

Licensing Sub-Committee

Agenda

Wednesday 13 September 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 Florian Chevoppe-Verdier	Councillor Dominic Stanton

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Public Notice

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

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

Date Issued: 04 September 2023

Licensing Sub-Committee Agenda

13 September 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.	CHARLOTTE'S CLOUD, UNIT E DISTILLERY WHARF, REGATTA LANE, LONDON, W6 9BF	3 - 51

Agenda Item 3

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1. THE APPLICATION

On 24th July 2023, Charlotte's Cloud Ltd ("the applicant") submitted an application for a new premises licence to be granted in respect of the premises known as the Charlotte's Cloud, Unit E Distillery Wharf, Regatta Lane, London, W6 9BF. Based on the application, the premises intends to operate as an all-day brunch café/ restaurant and also provide deliveries and takeaway.

1.1 Application Requested

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

Licensable activities sought

The sale of alcohol both on and off the premises

Mondays to Sundays 07:30 to 23:00

Opening Hours of the premises

Mondays to Sundays 06:30 to 23:00

A copy of the application form and plan can be seen on pages 13-19 of this report.

1.2 Applicants Operating Schedule

The applicant has proposed a number of additional steps to promote the four licensing objectives if the application is granted. A copy of the proposed conditions can be seen on page 17 of this report.

On 9th August 2023, following correspondence received from the Police, the applicant agreed to amend the hours for the sale of alcohol on the premises and add 13 further conditions to the licence, if granted. The amendments are detailed below:

The sale of alcohol on the premises

Mondays to Sundays 10:00 to 23:00

The sale of alcohol off the premises

Mondays to Sundays 07:30 to 23:00

Opening Hours of the premises

Mondays to Sundays 06:30 to 23:00

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. *All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of this training shall be retained and made available to police and authorised officers of the Licensing Authority on request.*
 3. *The premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters*
 4. *The licence holder see shall put arrangements in place to ensure that before serving alcohol or other age-restricted goods to customers they believe to be less than 25 years of age, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the customer.*
 5. *The licence holder shall require staff to note any refusals in a refusals log. The refusals log shall record the date and time of the refusal; the name of the staff member refusing; and the reason for refusal. It must be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the Licensing Team, Police or Trading Standards.*
 6. *An incident record shall be kept on the premises and be available for inspection by the police or an authorised officer of the Licensing Authority at all times the premises is open.*
 7. *Management shall undertake the relevant training in relation to responding and ensuring the welfare and safeguarding of vulnerable patrons. Management shall risk assess the need for all other relevant staff to undertake such training. Written records of the training completed shall be recorded and available to the Police and Authorised Officers from the Local Authority upon request.*
 8. *Any alcohol sold for consumption off the premises shall be sold in a sealed container.*
 9. *Deliveries shall only be made to bona fide residential or business addresses.*

10. *A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery rider will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 25 scheme. If the rider is not satisfied then the alcohol in the order will be withheld.*
11. *A record shall be kept detailing all refused sales of alcohol upon delivery. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The refusals log shall be made available for inspection upon request by the Licensing Team, Police or Trading Standards.*
12. *On days when Fulham Football Club are playing at home or on days when a Fulham victory parade takes place there shall be no off sales of alcohol from 2 hours before the advertised kick off time until 2 hours after the match has been completed.*
13. *On days when Fulham Football Club are playing at home, if the premises have been given 7 days' notice by the police, plastic glasses shall be used for 2 hours before the advertised kick off time until 2 hours after the match has been completed.*

A copy of this correspondence can be seen on pages 20-24 of this report.

2. BACKGROUND

The main access to the premise's is located on the Regatta Lane near its junction with Parris Way. The area is made up of mostly residential properties with some commercial premises and is close to the Thames Path. A map showing the location of the premises and neighbouring licensed premises can be seen on pages 25-26 of this report.

There are several options for transport away from the area including buses and taxis which run from in and around the Fulham Palace Road area. Hammersmith tube station is a 10-minute walk away, Barons Court tube station is a 15-minute walk away and Ravenscourt Park tub station is a 17-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 seven representations objecting to the licence application. These were made up of one from the Noise and Nuisance Team, one on behalf of the Fulham Reach Residents Association and five from local residents objecting to the licence application. A copy of these representations can be seen on pages 27-39 of this report.

On the 11th August 2023 a copy of the amendments to the application which were agreed with the police was sent by the Licensing team to all objectors. A copy of the email and responses can be seen on pages 46-50 of this report.

The licensing section also received comments from the Planning team. A copy of the comments can be seen on page 40-41 of this report.

Further to this, the licensing section also received three comments of support for the grant of the application from three local residents. A copy of the comments of support can be seen on pages 42-45 of this report.

4. OTHER INFORMATION

4.1 Enforcement History

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

4.2 Temporary Event Notices (“TENs”)

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

5. POLICY CONSIDERATIONS

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

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

5.2 Policy 1 page 18 of the SLP states that applicant are to undertake a local risk assessment as part of the licence application. The Secretary of State’s Guidance states that applicants are expected to obtain sufficient information to enable them to demonstrate, the steps they propose to take to promote the licensing objectives; and that they understand the layout of the local area and physical environment including:

- a) crime and disorder hotspots;
- b) proximity to residential premises;
- c) proximity to areas where children may congregate;

- d) any risk posed to the local area by the applicants' proposed licensable activities; and
- e) participation in any local initiatives (for example, local crime reduction initiatives or voluntary schemes, such as 'Ask for Angela', local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks.

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

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:

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

The Licensing Authority will closely scrutinise extended hours applications to ensure that the Licensing Objectives are met. In determining an application the licensing committee might decide that the circumstances are such that a restriction on hours is the only appropriate means to achieve the Licensing Objectives. If an 'hours' restriction is imposed, the Licensing Authority will normally require that customers should be allowed a minimum of thirty minutes to consume alcohol.

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

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
Restaurants and cafes	Fri – Sat 01:30 Mon - Thurs 01:00 Sun – 00:00	Fri – Sat 01:00 Mon - Thurs 00:00 Sun – 23:00	Fri – Sat 23:00 Sun – 22:00

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

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

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

As a matter of policy the council expects every holder of a licence, certificate or permission, to accept and be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the vicinity of their premises by taking appropriate measures and action consistent with that responsibility. Licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for

example on the pavement, in a beer garden or in a smoking area, to the extent that these matters are within their control.

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

5.5 Policy 13 page 31 of the SLP states that the local planning authority has powers to control opening times of all new establishments seeking planning permission, where harm might occur.

Licensing applications will not be a re-run of the planning application. If the licensing committee grants any variation of a licence which involves a material alteration to a building, the applicant still needs to apply for planning permission, or building regulation control, where appropriate.

Where an applicant is granted a premises licence with operating hours that are different to the hours permitted by the premises planning permission, the applicant must observe the earlier closing time. Premises operating in breach of their planning permission would be liable to prosecution under planning law. We would suggest that the applicant contacts Planning apply to vary their conditions.

The Licensing Authority may refuse to grant a licence if a representation from the Planning Department has been received AND ONE or more of the licensing objectives would not be promoted.

5.6 Policy 14 pages 32 and 33 of the SLP in relation to delivery services states that the Licensing Authority has concerns with the potential for the following:

- Age verification at both purchase point and delivery point;
- The safety of delivery drivers at the point of delivery;
- Safety of the premises from which orders are taken and sent out for deliver; and,
- Possible public nuisance and anti-social behaviour (ASB) caused by delivery drivers collecting deliveries from the licensed premises.

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 standard age verification check shall be undertaken on entering the website.
- A signature at the point of delivery must be obtained. No delivery shall be left without a signature.
- Alcohol shall only be delivered to a residential or business address and not to a public place.
- Every third-party courier delivery box shall be labelled with the words "Age Restricted Product".
- Any delivery driver or third-party courier will be required to have appropriate age verification training, particularly they will be required to have training in refusal of supply where age verification is not provided.
- 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.
- 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.

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

g) Conditions will, so far as possible, reflect local crime prevention strategies, and the Licensing Authority will also have regard to the views of the local Crime and Disorder Reduction Partnership.

h) **Crime and disorder in the vicinity of the premises:** this may include the crime and disorder risks arising from persons queuing to enter the premises; persons exiting the premises and customers smoking eating or drinking in outdoor areas and on the highway outside the premises. This can also include crime arising from pickpockets and bag snatchers, particularly in open spaces or crowded areas where alcohol is being consumed.

j) **CCTV** - using CCTV inside and/or outside the premises together with appropriate procedures and having staff properly trained to use CCTV equipment.

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

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

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

ii. The proximity of residential accommodation;

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

iv. The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices;

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

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

vii. Restricting the use of a garden or other open-air areas, including those for the use of smoking, after a particular time e.g. 11:00pm (or such earlier time as may be considered appropriate).

- ix. The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly;
- x. The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents;
- xi. The provision for public transport in the locality (including taxis and private hire vehicles) for patrons;
- xii. The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises;
- xiii. The delivery and collection areas and delivery/collection times;
- xv. The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards);
- xviii. The generation of odour, e.g. from the preparation of food;
- xix. Any other relevant activity likely to give rise to nuisance;
- xx. Any representations made by the Police, or other relevant agency or representative;

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

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

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.

m) **Noise and/or vibration** breakout from the provision of regulated entertainment, particularly from (but not limited to) live music – consider what type of entertainment is to be provided, in what room/area of the premises and the suitability of the construction of this room/area to contain sound. Windows are a particular weak-point for noise break-out so consider providing regulated entertainment in a room without windows or with as few windows as possible, particularly windows that face towards nearby 40 residential properties. Where suitable, install a lobby to prevent spillage of noise each time an entrance/exit door is opened.

n) **External Areas** – External areas such as gardens can be the source of noise disturbance to surrounding premises. Consider limiting the use of the garden to a reasonable time and number of people.

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

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 the representations.

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

Case number 2023/01214/LAPR
Payment transaction reference 256-4330
Amount paid £315
Date submitted 24/07/2023
Are you the applicant or their Applicant agent?

PREMISES DETAILS

Premises address
Unit E Distillery Wharf Regatta Lane, London W6 9BF
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) Charlotte's Cloud
Telephone number at the premises (if any)
Are the premises in the course of construction?

No
Non-domestic rateable value 45500
if the premises

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 a person other than an individual
Please confirm if you are applying as as a limited company/ limited liability partnership

Applicant name _____ Charlotte's Cloud Ltd
Address _____ 29-30 Frith Street
_____ 3rd Floor
_____ C/O Wong Lange & Co
_____ London
_____ W1D 5LG

Registered company number 13259473

Telephone number
Email address hello@charlottes-cloud.co.uk

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?

21/08/2023

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.

We are a all-day brunch café/restaurant with a balanced offer of healthy food and some all-crowd-pleasers. Additional to some healthy juices, smoothies we would like to offer champagne, fine wine, cocktails and similar alcoholic beverages to our guest to enjoy with their food which is a primary selling point. As the market demand might dictate we would potentially open to late afternoons with light healthy snacks and nibbles as a quiet retreat for locals.

We also aim to provide off sales items, in a form of deliveries and takeaway. Mostly for consumption at home or locations of guest choice.

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

recorded music, supply of alcohol

HOURS OPEN TO THE PUBLIC

Standard days

Mondays

Start 06:30

Finish 23:00

Tuesdays

Start 06:30

Finish 23:00

Wednesdays

Start 06:30

Finish 23:00

Thursdays

Start 06:30

Finish 23:00

Fridays

Start 06:30

Finish 23:00

Saturdays

Start 06:30

Finish 23:00

Sundays

Start 06:30

Finish 23:00

Please state any seasonal variations

We do not plan any seasonal variations. However, operating times might be accommodated to the market demand. Most certainly not after the times mentioned. We also believe that the concept of a local cafe does not have the demand after a late afternoon trading.

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

We could close earlier as per market demands. Certainly not later than the hours mentioned.

RECORDED MUSIC

Please give further details here

We aim to have a calm background music playing during the operations. This is on a minimal level. The purpose of the experience is focused on food. The whole property is of modern design, recently refurbished and isolated.

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

Indoor

Standard days

Monday

Start 07:30

Finish 23:00

Tuesdays

Start 07:30

Finish 23:00

Wednesdays

Start 07:30

Finish 23:00

Thursdays

Start 07:30

Finish 23:00

Fridays

Start 07:30

Finish 23:00

Saturdays

Start 07:30

Finish 23:00

Sundays

Start 06:30

Finish 23:00

Please state any seasonal variations

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

SUPPLY OF ALCOHOL

Please give further details here

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

Both

Standard days

Mondays

Start 07:30

Finish 23:00

Tuesdays

Start 07:30

Finish 23:00

Wednesdays

Start 07:30

Finish 23:00

Thursdays

Start 07:30

Finish 23:00

Fridays

Start 07:30

Finish 23:00

Saturdays

Start 07:30

Finish 23:00

Sundays

Start 07:30

Finish 23:00

Please state any seasonal variations

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

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

Full name Mr Robert Dokler

Date of birth

Home address of prospective designated premises supervisor

2018-01114-LAPER

Personal licence number (if known)

Issuing authority (if known) Hammersmith And Fulham Council

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

There will be no explicitly adult activities. We are a child friendly café restaurant where families represent a significant share of our customer base.

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

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

We aim to have several steps in place to promote all four licensing objectives. We have notified local authorities of this application (local Police and Fire Station). We have members of staff trained and a designated person as a supervisor to consistently assures the policies are followed. Both doors have double locks installed. Safety of our staff and guests is very important as a small independent business.

The site is also supported by in-house security.

b) The prevention of crime and disorder

We have very strict policies to allow only limited consumption of alcohol to our guests and we assure that all members of staff is trained and enforce them correctly. We also store all valuables on safe places and keys within the key box. We have installed security cameras to cover the whole interior of the cafe, including the basement area. We store very limited valuables which are kept in a locked office at all time. Fire safety and Health and Safety measures are of utmost importance and to the highest levels. The site is also supported by in-house security.

c) Public safety

All health and safety and HACCP measures are in place, equally with the fire safety. Supply of tap water is constant and we additionally sell the bottled water. All public areas are Air-conditioned to assure comfort in hot and cold weather. All areas are also very bright and enlighten. Decor is not disturbing and very minimal for the comfort of our guests. Fire lighting, fire fighting equipment and escape routes are clear and also enlighten. Lavatories are fully equipped and regularly attended. All other equipment and first aid fully covered with staff being trained.

d) The prevention of public nuisance

Whenever music is played the volume is kept extremely low to avoid any disturbance to the neighbours and to allow guest to have a quiet conversation. The delivery drivers will be encouraged to turn off their motors when collecting the deliveries.

e) The protection of children from harm

We have implemented a strict Challenge25 Policy, where all staff are trained accordingly. Challenge25 is a part of our Starter pack for all new members of staff.

DECLARATIONS

I have enclosed a plan of the premises

Yes

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

Yes

I understand I must now advertise my application

Yes

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

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

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

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

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

I agree to the above

Yes I agree to the above declaration

Full name

Robert Dokler

Capacity






Date

24/07/2023

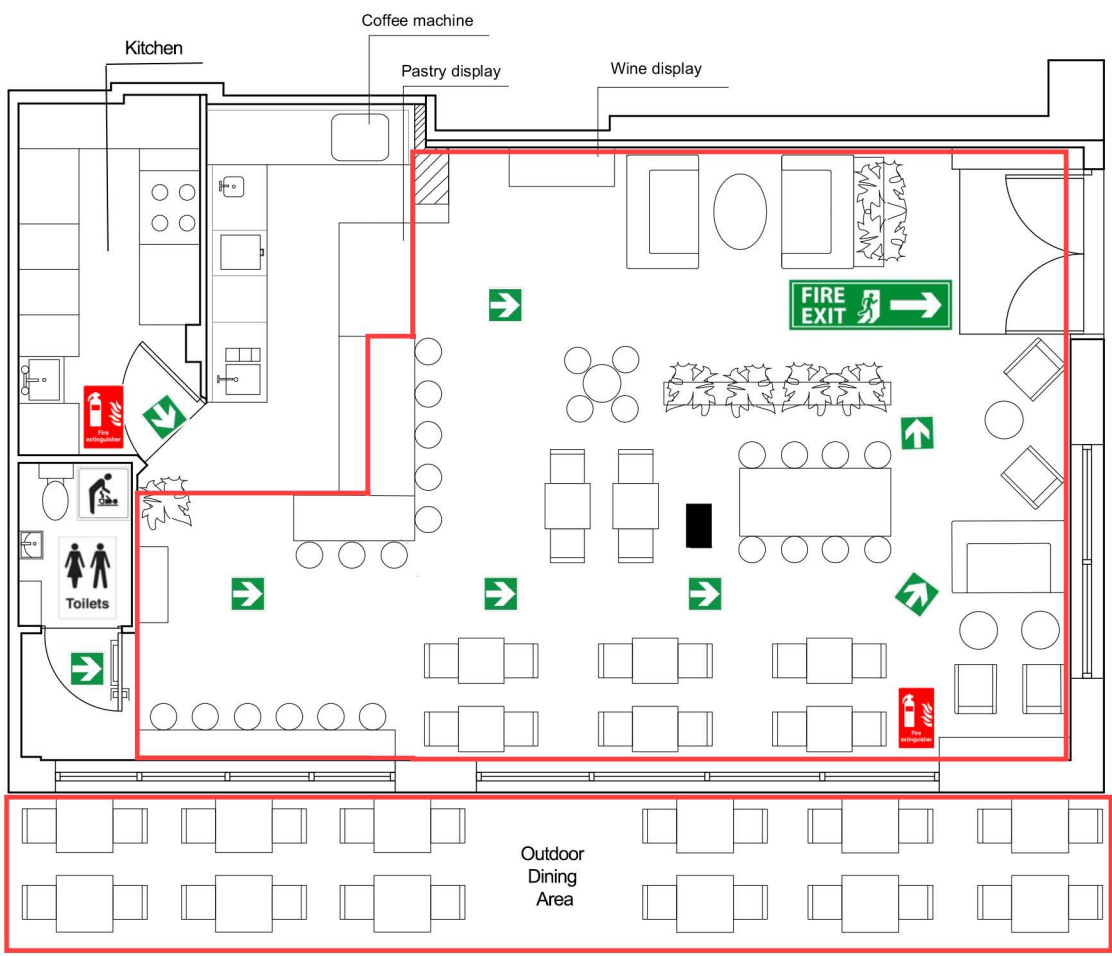


Legend:

-  Proposed Licenced Activity Area
-  Fire Extinguishers
-  Fire Route



Fire Assembly Point
Winslow Road
Do NOT cross the street!



GENERAL NOTES

- THIS DRAWING CAN BE SCALED FOR PLANNING PURPOSES
- FIGURED DIMENSIONS TO TAKE PREFERENCE TO SCALED DIMENSIONS
- ALL CONTRACTORS WORK TO COMPLY WITH THE LATEST CODES OF PRACTICE AND TO BE TO THE ENTIRE SATISFACTION OF LOCAL AUTHORITIES
- ANY DISCREPANCIES MUST BE REPORTED TO THE ARCHITECT BEFORE WORK IS PUT IN HAND
- THE CONTRACTOR IS TO VERIFY ALL LEVELS, DIMENSIONS AND BUILDING LINES BEFORE ANY WORK COMMENCES ON SITE
- ALL SETTING OUT TO BE THE CONTRACTORS ENTIRE RESPONSIBILITY
- ALL SERVICES TO BE COORDINATED BY THE CONTRACTOR BEFORE COMMENCING ANY WORK
- THE CONTRACTOR IS RESPONSIBLE FOR ANY SITE VISITS BY LOCAL AUTHORITIES AND IS TO PAY ANY FEES/CONNECTION THEREWITH
- READ THESE ARCHITECTURAL DRAWINGS IN CONJUNCTION WITH ENGINEERS AND CONSULTANT DRAWINGS AND DETAILS WHERE APPLICABLE

REVISION NOTES

NO	DATE	DESCRIPTION

PROJECT TITLE

Charlotte's Cloud
Fulham Reach
London
W6 9RU

DRAWN BY **DATE**

OVJ 01/04/2023

1 Proposed plan 1
Scale 1:50 @ A3



From: Dan Evans
Sent: Wednesday, August 9, 2023 9:51 AM
To: Licensing HF: H&F <licensing@lbhf.gov.uk>
Cc:; Cardwell Kris J - AW-CU <
Subject: RE: Reference: 2023/01214/LAPR; Charlotte's Cloud Unit E Distillery Wharf Regatta Lane London W6 9BF

Good Morning Licensing,

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

Thanks

Dan

Dan Evans
Police Constable 4290AW
Licensing Officer – Hammersmith and Fulham
Central West BCU
E-Mail:
Telephone:
Address: Hammersmith Police Station, 226 Shepherds Bush Road , W6 7NX



Visit our website: www.met.police.uk



From: Charlotte's Cloud
Sent: 07 August 2023 11:21
To: Evans Dan - AW-CU
Subject: Re: Reference: 2023/01214/LAPR; Charlotte's Cloud Unit E Distillery Wharf Regatta Lane London W6 9BF

All good ... we trust your decision.

Thank you

Robert

Robert Dokler
Charlotte's Cloud

✉ hello@charlottes-cloud.co.uk





📍 191 King's Road, London, SW3 5ED

charlottes-cloud.co.uk



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

On 7 Aug 2023, at 10:03, < wrote:

Hi Robert

Thanks for getting back to me.

As discussed, Kris and I would suggest 1000 start for on sale.

Thanks

Dan

Dan Evans
Police Constable 4290AW
Licensing Officer – Hammersmith and Fulham
Central West BCU
E-Mail:
Telephone:
Address: Hammersmith Police Station, 226 Shepherds Bush Road , W6 7NX
<image001.png>
Visit our website: www.met.police.uk

<image002.png>

From: Charlotte's Cloud <
Sent: 07 August 2023 08:25
To: Evans Dan - AW-CU <
Cc: Cardwell Kris J - AW-CU <
Subject: Re: Reference: 2023/01214/LAPR; Charlotte's Cloud Unit E Distillery Wharf Regatta Lane London W6 9BF

Hi Dan,

Thank you for your time the other day.

Sorry for a late reply.

All good with bellow. Would it be too much to request On-Premises starting time to amend that to 9am or 9.30?

If not all good.

All confirmed from our side.

Thank you again

Kindest Regards

Robert



Robert Dokler
Charlotte's Cloud

✉ hello@charlottes-cloud.co.uk



📍 191 King's Road, London, SW3 5ED

charlottes-cloud.co.uk



The content of this email is confidential and intended for the recipient specified in message only. It is strictly forbidden to share any part of this message with any third party, without a written consent of the sender. If you received this message by mistake, please reply to this message and follow with its deletion, so that we can ensure such a mistake does not occur in the future.

On 3 Aug 2023, at 11:02, wrote:

Hi Robert,

It was good to meet you yesterday and discuss your business model.

As stated there are a number of conditions I'd like to see on your license as well as amended hours of sales of alcohol on the premise.

Please see below suggested amended hours and conditions **highlighted in red**:

[The sale of alcohol - On the Premises](#)

1000 -2300 Monday – Sunday

[The sale of alcohol - Off the Premises](#)

0730 – 2300 Monday – Sunday

Conditions

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.

All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003 in terms of the licensing objectives, offences committed under the Act and conditions of the Premises Licence. Written records of this training shall be retained and made available to police and authorised officers of the Licensing Authority on request

The premises shall operate a 'Challenge 25' age-restricted sales policy and promote it through the prominent display of posters

The licence holder see shall put arrangements in place to ensure that before serving alcohol or other age-restricted goods to customers they believe to be less than 25 years of age, staff ask to see accredited proof of age: that is, proof of age cards carrying the 'PASS' logo (and no others), a Passport, or UK Driving Licence bearing the photograph and date of birth of the customer.

The licence holder shall require staff to note any refusals in a refusals log. The refusals log shall record the date and time of the refusal; the name of the staff member refusing; and the reason for refusal. It must be checked and signed monthly by the designated premises supervisor. The refusals log shall be made available for inspection upon request by the Licensing Team, Police or Trading Standards.

An incident record shall be kept on the premises and be available for inspection by the police or an authorised officer of the Licensing Authority at all times the premises is open

Management shall undertake the relevant training in relation to responding and ensuring the welfare and safeguarding of vulnerable patrons. Management shall risk assess the need for all other relevant staff to undertake such training. Written records of the training

completed shall be recorded and available to the Police and Authorised Officers from the Local Authority upon request.

Any alcohol sold for consumption off the premises shall be sold in a sealed container.

Deliveries shall only be made to bona fide residential or business addresses.

A warning shall be displayed on the digital platform on which an order is placed informing customers that they must be aged 18 or over to make a purchase of alcohol and notifying customers that the delivery rider will carry out age verification on delivery. The customer will be asked to provide ID to prove their age in accordance with Challenge 25 scheme. If the rider is not satisfied then the alcohol in the order will be withheld.

A record shall be kept detailing all refused sales of alcohol upon delivery. The record should include the date and time of the refused sale and the name of the member of staff who refused the sale. The refusals log shall be made available for inspection upon request by the Licensing Team, Police or Trading Standards.

On days when Fulham Football Club are playing at home or on days when a Fulham victory parade takes place there shall be no off sales of alcohol from 2 hours before the advertised kick off time until 2 hours after the match has been completed.

On days when Fulham Football Club are playing at home, if the premises have been given 7 days notice by the police, plastic glasses shall be used for 2 hours before the advertised kick off time until 2 hours after the match has been completed.

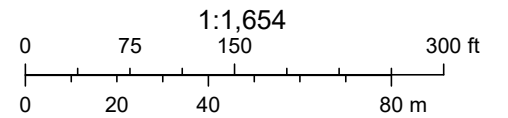
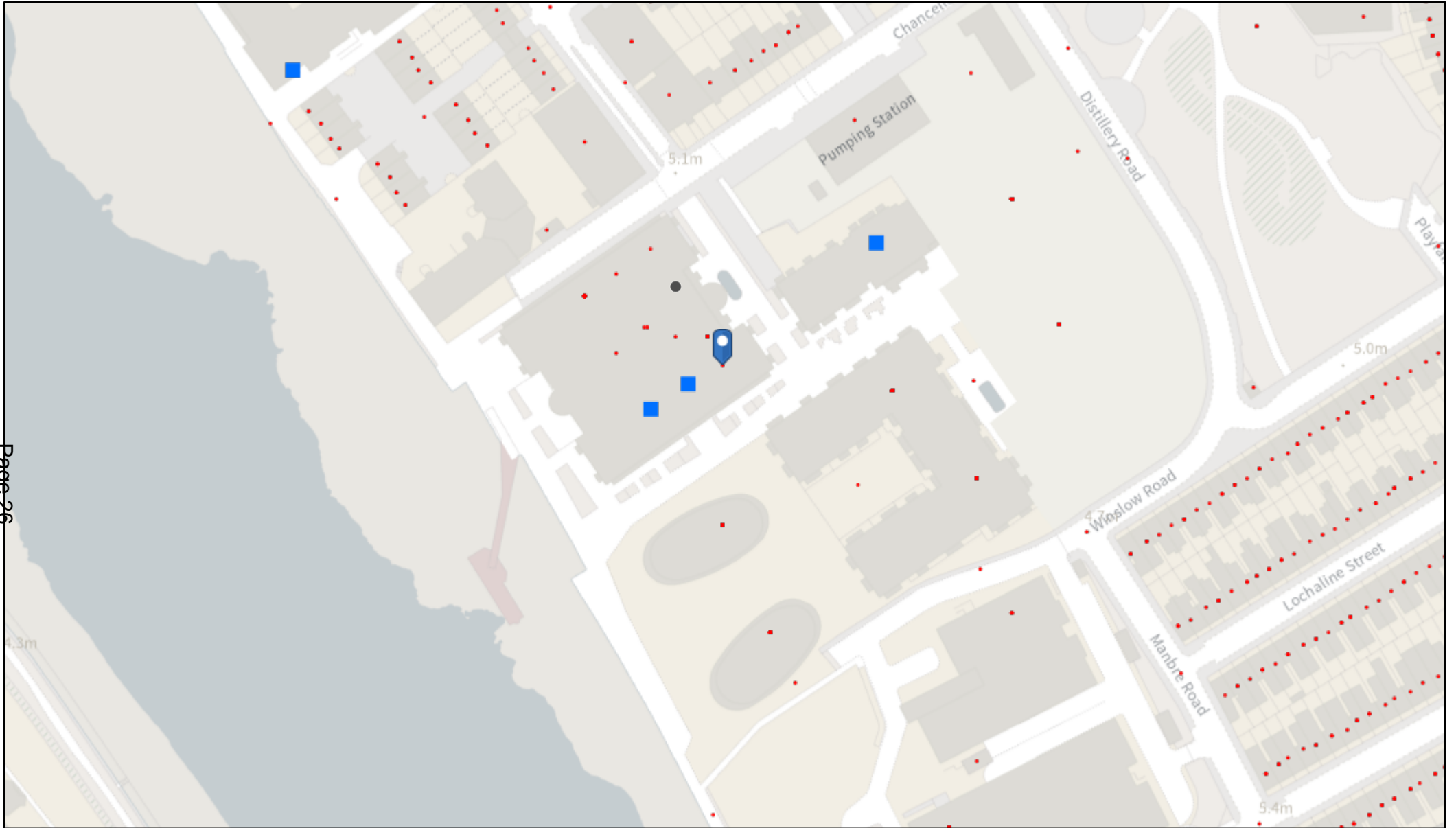
Should you have any issues or questions regarding the above - please let me know and I will be happy to discuss this further. Alternatively if you are happy, please let me know via email and I will forward this across to be amended.

Thanks

Dan

Dan Evans
Police Constable 4290AW
Licensing Officer – Hammersmith and Fulham
Central West BCU

eGIS Web Map



LICENCE NO	TRADING AS	ADDRESS	ACTIVITY	Monday to Sunday	Monday	Tuesday	Wednesday	Thursday	Friday	Saturday	Sunday
2021/00648/LAPR	Blue Boat	The Blue Boat Distillery Wharf Parr's Way W6 9GD	Provision of Late Night Refreshment		23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	23:00:00 - 00:30:00	
			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	10:00:00 - 00:00:00	10:00:00 - 22:30:00
2021/01468/LAPR	Brasserie Blanc	Unit Unit 14 Building G Distillery Wharf Parr's Way W6 9GD	Provision of Late Night Refreshment		23:00:00 - 23:30:00	23:00:00 - 23:30:00	23:00:00 - 23:30:00	23:00:00 - 23:30:00	23:00:00 - 23:30:00	23:00:00 - 23:30:00	
			Sale of Alcohol On and Off the Premises		10:00:00 - 23:30:00	10:00:00 - 23:30:00	10:00:00 - 23:30:00	10:00:00 - 23:30:00	10:00:00 - 23:30:00	10:00:00 - 23:30:00	10:00:00 - 22:30:00
2023/00216/LAPR	Tesco	Unit A Brunswick House Parr's Way W6 9LH	Sale of Alcohol Off the Premises	08:00:00 - 23:00:00							
2019/00783/LAPR	Sam's Riverside	1 Crisp Walk W6 9DN	Provision of Late Night Refreshment		23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:00:00	23:00:00 - 00:00:00	
			Sale of Alcohol Off the Premises		09:00:00 - 23:00:00	09:00:00 - 23:00:00	09:00:00 - 23:00:00	09:00:00 - 23:00:00	09:00:00 - 23:00:00	09:00:00 - 23:00:00	09:00:00 - 22:30:00
			Sale of Alcohol On the Premises		09:00:00 - 23:30:00	09:00:00 - 23:30:00	09:00:00 - 23:30:00	09:00:00 - 23:30:00	09:00:00 - 23:30:00	09:00:00 - 23:30:00	09:00:00 - 22:30:00

From: Environmental Protection: H&F <noise@lbhf.gov.uk>
Sent: Monday, August 21, 2023 5:40 PM
To: Licensing HF: H&F <licensing@lbhf.gov.uk>
Subject: RE: New Grant - Licensing Act 2003 - Reference: 2023/01214/LAPR

Hi Licensing.

Apologies for the late confirmation on this one, but we would like to put in a holding representation against this application on the grounds of prevention of public nuisance.

The primary concern as it stands relate to both the proposed hours of the use for the outdoor seating area and the use of takeaway and deliveries up to 11 pm.

We have spoken with the applicant today and they are aware of this situation. Our proposed hours of use for the premises and conditions will be confirmed later in the week.

Thanks

James Rawlinson
Noise and Nuisance Officer
Resident services
Hammersmith & Fulham Council
James.Rawlinson@lbhf.gov.uk
www.lbhf.gov.uk

Dear Sir/Madam,

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

Comments were submitted at 05/08/2023 10:20 PM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address: Brunswick House London

Comments Details

Commenter Type: Residents Group

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 05/08/2023 10:20 PM On behalf of Fulham Reach Residents, I am secretary for the Residents Association who wish to support the planning application with some minor amendments to the hours .

The maximum hours for trading/ opening and license to sell alcohol should be kept in line with other businesses already operating both at Fulham Reach and the surrounding local area.

Tesco Express in Parris Way has opening hours from 7 am to 11 pm.

The Tesco licence to sell alcohol for takeaway sales is 8am to 11 pm .

We would ask that Charlotte's Cloud is granted the same hours.

From:

Sent: Thursday, August 10, 2023 9:03 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: 2023/01214/LAPR

Dear Lorna

Our main reason for limiting these longer trading and licensing hours is to help the prevention of public nuisance or at least contain it.

Noise - This is a residential neighbourhood with a few commercial premises. Many apartments are situated along Parris Way and overlook the various commercial properties on the ground level. Others do the same in Regatta Lane where some vehicles also park to unload deliveries. Opening at 6;30 would bring the need for deliveries, staff arrival and customers will lead to an increase of noise levels and disturbance to residents even earlier than at present. The noise does carry along these 2 avenues due to hard surfacing and the long run and height of apartment buildings.

Tesco which currently opens at 7am has its own goods lift from the car park so noise disruption is lower.

Any outside premises tidying up and rubbish clearing and the wheeling of this along Parris way and Regatta Lane into the car park entrance on Chancellors Road and down the ramp will add further to disturbance.

There can also be quite a lot of noise disturbance along the riverfront late into the night from those who buy take away food and drink and consume on the front with some staying on into the small hours.

The current businesses operating here and indeed any future ones should therefore not be granted even longer hours than already exist and should be mindful of the estate rules to bring any customers inside (as they are not allowed to remain outside the premises where they are eating or drinking in after 21;30) and clearing away chairs and tables should be completed by 10pm or left till after 8 am the following day. Likewise no deliveries should take place before 8 am for the same reasons.

Kind regards,

From:

Sent: Thursday, July 27, 2023 8:18 AM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Cc:

Subject: 2023/01214/LAPR: Charlotte`s Cloud: Unit E Distillery Wharf Regatta Lane London W6 9BF - objection

2023/01214/LAPR: Charlotte`s Cloud: Unit E Distillery Wharf Regatta Lane London W6 9BF9NT - objection

Dear Lorna

I write in objection to this licencing application

As you will know, the planning committee are required to consider

- **planning policies and standards which have a bearing on the application**
- **central government directives and guidance on the type of development proposed**
- **any similar developments which may already have taken place in the area**
- **possible impact of the proposal on the area**

Here the relevant legislative information is incorporated into the LBHF Statement of licensing policy (Licensing Act 2003) which says that the licencing objectives which must be promoted are

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

These are also the same principles which guide the community involvement in licensing .

The policy also says that any licencing application must

“demonstrate, when setting out the steps they propose to take to promote the licensing objectives, that they understand . . .

ii. any risk posed to the local area by the applicants' proposed licensable activities "

also that

"applicants in respect of off licences and other premises selling alcohol for consumption off the premises may need to consider whether

- there are appropriate numbers of staff on duty to deal with possible 'intimidation' to sell alcohol."

Further it refers to "The Secretary of State's Guidance states that applicants are expected to obtain sufficient information to enable them to demonstrate, the steps they propose to take to promote the licensing objectives; and that they understand the layout of the local area and physical environment including: a) crime and disorder hotspots; b) proximity to residential premises; c) proximity to areas where children may congregate; d) any risk posed to the local area by the applicants' proposed licensable activities; and e) participation in any local initiatives (for example, local crime reduction initiatives or voluntary schemes, such as 'Ask for Angela', local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. Applicants are expected to include positive proposals in their application on how they will manage any potential risks"

Also the Licensing Authority will consider

a) Whether the licensed activities are likely to have an adverse impact especially on local residents and, if there is potential to have an adverse impact, what, if any, appropriate measures will be put in place to prevent it;

b) Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area;

c) Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times;

d) Whether the activity will be likely to lead to a harmful and unmanageable increase in car parking demand in surrounding residential streets suffering high levels of parking stress or on roads forming part of the Strategic London Road Network or the London Bus Priority Network leading to a negative impact on the Licensing Objectives relating to the prevention of crime, disorder, anti-social behaviour (ASB), nuisance and vehicle emissions; e) Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative

Last but not least the policy sets out guidance for closing times showing clearly that for a residential area like this the closing time for selling alcohol must be 22:00 and this is the time we will ask to be imposed.

In the case of this application there appear to be no supporting documents provided at all. The only detail is given in the description which says "New premises licence Charlotte's Cloud: The premises is an all-day brunch/cafe restaurant (stet), the applicant wishes to licence the premises to cover the sale of alcohol for consumption both on and off the premises, they will also be providing a takeaway service Licensable activities sought The sale of alcohol both on and off the premises Mondays to Sundays between the hours of 07:30 to 23:00 Opening Hours of the premises Mondays to Sundays between the hours of 06:30 to 23:00".

So the applicant does not appear to have provided any information showing that they have covered the requirements listed above in particular

- any risk posed to the local area by the applicants' proposed licensable activities

It is established through the Faculty of Public Health in their paper here [Alcohol Violence](#) that

"Alcohol-related violence impacts on physical, mental and sexual health. It places considerable strain on health services and other public sector resources, making it a major public health issue. Alcohol misuse is a prominent feature of many types of violence including violence in public settings, sexual violence and domestic violence.

In England and Wales, alcohol is thought to play a part in approximately 1.2 million violent incidents – almost half of all violent crimes, with devastating health consequences for victims, their family, friends and the wider community. While health, police and other public services deal with the consequences of alcohol-related violence, such staff are also victims, for example, 116,000 NHS staff are assaulted each year, primarily by patients and relatives."

So the risk to the local residents, health care and social services workers and the local police is significant. **There is no sign that the applicant has given consideration to these issues in their application.**

Another consideration which is required to be taken into account is that there are appropriate numbers of staff on duty to deal with possible 'intimidation' to sell alcohol. **There is no sign that the applicant has given consideration to this in their application.**

In respect of the Secretary of State's Guidance states that applicants are expected to obtain sufficient information to enable them to demonstrate, the steps they propose to take to promote the licensing objectives; and that they understand the layout of the local area and physical environment including: a) crime and disorder hotspots; b) proximity to residential premises; c) proximity to areas where children may congregate; d) any risk posed to the local area by the applicants' proposed licensable activities; and e) participation in any local initiatives (for example, local crime reduction initiatives or voluntary schemes, such as 'Ask for Angela', local taxi-marshalling schemes, street pastors and other schemes) which may help to mitigate potential risks. Applicants are expected to include positive proposals in their application on how they will manage any potential risks. **There is no sign that the applicant has given consideration to these issues in their application.**

Above and beyond the statutory and regulatory guidelines set out above the LBHF licencing objectives include

- **any similar developments which may already have taken place in the area**
- **possible impact of the proposal on the area**

This application is for a new off-licence smack in the middle of a residential development and is therefore massively inappropriate and non-compliant with the law.

I would therefore ask the licencing committee to reject the application.

regards

From:

Sent: Thursday, July 27, 2023 2:43 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: RE: 2023/01214/LAPR: Charlotte`s Cloud: Unit E Distillery Wharf Regatta Lane London W6 9BF - objection

Thanks again Lorna I think you have my full address now and probably phone number and inside leg measurement too ! But here it is again

regards

Dear Sir/Madam,

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

Comments were submitted at 27/07/2023 9:44 AM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment:

27/07/2023 9:44 AM Our residence is 13 meters away from the subject premises.

This is a residential neighbourhood with some commercial premises.

The Proposal to

1. Open at 0630 is much too early. Suppliers will want to deliver as has happened to adjoining premises.

2. 2300 as a closing time is also much too late having regard to the nature of the application and obligations imposed on adjacent premises.

There should be a ban on vertical consumption of alcohol and a ban on any outside consumption.

If the authority is minded to grant the licence with conditions these conditions should echo those imposed on Tesco, opposite, on the nature, quantity, and containers of the alcohol as well as pricing quite apart from those imposed on neighbouring restaurants/food outlets.

Waste should only be removed from the premises after 0900 and before 2000hrs as there is no facility within the premises, as designed, to have an internal refuse disposal.

The authority should reserve the right to impose a requirement for security personnel who would be required to ensure customers on leaving the establishment do not loiter outside and move on so as to minimise disturbance, especially after 2000hrs.

Dear Sir/Madam,

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

Comments were submitted at 01/08/2023 9:21 AM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 01/08/2023 9:21 AM Fabulous addition to Fulham Reach as an independent business owned by a resident of Fulham Reach who also owns another successful cafe in Chelsea in a unit that has been empty since lockdown.

For trading I would ask maximum opening hours are 7 am to 11pm, with licensed sales of alcohol from 8 am to 11pm in line with other businesses at Fulham Reach.

Dear Sir/Madam,

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

Comments were submitted at 01/08/2023 11:00 AM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Reasons for comment:

Comments: 01/08/2023 11:00 AM We live [REDACTED] the new premises of Charlotte`s Cloud and do not want any noise disturbance before 8:30am and after 8pm as this is a quiet tme for the area.
We also do not want to be subjected to air pollution and smells from the restaurant and from customers smoking or vaping outside our windows.

Dear Sir/Madam,

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

Comments were submitted at 01/08/2023 11:14 AM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments neither objecting to or supporting the Licensing Application

Reasons for comment:

Comments: 01/08/2023 11:14 AM The premises of Charlotte`s Cloud is [REDACTED] in Distillery Wharf and I do not want to be subjected to noise disturbances before 8:30am and after 8pm. Our neighbourhood is a quiet area before and after these times.
I do not want to be affected by smells from the restaurant and from people smoking and vaping outside my windows.

F

From: Milligan Neil: H&F <Neil.Milligan@lbhf.gov.uk>
Sent: Thursday, July 27, 2023 10:59 AM
To: Licensing HF: H&F <licensing@lbhf.gov.uk>
Subject: RE: New Grant - Licensing Act 2003 - Reference: 2023/01214/LAPR

Hi Lorna

Please note the following. This is a very delicate area in terms of potential noise disturbance to residents with late night venues.

Hybrid planning permission (2011/00407/COMB). There was also 2015/00080/RES & 2016/04748/RES.

Condition 32 (Operating Hours) states:

"Prior to the first occupation of any non-residential unit, details of operational hours for the unit shall be submitted to and approved in writing by the Council. Use of the unit shall accord with the hours as approved.

To ensure that the amenity of occupiers of surrounding premises is not adversely affected by noise, in accordance with Policy EN20A, EN20B and EN21 of the London Borough of Hammersmith and Fulham UDP (as amended 2011)."

Condition 47 (Non- Residential Floorspace Use) states:

"Prior to the first occupation of the Class A1-A4, B1, D1 and D2 floorspace within each phase of the development, details of the proposed uses of that floorspace shall be submitted to and approved in writing by the Council. Use of the non-residential floorspace shall accord with the details as approved, unless otherwise agreed by the Council through the determination of a planning application.

To enable the detailed assessment and control of this floorspace as the development proceeds to ensure that an undesirable concentration of a single use of floorspace is avoided and to ensure that the uses will be of a scale and mix that meets local need and is consistent with the Borough's retail hierarchy, in accordance with Planning Policy Statement 4: Planning for Sustainable Economic Growth (2009)."

Checked the DET permissions in respect to these 2 conditions. The following applications are listed:

2018/00276/DET – Unit 13 Building F

2017/01090/DET - Unit 11, Block B1

2016/05616/DET - Block G

2014/05477/DET - Building B1 occupied by Tesco Convenience store

2014/04403/DET - Commercial unit 'E' 1003 within Block A (Phase 1) – proposed opening hours (7am-18pm Mon to Fri, 8am-17:30pm on Saturday and 9am-17pm on Sundays).

2014/03512/DET - Unit 'C' (1002) of Block A (Phase 1)

Assuming 2014/04403/DET is the same unit (I've checked the plan and google maps and it appear to match up), in my view this condition has been discharged.

Regards

Neil Milligan
Planning Enforcement Team Leader
The Economy Department
Hammersmith & Fulham Council
07825263261

Neil.milligan@lbhf.gov.uk

www.lbhf.gov.uk



Director of Economy: Jon Pickstone

Dear Sir/Madam,

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

Comments were submitted at 01/08/2023 7:49 AM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 01/08/2023 7:49 AM I thoroughly support whatever conditions are requested by the applicant, in order that they can run a successful business. The site has been empty since COVID and the new cafe should not be held back by limiting the hours within which they can trade. I am sure they will be respectful to the residents nearby and adhere to the rules.

As someone who lives at Distillery Wharf, Fulham Reach, I am delighted that some new life will be injected into the area, and hope Charlotte'a clouds success will encourage other new businesses . Please facilitate them and other future applications as best you can.

Dear Sir/Madam,

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

Comments were submitted at 01/08/2023 10:54 AM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 01/08/2023 10:54 AM I live on the Fulham Reach development and would like to share my support for this application. I see this cafe as a big bonus to our growing community. A new place for people to enjoy is so important as more people move into the development and the surrounding area. I don't see this place as a disturbance to the community as it is predominantly a cafe/restaurant establishment which would add a vibrant atmosphere during the day and into the evening. I look forward to seeing it open up soon.

From:

Sent: Friday, August 11, 2023 11:34 AM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

Hello,

The amended hours are fine for me. I still support the application.

Thank you,

Dear Sir/Madam,

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

Comments were submitted at 12/08/2023 7:22 PM from

Application Summary

Address: Unit E Distillery Wharf Regatta Lane London W6 9BF

Proposal: Licensing Act - Premises Licence

Case Officer: Ms Lorna McKenna

[Click for further information](#)

Customer Details

Name:

Email:

Address:

Comments Details

Commenter Type: Neighbour

Stance: Customer made comments in support of the Licensing Application

Reasons for comment:

Comments: 12/08/2023 7:22 PM Good day,
I'm writing to support the license now that it is more complete (police conditions added recently).
I do wonder why the sale of alcohol is now restricted on-site between 10am and 11pm but off site is still requested from 7am to 11pm? Should they not both be the same (from 10am)? Or are they in-line with the Tesco or other business licenses in the development?
Either way, the business will be interacting with the estate management and we will be liaising with them and the resident's association should there be any issues with the use of the license in the residential area.
Kind regards,

From: Licensing HF: H&F <licensing@lbhf.gov.uk>

Sent: Friday, August 11, 2023 11:25 AM

Subject: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

Dear all,

Licensing Act 2003

Premises Licence Number: 2023/01214/LAPR

Premises name: Charlotte's Cloud

Premises address: Unit E Distillery Wharf Regatta Lane London W6 9BF

I am contacting you as you have made comments against the above application. Following on from correspondence received from the Police Licensing team, I can confirm that amendments have been made to reduce the hours for the sale of alcohol on the premises (please see below) and the applicant has agreed to add a further 13 conditions to the licence should it be granted (please see attached).

The new hours proposed are as follows:

The sale of alcohol - On the Premises

1000 -2300 Monday – Sunday (Previously 07:30 -23:00)

Please let me know if the reduction hours and agreed conditions resolves the queries in your representation/comments, and if so, **please let us know by return of email if you are minded to withdraw your representation.**

Kind regards

Lorna McKenna

Licensing Compliance Officer

Licensing

The Economy Department

Hammersmith & Fulham Council

020 8753 3081

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From:

Sent: Friday, August 11, 2023 8:42 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

Dear Lorna

These new rules and licensing hours appear to address the licensing concerns. Thank you

May we just clarify - the proposed opening / trading hours are stated as 6;30 to 11pm. Are these also part of the planning application? If so we would still ask that consideration is given to keeping these consistent with other businesses here for the reasons already expressed in our previous email of early morning noise disturbance..

Kind regards,

From:

Sent: Friday, August 11, 2023 12:35 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

Dear Lorna

Thanks for the conditions.

I note that there are no conditions about the sale of cans, discounts and off sales as imposed on Tescos.

One can go too far, I imagine and this is not supposed to be an off licence.

So I would reserve explicitly in the conditions to the authority, if legally possible, the right to amend the conditions if it is found that that the character and use of the premises have altered from the initial purposes set out in the application.

Do I withdraw my objections? Perhaps if they would be noted and read by the Committee as comments that would assist in their determination having regard to their and your experience then I would classify them as neutral. I hope this helps.

Kind Regards

From:

Sent: Friday, August 11, 2023 12:09 PM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: Re: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

Dear Lorna

I am pleased. However, note that Tesco closes at 10 and they (Tesco) have a license till 2300.
So I would limit hours till 10pm. It should not become a destination for off sales.
As regards the other 13 conditions there was no attachment. Could you resend?
All best

From:

Sent: Friday, August 11, 2023 11:35 AM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Cc:

Subject: RE: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

thank you Lorna

No, that minor tweaking of the hours applied for does not in any way address the concerns I raised about increasing the footprint of alcohol availability in this entirely residential area where alcohol is, as I previously indicated, a major cause of crime.

This unit is intended to be a café ; it should sell coffee not alcohol. At any time.

regards

rom:

Sent: Monday, August 14, 2023 10:53 AM

To: Licensing HF: H&F <licensing@lbhf.gov.uk>

Subject: RE: Reduced Hours & Agreed Conditions - Charlotte's Cloud, Unit E Distillery Wharf Regatta Lane London W6 9BF

Dear Lorna

Thanks for the information.

We still have a concern about the licencing hours being until 23:00.
Our original representation recommended licencing hours until 20:30.

The reason for this request:

1. Our bedroom windows are [REDACTED] the restaurant. [REDACTED]
2. The restaurant has already placed tables and chairs outside in the pedestrian area so patrons will be consuming alcohol outside of the restaurant.
3. There is a significant risk that there will be late night noise and a pub type atmosphere outside our bedroom windows.
4. The restaurant is already advertising Jazz and music evenings which will add to the noise disturbance.

