



] City of Westminster

Licensing Sub-Committee Report

Item No:

Date:

7th August 2014

Classification:

For General Release

Title of Report:

Front Outside Area Of
39 Hereford Road
London
W2 4AB

Uniform Reference:

14/06357/LITENN

Report of:

Operational Director for Premises Management

Policy context:

City of Westminster Statement of Licensing Policy

Financial summary:

None

Report Author:

Miss Samantha Samms
Licensing Support Officer

Contact Details:

Telephone: 020 7641 1869
E-mail: ssamms1@westminster.gov.uk

1. TEMPORARY EVENT NOTICE DETAILS

Proposal:	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> • The sale by retail of alcohol (on & off sales) • 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 • The provision of late night refreshment <p><i>(Please see Temporary Event Notice at Appendix A)</i></p>		
Premises User:	Mr Rachid Saaida	Premises Name and Address:	Front Outside Area Of 39 Hereford Road London W2 4AB
Date Temporary Event Notice Received:	Received on 28 th July 2014	Period of Event:	12:00-12:00 on Sunday 24 th August and Monday 25 th August 2014 (24 Hours)
Number of attendees at event (including staff):	30	Times when licensable activities will be carried out on each day:	12:00-12:00 on Sunday 24 th August 2014 12:00-12:00 on Monday 25 th August 2014
Ward Name:	Bayswater	Stress Area:	No
Details of Premises Licence:	Licensable activities authorised by the licence: Sale by Retail of Alcohol The times the licence authorises the carrying out of the licensable activities: Sale by Retail of Alcohol: Monday to Saturday-12:00 to 23:00 Sale by Retail of Alcohol: Sunday-12:00 to 22:30 The opening hours of the premises: Monday to Saturday- 12:00 to 23:30 Sunday- 12:00 to 23:00 <i>(Please see Appendix B)</i>		
Notice of Objection by Environmental Health:	The Environmental Health 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 the applicant has not given any undertakings or assurances with respect to Protection of Public Safety and Prevention of Public Nuisance. The hours sought are likely to increase the risk of nuisance being caused to local residents and may hinder the speedy dispersal of people from the area following the end of the Carnival. <i>(Please see the Environmental Health Objection at Appendix C)</i>		
Notice of Objection	The Police have given a notice of objection under s.104 (2) of the Licensing		

by Police:	<p>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 Crime and Disorder, Public Nuisance and Public Safety objectives. Police state the plans for events at carnival have been complete for months and there is not time to modify the plans to include your event.</p> <p><i>(Please see the Police Objection at Appendix D)</i></p>
Additional Information:	<p>Please see emails relating to the Notice between the Police and Mr Rachid Saaida.</p> <p><i>(Please See Appendix E)</i></p>
Recommendation:	<p>That the Sub-Committee consider the notice of objection given by Environmental Health and the Police and determine whether or not the Licensing Authority should issue a counter notice to the premises user, in accordance with s105 of the Licensing Act 2003.</p> <p>If members are minded to grant the application they can attach relevant conditions from the LA03 premises licence to the notice in accordance with S106A of the Licensing act 2003.</p>

Additional Procedural information – please see Appendix F

If you have any questions about this report, please contact Miss Samantha Samms on 020 7641 1869 or at ssamms1@westminster.gov.uk

APPENDIX A



Westminster
Application for a Temporary Event Notice
Licensing Act 2003

For help contact
tens@westminster.gov.uk
Telephone: 020 7641 1884

* required information

Section 1 of 8

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

Rachid Saaida

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

RACHID

Family name

SAAIDA

E-mail address

RACHID.SAAIDA@GMAIL.COM

Main telephone number

07795191017

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Registration number

7108759

Business name

MOROCCAN SAHARA LTD

If your business is registered, use its registered name.

VAT number

- NONE

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 8

APPLICATION DETAILS (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Yes No

Your date of birth / /
dd mm yyyy

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

Section 3 of 8

THE PREMISES

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

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). (See also guidance on completing the form, note 2)

Does the premises have an address?

- Yes No

Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither Premises licence Club premises certificate

Premises licence number

Location Details

Provide further details about the location of the event

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below (see also guidance on completing the form, note 3)

FRONT OUTSIDE AREA

Describe the nature of the premises below (see also guidance on completing the form, note 4)

RESTAURANT

Describe the nature of the event below (see also guidance on completing the form, note 5)

NOTTING HILL CARNIVAL

Section 4 of 8

LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises (see also guidance on completing the form, note 6):

- The sale by retail of alcohol
- 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
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

(See also guidance on completing the form, note 7).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

(see also guidance on completing the form, note 8)

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

12:00 TILL 12:00 AND 12:00 TILL 12:00

(see also guidance on completing the form, note 9)

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

30

(see also guidance on completing the form, note 10)

Note that the maximum number of people cannot exceed 499.

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

(see also guidance on completing the form, note 11):

- On the premises only
- Off the premises only
- Both

Section 5 of 8

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 12)

Do you currently hold a valid personal licence?

- Yes No

Section 6 of 8

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 13)

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?

- Yes No

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 No
- b) Begins 24 hours or less after the event period proposed in this notice?

Continued from previous page...

Section 7 of 8

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 14)

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

Has any associate of yours 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?
- Yes No

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

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:

- a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?
- Yes No

Section 8 of 8

CONDITION

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.
(See also guidance on completing the form, note 16)

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION

Continued from previous page...

* 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 a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/westminster/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 Next >



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

Schedule 12
Part A

WARD: Bayswater
UPRN: 999000059720

Premises licence

Regulation 33, 34

Premises licence number:

06/11769/WCCMAP

Part 1 – Premises details

Postal address of premises:

Sahara Restaurant
Basement And Ground Floor
39 Hereford Road
London
W2 4AB

Telephone Number: 0207 792 0770

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol: Monday to Saturday - 12:00 to 23:00
Sale by Retail of Alcohol: Sunday - 12:00 to 22:30

The opening hours of the premises:

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

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

On

Part 2

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

Mr Youness Nouari
10 Bell Close
Pinner
Middlesex
HA5 2AQ
Electronic Mail: younessnouari@yahoo.co.uk
Telephone Number: 0207 792 0770

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

N/A

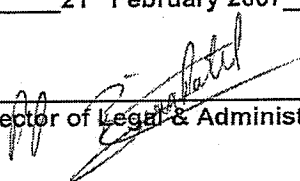
Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Name: Youness Nouari
Address: 10 Bell Close, Pinner, Middlesex, HA5 2AQ
Phone: 0207 792 0770

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: 05NY-00AK-7P8F-AKXXX
Licensing Authority: Harrow Council

Date: 21st February 2007

Signed: 
Director of Legal & Administrative Services

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.

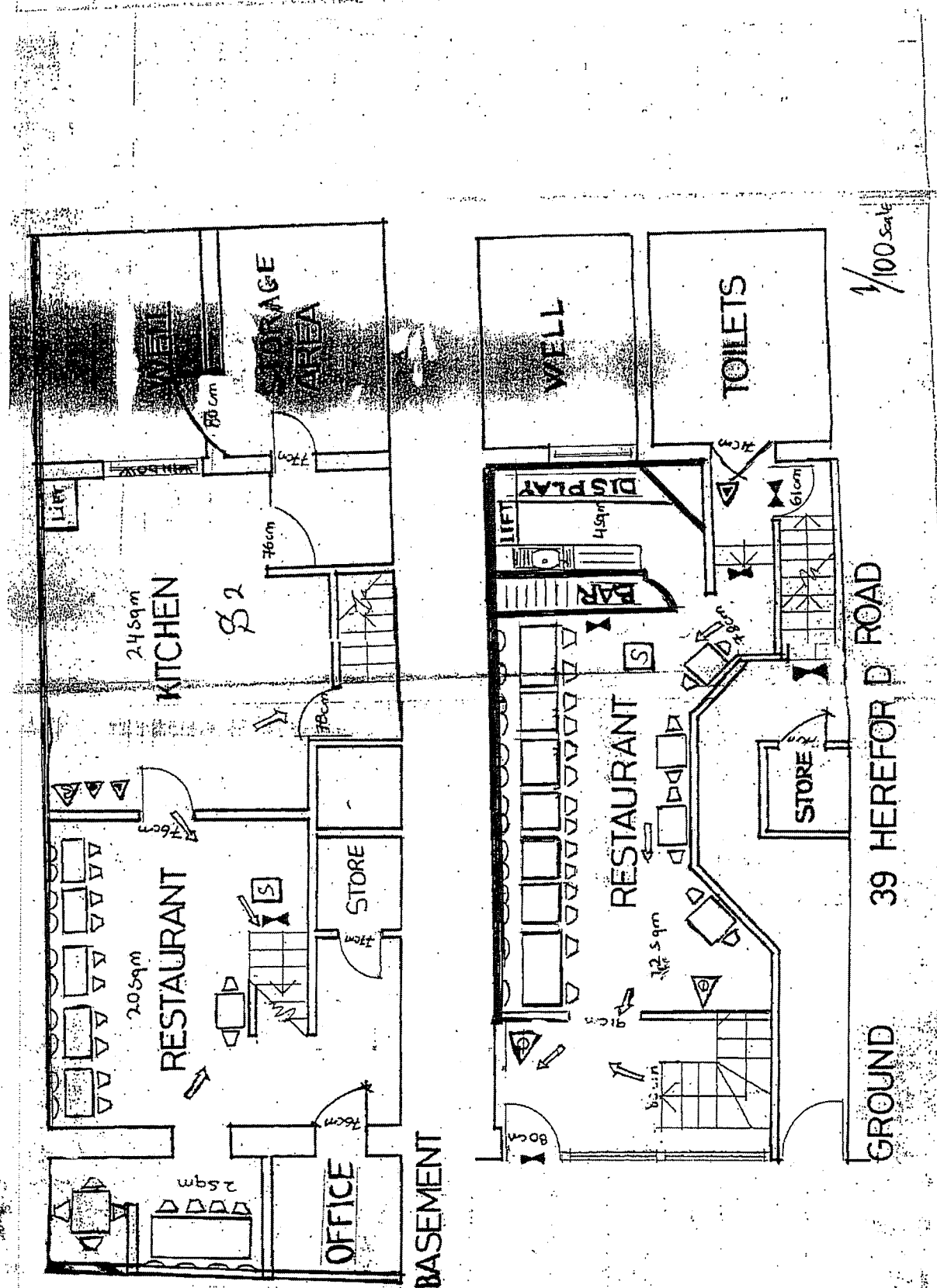
Annex 2 – Conditions consistent with the operating Schedule

4. Any children on the premises shall be accompanied by an adult
5. The supply of alcohol on the premises shall only be to persons taking table meals there for consumption by such persons as ancillary to their meal.
6. Suitable beverages other than intoxicating liquor (including drinking water) shall be available during the whole of the permitted hours in all parts of the premises.
7. All waste is to be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
8. The basement to be limited to a maximum of 30 persons inclusive of staff and performers.

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

None

Annex 4 – Plans





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

Schedule 12
Part B

WARD: Bayswater
UPRN: 999000059720

Premises licence
summary

Regulation 33, 34

Premises licence number:

06/11769/WCCMAP

Part 1 – Premises details

Postal address of premises:

Sahara Restaurant
Basement And Ground Floor
39 Hereford Road
London
W2 4AB

Telephone Number: 0207 792 0770

Where the licence is time limited, the dates:

N/A

Licensable activities authorised by the licence:

Sale by Retail of Alcohol

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

Sale by Retail of Alcohol: Monday to Saturday - 12:00 to 23:00
Sale by Retail of Alcohol: Sunday - 12:00 to 22:30

The opening hours of the premises:

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

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

On

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

Mr Youness Nouari

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

N/A

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

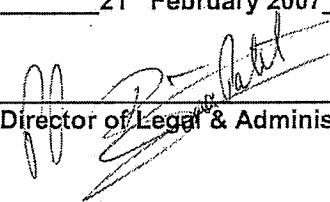
Name: Youness Nouari

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

Restricted

Date: 21st February 2007

Signed:


Director of Legal & Administrative Services

**Consultee Comments for Licensing Application
14/06357/LITENN**

Application Summary

Application Number: 14/06357/LITENN

Address: Basement And Ground Floor 39 Hereford Road London W2 4AB

Proposal: TEN Non-Personal Licence Holder

Case Officer: Miss Samantha Samms

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:

Comments

I object to this application on the grounds that the applicant has not given any undertakings or assurances with respect to Protection of Public Safety and Prevention of Public Nuisance. The hours sought are likely to increase the risk of nuisance being caused to local residents and may hinder the speedy dispersal of people from the area following the end of the Carnival.

05/08/2014 12:29:12

From: "Sollars, Jim" </O=CITYOFWESTMINSTER/OU=CORPORATE/CN=RECIPIENTS/CN=JSOLLARS>
Sent: 31/07/2014 14:54:06
To: TEN's; Hayes, Claire
Subject: FW: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN Outside Front Area -

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: Sollars, Jim
Sent: 30 July 2014 10:01
To: 'RACHID.SAAIDA@GMAIL.COM'
Cc: Ehtens; TEN's
Subject: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN Outside Front Area -

Police object to your notice as it does not contain any undertakings to promote the Licenmsing Objectives.

The plans for events at carnival have been complete for months and there is not time to modify the plans to include your event.

In order to prevent crime and disorder, prevent nuisance and promote safety, Police object to this notice.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

Samms, Samantha

From: Sollars, Jim
Sent: 04 August 2014 16:49
To: Samms, Samantha
Subject: FW: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

Some of the correspondence for TEN for hearing, I'm looking for the rest!

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: rachid.saaida [mailto:rachid.saaida@gmail.com]
Sent: 31 July 2014 17:11
To: Sollars, Jim
Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

So where are these details you have attached to request a refund .

Sent from Samsung Mobile

----- Original message -----

From: "Sollars, Jim"

Date: 31/07/2014 4:33 PM (GMT+00:00)

To: "rachid.saaida"

Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

I have not 'ripped you off'.

If you do not apologise for this unfounded attack on my character, I will seek legal recourse.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: rachid.saaida [mailto:rachid.saaida@gmail.com]

Sent: 31 July 2014 16:29

To: Sollars, Jim

Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

When you apologise and refund me then I will apologise to you. I don't appreciate being ripped off.

Sent from Samsung Mobile

----- Original message -----

From: "Sollars, Jim"

Date: 31/07/2014 8:30 AM (GMT+00:00)

To: "rachid.saaida"

Cc: TEN's

Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

The Licensing Authority deal with the money.

I have copied them in, in order for you to communicate directly with them.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: rachid.saaida [mailto:rachid.saaida@gmail.com]
Sent: 30 July 2014 14:55
To: Sollars, Jim
Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

I want my money back. What kind of scam are you running here??

Sent from Samsung Mobile

----- Original message -----

From: "Sollars, Jim"

Date: 30/07/2014 1:11 PM (GMT+00:00)

To: "rachid.saaida"

Cc: Ehtens ,TEN's

Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

If you want to be part of the carnival, you need to apply to do so many months in advance.

Police will not agree to license any street based music, especially as you have no means to control crowds.

You can always go to a hearing if you don't withdraw your notice.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: rachid.saaida [mailto:rachid.saaida@gmail.com]

Sent: 30 July 2014 13:08

To: Sollars, Jim

Subject: Re: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

Hello

Thanks for getting back to me.

I would like to inform you that we want to play music outside of our restaurant whilst we serve food from the hot plates and barbecue like we do every year. Last year I was told to turn the speakers

off because we had no licence and was told to apply for one at a cost of £21. So this year I have applied and paid for it. We won't be taking up any extra space and neither will we be throwing any kind of party. We will simply be playing music through and laptop and speakers.

I hope I have explained our plans with enough detail. If you need more information please get back to me. I would also like to mention the outside area of the restaurant has seating outside but this is replaced with a food serving area so people will only gather to eat and then leave again.

Kind regards . Rachid Saaida

Sent from Samsung Mobile

----- Original message -----

From: "Sollars, Jim"

Date:30/07/2014 10:01 AM (GMT+00:00)

To: RACHID.SAAIDA@GMAIL.COM

Cc: Ehtens ,TEN's

Subject: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN Outside Front Area -

Police object to your notice as it does not contain any undertakings to promote the Licenmsing Objectives.

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In order to prevent crime and disorder, prevent nuisance and promote safety, Police object to this notice.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

Keep the whole family active with hundreds of free and low cost events and activities this summer. Download our Summer in the City, and Active Westminster guides at <http://westminster.gov.uk/summer-activities>

Do you know an amazing individual, fantastic sports club or top notch coach? Nominate them for an ActiveWestminster Award: www.westminster.gov.uk/activeawards

Westminster City Council: www.westminster.gov.uk

This E-Mail may contain information which is privileged, confidential and protected from disclosure.

If you are not the intended recipient of this E-mail or any part of it, please telephone Westminster City Council immediately on receipt.

You should not disclose the contents to any other person or take copies.

Keep the whole family active with hundreds of free and low cost events and activities this summer. Download our Summer in the City, and Active Westminster guides at <http://westminster.gov.uk/summer-activities>

Do you know an amazing individual, fantastic sports club or top notch coach? Nominate them for an Active

Samms, Samantha

From: Sollars, Jim
Sent: 04 August 2014 16:51
To: Samms, Samantha
Subject: FW: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

More emails for the hearing

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: rachid.saaida [mailto:rachid.saaida@gmail.com]
Sent: 30 July 2014 14:53
To: Sollars, Jim
Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

I think your just being racist . I want a refund for my £42. Seeing as I applied twice for no reason..

Enjoy your day!

Sent from Samsung Mobile

----- Original message -----

From: "Sollars, Jim"

Date: 30/07/2014 1:11 PM (GMT+00:00)

To: "rachid.saaida"

Cc: Ehtens ,TEN's

Subject: RE: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

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Police will not agree to license any street based music, especially as you have no means to control crowds.

You can always go to a hearing if you don't withdraw your notice.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

From: rachid.saaida [mailto:rachid.saaida@gmail.com]

Sent: 30 July 2014 13:08

To: Sollars, Jim

Subject: Re: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN
Outside Front Area -

Hello

Thanks for getting back to me.

I would like to inform you that we want to play music outside of our restaurant whilst we serve food from the hot plates and barbecue like we do every year. Last year I was told to turn the speakers off because we had no licence and was told to apply for one at a cost of £21. So this year I have applied and paid for it. We won't be taking up any extra space and neither will we be throwing any kind of party. We will simply be playing music through and laptop and speakers.

I hope I have explained our plans with enough detail. If you need more information please get back to me. I would also like to mention the outside area of the restaurant has seating outside but this is replaced with a food serving area so people will only gather to eat and then leave again.

Kind regards . Rachid Saaida

Sent from Samsung Mobile

----- Original message -----

From: "Sollars, Jim"

Date:30/07/2014 10:01 AM (GMT+00:00)

To: RACHID.SAAIDA@GMAIL.COM

Cc: Ehtens ,TEN's

Subject: 39 Hereford Road, London W2 4 ABSERVICE: 14/06357/LITENN, 127918-TEN Outside Front Area -

Police object to your notice as it does not contain any undertakings to promote the Licenmsing Objectives.

The plans for events at carnival have been complete for months and there is not time to modify the plans to include your event.

In order to prevent crime and disorder, prevent nuisance and promote safety, Police object to this notice.

Jim Sollars PC 2142CW

Westminster Police Licensing Team

4th Floor Westminster City Hall,

64, Victoria Street,

LONDON

SW1E 6QP

Tel: 0207 641 3179

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.

