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Application for full variations to a licensed premises - Ref no. 124764

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<b>Are you able to return the existing premises licence or club certificate?</b>	Yes
<b>What do you want to vary?</b>	Premises licence : PREM-LIC\101586
<b>Who is making the variation?</b>	The licensee
<b>Correspondence details</b>	
<b>Who should we correspond with in regards to this application?</b>	Provide an alternative contact information
<b>First name</b>	MUHAMMAD
<b>Last name</b>	WAQAS
<b>Name of business (optional)</b>	LIGHTENING LTD
<b>Address</b>	WHITCHURCH PARADE WHITCHURCH LANE HA8 6LR EDGWARE
<b>Email address</b>	[REDACTED]
<b>Telephone number</b>	[REDACTED]
<b>What type of variation are you applying for?</b>	Full variation
<b>What is the non-domestic rateable value (NDRV) of the premises?</b>	35500
<b>Will the variations mean the premises is used exclusively or primarily to sell or supply alcohol?</b>	No

**Application for full variations to a licensed premises - Ref no. 124764**


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**Will the variations change the expected attendance?** Yes

**Will the increase be more than 5,000 attendees at any one time?** No

**When do you want the variations to take effect?** As soon as possible

**What changes do you want to make?**

- Amend activities

**Activities on your licence**

- i. Late night refreshments

**Late night refreshments**

Day	Start time	End time
Monday	11:00	05:00
Tuesday	11:00	05:00
Wednesday	11:00	05:00
Thursday	11:00	05:00
Friday	11:00	05:00
Saturday	11:00	05:00
Sunday	11:00	05:00

**Application for full variations to a licensed premises - Ref no. 124764**

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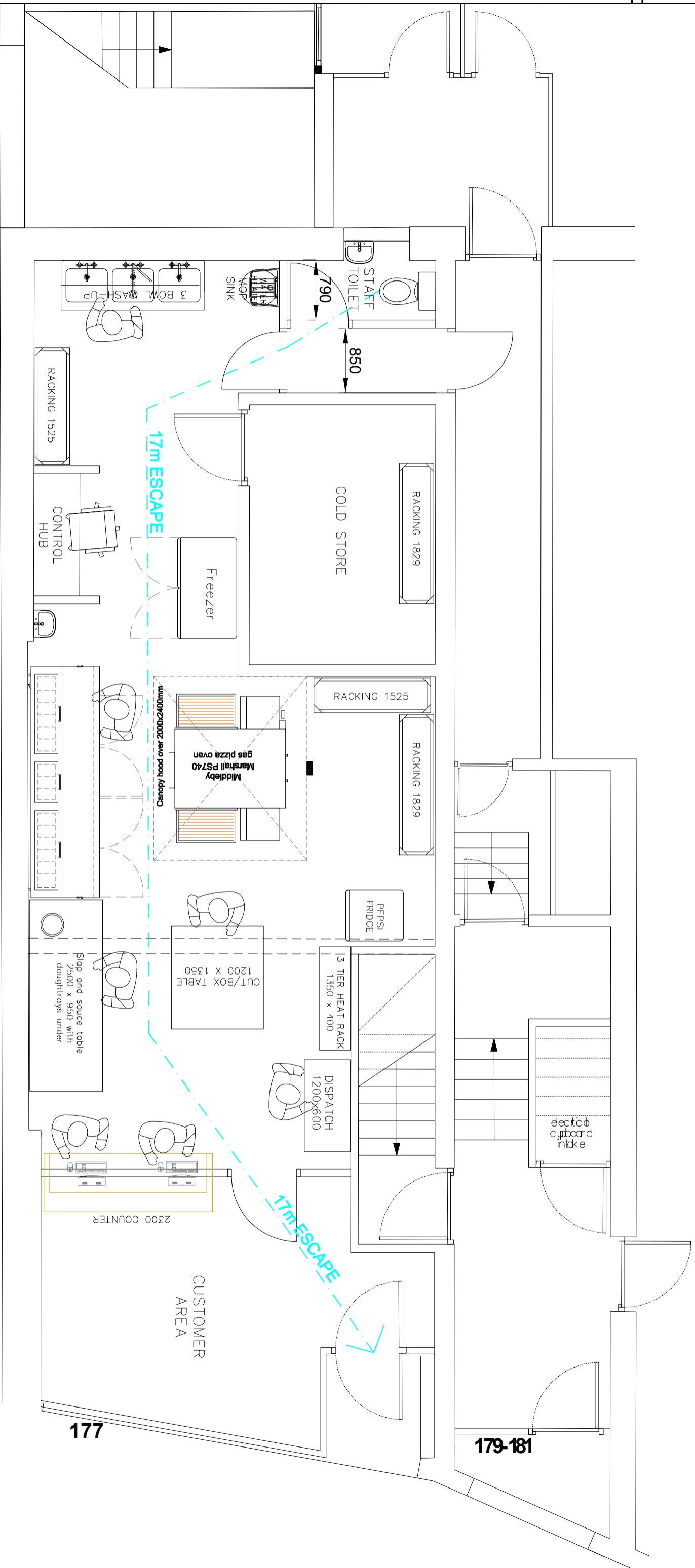
<b>Revise the location (optional)</b>	Indoors
<b>Amend the specifics of the activity changed (optional)</b>	TAKE AWAY & DELIVERY
<b>Are there changes to seasonal variations of the activity?</b>	No
<b>Are there changes to the activity taking place at other times?</b>	No
<b>Will any of the changes made give rise to concerns in respect of children?</b>	No
<b>The prevention of crime and disorder</b>	No
<b>Public safety</b>	No
<b>The prevention of public nuisance</b>	No
<b>The prevention of children from harm</b>	No

**About this form**

<b>Issued by</b>	Camden Town Hall Judd Street London WC1H 9JE
<b>Contact phone</b>	020 7974 4444
<b>Form reference</b>	Ref. no. 124764

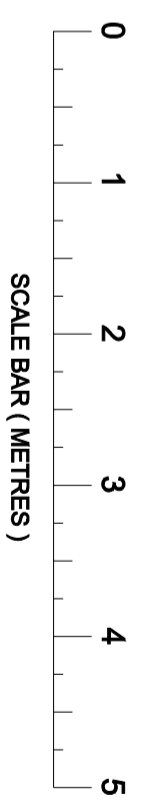
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 MadsenDesign Group

PLANS  
 1:50@A3



<p><b>MA DESIGN</b>                  MARTIN ANTHONY DESIGN LIMITED</p>		<p>CLIENT                  PapaJohns(GB)Ltd</p>			
<p>PROJECT                  177 WEST END LANE                  LONDON                  NW6 2LH</p>	<p>PROPOSED TITLE                  LAYOUT</p>	<p>SCALE                  1:50@A3</p>	<p>DRAWN BY                  MAS</p>	<p>CHECKED                  -</p>	<p>DATE                  NOV'18</p>
<p>REV                  AMENDMENT</p>	<p>DATE</p>	<p>OH</p>	<p>DRAWING NUMBER                  01092-10</p>	<p>REVISION</p>	

**From:** [REDACTED]  
**To:** [Steven Dormer](#); [Samina Khan](#); [Sarah Williams](#)  
**Subject:** Police Representations Papa Johns x3 PREM-LIC\101586 - PREM-LIC\116474 - PREM-LIC\1545  
**Date:** 26 November 2024 10:48:49  
**Attachments:** [image001.png](#)

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

Hi guys

Just keeping you in the loop re these 3 Papa John's apps. I have agreed 3am finishes across the board. No reps from the MPS.

Kind Regards

KN



**Police Constable Nicholls 3327CN**  
**Camden Licensing Unit**  
 Kentish Town Police Station  
 12A Holmes Road  
 London NW53AE

[REDACTED]  
**GSC Code -- Official**

**From:** Waqas Ahmed [REDACTED] >  
**Sent:** 26 November 2024 10:32  
**To:** Nicholls Kevin - CN-CU [REDACTED] >  
**Subject:** Re: Police Representations Papa Johns x3 PREM-LIC\101586 - PREM-LIC\116474 - PREM-LIC\1545

Hi Kevin

Thanks for your call. We are fine with 3am timing. Can you make an amendments.

Thanks  
 Muhammad Waqas

**From:** [REDACTED]  
**Sent:** 26 November 2024 10:00  
**To:** Waqas Ahmed [REDACTED]  
**Subject:** Police Representations Papa Johns x3 PREM-LIC\101586 - PREM-LIC\116474 - PREM-LIC\1545

Dear Mr Waqas

As discussed on the phone just now. Regarding the below licence applications for premises variations ----

Papa John's Pizza 177 West End Lane NW6 2LH	124764			PREM-LIC\101586 Full variation LNR - 2300-0500
Papa John's Pizza 43 Theobald's Road WC1X 8SP	124766			PREM-LIC\116474 Full variation LNR - 2200-0500
Papa John's Pizza 51a Camden High Street NW1 7JH	124769			PREM-LIC\1545 Full variation LNR - 2200-0500

Please confirm that you have agreed with the MPS that you are happy to reduce your request for times across all three venues to 0300 hours.

Once this has been confirmed I will contact Camden council, inform them, and request that this be shown on your licence.

Following this – there will be no representations from the Metropolitan Police.

Thank you and Kind regards



**Police Constable Nicholls 3327CN**  
**Camden Licensing Unit**  
 Kentish Town Police Station  
 12A Holmes Road  
 London NW53AE

[REDACTED]  
 Email [REDACTED]  
**GSC Code -- Official**

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London Borough of Camden, 5 Pancras Square, London N1C 4AG

### Premises Licence

London Borough of Camden Licensing Authority

#### Premises licence number

PREM-LIC\101586

#### Part 1 – Premises details

#### Postal address of premises, or if none, ordnance survey map reference or description

Papa John's Pizza  
177 West End Lane  
London  
NW6 2LH

Telephone number N/A

#### Where the licence is time limited the dates

N/A

#### Licensable activities authorised by the licence

Late Night Refreshment: Yes

#### The times the licence authorises the carrying out of licensable activities

Late Night Refreshment:	
Monday to Sunday and Bank Holidays	23:00 – 00:00

#### The opening hours of the premises

Monday to Thursday 11:00 – 01:00  
Friday and Saturday 11:00 – 02:00  
Sunday 11:00 – 00:00

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

N/A

**Part 2****Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence**

Lightening Ltd  
4 Whitchurch Parade  
Whitchurch Lane  
Edgware  
Middlesex  
HA8 6LR

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

15788401

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

N/A

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

N/A

**For Corporate Services Directorate on behalf of the Licensing Authority**



**Date Licence Amended: 30/09/2024 - APP\PREMISES-TRANS\123796**

**Date Licence Amended: 18/07/2023 - APP\PREMISES-TRANS\115792**

**Date Licence Amended: 23/05/2022 - APP\PREMISES-TRANS\110022**

**Date Licence Granted: 23/07/2020 - APP\PREMISES-NEW\101587**



## **Annex 1 - Mandatory conditions**

N/A

## **Annex 2 - Conditions consistent with the operating schedule**

1. CCTV will be installed at the premises and shall be maintained in effective working order and shall be in operation at all times the premises is open to the public. All recordings made by the CCTV system shall be retained and stored for a minimum of 31 days and shall be made available on request to the Metropolitan Police, the Licensing Authority or other responsible authorities.
2. At all times the premises is open to the Public a minimum of two members of staff on duty will be able to operate the CCTV system.
3. Signage shall be displayed advising customers that a CCTV system is in operation at the premise.
4. CCTV will be monitored to ensure public safety.
5. An incident log shall be retained at the premises and made available to an authorised officer of the Police or Licensing Authority.
6. Notices will be on display asking people to leave our premises quietly.
7. Regular litter patrols around the store will take place.
8. Staff will be trained in the four Licensing Objectives.
9. The Manager on duty will be fully trained with issues related to Children.

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

### **Conditions recommended by the Police responsible authority and agreed by the Licensing Panel on 23rd July 2020**

10. The premises licence holder shall ensure that CCTV cameras and recorders are installed at the premises and are of a standard acceptable to and approved by the Police.
11. The system shall be maintained in good working order and at all times the premises is open to the public, be fully operational covering both internal and external areas of the premises to which the public have access.
12. The CCTV camera views are not to be obstructed.
13. At least one CCTV camera is to be placed no more than seven feet above floor level; near to the exit in order to capture clear facial images of all persons leaving the premises.



14. The medium on which CCTV images are recorded shall be of evidential quality; stored securely; shall be retained for a period of 31 days; and be available for inspection by the Police or Local Authority upon request.
15. At all times when the premises are open for the purposes of licensable activities, a suitably trained member of staff shall be present to assist the Police or an authorised officer in obtaining the CCTV footage.
16. Copies shall be made available within 48 hours to the Police or Local Authority, upon request.
17. The facility to transfer the images to a compatible, removable format, shall be held on the premises.
18. Staff working at the premises shall be trained in the use of CCTV and a log will be kept to verify this.
19. Signs must be displayed in the customer areas to advise that CCTV is in operation.
20. If the CCTV is inoperative or not installed and working to the satisfaction of the Police, then within 48 hours the Police shall be notified and an estimate given of the repair timescale. The premises shall comply with all reasonable requests from the Police.
21. The venue shall not engage the services of street promoters to encourage clientele to attend the venue.
22. Police must be called to incidents of violence
23. An incident book shall be kept at the premises, and made available to the police or authorized council officers upon immediate request, which will record the following:
  - a) All crimes reported
  - b) All ejections of customers
  - c) Any incidents of disorder
  - d) Any faults with the CCTV system
  - e) Any visit by a relevant authority or emergency services
24. There shall be no alcohol in open containers brought into the venue by customers at any time. Any customer seen with an open vessel shall not be served and will be asked to leave the premises immediately.
25. There will be no seating made available to customers after 2300 hours.
26. An employee will be positioned outside on Friday, Saturday and Bank holiday Sundays from 2330 hours until close picking up litter that customers have dropped outside the venue and the immediate vicinity.



## Annex 4 - Plans

London Borough of Camden, 5 Pancras Square, London N1C 4AG

### Premises Licence Summary London Borough of Camden Licensing Authority

#### Premises licence number

PREM-LIC\101586

#### Part 1 – Premises details

#### Postal address of premises, or if none, ordnance survey map reference or description

Papa John's Pizza  
177 West End Lane  
London  
NW6 2LH

Telephone number | N/A

#### Where the licence is time limited the dates

N/A

#### Licensable activities authorised by the licence

Late Night Refreshment: | Yes

#### The times the licence authorises the carrying out of licensable activities

Late Night Refreshment:	
Monday to Sunday and Bank Holidays	23:00 – 00:00

#### The opening hours of the premises

Monday to Thursday 11:00 – 01:00  
Friday and Saturday 11:00 – 02:00  
Sunday 11:00 – 00:00

**Part 2****Name, (registered) address of holder of premises licence**

Lightening Ltd  
4 Whitchurch Parade  
Whitchurch Lane  
Edgware  
Middlesex  
HA8 6LR

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

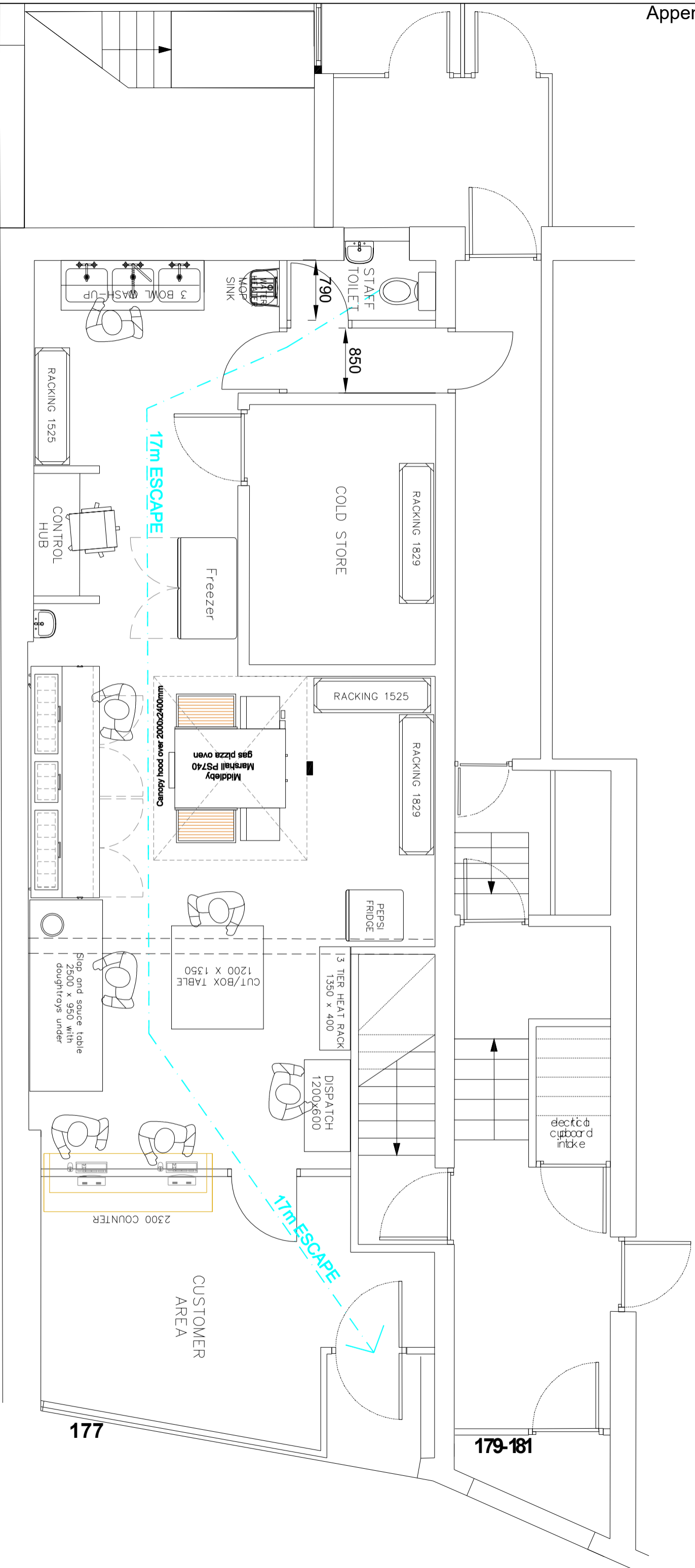
15788401

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

N/A

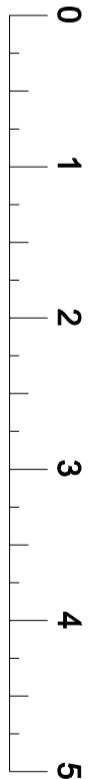
**State whether access to the premises by children is restricted or prohibited**

N/A



CONTRACTORS MUST VERIFY ALL DIMENSIONS ON SITE BEFORE COMMENCING ANY WORK ON SHOP DRAWINGS  
 IF THE DRAWING DEVIATES THE QUANTITIES MANAGER THE ARCHITECTS ARE TO BE INFORMED BEFORE THE WORK IS INITIATED  
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PLANS  
 1:50@A3



SCALE BAR ( METRES )

<p><b>MA DESIGN</b>                  MARTIN ANTHONY DESIGN LIMITED</p>		<p>CLIENT                  PapaJohns(GBL) Ltd</p>	
<p>PROJECT                  177 WEST END LANE                  LONDON                  NW6 2LH</p>		<p>DRAWING NUMBER                  01092-10</p>	
REV	AMENDMENT	DATE	OH
<p>DRAWING TITLE                  PROPOSED LAYOUT</p>		CHECKED	DATE
<p>SCALE                  1:50@A3</p>		DRAWN BY MAS	NOV'18
<p>DRAWING NUMBER                  01092-10</p>		REVISION	

**Date:** 13/11/2024  
**Application Reference:** APP\PREM-VARY/124764  
**Direct Phone Number:**  
**Contact:** Steven Dormer  
**E-mail:** [REDACTED]



**Public Protection**  
Supporting Communities  
London Borough of Camden  
5 Pancras Square  
LONDON  
N1C 1AG

Tel: 020 7974 4444 (switchboard)

London Borough of Camden  
Fax: 020 7974 6955 / 6940  
Textphone: 020 7974 6866

DX: 2106 Euston

[www.camden.gov.uk](http://www.camden.gov.uk)

*Please quote our reference in any correspondence*

Licensing (Contact Camden)  
Crowndale Centre  
218 Eversholt Street  
London  
NW1 1BD

### **Licensing Act 2003 – SECTION 34**

**RE:** Papa John's, 177 West End Lane, NW6 2LH

### **LICENSING AUTHORITY REPRESENTATION**

This representation is made by the Licensing Authority, and it relates to the following : -

Framework Hours

#### **The Premises and Summary of Application**

The application has been submitted by Muhammad Waqas on the behalf of Lightening LTD. The application is to extend the Late Night Refreshment provision to 05:00 every day of the week.

**The operational times being applied for are as follows: -**

#### **Late night refreshment**

Monday to Sunday 23:00 – 05:00

#### **The opening hours of the premises**

Monday to Thursday 11:00 – 01:00

Friday and Saturday 11:00 – 02:00

Sunday 11:00 – 00:00

**Volunteered conditions in the operating schedule.**

No additional conditions have been offered.

#### **Framework Hours – Pages 36 of The Licensing Policy**

For licences not including the sale or supply of alcohol:

Monday to Thursday 09:00 am until 11:30 pm

Friday and Saturday 09:00 am until midnight



Sunday 09:00 am until 10:30 pm

The premises proposes to operate outside the current Framework Hours.

**Cumulative Impact Areas**

The venue is not situated in a Cumulative Impact Area of the London Borough of Camden.

**Conclusion**

The applicant has applied for a variation of the Premises Licence. The application proposes to operate outside Framework Hours as stated in 5.2 of the council's adopted policy. It will be down to the panel to decide whether to depart from the council's adopted policy.

Yours sincerely

A solid black rectangular box used to redact the signature of the licensing officer.

Steven Dormer  
Licensing Officer

**Date:** 29/11/2024  
**Application**  
**Reference:** APP\PREM-VARY 101586  
**Contact:**  
**E-mail:** Lee Perella (329351)  
[REDACTED]



**Public Protection**  
Supporting Communities  
London Borough of Camden  
5 Pancras Square  
LONDON  
N1C 1AG

Tel: 020 7974 4444 (switchboard)

London Borough of Camden  
Fax: 020 7974 6955 / 6940  
Textphone: 020 7974 6866

DX: 2106 Euston

[www.camden.gov.uk](http://www.camden.gov.uk)

*Please quote our reference in any correspondence*

Licensing (Contact Camden)  
Crowndale Centre  
218 Eversholt Street  
London  
NW1 1BD

**Licensing Act 2003 – SECTION 17**  
**Re:Papa Johns 177 West End Lane NW6 2LH.**

**ENVIRONMENTAL HEALTH AUTHORITY REPRESENTATION**

This representation is made by the Environmental Health Authority, and it relates to the following licensing objectives:

- Prevention of public nuisance

**The Premises and Summary of Application**

The application is for the licensing of an existing food premises takeaway which already holds a **PREM-LIC\101586** for late night refreshment until midnight. Opening hours suggested between midnight and 2am across the week. The premises is seeking to have late night refreshment till 5am 7 day per week.

The premises is located on West Hampstead High Street near a West Hampstead Train station. Noise sensitive premises are located above the commercial high street and surrounding roads. The location is on top of a T junction with no space for road parking on the restricted road.

In general, motorised vehicle movements and parking are concerns for local residents across the Borough, with the growing trend of food delivery services. Namely noisy scooters, obstruction of footpaths from illegal parking, and riders behaviour outside premises.



It is noted that the current licence provides for conditions on public nuisance

- Incident log (5)
- Notices – leave quietly (6)
- Litter patrols (7)
- No street promoters (21)
- No seating to customers after 23.00 (25)
- Litter picker (26)

The current licence opening hours are between midnight and 2am across the week with seating unavailable after 23.00hrs and service of food till midnight. Applicant could explain why the opening hours vary so much from the Late night refreshment provision and level of seating available indoors/ outdoors. I note the application suggests “indoors” and specifically takeaway and delivery till 5am. Application could offer a condition on limiting public entry to midnight with delivery only thereafter.

### **Volunteered conditions across the operating schedule**

#### **Conditions**

No further conditions have been offered by the applicant. It is assumed that those conditions on the current licence will be carried over.

#### **Comment on application**

#### **Comment on hours and activities**

The application is seeking an extra 5 hours per day on what is already permitted on the licence.

The application is likely to lead to an increase in courier activity in the area, with limited or no road parking near the premises.

Equipment on site will be in operation over longer time periods, and therefore these will need to be well maintained so as not to give rise to nuisance.

As an informative the applicant should check their planning consents / permissions to operate any plant equipment on site and opening hours for the proposed periods.

### **Complaint History**

No recent complaint history.

Previous historic complaint regarding construction activity affecting residential premises at 179-181 adjacent in 2015. Prior to this noisy mechanical plant and odour whilst under a different operator affecting residential premises to the rear on Sherrif Road.

### **Liaison with local interested parties**

It is unknown if the applicant conducted any liaison with neighbours prior to the application.

### **Comments on conditions offered**

No further conditions offered.

Current licence offers conditions to promote licensing objective which are expected to be carried over.

### **Other considerations/ conditions (in addition to comments above).**

Should the panel determine to grant the licence, Environmental Health recommend the following:

Query on how licence holder will manage food couriers go to and from the premises and facilities for parking.

1. The premises shall close to the public after midnight and will then operate solely as a delivery service until 05:00.
2. All deliveries are to be made to a verified address only.
3. No deliveries are to be made to an open space.

4. Where the supply of a meal includes delivery to the customer, the licence holder shall ensure that specific procedures are in place and that the activity does not cause nuisance at or near to the premises.
5. No deliveries by motorised vehicles (other than electric vehicles) after 11pm.
6. All couriers not engaged in the delivery of customer orders shall wait inside the premises for the customer order.
7. All vehicles shall be parked legally and not give rise to obstruction of the public footpaths.
8. Arrangements for the storage and disposal of refuse will not cause a nuisance. All business deliveries and collections (not customer related) servicing the direct needs of the licence holder shall be undertaken during the hours of 7am to 8pm Monday to Saturday, 10am – 8pm Sunday.
9. No noise or odour 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 public nuisance.

Regards

Lee Perella  
EH Responsible Authority  
L.B.CAMDEN



Date: 4<sup>th</sup> December 2024  
Contact: Gary Bakall  
Direct Line: [REDACTED]  
Ref.: PREM-LIC\101586

**Planning Services  
Compliance and Enforcement**  
London Borough of Camden  
Council Building  
5 Pancras Square  
London N1C 1TT

Tel 020 7278 4444  
Fax 020 7974 1975  
[Planning@camden.gov.uk](mailto:Planning@camden.gov.uk)  
[www.camden.gov.uk/planning](http://www.camden.gov.uk/planning)

Licensing Panel  
London Borough of Camden

Dear Sir or Madam,  
Town & Country Planning Act 1990  
**Re: Papa John's, 177 West End Lane,  
London NW6**

Camden's Planning Service is making this representation as a responsible authority because it wishes to bring to the attention of the panel the permitted hours of the above hot food take-away establishment with regards legally enforceable planning conditions attached to the planning permission allowing the above premises to operate as a hot food take-away.

Please find attached copies of the decision notice for planning permission (Re: 36084) dated 17<sup>th</sup> October 1983 containing the planning condition and an appeal decision dated 9<sup>th</sup> May 2003 detailing the refusal of an application to vary that condition.

The planning condition limits the hours of operation to; 9:00am – 11:00pm Monday to Saturday and 9:00am to 10:30pm on Sunday. The condition was imposed to 'Safeguard the amenities of the adjoining premises and area generally'. A planning application to vary this condition to allow opening until 1:00am Monday to Thursday and 2:00am on Friday & Saturday and Midnight on Sunday was refused on the 9<sup>th</sup> July 2002, an appeal against this refusal was dismissed with the Planning Inspector stating; 'I conclude that the proposed opening hours would be incompatible with the surrounding residential area and would harm the living conditions of nearby residential properties by reason of noise and disturbance at anti-social hours.'

Yours sincerely

Gary Bakall  
**For the Director  
Culture & Environment Department**



# Appeal Decision

*Dismissed*

Site visit made on 29 April 2003

by **Andrew Dale** BA (Hons) MA MRTPI

an Inspector appointed by the First Secretary of State

The Planning Inspectorate  
4/09 Kite Wing  
Temple Quay House  
2 The Square  
Temple Quay  
Bristol BS1 6PN  
☎ 0117 372 6372  
e-mail: [enquiries@planning-inspectorate.gsi.gov.uk](mailto:enquiries@planning-inspectorate.gsi.gov.uk)

Date

**- 9 MAY 2003**

**Appeal Ref: APP/X5210/A/03/1107536**  
**177 West End Lane, London NW6 2LH**

- The appeal is made under section 78 of the Town and Country Planning Act 1990 against a refusal to grant planning permission under section 73 of the 1990 Act for the development of land without complying with conditions subject to which a previous planning permission was granted.
- The appeal is made by Monir Onsy Fahmy against the decision of the Council of the London Borough of Camden.
- The application (Ref: PWX0202289), dated 25 March 2002, was refused by the Council by a notice dated 9 July 2002.
- The application sought the variation of a condition attached to a planning permission (Ref: 36084R1), dated 17 October 1983, for the change of use from retail to an Indian take-away and the erection of an extract duct at the rear.
- The condition in dispute is No.2 which states that: The use hereby permitted shall not be carried out otherwise than between the hours of 9-00am to 11-00pm on Mondays to Saturdays and 9-00am to 10-30pm on Sundays.
- The reason given for the condition is: To safeguard the amenities of the adjoining premises and the area generally.

## Decision

1. For the reasons given below and in exercise of the powers transferred to me, I dismiss the appeal.

## Procedural Matters

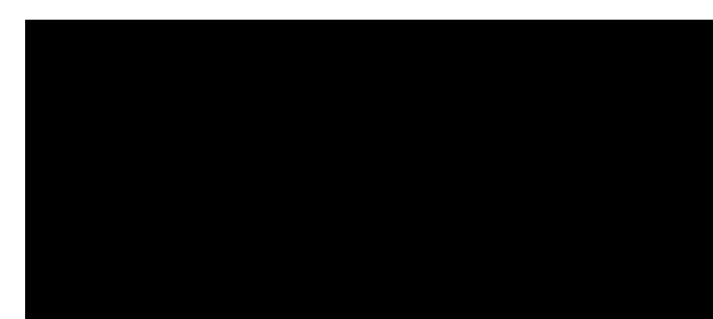
2. The ground floor at No.177 now principally provides for the take-away and delivery of pizzas. In relation to condition 2, a variation is sought to extend opening hours until 0100 the following morning Mondays to Thursdays, 0200 the following morning Fridays and Saturdays, and until midnight on Sundays.

## Reasons for the decision

3. No.177 is at the southern end of the West Hampstead District Centre in a short, 4 storey terrace. There are commercial uses on the ground floor of the terrace with flats above. No.177 lies between a bar/nightclub and the Camden Housing Advice Centre.
4. As this is a busy, edge of town centre location, residents of the area could reasonably expect significant levels of traffic noise and pedestrian activity to continue until late in the evening. However, I consider that ambient noise levels would be likely to be considerably lower after midnight. Traffic levels would have reduced. The last trains from the nearby West Hampstead tube station are at 0032 (2344 Sundays) southbound and 0048 (0012 Sundays) northbound. Most people would approach the tube station

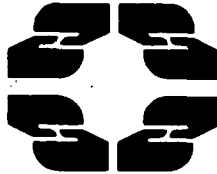
from West Hampstead town centre to the north. The Council says that the public house opposite closes at 2300 every night and that the adjacent bar/nightclub is only authorised to stay open until midnight. The opening hours of the convenience store opposite are disputed.

5. In my view, the requested hours of opening would give rise to a noticeable increase in late night activity at the premises and in the immediate vicinity that would cause unacceptable levels of noise and disturbance for the occupiers of the residential accommodation above and nearby. This would arise mainly from customers who at that time of night would be inclined to talk, laugh and shout as they entered, left or congregated outside the premises. The appellant would have no control over customers once they had left the premises and it would be impossible to restrict the noise generated. Additional noise would arise from the starting and running of the mopeds used for the delivery of pizzas. I attach some weight to the local objections to the proposal and in particular to the evidence that patrons of the take-away are known to congregate in an adjacent entrance to the flats.
6. I viewed the A3 uses at 209/211 and 221 West End Lane and the 24 hour mini-cab office at 134 West End Lane brought to my attention by the appellant. These properties are some distance away from the appeal property nearer the centre of West Hampstead and the full planning circumstances of these cases are not before me. I have also had regard to the allowed appeals in respect of the extension of hours for A3 uses at 335 West End Lane and 314 Kilburn High Road. The former related to a smaller extension of hours whilst the latter concerned a property on the busy A5 near a considerable number of late night uses in an area where residents would be used to a high degree of late night disturbance. These cases are not directly comparable to the appeal scheme which, in any event, I must deal with on its own merits.
7. Although the permitted opening hours may be a little restrictive for Fridays and Saturdays, I conclude that the proposed opening hours would be incompatible with the surrounding residential area and would harm the living conditions of the occupiers of nearby residential properties by reason of noise and disturbance at anti-social hours. Taking account of all matters raised, I consider that to allow the appeal would permit a development that would breach Policies SHG2 and SH18 of the London Borough of Camden Unitary Development Plan.
8. The site is within the Swiss Cottage Conservation Area. The Council do not present any evidence on this matter and I am satisfied that the proposal would preserve the character of the conservation area.



INSPECTOR





Planning and Communications Department

Camden Town Hall  
Argyle Street Entrance  
Euston Road  
London WC1H 8EQ  
Tel: 278 4368 ~~4444~~

Geoffrey Hoar BSc(EstMan) Dip TP FRTPI  
Director of Planning and Communications

Item No. 17.

Date **17 OCT 1983**

**Derrick Bridges & Co.,  
12, Wood Street,  
Barnet, Herts,  
EN5 4DQ.**

Your reference

Our reference

**CTP/G5/6/2/36084(R1).**  
Telephone inquiries to:

**Vincent Pearce.** [REDACTED]

Dear Sir(s) or Madam,

**TOWN AND COUNTRY PLANNING ACTS  
Permission for development (limited period)**

The Council, in pursuance of its powers under the above-mentioned Acts and Orders made thereunder, hereby permits the development referred to in the undermentioned Schedule subject to the condition(s) set out therein and in accordance with the plan(s) submitted, save insofar as may otherwise be required by the said condition(s).

Your attention is drawn to the Statement of Applicant's Rights and to the General Information set out overleaf.

**SCHEDULE**

Date of application: 19th April revised by letter on 15th September 1983.

Plans submitted: Reg.No: 36084(R1). Your No(s): 1 un-numbered (R1).

Address: 177, West End Lane, NW6.

Development:

**Change of use from retail to Indian take-away and the erection of an extract duct to the rear.**

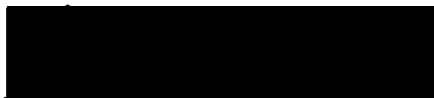
Condition(s):

- 1. The limited period for the retention of the extract duct shall be until 1st October 1988 by which date the extract duct shall be removed and use of the premises for cooking shall cease, unless the continued retention of the duct or a replacement has been approved by the Council.**
- 2. The use hereby permitted shall not be carried out otherwise than between the hours of 9.00am to 11.00pm on Mondays to Saturdays and 9.00am to 10.30pm on Sundays.**

Reason(s) for the imposition of condition(s):

1. The type of structure is not such as the Council is prepared to approve, other than for a limited period, in view of its appearance.
2. To safeguard the amenities of the adjoining premises and the area generally.

Yours faithfully,



Director of Planning and Communications  
(Duly authorised by the Council to sign this document)

#### Statement of Applicant's Rights Arising from the Grant of Permission subject to Conditions

1. If the applicant is aggrieved by the decision of the local planning authority to grant permission or approval subject to conditions, he may appeal to (and on a form obtainable from) the Secretary of State for the Environment, Tollgate House, Houlton Street, Bristol, BS2 9DJ, in accordance with Section 36 of the Town and Country Planning Act 1971 within six months of receipt of this notice. The Secretary of State has power to allow a longer period for the giving of a notice of appeal, but he will not normally be prepared to exercise this power unless there are special circumstances which excuse the delay in giving notice of appeal. The Secretary of State is not required to entertain an appeal if it appears to him that permission for the proposed development could not have been so granted otherwise than subject to the conditions imposed by the local planning authority having regard to the statutory requirements, to the provisions of the development order, and to any directions given under the order. (The statutory requirements include Sections 70 and 77 of the Act.)
2. If permission to develop land is granted subject to conditions, whether by the local planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by the carrying out of any development which has been or would be permitted, he may serve on the Council a purchase notice requiring the Council to purchase his interests in the land in accordance with the provisions of Part IX of the Town and Country Planning Act 1971.
3. In certain circumstances, a claim may be made against the local planning authority for compensation, where permission is granted subject to conditions by the Secretary of State on appeal or on a reference of the application to him. The circumstances in which such compensation is payable are set out in Section 169 of the Act.

#### General Information

This permission is given subject to the general statutory provisions in force in the area and nothing herein shall be regarded as dispensing with such compliance or be deemed to be a consent by the Council thereunder.

Your particular attention is drawn to the provisions of the London Building Acts 1930-39, and the by-laws in force thereunder which must be complied with to the satisfaction of the District Surveyor, whose address may be obtained from this office.

I would also remind you that the Council's permission does not modify or affect any personal or restrictive covenants, easements, etc., applying to or affecting either this land or any other land or the rights of any persons (including the London Borough of Camden) entitled to the benefit thereof or holding an interest in the property concerned in this development or in any adjoining property. In this connection applicants are advised to consult the Director of Works, Old Town Hall, Haverstock Hill, NW3 4QP, regarding any works proposed to, above or under any carriageway, footway or forecourt.

It is also necessary to obtain Listed Building Consent before any works of demolition, extension or alteration (internal or external) are undertaken to a building included in the Statutory List of Buildings of Architectural or Historic Interest: or before any works of demolition are undertaken to a building within a designated Conservation Area.

A planning permission does not constitute a Listed Building Consent.

<b>Representation</b>	
Premises name	Papa John's Pizza
Application reference number	APP\PREMISES-VARY\124764
Last date for representation	04/12/2024

**Making a representation as**

As an individual

**Your details****First name**

James

**Last name**

Tomlinson

**Telephone number (optional)**

[REDACTED]

**Email address**

[REDACTED]

**Address**Flat 2  
4 Sherriff Road  
London  
NW6 2AP**Remain anonymous**

No

**Grounds of representation**

- prevention of crime and disorder
- ensuring public safety
- prevention of public nuisance
- protection of children from harm

**Details of representation**

Dear Sir/Madam, I am writing to formally object to the application by Papa John's on West End Lane for a license to operate between 1:00 AM and 5:00 AM. Reference: APP\PREMISES-VARY\124764. As a resident living near the premises, I have serious concerns about the potential negative impact of these extended hours on

our community, particularly on West End Lane, Sherriff Road, and St. James's Church.

1. Littering Concerns: The area is already experiencing significant issues with litter, particularly from discarded Papa John's pizza boxes. I frequently notice these empty boxes improperly disposed of, especially on the steps of St. James's Church, creating an unsightly mess and a health hazard. The situation is so severe that children walking to school in the morning often have to dodge these boxes and other waste. Extended hours will only exacerbate this problem, further impacting the cleanliness and safety of our neighborhood.
2. Increased Anti-Social Behavior and Crime: The steps of St. James's Church are already a gathering point for anti-social behavior. Extending the operating hours of Papa John's to nearly 24 hours would likely draw more people to the area during late-night hours, increasing the risk of disturbances, noise, crime and potentially unsafe situations for residents.
3. Noise Disturbance: Our property faces the road, and the current levels of moped activity and delivery noise already cause considerable disruption. Allowing the business to operate until 5:00 AM will result in more delivery drivers operating throughout the night, adding to the noise and disturbing the peace of residents who need to rest.
4. Lack of Community Need: It is worth noting that this would make Papa John's the only restaurant in the area open during these hours. Such a move is unnecessary in a primarily residential area and would disproportionately affect local residents. I urge the Licensing Authority to

take these concerns into consideration and reject the application for extended hours. The adverse impact on litter, anti-social behavior, noise levels, and the general quality of life in our community outweighs any perceived benefits. Thank you for your time and attention to this matter. Yours faithfully, James Tomlinson

## About this form

### Issued by

Camden Town Hall  
Judd Street  
London  
WC1H 9JE

### Contact phone

020 7974 4444

## Data protection

No personal information you have given us will be passed on to third parties for commercial purposes. The Council's policy is that all information will be shared among officers and other agencies where the legal framework allows it, if this will help to improve the service you receive and to develop other services. If you do not wish certain information about you to be exchanged within the Council, you can request that this does not happen.

**From:** [licensing inbox](#)  
**To:** [Samina Khan](#)  
**Subject:** FW: Application reference APP\PREMISES-VARY\124764  
**Date:** 27 November 2024 15:23:50

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Hi Sam,

FYA

Thank you

Peter Agbley  
Licensing Officer

---

**From:** Malwina Z. [REDACTED]  
**Sent:** 27 November 2024 15:05  
**To:** licensing inbox <[licensing@camden.gov.uk](mailto:licensing@camden.gov.uk)>  
**Subject:** Application reference APP\PREMISES-VARY\124764

You don't often get email from [malwina-anna@hotmail.com](mailto:malwina-anna@hotmail.com). [Learn why this is important](#)

**[EXTERNAL EMAIL]** Beware – This email originated outside Camden Council and may be malicious Please take extra care with any links, attachments, requests to take action or for you to verify your password etc.

Hi,

As a resident living in the near vicinity of Papa John's Pizza on West End Lane, the application to extend their services until 5 am will have direct impact on my livelihood and many of the other residents.

I would like to express my strong opposition to this application due to many reasons:

- prevention of crime and disorder
- public safety and anti social behaviour
- public nuisance
- protection of children from harm

I live on West End Lane and having this delivery business until 5 am will definitely cause nuisance, noise and anti social behaviour from a lot of drunk young people who will be able to get food at any time of the night. We often hear arguments, shouting and bottle smashing around the area during the weekends around the closing hour of the pub

opposite (Railway). Papa John's should not be allowed to work until 5 am - it's going to have a massive impact on the well being of the residents, safety and will encourage young drunk and potentially drugged people to come to this part, since it will be the only food business open in whole of West End Lane.

Please I strongly ask you to reject this application for the above mentioned reasons.

Best regards,  
Malwina Zagawa

## **Section 1: Background comments of the Borough Solicitor**

- 1.1 The purpose of Camden's Statement of Licensing Policy is to make it clear to applicants that wider considerations will be taken into account when determining applications. It is intended to guide the Licensing Panel when considering licence applications. However, the Licensing Panel must always consider each application on its own merits and allow exceptions to the normal policy where the circumstances of the application justify allowing an exception. The burden is on the applicant to show that they comply with the policy.
- 1.2 Members should only address those matters that have formed the subject matter of relevant representations. Matters that arise that are not the subject of relevant representations fall outside the function that the Panel is exercising when it holds a hearing
- 1.3 Members must determine, having regard for the evidence, whether granting the application for a premises licence will impact adversely on the policy criteria listed in paragraph 3 of this report.
- 1.4 In accordance with the provisions of Part 1 of Schedule 5 of the Act, where a Licensing Authority rejects in whole or in part, an application for a new premises licence, the applicant may appeal against the decision, to a magistrate's court within 21 days of being notified of the decision.
- 1.5 Similarly, where a person who made relevant representations in relation to the application contends that the licence ought not to have been granted, or that different or additional conditions should have been imposed on the licence, he may appeal against the decision to a magistrate's court within 21 days of being notified of the decision.
- 1.6 **The Human Rights Act 1998** incorporates the key articles of the European Convention on Human Rights into domestic law. Decisions on licensing matters are actions of a public authority and must be compatible with Convention rights. Consequently, Members of the Panel must be aware of the rights contained in the Convention (particularly those set out below) when making licensing decisions.

### **(a) Article 6: Right to a fair trial**

In the determination of his civil rights and obligations, everyone is entitled to a fair and public hearing within a reasonable time by an independent and impartial tribunal established by law.

### **(b) Article 8: Right to respect for private and family life**

Everyone has a right to respect for his or her private life, his home and correspondence.



**(c) Article 1 of the First Protocol: Protection of property**

Every natural or legal person is entitled to the peaceful enjoyment of his possessions, including a licence. No one shall be deprived of his possession except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

**(d) Article 10: Freedom of Expression**

Everyone has the right to freedom of expression. This right shall include freedom to hold opinions and to receive and impart information and ideas without interference by public authority and regardless of frontiers. This Article shall not prevent States from requiring the licensing of broadcasting, television or cinema enterprises.

The exercise of these freedoms since it carries with it duties and responsibilities may be subject to such formalities, conditions, restrictions or penalties as are prescribed by law and are necessary in a democratic society, in the interests of national security, territorial integrity or public safety, for the prevention of disorder or crime, for the protection of health and morals, for the protection of the reputation or rights of others, for preventing the disclosure of information received in confidence, or for maintaining the authority and impartiality of the judiciary.

**(e) Article 14: Prohibition of discrimination**

The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth, or other status.

- 1.7 When formulating policy local authorities must have regard to the **Equality Act 2010**. The Act provides protection from discrimination in respect of certain protected characteristics, namely: age, disability, gender reassignment, pregnancy and maternity, race, religion or beliefs and sex and sexual orientation. It places the Council under a legal duty to have due regard to the advancement of equality in the exercise of its powers including licensing powers. Members of the panel must be mindful of this duty when determining all licensing applications.

**The section 149 Public Sector Equality Duty**

- (1) 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;
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

(2) A person who is not a public authority but who exercises public functions must, in the exercise of those functions, have due regard to the matters mentioned in subsection (1).

(3) Having due regard to the need to advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) remove or minimise disadvantages suffered by persons who share a relevant protected characteristic that are connected to that characteristic;

(b) take steps to meet the needs of persons who share a relevant protected characteristic that are different from the needs of persons who do not share it;

(c) encourage persons who share a relevant protected characteristic to participate in public life or in any other activity in which participation by such persons is disproportionately low.

(4) The steps involved in meeting the needs of disabled persons that are different from the needs of persons who are not disabled include, in particular, steps to take account of disabled persons' disabilities.

(5) Having due regard to the need to foster good relations between persons who share a relevant protected characteristic and persons who do not share it involves having due regard, in particular, to the need to—

(a) tackle prejudice, and  
(b) promote understanding.

(6) Compliance with the duties in this section may involve treating some persons more favourably than others; but that is not to be taken as permitting conduct that would otherwise be prohibited by or under this Act.

1.8 In determining any application, the Council must comply with the public sector equality duty in s.149 of the 2010 Act. This is a duty to have regard to the need to achieve the statutory goals of s.149, rather than to achieve a particular result. The s149 duty sits alongside and does not override statutory requirements in relation to determining licensing applications, including the duty to consider all evidence on its merits and the legislative criteria listed at paragraphs 3 & 4.

1.9 When members have before them representations or other material on issues relevant to s149, even outside the scope of “standard” licensing considerations such material must still be specifically assessed in the context of s149. However, because s149 creates a requirement to “have regard” the fact a matter raised is relevant to s149 will not automatically translate into a reason for refusing an application that would be sustainable in any subsequent appeal, given the legal requirement to determine applications in compliance with licensing legislation.

**Section 2: Financial Comments**

- 2.1 Following consideration there are no financial implications concerning this application. The Executive Director Corporate Services has been consulted in the preparation of this report and has no further comments to add.