



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9 March 2023
Licensing Ref No:	22/11557/LIPV - Premises Licence Variation
Title of Report:	McDonalds 178 - 180 Edgware Road London W2 2DS
Report of:	Director of Public Protection and Licensing
Wards involved:	Marylebone
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Miss Jessica Donovan Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: jdonovan@westminster.gov.uk

1. Application

1-A	Applicant and premises		
Application Type:	Variation of a Premises Licence, Licensing Act 2003		
Application received date:	30 November 2022		
Applicant:	Capital Arches Group Limited		
Premises:	McDonalds		
Premises address:	178 - 180 Edgware Road London W2 2DS	Ward:	Marylebone
		Cumulative Impact Area:	None
		Special Consideration Zone:	Edgware
Premises description:	The premises currently operates as a fast food restaurant.		
Variation description:	<p>This application seeks the following:</p> <p>To vary the hours for Late Night Refreshment from 23:00 to 00:00 to 23:00 to 05:00 Monday to Sunday.</p> <p>To vary the opening hours from 05:00 to 00:00 to 00:00 to 00:00 Monday to Sunday.</p> <p>The extension of the hours for Late Night Refreshment and opening hours is sought to allow the premises to operate 24 hours/7days a week.</p>		
Premises licence history:	The premises has had the benefit of a premises licence since 2005. The current premises licence (16/06140/LIPT) can be viewed at Appendix 3 of this report along with the premises history at Appendix 4 .		
Applicant submissions:	<p>The applicant has provided the following documents:</p> <ul style="list-style-type: none"> • Supporting information bundle • Mediation email and delivery partners solution document <p>The applicant has stated in their supporting information bundle that customer numbers will be limited to 130. Following discussions, the applicant has confirmed the 130 will include 100 customers and 30 staff. A request to vary condition 3 did not form part of the application form and therefore condition 3 will remain as drawn on the existing licence which reads: <i>'The number of persons accommodated at any one time (excluding staff) at the premises shall not exceed 100.'</i></p> <p>A copy of the supporting documents can be found at Appendix 1.</p>		
Applicant amendments:	None		

1-B	Current and proposed licensable activities, areas and hours					
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Indoors			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	00:00	23:00	05:00	Basement and Ground Floor	No change
Tuesday	23:00	00:00	23:00	05:00		
Wednesday	23:00	00:00	23:00	05:00		
Thursday	23:00	00:00	23:00	05:00		
Friday	23:00	00:00	23:00	05:00		
Saturday	23:00	00:00	23:00	05:00		
Sunday	23:00	00:00	23:00	05:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	05:00	00:00	00:00	00:00	Basement and Ground Floor	No change
Tuesday	05:00	00:00	00:00	00:00		
Wednesday	05:00	00:00	00:00	00:00		
Thursday	05:00	00:00	00:00	00:00		
Friday	05:00	00:00	00:00	00:00		
Saturday	05:00	00:00	00:00	00:00		
Sunday	05:00	00:00	00:00	00:00		
Seasonal variations/ Non-standard timings:		Current:			Proposed:	
		N/A			N/A	

1-C	Layout alteration
There are no proposed changes to the layout.	

2. Representations

2-A	Responsible Authorities
Responsible Authority:	Environmental Health Service
Representative:	Sally Fabbriatore
Received:	21 December 2022
<p>I refer to the variation Premises Licence for the above premises. The premises already benefits from a premises licence 16/06140/LIPT.</p> <p>The premises is situated in the Edgware Road Special Consideration Zone.</p> <p>This representation is based on the Operating Schedule, no further layout plans have been submitted.</p> <p>The applicant is seeking to extend the hours for Late Night Refreshment 'indoors' for from midnight to 05:00 hours Monday to Sunday.</p> <p>I wish to make the following representation in relation to the above application, the extension of hours for Late Night Refreshment may cause an increase in Public Nuisance in the special consideration zone.</p> <p>Further information has been provided, which is being considered, but further conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.</p> <p>The granting of the variation Premises Licence as presented would have the likely effect of causing an increase in Public Nuisance in the special consideration zone.</p> <p>Should you wish to discuss the matter further please do not hesitate to contact me.</p> <p><i>A copy of the conditions proposed by the Environmental Health Service and agreed by the applicant can be found at Appendix 5. The conditions proposed by the Environmental Health Service supersede the conditions proposed by the applicant in the original application.</i></p>	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Tom Stewart
Received:	23 December 2022
<p>I am writing on behalf of the Chief Officer of Police for the Metropolitan Police Service ("The Commissioner") to make representations opposing the granting of the variation application for <u>McDonalds 178 - 180 Edgware Road.</u></p> <p>The Metropolitan Police Service ("MPS") submit that if granted, the premises would undermine the licensing objectives: the prevention of crime and disorder and the prevention of public nuisance.</p> <p>I will be providing further submissions in relation to this representation in due course.</p> <p><i>A copy of the submissions provided by the Metropolitan Police Service can be found at Appendix 2.</i></p>	

2-B	Other Persons		
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	15 December 2022		
Uber, Deliveroo and all the other delivery types are a complete menace as it is, they have no respect for others, drive and park on the pavement, and act as though they own the place. They are noisy and congregate outside and in nearby streets causing a noise and amenity nuisance. By permitting all night opening or any longer hours than at present will exacerbate this situation to the very real distress of local residents and the community.			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	14 December 2022		
We do not object to the proposed variation. We are mindful of the Edgware Road stress area, and the many eateries that are open well past midnight that negatively impact the local environment. We hope that this variation would not be a catalyst, as such.			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	08 December 2022		
This restaurant doesn't serve the local community, and makes the neighbourhood generally less pleasant, drawing extensive delivery drivers.			
At night it will increase dangerous traffic on [REDACTED] and the neighbouring streets.			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	15 December 2022		
This is a very bad idea. We already had problems with the Uber Eats Riders when they first started operating from McDonalds. They would hang around, fight, block the street and hang around the church in [REDACTED]. This was particularly dangerous for the Nursery operating there, causing a health and safety issue for the children. They would also hang around there after hours, shouting and generally cause anti social behaviour issues. They would keep everyone awake at night. It was only when we got an MP involved that things changed, Uber			

didn't help at all even though I asked for help many times. There were also men hanging around in cars, working for Uber in [REDACTED] collecting food from McDonalds and probably delivering illegal substances as well. Criminals came into the area and I myself was attacked by one of this gang who parked outside [REDACTED] on a double yellow line constantly. One of them also exposed himself to me. I reported both these incidents to the police who warned this Uber food delivery car gang not to come into the area.

The noise will be deafening if they all park up in [REDACTED] and will cause other undesirables to hang around the area. There is no policing here at night and this makes for cars and bikes to be hanging around all night. There is enough illegal parking here as it is with a lot of people hanging around with their engines running while they eat their McDonalds and just hang around, making phones calls and playing music and video games so no good for pollution. I will have no

hesitation in calling the police out to disperse crowds if this permission goes ahead. I only saw the application on the [REDACTED] website so I also question why individual households have not been informed.

In a nutshell this change of hours will increase crime, anti social behaviour, noise pollution, illegal parking and air pollution.

Further submissions received from the interested party on 27 February 2023:

Since I cannot attend the meeting, I just wanted to add that if permission were given, it would be a nightmare for local residents. Once word was out about all night deliveries, people would also just flock to the area all through the night, sit in their cars, order from their phones and hang around eating their meals with their engines running on double yellow lines as they do now, so in terms of anti social behaviour, pollution, noise etc, not a good idea. McDonalds already brings enough problems to the area.

Name:	[REDACTED]
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]
Status:	Valid
In support or opposed:	Opposed
Received:	09 December 2022

[REDACTED] I did not receive any notification of this licence application and nor did a number of my neighbours. It was, fortunately, brought to my attention by the [REDACTED]

Local residents object to this application for a number of reasons:

1) [REDACTED] already hosts a lot of night-time traffic with all the associated noise, litter and pollution that goes along with that. We have long been promised street improvements to help us manage this nightly influx but none have been forthcoming. Additional night-time activity would not be welcome.

2) The delivery bikes are quite disruptive. There are regular groups of drivers clustering around [REDACTED] blocking streets and pavements and making the area unwelcoming for residents. They also use the forecourt of the [REDACTED] and the disused pub opposite adding to noise and litter and anti-social behaviour.

3) This McDonalds outlet frequently accidentally sets off its alarm, including first thing in the morning. It cannot be heard from within the building but can be heard along the whole of [REDACTED] because the alarm is situated on the roof at the back of the building. The alarm is set off when the staff put the bins out and do not lock up again properly afterwards. Because they are so busy they do not know it has happened. I have on several occasions gone into McDonalds late at night or early in the morning to ask them to turn their alarm off. Each time the staff are completely unaware this has happened. I do not relish the idea of doing this at 3am.

All of this combined with the haphazard notification of licence application to residents does not reassure us that this change of licence will be well monitored and managed by the business or by Westminster.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	13 December 2022		
<p>I strongly oppose the request to extend the opening hours on the ground that it will have tremendous impact on the lives of residents living around. Most of the late night business is driven by deliveries and this is nothing but an endless cause of disturbance for residents living in close proximity. We are constantly disturbed by noisy and polluting delivery muppets running up and down our streets and blocking roads and pathway. This extension will just cause more distress.</p> <p>The impact on neighbours tranquility cannot be overlooked, nor ignored.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support of opposed:	Opposed
Received:	08 December 2022		
<p>If this goes ahead then it is imperative that McDonalds takes full responsibility for the riders who deliver their food. Delivery cycles and even moped riders seem to think they can park blocking large parts of the pavement, as well as the entrance to McDonalds and many seem to think it is fine to ride along the pavement at speed before going onto the road/parking outside McDonalds. Mopeds should not be allowed on the pavement and cyclists should have to dismount. They also seem to think it is acceptable to use the [REDACTED] as a scooter and bicycle parking spot and somewhere to congregate and dump their rubbish and cigarettes. This is an ASB issue as well as a health and safety issue, something the council appear to be trying to get a handle on. McDonalds should ensure that riders are parked outside the front of the shop either in the road or on the edge of the pavement. Riding on the pavement should never be tolerated.</p>			
Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	23 December 2022		
<p>This representation is made by [REDACTED] recognised by Westminster City Council for this area. We object to this application on grounds that if granted the business would most likely create a nuisance in contravention of PN1. We are also of the opinion that an increase in crime could also occur in the area, policy CD1.</p> <p>The premises are in a Special Consideration Zone where applicants need to demonstrate that they have addressed issues that might be exacerbated by their activities in the wider area. In this case we believe that the applicant has failed to do this as they appear to have focussed on site-specific issues but fail to adequately address the effect of their business on the locality.</p> <p>The Statement of Licencing Policy concerns itself with waste as public nuisance. It is frequently observed that fast food outlet's wrappings are left littering streets and McDonald's (due to their size) is a most frequent offender. 24-hour operation cannot help but increase this problem.</p> <p>Policy writes about not wanting to allow activities which could lead to the reinstatement of CIA in, inter alia, Edgware Road. (Statement of Licencing Policy para D37). A 24/7 McDonald's could quite likely become an attractive destination in early morning for many types of people</p>			

looking for hot food thereby adding to the risk of more drug dealing, thefts, robberies and noise nuisance.

Delivery vehicles and their drivers are causing nuisance elsewhere and there is no reason to believe that these people will behave any differently here even if there are SIA personal on location. Residential streets nearby especially [REDACTED] could suffer from gathering of waiting drivers and also an increase in traffic as this would be the obvious route into the rest of Marylebone.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	13 December 2022		

I object to this application because the management of McDonald's delivery system through UBER and Deliveroo already impacts on the neighbourhood adversely in the hours they currently are open for business. The bikes congregate outside the shop blocking the pavement, the riders cycle all over the pavement regardless of pedestrians and they are en masse an intimidating force. They cannot wait inside as there is no room for their bikes. If the hours are extended it can only make matters worse. Also we already have visitors who park in our local streets, buy their McDonalds which they eat in their cars and then drive off leaving all their rubbish behind them. WE do not need this kind of noise throughout the night. McDonalds have managed their current opening hours badly - there should be no question of extending these until this is improved substantially.

Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED]		
Status:	Valid	In support or opposed:	Opposed
Received:	09 December 2022		

[REDACTED] I have two objections. First, those buying food from this outlet will tend to park in [REDACTED] street as it is derestricted at night. Parking outside the outlet itself is not possible. We already have some traffic with people going to restaurants late at night but I submit that it is unfair on the residents to have additional parking late at night with the vehicle movements, door shutting and general noise that goes with people popping out for a quick McDonalds before returning to their cars. It should also be said that there is often litter in the street from discarded food packaging and again, we would not wish to see this increase. It is all too easy to dispose thoughtlessly of packaging at night where incivility cannot be observed.

Secondly, the application refers to couriers waiting within the premises. That is not the problem. The problem is couriers waiting in the street - both on [REDACTED].

There is already a problem with groups of couriers congregating and blocking the pavement outside the shop and on [REDACTED]. If granted, this application will allow this to happen all night and [REDACTED] are both residential streets.

I am in favour of the night time economy on the Edgware Road with restaurants and coffee shops open most of the night but McDonalds will bring with it a significant element of delivery business and that is what causes local nuisance.

Further submissions received from the interested party on 15 February 2022.

I have considered the conditions offered by the applicant but I do not consider that these meet my objections (which for convenience I set out below) and accordingly, I am not withdrawing my objection.

The reason for maintaining my objection is that whilst the applicant has offered a comprehensive set of conditions governing the way its business is carried on, this inevitably only addresses matters under their control-eg, door security, provision of rubbish facilities etc. What these conditions cannot and do not address is the broader impact of the proposal on local residents.

My previously expressed concerns about increased late night parking, noise and litter in the street and about the behaviour of couriers outside the premises are not affected by these conditions.

As to whether the position is different from other late-night establishments on the Edgware Road, this branch of McDonalds already has a significant night-time trade with couriers lining up outside to pick up orders. This is not the case with the other establishments which concentrate on serving customers inside their premises-they are not primarily take-away establishments. Allowing this activity to continue all night represents a serious loss of amenity for local residents and on that basis, the application should be refused.

I appreciate that the scheduled hearing has been postponed but in principle, I would like the opportunity to address the hearing as and when it takes place.

I am copying this email to [REDACTED]

Name:	[REDACTED]		
Address and/or Residents Association	[REDACTED]		
Status:	Valid	In support of opposed:	Opposed
Received:	22 December 2022		

We write as members of the Committee representing [REDACTED] to formally object to application reference 22/11557/LIPV on the following bases:

1. Adverse impact to residential community through waiting couriers: A primary concern relates to the impact of 'waiting' delivery cyclists and scooter riders in what is essentially a residential area. Although the application makes reference to a 'designated waiting area inside the store for delivery couriers' this cannot be guaranteed in reality. The application makes no reference to where such couriers are expected to park; there is no parking permitted on Edgware Road and there is already a significant issue with loitering riders waiting on the corner of Edgware Road and Crawford Place blocking the pavement. The delivery bikes often ride on the pavement outside Waitrose and other premises all day (and presumably at night too). This is really annoying for pedestrians and very possibly dangerous. The delivery riders are almost exclusively young males seeking to make a living in a gig economy. Their loitering amongst the serried ranks of their bikes can feel quite intimidating to residents seeking to access Edgware Road shops during the day. Whether these riders can be guaranteed to be inside the McDonald's premises at night, whilst waiting, or are still to be found out on the street next to their bikes (wherever they may be pitched) the presence of such a large group will be even more intimidating, especially to a lone female, for example. Extending the licensing to 24 hours will only exacerbate these issues.

2. Increased fast food debris in the surrounding, residential area: Several streets in the surrounding area (a conservation area) are already adversely impacted by constant debris, resulting from late night activity on Edgware Road, being dropped as individuals consume take-out food. These include [REDACTED]. It is obvious that an individual is more likely to dump food packaging once, they've consumed its contents, inconsiderately in a quiet residential side street rather than out

on the busy Edgware Road. Whilst the council street cleaners do an incredible job, the extension of a 24hr licence will only exacerbate the situation, to the detriment of their capacity to keep our streets clear of litter.

3. Adverse impact on residential community of late-night customer footfall and related traffic: The application implies that it will benefit 24-hour workers in their ability to access hot food and drink throughout a 24-hour period and ignores the obvious disadvantages of late-night punters from the casino and other elements of the night-time economy consuming fast food after a night out. Whilst our members are generally in favour of the nighttime economy related to the Edgware Road, we note that there are already several 24-hour dine in and take out facilities available. Specifically, we note that:

- a. Those resident in the surrounding streets - listed above - are likely to be impacted by the increased footfall and parking requirements of late-night customers, with the accompanying noise and litter left behind.
- b. As parking is not possible outside the premises, there is likely to be a significant increase in noise throughout the night associated with customers parking and/or consuming their food in [REDACTED], which is derestricted after 18.30, as well as [REDACTED]; all of which have significant residential occupancy.
- c. The very nature of the applicant's facility as a fast-food outlet results in 'flow' business, which has the potential to cause an uptick in related noise associated with parking etc. as part of ordering and collecting from the premises.
- d. The applicant's apparent justification that previous TENs have not impacted the local community is rejected, as they have not consulted with the local community that this is the case, and the local community has not been readily notified in order to provide related commentary (see related point 4 below).

4. Limited notification to those impacted: We would like to further highlight that notification to those most affected has been lacking (particularly those on [REDACTED]). Despite being informed that 156 letters have been issued to those within a 50-75 metre radius (already itself extremely limited) very few of our members have received such notification and only one notice appears to be present outside of the premises itself. The applicant makes reference to their good relationship with stakeholders and residents locally, as well as several statements as to their stakeholder engagement (none of which relates to the local area). Capital Arches Group has, subsequent to the application, approached [REDACTED] and we look forward to establishing a relationship with them. But this late-in-the-day contact cannot be taken as satisfying the impression of stakeholder engagement as reflected in the application. Indeed, the optics of the apparent lack of transparency of this application to the local community appears incongruous to these claims.

Whilst we are very willing to engage with the applicant going forward, we hope that the Public Protection & Licensing team at Westminster Council will take the views of local residents into account when considering the application.

Name:		[REDACTED]	
Address and/or Residents Association		[REDACTED] [REDACTED] [REDACTED] [REDACTED] [REDACTED]	
Status:	Valid	In support or opposed:	Opposed
Received:	13 December 2022		

[REDACTED] I am writing to strongly object to the above application on the grounds that it will not promote the Licensing Authority's objectives, namely the Prevention of Public Nuisance, Prevention of Crime and Disorder and Prevention of Children from harm.

We strongly object to the application for the “extension of late-night refreshment hours and opening hours at the premises to operate 24 hours/7days a week”.

This is a highly residential area and increasing the opening hours is likely to lead to public nuisance and increase in crime and disorder. In close proximity, on both sides of Edgware Road are numerous flats. Any increase in hours will mean there will be an increase in litter in surrounding areas as wrappers are discarded. Increased numbers of patrons will visit the premises, which is likely to increase noise and disturbance as they leave, often talking loudly on their phones. Further it will become destination venue, both for those who have been drinking so they can eat before going home and equally those who have not been drinking.

As regards Crime and Disorder, we are advised continually by the Met Police that the later the opening hours are after midnight of a premises, the more this is closely related to an increase in crime. Just last week two young teenagers, were mugged outside Mc Donalds on Edgware Rd. This was on “Nextdoor” as a warning to others and this was reported to the police. This will become a venue for young men and women to gather.

All of the above applies to the take away/delivery element of this application as again, this will lead to wrong door bells/buzzers being rung in error in the middle of the night when it is sometimes too dark to see accurately. The ensuing public nuisance that is likely to be caused by the delivery drivers congregating nearby waiting for the apps on their phones to ring. We are all aware of the disturbance of caused by delivery drivers and even if some of them are to wait inside the premises, it is not big enough for the number that is likely to be attracted to get a delivery job from this venue.

Nothing has changed for the better unfortunately in this location on Edgware Road, which is the reason the hours that the premises presently have been granted by the Licensing Authority are what they are.

Thank you for your consideration and I urge you to refuse this application.

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p>Policy SCZ1 applies</p>	<p>A. In addition to meeting the other policies within this statement, applications within a designated Special Consideration Zone should demonstrate that they have taken account of the issues particular to the Zone, in question as identified within the 2020 Cumulative Impact Assessment, and should set out any proposed mitigation measures in relation to those issues within their operating schedule.</p> <p>B. For the purpose of Clause A, the designated Special Consideration Zones are:</p> <ul style="list-style-type: none"> • West End Buffer • Queensway/Bayswater • Edgware Road • East Covent Garden • Mayfair • Victoria
<p>Policy HRS1 applies</p>	<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> <ol style="list-style-type: none"> 1. The demonstration of compliance in the requirements of policies CD1, PS1, PN1 and CH1 associated with the likelihood of the effect 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. 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. 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. 4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises. 5. The proposed hours when any music, including incidental music, will be played. 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. 7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity. 8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night. 9. The capacity of the premises. 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. 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.

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.

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.

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.

C. For the purpose of Clauses A and B above, the Core Hours for applications for each premises use type as defined within this policy are:

1. **Casinos:** Up to 24 hours a day whilst casino gaming is permitted by a premises licence under the Gambling Act 2005.

2. **Cinemas, Cultural Venues and Live Sporting Premises:**

Monday to Sunday: 9am to 12am

3. **Hotels:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am. For the sale of alcohol to guests for consumption in hotel/guest rooms only: Anytime up to 24 hours.

4. **Off licences:** Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm.

5. **Outdoor Spaces:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

6. **Pubs and bars, Fast Food and Music and Dance venues:**

Monday to Thursday: 10am to 11.30pm. Friday and Saturday: 10am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 12pm to 12am.

7. **Qualifying Clubs:** Monday to Thursday: 9am to 12am.. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

8. **Restaurants:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

9. **Sexual Entertainment Venues and Sex Cinemas:** Monday to Thursday: 9am to 11.30pm. Friday and Saturday: 9am to 12am. Sunday: 9am to 10.30pm. Sundays immediately prior to a bank holiday: 9am to 12am.

D. Core hours are when customers are permitted to be on the premises and therefore the maximum opening hours permitted will be to the same start and terminal hours for each of the days where licensable activity is permitted.

E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.

Policy FFP1 applies

- A. Applications outside the West End Cumulative Zones will generally be granted subject to:
 - 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
 - 2. The hours for licensable activities are within the council's Core Hours Policy HRS1.
 - 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.
 - 4. The applicant has taken account of the Special Consideration 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 fast food premises in Clause D.
- B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:
 - 1. Applications to vary the existing licence hours within the council's Core Hours Policy HRS1, and/or,
 - 2. Applications that seek to vary the existing licence so as to reduce the overall capacity of the premises.
- C. The applications referred to in Clause B1 and B2 will generally be granted subject to:
 - 1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.
 - 2. 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.
 - 3. The application and operation of the venue continuing to meet the definition of a Fast Food Premises in Clause D.
- D. For the purposes of this policy a Fast Food Premises is defined as:
 - 1. A premises that provides late night refreshment, either by way of fast food over a counter, via a self-seating basis or take away for immediate consumption.
 - 2. Food and drink are:
 - a. Available on the premises for self-selection.
 - b. Prepared on the premises.
 - c. Cooked or produced off the premises but brought to that premises in advance of its sale to customers.
 - 3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption.
 - 4. A fast-food premises can provide a delivery service as part of its operation, however that service must be ancillary to the main function of the premises as defined within sub-clauses D,1 to D,3 above.

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.

5. Appendices

Appendix 1	Applicant supporting documents
Appendix 2	Metropolitan Police Service Submissions
Appendix 3	Existing premises licence (16/06140/LIPT)
Appendix 4	Premises history
Appendix 5	Proposed conditions
Appendix 6	Residential map and list of premises in the vicinity

Report author:	Miss Jessica Donovan Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: jdonovan@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

1	Licensing Act 2003	N/A
2	City of Westminster Statement of Licensing Policy	01 October 2021
3	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2022
4	Environmental Health Service representation	21 December 2022
5	Metropolitan Police Service representation	23 December 2022
6	Interested party 1 representation	15 December 2022
7	Interested party 2 representation	14 December 2022
8	Interested party 3 representation	08 December 2022
9	Interested party 4 representation	15 December 2022
10	Interested party 5 representation	09 December 2022
11	Interested party 6 representation	13 December 2022
12	Interested party 7 representation	08 December 2022
13	Interested party 8 representation	23 December 2022
14	Interested party 9 representation	13 December 2022
15	Interested party 10 representation	09 December 2022
16	Interested party 11 representation	22 December 2022
17	Interested party 12 representation	13 December 2022



McDonald's Edgware Road – Application for extended hours

November 2022

Contents

Operating Schedule and Additional Information	3
Appendix A – Risk Assessment	8
Appendix B – Crew Room Poster 1	10
Appendix C – Crew Room Poster 2	11
Appendix D – Managers Guide	12

Operating Schedule and Additional Information



Introduction

Capital Arches Group Limited ("CAG") is a franchised group of McDonald's restaurants located across London. CAG opened its first central London restaurant in 2016 and has now grown to 30 restaurants across nine boroughs of London. It employs 3589 staff and 508 management staff. The company's focus is excellent customer services; getting to know the local community; and training & development of its staff. CAG prides itself in being a responsible operator and an asset to the locality that it operates in.



Public Nuisance Policy PN1

During the licensable hours the doors will remain closed, opening only when customers enter. The customer numbers will be limited to 130. There will be an area designated for delivery couriers to wait for orders to minimise any noise outside the restaurant. 1 SIA security personnel will operate overnight during the hours of 2300hrs-0500hrs, and good quality CCTV will be in operation with each manager trained on how to operate it if required by the police. Every shift manager will be trained in conflict resolution as well as our dining area staff.



Prevention of Crime and Disorder Policy CD1

Risk assessment provided [\[see APPENDIX A\]](#).



Protecting Children from Harm Policy CH1

All staff are provided with basic awareness training of child protection issues, which is reiterated to staff by the affixing of posters to the message boards in the staff room [\[see APPENDIX B & C\]](#). Managers are provided with additional training in respect of their duties towards any identified vulnerable child in the premises. This includes emergency action and making referrals to the MPS and/or the Council's safeguarding department [\[see APPENDIX D\]](#).



Public Safety Policy PS1

Risk assessment provided [\[see APPENDIX A\]](#).



Special Consideration Zones Policy SCZ1

In response to the local issues identified by the policy

- a. We will have 1 X SIA security personnel who will work closely with the BID Street Warden Security and other businesses to add value to the whole area, not just McDonald's.
- b. The SIA Security as well as all Shift Managers and above will be trained in First Aid at Work and will be able to respond to any medical need whilst waiting for any emergency services. We will also work with the BID to house a trauma first aid kit which will be registered with the police who can attend the venue and pick it up if needed elsewhere in the locality.
- c. We have good quality CCTV and a well-lit restaurant to prevent crime and disorder such as drug dealing. Managers and staff are trained to report incidents to the police if seen outside and the Head of Security & Licensing for CAG attends the local partnership meetings with the BID, local authority and police in order to address any persistent offenders in the local area.
- d. As well as good CCTV and lighting, a remote monitoring system called StaffSafe is in operation, which alerts a control room that an incident is occurring, and an operator can call police remotely and broadcast safety messages to customers.
- e. Sufficient space will be allocated to customers and couriers and SIA security personnel will prevent any loitering outside the premises. Customers will be exiting out onto the Edgware Road and directed to local transport networks nearby.



Core Hours Policy HRS1

The application for a 24-hour premises licence does fall outside of the HRS1 policy. The premises have demonstrated on the following occasions throughout 2022, by use of TEN's that operations through a 24-hours period have not caused any adverse impact upon the licensing objectives and identifies that the assumptions made in the SCZ1 regarding the dangers of the area are not correct, certainly so far as they might relate to these premises. The TEN's were given on the following dates:

- a. 8 April and 9 April. 15 April and 16 April. 22 April and 23 April. 29 April and 30 April.
- b. 2 June, 3 June and 4 June.
- c. 1 July and 2 July. 8 July and 9 July. 15 July and 16 July. 22 July and 23 July. 29 July and 30 July.
- d. 5 August and 6 August. 12 August and 13 August.
- e. 31 August

Reference has been made in paragraphs 2, 3, 4, 5 and 6 to the demonstration of compliance with CD1, PS1, PN1 and CH1, and also SCZ1.

The premises have a good relationship with other businesses and residents in the locality. Throughout the times that the premises have opened 24hrs, there have been no complaints made and no issues brought to the attention of the applicant.

There are good transport links in the area of the premises which will provide customers with onward travel links if so required, including Paddington Station, Edgware Road underground station, Marylebone underground station, Baker Street underground station and Marble Arch underground station. Both Marble Arch and Baker Street have night tube taxi stations. There are also a variety of bus stops on Edgware Road and surrounding areas, along with a night bus service operating in the area.



Fast Food Premises Policy FFP1

The FFP1 requires CAG to consider and demonstrate compliance with CD1, PS1, PN1 and CH1, along with HRS1, DEL1 and SCZ1.

A McDonald's premises operating throughout a 24hr period attracts a diverse variety of customers. It is submitted that central London is a very diverse cityscape, where customers seek to purchase products at all hours of the day/night. It has been long established that working hours are now less akin to a typical 9 – 5pm environment. Those who are on shifts, or working, socialising, and more are keen to access hot food and drink throughout the 24hr period.

It is not accepted that these fast food premises have a disproportionately high level of crime reported outside the venue. We would refer to the Police.UK crime statistic for the area of Edgware Road, which confirms, in fact, that no crimes have been reported/linked to the premises.



Ancillary Delivery of Alcohol and/or Late-Night Refreshment Policy DEL1

Delivery couriers will have a designated waiting area inside the store. The Head of Security & Licensing works in partnership with UberEats, Just Eat and Deliveroo in terms of messaging and communication to couriers, e.g. every order that they receive and accept will have a reminder message about where to park and to keep noise to a minimum. UberEats have developed technology to create a black out zone around the restaurant preventing couriers receiving an order there and stopping them from waiting outside. McDonald's and Capital Arches Group are actively working with Just Eat and Deliveroo to create the same.





Stakeholder Engagement

Good relationships continue to develop between local policing teams and restaurant teams with introductions being facilitated in the store. CAG believes that it is crucial to the success of the night-time economy for there to be good relationships between all stakeholders who operate and regulate within it.

New West End Company Strategic Security Group

Tim Molden, the Head of Security & Licensing for the CAG, sits on the New West End Company Strategic Security Group (NWECSG) which meets quarterly to discuss and assess district security protocols and future risks to the New West End Company (NWE) membership. The NWECSG provides an interchange forum for members to steer the tactical and operational functions of the NWE day and night security teams. Furthermore, the NWECSG will examine future Community Safety Partnership strategy proposals to ensure alignment with local priorities. These groups form and are run as part of the local Business Improvement District (BID). The Chair of the NWECSG is a BID member. The NWECSG is a smaller group of 8 individuals, who meet quarterly and report back to the BID, and are a key decision making group who look strategically and decide where the spending is to be allocated in relation to security.

Community Security Zone Southwark Resilience Forum

Tim Molden chairs the Southwark Resilience Forum which is a group of businesses in the London Bridge area who collectively work together and share intelligence and best practice to make the area safer. The group works with all relevant statutory stakeholders such as Metropolitan Police Service ("MPS"), Southwark Council and TfL on initiatives with a particular focus on Counter Terrorism and Licensing in the Nighttime economy.

Night Stars Initiative

CAG is the only corporate partner for the new Night Stars Initiative in the West End. Volunteers currently patrol on a Friday evening in Soho, Leicester Square and Villiers Street near Strand and look after vulnerable people. Westminster City Council plan to expand this to the Edgware Road area in the future. In addition to supplying food and water to the volunteers, the restaurant teams have direct communication with the volunteers and flag vulnerable customers who are either in or leaving the restaurant. The CAG logo will be on the Night Stars uniform later this summer.

Women's Night Safety Charter

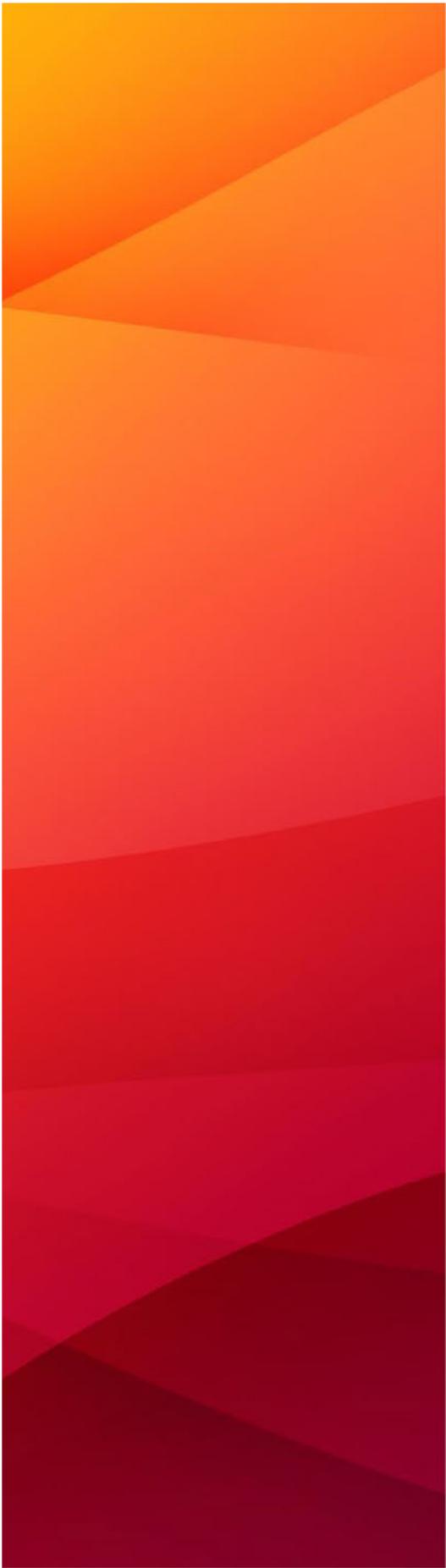
Ada Liu (was previously a business manager in one of the CAG restaurants and is now holding the role of Performance and Excellence Coach) has been appointed as CAG's Women's Night Safety Champion and is being guided by Tim across that portfolio of work. She will soon represent the business on the Mayor's Office Steering Group having a direct voice into the Greater London Authority (GLA) on how women's safety in London is tackled. CAG is arranging a number of 'walks and talks' with female managers and crew members with female police officers. This is part of the MPS strategic plan for the prevention of violence against women and girls and is being very positively received by the female workforce at CAG.

Camden Divert Charity Campaign

Tim Molden is in early discussions with Camden Police about a recent initiative to divert young people, who find themselves on the fringes of crime and disorder, into meaningful employment. The Police can refer them directly or via the local authority to the charity in order to develop their interviewing and presentation skills, and then apply directly to those businesses signed up to the initiative. This is being piloted in Camden but already Councillors from Dalston are keen to engage in this too due to there being high levels of youth antisocial behaviour. CAG is one of the businesses that

City of London High-Visibility Day

Tim coordinated with City of London Police, City of London Security Companies and CAG restaurants in the city to support High Visibility Day on 19th May 2022. This was to raise awareness of the amount of police and security presence within the city who can respond in the event of any future threat or attack.



McDonald's Scale for Good

The targets are set by McDonald's Corporation but implemented locally – CAG is involved in initiatives covering climate actions; beef sustainability; packaging and recycling; youth opportunity; commitment to families.

Young Westminster Foundation

CAG owner, Claude Abi-Gerges was a founding member of the Young Westminster Foundation. There are now over 200 organisations who are members, from youth clubs to businesses, responding directly to the needs of those growing up in Westminster.

Best Bar None

Best Bar None is a home office backed scheme for well run premises. The scheme has created an accreditation process for premises to apply for. CAG has premises within the Leicester Square Best Bar None area and also the Shaftsbury Avenue area, of which both have won awards. Through the Best Bar None accreditation process, CAG shows its commitment to operating well run premises.

Appendix A – Risk Assessment

Risk Assessment:	Crime and Disorder / Public Safety
Company Name:	Capital Arches Group Limited
Date Assessment was carried out:	19/10/2022
Assessment Carried out by:	Tim Molden
Date of Next Review:	10/10/2023

	What are the hazards?	Who might be harmed and how?	What are you already doing to control the risks?	Any further action required to control the risks during the hours 11.00pm – 05:00am?	Who needs to carry out the action?	When is the action needed by?	Done?
1	Crime and disorder in and around the premises	Customers, staff, members of the public	Conflict management training to staff, child sexual exploitation training provided to staff, CCTV in place at the premises with live link to StaffSafe security centre, customer numbers not to exceed 100, participation in local crime reduction / security schemes, keeping good relationships with the Met Police and other stakeholders through continued engagement	Introduction of a licensed SIA security who will be deployed at the premises during the licensable hours	Store Manager	Upon grant of the application	
2	The level of compliance with conditions on existing licence	Customers, staff, local residents	Complying with all current conditions on the premises licence	Continue to comply with all conditions on the premises licence	All staff	Upon grant of the application	
3	Are there adequate staff numbers?	Customer, staff, members of the public	Shift patterns are worked out to ensure that there are always adequate numbers of crew and managers on shift at all times	This will continue, ensuring that staffing levels are maintained throughout the whole licensable activity period	Store management	Upon grant of the application	

4	Does the layout, lighting, fittings of the premises increase contribution / opportunity for crime and disorder or compromise public safety?	Customers, staff, members of the public, local residents	All areas are well lit, staff conduct walking checks of the seating areas and toilets, point of sale consoles are in view of the till area and well lit, food waiting area is next to the till area and well lit, CCTV covers the internal premises and also on the external premises, the external area is well lit	N/A	N/A	N/A	
5	Supply / taking of drugs	Customers, staff, members of the public	All areas are well lit, staff are trained to be vigilant of behaviours consistent with drug supply / taking, incident log to be used to report / record any incidents with the escalation to managers and or the Police	N/A	N/A	N/A	
6	Are there adequate provisions for delivery services?	Local Residents	Sufficient space is allocated for delivery partners in the store to wait for orders, which reduces any disruption they may otherwise cause	Technology advances are being designed to provide drivers with reminders of where they should park and where they should wait for delivery orders	Tim Molden	Ongoing	Ongoing
7	If an incident were to occur are adequate measures in place to report and record this?	Customers and staff	Incident log is in place at the premises, staff are trained to report incidents to managers and complete the incident log which is counter signed by a manager, SIA and managers are trained in first aid, a trauma first aid kit will be housed on site as part of the BID initiative,	N/A	N/A	N/A	N/A

Appendix B – Crew Room Poster 1



**CHILD SEXUAL
EXPLOITATION**

**SAY SOMETHING IF
YOU SEE SOMETHING**

**THIS IS ABUSE.
DON'T MASK THE
PROBLEM.**

Watch For

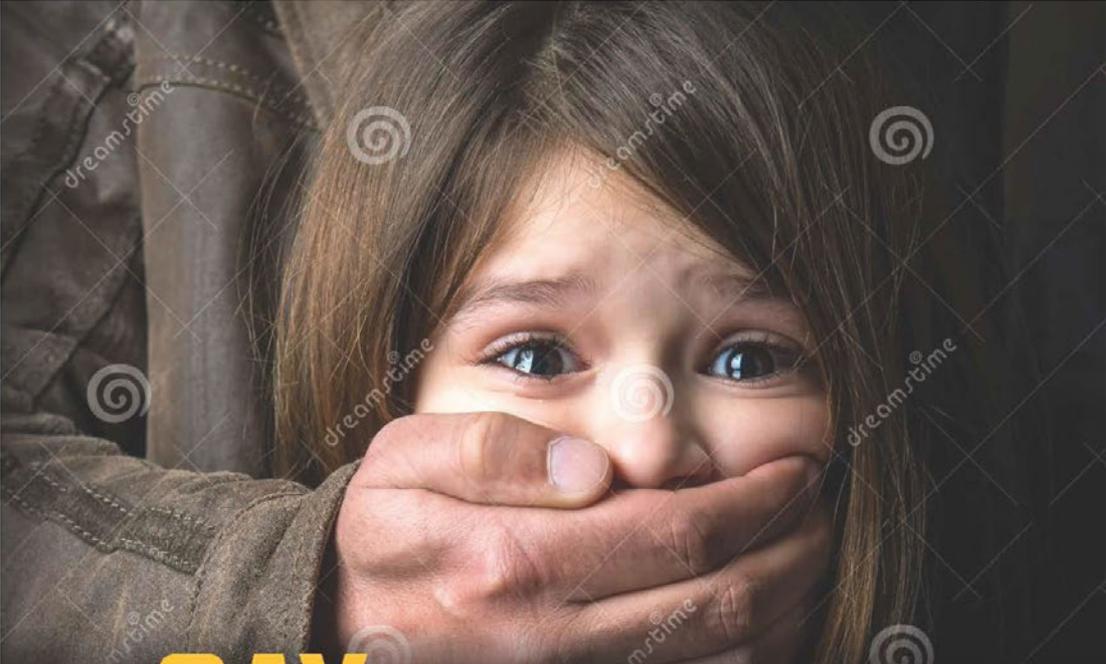
- An adult with a young person whom they are touching or behaving with in an intimate way
- Adults who frequently come to your workplace in the company of different young people
- A young person looking concerned or frightened in the company of adults
- Young person being alone in the late evening or overnight

**Any concerns must be reported to your
senior management team**

REPORT IT.
Call 101, quote Operation Makesafe.



Appendix C – Crew Room Poster 2



**SAY SOMETHING
IF YOU SEE SOMETHING**

Watch For

- An adult with a young person whom they are touching or behaving with in an intimate way
- Adults who frequently come to your workplace in the company of different young people
- A young person looking concerned or frightened in the company of adults
- Young person being alone in the late evening or overnight

REPORT IT.
Call 101, quote Operation Makesafe.



Appendix D – Managers Guide



CSE Awareness Managers Guide

Child Sexual Exploitation Awareness (CSE)

Children are the most precious and vulnerable members of society and as a business we have a legal and moral responsibility to ensure that all children who frequent our restaurants are safe.

Definition of Child Sexual Exploitation:

Child sexual exploitation is a form of child sexual abuse. It occurs where an individual or group take advantage of an imbalance of power to coerce, manipulate or deceive a child or young person under the age of 18 into sexual activity:

- (a) In exchange for something the victim needs or wants.
- (b) For the financial advantage or increased status of the perpetrator or facilitator. The victim may have been sexually exploited even if the sexual activity appears consensual.

CSE Awareness Toolkit

The CSE Awareness Toolkit has been specifically designed to support Franchisees and BM's by providing tools and resources. These can be used in the event of receiving contact from a regulatory body regarding concerns for CSE within the locality. This toolkit will provide resources to enable you to deliver the relevant training in-house.

CSE Flow Chart

Attached is a simple flow chart that your Managers can use in conjunction with the training that is available to them via the Child Sexual Exploitation Awareness Toolkit that is on the intranet.

The flowchart gives simple and clear guidance of what Managers need to do in the event of any suspected Child Sexual Exploitation taking place in the restaurant and should be used as a first point of reference for the restaurant teams.

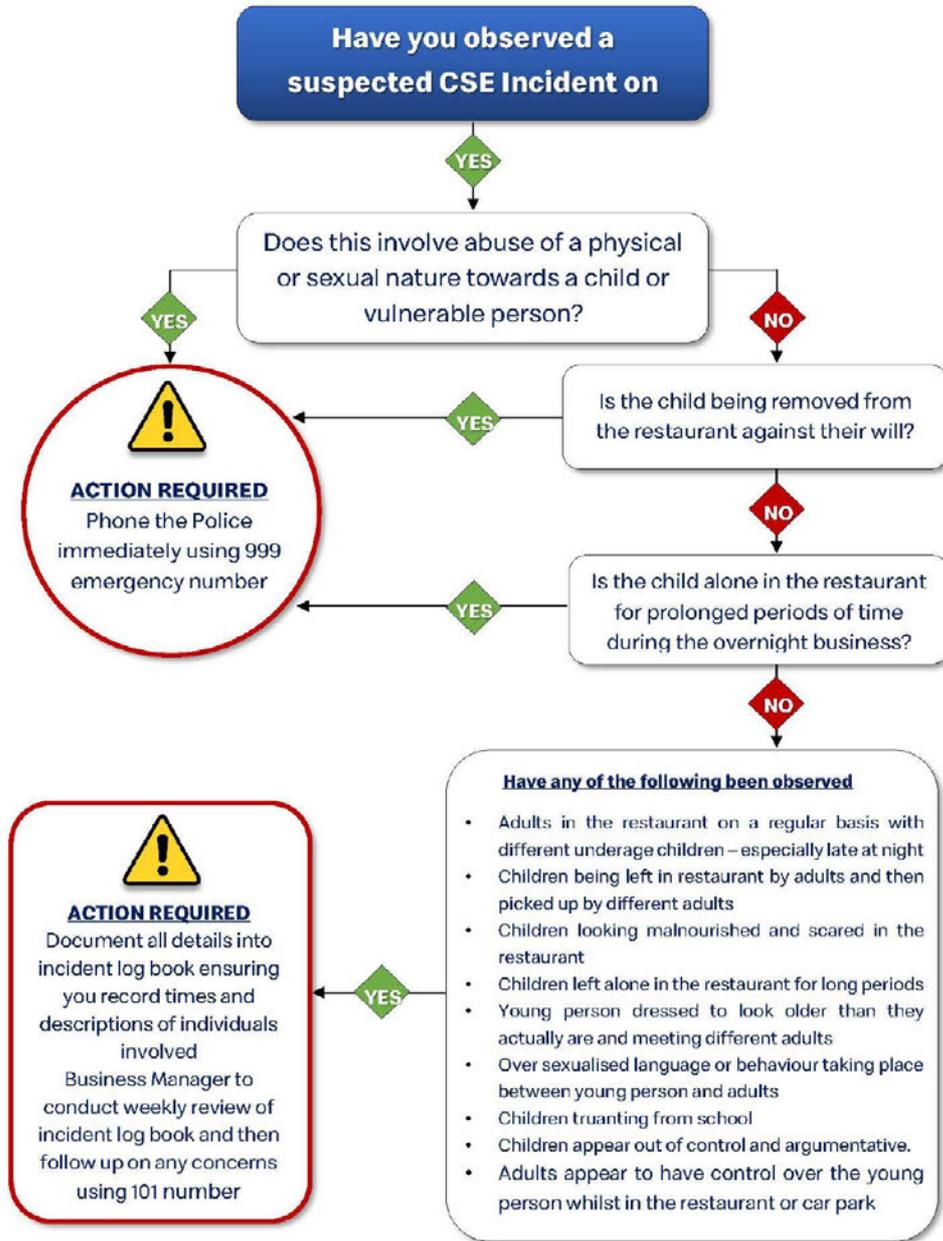
Business Managers should ensure the following actions are completed:

- CSE Flow Chart should be available for Managers to reference
- All SRFM are taken through the details on the flow chart
- All SRFM should be made aware of the CSE Awareness Toolkit available on the Intranet
- Any suspected cases of CSE must be documented in the Incident log book
- BM should review the Incident log book weekly and take any appropriate action

For more details Contact: Ask.rsg@uk.mcd.com

Any questions? Please contact us on Ask.rsg@uk.mcd.com





Mediation email and supporting document

From: Donovan, Jessica: WCC

Bcc: [REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]

Subject: 22/11557/LIPV - McDonalds, 178 - 180 Edgware Road, London

Date: 13 February 2023 09:43:00

Attachments: Appendix E and F - McDonalds Edgware Road - Application for extended hours(137826689.1)(137829504.2).pdf
image001.png
image002.png

Good morning,

Following your representation, the applicant's representative has asked the Licensing Service to pass on the attached document for your consideration.

The applicant has also agreed the following conditions with the Environmental Health Service:

1. 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.
2. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
3. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
4. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
5. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
6. 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.
7. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
8. Delivery drivers shall only be allowed to wait for orders in the internal designated area as indicated on the plan. This area shall be provided at all times the premises is providing licensable activity. Delivery drivers shall not be permitted to wait outside of the premises.
9. A minimum of 1 SIA licensed door supervisor shall be on duty at the premises between 23:00-05:00 hours and they must correctly display their SIA licence(s) when

on duty so as to be visible.

10. (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.

11. 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.

If the conditions and information attached satisfies your concerns and you wish to withdraw your representation please let us know as soon as possible.

Kind Regards

Jessica Donovan

Senior Licensing Officer

Public Protection and Licensing
Westminster City Council
15th Floor
Westminster City Hall
64 Victoria Street
London SW1E 6QP

Appendix E – Delivery Partner Solutions



There are three delivery partners with whom Capital Arches Group Limited ("CAG") engages to carry out delivery orders to customers: Uber Eats, Deliveroo and Just Eat. Out of those, Uber Eats is the only delivery partner that operates throughout the night. Deliveroo finishes at 23:45hrs, and Just Eat finishes at 23:45hrs. CAG has numerous ways in which they can control delivery drivers and provide solutions to the concerns raised by residents in their representations. These are set out as follows:

- CAG can create a black out zone around the restaurant – this is controlled by CAG for Uber Eats. A parameter can be set, and delivery drivers cannot accept jobs within that zone, close to the restaurant. This means that the drivers are less likely to hang around in that restricted area, as they cannot access the new jobs that come in on the system, thus impacting their ability to work. Just Eat and Deliveroo are working on similar technology to implement a similar function.
- CAG has control of the messaging that can be added to the jobs when they are accessed by the drivers. This means that CAG can put direct instructions requiring the drivers to park in certain areas and to remind them of company policies in relation to driver behaviour.
- When a job is accepted by a driver from a customer ordering from the restaurant, the confirmation text message the driver gets can be personalised by CAG to include the desired messaging they choose.
- There are also sanctions that CAG can put in place if there is non-compliance by drivers, or there are any issues raised by residents. CAG can sanction individual drivers by "un-pairing" them from the restaurant, meaning they cannot accept jobs from the restaurant any longer.
- There is also a disciplinary route that CAG can take if required. CAG can escalate matters and report particular drivers to the company that they work for. McDonalds has a long standing and influential relationship with its delivery partners, and therefore if there are problems with particular drivers these are dealt with accordingly by the delivery partners.
- The devices that the drivers use have their own company policies and messaging from the delivery partners. The delivery partners ensure that their drivers are compliant, and they have policies in place that the drivers must adhere to. Again, if it is felt any of these are not being followed, CAG can report the drivers, and disciplinary processes are in place.
- A designated mobile phone can be allocated to the Edgware Road restaurant, carried at all times by the shift manager. The telephone number can be given to the local residents and can be used to contact the restaurant during the licensable activity hours, to discuss any concerns. This will mean that the residents have a direct line into the restaurant and any issues can be dealt with.
- The restaurant will appoint a courier champion to engage with all the couriers and build the relationship with them in order for them to work in partnership with the restaurant for the benefit of customers and the local community.

22/11557/LIPV – McDonalds 178-180 Edgware Road

Dear Westminster Licensing Service,

I am writing to you on behalf of the Commissioner (The Chief Officer of Police) of the Metropolitan Police Service to make representation against the grant of the above mentioned variation to a premises licence for **McDonalds 178-180 Edgware Road W2 2DS**.

The Application

The application seeks the following licensable activities:

Provision of late night refreshment – Monday to Sunday 00:00 – 05:00.

The premises currently benefits from a premises licence authorises the following licence activities:

Provision of late night refreshment – Monday to Sunday 23:00 – 00:00.

The applicant has offered the following conditions within their operating schedule to supplement the conditions already attached to the existing premises licence:

- During licensable hours the doors will remain closed, opening only when customers enter
- The customer numbers will be limited to 130
- There will be an area designated for delivery couriers to wait for orders to minimise any noise outside the restaurant
- 1 SIA security personnel will operate overnight during the hours of 23:00-05:00
- Every shift manager will be trained in conflict resolution as well as our dining area staff.

The proposed conditions do not address the MPS's concern that, *at the very least*, if McDonald's operated 24 hours a day, the current problems which have a cut-off time of 12:00 midnight would be reproduced throughout the night and into the early hours of the morning.

Statement of licensing policy

The premises falls within the Edgware Road Special Consideration Zone ["the ERSCZ"]. The ERSCZ is 0.10km² in size, accounting for 0.4% of the borough's footprint. The 2020 Cumulative Impact Assessment identified that incidents recorded in the ERSCZ between 2017 and 2019 were nearly four times the borough's average rate of incidents per square kilometre. Paragraph D37 of the Special Considerations Zones Policy states "*This policy will apply to areas of the city that were, until recently a Cumulative Impact Zone, or show significant level of incident rates that are above the borough average but are not yet linked to cumulative impact. This policy aims to prevent areas that have a high concentration of licensed premises and significant levels of incidents from reverting to or becoming a Cumulative Impact Zone*".

The MPS representation

The Metropolitan Police Service (“MPS”) have concerns that the granting of this licence will undermine the *Prevention of Crime and Disorder and The Prevention of Public Nuisance* licensing objectives.

I have discussed this application with the local policing team, including the Ward Sgt and Dedicated Ward Officer. They have raised concerns that the premises would likely attract a high level of anti-social behaviour as well as an increase in reported thefts at the premises if it were to operate throughout the night. Please see **Appendix 1** for local crime and anti-social behaviour statistics. See **Appendix 2** for crimes reported at the premises for the last 12 months. And **Appendix 3** for the dedicated ward officer Pc Adam Oddy’s impact statement.

A particular concern is in regard to the noise and potential anti-social behaviour “ASB” of the delivery riders, which would inevitably increase if the application were to be granted. Due to the popularity of the McDonalds brand, there are likely to be delivery riders coming and going from the premises, certainly into the early hours of the morning, and potentially at any time during McDonald’s proposed all-night operation. Complaints from local residents about the *existing* operation are a matter of concern. For example, one representation says: “The management of McDonald’s delivery system through UBER and Deliveroo already impacts on the neighbourhood adversely *in the hours they currently are open for business*. The bikes congregate outside the shop blocking the pavement, the riders cycle all over the pavement regardless of pedestrians and they are *en masse* an intimidating force.” If this variation application were if granted, there would be no respite from these problems, 24 hours a day 7 days a week.

Since the premises do not intend to employ the delivery riders directly, relying on 3rd party platforms such as Uber Eats and Deliveroo etc, the premises will have no direct control over the individual riders. Delivery riders tend to congregate near to a restaurant or takeaway where they are most likely to receive orders. This leads to groups of riders parking up either directly outside the premises or in nearby side roads, often engaging in conversation with other riders. The representations from local residents indicate resultant noise, obstruction and anti-social behaviour occurring during the existing hours of operation.

The applicant states that they have technology that prevents Uber Eats riders from receiving orders if they are in the ‘black out zone’ around the restaurant. Even if riders were unable to receive orders whilst in the vicinity of McDonalds this would only mean that they are displaced to other areas, including residential streets. It is noted by the applicant that this technology is only available to Uber Eats riders and not the other platforms such as Just Eat and Deliveroo. It would be useful if the applicant showed the scope of the zone, so that it could be determined where the riders are likely to be displaced to.

Another concern for police is in regard to the premises becoming a destination venue, with the increased potential for anti-social behaviour associated with all-night venues. Whilst the premises will undoubtedly attract well behaved customers, it would be unrealistic to rule-out other groups from the local area congregating in the immediate vicinity. That is particularly so, since the majority of late-night licensed premises within 300 metres of McDonald's have terminal hours prior to 01:00, thus increasing the likelihood of a McDonald's that operated throughout the night becoming a destination venue.

Temporary Event Notices

The applicant has stated that they have operated till 05:00 with the use of TENs between April 2022 and August 2022, **26** days in total (as per the amended TENs limits for 2022 and 2023). In the application, the applicant states that they have not caused any adverse impact to the licensing objectives during these TENs and goes further by stating "*the assumptions made in the Edgware Road Special Consideration Zone regarding the dangers of the area are not correct, certainly as far as they might relate to these premises*". That McDonald's should disregard the recorded local crime and associated issues in the area, relying simply on 26 extended days of trade is a matter of concern to the MPS.

The current application seeks to provide late night refreshment until 5am, **365** days a year. The TENs provide but a small snapshot of the premises' intended operation and likely impact of the licensing objectives and should be treated with caution.

During the consultation period, I made my concerns with the application clear to the applicant. I highlighted concerns raised by the local policing team as well as concerns raised by residents. The applicant's solicitor requested evidence to support our concerns. Whilst current crime statistics and a statement from the Dedicated Ward officer forms part of this representation, it should be noted that the application before the subcommittee is one to extend the hours of Late Night Refreshment, not one to review the current premises licence'. The 'evidence' of how the application will likely undermine the licensing objectives is necessarily prospective in part, presented in the form of the opinion of experienced police officers in addition to the current experiences of local residents and crime statistics for the local area. The courts have stated that the local knowledge of the local policing team should carry significant weight when determining a licensing application¹, and that "*The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence*"².

The MPS have no doubt that if this application were granted the current problems of nuisance and antisocial behaviour would be carried forward into the early hours of the morning.

¹ R (on application of Daniel Thwaites plc) v Wirral Magistrates' Court and Others (2008) EWHC 838 (Admin)

² East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant) 2016

Moreover, an all-night McDonald's would be a magnet for groups who do not currently congregate in or around the premises after they close at 12:00 midnight.

I asked the applicant's solicitor if McDonald's would be willing to reduce the hours requested and add additional conditions. They indicated that they were not willing to amend the application.

Pc Tom Stewart

Appendix 1 pages 5-10

Appendix 2 page 11-12

Appendix 3 See attached statement

Appendix 1

Local crime and Anti-social behaviour

The applicant states within their application the following: *"It is not accepted that these fast food premises have a disproportionately high level of crime reported outside the venue. We would refer to the Police.uk crime statistic for the area of Edgware Road, which confirms, in fact, that no crimes have been reported/linked to the premises"*.

The premises are situated at 178-180 Edgware Road W2 2DS. This location is on the border of the Marylebone Ward and Hyde Park Ward. A search of the publicly available Police.uk website show the following crime/ASB figures for the month of December 2022:

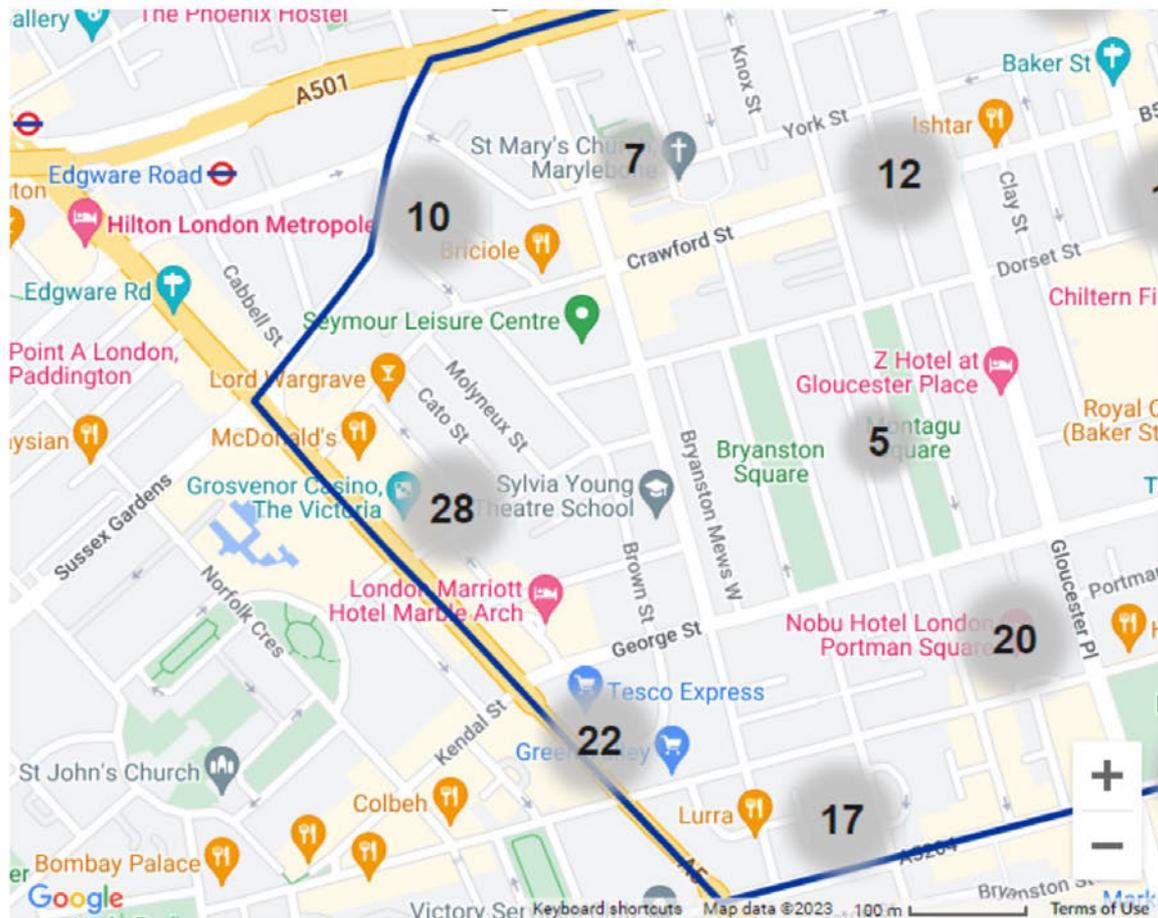
Marylebone Ward:

Anti-Social Behaviour: 56

Violence and sexual offences: 56

Theft from the person: 31

Other Theft: 82



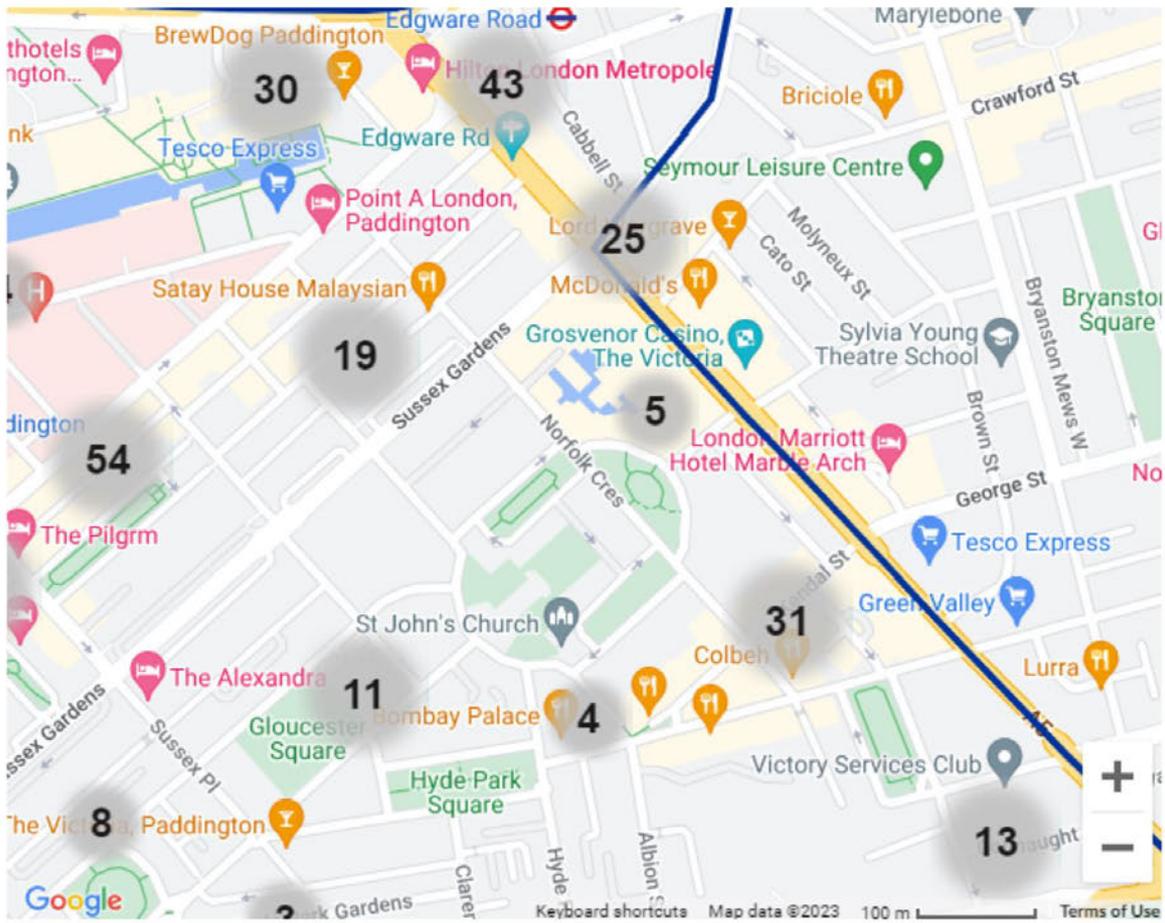
Hyde Park Ward:

Violence and sexual offences: 79

Anti-social behaviour: 64

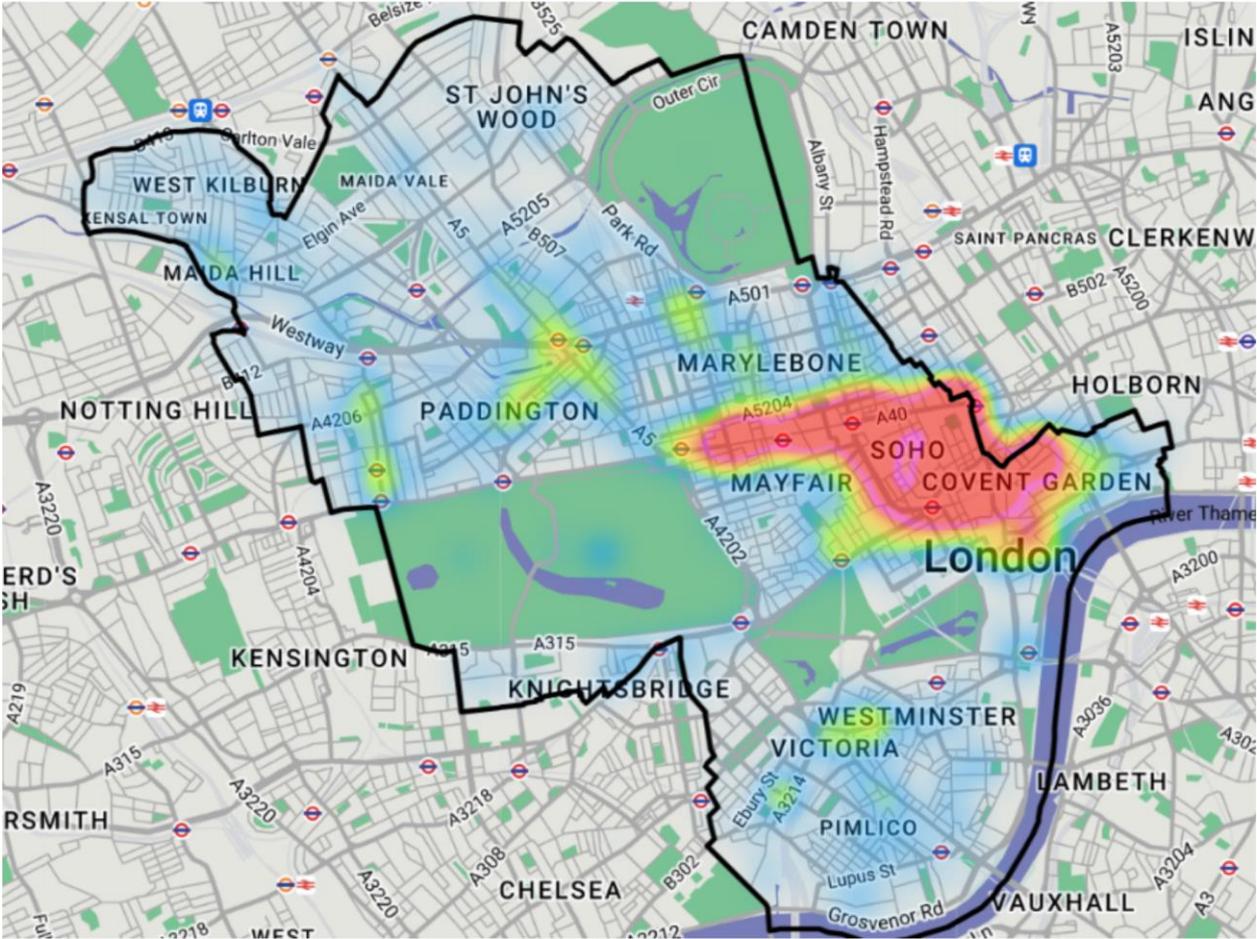
Theft from the person: 111

Other Theft: 111

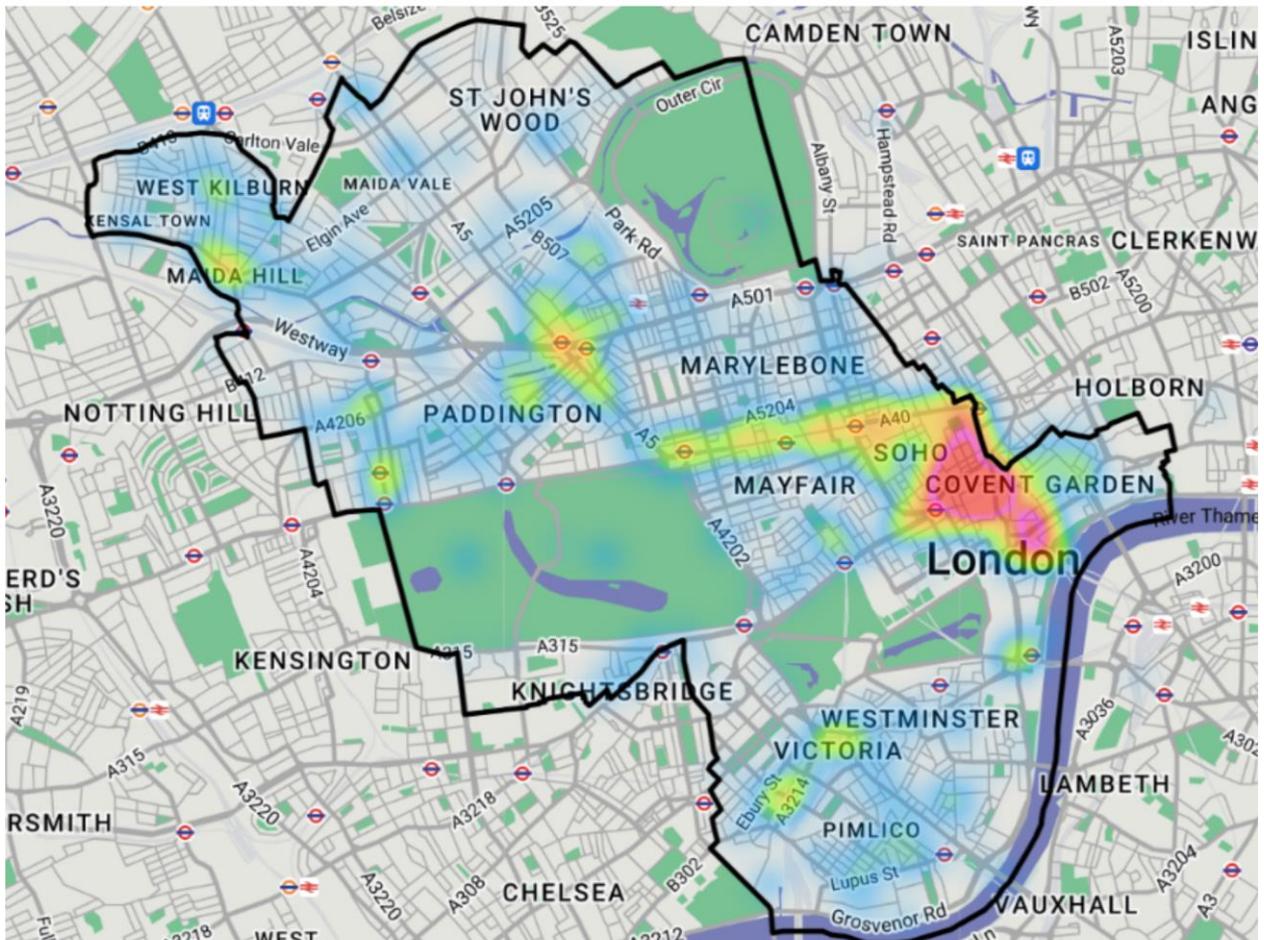


The following crime maps are produced by Police analysts provide an overall picture of the crime distribution across Westminster. The following map shows the 'Total notifiable offences' across Westminster during the month of January 2023.

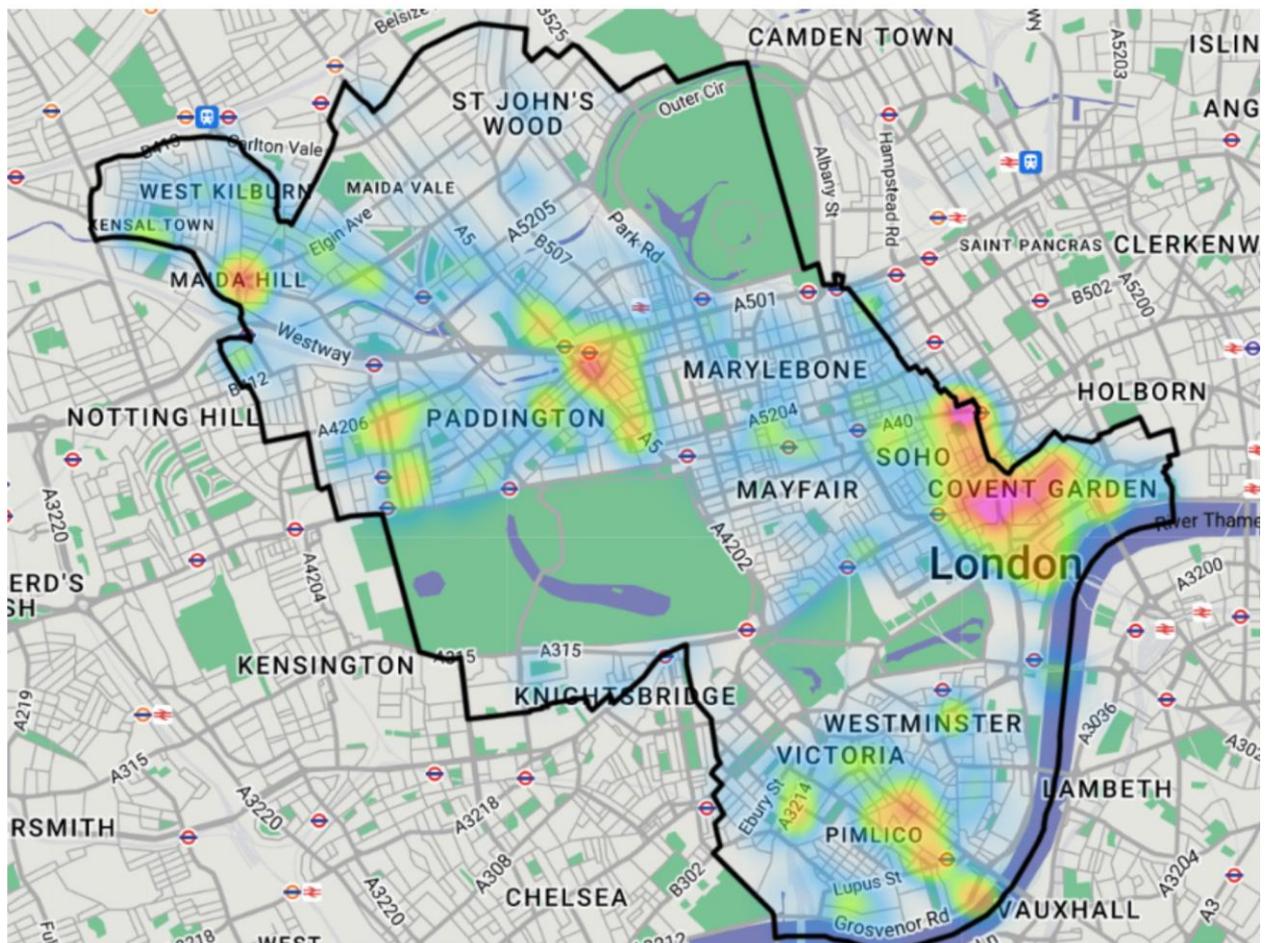
For January there were 7,575 offences, this is an increase of 33.62% compared to last year's 5,669 offences and a decrease of 14.3% compared to December's 8,839 offences. Over previous rolling 12 months there were 83,748 offences, this is an increase of 46.12% compared to last year's 57,313 offences. *The premises is located within the yellow hotspot on Edgware Road.*



The next map shows the distribution of 'Violence against the person' offences, which include; harassment, common assault, assault with injury and serious wounding. For January there were 925 offences, this is a decrease of 2.12% compared to last year's 945 offences and a decrease of 12.41% compared to December's 1,056 offences. Over the previous rolling 12 months there were 12,403 offences, this is an increase of 10.45% compared to last year's 11,230 offences. The peak days and times for these crimes are Friday (trading day) between 00:00-02:00 hours and Saturday (trading day) between 00:00-04:00. *The premises is located within the yellow hotspot on Edgware Road.*



The next map shows the number of *Anti-social Behaviour* reports across Westminster. For January there were 1,062 reports, this is a decrease of 14.29% compared to last year's 1,239 reports and a decrease of 8.21% compared to December's 1,157 reports. Over previous rolling 12 months there were 15,497 reports, this is a decrease of 19.03% compared to last year's 19,140 reports. The peak days and times for these crimes are Friday (trading day) between 00:00-03:00 hours. Again, McDonald's premises are located within the hotspot along the Edgware Road.



Appendix 2

Crime associated with the premises over the last 12 months

As stated above, the applicant has asserted that there is no reported crime linked to the premises. A search of the Police's crime reporting system (CRIS) shows that in the 12 months from January 2022 to December 2022 there were 16 reports of crime directly linked with the premises including 2 incidents of assault, 2 incidents of criminal damage and 11 reports of theft. Additional information is given by Pc Adam Oddy in his statement (**see Appendix 3**).

Violence

<u>Ref:</u>	<u>Date</u>	<u>Time</u>	<u>Details</u>
6518669/22	04-Apr-22	06:25	Criminal damage by customer (door smashed)
6534586/22	10-Jun-22	21:24	ABH. Assault by customer on another. Multiple fractures to eye and nose.
6541882/22	17-Jul-22	10:00	Assault on member of staff by male
6552272/22	03-Sep-22	21:55	Two customers fighting Criminal damage to glass window

Fighting not resulting in crime report

January 2022: CAD 3723/01JAN22 - Police receive a call from McDonald's security provider that there were a large number of people fighting each other inside the premises.

February 2022: CAD 7855/10FEB22 - McDonald's staff call police stating that two males were fighting inside

Thefts of bags

<u>Ref:</u>	<u>Date</u>	<u>Time</u>	<u>Details</u>
6512544/22	06-Mar-22	09:54	Theft of bag – including laptop
6558819/22	05-Oct-22	16:05	Theft of bag – including laptop
6564278/22	26-Oct-22	19:30	Theft of bag – including laptop
6568014/22	09-Nov-22	14:15	Theft of bag – including laptop

Mobile phone thefts

In addition, there were seven (7) reports of theft of mobile phones between April and November 2022.

Appendix 3

PC Adam Oddy witness Statement
(attached)

WITNESS STATEMENT

Criminal Procedure Rules, r 27. 2; Criminal Justice Act 1967, s. 9; Magistrates' Courts Act 1980, s.5B

URN [] [] [] []

Statement of: PC ADAM ODDY 3597AW

Age if under 18: over 18 (if over 18 insert 'over 18') Occupation: Police Constable

This statement (consisting of 3 page(s) each signed by me) is true to the best of my knowledge and belief and I make it knowing that, if it is tendered in evidence, I shall be liable to prosecution if I have wilfully stated in it anything which I know to be false, or do not believe to be true.

Witness Signature: PC ADAM ODDY 3597AW [Redacted] Date: 16/01/2023

The following statement refers to MCDONALDS, 178-180 EDGWARE ROAD W2 2DS.

I am Police Constable Oddy and I have been working as a Dedicated Ward Officer on Hyde Park Ward since November 2021.

178-180 EDGWARE ROAD is a commercial premises and the main entrance to MCDONALDS is located on EDGWARE ROAD.

This statement will detail my own opinion as to why rejecting the 24 hour operational hours for the restaurant would benefit the local area and community but will also reference reports and crimes we've received in the year of 2022.

The Metropolitan Police have received a number of reports that have occurred inside and outside of MCDONALDS in 2022 which vary from anti-social behaviour reports, thefts from members of the public, criminal damage and violence ranging from common assault to grievous bodily harm which have occurred during their current operational hours.

As a dedicated ward officer I regularly conduct a residents meeting every month, this is chance for residents to discuss some of the issues they are experiencing in their local area or any issues they would like me to raise with the local authority. Almost every month an aspect of these reports are related to McDonalds.

Residents are already concerned with the amount of anti-social behaviour that occurs near McDonalds on Edgware Road; the number of vehicles and delivery drivers are loud during the day and continue during the night, they also experience distress by vehicles revving their engines and beeping their horns, in an anti-social manner. This also generates a high level of rubbish being left out on the street. It's a great concern that should McDonalds operate on a 24-hour basis the level of rubbish and environmental waste would increase drastically, this would contribute to an already existing problem that residents show dissatisfaction too.

The second aspect would be delivery drivers. Currently there's not enough space for delivery drivers. Should McDonalds expand their operational hours this would simply invite more drivers than there is space to accommodate to the restaurant, riders would start parking

Witness Signature: [Redacted]

Signature Witnessed by Signature:

Continuation of Statement of:

directly outside or on streets such as: Crawford Place, Cato Street, Brendon Street, and Harrowby Street; these streets are full of multiple residential properties, this would only increase the number of anti-social behaviour reports and noise complaints received to the Police from residents at all hours. Although these streets are not within my footprint and are managed by a different Ward Officer, from working together I am aware that the residents of Crawford Place are already dissatisfied with the number of delivery drivers, it has a detrimental effect on their quality of life from the constant noise and anti-social behaviour that's produced already. As stated above, should the operation hours be extended this will only result in further complaints.

Edgware Road has historically experienced a high number of rough sleepers. Directly opposite McDonalds there is a stretch of building which provides cover from rain and wind, this stretches approximately 100 metres in length and can easily attract over 80-100 people every night. Rough sleepers have various complex needs and present different challenges in getting them into accommodation long term. It's my opinion that should McDonalds be granted a 24 hour operation that very quickly rough sleepers will use this as an opportunity to stay inside the venue and this would attract larger numbers from outside the area. I believe this will lead to increased call volume to 999 services, as well as Police being called to remove people from the venue, and the ASB being caused inside and out. The area is a violent crime hot spot and if allowed, it is feared that the late license application will lead to a noticeable increase in the number of violence related incidents that occur there.

I have provided a few figures to assist the decision making process, Theft has increased at an alarming rate at the location, within the last 3 months, which shows a 50% rise. In total, for the year of 2022, so far 20 thefts that have occurred inside McDonalds. These include, In November 2022 a call to police of a distraction theft that took place during the day where the victim's iPhone was stolen. In November 2022, again, by the method of distraction theft a customer has lost their mobile phone. In October 2022 a customer reported to police their handbag was stolen which contained all of their bank cards. In June 2022 a customer called police to state their luggage including their passport had been stolen without them knowing whilst sat inside McDonalds.

The fact is, that over half of theft offences have occurred in the last 3 months whilst in the normal working hours. Should the operational hours increase to a 24-hour service McDonalds I believe this gives more opportunity to teams of criminals who distract members of the public for their valuable belongings an even bigger window for them to commit crime which is already on the rise.

As I understand, McDonalds may already employ security staff during the day at certain hours however, the fact this particular crime has risen with security staff already in place does not give me reassurance that extra security inside the venue would help deter this level of crime.

Violent offences ranging from common assault, grievous-bodily harm and robberies have also occurred in McDonalds. One of our ward priorities set with the community is to reduce the overall number of robberies and violent offences on the ward. One of our hotspots that is often targeted is Edgware Road. I have listed below some incidents that have occurred in 2022 relating to violence in McDonalds:

Witness Signature: 

Signature Witnessed by Signature:

Continuation of Statement of:

In January 2022 police received a call from the security provider of a large number people all fighting each other inside the store.

In February 2022 a further call to police from McDonalds staff stating that two males are fighting inside the venue, staff confirmed they had no security on-duty at the time.

In April 2022 report to police of a male who caused criminal damage to the venue by smashing the window at the front.

In June 2022 a call to police from a customer sitting inside McDonalds who was attacked randomly by another customer causing ABH (actual-bodily harm) level of injuries after being punched several times in the face.

In August 2022 McDonald's staff made a call to police regarding a customer being aggressive towards staff and showing threatening behaviour.

In September 2022 McDonald's staff call police regarding criminal damage that's occurred to the store.

There's a range of violence that's occurred during this period, not only to customers but the staff members. McDonald's has a duty of care not only for its customers but to their staff who have been victims of violent offences this year. We have to be mindful that after midnight and into the early hours of the morning many customers may be drunk or under the influence of other substances which may affect their behaviour. The area of Edgware Road is already a hot spot for crime and disorder, and it's our belief that more crime and Anti-Social Behaviour will be generated, if this application is successful.

As a ward we have put in a lot of work within the community to attempt to drive down the number of offences in Hyde Park. I feel that if McDonalds is allowed to become a 24-hour operation, this will have a damaging effect on the local community. If granted, this will allow other venues to seek 24 hour licenses, which will attract a new criminal element to Edgware Road.

Witness Signature: [Redacted Signature]

Signature Witnessed by Signature:



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: Bryanston And
Dorset Square
UPRN: 100023478678

Premises licence

Regulation 33, 34

Premises licence number:

16/06140/LIPT

Original Reference:

05/05396/LIPC

Part 1 – Premises details

Postal address of premises:

McDonald's
178-180 Edgware Road
London
W2 2DS

Telephone Number: 020 7800 4819

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 00:00

The opening hours of the premises:

Monday to Sunday:

05:00 to 00:00

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:

Capital Arches Group Limited
5th Floor
112 High Holborn
London
WC1V 6JS

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

10139149

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: 29th June 2016

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

Annex 1 – Mandatory conditions

1. This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001.

Conditions reproducing the effect of conditions subject to which relevant existing licences have effect.

2. The premises may be kept open for the purposes of this licence from 11pm to midnight on each of the days Sunday to Saturday.
3. The number of persons accommodated at any one time (excluding staff) at the premises shall not exceed 100.

Annex 2 – Conditions consistent with the operating Schedule

None

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

None



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

Schedule 12
Part B

Premises licence
summary

WARD: Bryanston And
Dorset Square
UPRN: 100023478678

Regulation 33, 34

Premises licence number:

16/06140/LIPT

Part 1 – Premises details

Postal address of premises:

McDonald's
178-180 Edgware Road
London
W2 2DS

Telephone Number: 020 7800 4819

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 00:00

The opening hours of the premises:

Monday to Sunday:

05:00 to 00:00

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:

Capital Arches Group Limited
5th Floor
112 High Holborn
London
WC1V 6JS

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

10139149

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

N/A

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

Restricted

Date: 29th June 2016

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

Premises Licence history

Application	Details of Application	Date Determined	Decision
05/05396/LIPC	Conversion Licence Late Night Refreshment: Monday to Sunday 23:00 to 00:00 Opening Hours: Monday to Sunday 23:00 to 00:00	26.07.2005	Granted under delegated authority
06/12227/WCCMAP	Master Licence Late Night Refreshment: Monday to Sunday 23:00 to 00:00 Opening Hours: Monday to Sunday 23:00 to 00:00	26.07.2005	Granted under delegated authority
08/06698/LIPD	Request for a duplicate licence	11.08.2008	Granted under delegated authority
12/09302/LIPT	Transfer Licence: McDonald's Restaurants Limited to West One Foods Limited	26.11.2012	Granted under delegated authority
13/04372/LIPVM	Minor Variation: To amend the opening hours to 05:00 to 00:00 Monday to Sunday	02.07.2013	Granted under delegated authority
15/07141/LIPVM	Minor Variation: To vary the layout of the premises shown on the plans following a refurbishment.	16.09.2015	Granted under delegated authority
16/06140/LIPT	Transfer application: West One Foods Limited to Capital Arches Group Limited	29.06.2016	Granted under delegated authority

Temporary Event Notice history

Application	Details of Application	Date Determined	Decision
20/11324/LITENN	Temporary Event Notice	11.12.2020	Event allowed to proceed
21/13512/LITENN	Temporary Event Notice	17.12.2021	Event allowed to proceed
21/13519/LITENN	Temporary Event Notice	17.12.2021	Event allowed to proceed
21/13540/LITENN	Temporary Event Notice	01.12.2021	Event allowed to proceed
21/13533/LITENN	Temporary Event Notice	10.12.2021	Event allowed to proceed
22/03183/LITENN	Temporary Event Notice	29.03.2022	Event allowed to proceed
22/03184/LITENN	Temporary Event Notice	28.03.2022	Event allowed to proceed
22/03187/LITENN	Temporary Event Notice	29.03.2022	Event allowed to proceed
22/03189/LITENN	Temporary Event Notice	25.03.2022	Event allowed to proceed
22/05285/LITENN	Temporary Event Notice	26.05.2022	Event allowed to proceed
22/05367/LITENN	Temporary Event Notice	24.05.2022	Event allowed to proceed
22/06291/LITENN	Temporary Event Notice	28.06.2022	Event allowed to proceed
22/06292/LITENN	Temporary Event Notice	24.06.2022	Event not allowed to proceed
22/06294/LITENN	Temporary Event Notice	24.06.2022	Event not allowed to proceed
22/06297/LITENN	Temporary Event Notice	30.06.2022	Event allowed to proceed
22/06371/LITENN	Temporary Event Notice	30.06.2022	Event allowed to proceed
22/06372/LITENN	Temporary Event Notice	06.07.2022	Event allowed to proceed
22/06836/LITENN	Temporary Event Notice	20.07.2022	Event allowed to proceed
22/06838/LITENN	Temporary Event Notice	19.07.2022	Event allowed to proceed
22/09467/LITENN	Temporary Event Notice	07.10.2022	Event not allowed to proceed
22/09491/LITENN	Temporary Event Notice	07.10.2022	Event not allowed to proceed
22/09790/LITENN	Temporary Event Notice	31.10.2022	Event allowed to proceed

There is no appeal history

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

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

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

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

Conditions: On Current Licence -

Mandatory:

1. This licence is subject to all the former regulations made by Westminster City Council prescribing standard conditions for annual night café licences, effective from 1 October 2001.

Conditions reproducing the effect of conditions subject to which relevant existing licences have effect.

2. The premises may be kept open for the purposes of this licence from 11pm to midnight on each of the days Sunday to Saturday.
3. The number of persons accommodated at any one time (excluding staff) at the premises shall not exceed 100.
4. 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.

* Condition 4 is subject to the grant of condition 14.

Annex 2 – Conditions consistent with the operating Schedule

None

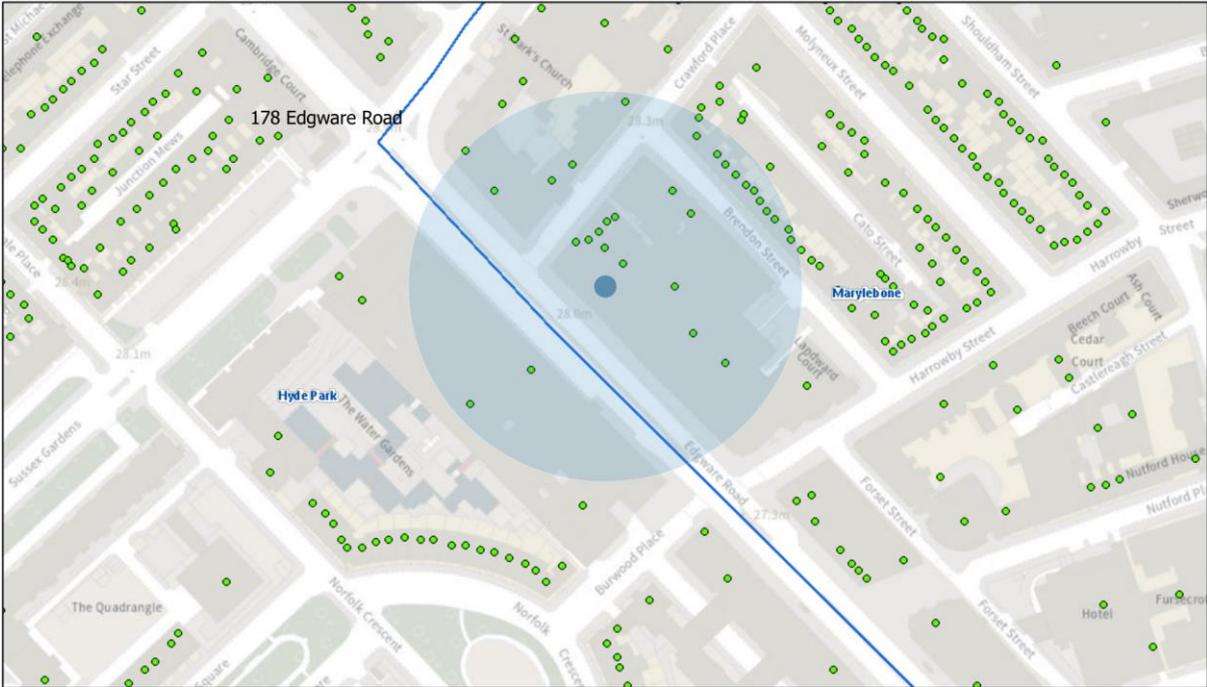
Annex 3 – Conditions attached after a hearing by the licensing authority

None

Conditions proposed by the Environmental Health Service and agreed with the applicant so as to form part of the operating schedule.

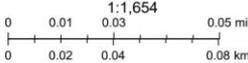
5. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
6. During the hours of operation of the premises, the licence holder shall ensure sufficient 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.
7. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
8. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
9. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between (23.00) hours and (08.00) hours on the following day.
10. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
11. 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.
12. Delivery drivers shall be given clear, written instructions to use their vehicles in a responsible manner so as not to cause a nuisance to any residents or generally outside the license premises; not to leave engines running when the vehicles are parked; and not to obstruct the highway.
13. Delivery drivers shall only be allowed to wait for orders in the internal designated area as indicated on the plan. This area shall be provided at all times the premises is providing licensable activity. Delivery drivers shall not be permitted to wait outside of the premises.
14. A minimum of 1 SIA licensed door supervisor shall be on duty at the premises between 23:00-05:00 hours and they must correctly display their SIA licence(s) when on duty so as to be visible.
15. (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.
16. 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.

178 - 180 Edgware Road, London, W2 2DS



23/02/2023, 13:02:53

- Property Mailing List
- Borough Boundary - Mask
- Ward Boundaries
- Ward Labels
- Borough Boundary - Detailed



Resident count: 158

Licensed premises within 75 Metres of 178 - 180 Edgware Road, London, W2 2DS

Licence Number	Trading Name	Address	Premises Type	Time Period
16/06140/LIPT	McDonald's	178 - 180 Edgware Road London W2 2DS	Restaurant	Monday to Sunday; 05:00 - 00:00
10/09311/LIPRW	Salwa Takeaway	4 Crawford Place London W1H 5NB	Takeaway food outlet	Monday to Sunday; 07:00 - 05:00
21/14249/LIPDPS	Waitrose	168 - 176 Edgware Road London W2 2DS	Shop	Monday to Sunday; 08:00 - 23:00
09/05903/LIPV	Melur Malaysian Restaurant	175A Edgware Road London W2 1ET	Restaurant	Monday to Sunday; 12:00 - 04:00
15/04057/LIPN	Raging Ball Sports Club (Basement)	Raging Ball Snooker Club 159 - 163 Edgware Road London W2 2HR	Snooker hall or club	Monday to Sunday; 00:00 - 00:00
22/10123/LIPCH	Gopuff	145-147 Edgware Road London W2 2HR	Shop	Monday to Sunday; 00:00 - 00:00
19/11257/LIPT	Tarboush	143 Edgware Road London W2 2HR	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 01:30
20/02611/LIPV	Grosvenor Victoria Casino	150 - 162 Edgware Road London W2 2DT	Casino or gambling club	Monday to Sunday; 00:00 - 00:00
20/02616/LIPV	The Poker Room	Second Floor 150 Edgware Road London W2 2DT	Casino or gambling club	Monday to Sunday; 00:00 - 00:00
20/02574/LIPV	The Coffee Shop	150 - 162 Edgware Road	Large Casino	Monday to Sunday; 00:00 - 00:00

		London W2 2DT		
22/01126/LIPT	Lord Wargrave	40-42 Brendon Street London W1H 5HE	Public house or pub restaurant	Sunday; 10:00 - 23:00 Monday to Saturday; 10:00 - 23:30