

From: [Overton Adrian: H&F](#)
To: [Mckenna Lorna: H&F](#)
Cc: [Perez-Trillo Cristina: H&F](#); [Layug Karen: H&F](#)
Subject: 2023/01489/LAPR-Chicken Cottage 82 North End Road London W14 9ES
Date: 14 December 2023 12:14:51
Attachments: [image001.png](#)
[image005.png](#)

Dear Lorna,

Please take this email as a representation from the Licensing Authority against the above application.

This representation is made in relation to recent adverse enforcement history at the premises, and concerns the Crime and Disorder licensing objective.

Further details will be provided in due course.

Kind regards

Adrian Overton

Licensing Team Manager
Licensing
The Economy Department
Hammersmith & Fulham Council
020 8753 3081
07931 530 309

adrian.overton@lbhf.gov.uk
www.lbhf.gov.uk



Strategic Director for Economy – Jon Pickstone

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LICENSING CONSULTATION INTERNAL MEMO

To : **Lorna Mckenna**

From : **Adrian Overton**

Date : **16th January 2024**

Premises : **Chicken Cottage, 82 North End Road, W14 9ES**

CAPS Ref : **2023/01489/LAPR**

Application : **Variation of 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 22nd September 2023 Mr Faheem Uddin applied to vary his premises licence to extend the hours for late night refreshment in respect of the premises known as Chicken Cottage, 82 North End Road, W14 9ES as follows:

The provision of late night refreshment - Indoors only

Current hours

Sundays to Thursdays between the hours of 23:00 to 01:00
Fridays and Saturdays between the hours of 23:00 to 02:00

Proposed hours

Sundays to Thursdays between the hours of 23:00 to 03:00
Fridays and Saturdays between the hours of 23:00 to 04:00

Current opening hours

Sundays to Thursdays between the hours of 10:30 to 01:00
Fridays and Saturdays between the hours of 10:30 to 02:00

Proposed opening hours

Sundays to Thursdays between the hours of 10:00 to 03:00
Fridays and Saturdays between the hours of 10:00 to 04:00

Supporting Information - Enforcement Summary

Please note that whilst the current licence holder (Mr Uddin) was transferred onto the licence on the 26th May 2023, he has previously explained that he has been responsible for the operation of the premises since 2014, hence why many of the incidents below pre date the transfer application.

This business first came to the licensing team's attention following a Police investigation into an incident which occurred on the 12th March 2023. A fight took place at the premises at 03:30am involving a number of customers. At the time this incident took place the premises should have been closed for business.

The following observations / interactions have taken place with Council officers since April 2023:

21st April 2023 - LET visit: Night team 1 observed the premises operating and serving customers long after the required closing time of 1am.

- *Observation 1 at 01:45 hours.* Staff witnessed passing bags of food to delivery drivers on two separate occasions with another customers just sitting within the shop. Also noticed the large amount of food behind the counter in the warming display oven waiting to be sold.
- *Observation 2 at 02:56 hours.* Observations of the premises for a short period and within the space of roughly 5-10minutes. Observed that 6 customers entered and were being served food. 2 customers who entered with nothing in their hands then left with bags containing their takeaway. The third male decided to enjoy his meal within the establishment.

23rd April 2023 – LET visit at approximately 02:15 - premises open, 7 customers at the premises and staff behind counter.

24th April 2023 – LET visit at approximately 01:33 – staff behind counter, premises appears open.

25th April 2023 – LET visit at approximately 02:17 - premises open and serving. Staff behind counter and 4 customers at the premises.

25th April 2023 – The licensing team sent an email to Mr Maqbool Alam (licensee on our records at the time). outlining the reports received from both the Police and Law Enforcement Team, which appeared to suggest that unauthorised late night refreshment is taking place from the above business.

An informal warning was given, and we explained that we will investigate potential unauthorised late night refreshment and we will be conducting further visits following correspondence to check if the business closes on time.

We also explained his responsibility as a licensee in terms of training staff and that immediate steps that must be taken including amending online sources / delivery websites to reflect the businesses authorised trading hours. Included in this email was a list of links which were advertising the business as remaining open after the hours outlined on the licence.

26th April 2023 - LET visit at approximately 02:34 - customers inside and outside. Staff behind counter.

2nd May 2023 - Response received from Mr Faheem Uddin explaining that he was the business owner of the premises and requesting a meeting with the licensing team.

We responded on the same day explaining that according to our records, the current Premises Licence holder was Mr Maqbool Alam. We also explained that if Mr Alam is no longer involved with the premises, the business must cease the sale and provision of hot food/hot drinks at 23:00 every day until a valid transfer application is received.

6th May 2023 - at approximately 02:38 - LET officers visited the premises and confirmed that the business was open and operating. 3 males were standing inside and waiting for food. As soon as staff saw the officers they quickly turned off the light with customers still inside.

9th May 2023 – A verbal warning was given to Mr Uddin during a meeting after explaining that carrying out unauthorised licensable activities is a criminal offence under Section 136 of the Licensing Act 2003 . Mr Uddin explained that he took over the business in 2014. He also claimed that he instructed his staff to close on time and that they have issues with customers arriving late and taking too long to finish their food.

We also outlined more recent late night observations undertaken by the LET team which seemed to show that the premises was still providing unlicensed activities.

14th May 2023 – A test purchase was arranged by the licensing team, and carried out by officers from the Council's Noise team, at 02:30am. The premises was found to be closed at the time.

5th October 2023 – A test purchase took place by noise officers at 00:59am (within their permitted trading hours). However, officers continued to monitor the premises until 01:06 during which time customers were permitted to continue entering the premises and purchase food orders.

12th October 2023 – A test purchase by Noise officers took place at 1:03am and food was sold. It was noted that no attempt to refuse the sale by staff at the premises was made.

26th October 2023 – The Licensing team issued a warning letter informing Mr Uddin that on the 12th October 2023 Council officers undertook a test purchase at the above premises which the business subsequently failed. The letter included a history of interactions and correspondence between the Licensing Authority and Mr Uddin prior to the offence, and recent observations from the Noise team on the 5th October.

21st October 2023 - Officers from the Council's Noise Team carried out a monitoring visit to observe external noise levels during nighttime operation of the business. Between 01:15-01:25am officers observed 6 motorcycle delivery drivers arriving at the premises to collect food orders for onward delivery (all within 10 minutes).

Officers also noted motor scooter drivers riding and parking on the public footpath, revving engines and shouting.

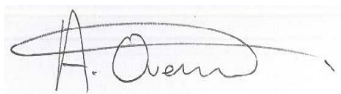
Conclusion

We have offered extensive advice to Mr Uddin since our first interaction with him in April 2023. Despite this advice and guidance, we have still witnessed unlicensed activities on a number of occasions.

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

We are also aware that a number of conditions, and a reduction in hours, have recently been agreed with the Police licensing team. 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 refusing this application to vary the licence.

A handwritten signature in black ink, appearing to read 'A. Overton', written over a light blue horizontal line.

Adrian Overton
Licensing Team Manager
London Borough of Hammersmith and Fulham