



City of Westminster

# Licensing Sub-Committee Report

Item No:	
Date:	7 February 2024
Licensing Ref No:	23/05623/LIPV - Premises Licence Variation
Title of Report:	PJs Pizza Basement And Ground Floor 358 Harrow Road London W9 2HT
Report of:	Director of Public Protection and Licensing
Wards involved:	Harrow Road
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott
Contact details	Telephone: 020 7641 6500 Email: <a href="mailto:kabbott@westminster.gov.uk">kabbott@westminster.gov.uk</a>

## 1. Application

1-A Applicant and premises			
<b>Application Type:</b>	Variation of a Premises Licence, Licensing Act 2003		
<b>Application received date:</b>	24 August 2023		
<b>Applicant:</b>	Pj Corp Stores Limited		
<b>Premises:</b>	PJs Pizza		
<b>Premises address:</b>	Basement And Ground Floor 358 Harrow Road London W9 2HT	<b>Ward:</b>	Harrow Road
		<b>Cumulative Impact Area:</b>	None
		<b>Special Consideration Zone:</b>	None
<b>Premises description:</b>	The premises currently operates as a take away and delivery Pizza Shop.		
<b>Variation description:</b>	<p>This variation application seeks to permit the following.</p> <ol style="list-style-type: none"> <li>1. Extend the hours for Late Night Refreshment as follows: Monday to Sunday 23:00 to 05:00</li> <li>2. Extend the opening hours as follows: Monday to Sunday 00:00 to 00:00</li> <li>3. Add the following condition: The premises shall close to the public after 02:00 and will then operate solely as a delivery service until 05:00</li> <li>4. Modify conditions 5, 6, 9 and 13 under annex 2 by replacing the references to 23:00 with 02:00</li> </ol>		
<b>Premises licence history:</b>	<p>The premises has had the benefit of a premises licence since July 2014.</p> <p>The current premises licence (23/04571/LIPT) can be viewed at <b>Appendix 2</b> of this report.</p>		
<b>Applicant submissions:</b>	None		
<b>Applicant amendments:</b>	None		

1-B Current and proposed licensable activities, areas and hours						
Late night refreshment						
Indoors, outdoors or both		Current :			Proposed:	
		Both			No change	
	Current Hours		Proposed Hours		Licensable Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	23:00	01:30	23:00	05:00	Basement and ground floor	Basement and ground floor
Tuesday	23:00	01:30	23:00	05:00		
Wednesday	23:00	01:30	23:00	05:00		
Thursday	23:00	01:30	23:00	05:00		
Friday	23:00	02:00	23:00	05:00		
Saturday	23:00	02:00	23:00	05:00		
Sunday	23:00	01:30	23:00	05:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	New Year's Eve from 23:00 to 04:00				If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences. From the standard start timing on 31st December to the standard start time on the 1st January.	

Hours premises are open to the public						
	Current Hours		Proposed Hours		Premises Area	
	Start:	End:	Start:	End:	Current:	Proposed:
Monday	10:00	01:30	00:00	00:00	Basement and ground floor	No change
Tuesday	10:00	01:30	00:00	00:00		
Wednesday	10:00	01:30	00:00	00:00		
Thursday	10:00	01:30	00:00	00:00		
Friday	09:00	02:00	00:00	00:00		
Saturday	09:00	02:00	00:00	00:00		
Sunday	10:00	01:30	00:00	00:00		
Seasonal variations/ Non-standard timings:	Current:				Proposed:	
	None				If applicable, an additional hour to the standard and non-standard times on the day when British summertime commences. From the standard start timing on 31st December to the standard start time on the 1st January.	

1-C Layout alteration
No change of layout is proposed.

<b>1-D Conditions being added</b>
The premises shall close to the public after 02:00 and will then operate solely as a delivery service until 05:00.

<b>1-E Conditions being varied</b>		
<b>Condition</b>	<b>Proposed variation</b>	
5. After 23.00 no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.	5. After 02.00 no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.	
6. From 23.00, the customer service area & menu board lights will be turned off and the main door will be closed and locked, save for access and egress.	6. From 02.00, the customer service area & menu board lights will be turned off and the main door will be closed and locked, save for access and egress.	
9. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 23:00 must be phoned through and are by home delivery only.	9. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 02:00 must be phoned through and are by home delivery only.	
13. After 23.00, the number of delivery vehicles in use at any one time shall not exceed three	13. After 02.00, the number of delivery vehicles in use at any one time shall not exceed three.	
<b>Adult entertainment:</b>	<b>Current position:</b>	<b>Proposed position:</b>
	None	No change

## 2. Representations

<b>2-A Responsible Authorities</b>	
<b>Responsible Authority:</b>	Metropolitan Police Service
<b>Representative:</b>	Andy Elliot
<b>Received:</b>	21 September 2023
<p>With reference to the above application, I am writing to you to inform you that the Metropolitan Police Service, as a Responsible Authority, is objecting to this application as it is our belief that if granted this application may undermine the Licensing Objectives namely Preventing Crime &amp; Disorder.</p> <p>I am minded that the City of Westminster Strategy Policy on Core Hours for such operations [Delivery Centres Monday to Saturday: 8am to 11pm. Sunday: 9am to 10.30pm] and therefore the Current Licence already exceeds these hours. Equally two kindred nearby operations Pizza Hut 341A Harrow Road London W9 3RA Premises Licence Number 22/07076/LIPN &amp; Tops Pizza Ground Floor 8 Great Western Road London W9 3NN Premises Number 17/14827/LIPDPS both have the Condition 'After 00:00 customers shall not be permitted on the premises', it is therefore our belief that if granted the extension of the hours that patrons are permitted to be on premises will pick up the footfall from these two nearby kindred operations leading to the likelihood to a rise in Crime &amp; Disorder both on and off premises creating the honeypot effect for crime which is often referenced .</p>	

My understanding is that there have been several signatories to a letter of objection to this application by local residents sighting their concern for the potential for rise in Crime & Disorder and note Policy F39 'Applicants who apply for premises located within a predominantly residential area for hours beyond that specified within the council's Core Hours Policy HRS1 will be expected to provide significant mitigation and propose conditions that would ensure that the premises can operate in a way that will promote the licensing objectives and not adversely impact residents in the vicinity'. In view of this policy we do not believe the applicant has provided significant mitigation and or addressed the issues raised by these residents to allay their fears and to demonstrate a commitment to promote the Licencing Objectives.

Equally it is well documented the correlation as stated in Policy FFP1 F56 between alcohol consumption and the attractiveness of premises such as Papa John which provide hot food and drink when nearby bars and clubs have closed and the likelihood of the associated Anti Social Behaviour which invariably follows 'Fast food premises which are open after 11pm can attract large groups of customers, many of whom have been consuming alcohol in pubs, bars, or night clubs sometimes some distance away. The congregation of people around these premises leads to additional noise and disturbance and further congestion in the area. Although premises which serve cold food and drink are not subject to licensing and may stay open all night, they are not so attractive to people who have been drinking as those providing hot food and drink. The council considers that the addition of hot fast food and hot drink adds to the attractiveness of premises to people who have been drinking and who are more likely to be involved in anti-social behaviour'

<b>Responsible Authority:</b>	Environmental Health
<b>Representative:</b>	Ayesha Bolton
<b>Received:</b>	21 September 2023

I refer to the application for a variation of the Premises Licence for the above premises.

This representation is based on the plans and operating schedule submitted.

The applicant is seeking the following:

1. To extend the hours of Late Night Refreshments both Indoors and Outdoors from the premises Monday to Sunday between 23.00 to 05.00 hours (deliveries only after 02.00 hours). An additional hour to the standard and non-standard times on the day when British summertime commences. From the standard start timing on 31st December to the standard start time on the 1st January.
2. Extend the opening hours to 00:00 to 24:00
3. Add the following condition: "The premises shall close to the public after 02:00 and will then operate solely as a delivery service until 05:00".
4. Modify conditions 5, 6, 9 and 13 under annex 2 by replacing the references to "23:00" with "02:00"

Representation is raised to this application. The amendments proposed and the hours requested for Late Night Refreshment will have the likely effect of causing an increase in Public Nuisance within the area and may impact on Public Safety.

The granting of the application as presented would have the likely effect of causing an increase in Public Nuisance and may impact on Public Safety within the area.

2-B Other Persons			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	06 September 2023		
<p>I am against Papa John's extending their hours to 5am. Harrow Road is already a very busy and noisy road. The bikes used for deliveries are very noisy and park right outside either causing traffic or on the pavement blocking pedestrian access. Extending 11pm-2am for deliveries only on weekends would be acceptable.</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	01 September 2023		
<p>I strongly opposed to the new times for this junk food chain! Westminster council please bare in mind that just next door the person was killed a few years ago only because it was another night pizza shop! Personal in Westminster council responsible for this case [REDACTED] you should think twice about a 24/7 night pizza shop next door to your house with your small kids trying to sleep before you even start to consider to approve this on Harrow road! Absolutely disgusting! And you personally will be responsible for the next murder around this junk shop!</p>			
<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	8 September 2023		
<p>I would like to object to this planning proposal to extend the hours of operation for this premises. This change will allow customers to come into the store later as well as operating delivery only until much later than is currently taking place.</p> <p>Main reasons are noise. [REDACTED] It is already an extremely noisy street and the levels of noise coming from this one premises are already high.</p> <p>Delivery drivers - Scooters parked on pavement in front of store, [REDACTED] [REDACTED]. Noise levels from drivers and scooters is already high and this causes disturbances to sleep. I would object to having these hours extended as this will further interrupt with the quality of life for residents.</p> <p>Deliveries - often this premises has deliveries from a large articulated truck, there is no pattern to these deliveries and can happen very late at night. Are there currently restrictions on this kind</p>			

of activity? The noise coming from this is extremely bad. Again, any extension of operating hours could also impact their delivery times.

Customers accessing store. If I read the plans correctly the proposal is to allow customers to enter shop until 2am. This is not acceptable. already we live on a dangerous road, very noisy and I believe this could put residents at risk. There is no need to have access until 2am, already the store operates delivery only after the store closes which is fine. Fears of extreme noise, anti social behaviour, litter and nuisance will impact quality [REDACTED].

I hope these points can be taken into consideration. We do not believe that there is any need for such a proposal to extend operating hours, the business has been operating successfully since we moved in to our property 7 years ago.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED] [REDACTED] [REDACTED]		
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	5 September 2023		

I would like to put an object for the above licence, as I believe it is extremely dangerous to open the restaurant until 5 am every day, [REDACTED] papa johns fast food, they always have 5 to 6 motorbikes parked outside the papa johns for the purpose of delivery, as part from pollution and environmental matter they do not use any electric bikes they are also making a lot of noises (environmental issue) late night I have also notice quite lot of noises after the hours of 23:00 from the staff and drivers standing outside smoking cigarettes which can make the area unsafe. I strongly believe they should not be even open after 23:00 every night which they are at the moment. I strongly believe their delivery should also stop at the hours of 23.00 every evening. for the safer neighbourhood. And for the abvoe reason I would like to put an objection for this licence.

<b>Name:</b>	[REDACTED]		
<b>Address and/or Residents Association:</b>	[REDACTED]		
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	15 September 2023		

We write to make a representation in respect of the above application for a new premises licence. The representation is made on the basis that the likely impact of the application, if granted, would be to harm the licensing objectives of prevention of public nuisance and prevention of crime and disorder.

### Introduction

[REDACTED] [REDACTED] where we live is mainly a residential street, with a few businesses at each end of it that operate short hours. It is a very quiet street, family oriented with no parking allowed during the week and very little traffic.

With the current license, customers cannot be in the premises after 11pm (it is deliveries only to 1.30/2.00 am with a maximum of 3 delivery vehicles at the time). [REDACTED] to the premises, we already feel the negative impact of late delivery hours in some of these establishments, with customers (often showing clear signs of having been drinking), collecting food late at night and coming to [REDACTED] to eat it and carry on drinking (we assume attracted by the tranquility of our street), causing noise and leaving all their rubbish behind them, attracting foxes and rodents.

We can also feel the noise the noise caused by the premises having longer hours of operation, even to just serve take away/delivery. We are dreading the increased impact if these hours were to be extended even longer.

### **The application**

The application seeks:

- To extend 'late night refreshment' hours from 1.30am Sun-Thurs, 2am Fri-Sat to 5am Mon-Sun (NB as late night refreshment is only licensable between 11pm and 5am, this is effectively an application for 24/7 hot food).
- To extend the terminal hour for when customers are on the premises from 11pm to 2am.
- Extend the condition requiring a max of 3 delivery vehicles after 11pm to after 2am i.e. they can use more between 11pm and 2am.

These are very significant extensions to the existing licence and completely out of proportion with the rest of the refreshment businesses on the Harrow Road.

In fact, some of these have recently applied to extend the licence in a similar way (i.e. 368 Harrow Road), and their applications have been refused or limited, where there has been residential objection. There is nothing in the application as far as we can see which justifies the Licensing Sub-Committee taking a different view now.

Our concerns relate to four points:

1. Noise nuisance from delivery drivers and/or customers of the premises loitering [REDACTED] eating their food.
2. Anti-social behaviour from delivery drivers and/or customers of the premises loitering [REDACTED] eating their food.
3. Residents feeling intimidated returning to their homes in the late evening or in the early hours.
4. Litter and packaging left [REDACTED]

These concerns are reflected by the City Council's Statement of Licensing Policy 2021. As mentioned, we are not aware of any premises on this stretch of Harrow Road which both a) operate to the hours proposed by the applicant; and b) operate in the same manner as proposed by the applicant. Other nearby premises seem to either be subject to an earlier terminal hour, or are restricted to providing a delivery service only or an eat-in service only after a certain hour.

Granting a premises licence for late night refreshment to enable the premises to provide hot food, whether for delivery or takeaway, to a later hour than currently would certainly increase the nuisance resident already experience, and would extend it later into the night. The impact would therefore be greater.

Hot food takeaway at a later hour will also attract people having been drinking, with a potential increase in litter, crime and noise. It is also likely that the customers gather in the tranquility of [REDACTED] eat their take away, bringing the above mentioned nuisance to the front of our property as well.

We do not believe that the application is compliant with policies PN1, HRS1, FFP1 and DEL1 as set out in the Council's Statement of Licensing Policy 2021. In particular, the applicant has proposed no additional information or conditions to address the points raised in these policies despite the clear steer in the policies that this information should be included in the application. This information should be provided in the application.

A late night takeaway premises can act as a 'honeypot' for people to gather, who may have been drinking or, in this case, also for delivery drivers. Does the applicant use their own staff, or 3rd party companies like Deliveroo?



The hours sought make nuisance and crime much more likely.

**Conclusion**

We wish the applicant well in running his business, but the licence they currently have is the correct balance for the needs of the immediate area. For the reasons stated, we are opposed to the application being granted.

We look forward to being kept informed of any developments. We would very much like to attend the hearing (job permitting).

Yours sincerely, [Redacted]

[Redacted signature block]

<b>Name:</b>		[Redacted]	
<b>Address and/or Residents Association:</b>		[Redacted]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	8 September 2023		

To my knowledge this is the third similar application seeking to extend License hours in this immediate area; each seeking to extend their already unsocial (anti-social) times of opening and delivery.

I cannot express how tedious it is to have to spend time writing essentially the same reasons objecting to each of them each time.  
Is it beyond the wit of WCC to devise a common policy to be applied to each and every one of these applications? Whilst seeming different, essentially, invariably, they present the same problems.

I appreciate that the operators of these places (often not the owner) are only seeking to make a living, but they are also all in competition with each other, but the objections to each application

remain the same as they do to this one. Without itemising each in detail again, they remain:

1. These premises are surrounded on all sides by residential properties: it is therefore quite inappropriate to have the disturbance of general kitchen activity and smells plus delivery drivers loitering ( and toileting?) outside at all hours.
2. These cafes basically serve the same type of (unhealthy) food. This does nothing to provide variety of choice/provision nor to enhance the local environment .
3. All people need rest, quietude and respite from the general hubbub of daily life: night time and weekends are intended for this. A 24-hour 'society' is not necessarily desirable nor appropriate.

Very few people object to these applications because they simply are not aware that an application has been made; very often those most affected receive least notice. The applicant(s) then can use the classic rebuttal ' Look, nobody else is complaining'.  
I am complaining.

<b>Name:</b>		[REDACTED]	
<b>Address and/or Residents Association:</b>		[REDACTED] [REDACTED] [REDACTED] [REDACTED]	
<b>Status:</b>	Valid	<b>In support or objection:</b>	OBJECTION
<b>Received:</b>	4 September 2023		

No food joint in built up residential area must be allowed 24 hour licence. Especially at the same location where there was a murder few years ago.

It is not appropriate, as Council should be taking measures to promote healthy eating habits not fast food chains which contribute to this country's obesity problem.

### 3. Policy & Guidance

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

<b>Policy HRS1 applies</b>	<p>A. Applications within the core hours set out below in this policy will generally be granted for the relevant premises uses, subject to not being contrary to other policies in the Statement of Licensing Policy.</p> <p>B. Applications for hours outside the core hours set out in Clause C will be considered on their merits, subject to other relevant policies, and with particular regard to the following:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>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.</li> <li>4. The proposed hours of the licensable activities and when customers will be permitted to remain on the premises.</li> <li>5. The proposed hours when any music, including incidental music, will be played.</li> <li>6. The hours when customers will be allowed to take food or drink</li> </ol>
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	<p>outside the premises or be within open areas which form part of the premises.</p> <p>7. The existing hours of licensable activities and the past operation of the premises (if any) and hours of licensable premises in the vicinity.</p> <p>8. Whether customers and staff have adequate access to public transport when arriving at and leaving the premises, especially at night.</p> <p>9. The capacity of the premises.</p> <p>10. The type of use, recognising that some venues are more likely to impact the licensing objectives than others; for example, pubs and bars are higher risk than theatres, cinemas and other cultural and sporting venues due to the nature of the operation.</p> <p>11. The Licensing Authority will take into account the active measures proposed for a 'winding down' period including arrangements for people to be collected from the premises to travel home safely.</p> <p>12. Conditions on hours may be attached that require that the supply of alcohol for consumption on the premises ceases a suitable period of time before customers are required to leave the premises.</p> <p>13. The council, acting as the Licensing Authority, may reduce hours if, after review, it is necessary to impose conditions specifying shorter hours in order to promote the licensing objectives.</p> <p>14. Specific days for non-standard hours should be identified and justified as part of the application to allow responsible authorities and interested parties to evaluate the impact that these licensable activities may have, and to plan accordingly. The consideration of applications for later hours for Bank Holiday Mondays will take into account that later hours are generally granted for preceding Sundays and that the next day is a working day. Non-specific days are expected to be covered by Temporary Event Notices or variation applications.</p> <p><b>6. Pubs and bars, Fast Food and Music and Dance venues</b>  Monday to Thursday: 10am to 11.30pm.  Friday and Saturday: 10am to Midnight.  Sunday: Midday to 10.30pm.  Sundays immediately prior to a bank holiday: Midday to Midnight.</p> <p>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.</p> <p>E. For the purposes of this policy, 'premises uses' are defined within the relevant premises use policies within this statement.</p> <p>Note: The core hours are for all licensable activities but if an application includes late night refreshment then the starting time for that licensable activity will be 11pm.</p>
<p><b>Policy FFP1 (A) applies</b></p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1.</li> <li>2. The hours for licensable activities are within the council's Core Hours Policy HRS1.</li> <li>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.</li> </ol>

	<p>4. The applicant has taken account of the Special Consideration Zones Policy SCZ1 if the premises are located within a designated zone.</p> <p>5. The application and operation of the venue meet the definition of a fast food premises in Clause D.</p> <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> <li>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.</li> <li>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.</li> <li>3. The food and drink are provided in pre-sealed or open disposable packaging which is intended for immediate consumption.</li> <li>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.</li> </ol>
<p><b>Policy DEL1 applies</b></p>	<p>A. Applications for premises that intend to sell alcohol and/or late-night refreshment for delivery to customers at a residential or workplace address, which is ancillary to the main use of the premises, will generally be granted subject to not being contrary to other policies within this Statement of Licensing Policy and that it meets the criteria below:</p> <p>Criteria:</p> <ol style="list-style-type: none"> <li>1. The application meeting the requirements of policies CD1, PS1, PN1 and CH1</li> <li>2. The hours when delivery will take place is within the relevant Core Hours for that premises use,</li> <li>3. The delivery of alcohol and/or late-night refreshment to customers at their residential address or workplace will be ancillary to the main premises use,</li> <li>4. The applicant has demonstrated that they will not add to cumulative impact if the premises are located within the West End Cumulative Impact Zone.</li> <li>5. The applicant has demonstrated that they have taken account of the Special Consideration Zone Policy SCZ1 if the premises are located within a designated zone.</li> <li>6. That the applicant will, a. Implement their own age verification procedures for the sale and supply of alcohol for their delivery staff and ensure that they receive regular training in the company's age verification procedures, and/or b. ensure that any third party, to which they have contracted the delivery of alcohol and/or food has sufficient age verification procedures in place for the sale of alcohol and has regular training for its delivery personnel on their age verification procedures.</li> <li>7. That the applicant will, a. implement their own procedures and provide mitigation to reduce the risk that their delivery service and delivery personnel will create public nuisance either at the premises where the delivery originates and at the delivery destination, and/or b. ensure that any third party, to which they have contracted their delivery service to have sufficient procedures and mitigation in place to ensure that their delivery personnel do not create public nuisance either at the premises where the delivery originates and at the delivery destination.</li> </ol>

B. Applications that do not meet the criteria in Clause A will be considered on their own merits, subject to other relevant policies within this statement and the following considerations:

Considerations:

1. The likelihood of the effect of the grant of the licence for the delivery of alcohol and/or late-night refreshment on the licensing objectives and whether the applicant has demonstrated that they will meet the criteria and considerations within policies CD1, PS1, PN1 and CH1.
2. The proposed hours for the operation of the delivery service, whether they are beyond the Core Hours as set out in Policy HRS1 and if so, what are the reasons for the additional hours and what has the applicant proposed as measures that will mitigate or eliminate any potential impact on the licensing objectives.
3. If the application is located within:
  - a. the West End Cumulative Impact Zone, have they demonstrated that they will not add to cumulative impact, or,
  - b. a designated Special Consideration Zone, have they demonstrated that they have taken account of the issues identified in that area and put forward proposed mitigation measures in relation to those issues in accordance with Policy SCZ1,
4. Whether the premises are located within an area of residential accommodation and/or in close proximity to residential accommodation,
5. Whether the delivery personnel are directly employed by the applicant or whether the delivery service will be provided by a third party,
6. How will the applicant ensure that the operation of the delivery service, operated directly by them with their own staff does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act.
7. If a third party will provide the delivery service on behalf of the applicant what are the contractual arrangements with that third party to ensure that the operation of the delivery service does not adversely impact the licensing objectives, breach the terms and conditions of the licence or commit offences under the Act,
8. The operation and management of the proposed delivery service from the premises,
9. The types of vehicles that will be used for the delivery of alcohol and/or late-night refreshment and whether they will likely create public nuisance,
10. The history of the applicant's operation of licensed premises and the premise's operation in relation to any impact on the licensing objectives, breaches of any terms and conditions of a licence, any reviews of a licence or offences committed under the Act,
11. In addition to Sub-clause 6 and 7 above what measures the applicant or the third party providing the delivery service has put forward to mitigate the specific risk of public nuisance by the operation of the delivery service at the premises or at the end point of delivery,
12. In addition to sub-clause 6 and 7 above what specific measures and processes the applicant or the third party providing the delivery service has put forward to mitigate the risk from the delivery of alcohol to children to ensure that they are protected from harm.

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

#### 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

<b>Appendix 1</b>	Premises Licence 23/04571/LIPT
<b>Appendix 2</b>	Applicant supporting documents
<b>Appendix 3</b>	Premises history
<b>Appendix 4</b>	Proposed conditions
<b>Appendix 5</b>	Residential map and list of premises in the vicinity

<b>Report author:</b>	Karyn Abbott
<b>Contact:</b>	Telephone: 020 7641 6500 Email: <a href="mailto:kabbott@westminster.gov.uk">kabbott@westminster.gov.uk</a>

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

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

<b>1</b>	Licensing Act 2003	N/A
<b>2</b>	City of Westminster Statement of Licensing Policy	07 January 2021
<b>3</b>	Amended Guidance issued under section 182 of the Licensing Act 2003	December 2023
<b>4</b>	Cumulative Impact Assessment	04 December 2023
<b>5</b>	Metropolitan Police Service representation	21 September 2023
<b>6</b>	Environmental Health representation	21 September 2023
<b>7</b>	Interested party representation (1)	06 September 2023
<b>8</b>	Interested party representation (2)	01 September 2023
<b>9</b>	Interested party representation (3)	08 September 2023
<b>10</b>	Interested party representation (4)	05 September 2023
<b>11</b>	Interested party representation (5)	15 September 2023
<b>12</b>	Interested party representation (6)	08 September 2023
<b>13</b>	Interested party representation (7)	04 September 2023



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

Schedule 12  
Part A

WARD: Westbourne  
UPRN: 010033571467

Premises licence

Regulation 33, 34

Premises licence number:	23/04571/LIPT
Original Reference:	14/03751/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

PJ's Pizza  
Basement And Ground Floor  
358 Harrow Road  
London  
W9 2HT

**Telephone Number:**

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

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment

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

**Late Night Refreshment**  
Monday to Thursday: 23:00 to 01:30  
Friday to Saturday: 23:00 to 02:00  
Sunday: 23:00 to 01:30  
Non-standard Timings: New Year's Eve from 23:00 to 04:00

**The opening hours of the premises:**

Monday to Thursday: 10:00 to 01:30  
Friday to Saturday: 09:00 to 02:00  
Sunday: 10:00 to 01:30

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

Not applicable

**Part 2**

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

PJ Corp Stores Limited  
11 Northfield Drive  
Northfield  
Milton Keynes  
MK15 0DQ

Email: lee\_reed@papajohns.co.uk

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

14717771

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

Not applicable

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

Not applicable

**Date:** 26<sup>th</sup> January 2024

**Signed:**



**PP**  
This licence has been authorised by Karyn Abbott on behalf of the Director -  
Environment, Climate & Public Protection (ECPP).



**Annex 1 – Mandatory conditions**

None

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

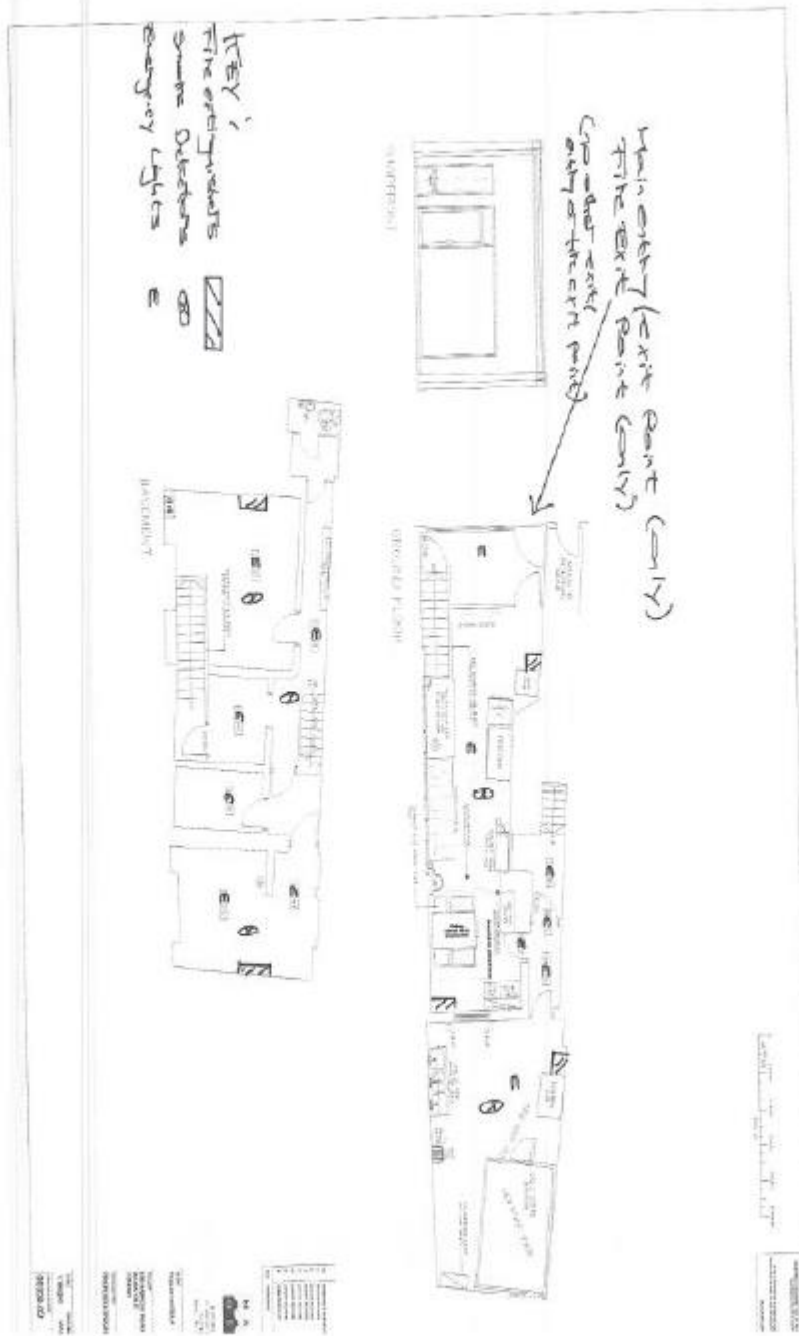
None

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

1. The premises shall install and maintain a CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
3. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received
  - (d) any incidents of disorder
  - (e) any faults in the CCTV system or searching equipment or scanning equipment
  - (f) any visit by a relevant authority or emergency service.
5. After 23.00 no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.
6. From 23.00, the customer service area & menu board lights will be turned off and the main door will be closed and locked, save for access and egress.
7. Notices shall be prominently displayed at all exits used by delivery drivers requesting them to respect the needs of local residents and leave the area quietly.
8. Drivers shall wait inside the premises between deliveries/for deliveries.
9. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 23:00 must be phoned through and are by home delivery only.
10. All orders shall be taken by the premises at least fifteen minutes before the terminal hour for licensable activities on the premises on any night.
11. 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.
12. Prominent signage indicating the opening hours and the last ordering times shall be clearly displayed so as to be visible before entering the premises.
13. After 23.00, the number of delivery vehicles in use at any one time shall not exceed three.

14. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

Annex 4 – Plans





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

Schedule 12  
Part B

Premises licence  
summary

WARD: Westbourne  
UPRN: 010033571467

Regulation 33, 34

Premises licence number:

23/04571/LIPT

**Part 1 – Premises details**

**Postal address of premises:**

PJ's Pizza  
Basement And Ground Floor  
358 Harrow Road  
London  
W9 2HT

**Telephone Number:**

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

Not applicable

**Licensable activities authorised by the licence:**

Late Night Refreshment

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

**Late Night Refreshment**

Monday to Thursday:	23:00 to 01:30
Friday to Saturday:	23:00 to 02:00
Sunday:	23:00 to 01:30
Non-standard Timings: New Year's Eve from 23:00 to 04:00	

**The opening hours of the premises:**

Monday to Thursday:	10:00 to 01:30
Friday to Saturday:	09:00 to 02:00
Sunday:	10:00 to 01:30

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

Not applicable

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

Pj Corp Stores Limited  
11 Northfield Drive  
Northfield  
Milton Keynes  
MK15 0DQ

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

14717771

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

Not applicable

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

Restricted

**Date:** 26<sup>th</sup> January 2024

**Signed:**



pp

This licence has been authorised by Karyn Abbott on behalf of the Director - Environment, Climate & Public Protection (ECPP).

**Applicant Supporting Documents**

**Appendix 2**

None



**Licence & Appeal History**

<b>Application</b>	<b>Details of Application</b>	<b>Date Determined</b>	<b>Decision</b>
05/03711/LIPC	Conversion	06.07.2005	Granted under delegated authority
07/00847/WCCMAP	Master licence	06.07.2005	Granted under delegated authority (Licence surrendered 27.09.2012)
14/03751/LIPN	New premises licence for Late Night Refreshment 23:00 to 01:30 Sunday to Thursday, 23:00 to 02:00 Friday and Saturday.	17.07.2014	Granted by Licensing Sub Committee as follows: Late Night Refreshment 23:00 to 00:00 Sunday to Thursday, 23:00 to 01:00 Friday and Saturday.
22/04548/LIPT	Transfer - PJ Star Limited to Dfsi M25 Ltd	25.05.2022	Granted under delegated authority
23/04571/LIPT	Transfer - Dfsi M25 Ltd to Pj Corp Stores Limited	29.07.2023	Granted under delegated authority

**There is no appeal history**

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

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

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

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

**Conditions: On Current Licence -**

**Mandatory:**

None

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

None

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

1. The premises shall install and maintain a CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the preceding 31 day period.
2. 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 to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
3. A direct telephone number for the manager at the premises shall be made available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
4. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police, which will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received

- (d) any incidents of disorder
- (e) any faults in the CCTV system or searching equipment or scanning equipment
- (f) any visit by a relevant authority or emergency service.

5. After 23.00 no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.

**The applicant is proposing to vary condition 5 as follows:**

**After 02.00 no customers shall be permitted on the premises and all sales will be by delivery only to a bona fide address.**

6. From 23.00, the customer service area & menu board lights will be turned off and the main door will be closed and locked, save for access and egress.

**The applicant is proposing to vary condition 6 as follows**

**From 02.00, the customer service area & menu board lights will be turned off and the main door will be closed and locked, save for access and egress.**

7. Notices shall be prominently displayed at all exits used by delivery drivers requesting them to respect the needs of local residents and leave the area quietly.
8. Drivers shall wait inside the premises between deliveries/for deliveries.
9. A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 23:00 must be phoned through and are by home delivery only.

**The applicant is proposing to vary condition 9 as follows:**

**A notice shall be displayed by the front door stating the restaurant opening hours and that all orders after 02:00 must be phoned through and are by home delivery only.**

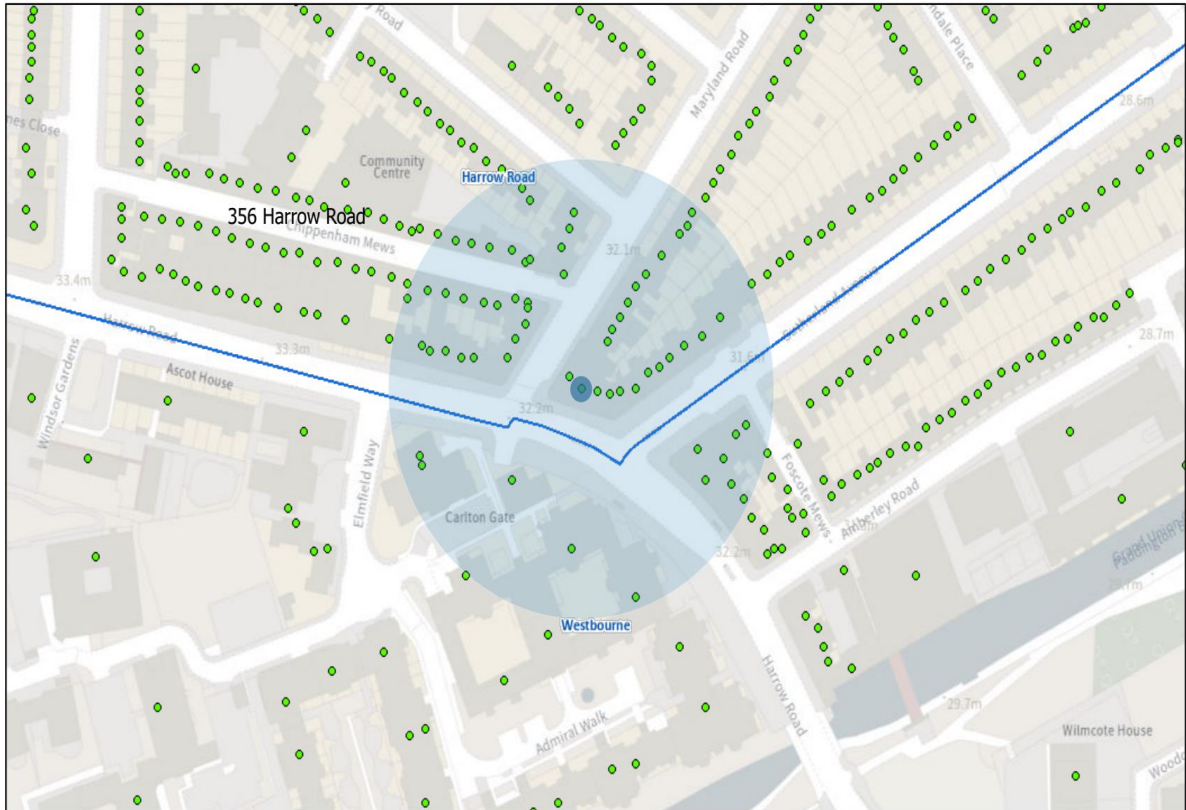
10. All orders shall be taken by the premises at least fifteen minutes before the terminal hour for licensable activities on the premises on any night.
11. During the hours of operation of the premises, the licence holder shall ensure sufficient measures are in place to remove and prevent litter or waste 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.
12. Prominent signage indicating the opening hours and the last ordering times shall be clearly displayed so as to be visible before entering the premises.
13. After 23.00, the number of delivery vehicles in use at any one time shall not exceed three.

**The applicant is proposing to vary condition 13 as follows:**

**After 02.00, the number of delivery vehicles in use at any one time shall not exceed three.**

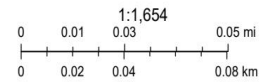
14. The Licence will have no effect until the premises have been assessed as satisfactory by the Environmental Health Consultation Team and this condition has been removed from the Licence.

**358 Harrow Road**



26/01/2024, 13:44:25

- Property Mailing List
- Ward Boundaries
- Ward Labels



**Resident count: 333**

<b>Licensed premises within 75m of 358 Harrow Road, London,</b>				
<b>Licence Number</b>	<b>Trading Name</b>	<b>Address</b>	<b>Premises Type</b>	<b>Time Period</b>
08/10229/LIPDPS	Champers	Basement And Ground Floor 352 Harrow Road London W9 2HT	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
18/09342/LIPCH	Tsiakkos & Charcoal	5 Marylands Road London	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30
19/03655/LIPN	Flora Fine Wines	Basement And Ground Floor 11 Marylands Road London W9 2DU	Shop	Tuesday to Saturday; 11:00 - 23:00

20/11913/LIPCH	West 9 Food & Stores	Basement And Ground Floor 350 Harrow Road London W9 2HP	Shop	Sunday; 10:00 - 22:30   Monday to Saturday; 08:00 - 23:00
20/10065/LIPDPS	The Yaa Centre	1 Chippenham Mews London W9 2AN	Office	Monday to Sunday; 09:00 - 00:00
22/11991/LIPV	Kebab Centre	368 Harrow Road London W9 2HU	Restaurant	Friday to Saturday; 10:00 - 00:00   Sunday to Thursday; 10:00 - 23:30
07/00554/WCCMAP	PARS Restaurant	Ground Floor 370 Harrow Road London W9 2HU	Restaurant	Sunday; 12:00 - 00:00   Monday to Saturday; 10:00 - 00:30