

LICENSING CONSULTATION INTERNAL MEMO

To : **Lorna Mckenna**

From : **Adrian Overton**

Date : **19th July 2023**

Premises : **Dough and So Bakery, 140 Uxbridge Road, W12 8AA**

CAPS Ref : **2023/00895/LAPR**

Application : **New premises licence**

I am the Licensing Team Manager for the London Borough of Hammersmith and Fulham. I am also able to act as the responsible authority for the Licensing Authority of the London Borough of Hammersmith and Fulham.

I have considered the above application and wish to make a representation on the basis of past adverse enforcement history at this premises which has been outlined below.

The Application

On the 14th June 2023 R.H.N Limited applied for a new premises licence in respect of Dough and So Bakery, 140 Uxbridge Road, London, W12 8AA

The premises is a bakery, and the applicant wishes to licence the premises to cover recorded music, late night refreshment and the sale of alcohol as outlined below:

Licensable activities sought:

The provision of late night refreshment - Both indoors and outdoors
Mondays to Sundays between the hours of 23:00 to 04:00

The sale of alcohol - On the premises only
Mondays to Sundays between the hours of 13:00 to 02:00

Opening hours of the premises
Mondays to Sundays between the hours of 07:30 to 04:00

Supporting Information - Enforcement Summary

In December 2022 officers from the Licensing Team contacted the owner of this premises (Mr Hassan Ferdousara) to explain that the Council had received allegations that the business was trading after 23:00 without a licence for late night refreshment. During this conversation Mr Ferdousara explained that the business had been trading after 23:00 for many years, and he was unaware that a licence was needed. We informed the owner that licensable activities must be stopped immediately and gave him advice on how to apply for a licence in future.

On the 13th May 2023, at approximately 23:10, an officer from the Noise and Nuisance team visited the premises and noted that the business was open to customers and showed no sign of preparing to close. At approximately 23:14 the officer purchased a savoury snack that was heated on the premises. The officer left the area at approximately 23:30 and noted again that the business was still open and not preparing to close. As a result of this visit a formal warning letter was issued to Mr Fedousara on the 26th May 2023. A request was also made to attend a virtual meeting to discuss this offence and to provide further licensing guidance on applying for a licence. On the 30th May 2023 this meeting request was chased up via email as no response had been received.

On the 14th June 2023 a valid application for a new premises licence was received by the Licensing team. As there had been previous non compliance issues at this premises we decided to contact Mr Fedousara to explain that whilst the application was under consultation, the premises was not authorised to carry out licensable activities. Attention was also drawn to the information being shown on some online delivery platforms which still advertised the business as remaining open after 23:00, and offering hot food/hot drinks for delivery after 23:00. Mr Fedousara was made aware that further visits would be scheduled to the premises to check for unauthorised licensable activities.

On the 17th June 2023, at approximately 23:25, an officer from the Noise and Nuisance team visited the premises. They noted that the premises was open to customers and witnessed a customer being served coffee. The officer also purchased a hot chicken tikka panini prior to leaving the premises.

On the 30th June at approximately 23:13 a further test purchase was attempted by Noise and Nuisance officers. During this visit the business was found to be closed with their shutters down.

Conclusion

As outlined in the enforcement summary we have offered considerable advice to Mr Fedousara over the past six months and despite this advice and guidance we have still witnessed unlicensed activities on a number of occasions.

Whilst we appreciate that the business has recently passed a test purchase in June 2023, we are concerned that there are inadequate management controls in place to ensure compliance on an ongoing basis, if a permanent licence were to be granted.

We are also aware that a reduction in hours has recently been agreed with Police licensing team, and whilst we think these hours are much more appropriate for the

operation of the business, we do not think this will reduce the risk of the premises trading out of hours in the future.

To try to minimise the chances of any future non-compliance we would therefore respectfully ask that the committee consider granting a licence for a 12 month period, so that there is an opportunity to carry out further test purchases. The results of these test purchases could then be taken into consideration when a new licence is applied for in a years time.

A handwritten signature in black ink, appearing to read 'A. Overton', with a long horizontal flourish extending to the right.

Adrian Overton
Licensing Team Manager
London Borough of Hammersmith and Fulham