#### Entry/Re-entry

An entry/re-entry condition was proffered with the Application. The applicant has similar conditions on other venues within its group and, with SIA door supervisors always being present

when the proposed condition will be in force, they stamp the hands of anyone temporarily leaving the Premises and only patrons with such a stamp are permitted re-entry.

### Hours

For the avoidance of doubt, the hours applied for are as agreed in advance with the police and licensing (see above). The hours sought are no longer than other venues are permitted to open in the area. For example, the Redback (which is closer to those that have raised representations) is open until 1.30 a.m. Thursday to Saturday.

### Off Sales

There is no intention to make use of the current off sale provision. Patrons at the Premises (and all other venues within the wider group) are not permitted to takeaway drinks and there is no delivery service on offer. Given the type of offer it is highly unlikely that this will change.

### Drinks only with A Meal

As the Premises operates as a bar without a kitchen it is unrealistic to only serve drinks with food after 22.00 hours, or at any other time.

### Potential Increase in Drug Use

As with spiking, the Premises operates a zero-tolerance approach to drugs. Please see attached a copy of the latest Drugs Policy at **appendix 3**. With a proactive door team which work in conjunction with the police the applicant submits that having a presence in the immediate area slightly later at night deters drug dealing/taking in the immediate vicinity.

### Licensing Policy (the "Policy")

Two of the representations state that the hours sought exceed the 'suggested' closing times for bars in Mixed Use Areas. Whilst this is indeed the case, as has been confirmed by Council Officers,

the Premises is located within Fulham's Town Centre. Therefore, the suggested closing times for public houses and bars is:

Friday and Saturday -	02:30 a.m.
Monday to Thursday -	01:00 a.m.
Sunday -	00:00 a.m.

**Therefore, the hours sought on Thursday are half an hour later than suggested but an hour earlier on Friday and Saturday.**

#### Potential Public Nuisance

7. Several representations express a fear that the extension of hours would lead to an increase in public nuisance and low-level crime and disorder. These are common concerns when a premises seeks to vary hours. However:
- there are no examples given of patrons of the Premises currently causing any nuisance;
  - with the additional conditions proffered the statutory authorities are confident that later hours will not cause public nuisance or crime and disorder;
  - the Premises has a robust dispersal policy – see attached at **appendix 4**; and
  - from the information provided, it would appear that none of the residential objectors live in the immediate vicinity of the Premises.

#### Conclusion

8. Before making this application the applicant carefully considered the Policy and sought formal pre-app advice from the statutory authorities. All their recommendations were adopted and the applicant has an enviable record of good operating practice. Given the enormous economic turmoil at present, it is vital from a competition perspective to offer similar hours to nearby

operators. Such economic factors can properly be considered in a licensing determination. In *R (o/a/o Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others* [2011] EWCA Civ 31, the Court of Appeal (per Toulson LJ) observed that [at 42]:

*'Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, **the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand**, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on.'*

9. It is hoped that the above reassures those that have raised representations. If it has, they are respectfully asked to formally withdraw their representations in the hope that the time and cost of a licensing sub-committee can be avoided. However, if doubts persist, they are urged to contact the writer, Niall McCann at [niall.mccann@keystone.law.co.uk](mailto:niall.mccann@keystone.law.co.uk) to discuss the application in more detail.

**Niall McCann**  
**Partner, Keystone Law**

## **Pre-App Advice Report**

**Dated : 11 July 2022**

**To : Niall McCann, Keystone Law**

**From: Licensing, London Borough of Hammersmith and Fulham**

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### **Licensing Act 2003**

**Premises Licence Number: 2021/00450/LAPR**

**Pre-Application Advice Number: 2022/04603/LIAPAD**

**Premises Name: Simmons Bar**

**Premises Address: 374 North End Road London SW6 1LY**

Mr Niall McCann (Solicitor for Simmons - Keystone Law) made a request for pre-application advice on a proposal to extend the hours for licensable activities and the opening hours until 02:00 on Thursdays, Friday and Saturday nights at Simmons Bar located at 374 North End Road, London, SW6 1LY.

On Tuesday 5 July 2022 a pre-application site visit was held at Simmons Bar, 374 North End Road London SW6 1LY.

The following parties attended the meeting:

#### **Council Officers:**

- Mr Simon Boniface (Principal Noise Officer, Noise and Nuisance)
- Ms Cristina Perez (Licensing Enforcement Officer)
- Ms Sophia Barrett (Licensing Compliance Assistant)

#### **Licensing Police Officer- Hammersmith and Fulham:**

- Mr Kris Cardwell

#### **Pre-application Applicant (the applicant)**

- Mr Kelsey Brennan (Premises Operator)
- Mr Niall McCann (Solicitor for Simmons- Keystone Law)

## **The Premises**

The premises currently benefit from a premises licence (2021/00450/LAPR) which permits the following:

The opening hours of the premises:

Monday to Sunday 08:00 - 00:00

Performance of Live Music -Indoors Only

Monday to Sunday 18:00 - 00:00

Playing of Recorded Music -Indoors Only

Monday to Sunday 10:00 - 00:00

Entertainment Similar to Music or Dance -Indoors Only

Monday to Sunday 10:00 - 00:00

Sale of Alcohol - On the Premises

Monday to Sunday 11:00 - 23:45

The premises is located at 374 North End Road London SW6 1LY. The main entrance/exit to the site is located at 374 North End Road London SW6 1LY.

## **Proposed premises licence variation**

The applicant is proposing to extend the hours for licensable activities and the opening hours until 02:00 on Thursday, Friday and Saturday nights.

A copy of the pre-application document can be seen attached to this report.

The applicant's proposal included the following licensable activities, days and times:

Performance of Live Music -Indoors Only

Thursday Friday and Saturday 18:00 - 02:00

Playing of Recorded Music -Indoors Only

Thursday Friday and Saturday 10:00 - 02:00

Entertainment Similar to Music or Dance -Indoors Only

Thursday Friday and Saturday 10:00 - 02:00

Sale of Alcohol On the Premises

Thursday Friday and Saturday 11:00 - 02:00

### **Applicant's query and comments**

The applicant requested that the pre-application advised submitted be amended to include Thursdays.

### **Licensing Officer's query and comments**

Ms Perez agreed with the Police's proposal and reasoning with respect to application, for hours until 1:00 on Thursdays, Fridays and Saturdays. She also agreed with the need for football conditions and SIA on Thursdays, as advised by Police.

Ms Perez explained that licensing had no immediate reservations and proposed that a last entry policy of 00:00 to be added as a condition. After further discussion, it was agreed that 00:30 would be acceptable for last entry. She also proposed that the Challenge 25 policy and posters condition be added to the licence.

The conditions referred to are:

- There shall be no admittance or re-admittance to the premises after 00:30, except for patrons permitted to temporarily leave the premises (e.g., to smoke or make a phone call)
- The Premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters.

### **Noise Officer's query and comments:**

Mr Boniface asked if the backdoor was alarmed and requested that it be used for egress only. He enquired about the residents living in the vicinity of the pub and was taken outside to the back of the pub to have a look around.

### **Police Officer's query and comments:**

The Police commented that they would not have any concerns with the sale of alcohol on a Thursday, Friday and Saturday until 01:00, closing at 01:30 with the following conditions added:-

- Condition 32 amended to:- A minimum of two SIA licensed door supervisors shall be on duty at the premises from 20:00 on Thursday, Friday and Saturday.
- The premises shall operate a dispersal policy and all staff shall be trained in its implementation.

- There shall be no admittance or re-admittance to the premises after 00:30, except for patrons permitted to temporarily leave the premises (e.g. to smoke or make a phone call)
- On days when Chelsea Football Club are playing at home there shall be a minimum of two door supervisors on the premises from 3 hours before the advertised kick off time until three hours after the match has been completed
- On days when Chelsea Football Club are playing at home plastic glasses shall be used for three hours before the advertised kick off time until three hours after the match has been completed.

**Licensing Officer's Advice:**

We recommend particular consideration be given to the following conditions in relation to the application:

**Conditions 11, 12 and 13 be replaced with the below updated wording:**

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 the 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 the 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.

Appropriate signage shall be displayed in prominent positions, informing customers they are being recorded on CCTV.



**Condition 16 be amended include Challenge 25 with posters:**

- A Proof of Age scheme shall operate at the premises and all staff shall be trained in its implementation. Only photographic ID such as a British driving licence or a passport shall be treated as acceptable forms of identification. The Premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters.

**You may want to consider removing condition 25:**

The premises shall use chip and pin covers on all payment devices.

**Condition 31 be replaced with updated wording**

The incident record shall be kept on the premises and be available for inspection by the Police or authorised officers of the Licensing Authority at all times the premises is opened.

**We propose you add**

- The external doors and windows at the rear of the premises shall be kept closed at all times during the provision of regulated entertainment and should be used for egress only.

**Application Process**

Please submit an online application for the variation of a premises licence:

- The application can be accessed via the following link: <https://www.gov.uk/apply-for-a-licence/premises-licence/hammersmith-and-fulham/change-1>
- Please read the information provided on the "Before you begin" page.

Prior to submitting online application for the variation of a premises licence :

- Please read Guidance for variation of Premises Licence [https://www.lbhf.gov.uk/sites/default/files/section\\_attachments/guidance\\_notes\\_-\\_full\\_variation\\_of\\_premises\\_licence.pdf](https://www.lbhf.gov.uk/sites/default/files/section_attachments/guidance_notes_-_full_variation_of_premises_licence.pdf)

**Plan of the premises**

Please submit the premises layout plan with the application. Please see the following link with the guidance:

<https://www.lbhf.gov.uk/business/licensing/guidance-applicants-and-businesses/new-premises-licence-site-plan-requirements>

**Application Fee**

The fee for the proposed application fee is £315.00

- The application fee is based on the non-domestic rateable value ("NDRV") of the premises.

- The NDRV of this premises can be found by searching the premises address via the following link:
- Once you have entered the NDRV the application form will inform you which fee band the premises is in and the total application fee.  
[Find a property - Valuation Office Agency - GOV.UK \(tax.service.gov.uk\)](http://tax.service.gov.uk)

## **Advertising the application**

Applications for the full variation of a premises licence must be advertised in the two following ways:

### 1. Site Notice

The site notice needs to be exhibited at the premises in a prominent area where it can be conveniently read from the exterior of the premises by the public. If the premises covers an area of more than 50 metres square, a further notice in the same form needs to be exhibited every fifty metres along the exterior of the premises. It needs to be exhibited the day after a valid application is submitted and should be on pale blue A4 paper. I have attached a link to the notice below.

[https://www.lbhf.gov.uk/sites/default/files/section\\_attachments/window\\_notice\\_other\\_than\\_minor\\_variation\\_for\\_the\\_grant\\_or\\_variation\\_of\\_a\\_premises\\_licence.pdf](https://www.lbhf.gov.uk/sites/default/files/section_attachments/window_notice_other_than_minor_variation_for_the_grant_or_variation_of_a_premises_licence.pdf)

### 2. Newspaper Advertisement

Within the first 10 working days of the application, beginning on the day after the application becomes valid, the application must be published in a local newspaper that is circulated within the vicinity of the premises. Please refer to the link below for the template for the newspaper advertisement

[https://www.lbhf.gov.uk/sites/default/files/section\\_attachments/newspaper\\_advert\\_ver.2.pdf](https://www.lbhf.gov.uk/sites/default/files/section_attachments/newspaper_advert_ver.2.pdf)

## **Consultation Period**

The consultation period is 28 consecutive days starting from the day after the application becomes valid.

Objections and support can be received during the consultation period. If objections to the application are received then the application will be considered and a decision made at a Licensing Committee Hearing.

## **Notes to consider when completing online application:**

- When do you want the premises licence to start? Please tick that you want proposed variation to have effect as soon as possible unless you wish any licence granted licence to start at a later date.

The application calendar will usually only allow applicant to select 28 consecutive days starting from the day after the application is submitted.

- If you are applying as a limited company, please select "a person other than an individual". Applicant details entered will therefore be the companies registered name and address as per companies house. Enter registered company number as per companies' house.
- Steps to promoting the licensing objectives:

This section should include any steps you intend to take to promote the four licensing objectives. We advise that you review and consider the Council's pool of conditions prior to proposing conditions in your operating schedule. A full list of the Council's pool of licensing conditions can be found via the following link:

<https://www.lbhf.gov.uk/business/licensing/guidance-applicants-and-businesses/premises-licences/local-pool-licence-conditions>

We would like to take this opportunity to thank you for choosing pre-application advice and meeting with us. We hope the above is of assistance.

Kind regards,  
Sophia Barrett  
Licensing Compliance Assistant

### **Disclaimer**

The advice given is from the Council's Licensing Team, acting in their role as a Responsible Authority under the provisions of Section 13 of The Licensing Act 2003.

This pre-application advice will not give applicants any exemptions from the licensing process. Responsible Authorities, including the Licensing Team, may still make a representation against the application and the case may still need to be heard at Licensing Sub-Committee for a decision to be made.

The advice given does not include views from other responsible authorities such as the Police, Fire Authority, etc. Determining any application that is subject to representations will be the function of the Licensing Sub-Committee who will consider the application and the representations on its own merits and determine the application accordingly on the basis of whether it promotes the licensing objectives.



### **Simmons Bars Drink Spiking Policy**

Simmons Bars endeavours to ensure the safety of all of our guests when on our premises and the following measure have been implemented to minimise the risk of drink spiking and to ensure that measures are in place to respond to any potential drink spiking or vulnerable persons incidents. The below list is not exhaustive and is regularly reviewed with added measures implemented where needed.

#### **Prevention Measures:**

- Random searches on our guests upon entry, both males and females and all bags
- Regular toilet checks completed by security and staff members
- Designated floor staff to clear unattended drinks
- Any guests seen to be overly intoxicated, specifically vulnerable guests, are to be taken to a safe place and monitored by security and management to ensure they are coherent and aware of what is going on around them. Ambulances called for any guests that are showing signs of suspected drug use or drink spiking
- "Ask for Angela" posters on display and staff trained on how to respond to this
- All General Managers first aid trained
- CCTV in operation in venue
- SIA registered door supervisors on duty on key nights and in line with premises license requirements to ensure customers are safe
- Ongoing and regular staff training through management and FLOW training
- Online incident reporting portal in use
- All incidents of suspected spiking thoroughly investigated and this policy review
- Drink toppers available behind the bar for customers that would like them

#### **Measure for Response to Drink Spiking:**

- If Simmons Bars staff are notified of the potential drink spiking by a guest, they notify the Duty Manager immediately
- Duty Manager to look after the victim and assess the condition they are in and determine if medical help is needed or seek advise from emergency services
- Security notified to look for an offender or potential witnesses after securing the potentially spiked drink to keep as evidence and CCTV reviewed
- Police services notified of incident (999 Called)
- Any potential offenders detained by security team if it is safe to do so until Police services arrive or until CCTV footage has been reviewed
- Witness statements to be taken from patrons that are with the victim or have witnessed the incident
- CCTV footage to be reviewed and timeline incident report written and made available to Police
- CCTV footage burned for collection by police

### **Drugs Policy**

Drugs in this country are controlled by the Misuse of Drugs Act 1971. We are concerned with the taking and selling of drugs on the property and any relevant activity. It is also worth remembering that people also take drugs prior to entering the property, but may then mix them with alcohol, which can have a very serious effect on the taker.

Licensees do not have the power to search anyone and even if they did they would not necessarily know for certain that what was found was illegal. The emphasis then has to be on identifying suspicious behavioural patterns. Preventative measures, including the monitoring of the toilets, covering smooth surfaces and keeping a good eye out for the obvious will greatly assist. Making it known that the licensee is being proactive against drug use.

#### Drug Policy & Procedures- ZERO TOLERANCE

- Display relevant notices on search policy
- Liaise with local Police on regular basis
- Drugs to be stored in the main safe on premises and staff trained on proper use and reporting
- Ensure Door Staff carry out regular searches on the door
- Door staff to check toilet cubicles as often as possible but not at set times
- Any person suspected of having drugs must be reported to the duty manager who will take the necessary actions
- Anyone refusing to be searched will not be permitted entry to the premises
- Any searches conducted for suspicion of drug use are to be carried out by security in front of a CCTV camera with the duty manager present
- Any drugs found or confiscated must be sealed in a 'Drug Seizure Bag' and placed in the house safe.
- Any drugs placed in the house safe must be recorded on the incident log. Records must show date, seizure bag number and name of the person who found it.
- The duty manager must be informed of seizures and any persons with more than personal use held whilst police are contacted
- Staff suspecting any customer of taking or dealing drugs should inform management or security or Police, immediately
- The manager will be responsible for handling the drugs until police arrive on the scene
- Staff who commit an offence under the Misuse of Drugs Act 1971 or who witnesses such an act on the premises and withholds evidence is liable to disciplinary procedures, which they should be made aware of prior to starting work.

## Simmons Fulham Dispersal Policy

This policy has been created to ensure that to the best of the ability of management and staff, customers departing the venue, leave in a quiet and orderly manner and do not cause disturbance in the vicinity of the venue. Specific resources will be deployed and tactics use with the aim of preventing any disturbance or inconvenience to nearby residents and businesses.

- **Allocation** - Security & managers will be allocated a dispersal position at the start of the shift. They will move to that position when instructed by most senior manager on duty or Head of Security.
- **Internal Dispersal** – During the last twenty minutes of trading, music volume & tempo will be changed along with increased lighting. This is with a view to enabling customers to depart gradually. Security will be positioned to monitor the number of guests leaving the venue. A member of security will also check that the toilets are free from patrons. Once the venue is clear of people inside, remaining security will assist with external dispersal.
- **External Dispersal** – Security will be sited with the intention of deterring guests from loitering outside the venue. Security will direct people either way down North End Road towards nearest transport links.
- **Outside Area** -Security will be positioned on the front door at egress to ensure customers are keeping noise down and moving away from the venue.
- **Transport Info** –Security will be trained & deployed during dispersal to give public transport information to guests as they leave the venue. Various night buses depart from around the area. Licensed mini cabs are also available to be booked at the venue.
- **High Visibility** – All Security will be wearing high visibility vests during dispersal.
- **Communication**- all security will be ‘walking and talking’ people away from the venue, continuously, open arm stance to direct customers down the street. Where necessary they will form a line to walk groups and the last patrons away from the venue repeating this process as customers come out in stages.
- **Managers** – one manager will remain with security to oversee dispersal and instruct as necessary, on peak nights a second manager will assist with the internal dispersal as required.
- **All security and management will remain in radio contact until instructed to sign off by the GM or head of security.**

### Security Dispersal Allocation

*The following is an example of security & manager allocated dispersal positions For peak trading occasions.*

<b>Dispersal Positions</b>	
Manager	Front Door – immediate area exit control to direct security as necessary
Manager	Internal – oversee location of internal security (When second on Duty)
1	Front Door Exit Control –direct people to the nearest transport links and away from the venue in a quiet and orderly fashion
2	Main Room- Starting in the pool table area- Slowly direct people to finish their drinks and direct them to the door to leave the area quietly

3	Main Bar- From Back Female toilets- Slowly direct people to the exit and ask them to leave the area in a quiet and orderly fashion
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I have read and understood the Dispersal Policy for Simmons Fulham. I understand the various positions and roles that I may be required to undertake at the end of the night and will follow further instructions on the night accordingly.

Signed \_\_\_\_\_ Badge No \_\_\_\_\_

Signed Manager \_\_\_\_\_ Date \_\_\_\_\_

# Agenda Item 4

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## 1. THE APPLICATION

On 30<sup>th</sup> August 2022, Russian Food Import Limited (“the applicant”) submitted an application to vary the premise licence in respect of the premises known as Dacha Shop, 645 Fulham Road London SW6 5PU.

### 1.1 Current Hours of Operation

The premises currently benefit from a premises licence. The current premises licence permits the following:

#### Sale of Alcohol off the Premises

Monday to Sunday 10:00 – 21:00

#### **Non-standard timings and seasonal variations:**

Each year from 18<sup>th</sup> until 31<sup>st</sup> December 08:00 to 22:30

Each year 1 week prior to Easter Sunday 08:00 to 22:30

#### The opening hours of the premises

Monday to Sunday 10:00 - 21:00

#### **Non-standard timings and seasonal variations:**

Each year from 18<sup>th</sup> until 31<sup>st</sup> December 08:00 to 22:30

Each year 1 week prior to Easter Sunday 08:00 to 22:30

A copy of the current premises licence and plan can be seen on pages **81-91** of this report.

### 1.2 Application Requested

The applicant has applied to vary their premise licence to remove condition 10 as outlined below:

#### **10. Only wine and spirit products shall be available.**

All other activities and timings to remain the same as the current licence.

A copy of the application form can be seen on pages **92-101** of this report.

### 1.3 Applicant’s Operating Schedule

The applicant has proposed further additional steps to promote the four licensing objectives if the application is granted. A copy of these steps can be seen on pages **97-98** of this report

On the 9<sup>th</sup> September 2022, following correspondence received from the Police, the applicant agreed to add extra conditions to their licence if granted. A copy of this amendment and relevant correspondence can be seen on pages **102-105** of this report.

## Agreed Conditions:

1. On days when Chelsea football club are playing at home, or a Chelsea Football Club victory parade takes place, the premise shall not sell alcohol Three (3) hours before the advertised kick off time until One (1) hour after the match has been completed.
2. Signs shall be clearly displayed at prominent positions in the premise informing patrons that alcohol is not for sale during Home Chelsea Football fixtures.
3. Strong beer, lager, cider and stout above 5.5% ABV shall not be displayed or sold.

In light of the applicants agreement to proposed condition 1 and 2 above the police are proposing that these conditions replace condition 7 currently listed on the premises licence in relation to the sale of alcohol on Chelsea Football match days.

## 2. BACKGROUND

The main access to the premise's unit is located on Fulham 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 **106-107** of this report.

There are several options for transport away from the area including buses and taxis which run from on and around Fulham Road. Parsons Green tube station is a 4-minute walk away. Fulham Broadway tube station is a 5-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 108-115** of this report.

In response to representations the applicant provided a letter to be circulated to the local residents. This can be seen at pages **116-117**.

## 4. OTHER INFORMATION

### 4.1 Enforcement History

- 26.04.2022 – warning letter issued for breach of condition 8 substantiated on the 22.03.22 Following this a minor variation to remove condition 8 was granted.
- 8. The premises licence shall only authorise the sale of alcohol as ancillary to the primary use of the premises as a designer retail shop. Designer clothing,

accessories and art objects shall be available for sale throughout the hours for the sale of alcohol.

- 24.08.2022 – warning letter issued for breach of condition 10 substantiated on the 17.08.22.
- 10. Only wine and spirit products shall be available.

#### **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 pages 12 and 13 of the Statement of Licensing Policy (“SLP”) states that in order to ensure the promotion of the four Licensing Objectives the Licensing Authority will require applicants to detail in their operating schedule:

- the steps proposed to promote the licensing objective of the 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;
- the steps proposed to ensure the physical safety of people using the relevant premises or place;
- how they intend to prevent nuisance arising, prevent disturbance and protect amenity so far as is appropriate to ensure that the Licensing Objectives are met. Where there is a relevant representation regarding extended hours, the Licensing Authority will not permit an extension unless it is satisfied that the Licensing Objectives would be met;
- the measures and management controls in place to protect children from harm. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

**5.2** Policy 3 page 21 of the SLP in relation to licensing hours 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:

- a) 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;
- b) Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;
- c) Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;
- d) 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, anti-social behaviour (ASB), nuisance and vehicle emissions;
- e) Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative.

In determining representations to an application which incorporates an external area to the premises, the licensing committee might decide that the circumstances are such that a restriction on hours in that area is the only appropriate means to achieve the promotion of the Licensing Objectives.

If an 'hours' restriction is imposed, the Licensing Authority will normally require that customers should be allowed a minimum of thirty minutes to consume alcohol.

To act as a guide for new or existing operators we have set out the suggested closing times for licensed premises below:

<b>Type of premises</b>	<b>Town centres</b>	<b>Mixed use areas</b>	<b>Residential areas</b>
Off-licences and alcohol sales in supermarkets	23:00 daily	23:00 daily	22:00 daily

**5.3** Policy 4 pages 22 and 23 of the SLP states that in determining an application where there has been a relevant representation the Licensing Authority will, where appropriate, take into account the cumulative effect of the number, type and density of licensed premises already existing in the area. Consideration will be given to the proximity to any drug and alcohol treatment site, A&E department or homeless hostel in a local area type remit ie applicants need to make the case for how they would not increase further problems for residents/clients nearby.

In coming to any decision regarding cumulative impact the Licensing Authority will consider other mechanisms outside of the licensing regime which may also be available to address this issue, these include but are not limited to:

- Police and other enforcement of the normal law concerning disorder and anti-social behaviour.
- Police powers to close down instantly any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises, for up to 24 hours.
- The power of the police, other responsible authorities, a local resident, business or Councillor to seek a review of the licence or certificate in question.
- Police and Local Authority power to issue a Closure Notice for up to 48 hours where serious antisocial behaviour is taking place at licensed premises under the Anti-social Behaviour, Crime and Policing Act 2014.
- To ensure that residents are protected from the negative impact of late-night local licensing activities the Licensing Authority may decide to adopt an Area Specific Cumulative Impact Policy in relation to a specific area; where the number, type and density of premises providing licensable activities is having a serious negative impact on the local community and local amenities.

**5.4** Policy 11 page 29-30 of the SLP states that Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour caused by people once they are away from the licensed premises and, therefore, beyond the direct control of the licensee. However, licensing is a key aspect of such control and licensing law is part of a holistic approach to the management of the night time economy.

As a matter of policy the council expects every holder of a licence, certificate or permission, to accept and be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the vicinity of their premises by taking appropriate measures and action consistent with that responsibility.

Licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden or in a smoking area, to the extent that these matters are within their control.

Population densities in this borough are high, with many residential premises located above or in close proximity to licensed premises. This means that the public nuisance and crime and disorder objectives will be of paramount concern when evaluating Operating Schedules. Licensing Committees will place high regard on the control measures put in place by the applicant to ensure that our residents are protected from the potential detrimental effects of any licensed premises.

**5.5** Annex 1 pages 35 and 36 of the SLP in relation to the prevention of crime and disorder states licence applicants will be expected to demonstrate the following in their operating schedules:

- a) Measures to control excessive consumption and intoxication.
- b) Consideration of any additional measures or restrictions that may be placed on alcohol sales to prevent binge drinking and promote 'sensible drinking'.
- c) Operators of off-licences in areas problems relating to street drinking and under age drinking are prevalent, measures should be outlined to strictly monitor the way alcohol is sold, specifically where the premises are located close to schools and hostels and similar premises that provide shelter or services to alcohol dependent persons.
- d) It is important to ensure 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:
  - i. The likelihood of any violence, public order or policing problem if the licence is granted;
  - ii. 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.
  - iii. Past conduct and prior history of complaints against the premises;
  - iv. Whether a dispersal policy has been prepared to minimise the potential for disorder as customers leave the premises; and
  - v. Any relevant representations.
- g) Conditions will, so far as possible, reflect local crime prevention strategies, and the Licensing Authority will also have regard to the views of the local Crime and Disorder Reduction Partnership.
- h) **Crime and disorder in the vicinity of the premises:** this may include the crime and disorder risks arising from persons queuing to enter the premises; persons

exiting the premises and customers smoking eating or drinking in outdoor areas and on the highway outside the premises. This can also include crime arising from pickpockets and bag snatchers, particularly in open spaces or crowded areas where alcohol is being consumed.

l) **dealing with and reporting crime and disorder** - training for staff and door security aimed at reducing crime and disorder in the premises and its vicinity and dealing with and reporting incidents if they occur.

o) **excessive drinking** - training for staff to recognise when customers are becoming drunk and adopting appropriate 'cut off' procedures for drunken customers, so as to reduce the likelihood of fights or aggressive behaviour.

p) **local schemes** – joining and attending local Pubwatch meetings and participating in the Behave or Be Banned Scheme (BOBB) and/or signing up and using the Council's Safety Net Radio scheme.

q) **prevention of theft** - using bag hooks and signage to warn customers of pickpockets and bag snatchers.

5.6 Annex 1 pages 38 to 40 of the SLP in relation to the prevention of public nuisance states that the Licensing Authority will particularly consider the following matters where they are material to the individual application:

ii. The proximity of residential accommodation;

iii. The type of use proposed, including the likely numbers of customers, proposed hours of operation and the frequency of activity;

iv. 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;

v. The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises.

vi. Limiting the number of people permitted to use a garden or other open-air areas, including those for the use of smoking, at any one time.

vii. Restricting the use of a garden or 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)

viii. 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;

ix. The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly;

x. The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents;

xi. The provision for public transport in the locality (including taxis and private hire vehicles) for patrons;

xii. The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;

xiii. The delivery and collection areas and delivery/collection times;

xv. The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards);

xviii. The generation of odour, e.g. from the preparation of food;

xix. Any other relevant activity likely to give rise to nuisance;

xx. Any representations made by the Police, or other relevant agency or representative;

The following provides a non-exhaustive list of risks associated with the public nuisance objective that applicants may want to consider when preparing their Operating Schedule:

j) **Deliveries/collections** – noise from deliveries to and/or collections (e.g. refuse) from the premises are another common source of complaint. Consider the times of such deliveries/collections and make sure you specify to any contractors that deliveries/collections should not be made at anti-social times. As a guide, the Noise and Nuisance Service recommend that deliveries/collections should only be made between the hours of 7:30am and 9:00pm, depending on the proximity of residential and/or other noise sensitive properties.

5.7 Annex 1 pages 40- 41 of the SLP in relation to the protection of children from harm states The protection of children from harm The Licensing Authority will require operating plans to specify the measures and management controls in place to protect children from harm. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff. This is expected to include:

a) The legislation recognises the right of licence holders (serving alcohol) to allow accompanied children into their premises at any time. The Licensing Authority will not normally seek to limit their access (above that specified in the Act) to any premises unless it is necessary for the prevention of physical, moral or psychological harm, or where there are concerns about child sexual exploitation. Where this is considered likely, upon consideration of a relevant representation, conditions will be imposed that restrict children from entering all or part of licensed premises:

- i. At certain times of the day;
- ii. When certain licensable activities are taking place;
- iii. Under certain ages, e.g. 16 or 18;
- iv. Unless accompanied by an adult.

b) The Licensing Authority will particularly consider whether:

- i. There is entertainment or services of an adult nature commonly provided;
- ii. There have been convictions, Penalty Notices for Disorder (PND) or cautions for serving alcohol to minors or premises with a reputation for under-age drinking;
- iii. There is a known association with drug taking or dealing;
- iv. There is a significant element of gambling on the premises;
- v. There is a presumption that children under 18 should not be allowed (e.g. to nightclubs, except when under 18 discos are being held);
- vi. There are licensable activities that are likely to appeal to minors/children under 16 taking place during times when children under 16 may be expected to be attending compulsory full-time education;
- vii. There have been representations from police, the Local Safeguarding Children Board, Trading Standards or other relevant agency or representative.
- ix. There are measures/training for staff on how to deal with suspected truanting school children on the premises and how to recognize signs of potential child sexual exploitation.

## **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 the representations.



# Licensing Act 2003

## Premises Licence



**Premises Licence Number:** 2022/01132/LAPR

### Part 1 – Premises details

**Postal address of premises, or if none, OS map reference or description of the premises**

Dacha Shop  
645 Fulham Road

**Post town:** London

**Post code:** SW6 5PU

**Telephone:** 020 7731 5174

**Where the licence is time limited the dates:**

Not Applicable

**Licensable activities authorised by the licence:**

Sale of Alcohol Off the Premises

**The licence authorises the carrying out of the following licensable activities on the days and at the times specified below:**

Sale of Alcohol Off the Premises

Monday to Sunday 10:00 - 21:00

Non Standard Timings and Seasonal Variations:

Each year from 18th until 31st December 08:00 to 22:30

Each year 1 week prior to Easter Sunday 08:00 to 22:30

**The opening hours of the premises:**

Monday to Sunday 10:00 - 21:00

Non Standard Timings and Seasonal Variations:

Each year from 18th until 31st December 08:00 to 22:30

Each year 1 week prior to Easter Sunday 08:00 to 22:30

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

Off the premises only

## Part 2

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

Russian Food Import Limited  
645 Fulham Road  
London  
SW6 5PU

**Email:**

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

10138411

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

Ms Audrone Baltulyte

**Licensing Authority:**  
**Personal Licence Number:**

## Annex 1 – Mandatory Conditions

### 1. Mandatory Condition

1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

### 2. Mandatory Condition

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) "permitted price" is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

(i) P is the permitted price,

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence—

(i) the holder of the premises licence,

(ii) the designated premises supervisor (if any) in respect of such a licence, or

(iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### 3. Mandatory Condition

(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**

4. Refuse/recycling collections associated with the premises shall not take place between 23:00 and 08:00 the following day,

5. Any refuse/recycling associated with the premises shall remain in the premises until 20:30 and shall not be taken out to the legally designated business refuse/recycling point between the hours of 23:00 and 08:00. All refuse/recycling shall be contained within legally designated refuse/recycling bags and taken to the collection point no earlier than two hours before expected collection time.

6. 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 - the 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 the 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.
- Appropriate signage shall be displayed in prominent positions, informing customers they are being recorded on CCTV.

7. When Chelsea Football Club play at home, or on days when a Chelsea Football Club victory parade takes place, the premises shall cease to sell alcohol at the request of a Police or local authority officer for the time period requested.

8. All staff responsible for selling alcohol shall receive relevant training before making any unsupervised sales. The training shall include:

- the Licensing Act 2003 in terms of the licensing objectives and offences committed under the Act;
- the conditions of the Premises Licence;
- the sale of age-restricted products.

- This training will be refreshed at least every six months. 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 the Police or authorised officers of the Licensing Authority upon request.

9. Deliveries to the Premises shall not take place between 11:00 p.m. and 08:00 the following day.

10. Only wine and spirit products shall be available.

11. Only a passport, photographic driving licence or PASS approved proof of age card shall be accepted as proof of age.

12. All staff shall be trained in how to identify underage or drunk customers.

13. The Premises shall operate a 'Challenge 25' age-restricted sales policy.

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

**Signed:**   
**Authorised Officer**

**Date: 07.08.2022**

**Annex 4- Plans:**

Please insert plans at pages 6-7



# Licensing Act 2003

## Premises Licence



### Premises Licence Summary

**Premises Licence Number:** 2022/01132/LAPR

### Premises details

#### Postal address of premises, or if none, OS map reference or description of the premises

Dacha Shop  
645 Fulham Road

**Post town:** London

**Post code:** SW6 5PU

**Telephone:** 020 7731 5174

#### Where the licence is time limited the dates:

Not Applicable

#### Licensable activities authorised by the licence:

Sale of Alcohol Off the Premises

#### The licence authorises the carrying out of the following licensable activities on the days and at the times specified below:

Sale of Alcohol Off the Premises

Monday to Sunday 10:00 - 21:00

#### Non Standard Timings and Seasonal Variations:

Each year from 18th until 31st December 08:00 to 22:30

Each year 1 week prior to Easter Sunday 08:00 to 22:30

#### The opening hours of the premises:

Monday to Sunday 10:00 - 21:00

#### Non Standard Timings and Seasonal Variations:

Each year from 18th until 31st December 08:00 to 22:30

Each year 1 week prior to Easter Sunday 08:00 to 22:30



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

Off the premises only

**Name, (registered) address, of holder of premises licence:**

Russian Food Import Limited  
645 Fulham Road  
London  
SW6 5PU

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

10138411

**Name of designated premises supervisor where the premises licence authorises the supply of alcohol:**

Ms Audrone Baltulyte

**State whether access to the premises by children is restricted or prohibited:**

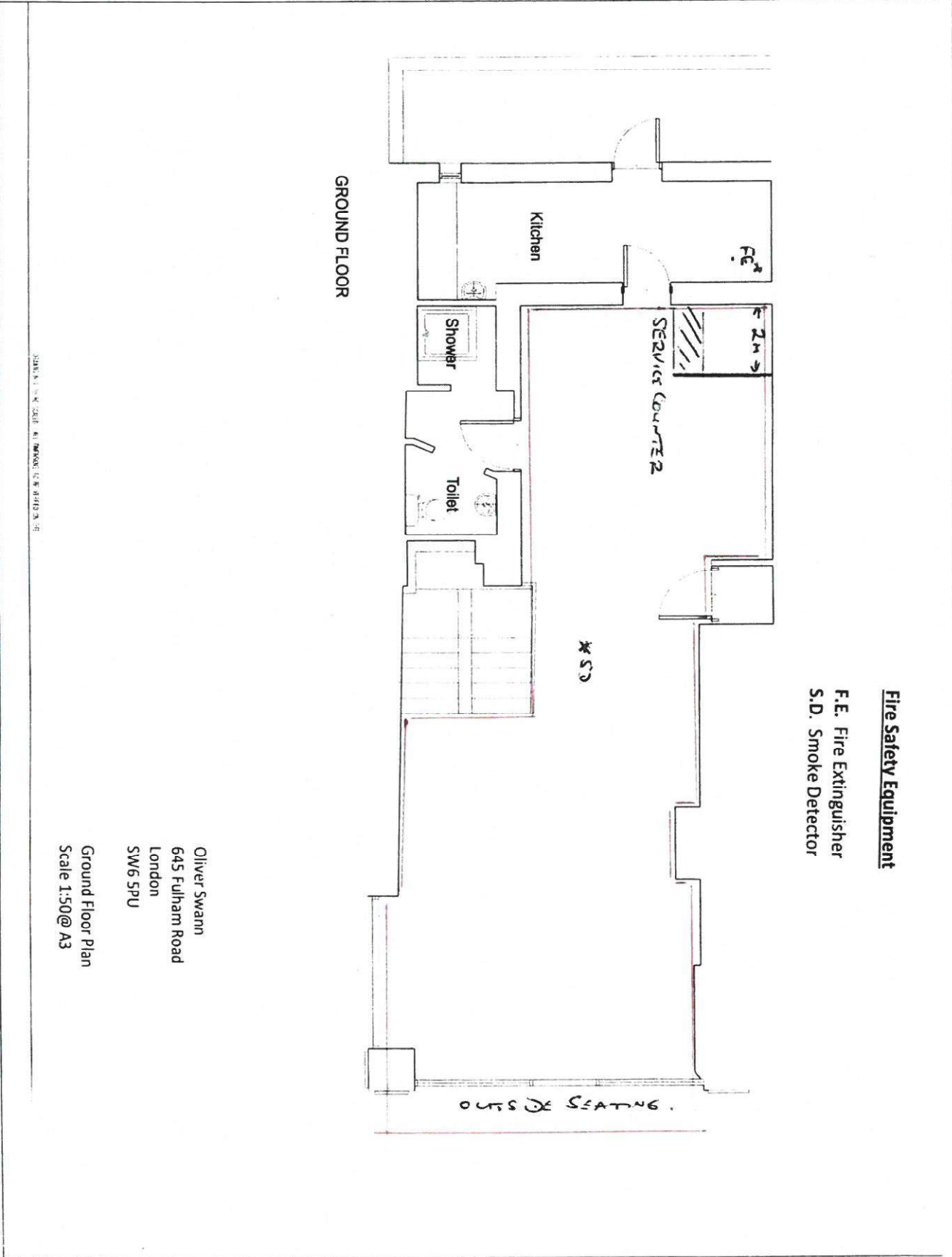
No Restrictions

**Signed:**   
**Authorised Officer**

**Date: 07.08.2022**

**Annex 4- Plans:**

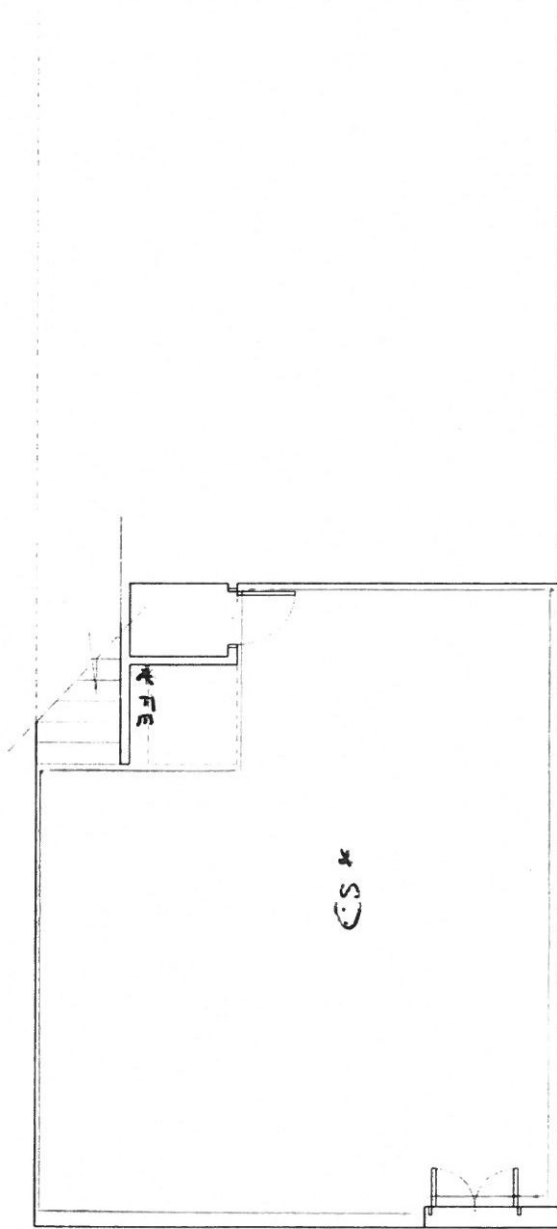
...Phase III proposed plans.dgn 08/02/2012 17:22:27



PLAN NUMBER: 001 - FIREWORKS STORE

**Fire Safety Equipment**  
F.E. Fire Extinguisher  
S.D. Smoke Detector

LOWER GROUND



Oliver Swann  
645 Fulham Road  
London  
SW6 5PU  
Lower Ground Floor Plan  
Scale 1:50@ A3

\* required information

**Section 1 of 18**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant? Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Yes  No

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your business registered in the UK with Companies House?  Yes  No

Registration number

Business name  If your business is registered, use its registered name.

VAT number   Put "none" if you are not registered for VAT.

Legal status

Note: completing the Applicant Business section is optional in this form.

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

20,750

### Section 3 of 18

#### VARIATION

Do you want the proposed variation to have effect as soon as possible?  Yes  No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

We are Russian and East European food store selling everyday food items like dairy, grains, bread, meats as well as luxury items like salmon roe, black caviar, fine wines and vodka. Our customers mainly do their weekly food shopping with us occasionally picking up some fine alcohol for take away. Our working hours are 10am until 9pm everyday, including Sundays.

### Section 4 of 18

#### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

### Section 5 of 18

#### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes  No

### Section 6 of 18

#### PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

- Yes  No

**Section 7 of 18**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

- Yes  No

**Section 8 of 18**

**PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

- Yes  No

**Section 9 of 18**

**PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

- Yes  No

**Section 10 of 18**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 11 of 18**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

- Yes  No

**Section 12 of 18**

**PROVISION OF LATE NIGHT REFRESHMENT**

Continued from previous page...

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

- Yes  No

**Section 13 of 18**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes  No

**Section 14 of 18**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

**Section 15 of 18**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End



Continued from previous page...

SATURDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="10:00"/>	End	<input type="text" value="21:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

From 18th until 31st Dec we are open 8.00am to 22.30pm  
From 1 week prior to Easter Sunday 8.00am to 22.30pm

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

Please remove the condition number 10:  
10. Only wine and spirit products shall be available.  
We would like to be able to sell all types of high quality alcohol.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

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

**Section 16 of 18**

**LICENSING OBJECTIVES**

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

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

List here steps you will take to promote all four licensing objectives together.

*Continued from previous page...*

All staff will be trained well to run the premises and sell the alcohol responsibly.  
All staff will be advised of licensing law in writing.  
The record of the training will be kept and made available for the inspection.

b) The prevention of crime and disorder

CCTV is operating 24/7 covering all internal areas accessible to the public and areas immediately outside the premises.  
An alarm at the premises installed.  
Staff are given training how to identify the already drunk person and forbidden to sell alcohol to already intoxicated customers.

c) Public safety

All staff are made aware of the risk assessment and precautionary measures therein.  
First aid boxes are available at the premises and maintained with sufficient in date stock.  
The are outside lights outside of our premises.

d) The prevention of public nuisance

Our working hours are until 9pm.  
We promote customers and staff leave the premises quietly.  
We do not sell cheap alcohol so there is no temptation to buy and get drunk around the corner.

e) The protection of children from harm

We promote challenge 25. That means if customer does look bellow 25 years old, the staff must ask for ID, before selling alcohol.  
If child or young teenager walks to our store, we will ask them where are their parents to make sure they are safe.

**Section 17 of 18**

**NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 18 of 18

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

### DECLARATION

\* 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name	<input type="text" value="Audrone Baltulyte"/>
* Capacity	<input type="text" value="Operational Manager"/>
* Date	<input type="text" value="30"/> / <input type="text" value="08"/> / <input type="text" value="2022"/> dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
  2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/hammersmith-and-fulham/change-1> to upload this file and continue with your application.
- Don't forget to make sure you have all your supporting documentation to hand.

**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.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="2022/01132/LAPR"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)

From "Nicole.Sondh

To Licensing,

**Full Variation Application Dacha Shop, 645 Fulham Road 2022/01132/LAPR**

Please see the below conditions agreed with the applicant in relation to the above Full Variation Application.

1. On days when Chelsea football club are playing at home, or a Chelsea Football Club victory parade takes place, the premise shall not sell alcohol Three (3) hours before the advertised kick off time until One (1) hour after the match has been completed.
2. Signs shall be clearly displayed at prominent positions in the premise informing patrons that alcohol is not for sale during Home Chelsea Football fixtures.
3. Strong beer, lager, cider and stout above 5.5% ABV shall not be displayed or sold.

In light of the applicants agreement to proposed condition 1 and 2 above we are proposing that these conditions replace condition 7 currently listed on the premises licence in relation to the sale of alcohol on Chelsea Football match days.

Current Condition;

*"7. When Chelsea Football Club play at home, or on days when a Chelsea Football Club victory parade takes place, the premises shall cease to sell alcohol at the request of a Police or local authority officer for the time period requested."*

Having both football conditions present on the licence would cause some ambiguity as to which is applicable at any given time, therefore should not be added in addition to but added to replace the current football condition. The new conditions are relative and necessary in the Prevention of Crime and Disorder on Chelsea Football match days given the changes that have been applied for in the Full Variation application.

Please let me know if you require anything further from Police Licensing.

Kind Regards

Nicole

PC Nicole SONDH 2438AW

Hammersmith and Fulham Police Licensing Unit

**From:** Sondh Nicole K - AW-CU

**Sent:** 29 September 2022 16:46

**To:** Audrone Baltulyte

**Cc:** Cardwell Kris J - AW-CU

**Subject:** RE: FW: Full Variation Application Dacha Shop, 645 Fulham Road 2022/01132/LAPR

To Audrone,

Thank you for confirming your agreement. I will now send the agreed conditions to Licensing at Hammersmith and Fulham Council.

Kind Regards

Nicole

PC Nicole SONDH 2438AW

Hammersmith and Fulham Police Licensing Unit

**From:** Audrone Baltulyte

**Sent:** 29 September 2022 16:19

**To:** Sondh Nicole K - AW-CU

**Cc:** Cardwell Kris J - AW-CU

**Subject:** Re: FW: Full Variation Application Dacha Shop, 645 Fulham Road  
2022/01132/LAPR

Dear Nicole,

Thank you for your prompt replay.

We agree with the above conditions and will do everything we can to not breach them.

Best regards,

Audrone

On Thu, 29 Sept 2022 at 15:34, <Nicole Sondh wrote:

Hi Audrone,

Hope you are well. Yes it was good thank you. Straight back to reality though so it always seems like ages ago after a few days back.

So after discussion with my colleague please see revised conditions below;

1. On days when Chelsea football club are playing at home, or a Chelsea Football Club victory parade takes place, the premise shall not sell alcohol Three (3) hours before the advertised kick off time until One (1) hour after the match has been completed.

2. Signs shall be clearly displayed at prominent positions in the premise informing patrons that alcohol is not for sale during Home Chelsea Football fixtures.

3. Strong beer, lager, cider and stout above 5.5% ABV shall not be displayed or sold.

Should you agree to the football conditions above then we propose that they should replace the current football condition listed on your licence oppose to them being listed in addition to it.

Kind Regards

Nicole

PC Nicole SONDH 2438AW

Hammersmith and Fulham Police Licensing Unit

**From:** Audrone Baltulyte  
**Sent:** 29 September 2022 14:57  
**To:** Sondh Nicole K - AW-CU  
**Subject:** Re: FW: Full Variation Application Dacha Shop, 645 Fulham Road 2022/01132/LAPR

Dear Nicole,

I hope you are well and had a great holiday.

Just reminder that we need to agree on our conditions you are concerned. Our consultation period finishing on the 6th of October and we need to agree by then.

Could you kindly let me know what are your and your colleague's thoughts on that and let me know if you have any questions to me.

Thank you

Best regards,

Audrone Baltulyte

On Thu, 1 Sept 2022 at 12:49, <Nicole Sondh wrote:

To Audrone,

**RE: Full Variation Application Dacha Shop, 645 Fulham Road 2022/01132/LAPR**

I am emailing from the Hammersmith and Fulham Police Licensing Team in relation to the above application and to inform you that the Metropolitan Police as a Responsible Authority are in receipt of it.

You have applied for the following;

**Full Variation:**

**The licensee wishes to remove condition 10 from the licence.**

***10. Only wine and spirit products shall be available.***

It is our belief that the removal of this condition will have a negative impact on Crime and Disorder in the area and in particular on days when Chelsea Football club are playing at home therefore we are proposing the following conditions in order to allay these concerns;

1. On days when Chelsea football club are playing at home, or a Chelsea Football Club victory parade takes place, the premise shall keep all alcohol behind locked shutters from Three (3) hours before the advertised kick off time until One (1) hour after the match has been completed.
2. Signs shall be clearly displayed at prominent positions in the premise informing patrons that alcohol is not for sale during Home Chelsea Football fixtures.
3. Strong beer, lager, cider and stout above 5.5% ABV shall not be displayed or sold.



Please let me know if you agree to the above conditions or would like to discuss them further.

Kind Regards

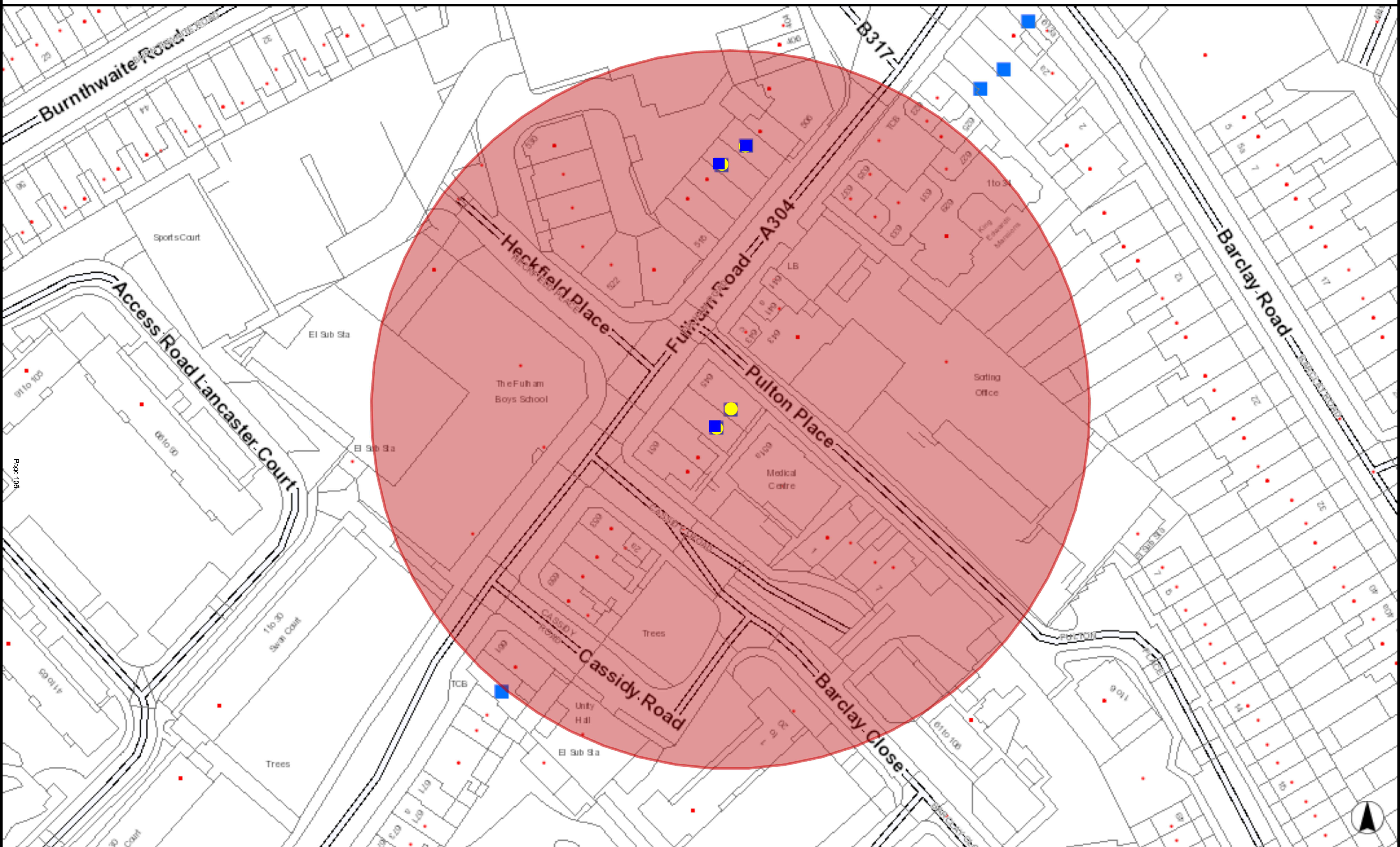
Nicole

PC Nicole SONDH 2438AW

Hammersmith and Fulham Police Licensing Unit



# London Borough of Hammersmith & Fulham





REF	TRADE AS	ADDRESS	ACTIVITY	Monday to Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2021/00613/LAPR	Manuka Kitchen	510 Fulham Road London SW6 5NJ	Sale of Alcohol On and Off the Premises		10:00:00 - 22:00:00	10:00:00 - 23:00:00	10:00:00 - 23:00:00	10:00:00 - 23:00:00	10:00:00 - 23:00:00	10:00:00 - 23:00:00	10:00:00 - 22:00:00
2021/01053/LAPR	Chairs & Coffee	512 Fulham Road London SW6 5NJ	Provision of Late Night Refreshment	23:00:00 - 23:30:00							
			Sale of Alcohol Off the Premises	11:00:00 - 19:00:00							
2021/01053/LAPR	Chairs & Coffee	512 Fulham Road London SW6 5NJ	Sale of Alcohol On the Premises	11:00:00 - 23:00:00							
2022/00020/LAPR	Chosen Bun	647 Fulham Road London SW6 5PU	Provision of Late Night Refreshment		23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:00:00
			Sale of Alcohol Off the Premises		11:00:00 - 00:00:00	11:00:00 - 00:00:00	11:00:00 - 00:00:00	11:00:00 - 00:00:00	11:00:00 - 00:30:00	11:00:00 - 00:30:00	11:00:00 - 00:00:00

**From:** Charlotte Dexter  
**Sent:** 06 October 2022 16:32  
**To:** Licensing HF  
**Subject:** Dacha 645 Fulham Rd: Deadline today Oct 6 2022/01329/LAPR Dacha Shop

Dear Licensing

Please accept this as my representation for this application 2022/01329/LAPR Dacha Shop.

I have again visited the shop and also spoke yesterday on the phone with the owner/manager, Ms Audrone Baltulyte.

She clarified several things for us. We suggest the following Conditions on the new Major Variation Application 2022/01329/LAPR to add beer to the offering by deleting the present Condition mentioning that only Spirits and Wine will be on offer (missing beer).

1. That any deliveries at any time, to the greatest extent possible, should be by silent bicycles, silent electric bicycles or silent electric two-wheelers with registration number plates.

Reasons:

Prevention of Nuisance objective:

This will give maximum assurance to residents that deliveries from this shop will as free as possible from noise emissions and pollution emissions.

2. That on Chelsea Football Match days, no alcohol should be sold two hours before the match kick-off time and one hour after the match ends.

Reasons:

Crime and Disorder objective and Public Safety objective:

This is in line with other food shops in the area, such as Whole Foods. Thousands of fans alight at Parsons Green Tube to walk up Fulham Road to Fulham Broadway (avoiding the very busy Fulham Broadway tube station on match days), passing by this very shop, at 645 Fulham Road. which one can see the alcohol on the wall right up to the front window on the right.

3. At any time, any products such as special foods, filled sweets and filled chocolates with alcohol inside shall not be sold to children. Appropriate signage will be in place to let customers know that certain items contain liquid alcohol, or certain cakes are heavily soaked in alcohol.

Reason:

Prevention of Children from Harm objective:

School children pass by this shop in droves. Some enter the shop. In fact, the Head of Fulham Boys School has said that he would be in favor of a Condition saying that his students in uniform should not be allowed in the shop. The rules at FBS are that children are to go straight home, in uniform, after school ends.

4. All spirits are to be sold from behind the counter and should not be on display in stacks on the floor or similar.

Reason:

Prevention of Children from Harm objective:

This is a typical Condition that assists in promoting the keeping Children from Harm Lic Objective. As well, it should curtail shoplifting.

5. No advertisements for alcohol shall be placed in the shop front windows.

Reason:

Whole Foods pointed this out to me that it is not in the community interest to promote alcohol deals.

Charlotte Dexter  
Barclay Road Conservation Area Neighbourhood Watch  
Barclay Road  
SW6

From: Charlotte Dexter  
Sent: 27 September 2022 12:53  
To: Layug Karen  
Subject: oct 6 deadline Dacha 2022/01329/LAPR | Licensing Act - Premises Licence  
| Open for Consultation | 645 Fulham Road London SW6 5PU

Oct 6 deadline Dacha 2022/01329/LAPR | Licensing Act - Premises Licence | Open  
for Consultation | 645 Fulham Road London SW6 5PU

Dear Karen

Holding Representation:

It would be helpful to know why this deadline extended to Oct 6? I learned about it by chance. I asked about this last week during a call with A Overton so am following up now.

They certainly do sell beer, so they need to update their incorrect Conditions ref wine and spirits only.

As this is a major variation, I understand that this could be an opportunity to work on Delivery Conditions as well, especially after the applicant told you that they would not be delivering after 8pm, but as soon as the most recent Licence was granted, they started delivering after 8pm.

Further we believe that full football Conditions should be placed on the Licence. All that vodka is a bit tempting to the thousands using Parsons Green tube to avoid crowds at Fulham Broadway station on match days.

Please therefore take this as a holding representation from me under nuisance as well as preventing children from harm, as I have been in touch with Fulham Boys School diagonally opposite this Dacha Russian Food shop/off-licence Premises.

<https://public-access.lbhf.gov.uk/online-applications/licencingApplicationDetails.do?activeTab=summary&keyVal=RHH3OWBI19W00>

Charlotte Dexter Murray  
Barclay Rd

**From:** Martin Band  
**Sent:** 06 October 2022 18:21  
**To:** Licensing HF  
**Subject:** Dacha 645 Fulham Rd: Deadline today Oct 6 2022/01329/LAPR Dacha Shop

Dear Licensing

Please accept this as my representation for this application 2022/01329/LAPR Dacha Shop.

Five licensing conditions have been proposed by Charlotte Dexter and I agree with all of them. I can add personal experience in the cases of proposed condition 1:

*1. That any deliveries at any time, to the greatest extent possible, should be by silent bicycles, silent electric bicycles or silent electric two-wheelers with registration number plates.*

*Reasons:*

*Prevention of Nuisance objective: This will give maximum assurance to residents that deliveries from this shop will be as free as possible from noise emissions and pollution emissions.*

I live in Barclay Road near Fulham Broadway. Here delivery drivers stand, smoke (tobacco or marijuana), talk, shout and eat (dropping wrappers) rev their bikes and occasional put on a display of wheelie skill until very late in the night. I can guarantee that without controls on this incredibly damaging aspect of the Night-time Economy the residents near the Dacha shop will be experiencing the same thing. Insisting on electric bikes at least removes some of the problem.

Thank you for the opportunity to comment.

*(James) Martin Band  
Barclay Road*

**From:** Annabel Cottrell  
**Sent:** 06 October 2022 20:23  
**To:** Licensing HF  
**Subject:** Dacha 645 Fulham Rd SW6 2022/01329/LAPR Dacha Shop

**Dear Sirs**

**As part of the Conditions for this premises we would like them not to sell alcohol before and after football matches, in the interests of preventing Crime and Disorder. This would then bring them into line with all the other licenced premises in the area.**

**In addition I would like them as a Condition to provide details of their rubbish and recycling contract as this premises has a long history of fly tipping their waste, causing hazards on the pavement which is a danger to the public.**

**Yours**

**Annabel Cottrell**

**Shottendane Road**

**SW6 5TJ**

**From:** John Skoulding  
**Sent:** 06 October 2022 22:18  
**To:** Licensing HF  
**Cc:**  
**Subject:** REPRESENTATION: Dacha SHOP 645 Fulham Rd: 2022/01329/LAPR  
Dacha Shop

FAO Licensing Committee

Please accept this email as my representation regarding the above application.

As a general opening comment residents are increasingly concerned about:

- 1 the related noise and nuisance created by alcohol related businesses which operate in conjunction with or reliant on online delivery/dispatch drivers. Dispatch riders leaving this shop can be on my road in two minutes so the proximity of these business to where I live is a real and immediate issue; and
- 2 alcohol sales generally in a heavily residential area with a high number of children and families and specifically the spectre of underage alcohol sales.

The main proposition is that only properly tailored and enforced conditions can work to avoid the negative impact on residents who face many issues particularly on days when Chelsea or Fulham Football Clubs play home matches. Considering this we ask you to consider the following:

- 1 on Chelsea or Fulham Football Match days, no alcohol should be sold two hours before the match kick-off time and one hour after the match ends. Leaving aside issues of littering and anti-social behaviour in the form of urinating, the principal reasons for this relate to the crime and disorder objective and the Public Safety objective. This is in consistent with other food shops in the area, such as Whole Foods and other off-licence shops. Many thousands of fans alight at Parsons Green or Putney Bridge Tubes to walk up Fulham Road to Fulham Broadway or flood these roads after matches, passing by this very shop, at 645 Fulham Road. Alcohol in the shop is very clearly visible from the road;
- 2 any deliveries at any time, should be by silent bicycles, silent electric bicycles, or silent electric two-wheelers with registration number plates. This is central to the Prevention of Nuisance objective and will provide much needed assurance to residents that deliveries from this shop will be as free as possible from noise emissions and pollution emissions;
- 3 All spirits are to be sold from behind the counter and should not be on display in stacks or otherwise on the floor or any similar visible location. This is key to the Prevention of Children from Harm objective. This is a regularly used and common condition that assists in promoting the objective of keeping Children from Harm;
- 4 At any time whatsoever, any products such as special foods, filled sweets and filled chocolates with alcohol inside shall not be sold to children. Appropriate signage will be in place to let customers know that certain items contain liquid alcohol, or certain cakes/sweets are heavily soaked in alcohol. This condition is central to the Prevention of Children from Harm objective. Why? School children pass by this shop in droves – Fulham Boys is across the road. Recognising that school children use this shop, the Head of Fulham Boys School has said that he supports a Condition saying that his students in uniform should not be allowed in the shop. The rules at Fulham Boys are that children



- are to go straight home, in uniform, after school ends making the enforcement of this rule relatively easy;
- 5 No advertisements at any time whatsoever for alcohol shall be placed in the shop front windows. This seems eminently sensible and is because Whole Foods adhere to this and recognise its value precisely because it is not in the community interest to promote alcohol in an area full of school children;
  - 6 The applicant must ensure that and must use all best endeavours to affect all commercial deliveries and collections to and from the shop, and all refuse collections from the shop, should be made during normal business hours (9am – 5am) i.e. during the school day and at weekends; and
  - 7 No refuse bags or other rubbish should be left outside the shop when the shop is closed and should be left outside for the shortest time possible considering refuse collection times. All alcohol related packaging or objects should be disposed of in opaque black or other non-look through bin bags so that they do not indirectly highlight or identify these products.

Thank you for considering the above conditions. As the parent of a 13-year-old school child I can assure you that the above conditions address very serious and real issues that parents constantly must deal with and consider daily.

Regards  
**John Skoulding**  
**Tournay Road**  
**Fulham**  
**SW6 7UF**

**From:** Sarah Chambers  
**Sent:** 06 October 2022 22:25  
**To:** Licensing HF  
**Subject:** Dacha 645 Fulham Rd: 2022/01329/LAPR Dacha Shop

Dear Licensing team,

Please accept this as my representation for the above application 2022/01329/LAPR relating to the Dacha Shop at 645 Fulham Road.

Please could the following conditions be applied to this shop's licence.

1. Chelsea Football Club home games
  - The sale of alcohol should be prohibited two hours before and one hour after kick off
  - A huge number of fans pass through this area before and after games, particularly to and from Parsons Green tube station to avoid the fans crush and delays. It is much easier for fans to purchase alcohol from small independent shops where alcohol is openly visible from the pavement, than from chains such as Waitrose, Whole Foods etc.
  - This restriction would bring the premises in line with other businesses in the area such as Whole Foods.
  - Drunk fans frequently behave in anti-social manner such as urinating, defecating and taking drugs in public places such as the Samuel Lewis Estate, Oswald Stoll Home and numerous side streets.
  - There are only 1 or 2 pubs in the neighbourhood which accept away fans, who are likely to therefore buy alcohol from shops to drink instead thereby avoiding the high alcohol prices in the stadium.
  - This restriction would bring the premises in line with other businesses in the area such as Whole Foods.
  - Licensing Act 2003 objectives: the prevention of crime and disorder; public safety
2. Delivery methods
  - Deliveries are only to be collected by couriers who are on foot, riding a pedal cycle or an electric scooter, cycle or vehicle which is licensed and insured (such as Lime, Dott etc).
  - Motor bikes and car deliveries cause noise and pollution.
  - Electric scooters and cycles which are not licensed are frequently ridden by drivers who drive recklessly and are uninsured. We need to protect residents and in particular children, the elderly and vulnerable from these drivers.
  - Licensing Act 2003 objectives: public safety; the prevention of public nuisance; the protection of children from harm.
3. Spirits should be held behind the counter and not displayed elsewhere in the store on shelves, displays, stacks etc.
  - The premises is almost opposite a secondary school and is situated in a densely populated area, close to Fulham Court, Lancaster Court and Samuel Lewis.

- Children shouldn't be in close proximity to strong or hard liquor if they enter the premises to buy food or drink.
  - It is easy for alcohol to be shop lifted if it isn't behind the counter or displayed in a locked cabinet.
  - Shoplifting is rife in the neighbourhood at present and most responsible premises such as Waitrose, Whole Foods etc display alcohol at the back of the store or with security arrangements.
  - Licensing Act 2003 objectives: the protection of children from harm.
4. No alcohol advertisements in the front window, no alcohol offers in the shop
- For the reasons listed above, hundreds (if not thousands) of children pass by this shop each day on foot.
  - Children should not be enticed by alcohol.
  - Licensing Act 2003 objectives: the protection of children from harm.

Kind regards

Sarah Chambers

Chair Independent Advisory Group to the police for H&F

Chair of former Fulham Broadway Ward Panel

Co-ordinator Gironde Road Neighbourhood Watch

Dear neighbours,

We are Russian and Eastern European Food Deli - very niche business, serving Eastern European customers, who are missing food from their home countries. Our customers normally travel to us to do their weekly shopping as we sell everyday food items like rye bread, buckwheat, home made ready meals, dairy.. as well as luxurious items like black caviar and selected wines.

We have other two stores located in Bayswater and East Finchley and have been trading for 11 years. Also we sell online so we can serve more customers. Please check our website:

<https://dachashop.co.uk/>

The wide range of people are visiting our stores, but our main customers are wealthy Eastern Europeans living in central London. I believe that our business can improve the road even further as we are destination store and we potentially attracting people to move to our area and increase the diversity. Also we strongly feel that our customers, who are new to the street potentially will use other businesses on the street like hair dressers and restaurants.

When we applied for manor variation to add ability to sell beer in our store, we have received 5 representations against us. Most of them are regarding the same concerns therefore I write one replay. Most of the concerns are not an issue to us as we already are complying with them.

One of the main concerns we received is Chelsea Football Match day. We have agreed the new conditions with the police:

1. On days when Chelsea football club are playing at home, or a Chelsea Football Club victory parade takes place, the premise shall not sell alcohol Three (3) hours before the advertised kick off time until One (1) hour after the match has been completed.
2. Signs shall be clearly displayed at prominent positions in the premise informing patrons that alcohol is not for sale during Home Chelsea Football fixtures.
3. Strong beer, lager, cider and stout above 5.5% ABV shall not be displayed or sold.

The other big concern is regarding our deliveries, quoting:

“That any deliveries at any time, to the greatest extent possible, should be by silent bicycles, silent electric bicycles or silent electric two-wheelers with registration number plates.”

Neighbours are concerned about noise and nuisance caused by load motorbikes and delivery drivers hunting around on Barclay Road.

We already have two conditions on our premises licence regarding deliveries/collections:

4. Refuse/recycling collections associated with the premises shall not take place between 23:00 and 08:00 the following day.
9. Deliveries to the Premises shall not take place between 11:00 p.m. and 08:00 the following day.

We are located on the busy main road and our order collections finishing straight after 8.30pm as our platforms closing at 8.30pm. There are businesses around us like Chosen Bun, Whole Foods, Waitrose, Domino Pizza, Sainsbury's Express, etc., who make hundred of times more deliveries and some of them work way later then 9pm (our closing time). Also the drivers are not hired by either of those businesses. They normally work as self employed in agreement with Deliveroo, Uber Eats or other platforms. Therefore I don't think we can agree on such a condition as we cannot control transport noise and third parties transportation methods on the road during the day.

The other concern is regarding our waste collection:

“The applicant must ensure that and must use all best endeavours to affect all commercial deliveries and collections to and from the shop, and all refuse collections from the shop, should be made during normal business hours (9am – 5am) i.e. during the school day and at weekends; and

No refuse bags or other rubbish should be left outside the shop when the shop is closed and should be left outside for the shortest time possible considering refuse collection times. All alcohol related packaging or objects should be disposed of in opaque black or other non-look through bin bags so that they do not indirectly highlight or identify these

products.”

We have a waste collection contract with first mile. We must put the waste to clear bags so the waste collectors can see that we sort our waste correctly. For the cardboard collection they must be put in bunches for up to 5kg with the sticker tape on each bunch. In that bunch will be less than 5% of alcohol boxes on delivery days only. Therefore it is not possible to put the cardboards to non-look through bin bags. Please keep in mind that our alcohol sales are bellow 5% of our total sales.

The neighbours have concerns regarding Prevention of Children from Harm objective:

“At any time, any products such as special foods, filled sweets and filled chocolates with alcohol inside shall not be sold to children.”

We normally do not sell any food items filled with alcohol, like sweets, cakes. But if we get any of such products sometime like for Christmas, anyway we exercise Challenge 25 and we would not sell them to a child for under any circumstances.

“All spirits are to be sold from behind the counter and should not be on display in stacks on the floor or similar.”

All our wines and spirits are displayed on the shelves behind the till counter and is not accessible to the customer.

“No advertisements for alcohol shall be placed in the shop front windows.”

We do not have any advertisement of the alcohol.

“Alcohol in the shop is very clearly visible from the road.”

We appreciate the concern to protect the children.

Our wine and spirits are displayed on the shelves behind the till counter which is located in the front of the shop. The reason of this is to avoid shop lifting and harm for children. We are located in the front front of the school across the road. As well we are corner shop and the alcohol is visible through the front window and top of the side window. To make less temptations and to protect the children we can cover the front window if it's necessary. However through the side window the alcohol is not that visible and we need some sort of natural light. Therefore we cannot cover that window.

“students in uniform should not be allowed in the shop.”

We cannot agree with this condition as students sometimes come after school with their parents or by themselves to buy some snacks. We exercise Challenge 25 and we taking our responsibility as premises licence holder very serious and we are not intended to harm children.

As we understood from the representations, most of the concerned neighbours never visited our store. And non of them lives on our road. Therefore we invite all of you come to our store and experience for yourselves who we are and what we do. I think we have enough positives to be able to coexist in the same neighbourhood. We are responsible and reputable business and part of Fulham community responsible and interested in our areas state as our team are the people who wants to go home on clean, tidy, free of nuisance and safe streets.

Please let us know if you have any more concerns regarding this matter.

Thank you

Sincerely yours,

Audrone Baltulyte