

Licensing Sub-Committee

Agenda

Tuesday 11 April 2023 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

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

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

Date Issued: 30 March 2023

Licensing Sub-Committee Agenda

11 April 2023

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1.	APOLOGIES FOR ABSENCE	
2.	DECLARATIONS OF INTEREST	
	<p>If a Councillor has a disclosable pecuniary interest in a particular item, whether or not it is entered in the Authority's register of interests, or any other significant interest which they consider should be declared in the public interest, they should declare the existence and, unless it is a sensitive interest as defined in the Member Code of Conduct, the nature of the interest at the commencement of the consideration of that item or as soon as it becomes apparent.</p> <p>At meetings where members of the public are allowed to be in attendance and speak, any Councillor with a disclosable pecuniary interest or other significant interest may also make representations, give evidence or answer questions about the matter. The Councillor must then withdraw immediately from the meeting before the matter is discussed and any vote taken.</p> <p>Where Members of the public are not allowed to be in attendance and speak, then the Councillor with a disclosable pecuniary interest should withdraw from the meeting whilst the matter is under consideration. Councillors who have declared other significant interests should also withdraw from the meeting if they consider their continued participation in the matter would not be reasonable in the circumstances and may give rise to a perception of a conflict of interest.</p> <p>Councillors are not obliged to withdraw from the meeting where a dispensation to that effect has been obtained from the Standards Committee.</p>	
3.	MARGARITA MAMA LTD, 149 NORTH END ROAD, LONDON, W14 9NH.	3 - 50

Agenda Item 3

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1. THE APPLICATION

On 21 November 2022, Mr Eddris Hashimi (“the applicant”) submitted an application for a new premises licence to be granted in respect of the premises known as Margarita Mama Ltd, 149 North End Road, London, W14 9NH.

1.1 Application Requested

The applicant has applied for a new premises licence for the provision of late-night refreshment both indoors and outdoors, as detailed below:

The provision of late night refreshment - Both Indoors and Outdoors

Mondays to Thursdays	23:00 to 02:00
Fridays to Sundays	23:00 to 03:00

Opening hours of the premises

Mondays to Thursdays	09:00 to 02:00
Fridays to Sundays	09:00 to 03:00

A copy of the application form and the plan can be seen on pages 13-17 of this report.

1.2 Applicants Operating Schedule

The applicant has proposed a number of steps to promote the four licensing objectives if the application is granted. A copy of these steps can be seen on page 18 of this report.

On the 11 January 2023, following correspondence from the police, the applicant agreed to amend the hours and agreed conditions to be added to the licence if granted. A copy of this amendment and relevant correspondence can be seen on pages 19-24 of this report, and are as follows:

The provision of late night refreshment - Both Indoors and Outdoors

Sundays to Thursdays	23:00 to 02:00
Fridays and Saturdays	23:00 to 03:00

Opening hours of the premises

Sundays to Thursdays	09:00 to 02:00
Fridays and Saturdays	09:00 to 03:00

Agreed conditions:

1. High Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities and;
 - shall be checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request

- one camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering.
- shall cover any internal or external area of the premises where licensable activities take place.
- recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
- footage shall be provided free of charge to Police or authorised council officer within 24 hours of a request.
- a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times. This staff member will be able to show police or authorised officers of the Licensing Authority recent data footage with the minimum of delay when requested. This data or footage reproduction shall be almost instantaneous

2. After 00:00 Sunday- Thursday inclusive, no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.

3. After 01:00 on a Friday and Saturday, no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.

4. Notices shall be prominently displayed at all exits used by delivery drivers requesting them to respect the needs of local residents and leave the area quietly.

5. After 23:00, drivers shall wait inside the premises between deliveries/for deliveries.

6. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 00:00hrs Sunday - Thursday and 01:00 on a Friday and Saturday must be phoned through or made via a website/app and are for home delivery only.

7. Delivery drivers/riders will be given clear, written instructions to use their vehicles in a responsible manner so as to not cause nuisance to any residents or generally outside the licensed premises; not to leave engines running when the vehicle is parked; and not to obstruct the highway. The licence holder will positively encourage delivery drivers/riders to use quieter vehicles that are less likely to cause a nuisance such as bicycles.

On the 18th January 2023 the Licensing Team contacted the applicant in relation to the agreement with the police, in alignment with conditions 2 and 3 above, the hours for Late Night Refreshment would be as follows:

The provision of late-night refreshment - Indoors

Sundays to Thursdays	23:00 to 00:00
Fridays and Saturdays	23:00 to 01:00

The provision of late-night refreshment - Outdoors

Sundays to Thursdays	23:00 to 02:00
Fridays and Saturdays	23:00 to 03:00

Opening hours of the premises

Sundays to Thursdays	09:00 to 00:00
Fridays and Saturdays	09:00 to 01:00

A copy of the relevant correspondence can be seen on pages 25-31 of the report.

2. BACKGROUND

Based on the application the premises is a takeaway situated on the high street on North End Road, opposite Gunterstone Road.

The main access to the premises will be located on North End Road. There is a mixture of both residential and commercial premises within the area (75m buffer zone). A map showing the location of the premises and neighbouring licensed premises can be seen on pages 32-33 of this report.

There are several options for transport away from the area including buses and taxis that run along North End Road. West Kensington tube station is a two minute walk away and Barons Court tube station is a seven 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 objection from Adrian Overton on behalf of the Licensing Authority, a copy of the representation can be seen on page 34 of this report.

The licensing section received one objection from James Rawlinson on behalf of the Noise & Nuisance team, a copy of the representation can be seen on page 35- 37of this report.

The licensing section received two representations from local residents objecting to the licence application. A copy of these representations can be seen on pages 38-56 of this report.

4. OTHER INFORMATION

4.1 Enforcement History

There have been 3 warning letters given in respect of the premises during the past three years. These have been detailed below:

On the 14 April 2021, a warning letter was issued following unauthorised late night refreshment observed by the Noise and Nuisance team on the 20 March 2021.

On the 17 October 2022, a warning letter was issued following unauthorised late night refreshment substantiated by the Noise and nuisance team on the 15 October 2022.

On the 24 October 2022, a warning letter was issued following unauthorised late night refreshment substantiated by the Noise and nuisance team on the 24 October 2022.

There are no other instances recorded in the last three years.

4.2 Temporary Event Notices (“TENs”)

There have been three TENs have been submitted in respect of this premises in the past twelve months. The details can be seen in the below table:

REFVAL	DETAILS	Start Date	End Date
2022/01865/LATEML	Late Temporary Event Notice, Late night takeaway and customer services Provision of Late Night Refreshment on Wednesday 16 November 2022 to Tuesday 22 November 2022 23:00 to 02:00 each day, for no more than 10 people	16/11/2022	22/11/2022
2022/01977/LATEML	Late Temporary Event Notice, Margartita Mama's Ltd: The applicant proposes a TEN to cover late night refreshment at his takeaway. Licensable activities sought: The Provision of Late Night Refreshment for no more than 10 people. Days and times sought: Wednesday 30th November 2022 to Tuesday 6th December 2022 between the hours of 23:00 to 02:00 each day.	30/11/2022	06/12/2022
2022/01990/LATEMP	Temporary Event Notice, Margartita Mama's Ltd: The applicant proposes a TEN to cover late night refreshment at his takeaway. Licensable activities sought: The Provision of Late Night Refreshment for no more than 10 people. Days and times sought: Wednesday 7th December 2022, Thursday 8th December 2022, Monday 12th December 2022, Tuesday 13th December 2022 between the hours of 23:00 to 02:00 each day. Friday 9th December to Sunday 11th December between the hours of 23:00 to 03:00 each day.	07/12/2022	13/12/2022

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 states that where there is a relevant representation, the Licensing Authority will consider each particular case on its merits having regard in particular to the following matters:

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

Policy 3 page 2 of the SLP also states that to act as a guide for new or existing operators we have set out the suggested closing times for licensed premises below:

Type of premises	Town Centres	Mixed Use Areas	Residential areas
Late night refreshment premises (Takeaways)	Fri – Sat 01:00 Sun – 00:00	Fri – Sat 00:30 Sun – 23:30	Not considered Appropriate

5.3 Policy 4 pages 22 and 23 of the SLP in relation to cumulative impact the Licensing Authority will consider the balance between welcoming and supporting new businesses in the borough, with our responsibility to identify where an area is receiving a lot of complaints about existing licensing activity.

The Licensing Authority will consider if, by granting a licence, it would contribute to the negative impact in the area. Any Responsible Authority or other persons may

object to applications for new premises licences/ certificates or variations of existing licences, on the grounds that the premises will have a negative cumulative impact in the area in question, on one or more of the four Licensing Objectives. See Section 182 guidance, which contains further information on cumulative impact.

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:

- Planning controls (where development or change of use is involved, or where trading hours are limited by planning conditions)
- Police and other enforcement of the normal law concerning disorder and anti-social behaviour.
- Prosecution or other enforcement of any personal licence holder or member of staff at such premises who is selling to underage persons or selling illegal alcohol or tobacco 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 30 of the SLP states that 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 Policy 14 page 32 of the SLP states that the Licensing Authority expects licence applications for delivery services, which include late night refreshment after 11pm or the delivery of alcohol, to consider how to reduce public nuisance related to delivery vehicles, ensure the security of premises and delivery drivers and to protect children.

The Licensing Authority is likely to place the following conditions on to a premises licence for delivery services where it is appropriate and relevant to the individual licence application:

- A signature at the point of delivery must be obtained. No delivery shall be left without a signature
- A refusals log will be maintained for deliveries.
- Appropriate security will be in place at the premises as agreed with Police.
- Measures for minimising noise and disturbance and anti-social behaviour (ASB) caused by the dispatch of deliveries to be identified in the operating schedule. In particular applicants are expected to consider the use of electric vehicles to minimise air pollution and noise. The Licensing Authority expects that applicants will make arrangements for all deliveries after 8 pm to be made using electric vehicles or non motorised vehicles i.e. bicycles. 33
- A requirement for a specific delivery collection area to be made clear to any third party delivery service. This area may not be directly outside the licensed premises to take account of any residential accommodation close by or obstructing the pavement/highways.

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.

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:

- 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;
- xiv. The siting of external lighting, including security lighting that is installed inappropriately;
- xv. The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards);

- xvi. The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence holder;
- 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

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.

k) Late night refreshment - applicants in respect of late night takeaways should demonstrate that they have assessed the risk of persons congregating in large numbers in the vicinity of their premises. Where appropriate, applicants should demonstrate suitable measures to address this problem.

l) **Light pollution** – this is an increasingly common source of complaint, particularly from illuminated signs and external security lighting. Where provided, illuminated signs should not cause glare to neighbouring properties, ideally being turned off at night, and external lighting should be angled and/or diffused to also prevent nuisance.

o) Odour – odour from cooking is a common source of complaint, particularly from restaurants and fastfood 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.

s) **Litter** – for example, litter patrols for late night take-away premises

6. DETERMINATION

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

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

It is the Council's duty under the Licensing Act 2003 ("The Act") to determine applications with a view to promoting the four licensing objectives; Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

In reaching a decision the Council shall consider the details of any relevant representations received; the applicant's Operating Schedule; the Council's adopted Statement of Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Act.

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

Application amended on the 29/11/2022 with agent's consent.

Application for a premises licence to be granted under the Licensing Act 2003

Case number 2022/01970/LAPR

Payment transaction reference [REDACTED]

Amount paid £190

Date submitted 21/11/2022

Are you the applicant or Agent their agent?

PREMISES DETAILS

Premises address

149 North End Road, London W14 9NH

If the premises could not be found please enter the address here, or if the premises has no address give a detailed description (including the Ordnance Survey references)

Trading name (if any) Margartita Mama's Ltd

Telephone number at the premises (if any) [REDACTED]

Are the premises in the course of construction?

No

Non-domestic rateable value if the premises 9700

Will the premises be exclusively or primarily used for the supply of alcohol for consumption on the premises?

No

APPLICANT DETAILS

I am applying as an individual or individuals

Title Mr

Name Eddris Hashimi

Address [REDACTED]

Date of birth [REDACTED]

Nationality [REDACTED]

Where applicable, your 9 digit sharecode

Daytime/ business telephone number [REDACTED]

Evening/ home telephone number

Mobile phone number

Email address [REDACTED]

I confirm that: I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities

Alternative details for correspondence

Contact name (if different from premises user)

Business name

Correspondence address

Daytime/ business telephone number

Evening/ home telephone number

Mobile phone number

Email address

OPERATING SCHEDULE

When do you want the premises licence to start?

19/12/2022

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

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

Please give a general description of the premises.

late night takeaway and customer services

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

late night refreshment

HOURS OPEN TO THE PUBLIC

Standard days

Mondays

Start 09:00
Finish 02:00

Tuesdays

Start 09:00
Finish 02:00

Wednesdays

Start 09:00
Finish 02:00

Thursdays

Start 09:00
Finish 02:00

Fridays

Start 09:00
Finish 03:00

Saturdays

Start 09:00
Finish 03:00

Sundays

Start 09:00
Finish 03:00

Please state any seasonal variations

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

Including Bank Holidays

**LATE NIGHT
REFRESHMENT**

Please give further details here

Will the provision of late night refreshment take place indoors, outdoors or both?

Both

Standard days

Mondays

Start 23:00
Finish 02:00

Tuesdays

Start 23:00
Finish 02:00

Wednesdays

Start 23:00
Finish 02:00

Thursdays

Start 23:00
Finish 02:00

Fridays

Start 23:00
Finish 03:00

Saturdays

Start 23:00
Finish 03:00

Sundays

Start 23:00
Finish 03:00

Please state any seasonal variations

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

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

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

- a) General- all four licensing objectives (b,c,d and e)
- b) The prevention of crime and disorder
- c) Public safety
- d) The prevention of public nuisance
- e) The protection of children from harm

DECLARATIONS

I have enclosed a plan of the premises

Yes

I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (Applicable to all individual applicants including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships).

I understand I must now advertise my application

Yes

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

It is an offence under section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult who leave or who subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership. I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK.

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

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

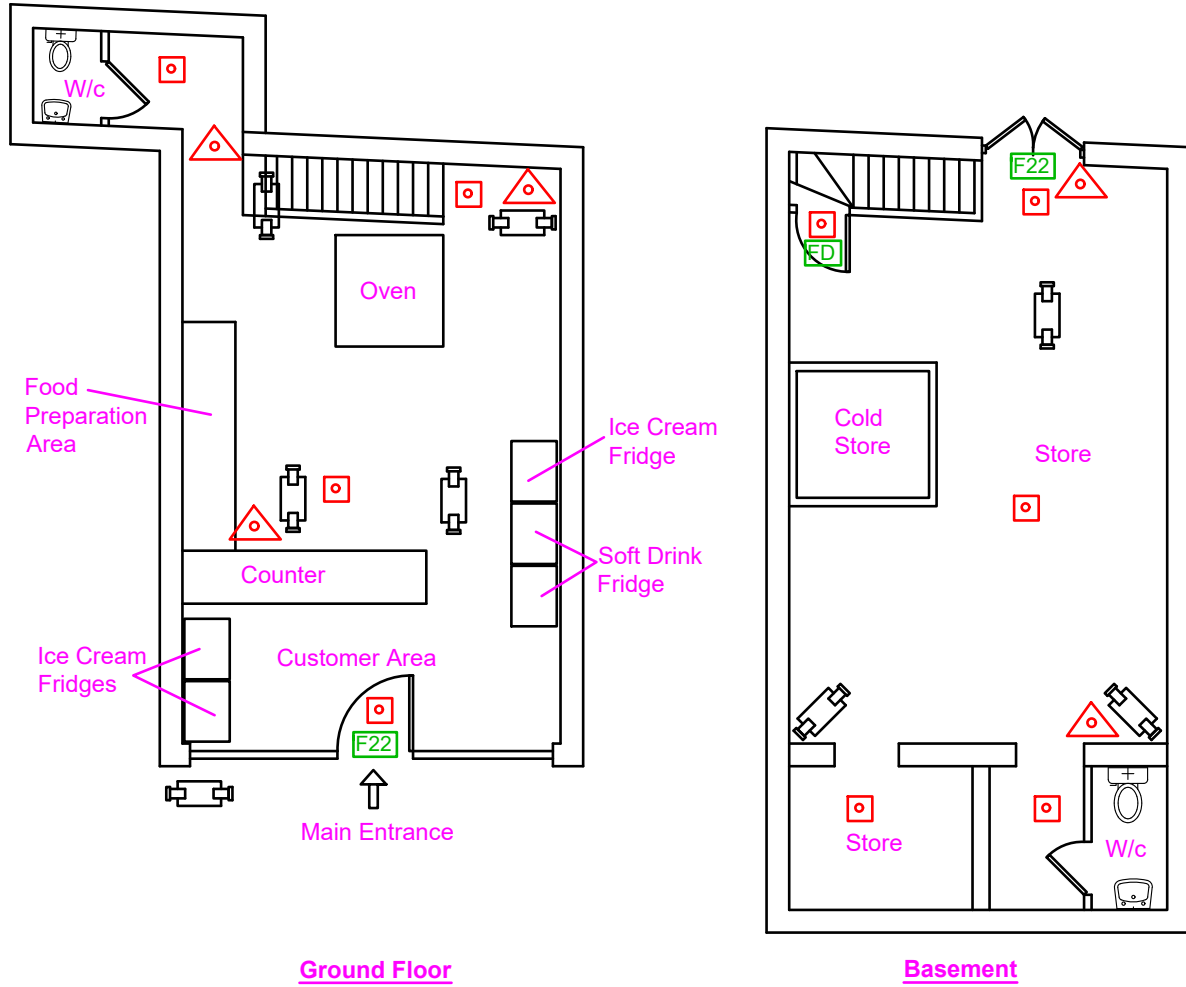
I agree to the above Yes I agree to the above declaration

Full name Aziz






Capacity Agent

Date 21/11/2022

SHOP PLAN



Property Address:
 149 Northend Road
 London
 W14 9NH

Drawing no: HBS/323		Date: 11th Nov 2022
Key	Scale:1:100	Paper: A4
	FIRE EXTINGUISHER	
	FIRE EXIT SIGNS	
	EMERGENCY LIGHTING	
	Fire Check Door	
	CCTV CAMERAS	
CCTV RECORDING 31 DAYS		
SHUTTERS PROVIDED		
ALARM SYSTEM TO AOISPEC OR SIMILAR FITTED		

Local Pool of Licence Conditions

- **Use of Beer Gardens/External Areas**

Margarita Mama's Ltd doesn't have any external areas for the customers, such as gardens. The business also does not serve alcohol.

- **Door supervisors and door entry policies**

Margarita Mama's Ltd is a small business. The maximum capacity is for 10 people, including the staff. Normally, the policy is to have four customers allowed inside the premises. There is a notice board included in the shop for the customers, which confirms that only four customers at one time should be allowed inside the shop.

The delivery drivers are normally either outside the premises or in the basement of the shop. The only time they visit is when they want to collect the customer orders.

If the number of customers inside the shop exceed the required limit of four customers at one time, someone from the team member will stand next to the door, as a supervisor, to ensure that the entry policies are followed.

- **CCTV**

Margarita Mama's Ltd has installed high-definition CCTV cameras inside and outside the premises. All areas are regularly controlled and checked by the supervisor on duty. The cameras are recording closeup at the entrance and covers wide range of areas. The recordings are in real time, and we can also access the playback data, which can assist the council or other authorities to access the recordings, in the event of any accident or emergency. There are also signs displayed for customers that they are being recorded in CCTV cameras.

- **Training**

As per the HR requirements of Margarita Mama's Ltd, all the staff members are required to undergo a proper training about all the policies, procedures, and the active licenses of the business. This is to ensure that the team adhere with the licensing act 2003.

During every session, there is also a supervisor who ensures all the policies and procedures are followed by the staff members.

- **Noise Issues**

Margarita Mama's Ltd has been operating in this premises since October 2020 and during this time, there hasn't been any complaint from the neighbourhoods in relation to the noises. This is because the business is strictly following the rules on the team members and the customers.

For further assurance, the ventilation and extraction systems are also checked by an expert engineer on annual basis, to ensure that they are installed correctly as per manufacturer's instructions.

- **Selling Alcohol**

Margarita Mama's Ltd does not sell alcohol or Tobacco in the business.

From: reception@searsaccountants

Sent: 11 January 2023 18:20

To: Cardwell Kris J - AW-CU **Cc:** Perez-Trillo Cristina: H&F Dismore James: H&F Overton Adrian: H&F >; Dismore James: H&F Collins Elisha: H&F <>; Inman Ian: H&F

Subject: RE: Margartita Mama's Ltd 149 North End Road London W14 9NH :- 2022/01970/LAPR

Dear Kris,

I can confirm that Mr Eddris has received your correspondence on the 09.01.2023. I have spoken with Mr Eddris and he has agreed to the terms and conditions proposed by the Metropolitan police.

Regards

Reception

From: Kristen

Sent: 11 January 2023 10:52

To: eddrishashimi

Subject: RE: Margartita Mama's Ltd 149 North End Road London W14 9NH :- 2022/01970/LAPR

Good Morning Eddris,

Please can you confirm receipt of my email dated 09.01.2023 and provide an update?

I also have a query regarding the hours that you have stated have been agreed by the Local Authority in your email dated 09.01.2023. I have included this sentence in red below. Please can you confirm who you spoke to within the Local Authority, roughly when this was and what timings were agreed?

We have also discussed our proposed operating hours with the Local Authority, and they have agreed that these hours are reasonable and will not cause undue disruption to the local community

As the last day of objection for your application is Friday, please can you respond with a matter of urgency?

Kind regards,

Kris.

Kris Cardwell
Police Constable

From: Cardwell Kris J - AW-CU
Sent: 09 January 2023 18:03
To: Eddris Hashimi
Subject: RE: Margartita Mama's Ltd 149 North End Road London W14 9NH :-
2022/01970/LAPR

Hi Eddris,

Many thanks for your email.

In relation to your query referencing customers being allowed in the premises until closing time, I explained at length when we met the reasons for the Police not wanting this to happen. It is extremely well evidenced that incidents of violence and disorder occur at premises such as yours in the early hours when some customers are drunk, rowdy and causing anti-social behaviour. I addressed these concerns with the appropriate licensing conditions.

I can guarantee you that if customers are allowed to attend the premises, incidents of disorder will occur and this will absolutely affect local residents, therefore the stance of the Police remains the same as per my proposals.

Please can you let me know if you agree with my proposed conditions as if not I will look to object to the application and let the Licensing Sub Committee decide?

Kind regards,

Kris.

Kris Cardwell
Police Constable

From: Eddris Hashimi
Sent: 09 January 2023 17:06
To: Cardwell Kris J - AW-CU

Subject: Re: Margartita Mama's Ltd 149 North End Road London W14 9NH :-
2022/01970/LAPR

Dear Kris,

Thank you for your email and for your efforts in working with us to find a solution that allows us to extend our operating hours while also addressing the concerns of the Police and the Local Authority.

We have carefully reviewed the conditions that you have proposed, and we are generally in agreement with them. We understand the need for increased security measures, such as the installation and operation of high definition CCTV, and we are committed to ensuring that these measures are implemented and maintained in accordance with your requirements.

In addition to these measures, we would like to assure you that we have taken steps to ensure that our operation at late hours is conducted responsibly. Specifically, we have limited the number of people allowed in the premises at any given time in order to ensure compliance with social distancing guidelines, and we have ensured that our staff are fully trained to handle the challenges of operating at late hours, including handling difficult situations and managing customer behaviour.

We have also discussed our proposed operating hours with the Local Authority, and they have agreed that these hours are reasonable and will not cause undue disruption to the local community.

However, we do have one request for clarification. While we understand the need to restrict customer access to the premises after certain times in order to reduce the potential for crime and disorder, we feel that it would be more appropriate to allow customers to continue to access the premises until the closing time, rather than restricting all sales to delivery only. We believe that this would be a more balanced approach that still addresses your concerns while also allowing us to continue to serve our customers in a responsible manner.

We would appreciate it if you could consider this request and let us know if you would be willing to make this adjustment to the proposed conditions.

Thank you again for your time and cooperation. We look forward to working with you to find a mutually satisfactory solution.

Sincerely,
Eddris

Sent from my iPhone

On 9 Jan 2023, at 4:17 pm, Kristen. wrote:

Good Afternoon,

To prevent the Police objecting to this application, please can you provide an update with the conditions that I have proposed as detailed below?

Regards,

Kris.

Kris Cardwell
Police Constable

From: Cardwell Kris J - AW-CU
Sent: 06 January 2023 10:25
To: Eddris Hashimi
Subject: RE: Margartita Mama's Ltd 149 North End Road London W14 9NH :-
2022/01970/LAPR

Good Morning Eddris,

Please can you confirm receipt of my email dated the 04.01.2023 as detailed below?

Kind regards,

Kris.

Kris Cardwell
Police Constable

From: Cardwell Kris J - AW-CU
Sent: 04 January 2023 11:04
To: Eddris Hashimi

Subject: Margartita Mama's Ltd 149 North End Road London W14 9NH :-
2022/01970/LAPR

Good Morning Eddris,

It was good to meet you last week and discuss your application. As I stated, the main concern for the Police regarding the hours you have applied for is that the potential for crime and disorder to take place could significantly increase. This is well evidenced at other similar premises across the Borough of Hammersmith and Fulham.

You stated that the main reason you have applied for the increase in licensable activity is to allow for deliveries to take place. We discussed that patrons not being allowed to purchase food in the premises after a certain time would reduce the likelihood for crime and disorder to take place and I explained that the Police would want a number of conditions placed on the licence to ensure that this was adhered to.

I also explained that I did not want the premises open for deliveries on a Sunday until 03:00.

The Police would not oppose the following amended timings and conditions:-

The provision of late night refreshment - Both Indoors and Outdoors
Sundays to Thursdays between the hours of **23:00 to 02:00**
Fridays and Saturdays between the hours of **23:00 to 03:00**.

Opening hours of the premises

Sundays to Thursdays between the hours of **09:00 to 02:00**

Fridays and Saturdays between the hours of **09:00 to 03:00**

1. High Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities and;
 - shall be checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request
 - one camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering.
 - shall cover any internal or external area of the premises where licensable activities take place.
 - recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
 - footage shall be provided free of charge to Police or authorised council officer within 24 hours of a request.
 - a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times. This staff member will be able to show police or authorised officers of the Licensing Authority recent data footage with the minimum of delay when requested. This data or footage reproduction shall be almost instantaneous
2. After 00:00 Sunday- Thursday inclusive, no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.
3. After 01:00 on a Friday and Saturday, no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.
4. Notices shall be prominently displayed at all exits used by delivery drivers requesting them to respect the needs of local residents and leave the area quietly.
5. After 23:00, drivers shall wait inside the premises between deliveries/for deliveries.
6. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 00:00hrs Sunday - Thursday and 01:00 on a Friday and Saturday must be phoned through or made via a website/app and are for home delivery only.
7. Delivery drivers/riders will be given clear, written instructions to use their vehicles in a responsible manner so as to not cause nuisance to any residents or generally outside the licensed premises; not to leave engines running when the vehicle is parked; and not to obstruct the highway. The licence holder will positively encourage delivery drivers/riders to use quieter vehicles that are less likely to cause a nuisance such as bicycles.

I explained that colleagues at the Local Authority who deal with noise and nuisance may have some concerns regarding the above and therefore I have copied them into this email chain for any comments.

Please can you let me know if you agree to the above amended timings and conditions?

I look forward to hearing from you,

Kind regards,

Kris.

Kris Cardwell
Police Constable

From: [Layug Karen: H&F](#)
To: [Mckenna Lorna: H&F](#)
Subject: FW: Margartita Mama's Ltd 149 North End Road London W14 9NH :- 2022/01970/LAPR
Date: 24 March 2023 14:10:15
Attachments: [image012.png](#)
[image016.png](#)
[image017.png](#)
[image001.png](#)
[image004.png](#)
[image005.png](#)
[image019.png](#)
[image020.png](#)

From: Licensing HF: H&F
Sent: 18 January 2023 11:29
To:
Cc: Rawlinson James: H&F
Subject: FW: Margartita Mama's Ltd 149 North End Road London W14 9NH :- 2022/01970/LAPR

Dear Mr Hashimi

Please find below representation from the Noise and Nuisance Team. Please contact Mr Rawlinson should you wish to discuss his representation.

You have agreed the below conditions with the police and the following hours in line with these conditions:

The provision of late night refreshment - Indoors
Sundays to Thursdays between the hours of **23:00 to 00:00**
Fridays and Saturdays between the hours of **23:00 to 01:00**.

The provision of late night refreshment - Outdoors
Sundays to Thursdays between the hours of **23:00 to 02:00**
Fridays and Saturdays between the hours of **23:00 to 03:00**.

Opening hours of the premises
Sundays to Thursdays between the hours of **09:00 to 00:00**
Fridays and Saturdays between the hours of **09:00 to 01:00**.

Please confirm if you agree to further amend your application inline with the Noise and Nuisance representation:

Use of motorised vehicles:

Late Night Refreshment- outdoors

- **Sunday to Thursday 23:00 to 00:00 (midnight)**
- **Friday & Saturday 23:00 to 1:00am**

Alternatively please confirm if you would be willing to use electric vehicles and agree to the following:

Electric Vehicle Use

Late Night Refreshment- outdoors

- **Sunday to Thursday 23:00 to 01:00**
- **Friday & Saturday 23:00 to 2:00**

Condition: No use of motorised vehicles for delivery purposes after 00:00 (midnight) Sunday to Thursday and after 01:00 on Fridays and Saturdays

Kind regards

Karen Layug

Licensing Administration Team Leader

Licensing

The Environment Department

Hammersmith& Fulham Council

020 8753 4543

www.lbhf.gov.uk

Have you signed up to our email notifications to receive alerts of relevant applications received by this department? If you would like to sign up, please click the link below:

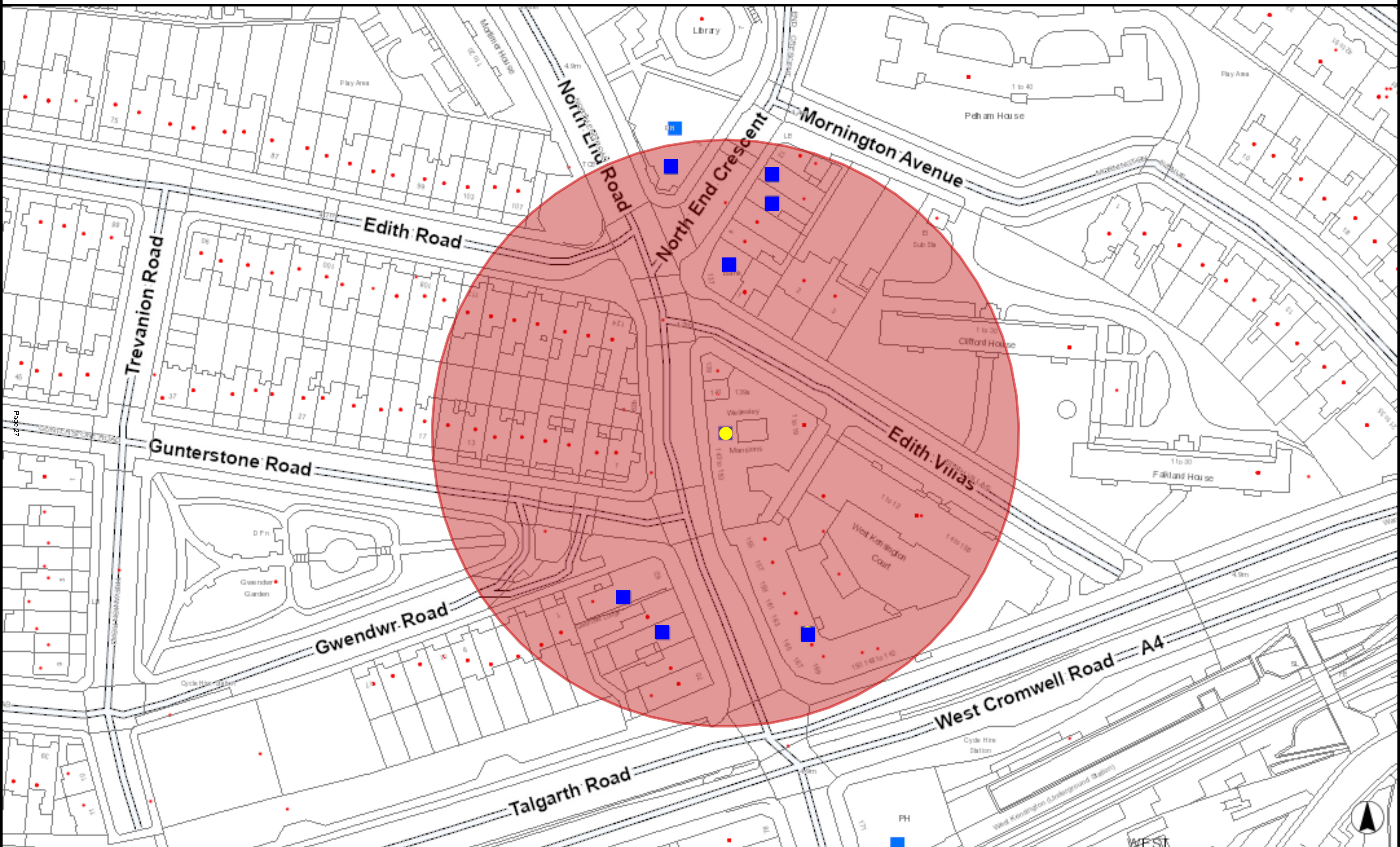
[email notification service](#)



We would be grateful if you could spare a few minutes to complete this short [Customer Satisfaction Survey](#) about your recent interaction with our team.



London Borough of Hammersmith & Fulham



LICENCE NO	TRADING AS	ADDRESS	ACTIVITY	Monday to Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2005/03346/LAPRT	Malik Moneywise	8 North End Crescent London W14 8TQ	Sale of Alcohol Off the Premises		08:00:00 - 23:00:00	08:00:00 - 23:00:00	08:00:00 - 23:00:00	08:00:00 - 23:00:00	08:00:00 - 23:00:00	08:00:00 - 23:00:00	10:00:00 - 22:30:00
2005/03143/LAPRTV	Kensington Food Centre	153 North End Road London W14 9NH	Sale of Alcohol Off the Premises		09:00:00 - 01:00:00	09:00:00 - 01:00:00	09:00:00 - 01:00:00	09:00:00 - 01:00:00	09:00:00 - 01:00:00	09:00:00 - 01:00:00	09:00:00 - 22:30:00
2018/01695/LAPR	Chapter Coffee	137 North End Road London W14 8XU	Sale of Alcohol On the Premises		12:00:00 - 22:00:00	12:00:00 - 22:00:00	12:00:00 - 22:00:00	12:00:00 - 23:00:00	12:00:00 - 23:00:00	12:00:00 - 23:00:00	12:00:00 - 22:00:00
2005/05287/LAPR	Cafe Continente	62 North End Road London W14 9EP	Sale of Alcohol On the Premises		07:30:00 - 20:00:00	07:30:00 - 20:00:00	07:30:00 - 20:00:00	07:30:00 - 20:00:00	07:30:00 - 20:00:00	09:00:00 - 19:00:00	09:00:00 - 19:00:00
2011/00921/LAPR	Fortune Restaurant	142 - 148 West Cromwell Road London W14 9AE	Sale of Alcohol On and Off the Premises		10:00:00 - 00:00:00	10:00:00 - 00:00:00	10:00:00 - 00:00:00	10:00:00 - 00:00:00	10:00:00 - 00:00:00	11:00:00 - 00:00:00	12:00:00 - 23:30:00
2019/02186/LAPR	Best Mangal 2	66 North End Road London W14 9EP	Sale of Alcohol On the Premises		10:00:00 - 00:00:00	10:00:00 - 00:00:00	10:00:00 - 00:00:00	10:00:00 - 00:00:00	10:00:00 - 00:00:00	11:00:00 - 00:00:00	12:00:00 - 23:30:00
2021/01590/LAPR	Sainsbury's	Ground Floor 3 North End Crescent London W14 8TG	Sale of Alcohol Off the Premises	07:00:00 - 23:00:00							
2022/01161/LAPR	IMUSIX LTD - Ground Floor	10 North End Crescent London W14 8TQ	Sale of Alcohol On the Premises	12:00:00 - 22:30:00							

From: Overton Adrian: H&F <

Sent: 13 January 2023 13:15

To: Collins Elisha: H&F

Cc: Layug Karen: H&F Perez-Trillo Cristina: H&F Dismore James: H&F

Subject: Margartita Mama's Ltd (AKA Fresh Pizza) 149 North End Road London W14 9NH :-
2022/01970/LAPR

Dear Ms Collins,

On behalf of the Licensing Authority I would like to make a representation against this application on the following grounds :

- The prevention of crime and disorder.

I am aware of a number of recent enforcement interactions with this premises which I believe undermine the above objective. I will provide further information in due course in a full representation.

Yours sincerely

Adrian Overton
Licensing Policy & Enforcement Manager

From: Rawlinson James: H&F
Sent: 17 January 2023 15:53
To: Licensing HF: H&F
Subject: RE: Margartita Mama's Ltd 149 North End Road London W14 9NH :- 2022/01970/LAPR

Hi Licensing

We have reviewed the conditions agreed with the police, and whilst this will clearly go some way to mitigate noise nuisance and in particular that associated with late night customers and potential ASB, our concerns remain with respect to the use of motorised vehicles for the proposed hours of use and the associated noise and disturbance caused to local residents.

For clarity, in order for us to consider the removal of our representation, (and in line with the conditions agreed with the police) we would require the following times of operation to be conditioned if motorised vehicles are to be used:

Opening Times.

- **Sunday to Thursday 9:00am to 00:00 (midnight)**
- **Friday & Saturday 9:00 to 1:00am**

Should the applicant be able to commit to electric vehicles, then would look to remove our representation if the following could be conditioned:

Electric Vehicle Use

- **No use of motorised vehicles for delivery purposes after 00:00 (midnight) Sunday to Thursday and after 01:00 on Fridays and Saturdays**

We would then agree to the following opening times

Opening Times.

- **Sunday to Thursday 9:00am to 01:00 (midnight)**
- **Friday & Saturday 9:00 to 2:00am**

Please advise if you need anything further at this time, or if you would like us to liaise with the applicant directly

Thanks

James Rawlinson
Noise and Nuisance Officer

From: Rawlinson James: H&F
Sent: 20 December 2022 12:39
To: Inman Ian: H&F Cardwell Kris J - AW-CU

Cc: Licensing HF: H&F Tamba Lamin: H&F

Subject: RE: Licensing Act 2003 - Reference: 2022/01970/LAPR

Hi Cristina

Having reviewed this application with regards to the context of the times requested, the location, and with regards to the current opening times of other premises of a similar nature, noise and nuisance would like to raise a formal objection on the basis of upholding the Licensing Act Objective of Prevention of Public Nuisance. With careful consideration of the aforementioned local context, is it considered by this department that allowing this premises to open until the times requested would both increase noise (included from and late night antisocial behaviour in a mixed commercial and residential area.

If however, the suggested changes to the opening times and conditions by my colleague Ian Inman below are agreed with the applicant, we would remove our objection to the application.

James Rawlinson

Noise and Nuisance Officer
Resident services

From: Inman Ian: H&F

Sent: 19 December 2022 12:47

To: Cardwell Kris J - AW-CU

Cc: Licensing HF: H&F Tamba Lamin: H&F <Rawlinson James: H&F

Subject: FW: Licensing Act 2003 - Reference: 2022/01970/LAPR

Good afternoon Kristen

Further to my brief email this morning regarding this application.

On review of the attached documents, I have concerns relating likely noise disturbance arising from operation of the business if the applied for hours are granted in full.

Due to the location and type of business, the evening sales of food are almost certainly going to relate to collections/deliveries by motorcycle drivers (Uber Eats, Deliveroo etc), which are notorious for causing noise issues.

My suggestion will therefore be that operating hours are restricted to the following to prevent the likelihood of public nuisance:

- **Sunday to Thursday 9:00am to 00:00 (midnight)**
- **Friday & Saturday 9:00 to 1:00am**

I have briefly spoken to Licensing regarding my concerns and have copied them into this email.

Should you have any further questions please do not hesitate to contact me at the earliest opportunity.

Sincerely

Ian Inman

Specialist Noise and Nuisance Officer
Noise and Nuisance

From: Kristen.Cardwell

Sent: 19 December 2022 09:29

To: Environmental Protection: H&F

Cc: Rawlinson James: H&F Inman Ian: H&F <>

Subject: Licensing Act 2003 - Reference: 2022/01970/LAPR

Good Morning,

Regarding the above application, I am meeting with the applicant tomorrow on site at 15:00 to discuss the proposed hours.

I am of the opinion that the hours are too late considering the premises is in a residential area.

Do you have any thoughts regarding these hours?

Kind regards,

Kris.

Kris Cardwell
Police Constable

-----Original Message-----

From: Andy Clarke

Sent: 01 January 2023 18:57

To: Licensing HF: H&F

Cc: Overton Adrian: H&F

Subject: Fresh Pizza (2022/01970/LAPR) letter of objection

2022/01970/LAPR

Licensing Act - Premises Licence

Margarita Mama's (Fresh Pizza), 149 North End Road, London W14 9NH

We are writing to you to object to the above licensing application. We were unable to submit these objections through your online portal because they were over the 5000 character limit.

We would be grateful if you could acknowledge receipt of this letter of objection. Please do not hesitate to contact us if you have any questions.

Regards,

Andrew Clarke and Grethe Mitchell
West Kensington Court

SEE FURTHER ATTACHMENTS

From: Andy Clarke

Sent: 13 January 2023 12:35

To: Licensing HF: H&F

Cc: Overton Adrian: H&F

Subject: Re: Margarita Mama's Ltd (AKA Fresh Pizza) 149 North End Road London W14 9NH :-
2022/01970/LAPR

Elisha,

Thank you for your email.

My representation remains.

The hours listed below far exceed those listed as appropriate for a residential/mixed-use on pages 21/22 of the LBHF Statement of Licensing Policy 2022-27 (SLP). My representation makes the case that the opening hours should be shorter than those listed in the SLP - as the previous behaviour of the applicant has included multiple breaches of their licensing conditions (which have included repeated and ongoing breaches during the current consultation period).

In addition, my representation also raises the issue of cumulative impact (which is listed as a specific criteria for consideration as item (b) on page 21 of the SLP), highlighting the high concentration of late-night, delivery-oriented, fast-food takeaways in this residential area.

I have other concerns about the draft conditions listed below (for instance, that they "encourage" electric vehicles, rather than "requiring" them), but these can perhaps be addressed at the hearing.

Regards,

Andy Clarke

On 13/01/2023 11:07, Licensing HF: H&F wrote:

Dear all

Please refer to the agreed conditions (highlighted in red below) between the Police and the applicant for the above application.

The provision of late night refreshment - Both Indoors and Outdoors

Sundays to Thursdays between the hours of **23:00 to 02:00**

Fridays and Saturdays between the hours of **23:00 to 03:00.**

Opening hours of the premises

Sundays to Thursdays between the hours of **09:00 to 02:00**

Fridays and Saturdays between the hours of **09:00 to 03:00**

1. High Definition CCTV shall be installed, operated and maintained, at all times that the premises are open for licensable activities and;

- shall be checked every two weeks to ensure that the system is working properly and that the date and time are correct. A record of these checks, showing the date and name of the person checking, shall be kept and made available to Police or authorised Council officers on request
- one camera will show a close-up of the entrance to the premises, to capture a clear, full length image of anyone entering.
- shall cover any internal or external area of the premises where licensable activities take place.
- recordings shall be in real time and stored for a minimum period of 31 days with date and time stamping.
- footage shall be provided free of charge to Police or authorised council officer within 24 hours of a request.
- a staff member from the premises that is conversant with the operation of the CCTV system shall be on the premises at all times. This staff member will be able to show police or authorised officers of the Licensing Authority recent data footage with the minimum of delay when requested. This data or footage reproduction shall be almost instantaneous

2. After 00:00 Sunday- Thursday inclusive, no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.

3. After 01:00 on a Friday and Saturday, no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.

4. Notices shall be prominently displayed at all exits used by delivery drivers requesting them to respect the needs of local residents and leave the area quietly.

5. After 23:00, drivers shall wait inside the premises between deliveries/for deliveries.

6. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 00:00hrs Sunday - Thursday and 01:00 on a Friday and Saturday must be phoned through or made via a website/app and are for home delivery only.

7. Delivery drivers/riders will be given clear, written instructions to use their vehicles in a responsible manner so as to not cause nuisance to any residents or generally outside the licensed premises; not to leave engines running when the vehicle is parked; and not to obstruct the highway. The licence holder will positively encourage delivery drivers/riders to use quieter vehicles that are less likely to cause a nuisance such as bicycles.

With the above in mind could you please confirm if your representation remains?

Kind regards

Elisha Collins

Licensing Compliance Officer

From: Charlotte Dexter

Sent: 13 January 2023 19:21

To: Collins Elisha: H&F

Cc: Licensing HF: H&F

Subject: Rep against Margartita Mama's Ltd (AKA Fresh Pizza) 149 North End Road London W14 9NH :- 2022/01970/LAPR

Margartita Mama's Ltd (AKA Fresh Pizza) 149 North End Road London W14 9NH :- 2022/01970/LAPR

13 Jan 2023, 19:20, London

I write to oppose this application on the grounds of crime and disorder, ongoing noise and nuisance and concerns that public safety might be compromised in inside this Premises. As well, children along the Premises serving pathway are suffering and not being protected from the harm of being awoken by delivery vehicle noise as well as noise of drivers associated with the Premises congregating close to residential flats in the immediate area of the Premises.

Operating illegally for ages

This Premises has been evading the law for so long that not even the Responsible Authorities realised that this Premises (more correctly, stated, this shop) did not have a Premises licence to operate, ie sell Late Night Refreshment (food only) after 23:00. On this alone, the Licence should not be given for any hours after 23:00 (trading standards, food safety applies before 23:00, I am told). The operator needs a lot more time to understand what trading standards and licensing are all about in this Borough.

Where is the evidence?

I don't see that they have mentioned anything to give comfort to the Committee that they plan to do anything differently than before they finally applied for a Late Night Refreshment licence, which the law requires for making/serving/delivering hot food after 23:00. The store frontage will continue to be messy, drivers will continue to hang out and make noise, the road will continue to be used as a urinal and they'll continue to trade under several names at once on apps to garner business. Reviews for this place/these multiple names are very concerning food not delivered, difficult to reach them by phone, if you can at all, wrong pizzas delivered, cold food that should be hot etc.

I also know from a more local resident that they have stayed open far longer than 23:00, till the early to mid-morning hours, since applying for this Licence I hope that the Sub-Committee takes these breaches into consideration. They are reason alone to reject the licence Application.

Honest traders

The Council wants honest traders who are interested in upholding the law, making H&F a better place for residents, traders who are proud of their shop frontage, traders who tidy up their shop frontage several times a day. There is no evidence, sadly, of any of these goals of the Council being projected by this shop. Perhaps the shop has plans to change their ways for the better.

The serving pathway is a noise nuisance residential highway

I am writing from a not-nearby road, but there is reason for this. This multi-named pizza place delivers just about everywhere in H&F, bar a few outlying areas, so they add to the roar that is The Delivery Economy throughout a good portion of Hammersmith and Fulham. This is noise nuisance on the pathway to serve the customer their pizza. The customer is finally served at the customer's front door; up till then it is a noisy nuisance that wakes up people, makes dogs bark and generally adds to psychological nuisance, especially to children, whose sleep is inhibited, who live on 100

percent residential roads but those roads happen to be roads that are now used all too often as a traffic rat run by delivery services.

Cumulative Impact and 'doing things with residents, not to them'

The longer the hours, the more nuisance; a simple formula that we really need the Sub-Committee to take seriously, for the sake of residents.

The LBHF Licensing Policy goes to great lengths to promise that residents will be taken into consideration regarding Applications such as this. We residents, across H&F, are now bombarded with the deliveries of Premises that are located anywhere within a few miles' radius of any residential area or residential road. Times have changed since the enactment of the 2003 Licensing Act when there was no Delivery Economy; we need the Sub-Committee to help us reduce noise, reduce nuisance, reduce crime and the potential for crime from and around these types of shops with these drivers associated with this shop and these kinds of shops.

Not allowing hours after 23:00 and or reducing hours seems the only way forward to help residents be the recipients of the possible positive consequences of this premises 'promoting the licensing objectives'.

We residents must repeat ourselves each time a new Application is made, as each Application is considered on its own merit, but cumulative impact is now taking hold around this address. Several pizza shops in a small radius are causing so much noise disturbance, not only at and around the Premises but throughout the delivery pathways, ie most residential roads in Fulham and Hammersmith. This shop itself trades under several names on various apps; I can't really figure out how many names they have, but they have at least two names at this address.

Why be concerned at the lower end of North End Road?

I am also writing because I have realised that hardly any residents know about the licensing process so they are not involved in it. They don't know about blue signs, they don't read about licensing anywhere, they don't know that they can make representations, nor do they know that a Licensing hearing is a legal process the decision of which can be taken to appeal in the Magistrates Court.

In the end, the Act assumed a lot of knowledge about licensing by the average citizen. This is simply not the case. So, someone needs to speak about the concerns of a lot of residents.

Even Councillors are often compromised and cannot make a Rep or do not have time to make a Rep. I've spoken to Councillors who have told me to write to each member of the licensing committee about my concerns; these very Councillors do not realise that writing to a licensing committee member could compromise that member's ability to sit at a licensing hearing if they have already heard concerns about an application. It is a very complicated situation.

Licensing Matters in H&F and a few residents are voicing the same concerns of thousands of residents.

Please note the incorrect spelling of the company in the Application (it should be Margarita, not Margatita).

I am gathering more info, in person, and so reserve my right to comment further.

Charlotte Dexter
Barclay Road SW6 1EJ

2022/01970/LAPR
Margartita Mama's (Fresh Pizza)
149 North End Road
London
W14 9NH


Introduction

I am writing to you to object to the above licensing application. We are residents of a residential block in the immediate vicinity of 149 North End Road and are therefore very familiar with the business in question.

I note that the application has been made with a trading name of "Margartita Mama's". However, the trading name of the business at 149 North End Road ("the name above the door") is "Fresh Pizza". I also note that the license application refers to Margartita Mama's (note the misspelling), but Mr Eddris Hashimi's company has a slightly different spelling: Margarita Mama's Ltd (company number 12919018). I would therefore question whether the application has been made correctly – and whether the license (if granted) would be given to the correct business or legal entity. It is also possible that the incorrect trading name (and misspelling) may prevented local residents from raising objections in time as they may not have realised that this application applies to Fresh Pizza.

I would also like to highlight to the Licencing Committee (with some concern) that Fresh Pizza appears to be trading under multiple names on multiple delivery sites – this is a common practice for delivery-focused businesses including "dark kitchens" (for instance, to help them to operate beyond their licensed opening hours or conceal their actual number of delivery orders).

The following screenshots were taken today from Just Eat and show Fresh Pizza using the name "Fresh Gourmet Pizza" and/or "Gourmet Pizzeria" (see <https://www.just-eat.co.uk/restaurants-fresh-gourmet-pizza-west-kensington-w14/>). They also show the very late hours for delivery orders (which are the same for collection). On Google Maps, "Gourmet Pizzeria" likewise appears as a second business operating out of 149 North End Road, the same address as the current application.



Fresh Gourmet Pizza

Pizza • Italian

★★★★☆ [View 180 reviews](#)

149 North End Road, London, W14 9NH

Delivering now
[I want to collect](#)

£1.99 delivery fee
£10 min. order

Opening times

Delivery	Collection
Monday	09:15 – 05:44
Tuesday	09:15 – 06:44
Wednesday	09:15 – 06:44
Thursday	09:15 – 06:44
Friday	09:15 – 06:44
Saturday	09:15 – 06:44
Sunday	09:15 – 06:44

In my letter below, I will refer to the business in question as “Fresh Pizza” – as this is “the name above the door” and therefore the most recognisable.

My letter will also refer repeatedly to the LBHF “Statement of Licensing Policy 2022-2027”. For brevity, I will shorten this to “the SLP”.

History

On 27/9/22, I attended the licensing hearing for another nearby takeaway, Pizza Pronto (2022/01153/LAPR). During the hearing, the owners of Pizza Pronto made reference to Fresh Pizza, which they claimed was operating beyond its licensed hours and was open well past midnight without any licensing extension. Pizza Pronto were seeking to extend their own operating hours to have a "level playing field".

Shortly after this licensing hearing, I wrote my first email complaint (1/10/22) to the Licensing Team to ask them to investigate these alleged breaches by Fresh Pizza. A copy of this complaint is attached for ease of reference. At this time, Fresh Pizza did not have a late-night license, but appeared to be operating until 5am, both for collection and delivery. This was the allegation made by Pizza Pronto and was confirmed by the following image taken from the Fresh Pizza site (<https://freshpizzalondon.co.uk/contact-us>). My own observations confirmed that Fresh Pizza was open well past midnight for both collection and delivery.

Opening Hours

Day	Collection	Delivery
Monday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Tuesday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Wednesday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Thursday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Friday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Saturday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Sunday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM

Even if Fresh Pizza had an existing license for these hours, it seemed likely (from my own observations) that they were breaching the sort of conditions normally associated with a late-night license – such as those prohibiting counter service to walk-in customers and preventing delivery riders waiting outside where they might cause disruption to local residents.

As Fresh Pizza have made the current licensing application, I assume that the investigations by the Licensing Team identified breaches, upheld my complaint, and resulted in a formal warning.

On 24/12/22, I wrote my second email complaint to the Licensing Team regarding Fresh Pizza (a copy of this is also attached). During November and December, Fresh Pizza had been applied for (and apparently been granted) a number of TENs. However, I noticed that they were still open well past midnight on nights that they did not have a TEN – and hence in breach of their current licensing conditions regarding opening hours. I also raised some technical queries regarding the validity of the TENs and whether the applicants had exceeded the number of allowed days per year.

I understand that TENs are a slightly different licensing regime to the current application. However, my email of 24/12/22 was to complain that the behaviour of Fresh Pizza on days when they did not have a TEN in place as this appeared to breach their current licensing conditions (hours) – and as a result, I feel that this complaint is relevant and should be taken into consideration when considering the current application.

I feel that the behaviour highlighted in my email of 24/12/22 demonstrates that there are persistent and repeated licensing breaches by Fresh Pizza – which have occurred even after they were (I assume) warned about their behaviour following my email of 1/10/22. At this point, Fresh Pizza were fully aware of their licensing conditions (their TENs application demonstrates this), but seem to have chosen to ignore these conditions on the days when they don't have a valid TEN. This raises “red flags” regarding Fresh Pizza's current licensing application as it suggests a casual disregard towards the licensing regulations.

Summary

We encourage the licensing committee to reject the application from Fresh Pizza on the following statutory grounds.

- The prevention of public nuisance
- The prevention of crime and disorder

Our letter of objection will cover these points in more detail below. In doing this, we will highlight other significant issues including:

- The high concentration of fast-food takeaways and the cumulative impact that this is having on this high-density residential area.
- The previous trading practices of this business, which appears to include sustained and repeated licensing breaches.

The prevention of public nuisance

A late opening fast-food outlet will encourage loitering, crime and the consumption of alcohol in public spaces (streets and pavements) of this residential neighbourhood. The area already has a drug-dealing problem with North End Crescent (including the council properties and their grounds, surrounding alleyways and passages, and the area around the library) being an area where dealers and their clients congregate and meet up.

The provision of more late-night fast-food in this area will provide a magnet for drug-dealing and drug-buying. A late-night fast-food outlet will also encourage consumption of alcohol out on the street late at night, with associated anti-social behaviour (aggression and loud raucous behaviour, litter, urinating etc). Rough sleepers (already a problem in the ward) will be attracted to the area.

Fresh Pizza is situated in a high-density residential area that is already vulnerable to noise from existing outlets and shops. Whilst there may be a place for the “late-night economy”/“delivery economy” in city centres, it is inappropriate for a residential neighbourhood such as this. We would also like to flag the cumulative impact on this area which has a disproportionately high concentration of fast-food takeaways, many of which open late and offer delivery orders (this point will be covered in more detail later on).

Allowing Fresh Pizza to open late (particularly on Friday and at weekends) will dramatically increase the noise levels in the area as it will attract cars, motorbikes, scooters and groups of people to the locality. We object to this application treating Sunday as a suitable night for extended late-night activity as this noise would disrupt residents and their children who need to be at work and school on Mondays.

There is almost no waiting area inside Fresh Pizza – the counter extends almost to the doorway and there is only space inside for a couple of people. There are a couple of chairs placed in the street outside. As a result, customers (and delivery riders) awaiting their order will often loiter outside and this can cause a disturbance to local residents.

This issue will get worse when Olympia reopens and starts running concerts. These events may have over 4000+ people attending them and many will stop at Fresh Pizza on their way home (if it is allowed to open late) as it is on the way to West Kensington underground station. These customers may often be boisterous or drunk as they have just come out of a concert.

In addition, Fresh Pizza is situated very close to the North End Road/Talgarth Road junction – and as a result, does not have any suitable/safe parking for customers and delivery riders. Cars/bikes parked outside will obstruct traffic travelling to (or queueing at) the Talgarth Road junction (which is a strategic junction on a red route and an accident black spot). We have also noticed delivery riders for Fresh Pizza will often wait in the entrance of Gunterstone Road (just across from Fresh Pizza), rather than outside the takeaway itself. This is not an appropriate alternative as Gunterstone Road is a quiet residential street.

Although the overall number of delivery orders has grown, the number of riders has risen even more quickly and these riders are now competing more aggressively for orders. It is now common to see scores of delivery riders parked outside (or near to) takeaway restaurants so that they can be the first in line when an order comes in (the delivery matching software seems to prioritise riders who can collect the quickest which favours those loitering outside). These communities of waiting riders seem to develop their own social scene based on shared language, background, or circumstances.

I am concerned that extending the late-night opening for Fresh Pizza will lead to it becoming one of these “congregation spots” – and this is inappropriate in a quiet residential street as it will cause a substantial late-night disruption to local residents (particularly in Gunterstone Road and North End Road).

We have also seen a substantial increase in the number of delivery riders (both on mopeds and electric bikes) who are using Edith Villas as a shortcut to West Cromwell Road – they ride to the end of this cul de sac, then go up the kerb and over the pavement to reach Cromwell Road as this allows them to miss out the traffic light at the junction of North End Road.

The extension being requested by the applicant is excessive (too long and over too many days) and will cause substantial disruption to local residents. Moreover, it is inappropriate – particularly in a high-density residential area – for the current application to treat 02:00 as normal opening hours, rather than an exceptional late-night extension for the weekend (i.e. Friday/Saturday).

The Pizza Pronto license restricts its opening hours to 00:30 on Sunday to Wednesday and 01:00 on Thursday to Saturday. However, we regard even these hours as excessive as the SLP (pages 21-22) indicates that takeaways are “not considered appropriate” in a residential area and suggests a closing time of **00:30 on Friday/Saturday** and **23:30 on Sunday** for a takeaway in a mixed-use area.

As Fresh Pizza has been operating (for a sustained period) in breach of its licensed opening hours, we feel that it would be inappropriate for it to be granted an extension beyond these guidelines.

Given the concentration of fast-food takeaways in the local area, I am concerned that granting extended hours to Fresh Pizza would create a precedent and that other establishments in the area would want to follow suit. Regarding “precedents”, I feel that the Licensing Committee should not take the opening hours of other nearby fast-food takeaways into account when considering the current application.

This approach (using “precedent”) does not create a “level playing field” – but instead leads to a “race to the bottom” which is detrimental to local residents and the ward/borough in general as each will request (longer and longer) late-night extensions. It also leads to an over-concentration of late-night delivery services in certain areas (once one fast-food outlet has late-night opening, all of the others apply for the same, whereas another area can avoid it completely if they don’t grant the first late-night license).

Granting extended hours to most/all takeaways in an area also blights that neighbourhood. Fast-food takeaways “squeeze out” genuine eat-in/sit-down restaurants in the area as the takeaways are subsidised by their late-night delivery trade (which often forms the bulk of their profits). Unlike the eat-in restaurants, there is little or no incentive for the takeaways to be “good neighbours” as they don’t rely on local residents as walk-in trade (as their customers are scattered far and wide).

I will discuss the above points further in the section below under the heading “Cumulative Impact”.

I note that the current application does not include any of the conditions that have been applied to other fast-food takeaways in the area. For instance, it does not restrict service after 11pm to pre-booked delivery riders only (barring “walk-in” trade), prevent delivery riders from congregating outside or obstructing the pavement with the vehicles, or require the use of electric bikes only.

As a local resident, I object the licensing application as a whole. As Fresh Pizza has previously operated in breach of its licensing hours, I feel that no extension to these hours should be granted until it has demonstrated an extended period of “good behaviour” (and even then, it should not be granted automatically or by default, but only through a new licencing application which will allow further public comments/objections at that stage). However, if extended licensing hours are granted, it should include the sort of standard conditions listed in the above paragraph. I am sure that the Licensing Committee is familiar with the type of conditions which are appropriate – but if not, the ones from the Pizza Pronto license can be used as a starting point.

The prevention of crime and disorder

In assessing this issue of crime and disorder, the licensing committee should also consider the conduct of the business in question. The SLP (page 9) says that LBHF wants to “improve the local business community by enforcing against those businesses that don’t operate well, are breaking the law and do not contribute to making the borough safe and orderly”.

I believe that this aim is undermined if Fresh Pizza is granted a license that would allow extended opening hours. Fresh Pizza appears to have been opening beyond its licensed hours for a substantial period. Once warned, it applied for TENS but seemed to continue this behaviour and operate beyond its licensed hours on the days when it did not have a TENS in place. This appears (on the surface) to be a clear and self-evident sign that it is “breaking the law” and “not operating well”.

Page 39 of the SLP says that the Licensing Authority should consider:

xvi. The history of previous nuisance complaints proved against the premises, particularly where statutory notices have been served on the present licence holder;

xvii. The history of the applicant in controlling anti-social behaviour and preventing nuisance

By opening beyond their licensed hours, Fresh Pizza appear to have contravened these guidelines (and potentially others) and have demonstrated a disregard for their responsibility to prevent nuisance. In this, I assume that my 1/10/22 email to the Licensing Team about Fresh Pizza triggered an inspection and a statutory notice of the breach in opening hours.

Annex 4 of the SLP (page 52) indicates that one of the grounds for reviewing an existing premises licence is “frequently operating outside permitted hours”. Fresh Pizza appears to have been behaving in a way which would trigger a licensing review (and potentially the removal of an existing licence) – and as a result, it seems wholly inappropriate, given this same behaviour, for them to be granted a new license for extended hours.

The licensing committee should not grant a license to Fresh Pizza on the basis that they are now trying to comply with requirements. Any restaurant owner would be aware of the licensing requirements (or be able to find them out by visiting the LBHF site), but Fresh Pizza appeared to operate far beyond their allowed opening hours and did this for an extended period. This appears to have been a blatant and sustained breach of the licensing rules. They also appear to have knowingly breached the licensing rules by opening late on the days in December 2022 when they did not have a TEN in place.

In discussing Fresh Pizza’s business practices and standards, it seems useful and relevant to quote from their Google reviews – as several of these say that they “lie” to their customers and operate as a “scam”. I am not a customer of Fresh Pizza, so can’t verify these reviews. However, they do not give the impression that Fresh Pizza is a “good business” and “operating well”. The comments below are taken from these Google reviews.

“Please avoid this restaurant if you don’t want to waste your money. They’re also called MARGARITA MAMA’S on Deliveroo (same address in North End Road) and they take the money but don’t deliver your order. They are extremely rude on the phone and they lie to Deliveroo by saying that the order was delivered. Customer service is awful & Deliveroo will refuse to refund you because they say that this company do they own delivery so they can’t prove if it was delivered or not. Be careful!!!”

“Never felt compelled to leave a review before, but the service was honestly unbelievable. Ordered via Deliveroo and waited 2 hours, despite the order having a 10 minute delivery estimate. Called the restaurant numerous times, each time they were incredibly rude and lied, claiming it would only be a few more minutes.

Eventually they just hung up on me and marked it as delivered, despite it never having actually arrived. I tried to get a refund or cancel the order but was unable to as the restaurant listed it as delivered.

Looking at other reviews, seems this place is a total scam. Please avoid and save your money!”

Overall, I feel that the current licensing application should be refused and Fresh Pizza should be restricted to standard opening hours with no late-night extension. Granting an extension without a period of good behaviour would be premature as Fresh Pizza needs to prove that it can operate well, in a safe and orderly fashion, without breaching their licencing conditions. As a local resident, I feel that Fresh Pizza can only do this by showing – for an extended period of time – that it is willing to keep to restricted licensing hours. It is only at that point, when it has rebuilt the trust of the local community and the Licensing Committee, that Fresh Pizza should be allowed to request extended opening (which would need to go through the same public consultation process).

Cumulative impact

I would like to also highlight the cumulative impact of fast-food takeaways in this area (particularly in terms of public nuisance and crime and disorder) – and would encourage the licensing committee to take this into consideration when considering my objections.

The SLP lists (on page 8) “a sustainable, well-run licensed sector” as one of its three key themes. However, I feel that this sustainability can be undermined (at a local/street level) if there is an overemphasis on one type of business (particularly fast-food takeaways/deliveries).

This area (close to West Kensington station, north of Talgarth Road) is a residential area, but has an extremely high concentration of fast-food takeaways – with many of these offering late-night service or late-night delivery. For instance, there are two other pizza takeaways (Pizza Pronto and Domino’s) within 150m of Fresh Pizza – and three additional ones (Venice Pizzeria, Maurizio Barca, and Casa Bardotti) in a slightly larger radius. There are also two fried chicken takeaways (Chicken Cottage and Chicken Shack) and three kebab takeaways (Rihan Valley, Best Mangal, Best Mangal 1996) in a similar area. Dominos, Pizza Pronto, Fresh Pizza and Venice Pizza rely solely/primarily on delivery trade and have no eat-in facilities.

The cumulative effect of these takeaways (and the late-night “delivery economy” as a whole) is having a detrimental effect on this residential neighbourhood. In addition to the fast-food takeaways mentioned above, we also have a number of other delivery businesses. The Sainsbury’s Local does a very large volume of delivery trade – the delivery orders are almost non-stop and it is rare to be in the shop without a delivery order being assembled/collected at the same time.

There is also a Gorillas distribution hub planned in the nearby Challoner Crescent. Their planning application (2022/03031/CLE) is currently pending consideration) but specifies parking for 13 motorcycles. This should give a good indication of the volume of business which will be operated out of this location.

In addition to this, we have a number of delivery business being operated out of purely residential properties. For instance, a glance at Google Maps suggests that there may also be a 24-hour pharmacy delivery service and a 24-hour wine/alcohol delivery service based in Matheson Road.

The foreword to the SLP mentions (page 3) creating a “a diverse, vibrant and safe night-time economy” night-time economy and goes on to say “[w]e want to make H&F an even more attractive place to live, work and visit; so that restaurants, cafes, bars and other licensed hospitality premises can profit”. On page 4, it says “[w]e believe the policy strikes a balance between providing an environment within which responsible business operators can succeed and contribute towards a

vibrant business and thriving night-time economy in a sustainable way - promoting economic growth whilst protecting residential amenity”.

Having a residential area with an excessively high concentration of delivery-focused fast-food takeaways seems incompatible with this aim of promoting a diverse and sustainable hospitality sector (a varied mix of thriving local businesses). It likewise seems incompatible with the aim of protecting residential amenities or nurturing local communities.

To ensure a vibrant and sustainable local environment, the Licensing Committee needs to consider the mix of restaurants in an area (particularly the number of delivery-oriented fast-food takeaways in relation to the number of sit-down restaurants), not just the number of restaurants compared to other types of business.

It is the sit-down restaurants which contribute most to creating a vibrant local community (and to local employment), but these can be “squeezed out” of a neighbourhood by fast-food takeaways. The pandemic had a great impact on the hospitality sector, but it affected these sit-down restaurants the most – fast-food takeaways and delivery services thrived. As a result, it is these sit-down restaurants which now need the most support.

If a takeaway claims that it can only survive by taking late-night delivery orders, then this is an indication that the area is already over-saturated with similar takeaway businesses. The Licensing Committee should not extend their hours simply to support an otherwise unsustainable business – this does not contribute to “business resilience” or an overall “robust and thriving cultural and leisure sector” (SLP page 7).

Viability and accountability of business

A cursory search of Companies House suggests that there has been a “revolving door” of ownership/insolvency at Fresh Pizza and this does not bode well for the sustainability of the business or the transparency and accountability of its management.

Eddris Hashimi was a director of Basil Fresh Pizza Ltd (12488946) until 28/7/21 and retained a significant control until 29/10/21. This also went into voluntary insolvency in March 2022 and its statement of affairs on 8/4/22 showed liabilities of £61K (mainly to HMRC and Lloyds Bank).

Fresh Pizza on Demand Ltd (12366489) was registered at 149 North End Road and its sole director was Eddris Hashimi. This company also went into voluntary insolvency on 14/3/22.

Other behaviour also seems odd. De Milano London Ltd. (14458698) was incorporated on 2/11/22 with Eddris Hashimi as a director, but the next day, he ceased to be director and was replaced by Nasrullah Arbabzada who is also the sole director of Pizza Mama’s (13737110). Likewise, Margarita Mama’s Ltd (12919018) was incorporated on 1/10/20 with Eddris Hashimi as sole director. Companies House lists him being terminated as director on 21/11/22 and reappointed the same day (though the reappointment was on file on 29/11/22).

The connections between Basil Fresh Pizza, Fresh Pizza on Demand, Pizza Mama’s, De Milano London and Margarita Mama’s are unclear (particularly as most share the same registered offices) – and I am concerned by the insolvencies and levels of debt. Their relationship to Fresh Pizza is equally opaque. The same applies to their relationship to Fresh Gourmet Pizza and Gourmet Pizzeria (the names mentioned on Just Eat).

There is no explanation for the high turnover of ownership and companies for what is apparently a small and straightforward pizza takeaway. It is also unclear why the ownership of this takeaway has changed so frequently, but this is something that the licencing committee may wish to look into - or take into consideration when making their decision about the current application.

For instance, it is hard to see who currently has the beneficial ownership of Fresh Pizza or is ultimately responsible for business matters (including licensing issues and debts). I am also concerned that the licence application may have been made in the name of one business – and, once granted, will be transferred to another company/individual with no track record in this local area.

Andrew Clarke and Grethe Mitchell
West Kensington Court
Edith Villas
London
W14 9AB

2022/01970/LAPR
Margartita Mama's (Fresh Pizza)
149 North End Road
London
W14 9NH

Email complaint sent to Licensing Team 1/10/22

On 27/9/22, I attended the licensing hearing regarding Pizza Pronto (2022/01153/LAPR). During the hearing, the owners of Pizza Pronto made reference to Fresh Pizza, another local pizza takeaway/delivery service, which they claimed was operating beyond its licensing hours. Pizza Pronto were using this to justify their own licensing application - seeking to extend their own operating hours to have a "level playing field".

As there is an alleged licensing breach, I would be grateful if you could check the licensing hours/conditions for Fresh Pizza and take steps to ensure that it complies fully with these.

As far as I can tell (from searching your site), Fresh Pizza does not have any late night license, but their own site says that it operates until 5am, both for collection and delivery (this was also the allegation made by Pizza Pronto). The following is taken from their site (<https://freshpizzalondon.co.uk/contact-us>).

Even if they have a license, it is likely that they would be breaching conditions regarding counter service to walk-in customers, waiting of delivery riders, etc.

Opening Hours

Day	Collection	Delivery
Monday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Tuesday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Wednesday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Thursday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Friday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Saturday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM
Sunday	09:00 AM - 05:00 AM	09:00 AM - 05:00 AM

Regards,
Andy Clarke

2022/01970/LAPR
Margartita Mama's (Fresh Pizza)
149 North End Road
London
W14 9NH

Email complaint sent to Licensing Team 24/12/22

I am writing to complain about Fresh Pizza (149 North End Road London W14 9NH) as this business appears to still be opening late in breach of its current licensing terms (which do not have any late-night extension).

I would be grateful if you could investigate this current licensing breach (opening hours) and bring it to the attention of the Licensing Committee when they consider the current licensing application for Fresh Pizza (2022/01970/LAPR).

I walked past Fresh Pizza at around 00:30 on 24/12/22 and was surprised to find it still open and serving delivery orders (to multiple riders). This is not an isolated incident as I also saw it open at around 01:00 on 20/12/22. On that occasion, I saw it offering counter service to walk-in customers as well as delivery. Fresh Pizza have recently applied for three TENS (each for seven days) but the dates above (20/12/22 and 24/12/22) are not covered by any of these TENS.

This is the second time that I have written to you to complain about Fresh Pizza breaking its licensing conditions. I previously contacted you on 1/10/22 to inform you that it was opening late (for both delivery and collection). You responded to say that you were investigating this breach. I assume that this investigation resulted in a formal warning as Fresh Pizza are currently making a licensing application (2022/01970/LAPR).

There also appears to be some irregularities with the TENS for Fresh Pizza. As I understand it, there needs to be 24 hour gap between consecutive TENS (see <https://www.gov.uk/temporary-events-notice>). However, this didn't seem to be the case with their TEN application for 7/12/22 to 13/12/22.

The dates of their TENS are as follows:

- 16/11/22 to 22/11/22
- 30/11/22 to 6/12/22
- 7/12/22 to 13/12/22

They requested late night opening until 02:00 on 6/12/22 (which actually means until 02:00 on 7/12/22) and from 23:00 on 7/12/22. Hence there is less than 24 hours gap between the two TENS as one ends at 02:00 and the next starts at 23:00 the same day. I believe that this would make their TEN for 7/12/22 to 13/12/22 invalid (and their late-night opening for this week in breach).

In addition, your site (<https://www.lbhf.gov.uk/business/licensing/guidance-applicants-and-businesses/temporary-event-notices>) says that "events which extend after midnight will count as two days". Their three TENS are each for seven days and on each of these days, the extension is past midnight.

As I understand it, this would count as 42 days (3 TENS x 7 days x 2 as extending past midnight = 42 days) and hence exceed the 26 day per year limit. Even if their 7/12/22 TEN application was invalid, they would still exceed the 26 day limit (2 TENS x 7 days x 2 = 28 days).

Please let me know if my understanding of the TENs regulations (as it applies here) is incorrect.

Regards,

Andy Clarke