



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	14 April 2016
Licensing Ref No:	16/00715/LIPV - Premises Licence Variation
Title of Report:	Crocker's Folly 24 Aberdeen Place London NW8 8JR
Report of:	Director of Public Protection and Licensing
Wards involved:	Regent's Park
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Mr Nick Nelson Senior Licensing Officer
Contact details	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

# 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	20 January 2016		
<b>Applicant:</b>	Firestone Management Limited		
<b>Premises:</b>	Crocker's Folly		
<b>Premises address:</b>	24 Aberdeen Place London NW8 8JR	<b>Ward:</b>	Regent's Park
		<b>Cumulative Impact Area:</b>	None
<b>Premises description:</b>	The premises operates as a public house. There is also an outside area within the premises demise.		
<b>Variation description:</b>	<p>To amend conditions on the premises licence as follows:</p> <ul style="list-style-type: none"> <li>Amend conditions 24, 26, 27 and 29 so that the time 21:00 hours shall be replaced with 22:00 hours.</li> </ul> <p>This is to enable patrons to sit outside the premises for an additional hour.</p> <p>The proposed variation shall not apply to the external area to the left of the entrance door as set out in condition 27.</p>		
<b>Premises licence history:</b>	The premises has held a premises licence since July 2014.		
<b>Applicant submissions:</b>	<p>The Applicant will promote the four licence objectives by implementing effective management controls and procedures.</p> <p>The Applicant is part of the Maroush / Ranoush Lebanese chain of restaurants known for their high quality of operation and standards. The premises has reopened recently and has not posed any concerns to the relevant authorities.</p> <p><b><u>The prevention of crime and disorder:</u></b> The Maroush Group has operated in London since 1979 and their numerous various establishments, provides the Metropolitan Police with little concern. Nonetheless, in order to prevent crime and disorder the premises has CCTV installed throughout. There are 40 staff in total and staff are trained to prevent the consumption and supply of drugs at the premises and will not serve alcohol to a person whom they believe to be intoxicated. An incident</p>		

log will be kept at the premises, and made available on request to an authorised officer of the City Council or the police. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises. It should be noted that the problems associated with alcohol do not present themselves at the various premises run by the Group.

**Public safety:**

The premises have been approved by the London Fire & Emergency Planning Authority. The appropriate Fire Safety checks are regularly undertaken and additionally the Operator has carried out regular Health and Safety Risk Assessments.

**The prevention of public nuisance:**

Signs are placed at the exit of the premises to request that patrons leave quietly and quickly so as not to disturb residents.

Self-closing mechanisms are fitted to all main doors to the premises to ensure that noise escape is minimal.

Notices shall be prominently displayed in any area used for smoking requesting patrons to use the area quietly.

All appropriate ducting and air-conditioning units have been installed and work efficiently. Ducting discharges at roof level thereby prevent nuisance from the omission of odours.

All ventilation shafts have carbon filters to prevent the omission of odours and are regularly cleaned. There is a taxi service available from nearby firm. Deliveries are only made during ordinary business hours (9am to 5pm) to prevent disturbance to residents and rubbish is collected during the usual City of Westminster rubbish collection hours.

**The protection of children from harm:**

The premises will not provide adult entertainment. It is intended that the Challenge 21 proof of age scheme shall operate at the premises and staff and will refuse to serve any person they believe is under age.

As indicated, the operation of other establishments run by the Maroush Group have provided little concern to the Responsible Authorities and the proposed application will not impede on the promotion of the Licensing Objectives.

**1-B Current and proposed licensable activities, areas and hours**

**Regulated Entertainment**

**Playing of recorded music**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Tuesday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Wednesday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Thursday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Friday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Saturday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Sunday</b>	12:00	22:30	No change		Ground floor and basement	No change
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				No change.	
	Sundays before Bank Holidays: 12:00 to 00:00				No change	

**Late night refreshment**

	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	23:00	23:30	No change		Ground floor and basement	No change
<b>Tuesday</b>	23:00	23:30	No change		Ground floor and basement	No change
<b>Wednesday</b>	23:00	23:30	No change		Ground floor and basement	No change
<b>Thursday</b>	23:00	23:30	No change		Ground floor and basement	No change
<b>Friday</b>	23:00	00:00	No change		Ground floor and basement	No change
<b>Saturday</b>	23:00	00:00	No change		Ground floor and basement	No change
<b>Sunday</b>	N/A	N/A	No change		Ground floor and basement	No change
<b>Non-standard</b>	<b>Current:</b>				<b>Proposed:</b>	

<b>timings:</b>	From 23:00 on New Year's Eve until 05:00 on New Year's Day.	No change.
	Sundays before Bank Holidays: 23:00 to 00:00	No change

<b>Sale by Retail of Alcohol</b>						
<b>On or off sales</b>			<b>Current :</b>		<b>Proposed:</b>	
			On		No change	
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Licensable Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Tuesday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Wednesday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Thursday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Friday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Saturday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Sunday</b>	12:00	22:30	No change		Ground floor and basement	No change
<b>Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.				No change.	
	Sundays before Bank Holidays: 12:00 to 00:00				No change	

<b>Hours premises are open to the public</b>						
	<b>Current Hours</b>		<b>Proposed Hours</b>		<b>Premises Area</b>	
	<b>Start:</b>	<b>End:</b>	<b>Start:</b>	<b>End:</b>	<b>Current:</b>	<b>Proposed:</b>
<b>Monday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Tuesday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Wednesday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Thursday</b>	10:00	23:30	No change		Ground floor and basement	No change
<b>Friday</b>	10:00	00:00	No change		Ground floor and basement	No change
<b>Saturday</b>	10:00	00:00	No change		Ground floor and basement	No change

<b>Sunday</b>	12:00	22:50	No change	Ground floor and basement	No change
<b>Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	Sundays before Bank Holidays: 12:00 to 00:00			No change	

<b>1-C Conditions being varied, added or removed</b>	
<b>Condition</b>	<b>Proposed variation</b>
<b>Condition 24:</b> After 21:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g.to smoke, shall not be permitted to take drinks or glass containers with them.	<b>Amend to:</b> After 22:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g.to smoke, shall not be permitted to take drinks or glass containers with them.
<b>Condition 26:</b> After 21:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.	<b>Amend to:</b> After 22:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.
<b>Condition 27:</b> All outside tables and chairs shall be rendered unusable by 21:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.	<b>Amend to:</b> All outside tables and chairs shall be rendered unusable by 22:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.
<b>Condition 29:</b> No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 21.00 hours and 08.00 hours.	<b>Amend to:</b> No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 22:00 hours and 08.00 hours.

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Mr Anil Drayan
<b>Received:</b>	19 February 2016
<p>The proposed variation of the conditions may lead to an increase in Public Nuisance in the area. No additional conditions have been offered in mitigation. The applicant is advised to contact the undersigned to arrange a site visit to discuss the reasons for the application after which Environmental Health may propose additional conditions</p>	

<b>2-B Other Persons</b>	
<b>Name:</b>	Dafna Bonas

<b>Address and/or Residents Association:</b>		18 Cunningham Place London NW8 8JT	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 February 2016		

The owners and operators of Crocker's Folly, a restaurant pub recently opened on our corner, have now applied to extend operating hours inside as well as on the outside patio. If approved, this extension would have a highly detrimental impact on the tranquillity of our residential street.

We as the local residents want to preserve the tranquillity of our residential neighbourhood.

Our children can walk alone here, the nights are safe and quiet, and there is no disorderly conduct or noise at night.

We object to any extension so that the operating hours, already long, remain as they are. In fact, I feel tricked. The operators clearly wanted to just get permission under the guise of a quiet establishment, and then planned on changing the operations all along. We the residents would have objected much more strongly from the start.

Some of the reasons to object to extended hours of operation:

- Safe and peaceful, residential character of our neighbourhood to be preserved with no outside crowds after 9pm (as it has until now) or indoors after 11pm. This is a fair balance between the needs of the restaurant operators and the residents. Working people, elderly and specially young children must have rest and tranquillity after that time.
- No nuisance from boisterous drinking noise and crowds later than we have now.
- No increase to litter, debris and bottles from bigger crowds eating and drinking later.
- No increasing risk of crime in an otherwise tranquil family, residential area.
- Specially April-October, no packs of sports fans gathering later in our streets and pavements after drinking at Lord's causing even greater nuisance and public safety risk.

It is attractive and safe for the neighbourhood to ensure the continued operation of the premises - but NOT with later operation and specially NOT on the outside patio.

<b>Name:</b>		Mrs R Broomer	
<b>Address and/or Residents Association:</b>		2 Northwick Terrace St. John's Wood London, NW8 8JJ	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	8 February 2016		

I understand that the owners of the above Restaurant have applied to extend the present Licence of operating hours of 11pm indoors and 9p.m. in the outside Patio area.

As a resident of nearly 60 years, I would like to strongly object to the granting of the Licence for the further extending hours. I have experienced through the years the problems from the Pub. At one period, it was run by new owners as "The Crown", which was disastrous for us Residents. We were subjected to loud music, banging of car doors, loud behaviour from revellers, and urinating at the Garages nearby.

It is primarily a residential area. There is a coffee shop at the north end of Aberdeen Place, there is a restriction on opening and closing times – from 8am to 5.30pm.

I shall thank you to refuse the Application on the grounds of noise and disturbances, in particular to the open air dining area which is adjacent to the pavement.

<b>Name:</b>	Laura Fanti		
<b>Address and/or Residents Association</b>	10 Elmton Court Cunningham Place St John's Wood NW8 8JU		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	10 February 2016		

I cannot believe the residents are having to do this again!

The only reason this has worked is because of the restrictions that were implemented at the beginning.

If you approve the license extension for outdoor use of the patio and outside area after 9pm, it will cause noise and nuisance to the local residents, who have a right to live in a safe and quiet environment!

Living literally 25 yards from the main entrance of the premises, I have to say that I cannot take the noise nuisance this will cause to me.

It should not make a difference but being a registered disabled person with Multiple Sclerosis, I would not feel safe in my own home.

Please acknowledge my strong objection to the approval of the license extension.

<b>Name:</b>	Dr David Harris		
<b>Address and/or Residents Association</b>	30 D Aberdeen Place		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	10 February 2016		

When Crocker's Folly was renovated, there was disquiet amongst the residents about the potential for disrupting the tranquillity of the area. We understood that a degree of compromise was necessary, as so a limited opening time was accepted. In discussions with the company they were willing to accept that because of our reservations, which they said they understood. They are now attempting to break that agreement and are deliberately trying to extend the hours to an extent to which we would have objected



very strongly had it been suggested initially.

Once extended hours – especially outside the pub in the summer – are permitted, when Lords' Cricket Ground has matches the pub area will become as noisy and intrusive as it is at the pub beside Baker Street station on Wembley days, where it is almost impossible to get past on the pavement.

All the residents came here specifically because of the tranquillity and this is now being put at risk. We feel we were reasonable for the initial request to open and that our trust has been broken.

<b>Name:</b>	Reza Hejazi		
<b>Address and/or Residents Association:</b>	28 Aberdeen Place London NW8 8JR		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	11 February 2016		

I object to extended pub licensing hours.

<b>Name:</b>	Mr James Lingwood		
<b>Address and/or Residents Association:</b>	10a Cunningham Place London		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	14 February 2016		

We live in the house next door to Crocker's Folly on Cunningham Place. We are strongly opposed to the proposed extension in the hours of outside drinking and eating.

The current limit of 9 pm has worked well in ensuring noise levels are well controlled, and in deterring groups from congregating outside at an anti-social hour.

An additional hour of drinking outside would very likely have adverse consequences in terms of more noise and potential nuisance, especially in the summer months.

When Crocker's Folly was originally granted a licence, the committee at Westminster Council listened carefully to the many objections raised by local residents and accordingly granted a licence with several conditions, including the limiting of operating hours and controls on outside drinking. These conditions were placed in recognition that this is a residential neighbourhood, and that residents, particularly those living very close to Crocker's Folly, had a reasonable right for peace and quiet.

We are firmly opposed to a gradual loosening of these conditions which have served as an effective basis for a balance between the rights of residents and the interests of the management of Crocker's Folly.

<b>Name:</b>		Mrs Sandra Norton	
<b>Address and/or Residents Association</b>		1 Northwick Terrace	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	5 February 2016		

I absolutely object to any extension of operating hours they are already long enough & should remain as they are. This is a peaceful residential neighbourhood of mixed age groups ranging from babies to very elderly & we all need our quiet time for rest & relaxation. I am constantly finding litter cans and bottles either left on my boundary wall or thrown into my front or back garden. I make consummate effort to keep both looking good in order to enhance the environment & surrounding area which benefits all!

The arrangement as it stands works for all & it would be a detrimental step for the whole area. I live on the corner of Northwick Terrace (1) & Aberdeen Place.

I profoundly object to any changes in the operating hours of the Crocker's Folly!

<b>Name:</b>		Miss Danielle Pendlebury	
<b>Address and/or Residents Association</b>		26 Aberdeen Place London	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	1 March 2016		

This is an objection to the pub-restaurant staying open in the outside area for longer hours than already allowed.

I have been looking after young children and babies in this neighbourhood for a few years. To allow customers of this establishment to eat, drink, smoke etc. in the outside patio area beyond 21:00h would seriously affect the peace and quiet this area requires for its numerous young children.

It would also interfere with the rest and sleep the adult parents and child-minding professionals require when looking after young children in the area.

In addition, children in the area especially in summer nights are playing, scooting, cycling around these streets. Their safety and well-being would also be put at risk with crowds staying in the outside patio beyond 9pm.

Finally, during the summer months there are large hordes of sports fans coming to this pub to drink after drinking all day at Lord's. Many of them are already under the effects of alcohol. They must NOT be allowed to stay outside after 9pm. Otherwise it will clearly increase risk for public nuisance and public safety in this residential area.

<b>Name:</b>	Mr Ashley Rogoff		
<b>Address and/or Residents Association:</b>	Flat 19 14 Northwick Terrace London		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	23 February 2016		

Extended opening hours is inappropriate for a residential area and will increase noise and increase the likely unruly behaviour in the area.

<b>Name:</b>	Dr Alan Roth		
<b>Address and/or Residents Association:</b>	26 Aberdeen Place London		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	7 February 2016		

As a local resident and on behalf of my family and children, I wish to preserve the tranquillity of our residential neighbourhood and object to any extension of operating hours. The operating hours, in particular for the outside area, are already long enough, and should remain as they are until 2100h.

The safe and peaceful, residential character of our neighbourhood must be preserved with no outside crowds after 9pm, as it has until now. Working people, elderly and especially young children must have rest and tranquillity after that time.

My family and I do not want nuisance from boisterous drinking or eating noise and crowds later than we have now. It is already noisy late enough.

Environmentally, there will be increased risk of litter, debris and bottles from bigger crowds eating and drinking later into the night.

External crowds drinking later outside will generate growing risk of crime in an otherwise tranquil family, residential area.

We also do not want large group of sports fans during the 6-month cricket season staying longer at nights in our streets and pavements after drinking at Lord's causing even greater nuisance and public safety risk.

The Council already imposed on the residential neighbourhood a certain level of nuisance and loss of amenity by licensing the external hours until 9pm. This must not be extended just so that the owners make more money at the expense of local residents' right to rest and tranquillity.

<b>Name:</b>		Stefanie Roth	
<b>Address and/or Residents Association</b>		26 Aberdeen Place London NW8 8JR	
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	14 February 2016		

Representing also my young children, I object to ANY extension of operating hours for the premises of 24 Aberdeen Place NW8 8JR (Crocker's Folly) and most forcefully for the external area.

We already tolerate some level of noise and disturbance at nights coming from the premises. In particular for the outside area the operating hours must therefore remain as they are, until 2100h. These hours are already long enough.

Crowds of people all year round eating, drinking, smoking etc. staying later than 2100h outside will generate growing risk of disturbance, litter, disorder and possibly crime in an otherwise tranquil family, residential area. The risk will especially increase for the safety of the many children living in our neighbourhood.

In the summer and cricket season at Lord's enormous crowds eating and consuming alcohol after 9pm in our streets and pavements after drinking at Lord's will cause an even greater nuisance and public safety risk. This could be uncontrollable even with 6 security personnel guarding such an alcohol-fuelled crowd.

The safe and peaceful, residential character of our neighbourhood must be preserved with no outside operation after 9pm, as it has until now. Working people, elderly and especially young children must have rest and tranquillity after that time.

<b>Name:</b>		Mrs Anna Sinclair	
<b>Address and/or Residents Association</b>		Northwick Terrace London NW8	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	4 February 2016		

I hereby object to the application mentioned above for extension of hours for 24 Aberdeen Place 'Crocker's Folly' NW8.

The application is being opposed because any extension to the operating hours - eating and/or drinking - would have a highly detrimental impact on the tranquility, safety and amenity of our residential streets.

This is especially the case for the outside patio which must continue to closed down at 21:00h.

As a local resident I express my wish to preserve the tranquility of our residential neighbourhood and object to any extension so that the operating hours, already long enough, remain as they are.

The safe and peaceful, residential character of our neighbourhood is to be preserved with no outside crowds after 9pm (as it has until now) or indoors after 11pm.

Working people, elderly and specially the numerous young children in our area must have rest and tranquillity after that time, exactly as it has been with the existing conditions of the licence.

Additionally, any increased activity in the premises during the already very boisterous cricket season April-October would require at least six (6) additional security personnel at the premises at all times to keep control.

<b>Name:</b>		Richard Turner	
<b>Address and/or Residents Association:</b>		Not given.	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	16 February 2016		

Objection to extended license hours.

Reasons:

- Antisocial behaviour.
- More crime.
- Noise keeping people awake at night who have bedrooms looking out to Crocker's Folly.
- Urinating in the street.
- Car Crime.
- Encourages drug dealing and meeting - point locations for dealers causing residents to live in fear.

<b>Name:</b>		Jen Whitten	
<b>Address and/or Residents Association:</b>		15 Cunningham Place NW8 8JT	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	5 February 2016		

I write to strongly oppose the application for extended licensing hours at Crocker's Folly, 24 Aberdeen Place, for the following reasons:

- 1) not suitable for a residential conservation area;
- 2) many working families on Cunningham Place and Aberdeen Place with young children - and increased noise from the Patio and those coming and leaving and smoking outside after 11pm will impact quiet use and enjoyment of their residences, and sleep;
- 3) extended hours will result in antisocial behaviour from increased drinking and smoking outside on the pavement in a residential area;
- 4) further antisocial behaviour from seasonal (e.g. Lord's cricket matches) sporting

events, as evidenced by the large crowds that gather on the street outside pubs on St John's Wood high street) which is entirely unsuitable for a residential area;

5) increased litter & debris from increased smokers and use of patio - Cunningham Place in particular already has a significant litter & debris issue with leaves and litter and debris accumulating on the wide pavement;

6) grade II nature of houses on Cunningham Place means there are restrictions on double pane glass for windows and so sound insulation is already poor in these houses with street traffic and pedestrian traffic sound not buffered; increasing both street and pedestrian traffic will have a detrimental sound impact for those living on Cunningham Place.

The current hours of 9pm on the patio and 11pm inside are in keeping with the residential nature of the neighbourhood and conservation area, and strike the right balance between promoting commerce and protecting the right to quiet use and enjoyment of local residents.

<b>Name:</b>	Justine Goldberg		
<b>Address and/or Residents Association</b>	Aberdeen Place, NW8 8JR		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	In support
<b>Received:</b>	7 February 2016		

I have received a flyer through my front door in Aberdeen Place, NW8 8JR telling me to object to the application to extend Crocker's Folly opening hours.

I would like to go on record saying that I support the application to extend the hours, both inside and on the outside terrace (which is very small!).

<b>Name:</b>	Miss Carol Gould		
<b>Address and/or Residents Association</b>	Northwick Close		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	In support
<b>Received:</b>	29 February 2016		

I have no objection to Crocker's Folly extending its opening hours inside or outside the pub. Cafe Med in Loudoun Road NW8 has stayed open until 11pm and even later for years and nobody is bothered. This isn't a retirement community but central London. We have so few places to eat in this Cunningham Place, Aberdeen Place, Northwick Terrace, St John's Wood Road catchment area it would be welcome to have someplace lively to go to of an evening.

I have lived in Northwick Close for 38 years and used to love the sound of the cricket fans gathering outside Crocker's Folly during the Lords season.

And I see no need for additional security personnel! Cricket fans are usually affluent and non-violent.

### 3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:

<b>Policy PB1 applies</b>	Applications will only be granted if it can be demonstrated that the proposal meets the relevant criteria in Policies CD1, PS1, PN1 and CH1.
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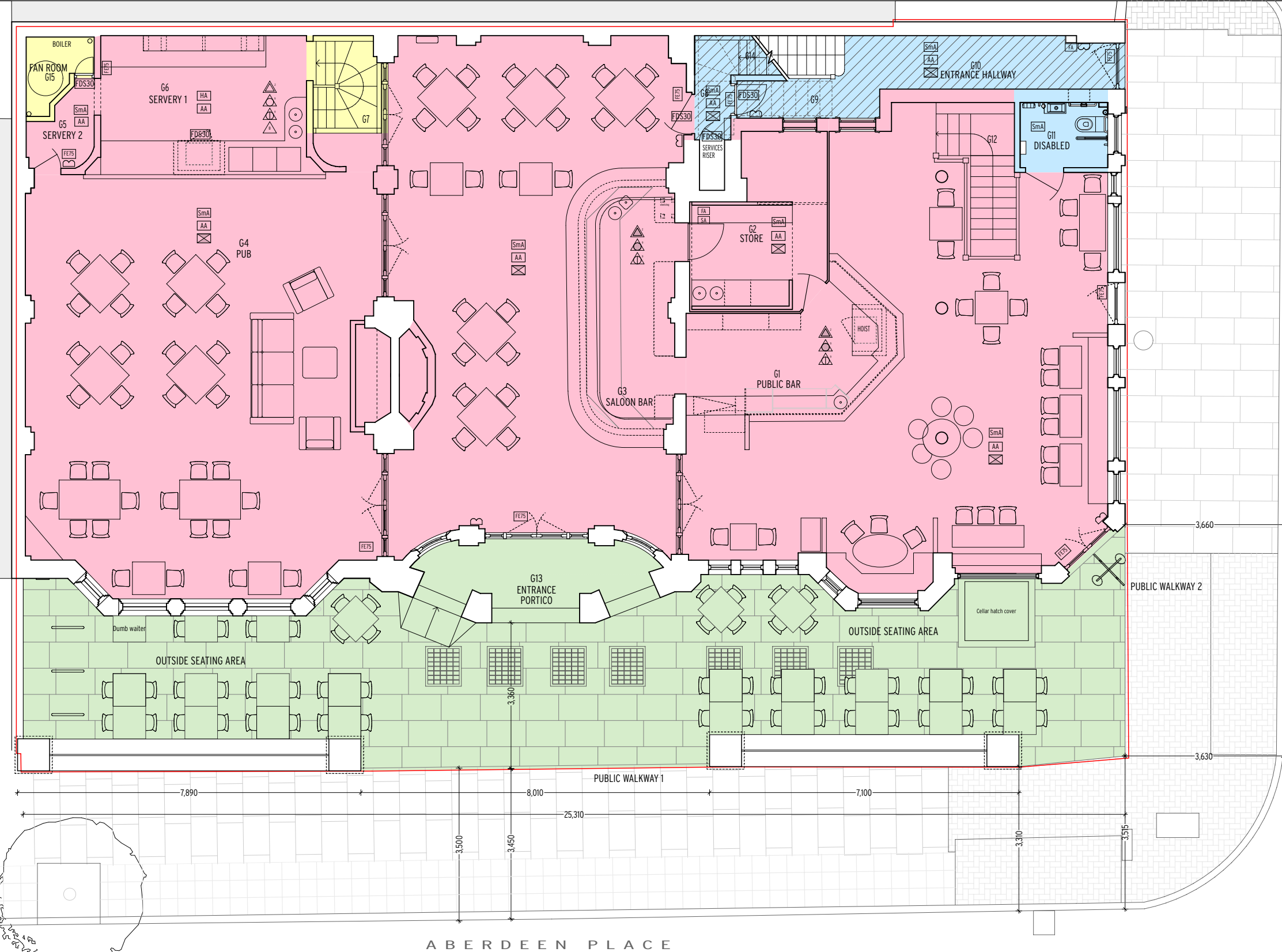
### 4. Appendices

<b>Appendix 1</b>	Premises plans
<b>Appendix 2</b>	Applicant supporting documents - None
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map

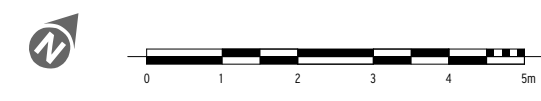
<b>Report author:</b>	Mr Nick Nelson Senior Licensing Officer
<b>Contact:</b>	Telephone: 020 7641 3431 Email: nnelson@westminster.gov.uk

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Rev.	Date	Dwn.	Description
0	20.12.2013	ebz	Issued for approval
1	28.04.2014	ebz	Issued for approval



- LEGEND**
- 30 minutes fire rated door fitted with cold smoke seal and self closing device
  - 60 minutes fire rated door fitted with cold smoke seal and self closing device
  - Area covered by smoke alarms (BS 5839)
  - Area covered by heat alarm (BS 5839)
  - Fire alarm panel
  - Security alarm panel
  - Fire alarm call point
  - Area covered by audible alarm 65dB throughout
  - Area covered by emergency lighting
  - 2KG carbon dioxide extinguisher
  - 9 litre foam extinguisher
  - 9 litre water extinguisher
  - fire blanket in container
  - Sign 'FIRE DOOR KEEP LOCKED' 50mm letters on both sides of door
  - Sign 'FIRE EXIT' or graphic equivalent 75 mm letters, directional arrow to be provided in the direction indicated
  - Area for sale of alcohol, late night refreshment & recorded music
  - Kitchen & staff areas
  - Area for sale of alcohol
  - Liquor storage area
  - Passageways & toilets
  - Protected Route
  - Ambit of licensed premises
- NOTES - GENERAL**  
 New alarm fire system to BS 5839 Part 1 Type L2 with smoke and heat detectors, alarm and call points.  
 Self contained system to be installed to current British Standards and to approval of local authority.  
 Maintenance to be by approved engineers.  
 New emergency lighting system to BS 5266.



CUNNINGHAM PLACE

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Project:  
 Refurbishment  
 Crocker's Folly  
 24 Aberdeen Place  
 London  
 NW8 8JR

Status: **FOR CONSTRUCTION**

Drawing:  
 Licensing Plan - Ground Floor

Scale(s)	Date	Dwn by	Chd by
1:50@A1 1:100@A3	29/04/2014	ebz	
Project No:	Drawing No:		Revision:
1013	3601		1



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Rev.	Date	Dwn.	Description
0	20.12.2013	ebz	Issued for approval

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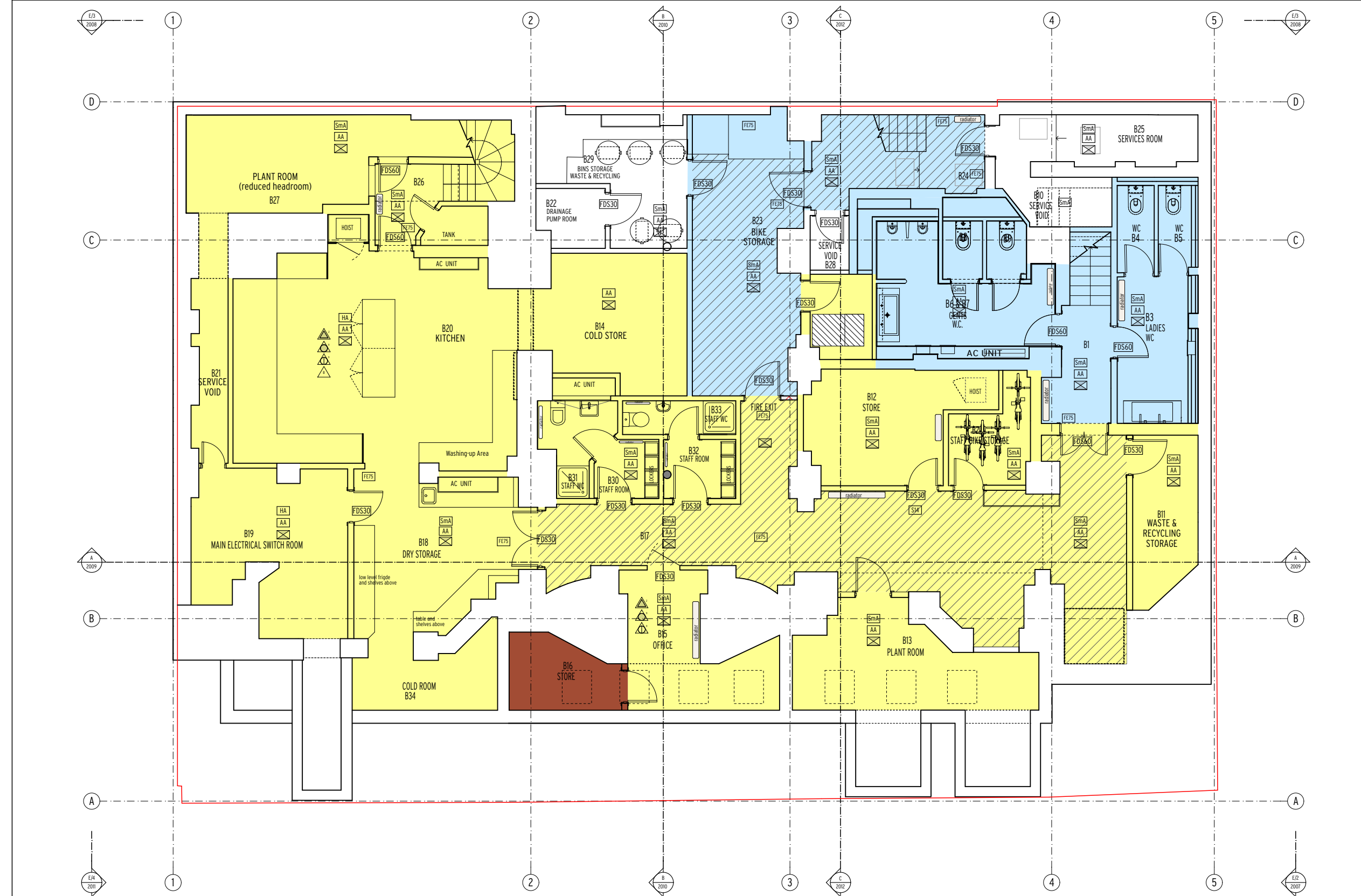
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 24 Aberdeen Place  
 London  
 NW8 8JR

Status: **FOR APPROVAL**

Drawing:  
 Licensing Plan- Basement

Scale(s)	Date	Dwn by	Chd by
1:50@A1 1:100@A3	19/12/2013	ebz	
Project No:	Drawing No:		Revision:
1013	3600		0



**LEGEND**

30 minutes fire rated door fitted with cold smoke seal and self closing device	60 minutes fire rated door fitted with cold smoke seal and self closing device	Area covered by smoke alarms (BS 5839)	Area covered by heat alarm (BS 5839)	Fire alarm panel	Security alarm panel	Area covered by audible alarm 65dB throughout	Area covered by emergency lighting	2KG carbon dioxide extinguisher 9 litre foam extinguisher 9 litre water extinguisher	Fire blanket in container	Sign 'FIRE DOOR KEEP LOCKED' 50mm letters on both sides of door Sign 'FIRE EXIT' or graphic equivalent 75 mm letters, directional arrow to be provided in the direction indicated	Area for sale of alcohol, late night refreshment & recorded music	Kitchen & staff areas	Area for sale of alcohol	Liquor storage area	Passageways & toilets	Protected Route	Ambit of licensed premises
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**NOTES - GENERAL**  
 New alarm fire system to BS 5839 Part 1 Type L2 with smoke and heat detectors, alarm and call points.  
 Self contained system to be installed to current British Standards and to approval of local authority.  
 Maintenance to be by approved engineers.  
 New emergency lighting system to BS 5266.



**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/03784/LIPN New application	Application for a new premises licence	10.07.2014	Granted by Licensing Sub-Committee
15/02443/LIPRW Removal of works condition	Application to remove the works condition	02.04.2015	Granted under delegated authority
16/00715/LIPV Variation application	Current application		

**There is no appeal history**

*CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE AND CONDITIONS PROPOSED BY A PARTY TO THE HEARING*

When determining an application for a new premises licence under the provisions of the Licensing Act 2003, the licensing authority must, unless it decides to reject the application, grant the licence subject to the conditions which are indicated as mandatory in this schedule.

At a hearing the licensing authority may, in addition, and having regard to any representations received, grant the licence subject to such conditions which are consistent with the operating schedule submitted by the applicant as part of their application, or alter or omit these conditions, or add any new condition to such extent as the licensing authority considers appropriate for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as appropriate for the promotion of the licensing objectives by a responsible authority or an interested party as indicated. These conditions have not been submitted by the licensing service but reflect the positions of the applicant, responsible authority or interested party and have not necessarily been agreed

**Conditions: On Current Licence -**

**Mandatory:**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
  - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
    - (i) beer or cider: ½ pint;
    - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
    - (iii) still wine in a glass: 125 ml;

- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

8(i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8(ii) For the purposes of the condition set out in paragraph 8(i) above -

- (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
- (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

- (i) P is the permitted price,
  - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
  - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- 8(iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- 8(iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
9. All persons guarding premises against unauthorised access or occupation or against outbreaks of disorder or against damage (door supervisors) must be licensed by the Security Industry Authority.

## **Annex 2 – Conditions consistent with the operating Schedule**

None

## **Annex 3 – Conditions attached after a hearing by the licensing authority**

10. No deliveries to the premises shall take place between 17:00 and 09:00 on the following day.
11. Rubbish to be collected during the usual City of Westminster rubbish collection hours.
12. The venue shall install and maintain a comprehensive CCTV system at the premises as per the minimum requirements of a Metropolitan Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the venue is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be immediately arranged by a member of staff for hand over to Police or authorised officer following their request, throughout the preceding 31 day period.
13. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to arrange for Police to view recent data or footage with the absolute minimum of delay when requested.
14. An incident log shall be kept for the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
- (a) all crimes reported to the venue;
- (b) any complaints received regarding crime and disorder;

- (c) any incidents of disorder;
  - (d) any faults in the CCTV system;
  - (e) any visit by a relevant authority or emergency service.
15. A minimum of 1 SIA licensed door supervisors shall be on duty at the entrance of the premises from 20:00 hours whilst it is open for business on Friday and Saturday. SIA licences worn by door staff shall be on display at all times, carried within yellow high visibility arm bands.
  16. A minimum of 1 SIA licensed door supervisors shall be on duty at the entrance of the premises during the hours of licensable activity on Lord's Cricket Ground match days.
  17. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
  18. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
  19. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
  20. Loudspeakers shall not be located in the entrance lobby or outside the premises building.
  21. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
  22. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction of officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the licence holder or authorised manager only, and shall not be accessed by any other person. The limiter shall not be altered without prior agreement with the Environmental Health Service.
  23. Alcohol consumed outside the premises building shall only be consumed by patrons seated at tables.
  24. After 21:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.

***The applicant proposes to amend this condition to read:***

24. *After 22:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.*
25. Notices shall be prominently displayed at all exits and all areas used for smoking requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
26. After 21:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.

***The applicant proposes to amend this condition to read:***

26. *After 22:00 hours patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall be limited to 10 persons at any one time.*
27. All outside tables and chairs shall be rendered unusable by 21:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.

***The applicant proposes to amend this condition to read:***

27. *All outside tables and chairs shall be rendered unusable by 22:00 hours and the external area to the left of the entrance door as you face the premise shall be rendered unusable by 19:00 hours each day.*
28. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
29. No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 21.00 hours and 08.00 hours.

***The applicant proposes to amend this condition to read:***

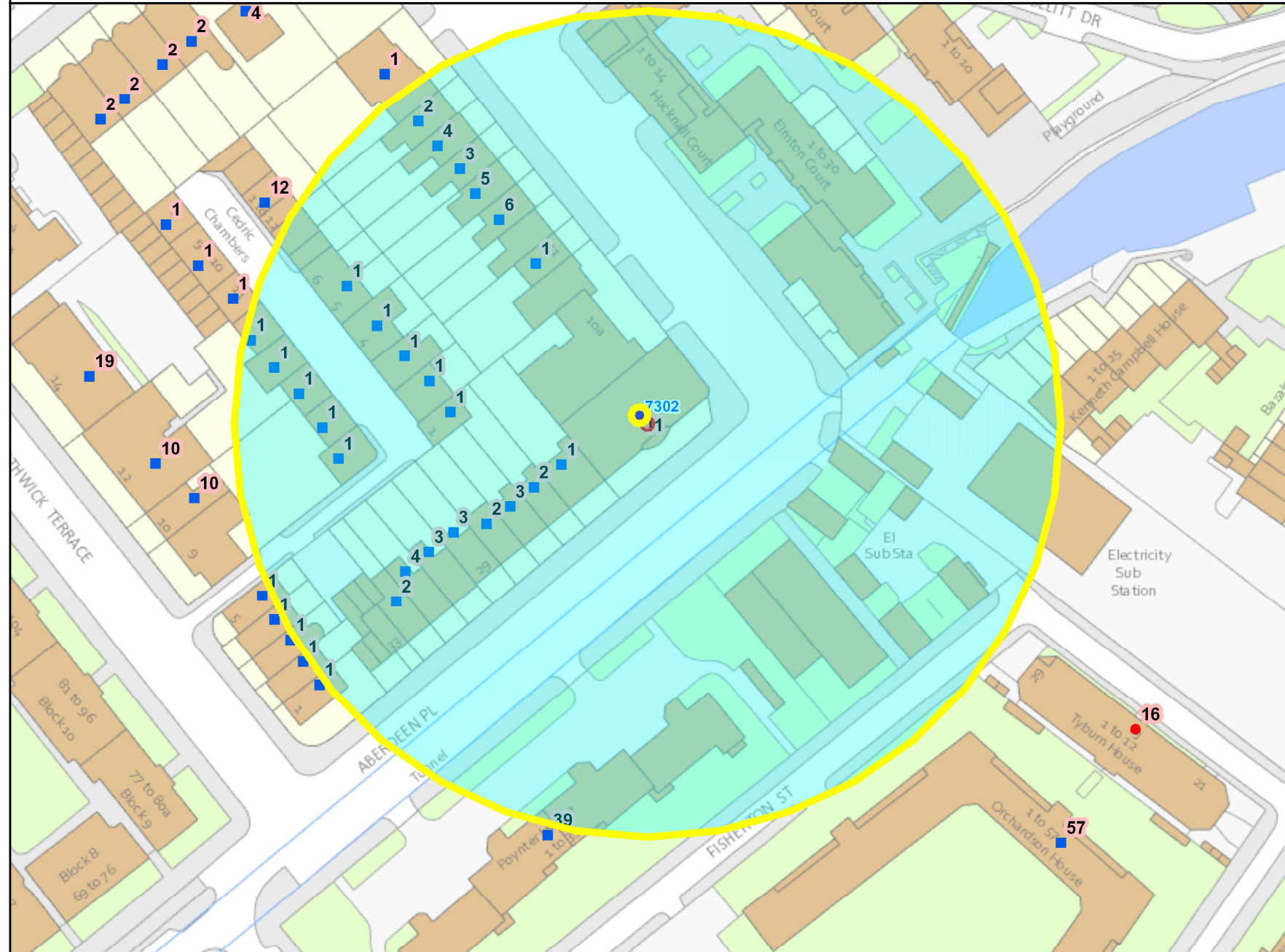
29. *No waste or recyclable materials, including bottles, shall be moved, removed or placed in outside areas between 22.00 hours and 08.00 hours.*
30. The premises licence holder shall ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.
31. There shall be no striptease or nudity, and all persons shall be decently attired at all times, except when the premises are operating under the authority of a Sexual Entertainment Venue licence.
32. The number of persons accommodated at any one time (excluding staff) shall not exceed 150 with a maximum of 40 in the external areas.
33. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.



34. Flashing or particularly bright lights on or outside the premises shall not cause a nuisance to nearby properties, save insofar as they are necessary for the prevention of crime.
35. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
36. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
37. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
38. The hours for Regulated Entertainment and Sale of Alcohol may be extended from the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.
39. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Year's Day.



# Crocker's Folly 24 Aberdeen Place



Residential / Proposed Residential	62
Under Construction	Not known
Other Uses	Not known
Proportion Residential of all Uses	Not known

10  
 Meters

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**Background Documents – Local Government (Access to Information) Act 1972**

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	7 <sup>th</sup> January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	March 2015
<b>4</b>	Application form	20 January 2016
<b>5</b>	Premises licence	2 November 2015
<b>6</b>	Representation – Environmental Health	19 February 2016
<b>7</b>	Representation – Dafna Bonas	5 February 2016
<b>8</b>	Representation – R Broomer	8 February 2016
<b>9</b>	Representation – Laura Fanti	10 February 2016
<b>10</b>	Representation – Dr David Harris	10 February 2016
<b>11</b>	Representation – Reza Hejazi	11 February 2016
<b>12</b>	Representation – Mr James Lingwood	14 February 2016
<b>13</b>	Representation – Mrs Sandra Norton	5 February 2016
<b>14</b>	Representation – Miss Danielle Pendlebury	1 March 2016
<b>15</b>	Representation – Mr Ashley Rogoff	23 February 2016
<b>16</b>	Representation – Dr Alan Roth	7 February 2016
<b>17</b>	Representation – Stefanie Roth	14 February 2016
<b>18</b>	Representation – Mrs Anna Sinclair	4 February 2016
<b>19</b>	Representation – Richard Turner	16 February 2016
<b>20</b>	Representation – Jen Whitten	5 February 2016
<b>21</b>	Representation – Justine Goldberg	7 February 2016
<b>22</b>	Representation – Miss Carol Gould	29 February 2016