



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

**26 June 2017**

Classification:

**For General Release**

Title of Report:

**London Pride 2017  
Rippon News, 88 Dean Street, W1D**

Uniform Reference:

**17/06810/LITENP**

Report of:

**Operational Director for Premises Management**

Policy context:

**City of Westminster Statement of Licensing Policy**

Financial summary:

**None**

Report Author:

**Shannon Pring  
Senior Licensing Officer**

Contact Details:

**Telephone: 020 7641 3217  
E-mail: [spring3@westminster.gov.uk](mailto:spring3@westminster.gov.uk)**

## 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>• Provision of Regulated Entertainment</li> </ul> <p><i>(Please see Temporary Event Notice at Appendix A)</i></p>		
<b>Premises User:</b>	Mrs Dharmista Patel	<b>Premises Name and Address:</b>	Rippin News, 88 Dean Street, London, W1D 3ST
<b>Date Temporary Event Notice Received:</b>	20 <sup>th</sup> June 2017	<b>Period of Event:</b>	<u>17/06810/LITENP</u> 08:00 on 08 <sup>th</sup> July 2017 until 02:00 on 09 <sup>th</sup> July 2017
<b>Ward Name:</b>	West End	<b>Cumulative Impact Area:</b>	Yes
<b>Number of attendees at event (including staff):</b>	30		
<b>Details of Premises Licence:</b>	16/10652/LIPDPS, D.H Stores Ltd, Ground Floor, 88 Dean Street, London  <u>Licensable activities:</u> Sale by retail of alcohol: Monday to Saturday 08:00 – 23:00 Sunday: 10:00 – 22:30		
<b>Notice of Objection by Environmental Health and Metropolitan Police Service :</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 applicant has not provided information to show how the Licensing Objectives Prevention of Public Nuisance and Protection of Public Safety will be promoted. The extension of hours for Licensable activities to 0200hrs in the West End Cumulative Impact Area is likely to significantly add to cumulative impact.'</i></p> <p><i>(Please see Environmental Health's Objection at Appendix B)</i></p> <p>Metropolitan Police Service 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 Prevention of Crime and Disorder objectives.</p> <p>The Metropolitan Police Service has stated: <i>'The applicant has not provided information to show how the Licensing Objectives: Prevention of crime and disorder, Prevention of Public Nuisance and Protection of Public Safety will be promoted. The extension of hours for Licensable activities to 0200hrs in the West End Cumulative Impact Area is likely to significantly add to cumulative impact'</i>.</p>		

	<p>At the time of writing this report the applicant has not responded to either of the objections.</p> <p><i>(Please See Police Objection Appendix C )</i></p>
<b>Recommendation:</b>	<p>That the Sub-Committee consider the notice of objection given by Environmental Health and Metropolitan Police Service 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>

*Additional procedural information – please see Appendix D*

If you have any questions about this report, please contact Heidi Lawrance on 020 7641 3217 or at [spring3@westminster.gov.uk](mailto:spring3@westminster.gov.uk)

Licensing Authority: *Westminster City Council*

APPENDIX A

## 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 <i>(Please read note 1)</i>		
<b>1. Your name</b>		
Title	First name	Last
Mrs	Dharmista	Patel
<b>2. Previous names <i>(if relevant)</i></b>		
<b>3. Your date of birth</b>	07/11/1967	
<b>4. Your place of birth</b>	India	
<b>5. National Insurance number</b>	SC586882C	
<b>6. Your current address</b> <i>(We will use this address to correspond with you unless you complete the separate correspondence box below)</i>		
Rippon News 88 Dean Street		
		Postcode W1D 3ST
<b>7. Other contact details</b>		
<b>Telephone numbers</b>		
Daytime	07794119959	
Mobile (optional)		
Email address	dpatel67@outlook.com	

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		
<b>Telephone numbers</b>		
Daytime		
Mobile (optional)		
<b>E-Mail address</b> (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

88 Dean Street  
London

W1D 3ST

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		
Additional address information		

Do you intend to use the whole of the premises at this address (Please read note 3) <i>(If no, please give a description and details below)</i>	Yes	No
	<input type="checkbox"/>	<input checked="" type="checkbox"/>

only Rippon news just the ground floor/shop.

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

off-licence newsagent store

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

london gay pride day 8th of july

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 type="checkbox"/>
The provision of late night refreshment	<input checked="" 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 **08/07/2017** Time **08:00** End date **09/07/2017** Time **02:00**

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)

**30**

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)**

Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)

Yes No

Provide the details of your personal licence below.

Issuing licensing authority

**Leicester City Council**

Licence number

**LEIPRS3147**

Date of issue

**6 MAY 2014**

Date of expiry

**5 MAY 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 No

State the number of temporary event notices you have given for events in that same calendar year

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

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 No

Licensing Authority: *Westminster City Council*

Ref:

<b>Associates and business colleagues</b> ( <i>please read note 16</i> )		
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"/>

<b>Condition</b> ( <i>please read note 17</i> )
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 an 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	20/06/2017
Name of person signing	Mrs Dharmista Patel

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.

*Dharmista, Patel*





## EVENT OVERVIEW

**Following on from last year, with a shorter route, the parade will begin at the top of Portland Place.** The parade will travel along Portland Place until arriving at Oxford Circus where it shall continue along, via Regent Street, Piccadilly Circus, Regent Street St James's, Pall Mall, Cockspur Street and ending in Whitehall/Whitehall Place. **Parking and vehicle access will be affected along the route.** The event will attract many spectators onto the streets, so pavements will be very busy.

There will also be some exciting events taking place within Soho and Leicester Square; focused on stages in Dean Street, Archer Street, Golden Square and Leicester Square with entertainment scheduled from 12:00pm to 8:00pm.

You can download the general information leaflet for Soho businesses and residents from the Residents and Business pages of our website at [prideinlondon.org/rbl](http://prideinlondon.org/rbl)

We are working closely with Westminster City Council, the Greater London Authority, the Metropolitan Police, London Fire Brigade, London Ambulance Service and Transport for London to plan the management of this major event.

## ROAD CLOSURES

In order to ensure the safe operation of the event there will be extensive managed road closures and large numbers of stewards and volunteers deployed across the entire footprint. Full details of all road closures are available at [prideinlondon.org/rbl](http://prideinlondon.org/rbl)

## ALCOHOL MANAGEMENT

Pride in London is committed to minimising disruption and maximising safety. We know that effective management of alcohol is a key part of maintaining the event as accessible, friendly and safe. To assist us in this, we seek the cooperation of all on and off sales licensees as well as restaurants who serve alcohol with food.

## BUSINESS LIAISON TEAM

Pride in London has a dedicated Business Liaison Team. You should already have received an email or leaflet with general information about plans for the day, road closures and access restrictions. In the run up to the event, the team

SUPPORTED BY  
**MAYOR OF LONDON**

  
City of Westminster

 **TOTAL POLICING**

Pride in London is organised by London LGBT+ Community Pride, c/o Mitra House, 163 Aldersgate Street, London, EC1A 4DD  
CIC Number: 02116691 Patrons: Sir Elton John, Sir Ian McKellen, David Furnish & Marina Abramovic

LONDON  
will be visiting businesses to discuss Pride in London 2017. They will become your point of contact up to the event and on the day.

If you would like to contact the Business Liaison Team to arrange a drop-in or to deal with any query please email [rlb@prideinlondon.org](mailto:rlb@prideinlondon.org)

### BUSINESSES WISHING TO EXTEND STANDING AND SMOKING AREAS

If your premises are situated in the following roads where the road closure is managed by Pride in London it may be possible to extend the standing and smoking areas on the street.

Old Compton Street	Frith Street	Dean Street
Wardour Street	Homilly Street	Archer Street
Soho Street	Carlisle Street	Golden Square
Lisle Street	Duncannon Street	

Businesses outside of these areas must trade as normal and in compliance with their existing licence. If there are any changes to road closures or operational plans ahead of Pride weekend, Pride in London will visit before July 2017 to explain these in detail.

The streets in Soho become very busy during the event. Pride in London wants to minimise the impact on businesses and where possible provide additional space for their customers. However, public safety is our primary concern and there needs to be strict conditions for businesses wishing to operate outside of their premises. Businesses can therefore apply to Pride in London to extend the operation of your business onto the highway. This includes the following activities: smoking, sitting, standing, eating and drinking, including alcohol.

### ALCOHOL MANAGEMENT

Please help us to reduce the impact of excessive alcohol consumption

Excessive alcohol consumption is a cause of anti-social behavior, nuisance, a risk to health and can be a safety issue at events.

We ask all licensees within the event footprint to help us minimise the impact from excessive alcohol consumption. We will be providing extensive stewarding across the whole event footprint.

SUPPORTED BY  
**MAYOR OF LONDON**

  
City of Westminster

 **TOTAL POLICING**

Pride in London is organised by London LGBT+ Community Pride, 60 Mills House, 145 Abchurch Lane, London, EC4A 3DF  
with thanks to: 8011611 Patron Sir Elton John, Sir Ian McKellen, David Furnish & Marking Horowitz



We are working with the Police and officials from Westminster City Council and we will all be patrolling the event throughout the day. If there is a need for enforcement, then the appropriate agency will be contacted and action taken accordingly.

**We will be asking all licensed premises to prominently display a Pride in London Responsible Premises poster.**

This confirms you are willing to act responsibly and work with Pride and officials to help keep the event safe and reduce the risk and nuisance from excessive alcohol. The Business Liaison Team will provide you with a copy of the poster.

### **PLEASE HELP US TO REDUCE THE IMPACT OF EXCESSIVE ALCOHOL CONSUMPTION.**

#### **We ask you to:**

- Act as a responsible licensee
- Serve all drinks in plastic bottles/glasses
- Not serve people who are intoxicated
- Limit the amount of alcohol you sell to sensible limits for personal consumption only
- Report people causing a nuisance to the police, an event official or steward
- Display your Pride in London Responsible Licensee logo in a prominent place
- Sell all beverages in a plastic container, bottle or can and not glass

#### **What we will be doing:**

- Police, officials and event stewards will be located throughout the event to help support the Pride in London
- We will have patrolling teams able to visit you if you have problems
- We will provide you with a contact number and email address to report issues

**Remember failing to act responsibly could place your licence at risk. Enforcement officials will be patrolling the event footprint throughout the day.**



## APPLYING WITHIN THE PRIDE IN LONDON MANAGED AREA

We would encourage your business to partner with Pride in London by registering as a 'Responsible Licensee'. You will find an application form at the end of this pack.

All applications will be reviewed and consent granted on a case-by-case by Pride in London and if necessary Westminster City Council and the Metropolitan Police. Please note, that if you wish to extend beyond your normal licence you will need to complete a TEN.

Approval of your TEN application will be dependent on your location and the likely impact on safety. Failure to apply for an extension on your existing licence could involve enforced removal of equipment and the potential closure of your premises. Where consent is granted it is likely to be to the width of the pavement to the kerb. A minimum of 4 metres free space must be left along any street for emergency vehicles access and to accommodate the anticipated crowds. The space will be clearly marked on the morning of the event.

### Temporary Event Notices (TEN)

If you want to allow the consumption of alcohol outside your premises and you do not have off sales on your premises (this will be stated on your Premises Licence if you have one) you will need to apply for a Temporary Event Notice (TEN) with Westminster City Council. Information on TENs can be found at: [www.westminster.gov.uk/temporary-events-notice](http://www.westminster.gov.uk/temporary-events-notice)

### UNDERTAKINGS TO INCLUDE ON A TEMPORARY EVENT NOTICE (TEN)

Please include the following undertakings (in the box marked 'Nature of Event'):

- All premises licence conditions shall apply throughout the TEN.
- All drinks to be dispensed into non-glass containers and all bottles to be decanted into non glass containers.
- We shall inform Pride in London of the extension of the use of the outside area.
- We shall display a Pride in London Responsible Licensee poster in a prominent place.

SUPPORTED BY  
MAYOR OF LONDON

  
City of Westminster

 METROPOLITAN POLICE TOTAL POLICING

Pride in London is organised by London LGBT+ Community Pride, c/o Mitre House, 143 Aldersgate Street, London, EC1A 4GD  
CIC Number: 8321667 | Patrons: Sir Eilon John, Sir Ian McKellan, David Furnish & Martina Navratilova



### Additional Notes

1. **Regulated entertainment** – this may only take place if your premises licence permits. No sound systems may be placed on the highway or in any door or window facing the street, however, ambient sound from bars is allowed until the end of the event at 8pm. Noise from regulated entertainment must not cause a nuisance to people outside your premises.
2. **Temporary bars** outside your premises will not be allowed. All sales of alcohol must comply with your licence (either premises licence or TEN).
3. **No glass** – Due to the risk of injury caused by glass, please only serve drinks in plastic and decant glass bottles. Where possible use biodegradable plastic.
4. **Food preparation** – Food must not be prepared or cooked outside your premises. However, you can serve pre-packed or prepared food. You can keep this warm using compliant electrical equipment. There shall be no naked flames or pressurized gas outside your premises, i.e. no BBQs. All electrical equipment must be fully tested and comply with all relevant health and safety requirements. You must also comply with all relevant food hygiene requirements.
5. **Knives and dangerous equipment** – You must not use knives or other dangerous equipment outside your premises.
6. **Waste** – Please provide your customers with bins, that you regularly empty. We are committed to keeping the event as clean and tidy as possible.
7. **Hours of operation** – Any extension must be set up by 12noon hours and be fully removed by 8pm hours.
8. **Security** – Pride in London will be providing extensive static and patrolling stewarding throughout the event footprint. However, you are responsible for providing adequate security for your premises and any extended area outside your premises.
9. If allowing **smoking outdoors**, the smoking area must comply with the Health Act 2006.

### POST EVENT- EXTENSION OF LICENSABLE ACTIVITIES (INSIDE A PREMISES)

If you wish to extend your licensable hours after the event has finished you will also need to apply for a TEN, please include the following undertakings (in the box marked 'Nature of Event'):

SUPPORTED BY  
MAYOR OF LONDON

  
City of Westminster

 METROPOLITAN  
POLICE TOTAL POLICING

Pride in London is organized by London LGBT+ Community Pride, c/o Metro House, 163 Aldersgate Street, London, EC1A 4DD  
CC Number: 8321649 | Partners: Sir Ellen John, Sir Ian McKelvie, David Forman & Marina Navroshina



- All premises licence conditions shall apply throughout the TEN.
- A minimum of 2 SIA staff in Hi-Viz yellow jackets from 10pm until the last person leaves.
- No drinks shall be taken outside.
- No more than 15 smokers outside at any time.
- All drinks to be dispensed into non glass containers and all bottles to be decanted into non glass containers.
- No off sales.
- All external doors and windows shall be kept closed whilst regulated entertainment is taking place and in any event after 11pm, except for immediate access and egress of persons.
- No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
- A written risk assessment shall be submitted to SCD9, which shall be available for inspection 2 weeks before the event, during the event and 31 days after the event.
- No entry or re-entry after midnight, save for smokers.

#### HOW BUSINESSES CAN BENEFIT FROM PRIDE IN LONDON

Pride in London is an important event for tourism in London and there is great potential for businesses to benefit from the extra visitors to London on the day, specifically along the parade route and in the Soho area. More than half of last year's visitors said they were **more likely to spend their money** with LGBT+ friendly companies. There are a number of ways you can get involved which will help maximise your revenue potential during Pride in London:

- *Installing a window display that highlights your support for the LGBT+ community. This could be as simple as a rainbow flag. Businesses showing support are much more likely to receive positive mentions on social media and greater press coverage.*
- *Supporting the volunteers of Team Pride by offering a complimentary item, such as a glass of wine with a meal, bottle of water on the day or a discount.*

More details about sponsorship can be found at [prideinlondon.org/get-involved/sponsor-us](http://prideinlondon.org/get-involved/sponsor-us)

SUPPORTED BY  
**MAYOR OF LONDON**

  
City of Westminster

 **TOTAL POLICING**

Pride in London is organised by London LGBT+ Community Pride, 216 Mile House, 140 Aldersgate Street, London, EC1A 4DD  
CIC Number: 8321667 | Partners: Sir Eason John, Sir Ian McKelven, David Furbish & Marina Navratilova

PRIDE IN LONDON  
RESPONSIBLE LICENSEE SCHEME APPLICATION 2017

Name of Business	Rippon News
Address	88 Dean street, London, W1D 3ST
Postcode	W1D 3ST
Name of Owner /Manager	Dharmista Patel
Telephone Number	07794119959
Email address	dpatel67@outlook.com.
Type of Business (Bar, Off License, Food Retailer, Restaurant, etc)	OFF license - News Agent
Would you like to apply for extended premises?	(Include Details) Yes. To put a few tables outside the shop front with bin bags to sell beer out of ice buckets.
On the day contact details	Dharmista Patel
Manager's Name	Dharmista Patel
Contact Number	07794119959
Email address	dpatel67@outlook.com.

\*\* Please scan and email to [rbl@prideinlondon.org](mailto:rbl@prideinlondon.org) by June 15 2017 \*\*

LLCP Use only:  
 Responsible Licensee Logo Issued \_\_\_\_\_ Yes/No  
 Date of issue \_\_\_\_\_ / \_\_\_\_ / \_\_\_\_  
 Logo designated No. \_\_\_\_\_

## **Consultee Comments for Licensing Application 17/06810/LITENP**

### **Application Summary**

Application Number: 17/06810/LITENP  
Address: 88 Dean Street London W1D 3ST  
Proposal: TEN Personal Licence Holder  
Case Officer: Mr Robin Grey

### **Consultee Details**

Name: Mr Dave Nevitt  
Address: Westminster City Hall 64 Victoria Street, London, City of Westminster SW1E 6QP  
Email: dnevitt@westminster.gov.uk  
On Behalf Of: Environmental Health Service For TENs

### **Comments**

I object to this application. The applicant has not provided information to show how the Licensing Objectives Prevention of Public Nuisance and Protection of Public Safety will be promoted. The extension of hours for Licensable activities to 0200hrs in the West End Cumulative Impact Area is likely to significantly add to cumulative impact.



27/06/2017 11:30:59

From: "Russell, Sandy: WCC" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=9A51876D8I  
Sent: 23/06/2017 15:21:19  
To: "TEN's Mailboxes: WCC" </O=EXCHANGELABS/OU=EXCHANGE ADMINISTRATIVE GROUP (FYDIBOHF23SPDLT)/CN=RECIPIENTS/CN=1788B981BC  
Cc: Ehtens: WCC; TEN's Mailboxes: WCC; Police Tens: WCC; Met Police Licensing Team: WCC  
Subject: TEMPORARY EVENT NOTICE REF: 17/06810/LITENP 88 Dean Street

Mrs. Patel,

I have objected to your recent Temporary Event Notice in the following terms:

I object to this application. The applicant has not provided information to show how the Licensing Objectives: Prevention of crime and disorder, Prevention of Public Nuisance and Protection of Public Safety will be promoted. The extension of hours for Licensable activities to 0200hrs in the West End Cumulative Impact Area is likely to significantly add to cumulative impact.

PC Sandy Russell 4167CW  
Westminster Police Licensing Team  
4th Floor, 64 Victoria Street,  
LONDON, SW1E 6QP  
Tel: 0207 641 1721

# 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.