

From:

Sent: 13 October 2021 21:33

To: Licensing HF: H&F; Overton Adrian: H&F

Subject: 2021/01039/LAPR deadline 15th October 609-611 Fulham Road SW6 5UA corner Barclay Road SW6 1EJ Kennedy's Fish and Chips

As a Town Ward local Councillor I would like to make representation on this application for a new license at 609-611 Fulham Road SW6 5UA at the corner of Barclay Road. The actual address is a double shop with planning permission 2013/04378/FUL to retain changes made without planning permission for a coffee shop (small kitchen needing some ventilation, side fire door etc)

Concerns to note existing premises (former flower shop) the coffee shop

Berkeley Road residents I know have already submitted their stance on the multiple problems and I am writing to you to confirm that I support them in all that they have said to you.

They have drawn your attention, amongst many things to a blocked up fire door, no high flu for fumes.

They have also talked about street drinkers looking for cheap shots, football fans and other general problems that this situation will attract.

I support Berkeley Road residents in everything they say.

Please can you confirm that this has been accepted as a valid representation,

Cllr Belinda Donovan

Town Ward Cllr

Shadow Cabinet Assistant for Crime and Housing

From: Charlotte Dexter
Sent: 14 October 2021 12:50
To: Dimitriou Maria: H&F
Cc: Overton Adrian: H&F; Asante William: H&F
Subject: 2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

TO: LBHF Licensing
— adrian.overton@lbhf.gov.uk
— Maria.Dimitriou@lbhf.gov.uk

From: Charlotte Dexter and Barclay Road Residents
Date submitted: 14 October, 2021

Dear Licensing LBHF,

Thank you for the opportunity to make representations on this application for a NEW license at 609-611 Fulham Road SW6 5UA, at the corner of Barclay Road. The actual address is a double shop with planning permission [2013/04378/FUL](#) to retain changes made without planning permission, for a coffee shop (small kitchen (no gas at that time) needing ventilation, side fire door etc).

Concerns re existing premises (former flower shop, then coffee shop):

- 1) We would like to draw to your attention that the fire door at the side elevation, approved in [2013/04378/FUL](#), has been bricked up. Does this need attention by the Responsible Authority? Please inform them and let us know.
- 2) We also observe that there does not seem to be a high flu installed to properly disperse filtered fumes from the Premises' now greatly expanded cooking (fat/oils, grilling) facilities. Two large fryers were installed two weeks ago. Is a more modern Electrostatic Precipitators EPS filtration system being used instead of a traditional flu? An EPS is actually necessary, because a traditional flu would emit unacceptable nuisance of smells over the rooftop windows of number 1 Barclay Road (this residence is attached to the proposed Premises at the rear of 611 Fulham Road). Could this please be looked into by the appropriate Responsible Authority and reported back to Barclay Road Residents.

General situation around the area/street scene and residential scene of the proposed Premises:

Street scene; night time economy of lower Fulham Broadway Cumulative Impact Zone (CIP)
We understand this is a new LAPR License application and therefore greet the opportunity for this Premises to suggest and agree the most up-to-date Conditions for this Fulham Broadway Town Centre location (designated Cumulative Impact Policy zone of Fulham Broadway and Walham Green Conservation Area) which attracts an enormous amount of drinkers seeking London's cheapest shots, onlookers coming to check out the late-night scene, football fans walking around looking for 'action' that they've heard about on FaceBook, TickTock etc

All these people arrive literally in front of the proposed Premises, to its side in Barclay Road, or across the road at The Redback, mainly by Ubers and black cabs, to:
— drink London's cheapest shots at The Redback pub at 490-492 Fulham Road SW6 5NH

- eat and drink at YUCCA Mexican restaurant, now an expanded double shopfront Premises at 494-496 Fulham Road (no planning permission found and license has expired according to a licensing search)
 - buy alcohol and drink it in the street, at the off-license 24 hour shop at 605 Fulham Road SW6 5UA
 - collect or eat-in at the proposed Premises, Kennedy's 609-611 Fulham Road SW6 5UA
 - collect at the Piri Piri chicken shop at 607 Fulham Road SW6 5UA. This Piri shop is directly across from FCC shop 488 Fulham Road
 - collect at the Fulham Fried Chicken" FFC" shop at 488 Fulham Road SW6 5NH. This FFC shop is directly across from Piri shop 607 Fulham Road SW6 5UA
 - collect at Dominos Pizza 613 Fulham Road
 - collect, drink(vertical drinking bar area), or eat at Best Mangal bar and restaurant, 617-619 Fulham Road
- or, to:
- use the bus stop (E) —direction West End — called Jerdan Place/ Fulham Broadway, situated just to the right of The Redback pub 490 Fulham Road
 - use the bus stop (F) — direction Hammersmith — called Fulham Broadway, situated directly in front of the Premises at 609-11 Fulham Road.

We believe that several Conditions are needed to protect the proposed Premises from sudden, uncontrollable overcrowding (as was the case on 22 Aug 2021, see below):

- inside the Premises as well as outside around the Premises,
- on its immediate corner (Fulham Road and Barclay Road) and
- at the bus stop (F) outside the Premises on Fulham Road, especially during the late evening/night time economy.

Residential scene; much unfortunate nuisance from night-time economy

The proposed Premises is on the corner of the residential Barclay Road Conservation Area, which is two-way but single line traffic road with very high 'parking stress' day and night. Controlled parking is 7 days a week until 10pm. Built out around 1870, this tree-lined road comprises approx 95 flats in terraced houses on both sides 1-35/2-64, with Council sheltered Granville House housing for the elderly (39 flats) on the left (37-101); the road ends at the tube line. Between 27 and 29 Barclay Road, Effie Road joins Barclay Road.

We suggest from unfortunate, almost nightly experience that such an application must consider its immediate neighbours in RESIDENTIAL Barclay Road to assure that patrons of the Premises, as well as the swell of those simply attracted to the area and hanging out around the proposed Premises, do not loiter, litter and use, as is now the case, our trees as urinals and our gutters for defecation. Drug use of all kinds is very prevalent outside the proposed Premises, with litter thereof in sight every morning. There is ongoing noise nuisance that disturbs residents, regularly, especially on Wed, Thurs, Fri and Saturday with singing, chanting, yelling screaming in the vicinity of the proposed Premises as well as directly across from the proposed Premises.

Recent roll back of hours by Dominos itself:

We would like the proposed Premises and LBHF Licensing to be aware that Domino's Pizza 613 Fulham Road, has recently decided to close at 11pm for 'collection' because the crowds are too dangerous and uncontrollable for them to uphold their legal obligations. We have spoken with Dominos directly and learned about this new management decision. They tell us that potential patrons are almost all too drunk when they walk in. They refuse to serve drunk people, so fights ensue.

We list below the Conditions that we believe should be part of the proposed Premises License taking into consideration the specific situation here at lower Fulham Broadway.

1 To avoid Noise Nuisance for neighbors trying to sleep:

—Conditions that no take-away deliveries be made after 21:30 from the Premises for take away food ordered via a third party delivery service only, to keep the peace, allow children and parents to sleep, especially those flats above 611 Barclay Road and at the rear of the proposed Premises in the attached dwelling house, numbered 1 Barclay Road for many years, but formerly 611 B Fulham Road.

—Placing rubbish and bottles out next day in clearly labelled business collection bags, and only within one hour of anticipated collection on Fulham Road side, not in the evening please as children are sleeping right there at rear (Nr 1), and several other residences, of proposed new licensed property, and opposite at nr 2 and nr 4 Barclay Road plus new 4 houses being built at number 3 Barclay Road by Precis Holdings.

—**Waste bottles or other glass shall not be disposed of or transported in bulk through any external area between the hours of 20:00 and 08:00 the following day.**

—**Empty bottles and non-degradable refuse shall remain in the premises at the end of trading hours and taken out to the refuse point at the start of the next working day rather than at the end of trading when neighbours might be unduly disturbed.**

2 To avoid hazards on the public pavement:

Oil 'rubbish' big tins, empty mayonnaise/ketchup buckets will also be an issue (they have been an issue at this address in the past).

These should be only put out shortly before anticipated specialist collection.

3 To avoid blocking the pavement:

--Conditions to assure that no more than 5 people are in front or to the side of the external area of the Premises at any one time. The numbers add up quickly because people typically loiter on this very corner of Fulham Road/Barclay Road.

—a table and a few chairs have recently appeared to left of door, so on pavement of Barclay Road. We understand the need for outdoor seating in these COVID times. At the same time, this narrows the pavement, especially at night. It also creates noise for the flat above and to the rear of the Premises. Perhaps chairs and tables should be limited to up too 8pm.

Could you please liaise with Highways on this important issue and report back to Barclay Road Residents.

4 To support the Council's efforts to move to electric vehicles or manually operated delivery vehicles (bicycles) only:

Deliveries for take away orders: for public safety reasons, this Premises should not be allowed to have its own delivery vehicles. We ask that they be specifically prohibited in the License.

Such vehicles (of any type) would end up lining our road, using valuable parking spaces and the two business spaces on the Barclay Road side of the Premises.

We ask that any third-party delivery vehicles be required to be non-motorized bicycles or silent electric-only vehicles (such requests can be made through Deliveroo etc) for the sake of the environment, and to keep noise to an absolute minimum for children sleeping in the immediate area (flats above 611 Fulham Road) and connected, large dwelling to rear.

5 To mitigate the lack of LBHF parking controls for motorcycles/two-wheelers used for deliveries:

We ask for a further Condition that prohibits the longer-term parking in Barclay Road of any third-party vehicles associated with the Premises for more than a reasonable amount of time for pick-up of take-away food for delivery, ie 5-10 minutes.

This request follows the situation we have in Barclay Road with Dominos Pizza of 613 Fulham Road legally using parking bays that take up 3-5 parking bays because Conditions were not put on the License/planning permission at the time. These motorbikes are often

chained together to avoid theft, creating a virtual outdoor safe haven for the commercial premises.

In short, we already have too many commercial motorbikes in Barclay Road.

Example:

On Aug 22, 2021 at 00:20 Police were called to this corner by the pub opposite (The Redback) to disperse loud crowds creating what was observed by the Redback management as seemingly out of control visitors to this area, turning over Dominos' motorbikes. It took a five-man-wide Police line up to push the crowd down our residential road to 'disperse' the problem (into our road!). Videos were sent to police. Police have observed body cam and sent us the report.

Although the proposed Premises had closed earlier, the crowd could easily have smashed into the large side window of the property. Had the situation taken place a bit earlier, the proposed Premises could well have had a crowd ramming themselves through the one and only door of 609-611 Fulham Road.

6 To avoid early morning disturbance, noise, pollution from commercial lorries/vans

Deliveries to the Premises for food etc. Deliveries need to be defined as deliveries of goods/services on the Barclay Road side only after 8am and not after 8pm. Please add this to the Conditions.

"Deliveries and collections (including refuse collections) associated with the premises shall be arranged between the hours of 08:00 to 20:00 only."

Background:

We, residents, have initiated cooperation directly with Domanos Pizza over time to assure that ALL deliveries from their very long lorries into Dominos take place before 8am just up from their corner on 613 Fulham Road. The lorries no longer come into Barclay Road. Previously, Dominos deliveries were being made on the north side of Barclay Road (in front of number 1 Barclay Road/rear of 609-611 Premises) and this woke up children at all hours.

This corner of Fulham Road/Barclay Road has major free flow of traffic problems all day and again at night, usually from about 22:00/:30 onwards until 02:00 or later as Ubers drop off mostly well refreshed patrons (possibly already quite inebriated).

At night, from about 9:30pm, Ubers drop off people, and patrons of other Premises run across Fulham Road to Barclay Road corner to obtain goods from black Mercedes-type vehicle hovering at this corner.

During the day, traffic and buses need the free flow of traffic as designated by signage on both sides of Fulham Road 'no deliveries from 8am to 8pm'.

To remind:

Five Guys 11 Bank Buildings Fulham Broadway were not granted permission for their own delivery vehicles under [2020/00321](#)/VAR. SECTION 73 of Town & C planning Act 1990 **for the following reason(s): 1) The proposals are unacceptable on highways grounds. More particularly, the variation of Condition 16 to allow the provision of some takeaway sales via a motorised bike collection service would prejudice the free flow of traffic and public safety, contrary to Local Plan Policy T1.**

6 TVs/monitors/similar

TVs/monitors only with closed captions, no sound.

TVs not to be placed in the large windows to face outwards towards Fulham Road and or Barclay Road; this would attract crowds of people and cause public safety issues on the pavement and in Fulham and Barclay Roads

No TVs/monitors or similar allowed to be set up/used outside the Premises

No speakers to be placed/used at open windows or outside the Premises

7 Music, noise levels etc as per the more proactive Conditions on several licenses across LBHF:

- a) No music shall be generated within the Premises so as to give rise to nuisance within neighbouring dwellings.
- b) There shall be no customers congregating or sitting in the front, or to the side of the Premises after 2100, to allow children in the neighboring properties to sleep, and to assure that the bus stop/shelter in front of the Premises is kept clear.
- c) Live music shall not be permitted in the outside space/areas of the premises.
- d) Recorded music shall not be permitted outside the premises.
- e) An electronic noise limiting device shall be installed on the premises and set to noise officers' satisfaction so as to ensure that nuisance is not caused in any unassociated premises. The device shall be pre-approved by officers before the use commences and maintained in good working order throughout the duration of use. This is an especially important point for residents.
- f) If requested by the Noise & Nuisance Team the noise limiter shall be adjusted and set to a satisfactory level so that local residents are not disturbed.
- g) The Licence Holder / Designated Premises Supervisor shall respond promptly and positively to any noise complaints from residents.
This is an important, pro-active Condition that reminds and puts on the onus the Premises License Holder to act swiftly to mitigate any noise complaints

8 CCTV, as per Licensing Pool of Conditions

9 Sales of alcohol around football times, as per Pool and advice from the Responsible Authority, Met Police Licensing officer Tom Stewart; we have spoken with him directly.

10 To limit litter and support the Council's efforts to reduce waste and eliminate plastic use

We request Conditions that the use of all take-away packaging and serving implements (wrapping paper, plates, boxes, cups, drinking straws—everything used around eating the food and drinking the drinks):

- be paper-based fully recyclable and
- be clearly labelled/badged with 'Kennedy's' so that it is clear where the litter is coming from. Fish&Chip paper, trays, napkins, cups/vessels, utensils/forks, knives etc, carrier bags, any packaging whatsoever etc
- Cans, bottles also labelled with difficult-to-remove individual pricing labels clearly marked with 'Kennedy's'
- Litter is collected proactively by the Premises, as per Licensing's pool of conditions with hourly collections by a member of staff (and diarised) up to nr 9 Barclay Road, and opposite up to 6 Barclay Road, as well as on the Fulham Road frontage and in the road at the entrance of Barclay Road itself, from opening to closing.

11 All plant and equipment shall be correctly installed, operated, maintained and regularly serviced, all in accordance with the manufacturer's instructions, to ensure that it is operating correctly and efficiently so as not to cause a nuisance to neighbours arising from noise.

12 All ventilation and extraction systems and ducting shall be correctly installed, operated, maintained and regularly serviced, all in accordance with the manufacture's instructions, to ensure that they are operating correctly and efficiently so as not to cause a nuisance to neighbours arising from noise or odour.

Thank you for your ongoing work with residents and premises in our area.

I submit this solely in my name, Charlotte Dexter, Barclay Road SW6 1EJ as well as additionally in the name of our Barclay Road Residents

Charlotte Dexter Murray
Barclay Rd
London SW6 1EJ

From: Adrian Dear
Sent: 14 October 2021 13:55
To: Dimitriou Maria: H&F; Overton Adrian: H&F
Subject: 2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

Dear Licensing LBHF,

We live at Barclay Road and have had the opportunity to approve Charlotte Dexter's comments in her email to you of 14 October regarding the above, which she sends on behalf of herself and the Barclay Road Residents Group.

We fully support and endorse all her points.

Regards
Alex and Adrian Dear

From: Fleur Collyer
Sent: 14 October 2021 14:11
To: Dimitriou Maria: H&F
Subject: Barclay Road

Dear Maria

I live at Barclay Road and I agree with the points made by Charlotte Dexter for Barclay Road Residents.
Fleur Collyer

From:
Sent: 14 October 2021 14:45
To: Overton Adrian: H&F; Dimitriou Maria: H&F
Subject: Re: 2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

I live at nr Barclay Road and I agree with the points made by Charlotte Dexter for Barclay Road Residents (see below).

Signed: Laura Salvatori
Barclay RD, Lodon SW6 1EH

From: Roland Wells
Sent: 14 October 2021 16:23
To: Overton Adrian: H&F; Dimitriou Maria: H&F
Subject: 2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

We live at Barclay Road and have had the opportunity to approve Charlotte Dexter's comments in her email to you of 14 October regarding the above, which she sends on behalf of herself and the Barclay Road Residents Group.

We fully support and endorse all her points.

Regards
Roland and Teresa Wells

From: JonPaul Whitehalse
Sent: 14 October 2021 17:59
To: Dimitriou Maria: H&F; Overton Adrian: H&F
Subject: New licence @ 609/611 Fulham Road, London SW6 5UA

We live at Barclay Road and we agree with the points made so eloquently by Charlotte Dexter for Barclay Road residents.

Signed
Jon Halse & Paul Whitehouse

From:**Sent:** 15 October 2021 14:56**To:** Overton Adrian: H&F; Dimitriou Maria: H&F**Cc:** 'Charlotte Dexter'; 'Lissa Napolitano'**Subject:** 2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

To:

adrian.overton@lbhf.gov.ukmaria.dimitriou@lbhf.gov.uk

Dear Licensing LBHF,

Ref: 2021/01039/LAPR deadline 15 Oct 609-611 Fulham Road SW6 5UA/corner Barclay Road SW6 1EJ (Kennedy's Fish and Chips)

We live at Barclay Road and have had the opportunity to review Charlotte Dexter's comments in her email to you of 14 October regarding the above, which she sends on behalf of herself and the Barclay Road Residents Group. We fully support and endorse all her points.

I would add that Lissa and I have lived in Barclay Road only since December 2020 and I am sad to say it has been a very disappointing experience. The north end of Barclay Road is a hotspot for antisocial behaviour including shouting, singing, littering, vomiting, urination, defecation, drug-taking and drug dealing, as well as gridlock caused by Ubers and noise from delivery motorcycles, much worse than anywhere else we have ever lived including other locations in Fulham. We are working hard with Charlotte and all authorities to reduce the mayhem in Barclay Road, and absolutely cannot have any additional problems caused by the proposed additional fish and chip shop.

Regards

Martin Band and Lissa Napolitano
Barclay Road
London SW6 1EH