



City of Westminster

# Follow On Committee Agenda

Title:

Licensing Sub-Committee (1)

Meeting Date:

Thursday 17th August, 2017

Time:

10.00 am

Venue:

Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR

Members:

**Councillors:**

Angela Harvey (Chairman)  
Karen Scarborough  
Rita Begum



**Members of the public are welcome to attend the meeting and listen to the discussion Part 1 of the Agenda.**

**Admission to the public gallery is via a visitor's pass which is available from the main ground floor reception at 5 Strand from 9.30am. If you have a disability and require any special assistance please contact the Committee Officer (details listed below) in advance of the meeting.**



**An Induction loop operates to enhance sound for anyone wearing a hearing aid or using a transmitter. If you require any further information, please contact the Committee Officer, Jonathan Deacon.**

**Email: [jdeacon@westminster.gov.uk](mailto:jdeacon@westminster.gov.uk) Tel: 020 7641 2783  
Corporate Website: [www.westminster.gov.uk](http://www.westminster.gov.uk)**

## **AGENDA**

### **PART 1 (IN PUBLIC)**

#### **6. TEMPORARY EVENT NOTICE - 89 WESTBOURNE PARK ROAD, W2**

**(Pages 1 - 26)**

App No	Ward / Cumulative Impact Area	Site Name and Address	Application	Licensing Reference Number
6.	Bayswater Ward / not in cumulative impact area	89 Westbourne Park Road, W2	Temporary Event Notice	17/08657/LITE NP

**Charlie Parker  
Chief Executive  
16 August 2017**

In considering applications for premises licences under the Licensing Act 2003, the sub-committee is advised of the following:

### **POLICY CONSIDERATIONS**

The City of Westminster statement of licensing policy applies to all applications where relevant representations have been made. The Licensing Sub-Committee is required to have regard to the City of Westminster statement of Licensing Policy and the guidance issued by the Secretary of state under Section 182 of the Licensing Act 2003.

### **GUIDANCE CONSIDERATIONS**

The Licensing Authority is required to have regard to any guidance issued by the Secretary of State under the Licensing Act 2003.

### **CORE HOURS WHEN CUSTOMERS ARE PERMITTED TO BE ON THE PREMISES** (As set out in the Council's Statement of Licensing Policy 2011)

- For premises for the supply of alcohol for consumption on the premises:

Friday and Saturday: 10:00 to midnight  
Sundays immediately prior to Bank Holidays: Midday to midnight  
Other Sundays: Midday to 22:30  
Monday to Thursday: 10:00 to 23:30.

- For premises for the supply of alcohol for consumption off the premises:

Monday to Saturday: 08:00 to 23:00  
Sundays: 10:00 to 22:30.

- For premises for the provision of other licensable activities:

Friday and Saturday: 09.00 to midnight  
Sundays immediately prior to Bank Holidays: 09.00 to midnight  
Other Sundays: 09.00 to 22.30  
Monday to Thursday: 09.00 to 23.30.

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City of Westminster

## Licensing Sub-Committee Report

Item No:	
Date:	<b>17<sup>th</sup> August 2017</b>
Classification:	<b>For General Release</b>
Title of Report:	<b>89 Westbourne Park Road London W2 5QH</b>
Uniform Reference:	<b>17/08657/LITENP</b>
Report of:	<b>Operational Director for Premises Management</b>
Policy context:	<b>City of Westminster Statement of Licensing Policy</b>
Financial summary:	<b>None</b>
Report Author:	<b>Jessica Donovan Licensing Support Officer</b>
Contact Details:	<b>E-mail: <a href="mailto:jdonovan@westminster.gov.uk">jdonovan@westminster.gov.uk</a></b>

## 1. TEMPORARY EVENT NOTICE DETAILS

<b>Proposal:</b>	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> <li>• Sale by Retail of Alcohol</li> <li>• Regulated Entertainment</li> </ul> <p>(Please see Temporary Event Notice at Appendix A)</p>		
<b>Premises User:</b>	Mr Hajrullah Gashi	<b>Premises Name and Address:</b>	89 Westbourne Park Road London W2 5QH
<b>Date Temporary Event Notice Received:</b>	3 <sup>rd</sup> August 2017	<b>Period of Event:</b>	<u>17/08657/LITENP</u> 12:00 until 01:00 27.08.2017- 28.08.2017 12:00 until 01:00 28.08.2017- 29.08.2017
<b>Ward Name:</b>	Bayswater	<b>Stress Area:</b>	No
<b>Number of attendees at event (including staff):</b>	150		
<b>Details of Premises Licence:</b>	The premises does have a Premises Licence. (Please see Appendix B)		
<b>Notice of Objection by Environmental Health :</b>	<p>Environmental Health has given a notice of objection under s.104 (2) of the Licensing Act 2003. The notice of objection is based on the grounds that allowing the premises to be used in accordance with the notice would undermine the in Public Nuisance and Public Safety objectives.</p> <p>Environmental Health has stated: <i>'The licensable activities may have the likely effect of causing an increase in Public Nuisance in the area and could impact on Public Safety.'</i></p> <p>Environmental Health have requested that the applicant agree to the following modifications:</p> <ul style="list-style-type: none"> <li>• A personal licence holder shall be present on site throughout the event.</li> <li>• A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.</li> <li>• No noise generated on the premises, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.</li> <li>• The Premises Licence holder must ensure an Event Management Plan is presented to the Westminster Police Licensing Team and Environmental Health Consultation Team for their comments. The</li> </ul>		

	<p><i>Event Management Plan shall include, as a minimum:</i></p> <ul style="list-style-type: none"> <li><i>a) Emergency and Evacuation procedures</i></li> <li><i>b) Crowd management and stewarding arrangements</i></li> <li><i>c) A detailed plan showing site layout and emergency egress points – site plan must be to scale</i></li> <li><i>d) Risk Assessments</i></li> <li><i>e) A schedule detailing types and locations of emergency equipment</i></li> <li><i>f) How the capacity will not be breached</i></li> <li><i>g) Contacts and details for the day / description of activity</i></li> <li><i>h) Timetable for the event - including detailed build schedule / arrival times / set up times / staff arrivals / opening times / derig etc - both days</i></li> <li><i>i) Details of insurance - Public Liability min £5million and all contractors</i></li> </ul> <p><i>So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan.</i></p> <p><i>(Please See Environmental Health Objection Appendix C )</i></p>
<b>Recommendation:</b>	<p>That the Sub-Committee consider the notice of objection given by Environmental Health and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s.105 of the Licensing Act 2003.</p>
<i>Applications Submissions- please see Appendix C1</i>	
<i>Additional procedural information – please see Appendix D</i>	

If you have any questions about this report, please contact Jessica Donovan at  
[Jdonovan@westminster.gov.uk](mailto:Jdonovan@westminster.gov.uk)

## Temporary Event Notice

Please Note: You will need to make a payment of £21.00 before the form submission can be accepted. You will be directed to pay when you submit the form.

I, the proposed premises user, hereby give notice under section 100 of the Licencing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

### Personal Details of Premises User *(Please read note 1)*

#### 1. Your name

Title	First name	Last
Mr	Hajrullah	Gashi

#### 2. Previous names *(if relevant)*


3. Your date of birth 02/04/1969

4. Your place of birth Kosovo

5. National Insurance number PW648914C

6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

The Cow  
89 Westbourne Park Road  
London

Postcode  
W2 5QH

#### 7. Other contact details

##### Telephone numbers

Daytime	02072210021	
Mobile (optional)		
Email address	office@thecowlondon.co.uk	



Licensing Authority: **Westminster City Council**

Ref:

**8. Alternative address for correspondence** (Address for correspondence associated with this application, if different to the previous address)

Postcode

**9. Alternative contact details** (if applicable)

Title

First name

Last name

**Telephone numbers**

Daytime

Mobile (optional)

**E-Mail address** (optional)**The Premises**

Please select the address of the premises where you intend to carry out the licensable activities. If there is no address please select the street record in the address lookup and supply further details of the location (including ordnance Survey references) (Please read note 2).

Search for address

**89 Westbourne Park Road**  
**London**

**W2 5QH**

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.

Premises licence number

**16/06783/LIPDPS**

Additional address information

Do you intend to use the whole of the premises at this address (Please read note 3)  
 (If no, please give a description and details below)

Yes

No



Please describe the nature of the premises below. (Please read note 4)

**Public House and Dining Rooms**

Please describe the nature of the event below. (Please read note 5)

**NOTTING HILL CARNIVAL CELEBRATION**

We will employ 2x SIA registered door staff for both evenings from 1900hrs

There will be a DJ in the evenings with an indoor sound system only, there will be no sound system outside the premises.

No glass will be used, all drinks will be sold in plastic. And no entry or re-entry between 7pm and 9pm.  
 There will be no Offsales  
 after 7pm.

Opening ours from 12:00hrs to 01:00hrs both days

Licensing Authority: **Westminster City Council**

Ref:

**The licensable activities**

Please state the licensable activities that you intend to carry on at the premises (please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 8)	<input type="checkbox"/>

Please state the date and times on which you intend to use these premises for licensable activities. (Please read note 9) Please give times in 24 hour clock. eg. 19:00. (Please read note 10) How many days will your event cover?

Start date	27/08/2017	Time	12:00	End date	28/08/2017	Time	01:00	<input checked="" type="checkbox"/>
	28/08/2017		12:00		29/08/2017		01:00	

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 11)

**150**

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please mark an "X" next to the appropriate box). (Please read note 12)

On the premises only  
Off the premises only  
Both ☒

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment. (please read note 13)

**Personal licence holders (please read note 14)**

	Yes	No
Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<b>Provide the details of your personal licence below.</b>		
Issuing licensing authority	Three Rivers District Council	
Licence number	LN/000013838	
Date of issue	06/10/2014	
Date of expiry	06/10/2024	
Any further relevant details		

**Previous Temporary Event Notices you have given (please read note 15)**

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
State the number of temporary event notices you have given for events in that same calendar year	1	
Have you already given a temporary event notice for the same premises in which the event period:		
a) ends 24 hours or less before; or	Yes <input type="checkbox"/>	No <input type="checkbox"/>
b) begins 24 hours or less after the event period proposed in this notice? (please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>



Licensing Authority: *Westminster City Council*

Ref:

**Associates and business colleagues** (*please read note 16*)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:	Yes	No
a) ends 24 hours or less before; or		
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input checked="" type="checkbox"/>

**Condition** (*please read note 17*)

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.



**Declarations** (please read note 18)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

(i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and

(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Please tick the box if you agree with the declarations above.



Date	03/08/2017	
Name of person signing	Mr Hajrullah Gashi	

To enable the consultee's to fully assess your notice, we strongly recommend you upload an event management plan or Police 696 form

For events held outside, please upload a plan of the area.

*Hajrullah, Gashi*

61MW1SVHCM9ZM





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

**Schedule 12  
Part A**

**WARD: Bayswater  
UPRN: 010033599229**

**Premises licence**

Regulation 33, 34

**Premises licence number:**

16/06783/LIPDPS

**Original Reference:**

05/08224/LIPC

**Part 1 – Premises details**

**Postal address of premises:**

The Cow  
89 Westbourne Park Road  
London  
W2 5QH

**Telephone Number:** 0207 221 5400

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:30  
Sunday: 23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 23:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 00:30  
Sunday: 12:00 to 00:00

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

Alcohol is supplied for consumption both on and off the Premises.

**Part 2**

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

Tom Conran Restaurants Limited  
Finsgate 5-7 Cranwood Street  
London  
EC1V 9EE  
*Electronic Mail : office@thecowlondon.co.uk*

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

02894488

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

**Name:** Hajrullah Gashi

*Please note: It is the policy of the Licensing Authority not to display the address details of a designated premises supervisor.*

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

**Licence Number:** LN/00013838  
**Licensing Authority:** Three Rivers District Council

**Date:** \_\_\_\_\_17 August 2016\_\_\_\_\_

**This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.**

## **Annex 1 – Mandatory conditions**

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.
3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
    - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
      - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
    - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
    - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either -

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must ensure that –

- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
  - (i) beer or cider: ½ pint;
  - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
  - (iii) still wine in a glass: 125 ml;
- (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
- (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

- 8
- (i) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
  - (ii) For the purposes of the condition set out in paragraph 8(i) above -
    - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;
    - (b) "permitted price" is the price found by applying the formula -
$$P = D + (D \times V)$$
Where -
      - (i) P is the permitted price,
      - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
      - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
    - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -



- (i) the holder of the premises licence,
  - (ii) the designated premises supervisor (if any) in respect of such a licence, or
  - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
- (iii). Where the permitted price given by Paragraph 8(ii)(b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
- (iv). (1) Sub-paragraph 8(iv)(2) below applies where the permitted price given by Paragraph 8(ii)(b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
- (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

**Conditions which reproduce the effect of any restriction imposed on the use of the premises by specified enactment**

9. (i) Alcohol may be sold or supplied:
- (a) On weekdays, other than Christmas Day, Good Friday or New Year's Eve, 10:00 to 23:00
  - (b) On Sundays, other than Christmas Day or New Year's Eve, 12:00 to 22:30
  - (c) On Good Friday, 12:00 to 22:30
  - (d) On Christmas Day, 12:00 to 15:00 and 19:00 to 22:30
  - (e) On New Year's Eve, except on a Sunday, 10:00 to 23:00
  - (f) On New Year's Eve on a Sunday, 12:00 to 22:30
  - (g) On New Year's Eve from the end of permitted hours on New Year's Eve to the start of permitted hours on the following day (or, if there are no permitted hours on the following day, midnight on 31st December).
- (ii) Alcohol may be sold or supplied for one hour following the hours set out above (other than Christmas Day and New Year's Eve), and on Christmas Day, between 15.00 and 19.00, to persons taking table meals in the premises in a part of the premises usually set apart for the service of such persons and for consumption by such a person in that part of the premises as an ancillary to his meal. For other purposes or in other parts of the premises the hours set out above shall continue to apply.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;

- (c) during the first thirty minutes after the above hours the consumption of the alcohol on the premises by persons taking table meals there if the alcohol was supplied for consumption as ancillary to the meals;
- (d) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (e) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (f) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (g) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
- (h) the taking of alcohol from the premises by a person residing there;
- (i) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied;
- (j) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.

In this condition, any reference to a person residing in the premises shall be construed as including a person not residing there but carrying on or in charge of the business on the premises.

10. No person under fourteen shall be in the bar of the licensed premises during the permitted hours unless one of the following applies:
  - (a) He is the child of the holder of the premises licence.
  - (b) He resides in the premises, but is not employed there.
  - (c) He is in the bar solely for the purpose of passing to or from some part of the premises which is not a bar and to or from which there is no other convenient means of access or egress.
  - (d) The bar is in railway refreshment rooms or other premises constructed, fitted and intended to be used bona fide for any purpose to which the holding of the licence is ancillary.

In this condition "bar" includes any place exclusively or mainly used for the consumption of intoxicating liquor. But an area is not a bar when it is usual for it to be, and it is, set apart for the service of table meals and alcohol is only sold or supplied to persons as an ancillary to their table meals.

11. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

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

12. Consumption of alcohol outside the public house shall be restricted to the private forecourt to the front of the premises.
13. The number of outside customers shall not exceed 30.
14. An SIA registered door supervisor shall be employed to manage the outside area during all pre-booked events at the premises where the guest list exceeds 50 customers.
15. The front entrance door of the premises shall be kept closed at any time when regulated entertainment takes place, except for the immediate access and egress of persons. A self closing mechanism shall be installed to the front entrance door.
16. Notices shall be prominently displayed at all entrances requesting patrons to respect the needs of local residents and use the area quietly.
17. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.

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

None



#### **Annex 4 – Plans**

Attached



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

**Schedule 12  
Part B**

**WARD: Bayswater  
UPRN: 010033599229**

**Premises licence  
summary**

Regulation 33, 34

**Premises licence number:**

16/06783/LIPDPS

**Part 1 – Premises details**

**Postal address of premises:**

The Cow  
89 Westbourne Park Road  
London  
W2 5QH

**Telephone Number:** 0207 221 5400

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

Not applicable

**Licensable activities authorised by the licence:**

Playing of Recorded Music  
Late Night Refreshment  
Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit  
Sale by Retail of Alcohol

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

**Playing of Recorded Music** Unrestricted

**Late Night Refreshment**

Monday to Saturday: 23:00 to 00:30  
Sunday: 23:00 to 00:00

**Private Entertainment consisting of dancing, music or other entertainment of a like kind for consideration and with a view to profit** Unrestricted

**Sale by Retail of Alcohol**

Monday to Saturday: 10:00 to 00:00  
Sunday: 12:00 to 23:30

*For times authorised for Christmas, New Year and Good Friday see conditions at Annex 1*

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 00:30

Sunday:	12:00 to 00:00
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<b>Where the licence authorises supplies of alcohol, whether these are on and/or off supplies:</b>  Alcohol is supplied for consumption both on and off the Premises.
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<b>Name and (registered) address of holder of premises licence:</b>  Tom Conran Restaurants Limited Finsgate 5-7 Cranwood Street London EC1V 9EE
---

<b>Registered number of holder, for example company number, charity number (where applicable)</b>  02894488
---

<b>Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:</b>  Name: Hajrullah Gashi
---

<b>State whether access to the premises by children is restricted or prohibited:</b>  Restricted
--

Date: \_\_\_\_\_ 17 August 2016 \_\_\_\_\_

This licence has been authorised by Miss Susan Patterson on behalf of the Director - Public Protection and Licensing.

CITY OF WESTMINSTER

MEMORANDUM

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TO Licensing Officer

REFERENCE 17/08657/LITENP

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FROM EH Consultation Team  
REFERENCE 17/25262/ECTENO  
BEING DEALT WITH BY S Fabbriatore (sfabbriatore@westminster.gov.uk)  
TELEPHONE 020 7641 2788  
DATE 7<sup>th</sup> August 2017

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**The Licensing Act 2003**

**RE: 89 Westbourne Park Road, London, W2 5QH**

I refer to the Temporary Event Notifications for the above premises.

The following licensable activities have been requested:

1. To provide the Supply of Alcohol on and off the premises and Regulated Entertainment on the 27<sup>th</sup> August from 12:00 to 01:00 hours on 28<sup>th</sup> August and 28<sup>th</sup> August from 12:00 to 01:00 hours on 29<sup>th</sup> August. The proposed capacity is 150.

I wish to make the following objection:

1. The licensable activities may have the likely effect of causing an increase in Public Nuisance in the area and could impact on Public Safety.

In addition to your undertakings, I propose the following in order to minimise Public Nuisance and protect Public Safety:

- A personal licence holder shall be present on site throughout the event.
- A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
- No noise generated on the premises, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- The Premises Licence holder must ensure an Event Management Plan is presented to the Westminster Police Licensing Team and Environmental Health Consultation Team for their comments. The Event Management Plan shall include, as a minimum:
  - a) Emergency and Evacuation procedures
  - b) Crowd management and stewarding arrangements

- c) A detailed plan showing site layout and emergency egress points – site plan must be to scale
  - d) Risk Assessments
  - e) A schedule detailing types and locations of emergency equipment
  - f) How the capacity will not be breached
  - g) Contacts and details for the day / description of activity
  - h) Timetable for the event - including detailed build schedule / arrival times / set up times / staff arrivals / opening times / derig etc - both days
  - i) Details of insurance - Public Liability min £5million and all contractors
- So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan.

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

Sally Fabbricatore  
Senior Practitioner  
Environmental Health Consultation Team

**Donovan, Jessica: WCC**

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**From:** Thomas Conran <tomconran@mac.com>  
**Sent:** 09 August 2017 10:52  
**To:** Fabbriatore, Sally: WCC  
**Cc:** TEN's Mailboxes: WCC; Ehtens: WCC; Police Tens: WCC; The Cow; Petro Gashi  
**Subject:** 17/08657/LITENP - 89 Westbourne Park Road

Dear Sally Fabbriatore,

Thank you for your email of the 4th August.

We have actively participated since 1995 (22 years), and have had no issues of complaint from any of the authorities for good number of years, last year we were granted an extension to our permitted hours and there were no issues whatsoever. We fully cooperated with the police guidelines/instructions concerning no entry or reentry during the hours of 8pm & 10pm. The police and the council were fully satisfied that we complied and had no problems with Public Nuisance or Public safety. You should also be reassured that we will follow your detailed proposals outline in the notice below.

We hope that you will be confident in our reassurance to allow us this license extension in this instance as you have in the past.

Kind regards,

Tom Conran.

Proprietor.

## CITY OF WESTMINSTER MEMORANDUM

**TO**                      **Licensing Officer**

**REFERENCE**                      **17/08657/LITENP**

**FROM**                      **EH Consultation Team**  
**REFERENCE**                      **17/25262/ECTENO**



BEING DEALT WITH BY S Fabbriatore ([sfabbriatore@westminster.gov.uk](mailto:sfabbriatore@westminster.gov.uk))  
TELEPHONE 020 7641 2788  
DATE 7<sup>th</sup> August 2017

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- So far as is reasonably practicable the Premises Licence Holder shall ensure that the event is run in accordance with the Event Management Plan.

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

Sally Fabbriatore  
Senior Practitioner

# APPENDIX D

## ADDITIONAL INFORMATION FOR TEMPORARY EVENT NOTICES

### 1. TEMPORARY EVENT NOTICE PROCEDURE

- 1.1 Under s.100 (1) of the Licensing Act 2003 certain temporary events, which include licensable activities, are permitted under the Act if they are notified to the Council and the Police/Environmental Health by giving a 'Temporary Event Notice'. The notice must be given by the 'premises user' (usually the event organiser responsible for all aspects of the event).
- 1.2 Permitted temporary events are events that take place in any premises, open space or temporary structure. The event must consist of one or more licensable activities; and the premises must be used over a period of no longer than 168 hours, with no more than 499 people in attendance.
- 1.3 Licensable activities include the sale by retail of alcohol; the provision of regulated entertainment and the provision of late night refreshment (hot food or drink supplied between 11pm and 5am).
- 1.4 The premises user must send two copies of the temporary event notice to the Council, one copy to the environmental health department and one copy to the police leaving at least 10 clear working days before the event is due to begin. The Council must acknowledge receipt of the temporary event notice by the next working day.

### 2. NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 2.1 If the Police/ Environmental Health are satisfied that the event would undermine one or more of the licensing objectives, they must give a notice of objection stating their reasons as to why an objective would be undermined to the Council and premises user within 3 working days of receipt of the notice.

### 3. HEARING PROCEDURE FOLLOWING NOTICE OF OBJECTION BY POLICE/ENVIRONMENTAL HEALTH

- 3.1 The Sub-Committee is being asked to consider the notice of objection and hear any oral evidence given by or on behalf of the premises user and the Police/Environmental Health.
- 3.2 The Sub-Committee must consider whether to give a counter notice to the temporary event notice given by the premises user if it considers it necessary for the promotion of the licensing objectives.
- 3.3 The Council must convene a hearing to consider the notice of objection and give at least two day's notice to the premises user and the police.
- 3.4 The Sub-Committee must either reject the notice of objection to allow the event to take place, or issue a counter notice to prevent the event from taking place, or where or, after hearing the objections, allow the notice but attach relevant conditions from the premises licence. Please note not all premises will hold a premises licence.



- 3.5 The Council must, where it decides not to give a counter notice, give the premises user and the Police/Environmental Health a notice of the decision at least 24 hours before the beginning of the event period specified in the temporary event notice.
- 3.6 Where the Council decides to give a counter notice, it must give the premises user the counter notice and the reasons for its decision; and a copy of the counter notice and the reason for its decision to the police, at least 24 hours before the beginning of the event period specified in the temporary event notice.

#### **4. APPEAL**

- 4.1 Schedule 5, Part 3 of the Licensing Act 2003 provides a right of appeal to the premises user against the giving of a counter notice, and a right of appeal to the chief officer of Police/Environmental Health where the Council decides not to give a counter notice. Such an appeal must be commenced within 21 days beginning with the day on which the appellant was notified by the Licensing Authority of the decision appealed against.
- 4.2 No appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

#### **5. POLICY CONSIDERATIONS**

- 5.1 The Westminster Statement of Licensing Policy for applications relating to premises and personal licences and temporary event notices made under the Licensing Act 2003 was determined for a three-year period commencing 7 January 2011. This contains no specific policy for Temporary Event Notices but urges longer periods of notice to be given for events which involve the use of the streets or necessitate the special management of traffic and services.

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