



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

5 September 2024

Licensing Ref No:

24/03253/LIPN - New Premises Licence

Title of Report:

175 Edgware Road
London
W2 2HR

Report of:

Executive Director – Environment & Communities

Wards involved:

Hyde Park

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Roxsana Haq
Senior Licensing Officer

Contact details

Telephone: 020 7641 6500
Email: rhaq@westminster.gov.uk

1. Application

1-A Applicant and premises			
Application Type:	New Premises Licence, Licensing Act 2003		
Application received date:	24 May 2024		
Applicant:	Mr Seifalla Abdelmoateleb		
Premises:	Trading Name to be confirmed.		
Premises address:	175 Edgware Road London W2 2HR	Ward:	Hyde Park
		Cumulative Impact Area:	None.
		Special Consideration Zone:	Edgware Road SCZ
Premises description:	According to the application form the premises intends to operate as a vegan fast food restaurant.		
Premises licence history:	This is a new application and therefore no premises licence history exists.		
Applicant submissions:	None.		
Applicant amendments:	The opening hours and that of late night refreshment has been reduced by the applicant to Westminster's core hours.		

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	N/A
End:	23:30	23:30	23:30	23:30	00:00	00:00	N/A
Seasonal variations/ Non-standard timings:		Sundays immediately prior to a bank holiday 23:00 to Midnight					

Hours premises are open to the public							
Day:	Mon	Tues	Wed	Thur	Fri	Sat	Sun
Start:	11:30	11:30	11:30	11:30	11:30	11:30	11:30
End:	00:00	00:00	00:00	00:00	00:00	00:00	22:30
Seasonal variations/ Non-standard timings:		Sundays immediately prior to a bank holiday open till Midnight					
Adult Entertainment:		None.					

2. Representations

2-A Responsible Authorities	
Responsible Authority:	Environmental Health
Representative:	Sally Fabbriatore
Received:	10 July 2024

Licensing Act 2003
175 Edgware Road, London, W2 2HR

I refer to the new Premises Licence for the above premises. The premises is situated in the Edgware Road Special Consideration Zone.

This representation is based on the Operating Schedule, and layout plans.

The applicant is seeking to provide Late Night Refreshment both 'indoors and outdoors' from 23:00 hours to 02:00 hours Monday to Sunday.

I wish to make the following representation in relation to the above application, the proposed of hours and activity of Late Night Refreshment may cause an increase in Public Nuisance in the area and may impact on Public Safety.

Conditions may be proposed by Environmental Health in order to protect the Licensing Objectives.

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

Should you wish to discuss the matter further please do not hesitate to contact me.

Sally Fabbriatore
Environmental Health – Senior Practitioner

2-B Other Persons			
Name:		[REDACTED]	
Address and/or Residents Association:		The Hyde Park Estate Association	
Status:	Valid	In support or objection:	OBJECTION
Received:	24 Jun 2024		

The Hyde Park Estate Association is a recognised Westminster Amenity group and we would like to object to this application for a LNR licence from 23.00 - 02.00 hours for both indoors and outdoors.

We do not feel this application will achieve the four WCC Licensing objectives (Prevention of Crime and Disorder, Public Safety, Prevention of Public Nuisance and Prevention of Children from harm).

We have little information to note :- re the number of covers inside and outside; take aways or deliveries and conditions presently in existence ? The total area this premises covers on the outside ? T & C ? etc. etc.

I note the comments on the application form re The protection of children from harm:- A baby chair will always be available and no wet floors while customers are passing.

Name:		[REDACTED] (Withdrawn)	
Address and/or Residents Association:		Marylebone Ward	
Status:	Valid	In support or objection:	OBJECTION
Received:	24 Jun 2024		

On behalf of the [REDACTED] we object to the above mentioned application as it will not support the Licensing objectives namely: Prevention of Crime and Disorder, Public Nuisance and Children from Harm.

Whilst this application is not in the Marylebone Ward what happens on one side of Edgware Rd affects the other. In this case the Marylebone Ward. This location has recently been an issue with regard to anti social behaviour. Further there are flats above this premises.

We completely support the Hyde Park Estate objection to the terminal hour sought of 02:00.

Following the application amendment to core hours and the agreement of conditions with the Police and Environmental Health Services [REDACTED] withdrew [REDACTED] representation on 6th August 2024

3. Policy & Guidance

The following policies within the City Of Westminster Statement of Licensing Policy apply:	
<p>Edgware Road Special Consideration Zone policy applies</p>	<p>D51. Edgware Road area is 0.10km² in size, accounting for 0.4% of the borough's footprint. The local issues that need to be considered by applicants are:</p> <ul style="list-style-type: none"> ▪ Serious violent crimes at night. ▪ Incidents relating to ambulance call outs at night to the locations of licensed premises for intoxication, injury related to intoxication and/or assault. ▪ Drug dealing at night. ▪ Robberies at night. ▪ Theft incidents at night. ▪ Noise nuisance at night. <p>D52. The incidents recorded between 2017 and 2019 were nearly four times the borough's average rate of incidents per square kilometre.</p>
<p>Fast Food Premises 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>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

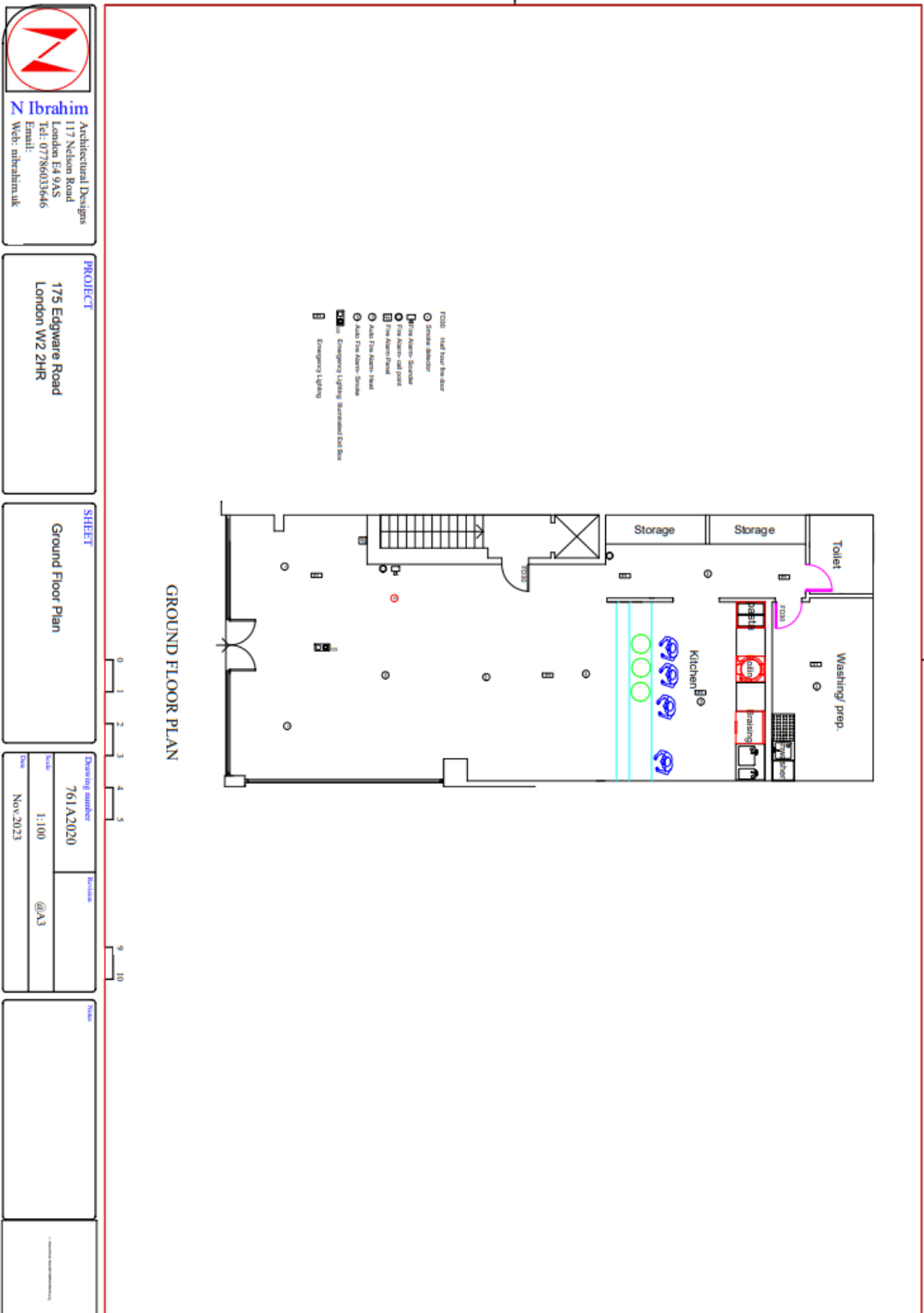
Appendix 1	Premises plans
Appendix 2	Applicant supporting documents
Appendix 3	Premises history
Appendix 4	Proposed conditions
Appendix 5	Residential map and list of premises in the vicinity

Report author:	Miss Roxsana Haq Senior Licensing Officer
Contact:	Telephone: 020 7641 6500 Email: rhaq@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 2023
4	Cumulative Impact Assessment	04 December 2023
5	Environmental Health representation	10 July 2024
6	Interested Party 1	24 June 2024
7	Interested Party 2 (<i>withdrawn 6th August 2024</i>)	24 June 2024



N Ibrahim
 Architectural Designs
 117 Nelson Road
 London E4 9AS
 Tel: 07786033646
 Email: n.ibrahim@nibrahim.co.uk
 Web: nibrahim.co.uk

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

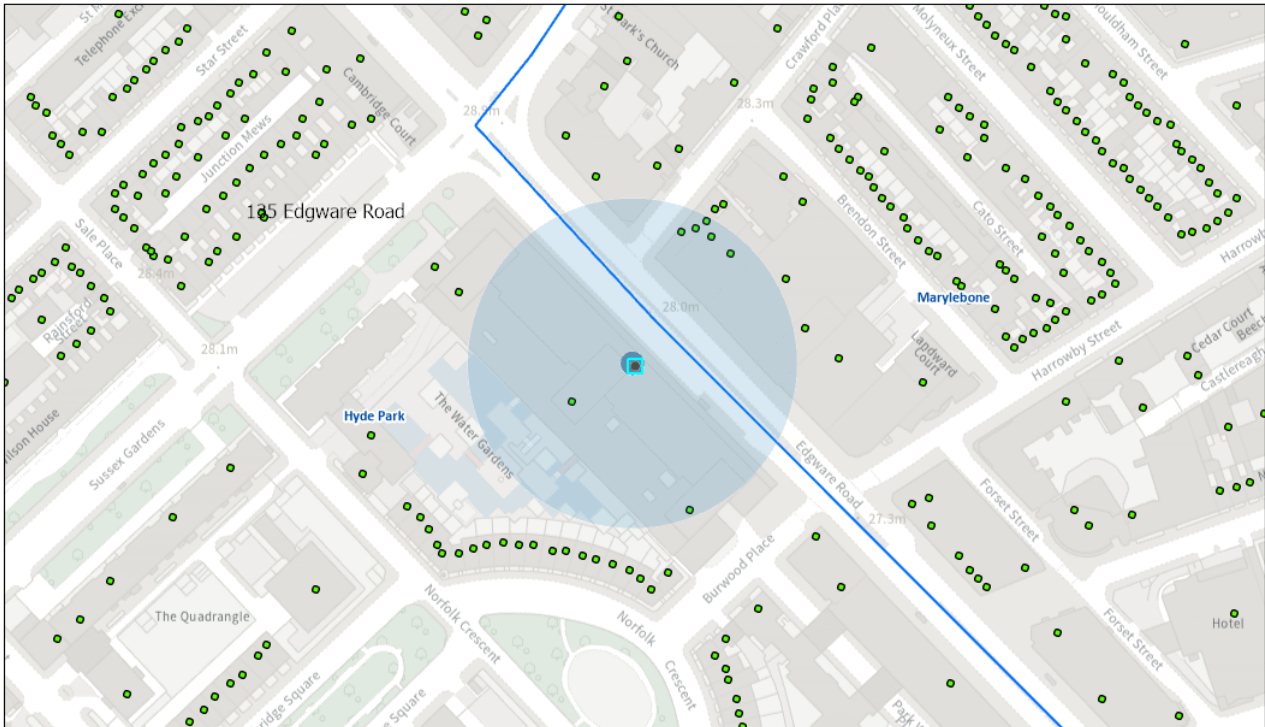
None.

Conditions proposed by the Metropolitan Police Service and Westminster Environmental Health Service and agreed by the applicant.

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.

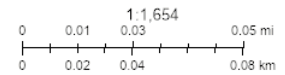
3. An incident log shall be kept at the premises, and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
 - (a) all crimes reported to the venue
 - (b) all ejections of patrons
 - (c) 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. 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.
5. 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.
6. No deliveries to the premises shall take place between (23.00) and (08.00) hours on the following day.
7. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
8. No fumes, steam or odours shall be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.
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 unless this is contracted by WCC waste collection.
10. The number of persons permitted in the premises at any one-time (excluding staff) shall not exceed 60 persons.
11. All windows and external doors shall be kept closed after 23:00 hours, except for the immediate access and egress of persons.
12. 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.
13. 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.

175 Edgware Road W2 2HR



27/08/2024, 13:22:04

- Property Mailing List
- Ward Boundaries
- Ward Labels



Resident Count: 136

Licensed premises within 75m of 175 Edgware Road				
Licence Number	Trading Name	Address	Premises Type	Time Period
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
24/00654/LIPCH	McDonald's	178 - 180 Edgware Road London W2 2DS	Restaurant	Sunday; 05:00 - 00:00 Monday to Thursday; 05:00 - 00:00 Friday to Saturday; 05:00 - 02:30
10/09311/LIPRW	Salwa Takeaway	4 Crawford Place London W1H 5NB	Takeaway food outlet	Monday to Sunday; 07:00 - 05:00