



Licensing Sub-Committee Report

Item No:

2

Title of Report:

Francino Chicken & Pizza
209 Streatham High Road, London, SW16 6EG

Applicant:

Imran khan

Application Type:

Premises Licence (variation)

Application Date:

16th November 2018

Ward:

St Leonards

Premises Type:

Fast food takeaway with an internal seating area

Policy Context:

Lambeth Statement of Licensing Policy 2014-2019

Report Author:

Mr Thomas Dunn

Contact Details:

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Application Summary:

This is an application to vary a current premises licence to amend the authorisation for late night refreshment to the following:

Tuesday to Thursday 23:00 – 03:00
Friday to Sunday 23:00 – 04:00

Consultation Information:			
Department(s) or Organisation(s)	Consulted (Y/N)	Date Response Received	Comments summarized in report (Y/N)
<u>Internal</u>			
Health & Safety Section	Y	-	-
Noise Service	Y	13/12/2018	Y
Social Services	Y	-	-
Licensing Service	Y	11/12/2018	Y
Planning	Y	-	-
Trading Standards	Y	-	-
<u>External</u>			
Fire Authority	Y	-	-
Police Licensing Unit	Y	-	-
Health Authority	Y	-	-

Policy implications:
<p><u>Licensing Objectives (chapters 5 to 9, pages 12 to 20 of the policy)</u></p> <p>The Licensing Objectives engaged by this application are:</p> <ul style="list-style-type: none"> • Prevention of Public Nuisance • Public Safety • Prevention of Crime and Disorder • Protection of Children from Harm <p><u>Special Policy Area (chapter 15 and appendix 2, pages 24 and 31 of the policy)</u></p> <p>The premises is not located in the Cumulative Impact Zone.</p> <p><u>Hours policy (chapter 4 and appendix 1, pages 11 to 12 and 29 to 35 of the policy)</u></p> <ul style="list-style-type: none"> • The premises are classified within Lambeth's Licensing Policy (the Policy) as a fast food takeaway. The premises are located on Streatham High Road within the core Streatham Town Centre which is classified as a Major Town Centre. This typically indicates an area which has more than 50,000m2 of retail floor space, a sizeable local catchment area and many of these Town Centres have enough established cultural and entertainment facilities to keep them busy in the evenings. • The Policy recommends the following terminal hours for a premises of this kind in a Major Town Centre; 01:00 hours Monday to Thursday, 02:00 hours Friday to Saturday and 00:00 hours on Sunday.

Note: The hours above are not absolute and are intended as a guide for applicants to consider when completing their operating schedules. Each application will be considered on its own merits. Applicants seeking hours later than those indicated in the Policy should provide detailed evidence as to why their application will not have a negative impact on the licensing objectives.

1. Application:

- 1.1 This is an application to vary a Premises Licence under section 34 of the Licensing Act 2003.
- 1.2 The current licence authorises Late Night Refreshment as follows:
- | | |
|--------------------|---------------|
| Monday to Thursday | 23:00 – 00:30 |
| Friday to Sunday | 23:00 – 03:00 |
- 1.3 The application is seeking to vary the current authorisation for Late Night Refreshment to the following times:
- | | |
|---------------------|---|
| Monday | 23:00 – 00:30 (as per current licensed hours) |
| Tuesday to Thursday | 23:00 – 03:00 (as per the application) |
| Friday to Sunday | 23:00 – 04:00 (as per the application) |
- 1.4 The applicant originally applied to vary the licensed hours on a Monday to 23:00 – 00:00, however this has since been withdrawn from their variation. Therefore the applicant is seeking to uphold their licensed hours of 23:00 – 00:30 on a Monday.
- 1.5 It is proposed to open the premises to the public during the following times:
- | | |
|--------------------|---------------|
| Monday to Thursday | 12:00 – 03:00 |
| Friday to Sunday | 12:00 – 04:00 |
- A copy of the application form is attached to this report as **Annex A**
- A copy of the current premises licence is attached to this report as **Annex B**

2. Representations:

- 2.1 A total of **two (2)** representations were received against the application from Licensing and Public Protection carrying out their Environmental Health function. The representations are based on the licensing objectives of the prevention of public nuisance, public safety, prevention of crime and disorder and protection of children from harm.
- 2.2 Copies of the representations were provided to the applicant and are attached to the report as **Annex C**.
- 2.3 Public Protection have withdrawn condition 10 from their proposed conditions as set out within their representation located within **Annex C**.

- 2.4 Conditions included on the current licence and those proposed by the responsible authorities within their representations, are attached to the report as **Annex D**. These have been agreed by the applicant.
- 2.5 The applicant has also agreed with the proposal from the Licensing Authority to remove condition 5 as detailed within **Annex D** from their licence.
- 2.6 During the application process the 28 day consultation period was restarted due to a failed notice check, therefore the last date for making representations were the 16th December 2018.

3. Background History:

- 3.1 The premises are located on Streatham High Road which is in close proximity of other fast food takeaways and premises licensed to sell alcohol.
- 3.2 The current licence has been valid since 19th March 2007 with the latest version being issued on 9th May 2018. The current licence doesn't permit the sale of alcohol or any regulated entertainment.
- 3.3 The area has no access to the London Underground, however a train station is located within close proximity of the premises, this being Streatham Station which serves both Southern and Thameslink trains. Other transport links are available including bus routes and local taxi offices including Greyhound Cars and Googlie Cars.
- 3.4 The premises have no dedicated car parking.

4. Observations:

- 4.1 The parts of the Statutory Guidance (April 2018) which are particularly relevant to this application and the representations received are Chapters:
 - 2 – The Licensing Objectives;
 - 3 – Licensable Activities;
 - 8 – Applications for Premises Licences;
 - 9 – Determining Applications;
 - 10 – Conditions Attached to Premises Licences and Club Premises Certificates;
- 4.2 The parts of the Statement of Licensing Policy that are particularly relevant to this application and the representations are Sections:
 - 4. Location of Premises and Hours of Operation
 - 5. The Licensing Objectives
 - 6. Prevention of Crime and Disorder
 - 7. Public Safety
 - 8. Prevention of Public Nuisance
 - 9. Protection of Children from Harm

- 16. Applications
- Appendix 1 – Preferred Hours
- Appendix 4 – Premises Types
- Appendix 6 – Applications
- Appendix 7 – Crime & Disorder
- Appendix 8 – Public Safety
- Appendix 9 – Public Nuisance
- Appendix 10 – Protection of Children

5. Conclusion:

- 5.1 Members are required to consider the application in light of all the relevant information, and if approval is given, may attach such conditions appropriate to promote the licensing objectives.
- 5.2 The options available to Members of the Licensing Sub Committee are;
- 1 – Grant the application as it currently stands.
 - 2 – Grant the application subject to such conditions as the authority considers appropriate for the promotion of the licensing objectives.
 - 3 – Exclude from the scope of the licence any of the licensable activities to which the application relates.
 - 4 – Reject the application.

Appendices:

- Annex A** - Application form
- Annex B** - Current Premises Licence
- Annex C** - Representations
- Annex D** - Conditions

Reference Documents:

<p>Local Government Act 1972 – Access to information documents used in the preparation of this report</p>	<ul style="list-style-type: none"> 1 The Licensing Act 2003 (“the Act”) 2 Amended Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) (“the Guidance”) 3 Lambeth Statement of Licensing Policy 2014 (“the Policy”)
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