

LICENSING CONSULTATION INTERNAL MEMO

To : **Lorna Mckenna**

From : **Adrian Overton**

Date : **4th December 2024**

Premises : **L'Ami Jac, 96 Shepherd's Bush Road, W6 7PD**

CAPS Ref : **2024/01633/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 a neighbouring premises (94 Shepherd's Bush Road), which is also owned and operated by the applicant.

The Application

On the 18th October 2024 the company known as L'ami Jac applied for a new premises licence in respect of the premises known as L'ami Jac, 96 Shepherd's Bush Road, London, W6 7PD. The hours and activities set out in the application were as follows:

The Exhibition of Films - Indoors Only

Mondays to Sundays 11:00 to 00:00

The Provision of Late-Night Refreshment - Indoors Only

Mondays to Sundays 23:00 to 00:00

The Sale of Alcohol - Both On and Off the Premises

Mondays to Sundays 11:00 to 00:00

Proposed Opening Hours

Mondays to Sundays 07:00 to 00:00

Supporting Information - Enforcement Summary

The following observations / interactions have taken place with Council officers since December 2023 at a neighbouring premises (94 Shepherd's Bush Road):

7th December 2023 - Complaint received in relation to late opening hours and noise, The owner and DPS (Mr Stiquel) was subsequently made aware of the complaints and denied selling alcohol after 22.00.

2 February 2024 – Monitoring of the premises by licensing officers at 23:36. The premises found to be locked up with its lights off.

9 February 2024 – A full licensing inspection was carried out at the premises which identified 29 breaches. A copy of the inspection sheet was left at the premises which also serves as a warning letter.

20 February 2024 - Written advice was given to Mr Stiquel regarding the inspection on the 9th February and breaches of conditions. A suggestion was made to vary his licence to remove a some conditions which seem to have been originally suggested by the applicant in error when the licence was granted. Advice was given on the procedure for varying the licence. Links to a number of posters (in relation to challenge 25 and child sexual exploitation) were also provided. Mr Stiquel was given until 5th March to remedy the breaches. No response was received.

24th April 2024 - The Licensing team visited the premises and noted that a number of posters required by conditions 14, 27 and 64 of the licence were not exhibited. There was also no evidence that any of the previous breaches had been remedied. Mr Stiquel explained that he would look to submit a variation.

2nd May 2024 - Written advice given further to the visit on the 24th April. It explained that the premises licence in place could be revoked if ongoing breaches were identified. Guidance offered on a draft full variation application.

7th May 2024 – Variation application submitted.

18th June 2024 – The Council's Noise team attended after 23.00 and witnessed several customers leaving. It was noted that some appeared to be intoxicated, but they were not excessively raucous or rowdy. No loud music was observed at the time of visit and no breaches of the licence were identified.

9th July 2024 – A Noise officer visited the premises at 23:30, following an unsubstantiated complaint. It was noted that Mr Stiquel appeared to be dismissive and was not taking the complaint seriously. A breach of condition 10 was identified on this occasion as there was no record of complaints available at the time of the visit.

16th August 2024 – The licensing team carried out a premises licence inspection following a full variation being made on the 7th May. The premises was found to be open with without a personal licence holder which was a breach of condition 17.

2nd September 2024 - Mr Stiquel was given advice about the breach on the 16th August via a phone call and an email. He was also invited to a multi agency meeting on the 17th September to discuss the continuous breaches at the premises.

17th September 2024 - Joint virtual meeting with officers from the Police Licensing Team, Noise and Nuisance, and Licensing. Mr Stiquel was told that if further breaches of conditions were witnessed, a review of his licence and / or a prosecution would be considered. He was emailed a summary of the meeting on 2nd October 2024.

11th October 2024 – Licensing officers carried out full licensing inspection. 3 breachers of conditions 14, 16 and 38 were observed. A warning letter for these offences was sent on the 12th November.

11th October 2024 at 22:28 – The Council’s Noise team witnessed two customers inside the premises and also observed Mr Stiquel, outside the premises at a table with two more customers. The front door was fully open at this time. This was a breach of conditions 29 and 30. A warning letter was sent on 12th November.

4th December 2024 – Licensing observation at 21:56. No members of the public were found on the premises. Tables and chairs were inside, and the external lights were off.

5th December 2024 – Licensing inspection. No breaches of conditions. Notices displayed correctly and CCTV working.

Conclusion

We have offered extensive advice to Mr Stiquel since December 2023 in relation to his business directly next door to this premises - 94 Shepherd’s Bush Road.

It appears that initially the licence was granted with a number of unnecessary and inappropriate conditions. To try and address this issue we offered advice and guidance so that the licence could be varied to reduce the number of conditions, and to make the licence more manageable and relevant to the type of business he was operating. However, since the variation was submitted in May 2024, we have still found breaches of conditions on a number of occasions.

We have concerns that if Mr Stiquel was the licence holder and designated premises supervisor at 96 Shepherd’s Bush Road, there may well be further breaches of licensing conditions and a general disregard for any advice given by officers.

Most recently, on the 5th December 2024, we have noted that there was a successful licensing inspection, where no breaches of conditions were identified. We are also conscious that Mr Stiquel has agreed to a number of conditions suggested by the Police Licensing Team.

Given the recent licensing inspection, and the Council’s commitment to support businesses in a challenging economic climate, we would not object to the licence

being granted. However, to try and minimise the chances of any future non-compliance, we would respectfully ask that the committee consider requesting that a different designated premises supervisor is responsible for the premises at 96 Shepherd's Bush Road.

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