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1. THE APPLICATION:

On 1 August 2024, an application for a review of a premises licence under Section 51 of the Licensing Act 2003 (the Act) was served by London Borough of Hammersmith and Fulham's Trading Standard's Team ("The Applicant"). The review application was made in respect of Best Quality Food and Wine – 333-335 Lillie Road, London, SW6 7NR ("the Premises") held by Mr Tara Ram Singh ("the Premises Licence Holder").

It is not the purpose of this report to reiterate the far-ranging submission made by Trading Standards. However, the review application, a copy of which can be found in Appendix 1, shows that Trading Standards made this application on the grounds of the protection of children from harm. As Members will see, there is an extensive chronology of events leading up to Trading Standards' decision to initiate this review.

2. CURRENT LICENCE:

The current premises licence, which can be found at Appendix 2 and was originally granted on 30 May 2012 (and transferred to the current Premises Licence Holder on 2 June 2015), allows for the following activities:

The Sale of Alcohol (Off the Premises):

Monday to Sunday: 11:00 to 23:00.

Hours Open to the Public:

Monday to Sunday: 08:00 to 23:00.

3. BACKGROUND:

The main access to the proposed premises is located on Lillie Road Road and the premises operates as an off-licence. The immediate area around the application site could reasonably be described as a mixed area owing to the presence of commercial and residential dwellings around the site. A map showing the location of the premises and neighbouring licenced premises can be found in Appendix 3.

4. CONSULTATION:

A public notice was displayed at the premises for 28 days, as well as advertised in a local circular and all statutory consultees were notified as required by the Regulations. The Council has served written notice of hearing upon the Applicant and all those parties that have made Representations in respect of the Application.

4.1 Relevant Representations:

During the consultation period, representations were received from the following people and groups:

- 1 individual representor (Appendix 4).
- The Metropolitan Police (Appendix 5).
- Licensing as a Responsible Authority (Appendix 6).

As can be shown from Appendix 7, these comments, along with a revised version of Trading Standards' application and additional supporting evidence, were submitted to the Premises Licence Holder on 22 September 2025. No specific response has been received back from the Premises Licence Holder thus far and Licensing have indicated that they will be submitting further comments in advance of the Sub-Committee Hearing.

5. OTHER INFORMATION:

5.1 Enforcement History:

The following is documented by the Council's Licensing Enforcement Team:

Date	Event
13 July 2023	Information received via Police Licensing Officers in relation to the alleged sale of alcohol to four school girls (aged 14/15) at the premises.
17 July 2023	Licensing inspection visit undertaken and several breaches were identified, with the inspection sheet left as a warning letter. CCTV footage was requested to be provided electronically. No Designated Premises Supervisor (DPS) in respect of the premises license; Missing signage; CCTV system not recording for 31 days; Time stamp on CCTV footage incorrect; Unable to produce a refusals book; A number of strong beer and cider products above 5.5% ABV were on display for sale.
20 July 2023	Advised by Mr Tara SINGH that the CCTV footage requested is not available.
28 July 2023	Premises fails an underage alcohol test purchase conducted by Trading Standards
24 August 2023	Police inspection visit undertaken and one breach identified and a verbal warning issued. However it was noted that Police are not opposed to this condition being removed by means of a minor variation. Alcoholic drinks not cleared labelled or marked with the name of the premises
6 September 2023	Multi-agency meeting conducted and agreement to monitor the premises moving forward.

5.2 Temporary Event Notices ("TENs"):

There is no recent history of TENs being applied for in respect of this premises.

6. POLICY CONSIDERATIONS:

6.1 It is the Council's duty under the Act to determine the review with a view to promoting the four licensing objectives:

- Prevention of crime and disorder;
- Public safety;

- Prevention of public nuisance;
- Protection of children from harm.

6.2 In reaching a decision, the Council must have regard to its adopted Statement of Licensing Policy (“SLP”) and the Guidance issued by the Secretary of State under Section 182 of the Act (the Guidance), both of which can be found below:

https://www.lbhf.gov.uk/sites/default/files/section_attachments/lbhf-statement-of-licensing-policy-2022-2027-150722.pdf

https://assets.publishing.service.gov.uk/media/67b73b7b78dd6cacb71c6ac8/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_-_October+2024+_1_.pdf

Members should be aware that Paragraphs 11.16 to 11.28 of the aforementioned Guidance in particular, which can be found in Appendix 8, give advice on the review of a premises licence. So too does the Council’s SLP.

6.3 Policy 10 pages 28 and 29 of the SLP in relation to reviews states that the Act describes two “groups” that may make representations to applications and may apply for an existing premises licence or club premises certificate to be reviewed by the Licensing Authority. These groups are Responsible Authorities and “Other Persons”.

At any stage, following the grant of a premises licence, a Responsible Authority, such as the Police or the Fire Authority, or other persons, may apply for a licence to be reviewed because of a matter arising at the premises in connection with any of the four Licensing Objectives.

A licence may be reviewed where it is alleged that the Licensing Objectives are not being promoted and there is evidence to show this. Guidance on grounds for a review are outlined in Annex 5 of the SLP.

6.4 Policy 11 pages 29 and 30 of the SLP states that in relation to the consideration of residents, the Licensing Authority expects that any licence applicant will give due consideration to the needs of Hammersmith & Fulham residents and any negative impacts from licensable activities and business operations.

Any review of a licence would need to be evidence based and as such is best supported by evidence from responsible authorities such as the Police or Environmental Health to be successful.

6.5 Policy 16 pages 33 and 34 of the SLP in relation to the safety of women and girls in licensed settings states that the Licensing Authority expects licence applications to specifically include measures to ensure the safety of women and girls in licensed premises. The Licensing Authority will use its powers to regulate the night-time economy, both with specific regard to spiking incidents and more generally in relation to violence against women and girls. This may include:

- a) Using the Licensing Authority’s powers to impose conditions or revoke premises licenses, where venues do not take sufficient measures to protect and provide support to customers in spiking incidents;

- b) Considering the prevalence, prevention and reporting of sexual harassment and misconduct and gender-based violence in licensed premises.
- c) Requiring the presence of suitably trained and accredited door staff,
- d) Require presence of CCTV, or to introduce entry searches for example. Licence applicants and existing licence holders are encouraged to include in their operating schedules clear policies relating to potential abuse or violence against women and girls.

This would include but is not limited to the 'Ask for Angela' programme, Welfare and Vulnerability Engagement' training package (WAVE) for staff to identify and assist women and girls being at risk or being subjected to violence, and the implementation of clear policies in the premises on preventing and addressing violence against women and girls. The Licensing Authority would also encourage off licensed premises to take part in the Ask for Angela scheme in an effort to increase the visible promotion of the scheme in all licensed premises across the borough.

Implementing these measures, particularly for on-licence premises, providing training for staff to increase awareness and provide skills and tools for identifying and assisting when it is at risk of happening or is happening, and having clear policies against violence against women and girls provide a solid basis for addressing the issue when it occurs in licensed premises. Furthermore, having policies on staff reporting incidents to Police and Council officers will help to ensure that these incidents are addressed.

As part of the Government's and the Council's Violence Against Women and Girls Strategy, venues may also wish to consider boosting their security measures e.g. the recruitment and training of additional door security staff, particularly female staff.

The Council are proud supporters of the Women's Night Safety Charter <https://hammersmithbid.co.uk/womens-night-safety-charter/>, and we would like to encourage all our licensed premises to consider how you and your business can contribute to making your workplace and H&F a borough where all women feel confident and welcome whenever and wherever they happen to be. The Women's Night Safety Charter is a voluntary pledge to show you take women's safety seriously. By signing the Charter, you show your acknowledgement of the issue and that you're ready to get proactive in improving women's safety.

6.6 Annex 4 page 52 of the SLP in relation to the grounds for considering a review states that the Licensing Authority will regard applications for the review of any premises licence particularly seriously where they involve evidence of:

- a) Use of licensed premises for the sale and distribution of drugs and the laundering of drugs money;
- b) Use of licensed premises for the sale and distribution of illegal firearms and the laundering of illegal firearms money;
- c) Evasion of copyright in respect of pirated or unlicensed films and music;
- d) Underage sales and consumption of alcohol;
- e) Use of a licensed premises contrary to any emergency legislation requesting its closure;
- f) Use of licensed premises for prostitution or the sale of unlawful pornography;
- g) Serious risks to children;
- h) Use of licensed premises for unlawful gaming and gambling;

- i) Use of licensed premises as a base for organised criminal activity;
- j) Use of licensed premises for the organisation of racist, homophobic, sexual abuse, attacks or any discriminatory behaviour;
- k) Use of licensed premises for storing or selling illegal alcohol or tobacco or smuggled goods;
- l) The use of licensed premises for the sale of stolen goods;
- m) Incidents of disorder;
- n) Instances of public nuisance where warnings have been disregarded;
- o) Serious risks to public safety which the management is unable or unwilling to correct;
- p) Frequently operating outside permitted hours.
- q) There may be legal implications if activity of child sexual exploitation (CSE) is taking place on licensed premises and there has been a failure to demonstrate due diligence or that adequate safeguards are in place – this may lead to prosecution or any of the licensing sanctions detailed in the paragraph below.

7. DETERMINATION:

In determining this application, the Committee must have regard to the representations and take such of the following steps as it considers necessary for the promotion of the licensing objectives. The steps are:

- (a) Take no further action.
- (b) Modify the conditions of the licence.
- (c) Exclude a licensable activity from the scope of the licence.
- (d) Remove the Designated Premises Supervisor.
- (e) Suspend the licence for a period not exceeding three months.
- (f) Revoke the licence.

Where the Committee takes a step mentioned in (b) or (c) above, it may provide that the modification or exclusion is to have effect for only such period (not exceeding three months) as it may specify.

In making its decision, the Committee must act with a view to promoting the licensing objectives:

- the prevention of crime and disorder;
- the prevention of public nuisance;
- public safety;
- protection of children from harm.

It must also have regard to its own SLP and the Guidance.

If the Committee is minded to amend the licence, conditions may be attached to the licence to alleviate the concerns raised through representations; nevertheless, this is a matter for the Committee to determine in light of the above matters, and any others it considers material.