



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	30 January 2020
Licensing Ref No:	19/15290/LIPV - Premises Licence Variation
Title of Report:	Palm Palace Restaurant 84 Edgware Road London W2 2EA
Report of:	Director of Public Protection and Licensing
Wards involved:	Bryanston And Dorset Square
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Kevin Jackaman Senior Licensing Officer
Contact details	Telephone: 0207 641 8094 Email: kjackaman@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>	19 November 2019		
<b>Applicant:</b>	Palm Palace Restaurant Limited		
<b>Premises:</b>	Palm Palace Restaurant		
<b>Premises address:</b>	84 Edgware Road London W2 2EA	<b>Ward:</b>	Bryanston and Dorset Square
		<b>Cumulative Impact Area:</b>	Edgware Road
<b>Premises description:</b>	The premises trade as a ground floor restaurant serving hot and cold food. The premises do not serve alcohol		
<b>Variation description:</b>	To vary Condition 13 on the current premises licence to read that 'All tables and chairs in the outside area shall be removed or rendered unusable by 01:00 hours each day'.		
<b>Premises licence history:</b>	The premises held a premises licence, licence number 09/01811/LIPN from May 2009 until the licence was surrendered in November 2014. A new premises licence, licence number 19/03246/LIPN, was granted by the Licensing Sub Committee in May 2019. A copy of the current premises licence appears at appendix 1. A full licence history for the premises appears at appendix 3		
<b>Applicant submissions:</b>	<p>On submission of the application, the applicant provided the following information:</p> <p>The variation would allow tables and chairs to stay out 2 hours longer than is currently allowed, but would match the timings for licensable activities within the premises. There will be a maximum of 5 tables and 10 chairs.</p> <p>The area outside is regarded as 'private forecourt' and therefore neither subject to planning permission, nor a Temporary Street Trading licence. Prior to the new premises licence being issued customers were able to remain seated outside the front of the premises until the early hours of the morning, and did so with no adverse effects in relation to noise nuisance or crime &amp; disorder.</p> <p>The applicant believes that, if allowed, this variation will have no adverse impact on the promotion of any of the four Licensing Objectives.</p> <p>The applicant has submitted further written submission as well as letters in support of the application. The applicant's supporting documents appear at appendix 2</p>		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			Both	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	23:00 to 01:00 Monday to Sunday inclusive		No change in hours is proposed		Ground floor No change	
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						
<b>Saturday</b>						
<b>Sunday</b>						
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Late night refreshment to continue until 03:00 during the Holy month of Ramadan each year			<b>Proposed:</b> No change		

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
<b>Monday</b>	09:00 to 01:00 Monday to Sunday inclusive		No change in hours is proposed		Ground floor No change	
<b>Tuesday</b>						
<b>Wednesday</b>						
<b>Thursday</b>						
<b>Friday</b>						
<b>Saturday</b>						
<b>Sunday</b>						
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b> Opening hours to continue until 03:00 during the Holy month of Ramadan each year			<b>Proposed:</b> No change		

1-C Layout alteration
No change of layout is proposed

1-D Conditions being varied, added or removed		
Condition	Proposed variation	
Condition 13: "All tables and chairs in the outside area shall be removed or rendered unusable by 23:00 each day"	Condition 13: "All tables and chairs in the outside area shall be removed or rendered unusable by 01:00 each day"	
<b>Adult entertainment:</b>	<b>Current position:</b> Not applicable	<b>Proposed position:</b> No change

## 2. Representations

2-A Responsible Authorities	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Adam Deweltz
<b>Received:</b>	13 December 2019
<p>With reference to the above, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are making a representation against this application.</p> <p>The venue is situated within the Cumulative Impact Area. It is our belief that if granted the application would undermine the Licensing Objectives in relation to The Prevention of Crime and Disorder .</p> <p>Condition 13 (19/03246/LIPN) was placed on the premises licence 6 months ago. The condition is there to ensure no issues around public nuisance occur outside on the street after 23:00 hours. Edgware Road is already saturated with premises that trade late. Adding an extra two hours to this condition could cause an increase in crime, disorder, anti-social behaviour and public nuisance.</p> <p>This matter will need to be heard before the Licensing Sub Committee.</p>	
<b>Responsible Authority:</b>	Licensing Authority
<b>Representative:</b>	Karyn Abbott
<b>Received:</b>	10 December 2019
<p>I write in relation to the application submitted to vary a premises licence for 84 Edgware Road, London.</p> <p>As a responsible authority under section 13 (4) of the Licensing Act 2003 as amended under the Police and Social Responsibility Act 2011, the Licensing Authority have considered your application in full. The Licensing Authority has concerns in relation to this application and how the premises would promote the four Licensing Objectives:</p> <ul style="list-style-type: none"><li>• Public Nuisance</li><li>• Prevention of Crime &amp; Disorder</li><li>• Public Safety</li><li>• Protection of children from harm</li></ul> <p>The application seeks to vary the following:</p> <p>Condition 13 on the current premises licence to read that 'All tables and chairs in the outside area shall be removed or rendered unusable by 01:00 hours each day.</p> <p>This would allow tables and chairs to stay out 2 hours longer than is currently allowed but would match the timings for licensable activities within the premises. There will be a maximum of 5 tables and 10 chairs.</p> <p>The premises is located within the Edgware Road Cumulative Impact Area and as such various policy points must be considered, namely CIP1 and HRS1.</p> <p>The application and operating schedule currently falls within Westminster's CIP1 Policy which</p>	

states 'Applications for other licensable activities in the Cumulative Impact Area will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Area.'

The Licensing Authority notes that the application suggests the terminal hour for the outdoor table and chairs be extended by two hours. Upon original grant of the premises licence for 84 Edgware Road at the beginning of 2019, the Licensing Sub-Committee in reaching its decision, welcomed that the outside seating area would be rendered unusable at 23:00 every day, and considered this to be an improvement to the Cumulative Impact Area. The original decision from the Licensing Sub-Committee on the 30th May 2019 has been attached.

The Licensing Authority encourages the applicant to provide further submissions as to how the additional 2 hours for the tables and chairs outside the premises will not add to cumulative impact in the Edgware Road cumulative impact area, in accordance with policy CIP1. It will be for Licensing Sub-Committee Members to determine this application, given its location within the Edgware Road Cumulative Impact area.

The Licensing Authority looks forward to receiving further submissions from the applicant in due course.

Please accept this as a formal representation.

<b>Responsible Authority:</b>	Environmental Health Service
<b>Representative:</b>	Dave Nevitt
<b>Received:</b>	17 December 2019

I wish to make Representations on the following grounds:

Representation is made in relation to the application, as the proposals are likely to increase the risk of Public Nuisance

<b>2-B Other Persons</b>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	13 December 2019		
<p>This representation is made by [REDACTED] on behalf of residents in the area. We object to the granting of this licence variation as it is contrary to the licencing objective - prevention of public nuisance.</p> <p>It should be noted that this cafe is a shisha bar. Local residents already have to suffer from customer noise and unpleasant odours from patrons smoking outside until 23:00. Granting of the requested extension will prolong their suffering especially during the summer when the opening of windows would normally be desirable. We would urge the committee to reject this application</p>			

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
[REDACTED]	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	17 December 2019		

I am writing as a resident at [REDACTED] strongly opposing the current late night licensing being put forward by : Palm Palace Restaurant 84 Edgware road W2 2EA. Licence application reference 19/15290/LIPV

We currently live on top of an already existing restaurant which caters for outdoor tables chairs dining and shisha smoking pipes called SHISHAWI 51-53 Edgware Rd, Hyde Park Estate, London W2 2HZ WHICH IS DIRECTLY ACROSS THE ROAD FROM PALMS PALACE RESTURANT. SURELY 2 VENUES right across the road and facing each other cannot both hold a late night licence when they both operate in exactly the same nature and that is to provide food and shisha pipes outdoor usage.

I can tell you that there already is a lot of noise with occasional fighting/arguments coming from late night extended HOURS For SHISHAWI with the projected Palms Palace it will only further attract more of the same behaviour AND WITH ADDED FOCAL POINT for supercars to noise their engines as they pass or park Bikes are already doing it at night in front of these venues and as I have already stated why would there be a use for a another restaurant having a late night licence when there is already one directly in front of them!

IT will attract more people not living in the area and a lot more noise and disturbance. We have a lot of families living in our block who are rentals and I know they will not be happy if they knew of this (sadly rentals have very little say if any if they are not registered with Westminster so will not have received this information and therefore would not be able to voice their concerns)

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	5 December 29019		

Representation about Application Reference 19/15290/LIPV

Thank you for your email, with which you attached the residential consultation letter, which we have also received by post. I have tried, as your letter suggests, on several occasions to visit the application register but on each occasion the response has been 'No results found'. I shall be grateful, therefore, if you will accept this email as our representation about this application. We were most surprised to receive this letter informing us that a variation made by Palm Palace Restaurant 'To vary Condition 13 on the current premises licence to read that 'All tables and chairs in the outside area shall be removed or rendered unusable by 01:00 hours each day' has again come before your department.

On numerous occasions, we have objected to these premises (and others in Edgware Road) remaining open until the early hours due to the noise and nuisance caused to the residents and we are, again, opposing this particular application. About two months ago, having failed in their application, Palm Palace began to close around 11/11.30pm (as opposed to 5am as previously). The difference in noise and nuisance levels was immediately obvious to residents

living, and trying to sleep, nearby. In fact, during that period, there was little disturbance in terms of arguing and fighting, which had previously occurred fairly regularly. We now notice, presumably pending this application, that Palm Palace is again opening throughout the night and we anticipate further trouble occurring.

The residents of Connaught Court strongly oppose this application and, as we have stated in previous correspondence, intend to take further action should a license be granted for these premises to be permitted to remain open until 01.00 hours.

We trust Westminster will consider the residents right to a quiet and peaceful existence above all else when considering this application and refuse it on these grounds.

### 3. Policy & Guidance

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

<p><b>Policy CP1 applies</b></p>	<p>(i) It is the Licensing Authority's policy to refuse applications in the Cumulative Impact Areas for: pubs and bars, fast food premises, and premises offering facilities for music and dancing; other than applications to vary hours within the Core Hours under Policy HRS1.</p> <p>(ii) Applications for other licensable activities in the Cumulative Impact Areas will be subject to other policies, and must demonstrate that they will not add to cumulative impact in the Cumulative Impact Areas.</p>
<p><b>Policy HRS1 applies</b></p>	<p>(i) Applications for hours within the core hours set out below in this policy will generally be granted, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>(ii) Applications for hours outside the core hours set out below in this policy will be considered on their merits, subject to other relevant policies.</p> <p><u>For premises for the supply of alcohol for consumption on the premises:</u>  Monday to Thursday: 10:00 to 23:30  Friday and Saturday: 10:00 to midnight  Sundays immediately prior to Bank Holidays: Midday to midnight  Other Sundays: Midday to 22:30</p> <p><u>For premises for the provision of other licensable activities:</u>  Monday to Thursday: 09:00 to 23.30  Friday and Saturday: 09:00 to midnight  Sundays immediately prior to Bank Holidays: 09:00 to midnight  Other Sundays: 09:00 to 22:30</p>

#### 4. Equality Implications

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:

- (a) eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- (c) foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

#### 5. Appendices

<b>Appendix 1</b>	Premises Licence 19/03246/LIPN
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman
<b>Contact:</b>	Telephone: 0207 641 8094 Email: <a href="mailto:kjackaman@westmstr.gov.uk">kjackaman@westmstr.gov.uk</a>

**If you have any queries about this report or wish to inspect one of the background papers please contact the report author.**

#### **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 January 2016
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service representation	13 December 2019
<b>5</b>	Licensing Authority representation	10 December 2019
<b>6</b>	Environmental Health Service representation	17 December 2019

<b>7</b>	Interested party representation (1)	13 December 2019
<b>8</b>	Interested party representation (2)	17 December 2019
<b>9</b>	Interested party representation (3)	5 December 2019



## City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part A

WARD: Bryanston And  
Dorset Square  
UPRN: 100023477896

Premises licence

Regulation 33, 34

Premises licence number:

19/03246/LIPN

Original Reference:

19/03246/LIPN

### Part 1 – Premises details

**Postal address of premises:**

Palm Palace Restaurant  
84 Edgware Road  
London  
W2 2EA

**Telephone Number:**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment

**The times the licence authorises the carrying out of licensable activities:**

**Late Night Refreshment**

Monday to Sunday:

23:00 to 01:00 (Indoors and outdoors)

Non-standard Timings: Late Night Refreshments to continue until 03:00 during the Holy month of Ramadan each year.

**The opening hours of the premises:**

Monday to Sunday:

09:00 to 01:00

Non-standard Timings: Opening hours to continue until 03:00 during the Holy month of Ramadan each year

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

N/A

**Part 2**

**Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:**

Palm Palace Restaurant Limited  
84 Edgware Road  
London  
W2 2EA

**Registered number of holder, for example company number, charity number (where applicable)**

11105005

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

N/A

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

N/A

**Date:** 10 September 2019

This licence has been authorised by Kevin Jackaman on behalf of the Director - Public Protection and Licensing.

**Annex 1 – Mandatory conditions**

None

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

None

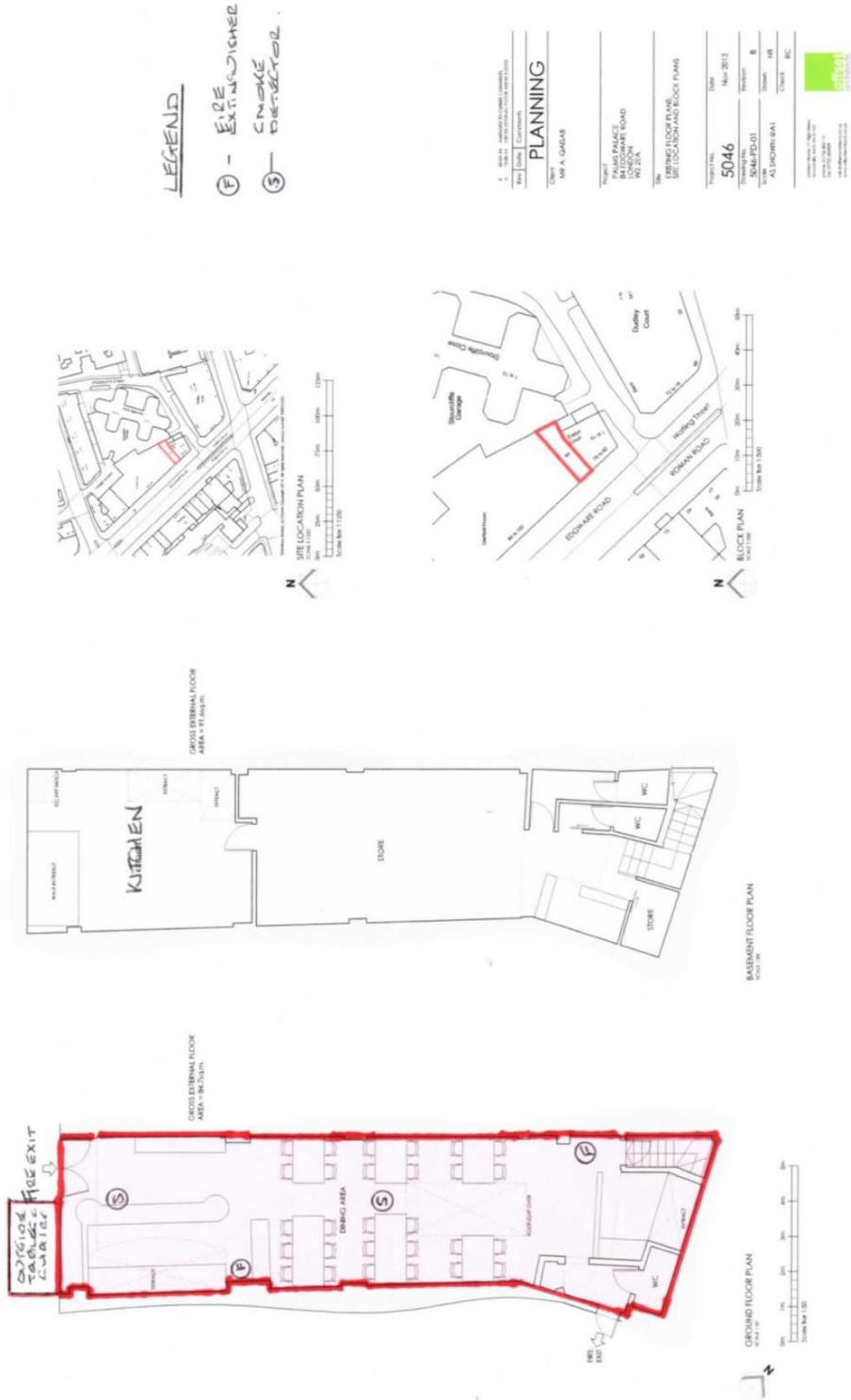
### **Annex 3 – Conditions attached after a hearing by the licensing authority**

1. Licensable activities shall only be permitted on the Ground Floor of the premises.
2. All waste is to be properly presented and placed for collection no earlier than 30 minutes before the scheduled collection time
3. The supply of food to the outside area shall be by waiter/waitress to seated people only
4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster 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 premises 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
5. The means of escape provided for the premises shall be maintained unobstructed, free from trip hazards, and be immediately available and clearly identified
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and leave the area quietly.
7. The pavement from the building line to the kerb edge immediately outside the premises, shall be swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements
8. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
10. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any visit by a relevant authority or emergency service.
12. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
13. All tables and chairs in the outside area shall be removed or rendered unusable by 23.00 each day.
14. The number of persons accommodated at the premises at any one time (excluding staff) shall not exceed 30 persons.

15. The sale of hot food and drink for consumption on the premises after 23:00 shall only be permitted in accordance with the following:
- a) customers must be shown to their table;
  - b) customers must be served by waiter or waitress service; and
  - c) the food must be ordered and served at the table and consumed by seated customers using non-disposable crockery.

Annex 4 – Plans

PALM PALACE 84 EDGWARE ROAD W2 2EA





**City of Westminster**  
64 Victoria Street, London, SW1E 6QP

Schedule 12  
Part B

Premises licence  
summary

WARD: Bryanston And  
Dorset Square  
UPRN: 100023477896

Regulation 33, 34

Premises licence number:

19/03246/LIPN

#### Part 1 – Premises details

**Postal address of premises:**

Palm Palace Restaurant  
84 Edgware Road  
London  
W2 2EA

**Telephone Number:**

**Where the licence is time limited, the dates:**

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment

**The times the licence authorises the carrying out of licensable activities:**

**Late Night Refreshment**

Monday to Sunday: 23:00 to 01:00 (Indoors and outdoors)

Non-standard Timings: Late Night Refreshments to continue until 03:00 during the Holy month of Ramadan each year.

**The opening hours of the premises:**

Monday to Sunday: 09:00 to 01:00

Non-standard Timings: Opening hours to continue until 03:00 during the Holy month of Ramadan each year

**Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:**

N/A

**Name and (registered) address of holder of premises licence:**

Palm Palace Restaurant Limited  
84 Edgware Road  
London  
W2 2EA

**Registered number of holder, for example company number, charity number (where applicable)**

11105005

**Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**State whether access to the premises by children is restricted or prohibited:**

Restricted

**Date:** 10 September 2019

**This licence has been authorised by Kevin Jackaman on behalf of the Director - Public Protection and Licensing.**

**Submission on behalf of 'Palm Palace Restaurant', 84 Edgware Road, London W2 2EA to allow Tables & Chairs to remain on the highway until 01:00 hours**

This application to vary the premises licence, to allow tables and chairs to remain on the highway until 01:00 hours, rightly raises concerns in relation to noise nuisance in particular, in the Edgware Road Stress Area. I have, below, attempted to demonstrate that – if allowed – an additional 10 customers seated outside until 1 am, would not have an adverse effect on noise nuisance in the vicinity.

**Noise pollution**

The concerns relating to noise, are partly linked to the ability to disperse customers at the end of an evening, but largely to the possible noise nuisance caused to residents; particularly those who live directly above the premises. The abundance of Night Buses, together with the 24 hour tube, means that dispersal of people from Edgware Road is more rapid than it has ever been – particularly at weekends – and an additional 10 people (maximum) leaving the vicinity would, in my submission, have a minimal impact.

The residents most likely to be affected are those living in the flats located immediately above Palm Palace Restaurant; in Evelyn Court. I am instructed that the residents have been spoken to and letters of support for this application will be submitted prior to 17 December 2019. It is my understanding that there will be no objections from these residents, as they believe the background noise of both traffic and pedestrians will mask any conversations from those customers seated outside. There have not been any complaints in relation to noise nuisance from these premises (or in relation to the people who are currently allowed to be seated outside until 23:00 hours).

It is evident when visiting Edgware Road between 22:00 and 01:00 hours, that this is a vibrant and busy part of Westminster, with residents and visitors from the Middle East and other Arab countries, who come out later in the evening to eat than is the custom in this country. In a pedestrian count conducted by me on the evening of Thursday 24 October 2019, through the morning of Friday 25 October 2019, there was an average of 128 people walking past Palm Palace (east footpath) between 22:00 and 23:00 hours (in every 15 minute period); an average of 106 between 23:00 and 00:00 hours (in every 15 minute period), and an average of 69 between 00:00 and 01:00 hours (in every 15 minute period). Vehicular traffic was also quite busy during this period, although this also diminished noticeably during the final hour. There was similar footfall on the opposite footpath, although this appeared to be busier between 00:00 and 01:00 hours – possibly as a result of the number of premises still open at that time (which I comment upon later).

I would respectfully submit that the extended hours up until 01:00 hours for tables & chairs, would have a minimal impact if at all. Whilst a 'Noise Impact Assessment' has not been carried out in relation to this application, it is my understanding that 'for a change of noise level to be perceptible, an increase or decrease of 3dB should apply'. I would argue that customers seated outside Palm Palace Restaurant, between the hours of 23:00 and 01:00 would not cause such a rise in the noise level, so would not have an adverse impact on noise levels in the vicinity.

### **Extending the hours for tables & chairs 01:00 hours**

As I mentioned earlier, Edgware Road remains busy into the early hours of the morning, with customers visiting the many restaurants and shops that already remain open until 01:00 hours and beyond. Whilst carrying out the pedestrian count, it was noticeable the number of people frequenting the Tesco Metro, situated next door to Palm Palace Restaurant, which opens 24 hours Tuesday to Saturday; until 12 midnight Monday, and 17:00 hours on Sunday.

Within 100 metres from Palm Palace Restaurant there are a number of premises which already open until the early hours of the morning, attracting visitors to the neighbourhood – both on foot and by car:

- Riteway, 57 Edgware Road open until 05:00 hours Monday to Sunday
- Maroush Express, 63 Edgware Road until 01:00 hours Monday to Sunday
- Al Dar, 61-63 Edgware Road until 01:00 hours Monday to Sunday
- Ranoush Juice, 43 Edgware Road until 03:00 hours Monday to Sunday
- Shishawi, 51-53 Edgware Road (directly opposite) stays open all night Monday to Sunday **with outside tables and chairs for up to 56 customers to smoke shisha.**

It is quite apparent from this information, that Edgware Road is a popular destination into the early hours of the morning, with restaurants staying open until 01:00 hours or later, to cater for visitors/customers. At 'Shishawi Restaurant', which is directly opposite Palm Place, there are tables and chairs outside which cater for a maximum of 56 customers, and remain in use well past 01:00 hours; often for 24 hours – with no adverse effect in relation to Noise Nuisance or Crime & Disorder.

An additional 10 customers seated outside would not, in my opinion, cause a noticeable increase in the level of noise at that location

**Nigel Carter (Cert. Ed. Licensing Law)**

***Carter Consultancy***

Name

Address

Date

Dear Sir/Madam

**Re: Full variation application for Palm Palace, 84 Edgware Road, London W2 2EA - 19/15290/LIPV**

*Head lease owner*

[REDACTED] which is situated directly above the premises trading as Palm Palace Restaurant, 84 Edgware Road, London W2 2EA. [REDACTED]

I am aware that they have applied to the council to allow their tables and chairs to remain outside until 1am, when currently they must bring them in at 11pm.

I must say that, since living above these premises, I have not been disturbed by customers seated at these tables and chairs. Any noise they may be making is masked by the general noise of traffic and people making their way along Edgware Road, which continues into the early hours of the morning.

I would have no objection to them keeping their tables and chairs out later, until 1am, and would support their application to vary their premises licence in this way.

Yours faithfully

*[Handwritten signature]*

[REDACTED]

Name

Address

Date

Dear Sir/Madam

**Re: Full variation application for Palm Palace, 84 Edgware Road, London W2 2EA - 19/15290/LIPV**

[REDACTED] which is situated directly above the premises trading as Palm Palace Restaurant, 84 Edgware Road, London W2 2EA. I have [REDACTED]

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I would have no objection to them keeping their tables and chairs out later, until 1am, and would support their application to vary their premises licence in this way.

Yours faithfully

[REDACTED]

Name

Address

Date

Dear Sir/Madam

**Re: Full variation application for Palm Palace, 84 Edgware Road, London W2 2EA - 19/15290/LIPV**

[REDACTED] which is situated directly above the premises trading as Palm Palace Restaurant, 84 Edgware Road, London W2 2EA. I have [REDACTED]

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I must say that, since living above these premises, I have not been disturbed by customers seated at these tables and chairs. Any noise they may be making is masked by the general noise of traffic and people making their way along Edgware Road, which continues into the early hours of the morning.

I would have no objection to them keeping their tables and chairs out later, until 1am, and would support their application to vary their premises licence in this way.

Yours faithfully

  
[REDACTED]

Name

Address

Date

Dear Sir/Madam

**Re: Full variation application for Palm Palace, 84 Edgware Road, London W2 2EA - 19/15290/LIPV**

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Yours faithfully

S(signature)

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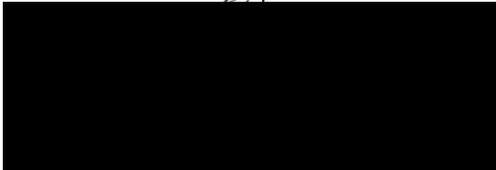
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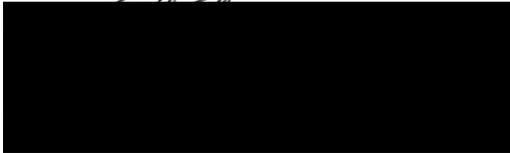
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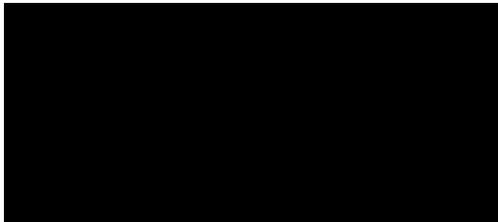
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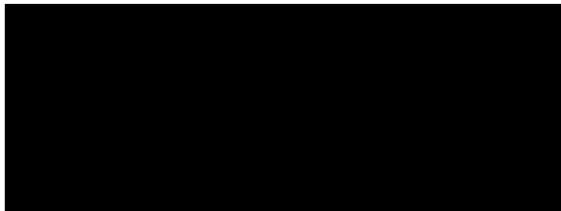
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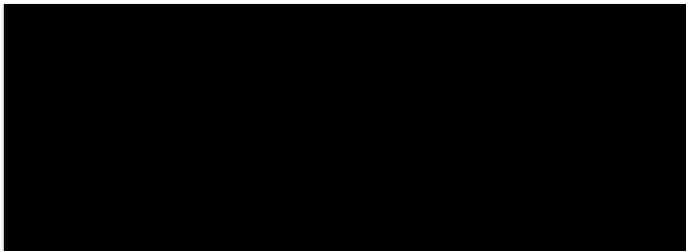
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### Licence & Appeal History

Application	Details of Application	Date Determined	Decision
09/01811/LIPN	New premises licence	28.05.2009	Granted by Licensing Sub Committee
10/05690/LIPV	Variation – Extension of hours	23.09.2010	Refused by Licensing Sub Committee

**This licence was surrendered on 11 November 2014**

Application	Details of Application	Date Determined	Decision
19/03246/LIPN	New premises licence	30.05.2019	Granted by Licensing Sub Committee
19/12254/LIPVM	Minor variation – variation of condition 13	14.10.2019	Refused under delegated authority

Temporary Event Notices	Date of Event	Activities/Hours	Decision
15/05249/LITENN	21 July 2015 to 24 July 2015	Late Night Refreshment 23:00 to 05:00	Event permitted
15/05250/LITENN	27 July 2015 to 30 July 2015	Late Night Refreshment 23:00 to 05:00	Event permitted
15/05297/LITENN	5 August 2015 to 8 August 2015	Late Night Refreshment 23:00 to 05:00	Event permitted
16/04988/LITENN	15 July 2016 to 18 July 2016	Late Night Refreshment 23:00 to 05:00	Event permitted
16/04995/LITENN	22 July 2016 to 25 July 2016	Late Night Refreshment 23:00 to 05:00	Event permitted
16/04997/LITENN	29 July 2016 to 30 July 2016	Late Night Refreshment 23:00 to 05:00	Event permitted
16/05000/LITENN	12 August 2016 to 15 August 2016	Late Night Refreshment 23:00 to 05:00	Event permitted
16/05045/LITENN	19 August 2016 to 22 August 2016	Late Night Refreshment 23:00 to 05:00	Event permitted

17/07217/LITENN	20 July 2017 to 22 July 2017	Late Night Refreshment 23:00 to 05:00	Event permitted
17/07220/LITENN	2 August 2017 to 5 August 2017	Late Night Refreshment 23:00 to 05:00	Event permitted
17/07224/LITENN	10 August 2017 to 12 August 2017	Late Night Refreshment 23:00 to 05:00	Event permitted
17/07226/LITENN	17 August 2017 to 19 August 2017	Late Night Refreshment 23:00 to 05:00	Event permitted
17/07228/LITENN	24 August 2017 to 26 August 2017	Late Night Refreshment 23:00 to 05:00	Event permitted
18/07101/LITENN	10 August 2018 to 12 August 2018	Late Night Refreshment 23:00 to 05:00	Event permitted
18/07102/LITENN	17 August 2018 to 19 August 2018	Late Night Refreshment 23:00 to 05:00	Event permitted
18/07103/LITENN	28 August 2018 to 31 August 2018	Late Night Refreshment 23:00 to 05:00	Event permitted
18/07111/LITENN	3 August 2018 to 5 August 2018	Late Night Refreshment 23:00 to 05:00	Event permitted
18/07113/LITENN	24 August 2018 to 26 August 2018	Late Night Refreshment 23:00 to 05:00	Event permitted
19/08606/LITENN	31 July 2019 to 3 August 2019	Late Night Refreshment 01:00 to 05:00	Event permitted
19/08611/LITENN	7 August 2019 to 10 August 2019	Late Night Refreshment 01:00 to 05:00	Event permitted
19/08611/LITENN	14 August 2019 to 17 August 2019	Late Night Refreshment 01:00 to 05:00	Event permitted
19/08612/LITENN	21 August 2019 to 24 August 2019	Late Night Refreshment 01:00 to 05:00	Event permitted

**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:**

None

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

None

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

1. Licensable activities shall only be permitted on the Ground Floor of the premises.
2. All waste is to be properly presented and placed for collection no earlier than 30 minutes before the scheduled collection time
3. The supply of food to the outside area shall be by waiter/waitress to seated people only
4. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster 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 premises 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. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31 day period.
5. The means of escape provided for the premises shall be maintained unobstructed, free from trip hazards, and be immediately available and clearly identified
6. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of the local residents and leave the area quietly.

7. The pavement from the building line to the kerb edge immediately outside the premises, shall be swept and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements
8. No rubbish, including bottles, shall be moved, removed or placed in outside areas between 23:00 hours and 08:00 hours
9. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
10. 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 is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system
  - (g) any visit by a relevant authority or emergency service.
12. There shall be no sales of hot food or hot drink for consumption off the premises after 23.00.
13. All tables and chairs in the outside area shall be removed or rendered unusable by 23.00 each day.

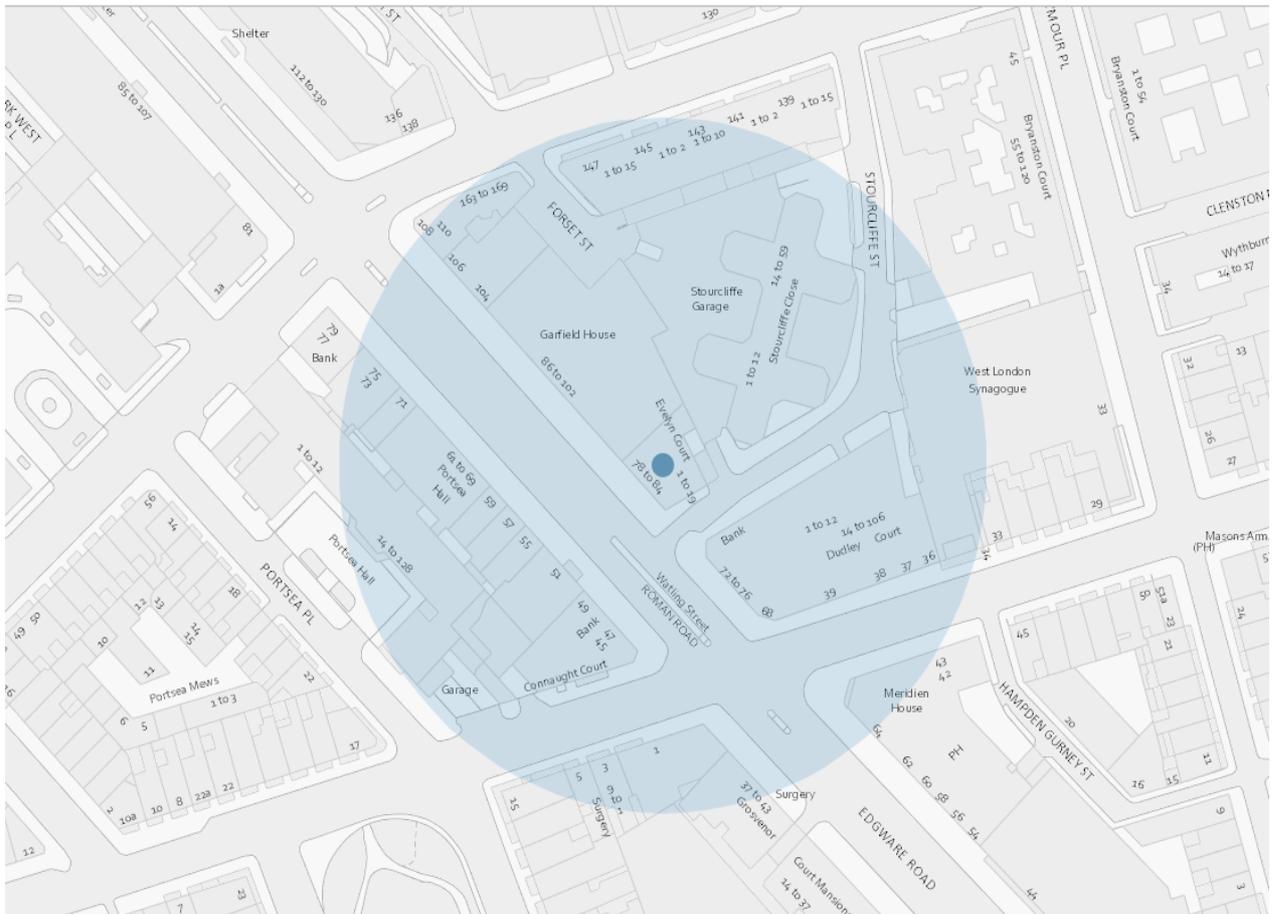
**It is proposed that condition 13 shall be amended as follows:**

All tables and chairs in the outside area shall be removed or rendered unusable by 01:00 hours each day”.

14. The number of persons accommodated at the premises at any one time (excluding staff) shall not exceed 30 persons.
15. The sale of hot food and drink for consumption on the premises after 23:00 shall only be permitted in accordance with the following:
  - a) customers must be shown to their table;
  - b) customers must be served by waiter or waitress service; and
  - c) the food must be ordered and served at the table and consumed by seated customers using non-disposable crockery.

**Additional conditions proposed by the applicant**

16. The number of tables and chairs on the forecourt immediately outside the premises will be limited to 5 tables and 10 chairs.



Resident count: 271

<b><u>Licensed premises within 75 metres of 84 Edgware Road, London, W2</u></b>				
14/11091/LIPN	Etc.Venues	Garfield House 86-88 Edgware Road London W2 2EA	Office	Monday to Sunday; 07:30 - 20:00
19/00084/LIPDPS	Tesco Metro (06209)	90 - 100 Edgware Road London W2 2EA	Shop (large)	Monday to Friday; 06:00 - 01:00   Saturday; 06:00 - 00:00   Sunday; 11:00 - 17:00
06/11521/WCCMAP	Riteway	57 Edgware Road London W2 2HZ	Shop	Monday to Sunday; 23:00 - 05:00
09/07580/LIPDPS	Maroush Deli	45-49 Edgware Road London W2 2HZ	Shop	Monday to Saturday; 08:00 - 23:00   Sunday; 10:00 - 22:30

19/06618/LIPDPS	Saffron Restaurant	Basement And Ground Floor 39 Upper Berkeley Street London W1H 5QH	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00
13/03776/LIPN	Green Valley	36 - 37 Upper Berkeley Street London W1H 5QF	Food store	Monday to Sunday; 08:00 - 00:00
10/01705/LIPCHT	Maroush Express	68 Edgware Road London W2 2EG	Restaurant	Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 01:00
10/07102/LIPVM	Al-dar Restaurant	61 - 69 Edgware Road London W2 2HZ	Restaurant	Monday to Saturday; 10:00 - 01:30   Monday to Saturday; 10:00 - 01:00   Sunday; 12:00 - 01:00   Sunday; 12:00 - 01:00
06/11458/WCCMAP	Maroush Gardens	Basement And Ground Floor 1 Connaught Street London W2 2AF	Restaurant	Monday to Saturday; 10:00 - 00:30   Sunday; 12:00 - 00:00