



City of Westminster

Licensing Sub-Committee Report

| | |
|--------------------|---|
| Item No: | |
| Date: | 28 November 2019 |
| Classification: | For General Release |
| Title of Report: | Basement And Ground Floor Dover House 34 Dover Street W1S 4NG |
| Uniform Reference: | 19/14712/LITENP |
| Report of: | Operational Director for Premises Management |
| Policy context: | City of Westminster Statement of Licensing Policy |
| Financial summary: | None |
| Report Author: | Jessica Donovan Senior Licensing Officer |
| Contact Details: | E-mail: jdonovan@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 • Regulated Entertainment • Late Night refreshment <p><i>(Please see Temporary Event Notice at Appendix A)</i></p> | | |
| Premises User: | Mr Sharif Ansar | Premises Name and Address: | Basement And Ground Floor Dover House 34 Dover Street W1S 4NG |
| Date Temporary Event Notice Received: | 8 November 2019 | Event Period: | 00:30 15.12.2019 – 02:00 15.12.2019 (1 Hour 30 Minutes) |
| Ward Name: | West End | Times when licensable activities will be carried out on each day: | 00:30 15.12.2019 – 02:00 15.12.2019 (1 Hour 30 Minutes) |
| Number of attendees at event (including staff): | 175 | Cumulative Impact Area: | No |
| Details of Premises Licence: | The premises does have a Premises Licence. <i>(Please see Appendix B)</i> | | |
| Notice of Objection by Environmental Health: | 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 Public Nuisance. Environmental Health has stated: 'Objection is made on Public Nuisance grounds as the premises have been the subject of about 6 music noise nuisance complaints since early September 2019.' <i>(Please See Environmental Health Objection Appendix C)</i> | | |
| Recommendation: | That the Sub-Committee consider the notice of objection given by The 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. | | |

Additional procedural information – please see Appendix D

If you have any questions about this report, please contact Jessica Donovan at
Jdonovan@westminster.gov.uk

Temporary Event Notice

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

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

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

1. Your name

| Title | First name | Last |
|-------|------------|------------|
| Mr | [REDACTED] | [REDACTED] |

2. Previous names *(if relevant)*

| | | |
|--|--|--|
| | | |
| | | |
| | | |

3. Your date of birth

[REDACTED]

4. Your place of birth

[REDACTED]

5. National Insurance number

[REDACTED]

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

[REDACTED]

Postcode

[REDACTED]

7. Other contact details

Telephone numbers

| | |
|-------------------|-----------------|
| Daytime | 07525711530 |
| Mobile (optional) | |
| Email address | lana@tlaw.co.uk |
| | |

Licensing Authority: *Westminster City Council*

Ref:

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

Lt Law

18 Soho Square
LondonPostcode
W1D 3QL**9. Alternative contact details** (*if applicable*)

Title Miss

First name Lana

Last name Tricker

Telephone numbers

Daytime 07525711530

Mobile (optional)

E-Mail address (optional) lana@lrlaw.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](#)

Basement And Ground Floor
 Dover House
 34 Dover Street
 London

W1S 4NG

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 18/04123/LIPVM

Additional address information Bagatelle- ground floor only

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

| Yes | No |
|--------------------------|-------------------------------------|
| <input type="checkbox"/> | <input checked="" type="checkbox"/> |

ground floor only

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

Restaurant/Bar

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

extended trading for Christmas

Operational conditions on existing premises licence will apply

Any Guest list will be retained for 31 days after the event

CCTV will be operation

There shall be a minimum of 2 sia on duty

Transport for attendees away from the venue will be assisted by the venue

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 | ✓ |
| 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 **15/12/2019** Time **00:30** End date **15/12/2019** 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)

175

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)

n/a

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) | | ✓ | |
| Provide the details of your personal licence below. | Issuing licensing authority | [REDACTED] | |
| | Licence number | [REDACTED] | |
| | Date of issue | [REDACTED] | |
| | Date of expiry | [REDACTED] | |
| | Any further relevant details | [REDACTED] | |

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

15

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:

Associates and business colleagues (please read note 16)

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

Condition (please read note 17)

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

Declarations (please read note 18)

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

I understand that it is an offence:

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

(ii) to permit an unauthorised licensable activity to be carried on at any place 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

23/01/2018

Name of person signing

Miss Lana Tricker

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





Schedule 12
Part A

WARD: West End
UPRN: 010033533513

City of Westminster

Premises licence

Regulation 33, 34

Premises licence number:

18/04123/LIPVM

Original Reference:

05/10050/LIPC

Part 1 – Premises details

Postal address of premises:

Bagatelle
Basement And Ground Floor
Dover House
34 Dover Street
London
W1S 4NG

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
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:

Performance of Dance

| | |
|-----------------------|----------------|
| Monday to Wednesday: | 09:00 to 00:30 |
| Thursday to Saturday: | 09:00 to 01:00 |
| Sunday: | 09:00 to 00:00 |

Performance of Live Music

| | |
|-----------------------|----------------|
| Monday to Wednesday: | 09:00 to 00:30 |
| Thursday to Saturday: | 09:00 to 01:00 |
| Sunday: | 09:00 to 00:00 |

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

| | |
|----------------------|----------------|
| Monday to Wednesday: | 09:00 to 00:30 |
|----------------------|----------------|

Thursday to Saturday: 09:00 to 01:00
Sunday: 09:00 to 00:00

Late Night Refreshment

Monday to Saturday: 23:00 to 01:00
Sunday: 23:00 to 00:30

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

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

The opening hours of the premises:

Monday - Saturday: 09:00 to 01:00
Sunday: 09:00 to 00:30

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:

Bagatelle Dover Street Limited
14 Hanover Square
London
W1S 1HP

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

07936072

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

Name: Sharif Alam Ansar

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

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

Licence Number: LN/000012354
Licensing Authority: London Borough of Haringey

Date: _____ 15 August 2018 _____

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

Annex 1 – Mandatory conditions

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

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

7. The responsible person must ensure that –

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

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

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

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

Conditions reproducing the effect of conditions subject to which the relevant existing licences have effect

Conditions relating to regulated entertainment

10. This licence is subject to all the former Rules of Management for Places of Public Entertainment licensed by Westminster City Council, in force from 4 September 1998 and incorporating amendments agreed by the Council on 25 October 1999, 30 June 2000, 16 January 2001 and 1 October 2001.
11. Notwithstanding the provisions of Rule of Management No. 6 the premises may remain open for the purposes of this licence from 23:00 to midnight on Mondays and from 23:00 on each of the days Monday to Wednesday to 00:30am on the days following, from 23:00 on each of the days Thursday to Saturday to 01:00am on the day following and from 23:00 to midnight on Sundays.
12. On New Year's Eve the premises can remain open for the purpose of providing regulated entertainment from the time when the provision of regulated entertainment must otherwise cease on New Year's Eve to the time when regulated entertainment can commence on New Year's Day (or until midnight on New Year's Eve where no regulated entertainment takes place on New Year's Day).
13. The entertainment provided at the premises shall be of the type commonly known as DISCO Recorded Music and Live Bands.
14. The entertainment authorised under this licence shall remain ancillary to the main use of the premises as a restaurant.

15. A sound limiting device shall be located in a separate and remote lockable cabinet from the volume control must be fitted to the musical amplification system set at a level determined by and to the satisfaction of a authorised officer of the Environmental Health Services Community Protection Department so as to ensure that no noise nuisance is caused to local residents. The operational panel of the noise limiter shall then be secured to the satisfaction officer from the Environmental Health Service. The keys securing the noise limiter cabinet shall be held by the applicant only, and shall not be accessed by any other persons. The limiter shall not be altered without the prior agreement with the Environmental Health Service.
16. No alteration or modification to any existing sound system(s) should be effected without the prior knowledge of an authorised officer of the Environmental Health Service.
17. Any additional sound generating equipment shall not be used on the premises without being routed through the sound limiter device.
18. A door supervisor shall remain outside the main exit of the premises at least 30 minutes prior to the closing until such time as all patrons have vacated the premises and dispersed.
19. All refuse is paid for, properly presented and cannot be left on the highway for more than 2.5 hours.
20. No unauthorised advertisements of any kind (including placard, poster, sticker, flyer, picture, letter, sign or other mark) is affixed upon the surface of the highway, or upon any building structure, works, street furniture, tree, or other property, or is distributed on street to the public, that advertises or promotes the establishment, its premises, or any of its events, facilities, goods or services.
21. The maximum number of persons accommodated at any one time in the basement (excluding staff) shall not exceed: Ground Floor: 220 Basement: 190

Conditions related to sale of alcohol

(Applies to such parts of the basement and ground floor as are shown more particularly coloured and edged in red on the deposited plan)

22. Substantial food and 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 where intoxicating liquor is sold or supplied.
23. A closed circuit television shall be installed, maintained and operated correctly as specified by the Metropolitan Police Crime prevention officer.
25. No striptease, no nudity and all persons on the premises to be decently attired.
26. There shall be no payment made by or on behalf of the licensees to any person for bringing customers to the premises.
27. No gaming otherwise than by machines authorised under part III, Gaming Act, 1968.
28. The maximum numbers of persons, including staff, to be present in the licensed premises shall not exceed the numbers specified from time to time by the proper officer of the London Fire and Civil Defence Authority. The numbers currently specified: As to the basement 190 persons; As to the ground floor 220 persons.

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

29. (a) Subject to the following paragraphs, the permitted hours on weekdays shall commence at 10:00 and extend until 00:30 on the morning following, except that -

- (i) the permitted hours shall end at 00:00 midnight on any day on which music and dancing is not provided after midnight; and
- (ii) on any day that music and dancing end between 00:00 midnight and 00:30, the permitted hours shall end when the music and dancing end;
- (b) The permitted hours on Sundays shall extend until 00:00.
- (c) The sale of alcohol must be ancillary to the use of the premises for music and dancing and substantial refreshment.
- (d) The permitted hours on New Year's Eve will extend to the start of permitted hours on the following day.

NOTE - The above restrictions do not prohibit:

- (a) during the first thirty minutes after the above hours the consumption of the alcohol on the premises;
- (b) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
- (c) the sale or supply of alcohol to or the consumption of alcohol by any person residing in the licensed premises;
- (d) the ordering of alcohol to be consumed off the premises, or the despatch by the vendor of the alcohol so ordered;
- (e) the sale of alcohol to a trader or registered club for the purposes of the trade or club;
- (f) 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;
- (g) the taking of alcohol from the premises by a person residing there;
- (h) 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;
- (i) 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.

30. 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.

31. If any entertainment is provided for children or if an entertainment is provided at which the majority of persons attending are children, then, if the number of children attending the entertainment exceeds 100, it shall be the duty of the holder of the premises licence (or the holder of the club premises certificate):
 - (a) to station and keep stationed wherever necessary a sufficient number of adult attendants, properly instructed as to their duties, to prevent more children or other persons being admitted to the building, or to any part thereof, than the building or part can properly accommodate,
 - (b) to control the movement of the children and other persons admitted while entering and leaving the building or any part thereof, and
 - (c) to take all other reasonable precautions for the safety of the children.
32. The terminal hour for late night refreshment on New Year's Eve is extended to 05:00 on New Year's Day.

Annex 2 – Conditions consistent with the operating Schedule

33. The maximum number of persons (excluding staff) within the premises shall not exceed:-

Ground Floor 150 persons

Basement 40 persons

Correct as at 2018 18/04123/LIPVM

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

None

Annex 4 – Plans

Attached



City of Westminster

Schedule 12
Part B

WARD: West End
UPRN: 010033533513

Premises licence
summary

Regulation 33, 34

Premises licence number:

18/04123/LIPVM

Part 1 – Premises details

Postal address of premises:

Bagatelle
Basement And Ground Floor
Dover House
34 Dover Street
London
W1S 4NG

Telephone Number: Not supplied

Where the licence is time limited, the dates:

Not applicable

Licensable activities authorised by the licence:

Performance of Dance
Performance of Live Music
Playing of Recorded Music
Anything of a similar description to Live Music, Recorded Music or Performance of Dance
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:

Performance of Dance

| | |
|-----------------------|----------------|
| Monday to Wednesday: | 09:00 to 00:30 |
| Thursday to Saturday: | 09:00 to 01:00 |
| Sunday: | 09:00 to 00:00 |

Performance of Live Music

| | |
|-----------------------|----------------|
| Monday to Wednesday: | 09:00 to 00:30 |
| Thursday to Saturday: | 09:00 to 01:00 |
| Sunday: | 09:00 to 00:00 |

Playing of Recorded Music

Unrestricted

Anything of a similar description to Live Music, Recorded Music or Performance of Dance

| | |
|-----------------------|----------------|
| Monday to Wednesday: | 09:00 to 00:30 |
| Thursday to Saturday: | 09:00 to 01:00 |
| Sunday: | 09:00 to 00:00 |

Late Night Refreshment

| | |
|---------------------|----------------|
| Monday to Saturday: | 23:00 to 01:00 |
| Sunday: | 23:00 to 00:30 |

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 00:30 |
| Sunday: | 12:00 to 00:00 |

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

The opening hours of the premises:

| | |
|--------------------|----------------|
| Monday - Saturday: | 09:00 to 01:00 |
| Sunday: | 09:00 to 00:30 |

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:

Bagatelle Dover Street Limited
14 Hanover Square
London
W1S 1HP

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

07936072

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

Name: Sharif Alam Ansar

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

Restricted

Date: _____ 15 August 2018 _____

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

Consultee Comments for Licensing Application 19/14712/LITENP

Application Summary

Application Number: 19/14712/LITENP

Address: Basement And Ground Floor Dover House 34 Dover Street London W1S 4NG

Proposal: TEN Personal Licence Holder

Case Officer: Ryan Pennington

Consultee Details

Name: Ian Watson

Address: LICENSING DEPARTMENT FOURTH FLOOR, WESTMINSTER CITY HALL, 64
VICTORIA STREET, LONDON SW1E 6QP

Email: iwatson@westminster.gov.uk

On Behalf Of: Environmental Health Service For TENS

Comments

Objection is made on Public Nuisance grounds as the premises have been the subject of about 6 music noise nuisance complaints since early September 2019

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.