



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

Licensing Ref No:

Title of Report:

Report of:

Wards involved:

Policy context:

Financial summary:

Report Author:

Contact details

3 March 2022

21/09487/LIPV - Premises Licence Variation

Crockers Folly  
23 - 24 Aberdeen Place  
London  
NW8 8JR

Director of Public Protection and Licensing

Regent's Park

City of Westminster Statement of Licensing Policy

None

Kevin Jackaman  
Senior Licensing Officer

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<b>1.</b>	<b>Application</b>		
<b>1-A</b>	<b>Applicant and premises</b>		
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	14 September 2021		
<b>Applicant:</b>	Crockerfolly Limited		
<b>Premises:</b>	Crockerfolly		
<b>Premises address:</b>	23 - 24 Aberdeen Place London NW8 8JR	<b>Ward:</b>	Regents Park
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises re a public house with a an external seating area.		
<b>Variation description:</b>	Condition 27 shall be varied to read: 'All outside table and chairs shall be rendered unusable by 22:30 hours.' This will permit customers to sit on the entire Terrace until 22:30		
<b>Premises licence history:</b>	The premises have had the benefit of a premises licence since July 2010. The current premises licence (licence number 20/00972/LIPT) is attached as appendix 1 of this report. A full licence history for the premises appears at appendix 5.		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		

<b>1-B</b>	<b>Current and proposed licensable activities, areas and hours</b>					
<b>Regulated Entertainment</b>						
<b>Recorded music</b>						
	<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		Basement and ground floor	No change
<b>Tuesday</b>	10:00	23:30				
<b>Wednesday</b>	10:00	23:30				
<b>Thursday</b>	10:00	23:30				
<b>Friday</b>	10:00	00:00				
<b>Saturday</b>	10:00	00:00				
<b>Sunday</b>	12:00	22:30				
<b>Seasonal Variations/ Non-standard timings:</b>	<b>Current:</b>				<b>Proposed:</b>	
	Sundays before Bank Holidays 12:00 to 00:00. The hours for Regulated Entertainment may be extended from				No change	

	the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.	
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Late night refreshment						
Indoors, outdoors or both			Current :		Proposed:	
			Both		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	23:30	No change		Basement and ground floor	No change
Tuesday	23:00	23:30				
Wednesday	23:00	23:30				
Thursday	23:00	23:30				
Friday	23:00	00:00				
Saturday	23:00	00:00				
Sunday	N/A					
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Sundays before Bank Holidays 12:00 to 00:00. Late Night refreshment shall be permitted from 23:00 on New Year's Eve until 05:00 on New Years Day.			No change	

Sale by Retail of Alcohol						
On or off sales			Current :		Proposed:	
			On		No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Basement and ground floor	No change
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				
Thursday	10:00	23:30				
Friday	10:00	00:00				
Saturday	10:00	00:00				
Sunday	12:00	22:30				
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		Sundays before Bank Holidays 12:00 to 00:00. The hours for the 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			No change	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	23:30	No change		Basement and ground floor	No change
Tuesday	10:00	23:30				
Wednesday	10:00	23:30				

<b>Thursday</b>	10:00	23:30			
<b>Friday</b>	10:00	00:00			
<b>Saturday</b>	10:00	00:00			
<b>Sunday</b>	12:00	22:50			
<b>Seasonal variations/ Non-standard timings:</b>	<b>Current:</b>			<b>Proposed:</b>	
	None			No change	

<b>1-C</b>	<b>Layout alteration</b>
No change of layout is proposed.	

<b>1-D</b>	<b>Conditions being varied, added or removed</b>	
<b>Condition</b>	<b>Proposed variation</b>	
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.	27. All outside table and chairs shall be rendered unusable by 22:30 hours	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No change

<b>2.</b>	<b>Representations</b>
<b>2-A</b>	<b>Responsible Authorities</b>
<b>Responsible Authority:</b>	Metropolitan Police Service ( <b>withdrawn</b> )
<b>Representative:</b>	Reaz Guerra
<b>Received:</b>	07 October 2021
<p>With reference to the above applications, I am writing to inform you that the Metropolitan Police, as a Responsible Authority, are objecting to this application as it is our belief that if granted the application would undermine the Licensing Objectives.</p> <p>There is insufficient detail contained within the operating schedule to promote the licensing objectives.</p> <p>It is for these reasons that we object to this application.</p> <p><b>Following agreement of and updated CCTV condition, the Metropolitan Police withdrew their representation on 19 October 2021. The updated condition can be found at appendix 5</b></p>	
<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Anil Drayan
<b>Received:</b>	12 October 2021
Representation is made as the proposal may result in an increase in Public Nuisance in the area.	

<b>2-B</b>	<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>	12 October 2021		
<p>I live with my family [REDACTED] - since lockdown we have experienced significant more noise from the restaurant and bar as they have put tables outside in the street . We have had people throwing their rubbish in our drive , urinating and groups of staff using the area to smoke .</p> <p>There are often very noisy people hanging around after hours , leaving litter and broken glass behind them . We have also experienced lorries parked in our drive in the daytime on a regular basis</p> <p>This area is residential and an area where lots of families with young children live . Please do not extend their licensing hours , it will be intolerable for my family and the neighbourhood</p>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	11 October 2021		
<p>I oppose this application.</p> <p>For reasons I won't go into as you timed me out on my first attempt to explain how awful extended hours would be for the residents who live in this area. I am disabled, suffering from multiple sclerosis.</p> <p>I STRONGLY OPPOSE EXTENDED OPENING HOURS FOR THESE PREMISES!!</p>			
<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support of opposed:</b>	Opposed
<b>Received:</b>	18 September 2021		
<p>We live [REDACTED] on Cunningham Place. There is a consistent pattern to Crockers Folly's planning applications, to extend opening hours, to extend the number of table where people can sit outside the premises, and also extend the times when people can sit outside.</p> <p>It's not clear that Crockers Folly have ongoing permission to have tables and chairs on the pavement on the Cunningham Place side of the premises. This measure was brought in during the pandemic, when customers were only able to be served outside. We understood this to be a temporary measure, which would not continue when restrictions on customers being inside were lifted - which is now the case. [REDACTED] [REDACTED]</p>			

This is a quiet residential neighbourhood, and we do not want the hours when people are drinking outside to be extended further. The new proposed time of customers leaving at 23.00 is too late for a neighbourhood of this kind. We also see no reason why opening hours should be extended on the Sundays before bank holidays until 24.00.

One other question. Crockers Folly used to have a security person monitoring the behaviour of people sitting or standing outside. This no longer seems to be the case

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 September 2021		

Wharnccliffe Residents' Association object to extending the outside hours until 10.30pm because this is too late for a residential area where young families, disabled and older residents will be directly affected. Most of the flats in Elnton Court have living rooms and bedrooms directly overlooking Crocker's Folly so cannot avoid any noise made by the customers. We also feel that this will impact the whole of Wharnccliffe Gardens' Estate encouraging more traffic and people walking through the estate later in the evening.

Crocker's Folly has added more tables on Cunningham Place in the last year, increasing the number of people who can now sit outside. It is already often too noisy after 9pm in the evening especially when: there are parties; there are matches at Lords; or while people wait for taxis after leaving the restaurant/bar. There is also disturbance from regular deliveries connected to the premises in the early mornings; and in the last 2 years they have added a takeaway service further adding to the noise nuisance with motorbikes and scooters.

The impact of an extended time for outside dining and drinking will mean even fewer undisturbed hours in the night for sleeping in what should be a quiet residential area. We have also noted that Crockers' Folly has often exceeded the 9pm deadline in the last year

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association</b>	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	25 September 2021		

I object to extending the outside hours because this is too late for a residential area where there are young families and older residents who need their sleep. I personally look after my grandchildren on some school nights and as both my bedrooms directly overlook the Crocker's Folly we are affected by all noise generated from the premises.

The pub now has tables on both the Aberdeen and Cunningham Place sides, which have been added in the last year, so even more people can now sit outside. It is already noisy after 9 on some evenings particularly when there are parties; when there are matches at Lords; or while people wait for taxis. We also have regular deliveries to the pub waking us in the early morning; followed by a rubbish pickup every day for Crockers; and in the last 2 years motorbike there are takeaway pick ups have as well.

The impact of an extended time for outside dining and drinking will mean we have even fewer undisturbed hours at the night for sleeping.

<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>	12 October 2021		

I hereby object to this proposal.

Any extension of hours will further affect the peace and quiet of our residential neighbourhood specially for our children, reducing our quality of life and turning our area into a late-hour food and drinks hub.

We do not wish to lose amenity nor have an increased risk of drunk and disorderly conduct which would surely result if drinkers consume alcohol later into the night as proposed.

Specially in the outdoor area, we often hear loud noises already with the license hours ending at 930pm. The current licensing hours, by the way, are often being violated.

Though the existing operating hours have proven to be a somewhat acceptable balance, there is still plenty of boisterous noise from people leaving the premises already at 10 or 11pm. After eating and drinking for hours, people are not that mindful if there is a sign 'Please leave quietly' in case they get to read it all.

So the hours do not need be changed and certainly NOT extended or this fine balance will severely affect the amenity of the local residents.

<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>	12 October 2021		

As a working mother of three children living on the same street as the property in question, I already struggle with noise and crowds of people spilling in to the road after matches.

I ask the committee to please REFUSE this application and NOT extend the hours of music, noise and operation further than they are already.

While I like the people who work in the restaurant and do wish them success, I ask that they remember that they are in a residential area. There are no other shops or restaurants on either street that the corner venue intersects.

We neighbours need to put our kids to bed quietly, walk our dogs without fear of being harassed by drunken revellers on the curb, and go to sleep ourselves. The current hours are a good compromise.

Thank you so much for your consideration.

<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>	12 October 2021		

I am a neighbour and this is an objection to the above-mentioned application for extension of hours. I object to the proposed application for the following reasons:

- This is very residential area which is quiet, safe, orderly and clean. To have more hours of eating and drinking crowds would be detrimental to this and affect the amenity of all local residents, specially the elderly.
- The Crokers Folly has been already having people eat and drink past the existing licensing hours, both inside and in the external terrace area. We the neighbours have barely tolerated that. But therefore no extensions to the existing hours should be permitted
- Having more drinking crowds in our area later into the night will cause public disturbance and risk
- We live very close to a cricket ground (Lord's) which attracts all-day/late-night drinkers on match days. Thousands of people from Lord's come to our residential area after drinking at the ground and cause noise, vandalism, litter and fouling. This goes on for half a year during the cricket season. It is impossible for any local resident to accept the risk of even later hours, encouraging more risk
- I also object to the health and safety risk that longer hours represents: meaning more litter, broken glass, crowds of cigarette smokers, large crowds in our pavements blocking access.
- Most important: No glasses or food outside (the building had a patio) after 930pm as already required by the current license.

**NO TO EXTENSION OF HOURS FOR THIS PUB IN THE MIDDLE OF OUR NIGHBOURHOOD**

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	10 October 2021		

I object to expand opening hours at Crockers Folly

The reason being it causes stress for women who walk out and see men urinating outside there door . A risk to people walking home late at night and into antisocial behaviour including

violence in street. User of the bar sitting on public property smoking and drinking including staff. There is also disrespect for the elderly who are easily disturbed by the noise which can affect there mental health.



<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>	04 October 2021		
<p>As the father of two young children and working professional living [REDACTED] from the premises, I object to the extension of hours applied for.</p> <p>The current license's hours for both the internal and specially to the external terrace area have over the past couple of years proven to be an acceptable balance between noise/nuisance and commercial operation of the premises since the license was granted and the current hours fixed.</p> <p>Absolutely nothing has changed since then in the needs of local residents, our young children and the elderly for rest and quiet in such a densely residential area. Therefore the continuation of the current licensing hours is optimal.</p> <p>Any attempt to disruptively extend the well-balanced operation hours would simply increase the incidence of disorder and drunkenly boisterous behaviour, raise public safety issues and affect the environmental concerns that we have been avoiding with the current hours.</p> <p>So to preserve the existing hours unchanged achieves the best continuation for the premises within this otherwise very quiet residential area.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	10 October 2021		
<p>I object to the expanded pub hours  Object to more noise.  Object to customers leaving there half filled drinks and rubbish left on garden walls.  Object to people using the walls as toilets, you walk outside your door and someone is standing there urinating,  We have elderly people who don't like to come out specially when there is cricket on as it gets very rowdy and disorderly.  Object to more traffic as cars and mopeds are up and down the roads.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Opposed
<b>Received:</b>	28 September 2021		
<p>I strongly object to the extended outdoor opening hours.</p>			

This is a quiet residential estate and the excess noise, including cars, customer disturbance, as the establishment is just a few feet away including parking on the estate is unacceptable, along with as has been the case previously people sitting on walls on the estate and using the area as a toilet!

The current hours being so close this estate and other residences is perfectly adequate.

Thank you

<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>	12 October 2021		
<p>We object to any extension of licensing hours for all of the reasons set out in the original objection in 2017. We are sympathetic to the challenges facing business owners over the last 18 months, however, we must object on grounds of public nuisance. The current restrictions strike a fair balance between the needs of residents (many of whom are working families with school age children - 8 school age children alone on the west side of Cunningham Place, and a great many in the Wharncliffe estate) and the commercial needs of Crockers. The current license has been occasionally breached - particularly when there are cricket matches on at Lords - with many customers drinking on the street and pavements - but residents put up with this as it is occasional and we want to support Crockers. However, amendments to licensing would increase this as a nuisance and likely result in this not being occasional. Further, the area on Cunningham Place, unlike Northwick Terrace, is not at all suitable for pavement licensing as there are no structures to support pedestrian traffic.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or opposed:</b>	Support
<b>Received:</b>	23 September 2021		
<p>Crocker's Folly is an amenity of great benefit to the neighbourhood. The owner has refurbished the wonderful interiors, and has provided a venue that replaces the pub that closed years ago. The restaurant should be able to serve customers outside during the summer months as this will increase the attraction of the place.</p>			

<b>3.</b>	<b>Policy &amp; Guidance</b>
The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <p>1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect</p>

	<p>of the grant of a licence for later or earlier hours on crime and disorder, public safety, public nuisance and the protection of children from harm.</p> <p>2. If the application is located within a Special Consideration Zone they have demonstrated that they have taken account of the issues identified in that area and provided adequate mitigation.</p> <p>3. Whether there is residential accommodation in the proximity of the premises that would likely be adversely affected by premises being open or carrying out operations at the hours proposed.</p> <p>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</p> <p>5. The proposed hours when any music, including incidental music, will be played.</p> <p>6. The hours when customers will be allowed to take food or drink outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p>
<p><b>Policy RTN1 applies</b></p>	<p>A. Applications outside the West End Cumulative Zone will generally be granted subject to:</p> <p>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</p> <p>2. The hours for licensable activities being within the council's Core Hours Policy HRS1.</p> <p>3. The operation of any delivery services for alcohol and/or latenight refreshment meeting the council's Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1.</p> <p>4. The applicant has taken account of the Special Consideration</p>

	Zones policy SCZ1 if the premises are located within a designated zone. 5. The application and operation of the venue meet the definition of a Public House or Bar in Clause D.
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#### 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, marriage and civil partnership, pregnancy and maternity, race, religion or belief, sex, and sexual orientation.

<b>5.</b>	<b>Appendices</b>
<b>Appendix 1</b>	Premises Licence 20/00972/LIPT
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Interested Party Submissions
<b>Appendix 4</b>	Environmental Health submissions
<b>Appendix 5</b>	Premises history
<b>Appendix 6</b>	Proposed conditions
<b>Appendix 7</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Kevin Jackaman Senior Licensing Officer
<b>Contact:</b>	Telephone: 0207 641 6500 Email: kjackaman@westminster.gov.uk

**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 <sup>th</sup> January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	April 2018
<b>4</b>	Metropolitan Police Service representation	07 October 2021 (withdrawn 19 October 2021)
<b>5</b>	Environmental Health representation	07 October 2021
<b>6</b>	Interested Party representation (1)	12 October 2021
<b>7</b>	Interested Party representation (2)	11 October 2021
<b>8</b>	Interested Party representation (3)	18 September 2021
<b>9</b>	Interested Party representation (4)	28 September 2021
<b>10</b>	Interested Party representation (5)	25 September 2021
<b>11</b>	Interested Party representation (6)	12 October 2021
<b>12</b>	Interested Party representation (7)	12 October 2021
<b>13</b>	Interested Party representation (8)	12 October 2021
<b>14</b>	Interested Party representation (9)	10 October 2021
<b>15</b>	Interested Party representation (10)	04 October 2021
<b>16</b>	Interested Party representation (11)	10 October 2021
<b>17</b>	Interested Party representation (12)	28 September 2021
<b>18</b>	Interested Party representation (13)	12 October 2021
<b>19</b>	Interested Party representation (14)	23 September 2021



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

**Schedule 12  
Part A**

**WARD: Regent's Park  
UPRN: 100023121806**

**Premises licence**

Regulation 33, 34

**Premises licence number:**

20/00972/LIPT

**Original Reference:**

14/03784/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Crocker's Folly  
24 Aberdeen Place  
London  
NW8 8JR

**Telephone Number:** 020 7286 6608

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

**Playing of Recorded Music**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

**Late Night Refreshment**

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00
Non-standard Timings:	See condition 39

**Sale by Retail of Alcohol**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

**Part 2**

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

Crockersfolly Limited  
21 Edgware Road  
London  
W2 2JE

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

09245735

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

**Name:** Maarouf Abouzaki

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

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

**Licence Number:** 05/09506/LIPERS  
**Licensing Authority:** City Of Westminster Council

**Date:** 5 March 2020

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

## Annex 1 – Mandatory conditions

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.

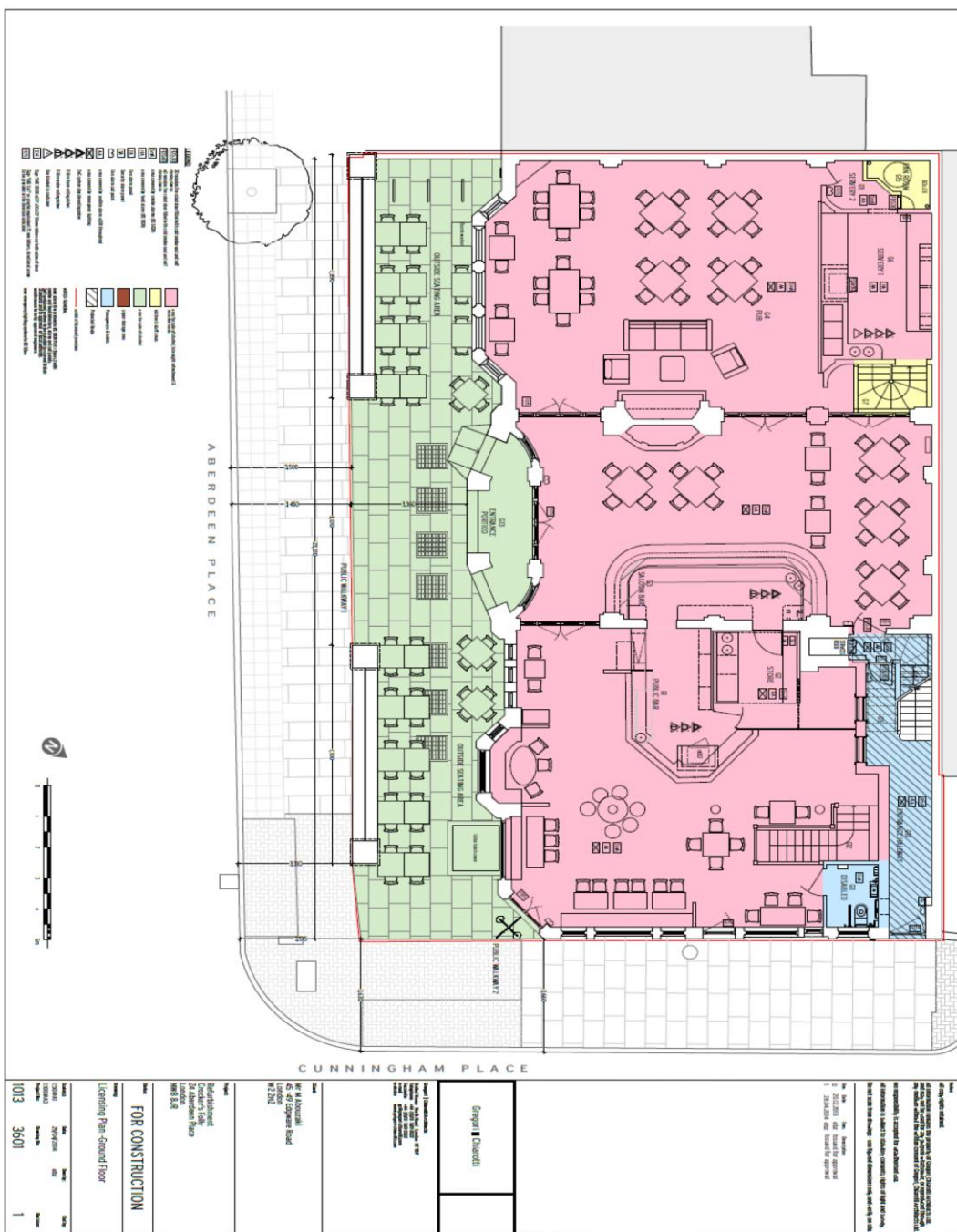


22. A sound limiting device located in a separate and remote lockable cabinet from the volume control shall be fitted to any musical amplification system and set at a level determined by and to the satisfaction of an authorised officer of the Environmental Health Service to ensure that no noise nuisance 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.
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.
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.
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.
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 Years Day.







1:000  
 Scale  
 1:2000  
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 1:10000  
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 1:20000  
 Scale  
 1:50000  
 Scale  
 1:100000  
 Scale

**FOR CONSTRUCTION**  
 Lending Plan - Ground floor  
 Name: Gregory Church  
 Address: 45-47 Duguid Road, Aberdeen  
 Date: 10/13 3601 1

1013 3601 1





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

Schedule 12  
Part B

WARD: Regent's Park  
UPRN: 100023121806

Premises licence  
summary

Regulation 33, 34

Premises licence number:

20/00972/LIPT

### Part 1 – Premises details

#### Postal address of premises:

Crocker's Folly  
24 Aberdeen Place  
London  
NW8 8JR

Telephone Number: 020 7286 6608

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

Not applicable

#### Licensable activities authorised by the licence:

Playing of Recorded Music  
Late Night Refreshment  
Sale by Retail of Alcohol

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

##### Playing of Recorded Music

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

##### Late Night Refreshment

Monday to Thursday:	23:00 to 23:30
Friday to Saturday:	23:00 to 00:00
Sundays before Bank Holidays:	23:00 to 00:00
Non-standard Timings:	See condition 39

##### Sale by Retail of Alcohol

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:30
Sundays before Bank Holidays:	12:00 to 00:00
Non-standard Timings:	See Condition 38

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 23:30
Friday to Saturday:	10:00 to 00:00
Sunday:	12:00 to 22:50
Sundays before Bank Holidays:	12:00 to 00:00

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

Alcohol is supplied for consumption on the Premises.

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

Crockersfolly Limited  
21 Edgware Road  
London  
W2 2JE

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

09245735

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

**Name:** Maarouf Abouzaki

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

Restricted

**Date:** 5 March 2020

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

27 January 2022

[ ]  
[ ]  
[ ]  
London  
NW8 [



Dear Neighbour

**Crocker's Folly – Premises Licence Variation**

We have received documentation from Westminster Licensing Department informing us you are objecting to our application to vary the Premises Licence. With this letter, we'll like to take this opportunity to say why we are seeking this variation to the Licence.

The Pandemic has hit the Hospitality sector hard, and we have suffered too. However, where we have received help, is the various Pavement Licences introduced to allow customers to sit outside to enjoy their food and drink. Indeed, many of customers seem to like this rather than sit inside.

Our current Licence is quite prohibitive on the use of the terrace; one section of the terrace has to close at 7:00pm and the entire terrace must close by 9:00pm. We have applied to Westminster to allow the use of the terrace until 10:30pm. We don't know how and when the Pandemic will end, but we would like to be able to offer to our customers, and especially those not comfortable with sitting inside our Pub, the option to sit outside and have a meal, hence this application.

We would like to think we offer something to the community. Many of our local residents took advantage of our take-away meals in lockdown and enjoyed them. We would like to think also, if you, or any resident, has any concerns you would call or pop in to Crocker's to tell us.

We hope this letter assists, but should you require any further information please contact Betty Freedman.

Yours Sincerely

The Team at Crocker's

- Maroush**  
21 Edgware Road  
London W2 2JE  
Tel: 020 7723 0773
- Maroush**  
37-39 Blank Hanp. Place  
London SW1 7NU  
Tel: 020 758 5434
- Maroush**  
4 West Street  
London W1U 0DU  
Tel: 020 7493 3030/3050  
Fax: 020 7493 9330
- Maroush**  
131 Eam's Court Road  
London SW6 9BZ  
Tel: 020 7313 4324
- Maroush Express**  
68 Edgware Road  
London W2 2EG  
Tel: 020 7224 9339
- Maroush Gardens**  
1 Connaught St east  
London W2 2BN  
Tel: 020 7262 0222
- Beirut Express**  
65 Old Brompton Road  
London SW7 3LS  
Tel: 020 7591 0123
- Sidi Maarouf**  
56 - 58 Edgware Road  
London W2 2JE  
Tel: 020 7724 0525
- Ranoush Juice**  
318 Kings Road  
London SW3 5UR  
Tel: 020 7352 0044
- Ranoush Juice**  
43 Edgware Road  
London W2 2JE  
Tel: 020 7723 5929
- Ranoush Juice**  
86 High Street  
Kensington  
London W8 4SG  
Tel: 020 7938 2234
- Randa**  
23 Kensington  
Church Street  
London W8 4LF  
Tel: 020 7937 5363
- Maroush Bakehouse**  
45-49 Edgware Road  
London W2 2JZ  
Tel: 020 7723 3666
- Maroush Bakehouse**  
40 Beauchamp Place  
London SW3 1NU  
Tel: 020 7581 5434
- Crocker's Folly**  
23 24 Aberdeen Place  
St John's Wood  
London NWS 8, R  
Tel: 020 7289 9898

# OBJECT!

## SAY NO TO EXPANDED PUB HOURS IN OUR STREET!

Dear Neighbour,

The owners of 'Crocker's Folly' (24 Aberdeen Place NW8) want to expand their hours of commercial operations to late at night.

They are proposing to have people eating and drinking both outside and in until much later than the current operating times. The current operating hours strike a barely acceptable balance between the commercial operations and the local residents as they are. So no need to change them!

If not opposed, the extension will destroy the peace and quiet of our residential neighbourhood, reducing our quality of life and turning our area into a late-hour food and drinks hub. It would also have a serious impact on our property values.

We as local residents have the right to oppose this extension as it would cause severe detriment to our neighbourhood and daily lives:

- NO to later hours than the already barely acceptable night times
- NO to even larger crowds of drinkers and eaters later at night, seven days a week throughout the year
- NO to increased boisterous customers noise and more music playing round the clock
- NO to further parking disruptions to local residents making it even more difficult for us to find park near our homes
- NO to increased lorry delivery traffic, noise and fumes
- NO to greater overall customer vehicle traffic and environmental pollution to our area
- NO to even more fan extractors noise and food fumes spewing into our neighbourhood
- NO to greater litter and debris such as empty beer glasses, bottles, broken glass, snack wrappings and cigarette butts strewn daily around the area
- NO increased risk to public safety from larger crowds in our streets and walkways

There should already NOT be any commercial operations on our peaceful residential streets at all, so this extension of operating hours CANNOT BE PERMITTED

### YOU CAN HELP by

- 1) Registering your Comment to 'Oppose' on [www.westminster.gov.uk/licensing/comment-licence-application](http://www.westminster.gov.uk/licensing/comment-licence-application) and searching for: 21/09487/LIPV
- 2) Saying "NO TO EXTENDED HOURS" in writing to the Westminster Planning Department Quoting Ref. 21/09487/LIPV to [northplanning@westminster.gov.uk](mailto:northplanning@westminster.gov.uk)

**EACH OF OUR INDIVIDUAL MESSAGES COUNTS!**  
**URGENT DEADLINE: 12 OCTOBER**

**DEFEND YOUR COMMUNITY -  
OPPOSE THE EXTENSION OF HOURS NOW**

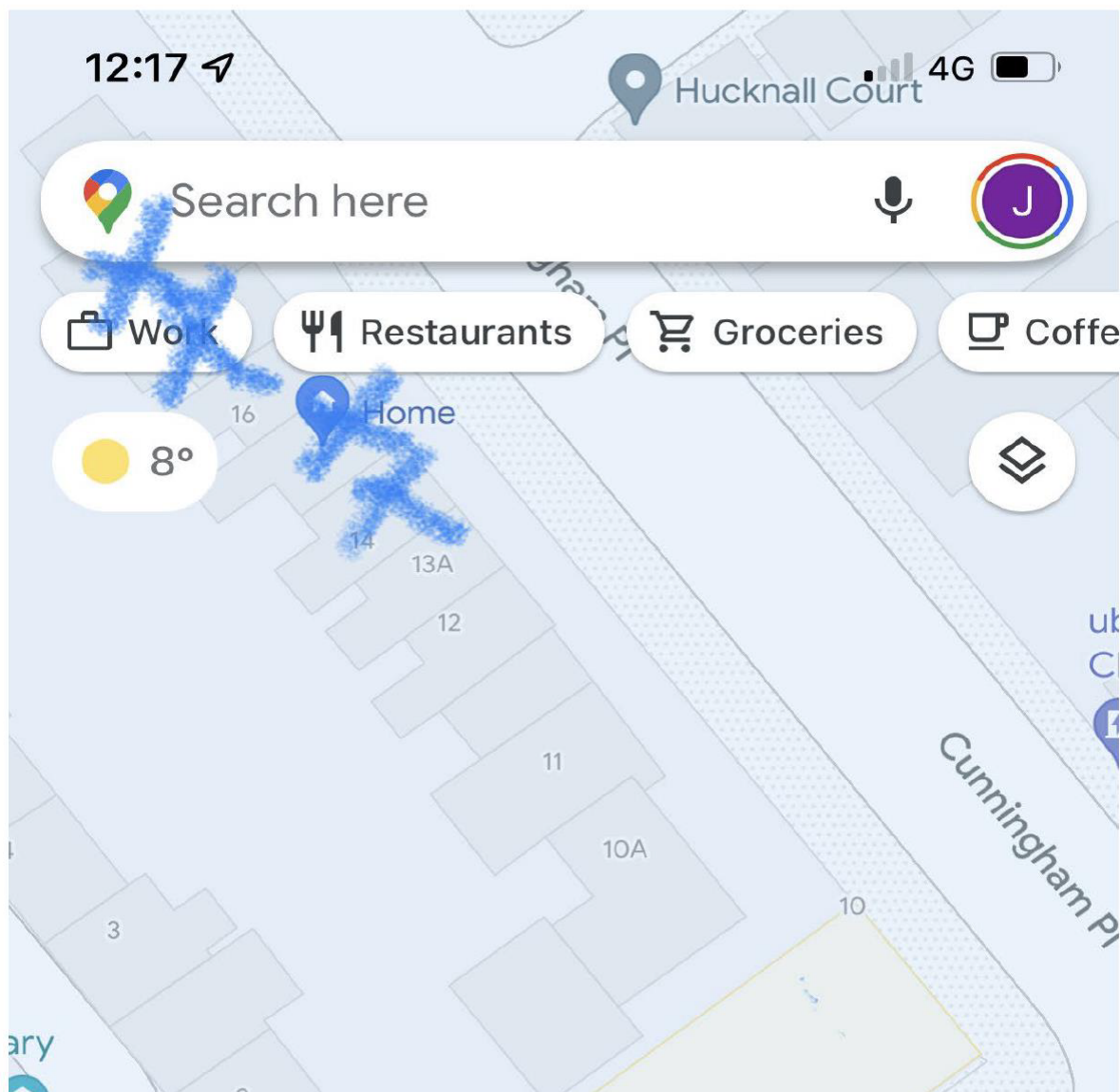


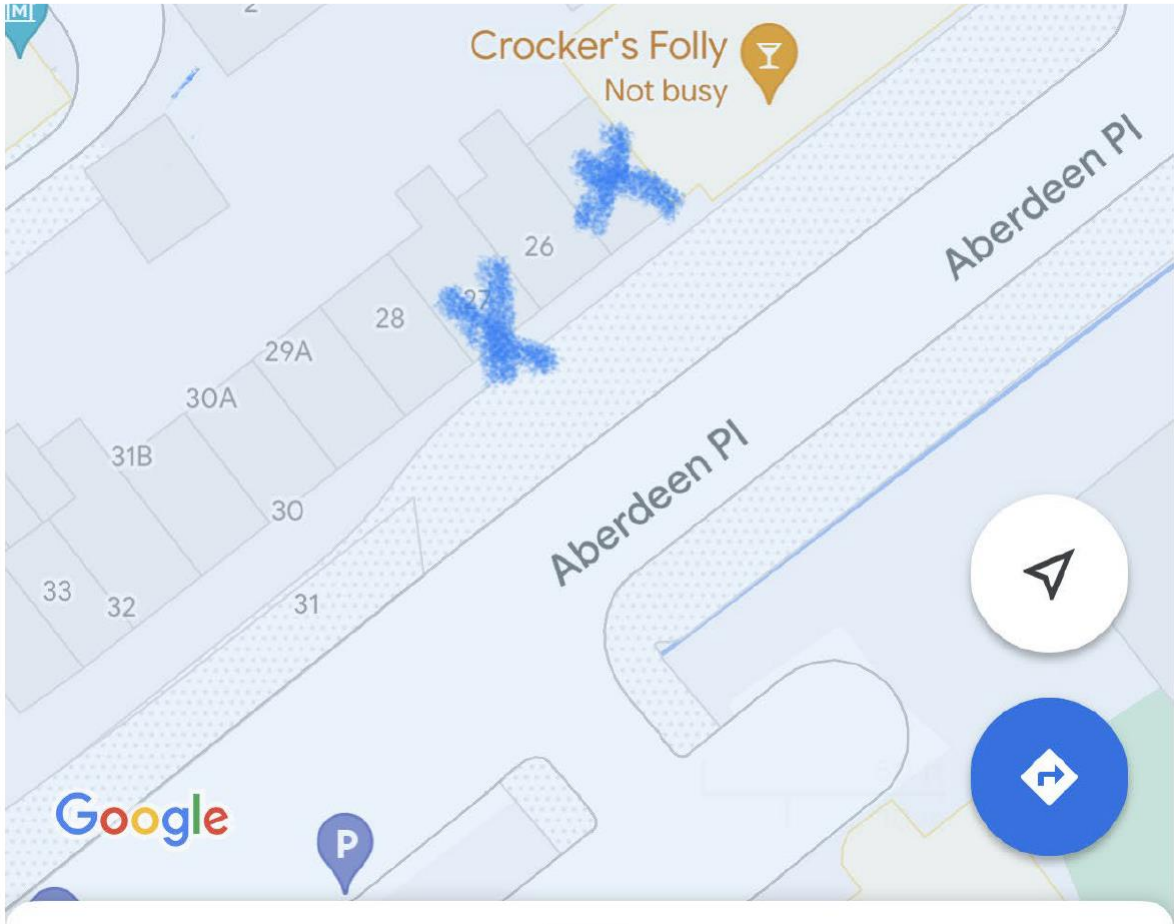
**From:** [Redacted]  
**To:** [Jackaman, Kevin: WCC](#)  
**Cc:** [Redacted]  
**Subject:** Re: Crockers Folly, 23-24 Aberdeen Place, London, NW8 8JR - 21/09487/LIPV  
**Date:** 31 January 2022 13:10:06

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Hello,

I thought it might be helpful to attach the following maps to help the Sub-committee understand the high density residential nature of the area immediately around crockers folly (if they are not already familiar with it). On the first map I have marked with a blue X the houses on Aberdeen place and Cunningham place where families with young school age children reside (those that I know of - there may well be further children on Aberdeen and Northwick Terrace). The second map shows in blue circles high density housing estates with a mix of vulnerable residents and families (Wharncliffe estate & lisson grove estate).





## Latest in Little Venice

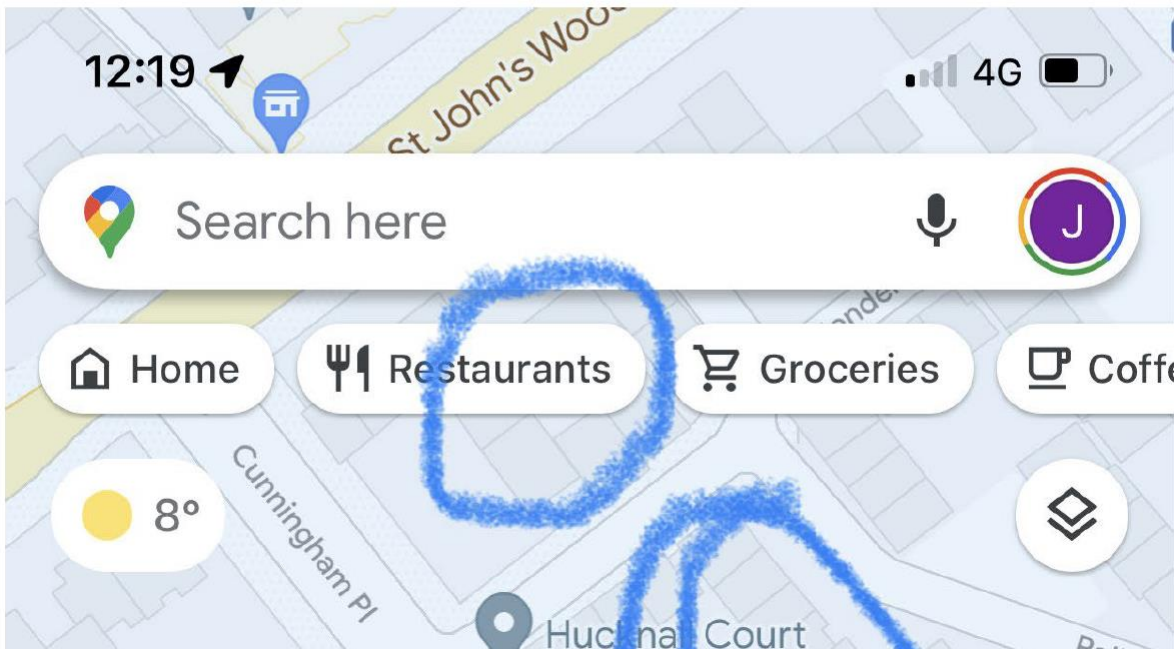
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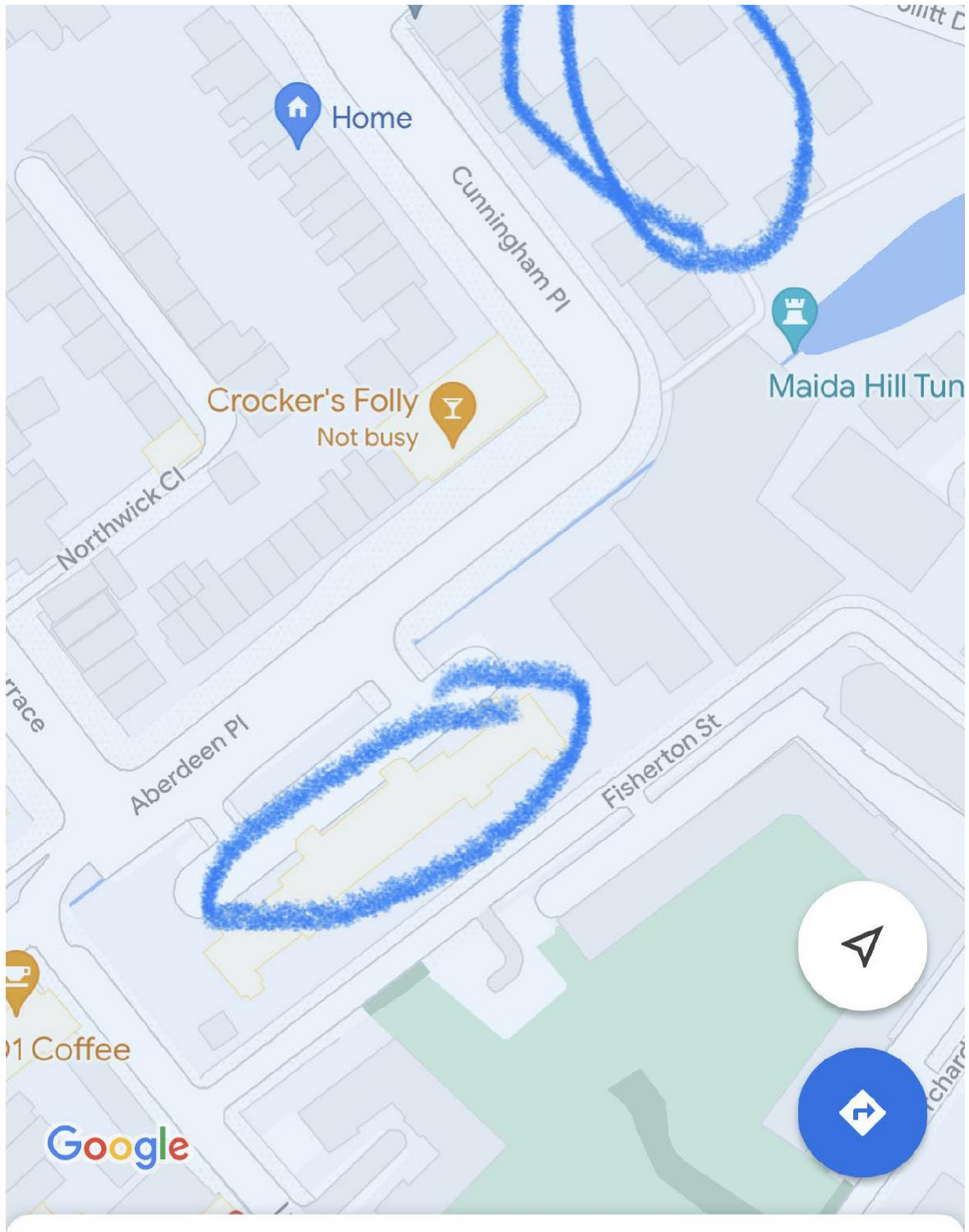
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 Contribute

 Updates





## Latest in Little Venice

  
Explore

  
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Contribute

  
Updates



**CITY OF WESTMINSTER**

**MEMORANDUM** 1

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**TO** Mary Pring  
**REFERENCE** 21/09487/LIPV

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**FROM** EH Consultation Team, 15<sup>th</sup> Floor, City Hall  
**REFERENCE** 21/040345/EHCT  
**BEING DEALT WITH BY** Anil Drayan  
**TELEPHONE EXT.** 07931546137  
**DATE** 21 February 2022

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**CROCKERS FOLLY, 23 - 24 ABERDEEN PLACE, LONDON, NW8 8JR**

I refer to the application to vary the Premises Licence which seeks extended hours of use of the external areas at the above premises and further to my representation on Public Nuisance grounds made on 12 October 2021

For information please find below a relevant premises history check as recorded on the Environmental Health database:

**1. Visits by EHO's and/or City Inspectors in the last 3 years:**

i. Reason for visit; 04.09.2021, Saturday - Tasking request to visit & check for noise

- City Inspector comments: *visited 00:30 and compliant*

ii. Reason for visit; 06.08.2021, Friday - Tasking request to visit & check for noise

- City Inspector comments: *Visited 22.00 hours Tasked to observe & to monitor compliance with licence & observe noise levels. Premises more or less closed at 22.05, just some staff members. Area quiet.*

iii. Reason for visit; 27.07.2019, 23:36 hours, Saturday - Called to report a restaurant that currently has a wedding party. Caller advised they are spilling into the street causing noise.

- EHO comments: *Visited at 00:25. Wedding party over and guests leaving but noise from music clearly audible from across the street. Spoke to GM / DPS Fayez Moukrim who said he had a TEN believing he was allowed to have party. We checked TEN that said there should be no noise breakout and he was apologetic and said it would not happen again. Not a good venue to have music late into the night. Thin single glazing and a residential area. TEN was until 00:30hrs. Normal closing 2300?.*



**2. TENs granted in the last year:**

- i. Private Party: 17-18/01/2022 to 01:00, capacity 80, Saturday/Sunday, Saturday/Sunday, regulated entertainments, alcohol and LNR
- ii. Engagement Party: 14-15/01/2022 to 01:00, capacity 65, Saturday/Sunday, regulated entertainments, alcohol and LNR
- iii. Engagement Party: 27-28/12/2021 to 01:00, capacity 90, Saturday/Sunday, regulated entertainments, alcohol and LNR
- iv. Christmas Party: 09-10/12/2021 to 01:00, capacity 70, Saturday/Sunday, regulated entertainments, alcohol and LNR
- v. Engagement Party: 27-28/11/2021 to 01:00, capacity 100, Saturday/Sunday, regulated entertainments, alcohol and LNR
- vi. Engagement Party: 30-31/10/2021 to 01:00, Saturday/Sunday, capacity 110, regulated entertainments, alcohol and LNR

**3. TABLES and CHAIRS Licences, Cunningham Place granted in the last year:**

- i. 11 October 2021 until 10 April 2022, TABLES: 6 CHAIRS: 14, midday to 22:30 hours Monday to Sunday
- ii. 10 May 2021 until 30 September 2021, TABLES: 6 CHAIRS: 16, midday to 22:30 hours Monday to Sunday
- iii. 18 March 2021 until 29 September 2021, TABLES: 6 CHAIRS: 16, midday to 21:00 hours Monday to Sunday

**Anil Drayan**  
**Environmental Health Officer**  
**Environmental Health Consultation Team**

**Appendix 5****Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
14/03784/LIPN	New premises licence	10.07.2014	Granted by Licensing Sub Committee
16/00715/LIPV	Variation of the premises licence – extend external hours to 22:00	14.04.2016	Refused by Licensing Sub Committee
17/00767/LIPV	Variation of the premises licence – extend external hours to 22:00	03.05.2017	Refused by Licensing Sub Committee
20/00972/LIPT	Transfer - Firestone Management Limited to Crockersfolly Limited	12.02.2020	Granted under delegated authority

**There is no appeal history**

<b>Temporary Event Notices</b>	<b>Date of Event</b>	<b>Activities/Hours</b>	<b>Decision</b>
18/01191/LITENP	23.02.2018 to 01.03.2018	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:30 to 01:00	Event permitted
18/10017/LITENP	15.09.2018 to 16.09.2018	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
18/10888/LITENP	06.10.2018 to 07.10.2018	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
18/11716/LITENP	13.10.2018 to 14.10.2018	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
18/12597/LITENP	02.11.2018 to 03.11.2018	Late night refreshment and Supply of Alcohol – 23:59 to 02:00	Event permitted
19/02714/LITENP	24.03.2019 to 25.03.2019	Late night refreshment and Supply of Alcohol –	Event permitted

		23:59 to 01:00	
19/06685/LITENP	21.06.2019 to 22.06.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
19/08267/LITENP	27.07.2019 to 27.07.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
19/11579/LITENP	12.10.2019 to 13.10.2019	Late night refreshment and Supply of Alcohol – 23:59 to 02:00	Event permitted
19/15015/LITENP	29.11.2019 to 30.11.2019	Late night refreshment and Supply of Alcohol – 23:59 to 02:00	Event permitted
19/14563/LITENP	13.12.2019 to 14.12.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:45	Event permitted
19/15409/LITENP	07.12.2019 to 08.12.2019	Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/10916/LITENP	30.10.2021 to 31.10.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/13117/LITENP	27.11.2021 to 28.11.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/13679/LITENP	09.12.2021 to 10.12.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
21/14436/LITENP	27.12.2021 to 28.12.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
22/00094/LITENP	14.01.2021 to 15.01.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted

22/00095/LITENP	17.01.2021 to 18.01.2021	Regulated Entertainment, Late night refreshment and Supply of Alcohol – 23:59 to 01:00	Event permitted
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### Tables and Chairs History

<b>Application</b>	<b>Details of Application</b>	<b>Duration</b>	<b>Decision</b>
21/01608/STTCPL	6 Tables, 16 chairs	18.03.2021 to 29.09.2021	Granted under delegated authority
21/04059/STTCPL	6 Tables, 16 chairs	10.05.2021 to 30.09.2021	Granted under delegated authority
21/09293/STTCPF	6 Tables, 16 chairs		Refused
21/10480/STTCPF	6 Tables, 14 chairs	11.10.2021 to 10.04.2022	Granted under delegated authority

***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.

### **The Metropolitan Police have purposed the following updated condition which has been agreed by the applicant s as to form part of the operating schedule**

- (a) The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team.
  - (b) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
  - (c) The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises and will include the external area immediately outside the premises entrance.
  - (d) All recordings shall be stored for a minimum period of 31 days with date and time stamping.
  - (e) Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 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.

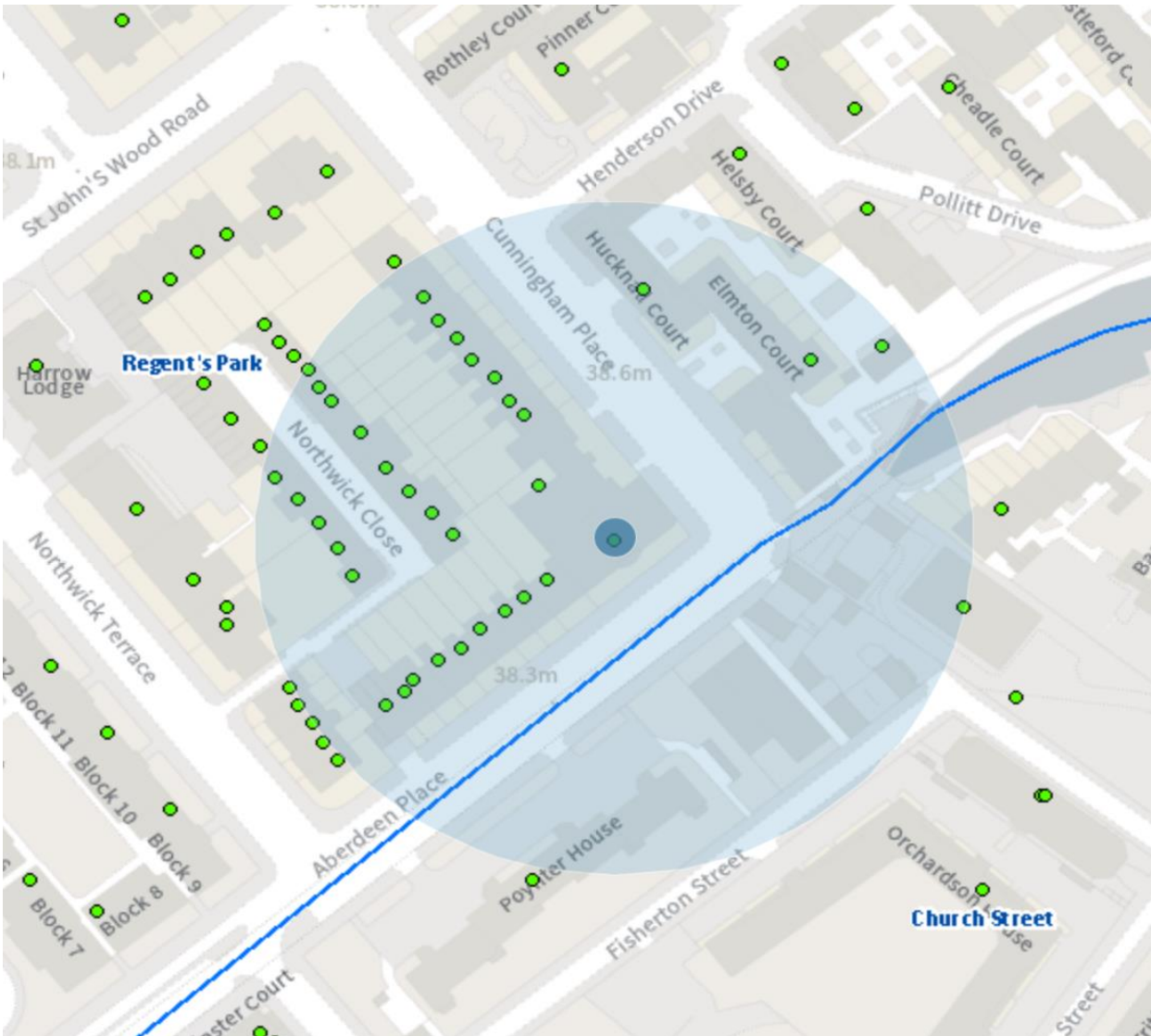


17. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
18. Substantial food and non-intoxicating beverages, 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.
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.
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 has proposed to vary condition 27 to the following:**

- All outside table and chairs shall be rendered unusable by 22:30 hours
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.

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 Years Day.



Resident count: 144

There are no other Licensed premises within 75m of the premises