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## 1. THE APPLICATION

On the 8<sup>th</sup> November 2025 the Licensing Authority received an application for a new premises licence, in respect of the premises known as 2 Vanston Place, London, SW6 1AY submitted by Mr Mohamed Abdelghany Gabr ElMansoury (“the applicant”).

Due to two issues with the application, the 28-day consultation period was extended by 28 days and re-commenced on the 19<sup>th</sup> December 2025.

### 1.1 Application Requested:

The applicant has applied to the Licensing Authority for the below licensable activity.

#### The Provision of Late-Night Refreshment (Indoors and Outdoors):

Monday to Thursday:	23:00 to 00:00.
Friday and Saturday:	23:00 to 01:00.
Sunday	23:00 to 00:00.

#### Hours Open to the Public:

Monday to Thursday:	08:00 to 00:00.
Friday and Saturday:	08:00 to 01:00.
Sunday	08:00 to 00:00.

A copy of the application form, operating schedule and plan can be seen at Appendix 1.

The premises already benefits from a Premises Licence, including the below licensable activity.

#### Supply of Alcohol (On Sales Only):

Monday to Saturday:	11:00 to 22:30.
Sunday:	11:00 to 22:00.

#### Hours Open to the Public:

Monday to Saturday	11:00 to 23:00.
Sunday	11:00 22:30.

The existing premises licence, reference number 2019/00248/LAPR can be found at Appendix 2.

### 1.2 Applicants Operating Schedule:

Conditions proposed to uphold the licensing objectives can also be found at Appendix 1.

## **2. BACKGROUND**

The main access to the premises is located on the Fulham Road. The immediate area around the application site represents a mixed-use area, containing commercial and residential use.

A map of the site and neighbouring premises can be found at Appendix 3 of this report.

There are several options for transport away from the area including buses and taxis which run from in and around the Fulham Road area. Fulham Broadway tube station is a 5-minute walk away and Parsons Green tube station is an 11-minute walk away.

## **3. CONSULTATION**

A public notice was displayed at the premises for 28 days. The application was 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.

### **3.1. Relevant Representations**

The licensing section received 18 representations objecting to the licence application, these were received from local residents and residential groups. A copy of these representations can be seen at Appendix 4.

The applicant and the Metropolitan Police did agree further conditions and a reduction of hours, which are now reflected in the hours mentioned at 1.1 of this report. On this basis the Police do not have an outstanding representation. A copy of the revised hours and additional conditions can be found at Appendix 5.

## 4. OTHER INFORMATION

### 4.1 Enforcement History

Date	Incident	Outcome
05 May 2021	Noise complaint received regarding premises having a DJ on the terrace	No Further Outcome.
20 April 2023	Licensing Risk Assessment conducted. Spirit measures not displayed, no CCTV signage, other missing signage, staff training records not available, refusals log not available.	Warning letter issued.
03 June 2025	Complaint received regarding Shisha smoking on the terrace, outlining issues occurring since May 2025: *Loud music on terrace going on until past 23:00 and into the late hours of the night. *Customers drinking on the rooftop, intoxicated people making noise. *People gathered on the roof terrace and smoking from 8pm onwards past midnight. *Opening of the roof gazebo/ system heaters /TV and shisha bar, causing smoke, smell and nuisance.	Written advice given. The case remains open

### 4.2 Temporary Event Notices (“TENs”)

No TENs have been submitted in respect of this premises.

## 5. POLICY CONSIDERATIONS

5.1 Section 2 pages 7 to 10 of the Statement of Licensing Policy (“SLP”) states the Licensing Authority is keen to support the licensed sector and leisure offer within the borough, with a particular focus on business resilience and growing a robust and thriving cultural and leisure sector.

To achieve this the Licensing Authority has identified three key themes of the Licensing Policy and the Licensing Authority's approach to implementing it. These are:

- A sustainable, well-run licensed sector.
- Hammersmith & Fulham as a good place to live, work and enjoy leisure; and,
- A safe licensing environment and night-time economy.

**5.2** Section 5 pages 12 and 13 of the SLP states that to ensure the promotion of the four Licensing Objectives the Licensing Authority will require applicants to detail in their operating schedule:

- The steps proposed to promote the licensing objective of the prevention of crime and disorder on, and in the vicinity of, the premises, having regard to their location, character, condition, the nature and extent of the proposed use and the persons likely to use the premises.
- The steps proposed to ensure the physical safety of people using the relevant premises or place.
- How they intend to prevent nuisance arising, prevent disturbance and protect amenity so far as is appropriate to ensure that the Licensing Objectives are met. Where there is a relevant representation regarding extended hours, the Licensing Authority will not permit an extension unless it is satisfied that the Licensing Objectives would be met.
- The measures and management controls in place to protect children from harm. Where appropriate a written childcare policy should be available and be incorporated in the induction of staff.

**5.3** Policy 3 page 21 of the SLP states that where there is a relevant representation, the Licensing Authority will consider each particular case on its merits having regard in particular to the following matters:

- a) Whether the licensed activities are likely to have an adverse impact especially on local residents and, if there is potential to have an adverse impact, what, if any, appropriate measures will be put in place to prevent it.
- b) Whether there will be a substantial increase in the cumulative adverse impact from these or similar activities, on an adjacent residential area.
- c) Whether there is a suitable level of public transport accessibility to and from the premises at the appropriate times.
- d) Whether the activity will be likely to lead to a harmful and unmanageable increase in car parking demand in surrounding residential streets suffering high levels of parking stress or on roads forming part of the Strategic London Road Network or the London Bus Priority Network leading to a negative impact on the Licensing Objectives relating to the prevention of crime, disorder, anti-social behaviour (ASB), nuisance and vehicle emissions.
- e) Whether there have been any representations made by Responsible Authorities, or other relevant agency or representative.

The Licensing Authority will closely scrutinise extended hours applications to ensure that the Licensing Objectives are met. In determining an application, the licensing committee might decide that the circumstances are such that a restriction on hours is the only appropriate means to achieve the Licensing Objectives. If an 'hours' restriction is imposed, the Licensing Authority will normally require that customers should be allowed a minimum of thirty minutes to consume alcohol.

To act as a guide for new or existing operators we have set out the suggested closing times for licensed premises below:

<b>Type of premises</b>	<b>Town centres</b>	<b>Mixed use areas</b>	<b>Residential areas</b>
Late night refreshment premises (Takeaways)	Fri – Sat 01:00 Sun – 00:00	Fri – Sat 00:30 Sun – 23:30	Not considered Appropriate

**5.4** Policy 4 pages 22 and 23 of the SLP states that in determining an application where there has been a relevant representation the Licensing Authority will, where appropriate, take into account the cumulative effect of the number, type and density of licensed premises already existing in the area. Consideration will be given to the proximity to any drug and alcohol treatment site, A&E department or homeless hostel in a local area type remit i.e. applicants need to make the case for how they would not increase further problems for residents/clients nearby.

In coming to any decision regarding cumulative impact the Licensing Authority will consider other mechanisms outside of the licensing regime which may also be available to address this issue, these include but are not limited to:

- Police and other enforcement of the normal law concerning disorder and anti-social behaviour.
- Police powers to close down instantly any licensed premises or temporary events on grounds of disorder, the likelihood of disorder or excessive noise emanating from the premises, for up to 24 hours.
- The power of the police, other responsible authorities, a local resident, business or Councillor to seek a review of the licence or certificate in question.
- Police and Local Authority power to issue a Closure Notice for up to 48 hours where serious antisocial behaviour is taking place at licensed premises under the Anti-social Behaviour, Crime and Policing Act 2014.
- To ensure that residents are protected from the negative impact of late-night local licensing activities the Licensing Authority may decide to adopt an Area Specific Cumulative Impact Policy in relation to a specific area; where the number, type and density of premises providing licensable activities is having a serious negative impact on the local community and local amenities.

**5.5** Policy 11 page 30 of the SLP states that Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour caused by people once they are away from the licensed premises and, therefore, beyond the direct control of the licensee. However, licensing is a key aspect of such control and licensing law is part of a holistic approach to the management of the night time economy.

As a matter of policy the council expects every holder of a licence, certificate or permission, to accept and be responsible for minimising the impact of their activities and anti-social behaviour by their patrons within the vicinity of their premises by taking appropriate measures and action consistent with that responsibility.

Licensees and certificate holders should take reasonable steps to prevent the occurrence of crime and disorder and public nuisance immediately outside their premises, for example on the pavement, in a beer garden or in a smoking area, to the extent that these matters are within their control.

Population densities in this borough are high, with many residential premises located above or in close proximity to licensed premises. This means that the public nuisance and crime and disorder objectives will be of paramount concern when evaluating Operating Schedules. Licensing Committees will place high regard on the control measures put in place by the applicant to ensure that our residents are protected from the potential detrimental effects of any licensed premises.

**5.6** Policy 14 pages 32 and 33 of the SLP in relation to delivery services states that the Licensing Authority has concerns with the potential for the following:

- The safety of delivery drivers at the point of delivery.
- Safety of the premises from which orders are taken and sent out for delivery; and
- Possible public nuisance and anti-social behaviour (ASB) caused by delivery drivers collecting deliveries from the licensed premises.

The Licensing Authority is likely to place the following conditions on to a premises licence for delivery services where it is appropriate and relevant to the individual licence application:

- A refusals log will be maintained for deliveries.
- Appropriate security will be in place at the premises as agreed with Police.
- Measures for minimising noise and disturbance and anti-social behaviour (ASB) caused by the dispatch of deliveries to be identified in the operating schedule. In particular applicants are expected to consider the use of electric vehicles to minimise air pollution and noise. The Licensing Authority expects that applicants will make arrangements for all deliveries after 8 pm to be made using electric vehicles or non-motorised vehicles i.e. bicycles.
- A requirement for a specific delivery collection area to be made clear to any third-party delivery service. This area may not be directly outside the licensed premises to take account of any residential accommodation close by or obstructing the pavement/highways.

**5.7** Annex 1 pages 35 and 36 of the SLP in relation to the prevention of crime and disorder states licence applicants will be expected to demonstrate the following in their operating schedules:

- e) Measures to demonstrate compliance Home Office guidance 'Safer Clubbing' in relation to the control of illegal drugs on their premises. They should agree a protocol with the Licensing Authority and the police on the handling of illegal drugs found on their premises.
- g) Conditions will, so far as possible, reflect local crime prevention strategies, and the Licensing Authority will also have regard to the views of the local Crime and Disorder Reduction Partnership.
- h) Crime and disorder in the vicinity of the premises: this may include the crime and disorder risks arising from persons queuing to enter the premises; persons exiting the premises and customers smoking eating or drinking in outdoor areas and on the

highway outside the premises. This can also include crime arising from pickpockets and bag snatchers.

j) CCTV - using CCTV inside and/or outside the premises together with appropriate procedures and having staff properly trained to use CCTV equipment

l) Dealing with and reporting crime and disorder - training for staff and door security aimed at reducing crime and disorder in the premises and its vicinity and dealing with and reporting incidents if they occur.

p) Local schemes – joining and attending local Pubwatch meetings and participating in the Behave or Be Banned Scheme (BOBB) and/or signing up and using the Council's Safety Net Radio scheme.

q) Prevention of theft - using bag hooks and signage to warn customers of pickpockets and bag snatchers.

**5.8** Annex 1 pages 38 to 40 of the SLP in relation to the prevention of public nuisance states that the Licensing Authority will particularly consider the following matters where they are material to the individual application:

ii. The proximity of residential accommodation.

iii. The type of use proposed, including the likely numbers of customers, proposed hours of operation and the frequency of activity.

iv. The steps taken or proposed to be taken by the applicant to prevent noise and vibration escaping from the premises, including music, noise from ventilation equipment, and human voices. Such measures may include the installation of soundproofing, air conditioning, acoustic lobbies and sound limitation devices.

v. The steps taken or proposed to be taken by the applicant to prevent disturbance by customers arriving at or leaving the premises.

viii. The steps taken or proposed to be taken by the applicant to prevent queuing (either by pedestrian or vehicular traffic). If some queuing is inevitable then queues should be diverted away from neighbouring premises or be otherwise managed to prevent disturbance or obstruction.

ix. The steps taken or proposed to be taken by the applicant to ensure staff leave the premises quietly.

x. The arrangements made or proposed for parking by patrons, and the effect of parking by patrons on local residents.

xi. The provision for public transport in the locality (including taxis and private hire vehicles) for patrons.

xii. The level of likely disturbance from associated vehicular and pedestrian movement to and from the premises.

xiii. The delivery and collection areas and delivery/collection times.

xv. The arrangements for refuse disposal, storage and the prevention/tidying of litter (including fly posters and illegal placards).

xviii. The generation of odour, e.g. from the preparation of food.

xix. Any other relevant activity likely to give rise to nuisance.

xx. Any representations made by the Police, or other relevant agency or representative.

The following provides a non-exhaustive list of risks associated with the public nuisance objective that applicants may want to consider when preparing their Operating Schedule:

j) Deliveries/collections – noise from deliveries to and/or collections (e.g. refuse) from the premises are another common source of complaint. Consider the times of such deliveries/collections and make sure you specify to any contractors that

deliveries/collections should not be made at anti-social times. As a guide, the Noise and Nuisance Service recommend that deliveries/collections should only be made between the hours of 7:30am and 9:00pm, depending on the proximity of residential and/or other noise sensitive properties.

k) Late night refreshment - applicants in respect of late-night takeaways should demonstrate that they have assessed the risk of persons congregating in large numbers in the vicinity of their premises. Where appropriate, applicants should demonstrate suitable measures to address this problem.

l) Light pollution – this is an increasingly common source of complaint, particularly from illuminated signs and external security lighting. Where provided, illuminated signs should not cause glare to neighbouring properties, ideally being turned off at night, and external lighting should be angled and/or diffused to also prevent nuisance.

o) Odour – odour from cooking is a common source of complaint, particularly from restaurants and fast-food takeaways. The Council’s Noise and Nuisance Service may therefore require evidence that the kitchen ventilation and/or extract systems are regularly maintained and serviced to ensure that it is operating efficiently and with minimal nuisance to neighbours arising from odour and also noise. This includes the siting of BBQs.

p) Queue management - establishing appropriate procedures to avoid the need for customers to queue before entering the premises or, where queuing cannot be avoided, to manage queues so as to minimise the potential for crime and disorder or public nuisance by customers who are queuing.

q) Ventilation – where regulated entertainment is to be provided there may be a requirement to keep doors and/or windows closed during its provision to limit noise breakout, consider therefore the provision of air conditioning for the comfort of your customers if doors and windows have to be closed during the summer. However, also note air conditioning can be the source of noise complaints in itself, so careful consideration also needs to be given to the siting of this equipment.

r) Waste – consider how and where waste will be stored/disposed of at the end of trading hours, particularly if trading until late at night. This is important because the disposal of glass and/or cans to outside bin areas can be very noisy and give rise to complaints, so it may be necessary to store such items and other non-degradable refuse inside the premises until the next trading day. Consideration should also be given to the time of deliveries to minimize disruption to local residents.

s) Litter – for example, litter patrols for late night take-away premises.

## **6. DETERMINATION**

**6.1** 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) Grant the application in full.
- (b) Grant the application in part – modifying the proposed hours, activities or conditions.
- (c) Reject the application.

It is the Council's duty under the Licensing Act 2003 ("The Act") to determine applications with a view to promoting the four licensing objectives: Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and the Protection of Children from Harm.

In reaching a decision the Council shall consider the details of any relevant representations received; the applicant's Operating Schedule; the Council's adopted Statement of Licensing Policy and the guidance issued by the Secretary of State under section 182 of the Act.

If the Committee is minded to grant the application conditions may be attached to the licence to alleviate the concerns raised through the representations.