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From: Andy Clarke

Sent: 01 January 2023 18:57

To: Licensing HF: H&F

Cc: Overton Adrian: H&F

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

2022/01970/LAPR

Licensing Act - Premises Licence

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

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

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

Regards,

Andrew Clarke and Grethe Mitchell  
West Kensington Court

**SEE FURTHER ATTACHMENTS**

**From:** Andy Clarke

**Sent:** 13 January 2023 12:35

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

**Cc:** Overton Adrian: H&F

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

Elisha,

Thank you for your email.

My representation remains.

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

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

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

Regards,

Andy Clarke

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

Dear all

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

The provision of late night refreshment - Both Indoors and Outdoors

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

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

Opening hours of the premises

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

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

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

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

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

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

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

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

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

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

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

Kind regards

**Elisha Collins**

Licensing Compliance Officer

**From:** Charlotte Dexter

**Sent:** 13 January 2023 19:21

**To:** Collins Elisha: H&F

**Cc:** Licensing HF: H&F

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

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

13 Jan 2023, 19:20, London

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

#### Operating illegally for ages

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

#### Where is the evidence?

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

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

#### Honest traders

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

#### The serving pathway is a noise nuisance residential highway

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

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

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

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

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

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

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

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

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

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

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

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

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

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

Charlotte Dexter  
Barclay Road SW6 1EJ