



City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

04 July 2019

Classification:

For General Release

Title of Report:

**10 Old Compton Street
London
W1D 4TF**

Uniform Reference:

19/07184/LITENP

Report of:

Operational Director for Premises Management

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

**Bushara Hamida
Senior Licensing Officer**

Contact Details:

E-mail: bhamida@westminster.gov.uk

1. TEMPORARY EVENT NOTICE DETAILS

Proposal:	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> • Sale by Retail of Alcohol <i>(Please see Temporary Event Notice at Appendix A)</i>		
Premises User:	Mr Fabrizio Piscotta	Premises Name and Address:	10 Old Compton Street London W1D 4TF
Date Temporary Event Notice Received:	12 th June 2019	Event Period:	12:00 06.07.2019- 20:00 06.07.19 (8 Hours)
Ward Name:	West End	Times when licensable activities will be carried out on each day:	12:00 06.07.2019- 20:00 06.07.19 (8 Hours)
Number of attendees at event (including staff):	20	Cumulative Impact Area:	Yes
Details of Premises Licence:	The premises does have a Premises Licence. <i>(Please see appendix B)</i>		
Notice of Objection by the Metropolitan Police Service & Environmental Health :	<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 and protect children from harm.</p> <p>The Metropolitan Police has stated: <i>'Police object to this Temporary Event Notice for the following reasons to prevent crime and disorder and protect children from harm:-</i></p> <ul style="list-style-type: none"> • <i>Insufficient details describing the event.</i> • <i>Insufficient undertakings provided to promote the licensing objectives.</i> <p><i>The venue is situated in the West End Cumulative Impact Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems.</i></p> <p><i>Please confirm exactly how you will be using the outside area covered by the TEN and that there will no outside bar?'</i></p> <p><i>(Please See Police Objection Appendix C)</i></p> <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 Licensing objectives.</p>		

	<p>Environmental Health has stated: '<i>Objection as insufficient undertakings have been provided.</i>'</p> <p>(Please See Environmental Health Objection Appendix C1)</p>
Recommendation:	<p>That the Sub-Committee consider the notice of objection given by The Metropolitan Police and 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>

Additional procedural information – please see Appendix D

If you have any questions about this report, please contact Bushara Hamida at
bhamida@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 *(Please read note 1)*

1. Your name

Title	First name	Last

2. Previous names *(if relevant)*

3. Your date of birth

4. Your place of birth

5. National Insurance number

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

Postcode

7. Other contact details

Telephone numbers

Daytime		
Mobile (optional)		
Email address		

Licensing Authority: *Westminster City Council*

Ref:

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

Poppleston Allen Solicitors

37 Stoney Street
The Lace Market
Nottingham

Postcode
NG1 1LS

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

Title	Mr	
First name	Craig	
Last name	Barwell	
Telephone numbers		
Daytime	01159349170	
Mobile (optional)		
E-Mail address (optional)	c.barwell@popall.co.uk	

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

10 Old Compton Street
London

W1D 4TF

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	17/14665/LIPDPS					
Additional address information	Temakinho					
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)		<table border="1"> <tr> <td>Yes</td> <td>No</td> </tr> <tr> <td><input type="checkbox"/></td> <td><input checked="" type="checkbox"/> a</td> </tr> </table>	Yes	No	<input type="checkbox"/>	<input checked="" type="checkbox"/> a
Yes	No					
<input type="checkbox"/>	<input checked="" type="checkbox"/> a					

The outside area on the pavement. Please see attached plan showing location

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

Brazilian/Japanese Licensed Restaurant

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

The premises will be involved with the celebration of Pride on the 6th July 2019 and are licensing the pavement area immediately outside the premises in a similar manner to their neighbour during the Pride event in 2018.

Tim Saluk of Pride in London RBL was consulted, has visited the premises and Pride in London have approved the scheme. They have informed us that they will input their visit and approval to Westminster Council.

We have contacted the Police and EHO via e-mail and informed them that we are applying for this event and that we are happy to have the following undertakings attached to the TEN:

1. All drinks shall be dispensed into non-glass containers and all bottles shall be decanted into non-glass containers.
2. We shall display a Pride in London Responsible Licensee poster in a prominent place.
3. There will be 1 SIA door supervisor during the period of the TEN

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	a
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	
The provision of regulated entertainment (Please read note 7)	
The provision of late night refreshment	
Are you giving a late temporary event notice? (Please read note 8)	

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 **06/07/2019** Time **12:00** End date **06/07/2019** Time **20:00**

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)

20

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

a

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)

NO**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)		a	
Provide the details of your personal licence below.	Issuing licensing authority	<input type="text"/>	
	Licence number	<input type="text"/>	
	Date of issue	<input type="text"/>	
	Date of expiry	<input type="text"/>	
	Any further relevant details	<input type="text"/>	

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
		a
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
		a

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 type="checkbox"/> a
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	<input type="checkbox"/>	<input type="checkbox"/> a
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input 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 type="checkbox"/> a
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	<input type="checkbox"/>	<input type="checkbox"/> a
b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/>	<input 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 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.

 a

Date	12/06/2019
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Name of person signing	Mr Craig Barwell
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To enable the consultee's to fully assess your notice, we strongly recommend you upload an event management plan or Police 696 form

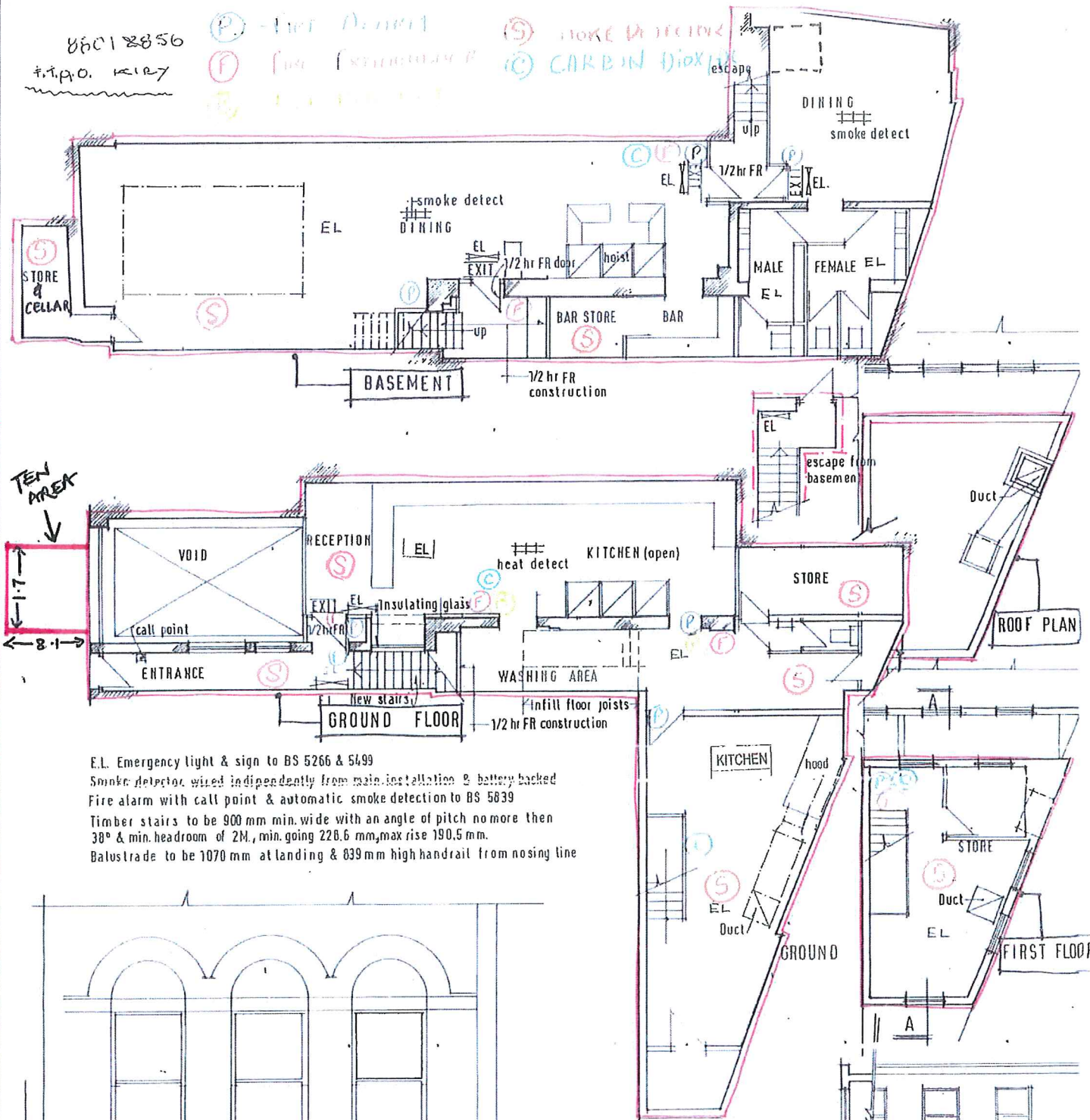
For events held outside, please upload a plan of the area.

Fabrizio, Piscotta

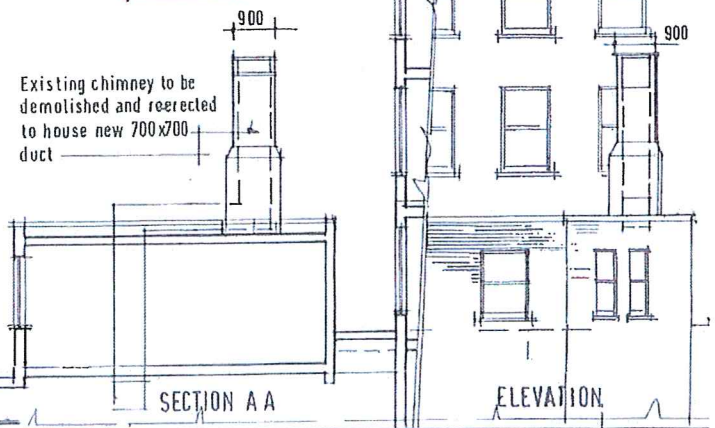
5X9LBGJ0X9PV5

06012856
 F.P.O. KIRY

(P) Fire Alarm
 (S) Smoke Detector
 (C) Carbon Dioxide
 (F) Fire Extinguisher



E.L. Emergency light & sign to BS 5266 & 5499
 Smoke detector wired independently from main installation & battery backed
 Fire alarm with call point & automatic smoke detection to BS 5839
 Timber stairs to be 900 mm min. wide with an angle of pitch no more than 38° & min. headroom of 2M, min. going 228.6 mm, max rise 190.5 mm.
 Balustrade to be 1070 mm at landing & 839 mm high handrail from nosing line



JOB	10 OLD COMPTON ST. W1
TITLE	PROPOSED LAYOUT
3WG N°	050/5
DATE	11/11/2003 SCALE 1/100 @ 1/20

VINCENTI PIATO ASSOCIATES.
 67 Cavendish Crescent,
 Elstree, Herts,
 WD6 3JW
 Fax/Tel: 020 8953 722
 Email: vip@mcmail.co.uk
 Mobile: 07748886851
Planning & Architectural Consultants



City of Westminster

64 Victoria Street, London, SW1E 6QP

Schedule 12
Part A

WARD: West End
UPRN: 100023472199

Premises licence

Regulation 33, 34

Premises licence number:

17/14665/LIPDPS

Original Reference:

05/03917/LIPC

Part 1 – Premises details

Postal address of premises:

Temakinho
10 Old Compton Street
London
W1D 4TF

Telephone Number:

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 23:30
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 23:00
Sunday:	12:00 to 22:30

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 23:30
Sunday: 12:00 to 23:00

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:

Temakinho UK Limited
20-22 Bedford Row,
London,
United Kingdom,
WC1R 4JS

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

09796131

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


Name: Fabrizio Piscotta

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: LBWands/05020
Licensing Authority: London Borough of Wandsworth

Date: 26 June 2019



Signed:

This licence has been authorised by Ms Roxsana Haq 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.

8(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.
- 8(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.
- 8(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 reproducing the effect of conditions subject to which the relevant existing licences have effect.

Conditions for sale of alcohol

- 9. Substantial food and suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of permitted hours in all parts of the premises where intoxicating liquor is sold or supplied.
- 10. A closed circuit television system to be installed maintained and operated as reasonably specified by the Metropolitan Crime Prevention Officer. Tapes to be retained for a minimum of 31 days.
- 11. The service and consumption of intoxicating liquor shall be to persons seated and by way of waiter/waitress service only.
- 12. No striptease, no nudity and all persons to be decently attired at all times.
- 13. No payment shall be made by or on behalf of the licensees to any person for bringing customers into the premises.
- 14. There shall be no gaming on the premises other than by machines authorised by Part III (Section 34) of the Gaming Act 1968.

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

- 15. Alcohol shall not be sold, supplied, consumed in or taken from the premises except during permitted hours.

In this condition, permitted hours means:

- (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).

NOTE - The above restrictions do not prohibit:

- (a) during the first twenty 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.

16. 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.

Annex 2 – Conditions consistent with the operating Schedule

None

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: West End
UPRN: 100023472199

Premises licence
summary

Regulation 33, 34

Premises licence number:

17/14665/LIPDPS

Part 1 – Premises details

Postal address of premises:

Temakinho
10 Old Compton Street
London
W1D 4TF

Telephone Number:

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 23:30
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 23:00
Sunday:	12:00 to 22:30

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 23:30
Sunday:	12:00 to 23:00

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.

Name and (registered) address of holder of premises licence:

Temakinho UK Limited
20-22 Bedford Row,
London,
United Kingdom,
WC1R 4JS

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

09796131

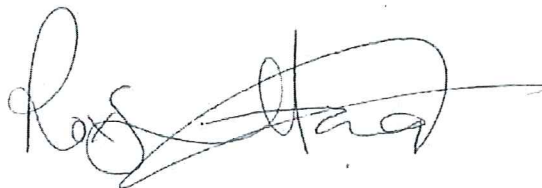
Name of designated premises supervisor where the premises licence authorises for the supply of alcohol:

Name: Fabrizio Piscotta

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

Restricted

Date: 26 June 2019



Signed:

This licence has been authorised by Ms Roxsana Haq on behalf of the Director - Public Protection and Licensing.

Consultee Comments for Licensing Application 19/07184/LITENP

Application Summary

Application Number: 19/07184/LITENP
Address: 10 Old Compton Street London W1D 4TF
Proposal: TEN Personal Licence Holder
Case Officer: Bushara Hamida

Consultee Details

Name: reaz guerra
Address: LICENSING DEPARTMENT FOURTH FLOOR, WESTMINSTER CITY HALL, 64
VICTORIA STREET, LONDON SW1E 6QP
Email: rguerra@westminster.gov.uk
On Behalf Of: Metropolitan Police Service For TENs (for Licensing)

Comments

Dear Craig

With reference to the above TEN(s), Police object to this Temporary Event Notice for the following reasons to prevent crime and disorder and protect children from harm:-

Insufficient details describing the event.

Insufficient undertakings provided to promote the licensing objectives.

The venue is situated in the West End Cumulative Impact Area, a locality where there is traditionally high crime and disorder. We have concerns that this application will cause further policing problems.

Please confirm exactly how you will be using the outside area covered by the TEN and that there will no outside bar?

Kind Regards

Reaz

PC Reaz Guerra 1614CW
Westminster Police Licensing Team
Westminster City Hall
64 Victoria Street
London SW1E 6QP
0207 641 1705

Consultee Comments for Licensing Application 19/07184/LITENP

Application Summary

Application Number: 19/07184/LITENP

Address: 10 Old Compton Street London W1D 4TF

Proposal: TEN Personal Licence Holder

Case Officer: Bushara Hamida

Consultee Details

Name: Anil Drayan

Address: City Hall, 64 Victoria Street, London sw16qe

Email: adrayan@westminster.gov.uk

On Behalf Of: Environmental Health Service For TENs

Comments

objection as insufficient undertakings have been provided

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.