

MEETING

LICENSING SUB-COMMITTEE

DATE AND TIME

TUESDAY 29TH APRIL, 2014

AT 10.30 AM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

TO: MEMBERS OF LICENSING SUB-COMMITTEE (Quorum 3)

Councillors

Claire Farrier

Wendy Prentice

Lisa Rutter

You are requested to attend the above meeting for which an agenda is attached.

Andrew Nathan – Head of Governance

Governance Services contact: Kirstin Lambert kirstin.lambert@barnet.gov.uk

Media Relations contact: Sue Cocker 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	APPOINTMENT OF CHAIRMAN	
2.	ABSENCE OF MEMBERS (IF ANY)	
3.	DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)	
4.	LICENSING SUB-COMMITTEE HEARING PROCEDURE	1 - 4
5.	MEZEM RESTAURANT, 111 HIGH ROAD, EAST FINCHLEY, LONDON N2 8AG	5 - 42
6.	MOTION TO EXCLUDE THE PRESS AND PUBLIC	
7.	DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION	
8.	RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE	
9.	ANY OTHER ITEM(S) THE CHAIRMAN DECIDES ARE URGENT	

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Kirstin Lambert kirstin.lambert@barnet.gov.uk. People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by uniformed custodians. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

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LONDON BOROUGH OF BARNET

LICENSING SUB COMMITTEE

HEARINGS PROCEDURE

AGENDA ITEM 4

General points

The following procedure is based on Regulations made by the Secretary of State under the Licensing Act 2003 (“the Hearings Regulations”) which may be viewed or downloaded from the website of the Department for Culture, Media and Sport by following links from www.culture.gov.uk

The procedure is intended as a general framework to ensure natural justice and a fair hearing. The conduct of individual hearings may vary slightly according to circumstances and the discretion of the Chairman. In all cases, however, this general framework will be followed.

The procedure allows each party a maximum period of 5 minutes in which to present their case (Regulations 16 & 24). At the end of the time allowed, the Chairman will terminate the presentation and the hearing will proceed in the form of a discussion led by the authority to explore points of dispute. The discussion will not be timed.

The procedure is subject to periodic review and amendment to reflect best practice and relevant legislative changes. An updated version of this procedure is published as soon as possible following any such amendments.

Chairman

- Introduces him/herself and Members of the Committee, and outlines their roles.
- Introduces Licensing, Legal and Governance Officer.
- Explains that Legal and Governance Officers will be present during the Committee’s deliberations to advise only, and that the Licensing Officer will be excluded from deliberations.
- Asks parties present to introduce themselves.
- Outlines procedure to be followed (Regulation 22).
- Asks all parties to confirm their understanding of the procedure.
- Clarifies any aspect(s) of the procedure where any parties are uncertain or asks Legal or Governance Officer as appropriate to clarify.

Governance Officer

- Informs Committee of absent parties.
- Details persons whom a party is seeking permission to represent them at hearing.
- Panel confer regarding permission.
- Chairman announces decision regarding permission.

Licensing Officer presents the report to the Committee

- Is a statement of the facts including details of the application and operating schedule, relevant policy details, detail representations made, a chronology of events and highlights the points on which the Authority requires clarification.

Applicant

- Presents opening submissions and clarifies points raised by Authority in notice of hearing. Time allowed 5 mins.

Other parties

- Presents opening submissions either in person or by spokes person Time allowed 5 mins per interested party.

Note regarding use of video evidence

Video evidence must be in DVD format and will form part of the relevant party's five minutes opening submission. Any party wishing to use video evidence must submit a copy to the Authority along with sufficient, identical extra copies to serve on all the opposing parties – i.e. if the applicant is submitting it, there must be enough copies for all parties making representations and if a party making representations is submitting it there must be a copy for the applicant. The recording must be edited down to the highlights, containing only relevant matter which relates to the written representation previously submitted. In addition, a description of how, when and where the video was recorded and what it contains must be submitted. These must be supplied to the Authority at least five working days before the hearing.

Members question Licensing Officer on Policy

Discussion

Chairman leads a discussion concentrating on points of dispute:

Chairman asks Applicant what he disputes in other parties' submissions, and asks other parties to comment.

Chairman proceeds through all objectors dealing with all matters of contention.

When Chairman feels all matters have been thoroughly discussed and all parties have been given a fair and equal opportunity to comment and make representations, she/he closes discussion.

Determination

There are two procedures depending on whether or not determination is to be made at the end of the Hearing or within five working days of the Hearing. This later announcement of determination is permitted in terms of the Legislation for certain types of applications.

Chairman informs all present that the Committee will deliberate, that Legal and Governance Officer will remain to advise but will not be part of decision-making process, and that all others must leave (under Regulation 14).

- Parties, apart from Legal and Governance Officer, leave the room.
- The Committee deliberates, with advice as required from Legal and Governance Officer, and reaches a conclusion. The Legal officer may assist, as required, in formulating the wording of the determination.
- Parties return.
- Chairman reads out determination, and advises it will be sent in writing to all parties.

- Opportunity for determination to be clarified by any interested party who is unclear.
- Chairman gives advice about appealing against the determination.
- Chairman thanks all for attending and closes the meeting.

...Within five working days of the hearing

- Chairman explains requirement to determine the Hearing within five working days, and advises that the Committee will proceed to deliberate and announce the determination within that time.
- During deliberations, Legal and Governance Officers remain to advise on law and procedure as required. The Legal Officer may assist, as required, in formulating the wording of the determination. The Licensing Officer plays no part in the determination and withdraws for this part of the proceedings.
- Chairman advises all parties that they will receive written notification of the determination within five working days of the Hearing date, together with general information on how to appeal against the determination.
- Chairman thanks all parties for attending and invites the applicant, objector(s), other party(ies) and the Licensing Officer to leave.

Information on Appealing against the decision

You may at any time before the expiration of a period of 21 days from notification appeal to Willesden Magistrates' Court, 448 High Road, London NW10 2DZ (Telephone 0208 955 0555, DX 110850 Willesden 2) by way of Complaint for an Order. The Court may either dismiss the appeal, substitute for the decision appealed against any other decision which could have been made by the Licensing Authority or remit the case to the Licensing Authority to dispose of it in accordance with the directions of the court, and can make such order as to costs as it thinks fit.

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Meeting	Licensing Sub-Committee
Date	29 th April 2014
Subject	Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG
Report of Summary	Trading Standards & Licensing Manager This report asks the Sub-Committee to consider the application for a variation of premises licence, under section 34 of the Licensing Act 2003.

Officer Contributors	Daniel Pattenden – Licensing Officer
Status (public or exempt)	Public
Wards Affected	East Finchley
Enclosures	Report of the Licensing Officer Annex 1 – Application Form Annex 2 – Current granted licence Annex 3 – Representations Annex 4 – Matters for decision
For decision:	Licensing Sub-Committee
Function of:	Council
Reason for urgency / exemption from call-in (if appropriate)	Not applicable
Contact for Further Information:	Daniel Pattenden 020 8359 7443; daniel.pattenden@barnet.gov.uk

1. RECOMMENDATIONS

1.1 That the Sub-Committee considers the application for a variation of a premises licence for Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG.

2. RELEVANT PREVIOUS DECISIONS

2.1 None.

3. CORPORATE PRIOTY AND POLICY CONSIDERATIONS

3.1 The Council's licensing policy.

4. RISK MANAGEMENT ISSUES

4.1 Not applicable.

5. EQUALITIES AND DIVERSITY ISSUES

5.1 Licence applications are dealt with according to the provisions of the Licensing Act 2003 and associated Regulations which allow both applications and representations to applications to be made by all sectors of the community.

6. USE OF RESOURCES IMPLICATIONS (Finance, Procurement, Performance & Value for Money, Staffing, IT, Property, Sustainability)

6.1 None.

7. LEGAL ISSUES

7.1 Valid representations have been received to the application, which is therefore before the Sub-Committee for consideration.

8. CONSTITUTIONAL POWERS

8.1 The Licensing Sub-Committee will discharge the functions under the Licensing Act 2003 and associated Regulations, as delegated to it by the Licensing Committee.

9. BACKGROUND INFORMATION

9.1 The application and report of the Licensing Officer and appendices are attached to this report.

10. LIST OF BACKGROUND PAPERS

10.1 None.

Cleared by Legal (Officer's initials)	BH
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Officers Report

LICENSING ACT 2003

OFFICERS REPORT

Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG

1. The Applicants

The application was submitted by Mr Keith Walmsley on behalf of Mr Fardin Ebrahimi of 111A High Road, East Finchley, London, N2 8AG

2. Application

The application before the sub committee was submitted under Section 34 of the Licensing Act 2003 for a variation of a premises licence. The application seeks to allow the following:

- To allow the supply of alcohol for consumption both on and off the premises from 09:00hrs until 23:30hrs Sunday to Thursday and from 09:00hrs until 00:00hrs Friday and Saturday
- To allow the provision of live music indoors from 09:00hrs until 23:00hrs Monday to Sunday.
- To allow the provision of recorded indoors from 09:00hrs until 23:30hrs Sunday to Thursday and from 09:00hrs until 00:00hrs Friday and Saturday
- To allow late night refreshment indoors only from 23:00hrs until 00:00hrs Sunday to Thursday and from 23:00hrs until 00:30hrs Friday and Saturday.
- To allow the premises to remain open to the public from 08:00hrs until 00:30hrs Sunday to Thursday and from 08:00hrs until 01:00hrs Friday and Saturday.

A full copy of the application can be found attached as **Annex 1**.

3. Current Licence

The Current Licence was granted on 29th December 2005 and allows the following:

The times the licence authorises the carrying out of licensable activities

Sale by retail of alcohol - Indoors Only

Standard Days and Timings:

Sunday to Thursday	12:00hrs - 15:00hrs 18:00hrs - 23:30hrs
Friday to Saturday	12:00hrs - 15:00hrs 18:00hrs - 00:00hrs

The Performance of live music - Indoors only

Standard Days and Timings:

Friday	19:00hrs - 22:00hrs
Saturday	19:00hrs - 23:00hrs

The Playing of recorded music - Indoors only

Standard Days and Timings:

Sunday to Thursday	12:00hrs - 15:00hrs 18:00hrs - 23:30hrs
Friday to Saturday	12:00hrs - 15:00hrs 18:00hrs - 00:00hrs

The hours that the premises are open to the public

Standard Days and Timings

Monday to Thursday	12:00hrs - 15:00hrs 18:00hrs - 23:00hrs
Friday to Sunday	12:00hrs - 15:00hrs 18:00hrs - 00:00hrs

A full copy of the current premises licence can be found attached to this report in **Annex 2**.

4. Representations

Responsible Authorities

The licensing department have received one representation submitted by Mark Springthorpe on behalf of London Borough Barnet Planning Department.

The representation refers to the impact the granting of the variation application could have on the prevention of public nuisance licensing objective.

Other representations

The licensing department have also received one representation submitted by Councillor Arjun Mitra. Cllr Mitra's representation refers to the impact the granting of the variation application would have on one or more of the licensing objectives.

The representation letters can be seen in full in **Annex 3** attached to this report.

5. Attaching conditions

The operating schedule, which is part of the application, includes certain additional steps that the applicant will take to protect the licensing objectives. These will become enforceable conditions, should the licence be granted. Additional conditions may be attached to the licence if the committee thinks it appropriate.

The Committee must have regard to all of the representations made and the evidence it hears, and is asked to note that it may not attach conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

In relation to conditions, the statutory guidance at chapter 10.8 states that "The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant

representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

Full Copies of the Councils Statement of Licensing Policy, the Statutory Guidance to the Act and the Council's Guide to Good Practice at Licensed Premises will be available at the Licensing Sub Committee hearing or in advance if required.

A map centrally locating the premises and a plan shall be made available at the hearing.

Daniel Pattenden
Licensing Officer

Annex 1 – Application Form
Annex 2 – Current premises licence
Annex 3 – Representations
Annex 4 – Matters for decision

Variation Application Form

* required information

Section 1 of 17

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

Your reference 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

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- 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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Address

* Building number or name	111A
* Street	High Road
District	
* City or town	East Finchley
County or administrative area	London
* Postcode	N2 8AG
* Country	United Kingdom

Agent Details

* First name	Keith
* Family name	Walmsley
* E-mail	keith@premlc.com
Main telephone number	00 44 7525 471028
Other telephone number	

Include country code.

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

* Building number or name	76
* Street	Billy Lows Lane
District	
* City or town	Potters Bar
County or administrative area	Hertfordshire
* Postcode	EN6 1XL
* Country	United Kingdom

Address official correspondence should be sent to.

Section 2 of 17

APPLICATION DETAILS

Continued from previous page...

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 17

VARIATION

Do you want the proposed variation to have effect as soon as possible? Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

Continued from previous page...

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

A 64 cover ground floor restaurant situated in a High Street location. The application is to add licensable activities and alter timings, amend the conditions of the current licence and submit new plans following alterations and the removal of the basement area from public use. The basement will now be used for storage purposes.

Section 4 of 17

PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 17

PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 17

PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 17

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 17

PROVISION OF LIVE MUSIC

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

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TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the performance of live music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed, above below.

Continued from previous page...

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Years Eve 31st December, from the end of permitted hours until the start of permitted hours on New Years Day.
An additional one hour to be added to the end times on the following days:
25th January - Burns Night; 14th February - Valentines Day;
1st March - St David's Day; 17th March - St Patrick's Day;
The Thursday, Friday, Saturday and Sunday preceding Easter Monday.
April 23rd - St George's Day;
The Friday, Saturday and Sunday preceding the Early May Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the Spring Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the August Bank Holiday Monday.
24th and 26th December.

Section 9 of 17

PROVISION OF RECORDED MUSIC

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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End

Continued from previous page...

SUNDAY

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End

Will the playing of recorded music take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for playing recorded music.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Years Eve 31st December, from the end of permitted hours until the start of permitted hours on New Years Day.
An additional one hour to be added to the end times on the following days:
25th January - Burns Night.; 14th February - Valentines Day;
1st March - St David's Day; 17th March - St Patrick's Day;
The Thursday, Friday, Saturday and Sunday preceding Easter Monday.
April 23rd - St George's Day;
The Friday, Saturday and Sunday preceding the Early May Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the Spring Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the August Bank Holiday Monday.
24th and 26th December.

Section 10 of 17

PROVISION OF PERFORMANCES OF DANCE

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Will the performance of dance take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the performance of dance.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Continued from previous page...

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Years Eve 31st December, from the end of permitted hours until the start of permitted hours on New Years Day.
An additional one hour to be added to the end times on the following days:
25th January - Burns Night; 14th February - Valentines Day;
1st March - St David's Day; 17th March - St Patrick's Day;
The Thursday, Friday, Saturday and Sunday preceding Easter Monday.
April 23rd - St George's Day;
The Friday, Saturday and Sunday preceding the Early May Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the Spring Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the August Bank Holiday Monday.
24th and 26th December.

Section 11 of 17

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes No

Section 12 of 17

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Years Eve 31st December, from the end of permitted hours until the start of permitted hours on New Years Day.

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1st March - St David's Day; 17th March - St Patrick's Day;

The Thursday, Friday, Saturday and Sunday preceding Easter Monday.

April 23rd - St George's Day;

Continued from previous page...

The Friday, Saturday and Sunday preceding the Early May Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the Spring Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the August Bank Holiday Monday.
24th and 26th December.

Section 13 of 17

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

- Yes No

Standard Days And Timings

MONDAY

Start

End

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End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

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Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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An additional one hour to be added to the end times on the following days:
25th January - Burns Night; 14th February - Valentines Day;
1st March - St David's Day; 17th March - St Patrick's Day;
The Thursday, Friday, Saturday and Sunday preceding Easter Monday.
April 23rd - St George's Day;
The Friday, Saturday and Sunday preceding the Early May Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the Spring Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the August Bank Holiday Monday.
24th and 26th December.

Section 14 of 17

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

There shall be no adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Section 15 of 17

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="01:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="08:00"/>	End	<input type="text" value="00:30"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

On New Years Eve 31st December, from the end of permitted hours until the start of permitted hours on New Years Day.
An additional one hour to be added to the end times on the following days:
25th January - Burns Night; 14th February - Valentines Day;
1st March - St David's Day; 17th March - St Patrick's Day;
The Thursday, Friday, Saturday and Sunday preceding Easter Monday.
April 23rd - St George's Day;
The Friday, Saturday and Sunday preceding the Early May Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the Spring Bank Holiday Monday.
The Friday, Saturday and Sunday preceding the August Bank Holiday Monday.
24th and 26th December.

Continued from previous page...

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

In Annex 2
Condition 5
Condition 6
Condition 7
Condition 8
Condition 9
Condition 11

- I have enclosed the premises licence
 I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 17

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

If the club wishes members and their guests to be able to consume alcohol on the premises select on, if the club wishes people to be able to purchase alcohol to consume away from the premises select off. If the club wishes people to be able to do both select both.

Staff shall receive adequate training to uphold each of the licensing objectives.

b) The prevention of crime and disorder

Following on from a risk assessment, no additional measures have been identified.

c) Public safety

Following on from a risk assessment, no additional measures have been identified other than compliance with existing Health and Safety and Fire Safety Legislation.

d) The prevention of public nuisance

Waste from the premises shall not be stored nor disposed of in a manner which may cause a public nuisance.

Continued from previous page...

e) The protection of children from harm

Individuals who appear to be under the age of 25 years will be required to produce, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

Section 17 of 17

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. Variation Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300	£100.00
Band B - £4301 to £33000	£190.00
Band C - £33001 to £8700	£315.00
Band D - £87001 to £12500	£450.00*
Band E - £125001 and over	£635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500	£900.00
Band E - £125001 and over	£1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00
Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

* Fee amount (£)

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

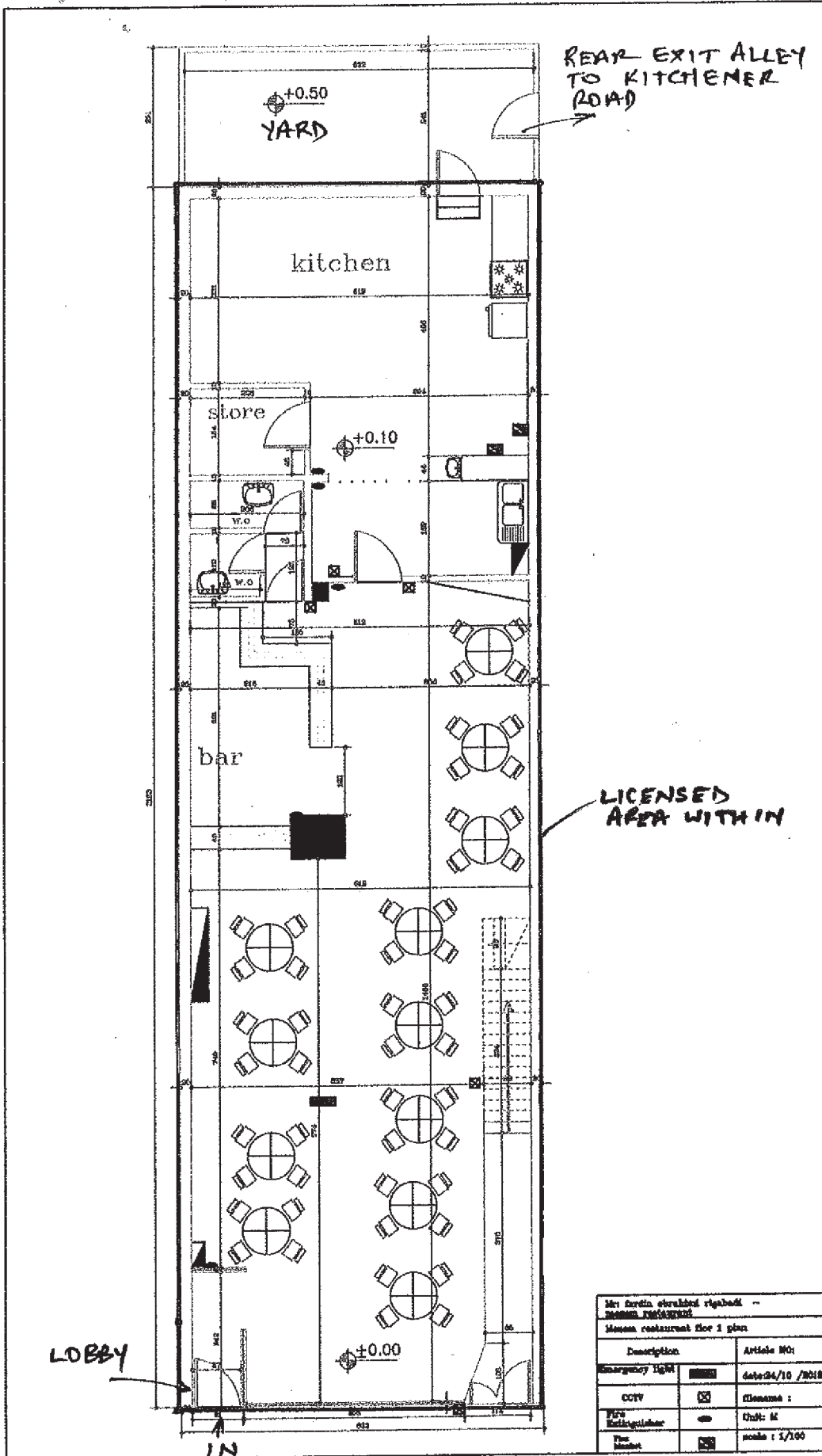
Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/barnet/change-1> to upload this file and continue with your application.

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

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

MEZEM III HIGH ROAD N28AG



Current Premises Licence

<p>Licensing Act 2003</p> <p>Part A:</p> <p>Premises Licence</p> <p>Premises Licence Number: LN/199906956</p>	<p>Licensing Authority: London Borough of Barnet, Building 4, North London Business Park Oakleigh Road South New Southgate, London, N11 1NP</p> <p style="text-align: right;">LPRL/07/27631 (22/01/2014)</p>
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Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description Mezem Restaurant, 111 High Road	
Post Town London	Post code N2 8AG
Telephone number 020 8444 5666	

Where the licence is time limited the dates This premises licence is not time limited

Licensable activities authorised by the licence The Sale by Retail of Alcohol The Provision of Regulated Entertainment

The times the licence authorises the carrying out of licensable activities	
<u>Sale by retail of alcohol</u>	
<u>Standard Days and Timings:</u>	
Sunday to Thursday	12:00hrs - 15:00hrs 18:00hrs - 23:30hrs
Friday to Saturday	12:00hrs - 15:00hrs 18:00hrs - 00:00hrs
<u>The Performance of live music - Indoors only</u>	
<u>Standard Days and Timings:</u>	
Friday	19:00hrs - 22:00hrs
Saturday	19:00hrs - 23:00hrs
<u>The Playing of recorded music - Indoors only</u>	
<u>Standard Days and Timings:</u>	
Sunday to Thursday	12:00hrs - 15:00hrs
Sunday to Thursday	18:00hrs - 23:30hrs
Friday to Saturday	12:00hrs - 15:00hrs
Friday to Saturday	18:00hrs - 00:00hrs

The hours that the premises are open to the public

Standard Days and Timings

Monday to Thursday	12:00hrs - 15:00hrs 18:00hrs - 23:00hrs
Friday to Sunday	12:00hrs - 15:00hrs 18:00hrs - 00:00hrs

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

On supplies only

Part 2

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

Mr Fardin Ebrahimi Rigabadi
86 Rowlands Close
Mill Hill
London
NW7 2DN

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 for the supply of alcohol

Farzaneh Henareh

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

Annex 1 - Mandatory Conditions

- 1 No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3 Each individual employed in the role of guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage must be licensed by the Security Industry Authority.
- 4
 - i. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
 - ii. The responsible person shall ensure that no alcohol is dispensed 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).
 - iii. The responsible person shall ensure that free tap water is provided on request to customers

where it is reasonably available.

iv. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

v. The responsible person shall 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; and

(b) customers are made aware of the availability of these measures.

Annex 2 – Conditions consistent with the operating schedule

- 5 No entry or re-entry shall be admitted to the premises after 00:00 hours.
- 6 A personal licence holder shall be on the premises when trading.
- 7 Live music shall end at 22:00 hours on Fridays, and at 23:00 hours on Saturdays except on New Year's Eve and New Year's Day.
- 8 Live music shall be staged in the basement.
- 9 Recorded music shall end at 23:30 hours on Sundays to Thursdays, and at 00:00 hours on Fridays and Saturdays except on New Year's Eve and on New Year's Day.
- 10 Signage shall be displayed prominently at the exits of the premises asking patrons to leave quietly.
- 11 Anyone attempting to purchase alcohol who appears to be under the age of 18 shall be requested to prove their age by means of photographic identification.

Annex 3 – Conditions attached after hearing by the licensing authority

N/A

Annex 4 - Plan

As submitted to the Council with the application for the grant of a premises licence under schedule 8 of the Licensing Act 2003. Reference: LPRL/07/27631

Representation

From: Springthorpe, Mark

Sent: 04 March 2014 10:57

To: Aquilina, Simon

Subject: RE: Variation of a Premises Licence Application – Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG

As far as I can see, the current permission for the use of the premises as a restaurant requires:

The uses hereby permitted shall not be open to customers before 9.00am or after 11.00pm.

Reason: To safeguard the amenities of occupiers of adjoining residential properties.

The level of noise emitted from the any machinery plant hereby approved shall be at least 5dB(A) below the background level, as measured from any point 1 metre outside the window of any room of the nearest noise sensitive existing neighbouring property, at the time of this decision notice.

If the noise emitted has a distinguishable, discrete continuous note (whine, hiss, screech, hum) and/or distinct impulses (bangs, clicks, clatters, thumps), then it shall be at least 10dB(A) below the background level, as measured from any point 1 metre outside the window of any room of the nearest noise sensitive existing neighbouring property, at the time of this decision notice.

No machinery shall be operated on the premises before 11.30 am or after 11.30pm, on weekdays or before 11.30 am or after 11.30pm on Sundays

Reason: To ensure that the proposed development does not prejudice the amenities of occupiers of neighbouring properties.

As such, we do object to any extension to the license which might contradict or compromise those conditions.


Mark Springthorpe BA(Hons) MA(Distinction)

Senior Planning Enforcement Officer

London Borough of Barnet | North London Business Park, Oakleigh Road South, London N11 1NP

Tel: 020 8359 4270

Barnet Online: www.barnet.gov.uk

 please consider the environment - do you really need to print this email?


Re

Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet.
Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172

Pattenden, Daniel

From: Rudland, Michelle
Sent: 10 March 2014 14:13
To: Pattenden, Daniel
Subject: FW: Variation of a Premises Licence Application – Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG

Michelle Rudland
Senior Licensing Officer, Trading Standards & Licensing Department
Development and Regulatory Services (DRS)
London Borough of Barnet, North London Business Park, Oakleigh Road South, London N11 1NP
Tel: 020 8359 7452
Barnet Online: www.barnet.gov.uk

 please consider the environment - do you really need to print this email?

RE

London Borough of Barnet is working with RE (Regional Enterprise) Ltd, a new joint venture between the Council and Capita plc

From: Mitra, Cllr Arjun
Sent: 10 March 2014 13:48
To: Rudland, Michelle
Subject: RE: Variation of a Premises Licence Application – Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG

Hello

I have some concerns regarding this application, as I believe it could cause significant disturbance to neighbours. There are residential properties behind and above the restaurant, and I do not know of any precautions that are being made to reduce sound or vibrations. I have a particular concern about vibrations, as that particular section of the parade has a number of properties where plasterwork decorations have fallen off on to the pavement in recent times, causing a hazard to passers by. I fear this could lead to more of that. I also hope there will be strong conditions on the volume of noise permitted. I do not see why they should carry on past 11pm on any night, or before midday. I have serious concerns and objections to those hours.

I hope that, if this request is not refused, that it is only given a temporary permit for a trial basis, after which we can assess if it should continue.

Best wishes,

Cllr Arjun Kumar Mitra

East Finchley Ward
London Borough of Barnet

Tel: 07867902400
Email: cllr.a.mitra@barnet.gov.uk
Twitter: @CllrArjunMitra
Blog: <http://cllrarjunmittra.blogspot.com>

Matters for Decision

MATTERS FOR DECISION

Mezem Restaurant, 111 High Road, East Finchley, London, N2 8AG

To allow the supply of alcohol for consumption both on and off the premises

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	09:00	23:30			
Tuesday	09:00	23:30			
Wednesday	09:00	23:30			
Thursday	09:00	23:30			
Friday	09:00	00:00			
Saturday	09:00	00:00			
Sunday	09:00	23:30			

Added conditions, if any:

Reasons for decisions above:

To allow the provision of recorded music - indoors only

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	09:00	23:30			
Tuesday	09:00	23:30			
Wednesday	09:00	23:30			
Thursday	09:00	23:30			
Friday	09:00	00:00			
Saturday	09:00	00:00			
Sunday	09:00	23:30			

Added conditions, if any:

Reasons for decisions above:

To allow the provision of live music indoors only

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	09:00	23:30			
Tuesday	09:00	23:30			
Wednesday	09:00	23:30			
Thursday	09:00	23:30			
Friday	09:00	00:00			
Saturday	09:00	00:00			
Sunday	09:00	23:30			

Added conditions, if any:

Reasons for decisions above:

To allow the provision of late night refreshment - indoors only

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	23:00	00:00			
Tuesday	23:00	00:00			
Wednesday	23:00	00:00			
Thursday	23:00	00:00			
Friday	23:00	00:30			
Saturday	23:00	00:30			
Sunday	23:00	00:00			

Added conditions, if any:

Reasons for decisions above:

Hours premises is open to the public

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	08:00	00:30			
Tuesday	08:00	00:30			
Wednesday	08:00	00:30			
Thursday	08:00	00:30			
Friday	08:00	01:00			
Saturday	08:00	01:00			
Sunday	08:00	00:30			

Added conditions, if any:

Reasons for decisions above: