



City of Westminster

Licensing Sub-Committee Report

Item No:	
Date:	9 May 2024
Licensing Ref No:	24/00080/LIPN - New Premises Licence
Title of Report:	Fireaway Pizza Basement And Ground Floor 79 Wilton Road London SW1V 1DL
Report of:	Director of Public Protection and Licensing
Wards involved:	Pimlico North
Policy context:	City of Westminster Statement of Licensing Policy
Financial summary:	None
Report Author:	Karyn Abbott Senior Licensing Officer
Contact details	Telephone: 020 7641 6500 Email: kabbott@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	4 January 2024		
Applicant:	M El Sayed		
Premises:	Fireaway Pizza		
Premises address:	Basement And Ground Floor 79 Wilton Road London SW1V 1DL	Ward:	Pimlico North
		Cumulative Impact Area:	None
		Special Consideration Zone:	Victoria Buffer
Premises description:	The premises operates as a Pizza Restaurant over the basement and ground floor.		
Premises licence history:	This is a new premises licence application and therefore no premises licence history exists.		
Applicant submissions:	None		
Applicant amendments:	None		

1-B Proposed licensable activities and hours							
Late Night Refreshment:				Indoors, outdoors or both			Indoors
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	23:00	23:00	23:00	23:00	23:00	23:00	23:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	12:00	12:00	12:00	12:00	12:00	12:00	12:00
End:	23:30	23:30	23:30	23:30	00:00	00:00	00:00
Seasonal variations/ Non-standard timings:		None					
Adult Entertainment:		None					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health Service
Representative:	Anil Drayan
Received:	21 March 2024
<p>Representations made as the proposals may undermine the Public Nuisance and Public Safety licensing objectives. Insufficient/unclear conditions have been offered in the operating schedule. The applicant is requested to contact the undersigned to discuss the application after which Environmental Health will propose conditions.</p>	
Responsible Authority:	Metropolitan Police Service
Representative:	PC Steve Muldoon
Received:	24 March 2024
<p>The Metropolitan Police Service objects to this application as it is likely that if the application were to be granted, the premise would undermine the following licensing objective/s:</p> <ul style="list-style-type: none"> - the Prevention of Crime and Disorder. <p>The applicant has failed to demonstrate in the application that they can uphold and promote the licensing objectives. The applicant has not offered sufficient conditions and as such we object to this application.</p> <p>Further submissions will be submitted.</p> <p>Conditions have been proposed by the Metropolitan Police and agreed by the applicant to form part of the operating schedule. As the conditions were agreed with the Police they have now withdrawn their representation on the 29th April 2024. These can be found at Appendix 4.</p>	

2-B Other Persons			
Name:	[REDACTED]		
Address and/or Residents Association:	[REDACTED] [REDACTED] [REDACTED] [REDACTED]		
Status:	Valid	In support or objection:	OBJECTION
Received:	26 Feb 2024		
<p>The application states that the "majority of the premises on the same street also are open until 23:30/00:00". That is inaccurate. I have not been able to find any premises that are open so late.</p> <p>I oppose the proposed extension of Fireaway's opening hours.</p> <p>It will almost certainly lead to more nuisance to local residence.</p>			

There will clearly be much more car traffic/parking late night, very close to neighbours' flats, for restaurant visits. Cars will also stop and wait, often with engines running, while the takeaway pizza is being prepared. People will stand outside chatting and smoking until late.

Intoxicated crowds will go to this pizza restaurant/takeaway (which would be open much later than Domino's on Warwick Way) much later than other restaurants in the street. Fireaway pizza boxes will occasionally be left on neighbours' front doors and benches in the area (as is presently already the case).

This is not an appropriate area for late night openings.

Name:		[REDACTED]	
Address and/or Residents Association:		[REDACTED]	
Status:	Valid	In support or objection:	OBJECTION
Received:	24 Feb 2024		

Strongly object. The granting of change of use from retail to yet another take away was controversial - with a front page liclsl media piece saying this area now serves as a take away and delivery area for most of SW1. We are already plagued with noise and disruption from delivery drivers and late night eaters and drinkers - and terrible air pollution from restaurants and take aways. I would strongly object to having this premises having even longer opening hours - making it a magnet late at night - let alone being licensed and serving alcohol - especially late at night. If the Council has any care at all for dwindling population who live and are trying to bring up a family in this area this application would be turned down. I am happy to provide more information if helpful.

3. Policy & Guidance

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

Policy SCZ1 applies	<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.
Policy HRS1 applies	<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.

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

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.

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.

	<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>Policy FFP1 applies</p>	<p>A. Applications outside the West End Cumulative Zones will generally be granted subject to:</p> <ol style="list-style-type: none"> 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. <p>B. It is the Licensing Authority's policy to refuse applications within the West End Cumulative Impact Zone other than:</p> <ol style="list-style-type: none"> 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. <p>C. The applications referred to in Clause B1 and B2 will generally be granted subject to:</p> <ol style="list-style-type: none"> 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. <p>D. For the purposes of this policy a Fast Food Premises is defined as:</p> <ol style="list-style-type: none"> 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: <ol style="list-style-type: none"> 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

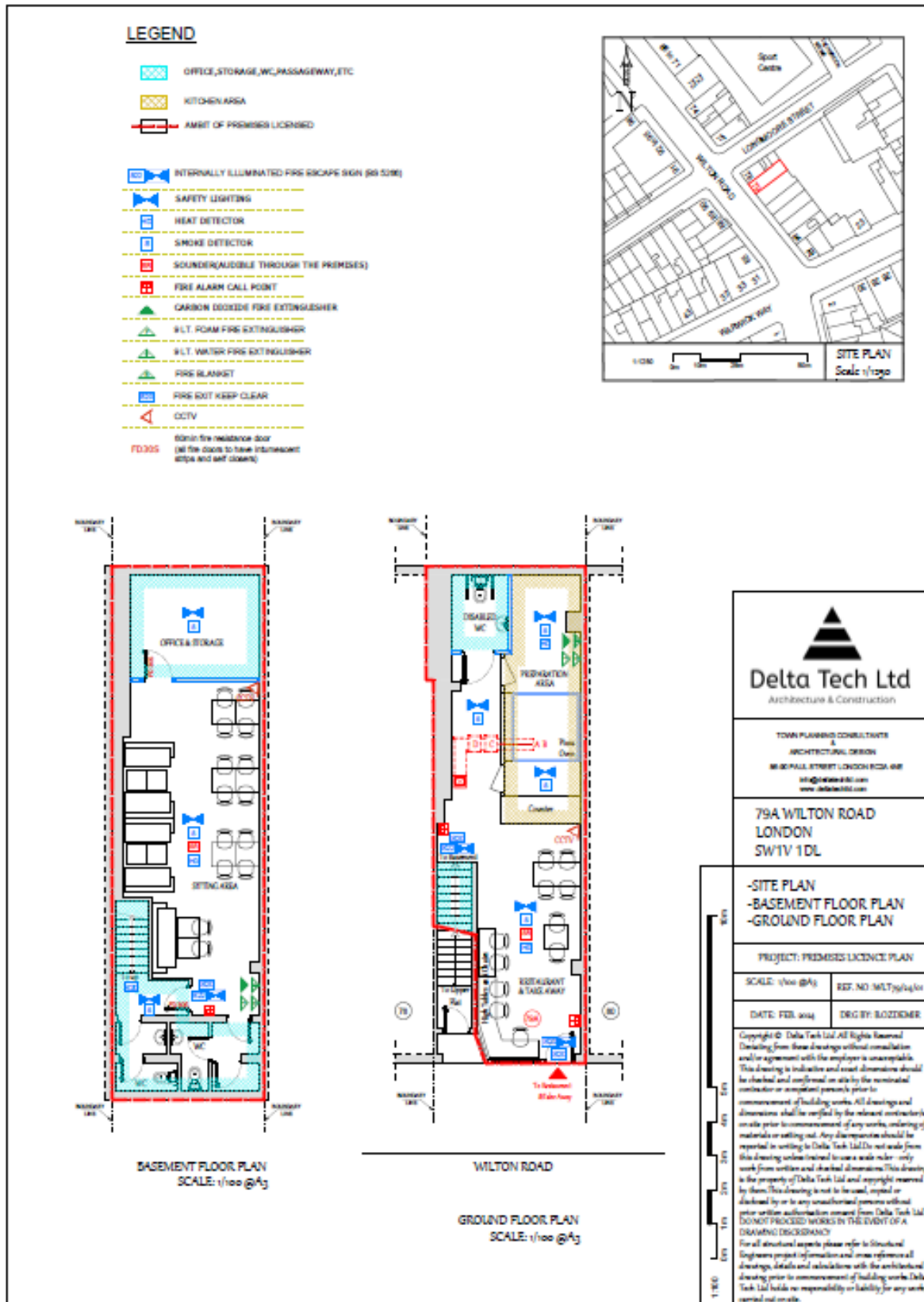
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Karyn Abbott Senior Licensing Officer
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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 2023
4	Cumulative Impact Assessment	04 December 2023
5	Environmental Health Service	21 March 2024
6	Metropolitan Police Service	24 March 2024
7	Representation 1	26 March 2024
8	Representation 2	24 March 2024



Applicant Supporting Documents

Appendix 2

None

Premises History

Appendix 3

There is no licence or appeal history for the premises.

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 necessary for the promotion of the licensing objectives.

This schedule lists those conditions which are consistent with the operating schedule, or proposed as necessary 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

Mandatory Conditions

None

Conditions consistent with the operating schedule

None

Conditions proposed by the Police and agreed by the applicant to form part of the operating schedule.

1.
 - (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.
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. 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.
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons

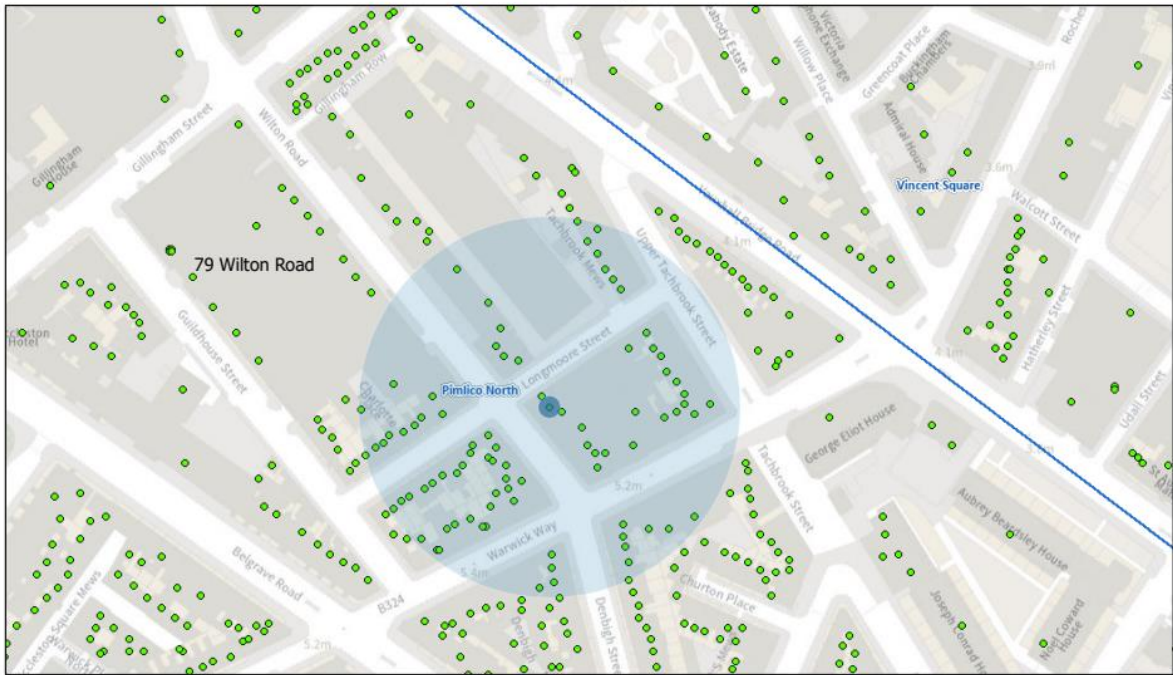
- (c) any complaints received concerning crime and disorder
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system, searching equipment or scanning equipment
- (g) any visit by a relevant authority or emergency service.

4. There shall be no use of any external food delivery companies e.g. Deliveroo & Uber after 23:00.

Conditions proposed by the Environmental Health

None

79 Wilton Road, London



Resident Count: 145

Licensed premises within 75m of Basement And Ground Floor				
Licence Number	Trading Name	Address	Premises Type	Time Period
17/02875/LIPDPS	Seafresh Restaurant	80 - 81 Wilton Road London SW1V 1DL	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
07/00510/WCCMAP	About Thyme Restaurant	82 Wilton Road London SW1V 1DL	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
20/01486/LIPCHT	Hatch 77	77 Wilton Road London SW1V 1DE	Cafe	Sunday; 10:00 - 23:30 Monday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 10:00 - 00:00
23/07729/LIPCH	Lorne Restaurant	76 Wilton Road London SW1V 1DE	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:00

23/01572/LIPVM	Waitrose	Ground Floor 19 - 21 Warwick Way London SW1V 4JD	Shop	Monday to Sunday; 07:00 - 23:00
23/02546/LIPCCT	Lovage	74 Wilton Road London SW1V 1DE	Restaurant	Sunday; 12:00 - 23:30 Monday to Saturday; 10:00 - 00:30
22/09411/LIPT	The Prince Of Wales Public House	Prince Of Wales 91 Wilton Road London SW1V 1DW	Public house or pub restaurant	Monday to Thursday; 10:00 - 23:30 Friday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 10:00 - 00:00
22/10485/LIPN	Kazan	93 - 94 Wilton Road London SW1V 1DW	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
19/00406/LIPT	Preto	73 Wilton Road London SW1V 1DE	Restaurant	Sunday; 12:00 - 00:00 Monday to Thursday; 10:00 - 00:30 Friday to Saturday; 09:00 - 02:00
22/01159/LIPN	Kimchimama	28 Upper Tachbrook Street London SW1V 1SW	Cafe	Monday to Saturday; 11:30 - 21:00
21/11875/LIPN	Ben Venuti	34 Upper Tachbrook Street London SW1V 1SW	Shop	Sunday; 09:00 - 19:00 Monday to Saturday; 08:00 - 18:00
23/00523/LIPN	Iris Pimlico	43 Warwick Way London SW1V 1QS	Not Recorded	Monday to Sunday; 08:00 - 22:30
24/00760/LIPVM	The Queens Arms	11 Warwick Way London SW1V 1QT	Pub or pub restaurant with lodge	Monday; 10:00 - 00:00 Tuesday; 10:00 - 00:00 Wednesday; 10:00 - 00:00 Thursday; 10:00 - 00:00 Friday; 10:00 - 00:00 Sunday; 12:00 - 22:50 Sundays before Bank Holidays; 12:00 - 00:00

23/09202/LIPDPS	The Queens Arms	11 Warwick Way London SW1V 1QT	Pub or pub restaurant with lodge	Sunday; 12:00 - 22:50 Monday to Saturday; 10:00 - 00:00 Sundays before Bank Holidays; 12:00 - 00:00
10/03478/LIPDPS	Uno Restaurant	Basement And Ground Floor 1 Denbigh Street London SW1V 2HF	Restaurant	Sunday; 12:00 - 23:00 Monday to Saturday; 10:00 - 23:30
20/12028/LIPT	Cyprus Mangal	45 Warwick Way London SW1V 1QS	Not Recorded	Friday to Saturday; 12:00 - 01:00 Sunday to Thursday; 12:00 - 00:00
22/10349/LIPVM	Basement And Ground Floor	16 - 18 Upper Tachbrook Street London SW1V 1SH	Restaurant	Monday; 11:00 - 23:00 Tuesday; 11:00 - 23:00 Wednesday; 11:00 - 23:00 Thursday; 11:00 - 23:00 Friday; 11:00 - 23:00 Sunday; 12:00 - 22:30
20/04113/LIPCHT	Restaurant A.Wong	70 - 71 Wilton Road London SW1V 1DE	Restaurant	Sunday; 12:00 - 23:30 Monday to Saturday; 10:00 - 00:30
07/00638/WCCMAP	Paradise Indian Restaurant	5 Denbigh Street London SW1V 2HF	Restaurant	Sunday; 12:00 - 00:00 Monday to Saturday; 10:00 - 00:30
23/00406/LIPDPS	Tesco Victoria Express (04901)	18 - 28 Warwick Way London SW1V 1RX	Food store (large)	Sunday; 10:00 - 22:30 Monday to Saturday; 08:00 - 23:00
22/08367/LIPN	Not Recorded	Ground Floor 10 Upper Tachbrook Street London SW1V 1SH	Cafe	Monday to Friday; 07:00 - 23:00 Saturday to Sunday; 09:00 - 23:00