



City of Westminster

# Licensing Sub-Committee Report

Item No:

Date:

**21 September 2023**

Classification:

**For General Release**

Title of Report:

**55 Frith Street  
London  
W1D 4SJ**

Uniform Reference:

**23/05866/LITENN**

Report of:

**Director of Public Protection and Licensing**

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](mailto:jdonovan@westminster.gov.uk)**

## 1. TEMPORARY EVENT NOTICE DETAILS

<b>Proposal:</b>	<u>Permitted Temporary Activities:</u> <ul style="list-style-type: none"> <li>Sale by Retail of Alcohol</li> </ul> <p><b>(Please find the Temporary Event Notice at Appendix A)</b></p>		
<b>Premises User:</b>	██████████ ██████████	<b>Premises Name and Address:</b>	55 Frith Street London W1D 4SJ
<b>Date Temporary Event Notice Received:</b>	06 September 2023	<b>Event Period:</b>	00:00 24.09.2023 – 02:30 24.09.2023
<b>Ward Name:</b>	West End	<b>Times when licensable activities will be carried out on each day:</b>	00:00 24.09.2023 – 02:30 24.09.2023
<b>Number of attendees at event (including staff):</b>	50	<b>Cumulative Impact Zone:</b>	West End
		<b>Special Consideration Zone</b>	None
<b>Details of Premises Licence:</b>	<p>The premises has the benefit of a Premises Licence (23/03488/LIPDPS).</p> <p>A copy of the licence can be found at <b>Appendix B</b>.</p> <p>An application to review the premises licence was received on 13<sup>th</sup> September 2023.</p>		
<b>Notice of Objection by the Metropolitan Police Service:</b>	<p>With reference to the above TEN(s), Police object to these Temporary Event Notice(s) for the following reasons to prevent crime and disorder and protect children from harm:-</p> <ul style="list-style-type: none"> <li>Insufficient details describing the event</li> <li>Insufficient undertakings provided to promote the licensing objectives.</li> </ul> <p>Please reply to all on this email and let me know should you have any questions.</p> <p>Correspondence between The Metropolitan Police Service and the applicant can be found at <b>Appendix A1</b>.</p>		
<b>Recommendation:</b>	<p>That the Sub-Committee consider the notice of objection given by The Metropolitan Police 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 Jessica Donovan at [Jdonovan@westminster.gov.uk](mailto:Jdonovan@westminster.gov.uk)

Licensing Authority: *Westminster City Council*

## 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)

55 Frith Street

Postcode  
W1D 4SJ

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

Title		
First name		
Last name		
<b>Telephone numbers</b>		
Daytime		
Mobile (optional)		
<b>E-Mail address</b> (optional)		

**The Premises**

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

55 Frith Street  
London

W1D 4SJ

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	23/03488/LIPDS
Additional address information	

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

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

RESTAURANT AND BAR

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

REMOVAL OF FOOD CONDITION AND EXTENSION OF HOURS. DOOR SECURITY ON DUTY FOR DURATION OF EVENT TO PROMOTE LICENSING OBJECTIVES

Licensing Authority: *Westminster City Council*

Ref:

**The licensable activities**

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

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	
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 **24/09/2023** Time **00:00** End date **24/09/2023** Time **02:30**

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)

**50**

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	<input checked="" type="checkbox"/>
	Off the premises only	
	Both	

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

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

		Yes	No
Do you currently hold a valid personal licence? (please mark an "X" in the box that applies to you)			<input checked="" type="checkbox"/>
<b>Provide the details of your personal licence below.</b>	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
		<input checked="" type="checkbox"/>
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:	Yes	No
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)		<input checked="" type="checkbox"/>

Licensing Authority: *Westminster City Council*

Ref:

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

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

**Condition** (please read note 17)

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



**Declarations** (please read note 18)

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

I understand that it is an offence:

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

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

06/09/2023

Name of person signing

[Redacted Name]

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

**From:** Police Tens: WCC

**To:** [REDACTED]; Police Tens: WCC

**Cc:** Donovan, Jessica: WCC; Ehtens: WCC; TEN's Mailboxes: [REDACTED]

[REDACTED] Guerra,

**Reaz:** WCC

**Subject:** RE: 23/05857/LITENN (LATE TEN) & 23/05857 - 55 Frith Street, London

**Date:** 12 September 2023 13:36:16

[REDACTED],

Thanks for the email.

The Late TEN - 23/05857/LITENN (LATE TEN) you have received a counter notice and the event is not authorised.

At this stage, Westminster Police Licensing will be maintaining our objection for TEN - 23/05857LITENN, under the grounds of Prevention of crime and disorder.

We are not satisfied that you can trade responsibly and lawfully due to several breaches of your premises licence in recent months.

Police request you withdraw your TEN application (23/05857LITENN). If you fail to do this, the matter will be heard before the Licensing Sub Committee.

Regards,

Reaz

**PC Reaz Guerra 1614AW**

Westminster Police Licensing Team

Westminster City Hall

64 Victoria Street

London SW1E 6QP

0207 641 1705

**From:** [REDACTED]

**Sent:** Monday, September 11, 2023 1:05 PM

**To:** Police Tens: WCC <Police.Tens@westminster.gov.uk>

**Cc:** Donovan, Jessica: WCC <jdonovan@westminster.gov.uk>; Ehtens: WCC

<ehtens@westminster.gov.uk>; TEN's Mailboxes: WCC <TENS@westminster.gov.uk>; Met Police

Licensing Team: [REDACTED] Guerra, Reaz: WCC

<rguerra@westminster.gov.uk>

**Subject:** Re: 23/05857/LITENN (LATE TEN) & 23/05857 - 55 Frith Street, London

Thanks for your email.

Rest assured the licensing objectives will be promoted. There is a door security on duty for duration of event.

Substantial food available for duration of event.

No children will be allowed at event.

Event is a 40th birthday gathering for a regular customer. They are arriving later as watching a west end show before this is why the extension of hours has been requested.

Regards

[REDACTED]



Please don not hesitate to contact me if you require any further information  
Sent from my iPhone

On 11 Sep 2023, at 12:31, Police Tens: WCC <[Police.Tens@westminster.gov.uk](mailto:Police.Tens@westminster.gov.uk)>  
wrote:

Dear [REDACTED]

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

1. Insufficient details describing the event
2. Insufficient undertakings provided to promote the licensing objectives.

**Please reply to all on this email and let me know should you have any questions**

Kind regards

**PC Reaz Guerra 1614AW**

Westminster Police Licensing Team

Westminster City Hall

64 Victoria Street

London SW1E 6QP

0207 641 1705



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

**Schedule 12  
Part A**

**WARD: West End  
UPRN: 100023621881**

**Premises licence**

**Regulation 33, 34**

**Premises licence  
number:**

23/03488/LIPDPS

**Original Reference:**

20/08309/LIPN

**Part 1 – Premises details**

**Postal address of premises:**

Canwood55  
55 Frith Street  
London  
W1D 4SJ

**Telephone Number:** Nor Supplied

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

Not applicable

**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: 10:00 to 23:30  
Sunday: 12:00 to 22:30

**The opening hours of the premises:**

Monday to Saturday: 10:00 to 23:30  
Sunday 12:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

## Part 2

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

8UERTE Limited  
4 Gerrard Street  
3rd Floor  
London  
W1D 5PE

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

11528019

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

**Name:** Chris Yassa

**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/000016942  
**Licensing Authority:** London Borough of Haringey

**Date:** 14 September 2023

**This licence has been authorised by Jessica Donovan 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.



## Annex 2 – Conditions consistent with the operating Schedule

9. The premises shall install and maintain a comprehensive CCTV system as per the minimum requirements of the Westminster Police Licensing Team. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon the request of Police or authorised officer throughout the entire 31-day period.
10. A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises when the premises is open. This staff member must be able to provide a Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
11. An incident log shall be kept at the premises and made available on request to an authorised officer of the City Council or the Police. It must be completed within 24 hours of the incident and will record the following:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service.
12. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.
13. The premises shall only operate as a restaurant
  - (i) in which customers are shown to their table,
  - (ii) where the supply of alcohol is by waiter or waitress service only,
  - (iii) which provide food in the form of substantial table meals that are
  - (iv) prepared on the premises and are served and consumed at the table using non
  - (v) disposable crockery,
  - (vi) which do not provide any takeaway service of food or drink for immediate consumption,
  - (vii) which do not provide any takeaway service of food or drink after 23.00, and
  - (viii) where alcohol shall not be sold or supplied, otherwise than for consumption by persons who are seated in the premises and bona fide taking substantial table meals there and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Notwithstanding this condition customers are permitted to take from the premises part consumed and resealed bottles of wine supplied ancillary to their meal.
14. Patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
15. The number of persons accommodated at the premises at any one time shall not exceed 35 persons (excluding staff).

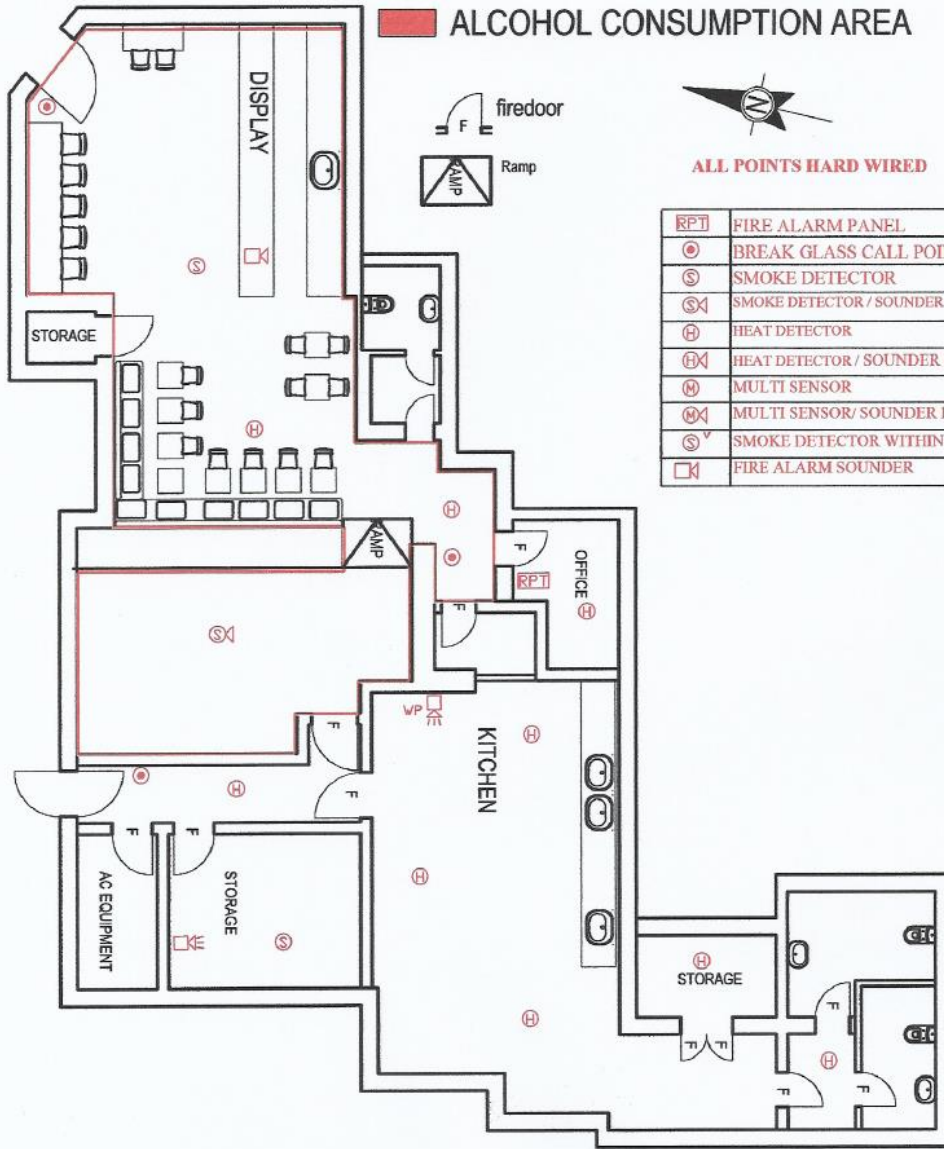
16. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
17. No noise generated on the premises, or by its associated plant or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
18. All windows and external doors shall be kept closed after 21:00 hours, or at any time when regulated entertainment takes place, except for the immediate access and egress of persons.
19. All outside tables and chairs shall be rendered unusable by 23.00 each day.
20. Notices shall be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.
21. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
22. A direct telephone number for the manager at the premises shall be publicly available at all times the premises is open. This telephone number is to be made available to residents and businesses in the vicinity.
23. No deliveries to the premises shall take place between 23.00 hours and 08.00 hours on the following day.
24. All waste shall be properly presented and placed out for collection no earlier than 30 minutes before the scheduled collection times.
25. No waste or recyclable materials, including bottles, shall be moved, removed from or placed in outside areas between 23.00 hours and 08.00 hours on the following day.

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

None

Annex 4 – Plans

55 FRITH STREET, LONDON, W1D 4SJ



ALL POINTS HARD WIRED

RPT	FIRE ALARM PANEL
●	BREAK GLASS CALL POINT
S	SMOKE DETECTOR
S/	SMOKE DETECTOR / SOUNDER BASE
H	HEAT DETECTOR
H/	HEAT DETECTOR / SOUNDER BASE
H□	MULTI SENSOR
H□/	MULTI SENSOR/ SOUNDER BASE
S△	SMOKE DETECTOR WITHIN VOID
□/	FIRE ALARM SOUNDER

<p>1:100CM@A4</p> <p>SCALE: From the plan to be scaled, the above scale bar must measured correct. e.g 5 centimeters when printed</p>	<p>Ground Floor</p>	<p>drawing title 55 FRITH STREET, LONDON, W1D 4SJ</p> <p>scale 1:100CM@A4</p> <p>copyright</p> <p>date 17.02.2020</p>
---	---------------------	---



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

Schedule 12  
Part B

WARD: West End  
UPRN: 100023621881

Premises licence  
summary

Regulation 33, 34

Premises licence  
number:

23/03488/LIPDPS

Part 1 – Premises details

Postal address of premises:

Canwood55  
55 Frith Street  
London  
W1D 4SJ

Telephone Number: Not Supplied

Where the licence is time limited, the dates:

Not applicable

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: 10:00 to 23:30  
Sunday: 12:00 to 22:30

The opening hours of the premises:

Monday to Saturday: 10:00 to 23:30  
Sunday 12:00 to 22:30

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

Alcohol is supplied for consumption on the Premises.

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

8UERTE Limited  
4 Gerrard Street  
3rd Floor  
London  
W1D 5PE

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

11528019

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

Name: Chris Yassa

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

Restricted

**Date: 14 September 2023**

**This licence has been authorised by Jessica Donovan on behalf of the Director - Public Protection and Licensing.**



**Temporary Event Notice History for the last 12 Months****Appendix B1**

<b>Temporary Event Notice</b>	<b>Date of event</b>	<b>Activities/Hours</b>	<b>Decision</b>
22/10851/LITENP	25.11.2022, 26.11.2022 & 27.11.2022	Retail Sale of Alcohol & Late Night Refreshment  25.11.2022 00:00 to 01:00  25.11.2022 10:00 to 26.11.2022 01:00  26.11.2022 10:00 to 27.11.2022 01:00  27.11.2022 10:00 to 27.11.2022 00:00	Event allowed to proceed
22/11001/LITENP	02.12.2022, 03.12.2022 & 04.12.2022	Retail Sale of Alcohol & Late Night Refreshment  02.12.2022 00:00 to 01:00  02.12.2022 10:00 to 03.12.2022 01:00  03.12.2022 10:00 to 04.12.2022 01:00  04.12.2022 10:00 to 04.12.2022 23:59	Event allowed to proceed
22/11423/LITENP	09.12.2022, 10.12.2022 & 11.12.2022	Retail Sale of Alcohol & Late Night Refreshment  09.12.2022 00:00 to 01:00  09.12.2022 10:00 to 10.12.2022 01:00  10.12.2022 10:00 to 11.12.2022 01:00  11.12.2022 10:00 to 11.12.2022 23:59	Event allowed to proceed
22/11752/LITENP	15.12.2022, 16.12.2022, 17.12.2022 & 18.12.2022	Retail Sale of Alcohol & Late Night Refreshment  15.12.2022 00:00 to 01:00  15.12.2022 10:00 to 16.12.2022 01:00	Event allowed to proceed

		16.12.2022 10:00 to 17.12.2022 01:00	
		17.12.2022 10:00 to 18.12.2022 01:00	
		18.12.2022 10:00 to 18.12.2022 23:59	
22/11754/LITENP	20.12.2022, 21.12.2022, 22.12.2022, 23.12.2022 & 24.12.2022	Retail Sale of Alcohol & Late Night Refreshment  20.12.2022 00:00 to 21.12.2022 01:00  21.12.2022 10:00 to 22.12.2022 01:00  22.12.2022 10:00 to 23.12.2022 01:00  24.12.2022 10:00 to 24.12.2022 23:59	Event allowed to proceed
22/12072/LITENP	31.12.2022 to 01.01.2023	Retail Sale of Alcohol & Late Night Refreshment  31.12.2022 22:00 to 01.01.2023 03:00	Event allowed to proceed
23/01612/LITENP	23.03.2023, 24.03.2023, 25.03.2023 & 26.03.2023	Retail Sale of Alcohol & Late Night Refreshment  23.03.2023 22:00 to 24.03.2023 03:00  24.03.2023 12:00 to 25.03.2023 01:00  25.03.2023 12:00 to 26.03.2023 01:00  26.03.2023 12:00 to 26.03.2023 23:59	Event allowed to proceed
23/01701/LITENP	30.03.2023, 31.03.2023, 01.04.2023 & 02.04.2023	Retail Sale of Alcohol & Late Night Refreshment  30.03.2023 12:00 to 31.03.2023 01:00  31.03.2023 12:00 to 01.04.2023 01:00  01.04.2023 12:00 to 02.04.2023 01:00  02.04.2023 12:00 to 02.04.2023 23:59	Event allowed to proceed

23/01931/LITENP	06.04.2023, 07.04.2023, 08.04.2023 & 09.04.2023	Retail Sale of Alcohol & Late Night Refreshment  06.04.2023 12:00 to 07.04.2023 01:00  07.04.2023 12:00 to 08.04.2023 01:00  08.04.2023 12:00 to 09.04.2023 01:00  09.04.2023 12:00 to 09.04.2023 23:59	Event allowed to proceed
23/01977/LITENP	13.04.2023, 14.04.2023, 15.04.2023 & 16.04.2023	Retail Sale of Alcohol & Late Night Refreshment  13.04.2023 12:00 to 14.04.2023 01:00  14.04.2023 12:00 to 15.04.2023 01:00  15.04.2023 12:00 to 16.04.2023 01:00  16.04.2023 12:00 to 16.04.2023 23:59	Event allowed to proceed
23/02015/LITENP	20.04.2023, 21.04.2023, 22.04.2023 & 23.04.2023	Retail Sale of Alcohol & Late Night Refreshment  20.04.2023 12:00 to 21.04.2023 01:00  21.04.2023 12:00 to 22.04.2023 01:00  22.04.2023 12:00 to 23.04.2023 01:00  23.04.2023 12:00 to 23.04.2023 23:59	Event allowed to proceed
23/02017/LITENP	27.04.2023, 28.04.2023, 29.04.2023 & 30.04.2023	Retail Sale of Alcohol & Late Night Refreshment  27.04.2023 12:00 to 28.04.2023 01:00  28.04.2023 12:00 to 29.04.2023 01:00  29.04.2023 12:00 to 30.04.2023 01:00	Event allowed to proceed

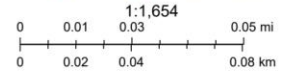
		30.04.2023 12:00 to 30.04.2023 23:59	
23/02736/LITENP	05.05.2023, 06.05.2023 & 07.05.2023	Retail Sale of Alcohol & Late Night Refreshment  05.05.2023 12:00 to 06.05.2023 01:00  06.05.2023 12:00 to 07.05.2023 01:00  07.05.2023 12:00 to 07.05.2023 23:59	Event allowed to proceed
23/05857/LITENN	18.09.2023	Retail Sale of Alcohol  18.09.2023 00:00 to 02:00	Event not allowed to proceed  <b>(Counter Notice – Objected Late TEN)</b>

55 Frith Street, London, W1D 4SJ



18/09/2023, 14:24:46

- Property Mailing List
- Ward Labels
- Borough Boundary - Mask
- Borough Boundary - Detailed
- Ward Boundaries



**Resident Count within 75 Metres: 112**

# 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.