

**MEETING**

**LICENSING SUB-COMMITTEE**

**DATE AND TIME**

**FRIDAY 11TH APRIL, 2014**

**AT 11.30 AM**

**OR AT THE CONCLUSION OF THE LICENSING SUB-COMMITTEE, WHICH STARTS AT 10.30AM, WHICHEVER IS LATER**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, NW4 4BG**

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

**Councillors**

Maureen Braun

John Hart

Andreas Tambourides

**Substitute Members**

All Members on the Licensing Committee

*\* The licensing authority will only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one Member being unable to attend, their place will be substituted by another Member taken from the membership of the full Licensing Committee. In the event of this substitution taking place, all parties will be informed of the change of Membership at the beginning of the hearing.*

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

**Andrew Nathan – Head of Governance**

Governance Services contact: Chidilim Agada [chidilim.agada@barnet.gov.uk](mailto:chidilim.agada@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.	Cavendish Banqueting Suite, FCI House, Edgware Road, Colindale, NW9 5AE - Temporary Event Notice	5 - 40
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 Chidilim Agada [chidilim.agada@barnet.gov.uk](mailto:chidilim.agada@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 Committee staff or 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.

# 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](http://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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AGENDA ITEM 5

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Meeting	Licensing Sub-Committee
Date	Friday 11 <sup>th</sup> April 2014
Subject	Cavendish Banqueting Suite, FCI House, Edgware Road, Colindale, NW9 5AE
Report of	Trading Standards & Licensing Manager
Summary	This report asks the Sub-Committee to consider a Temporary Event Notice under the Licensing Act 2003.

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Officer Contributors	Jack Dowler – Trading Standards and Licensing Technical Officer
Status (public or exempt)	Public
Wards Affected	Burnt Oak Ward
Enclosures	Enclosure 1 – Officer Report Enclosure 2 – Temporary Event Notice Enclosure 3 – Police Objection Enclosure 4 – Notice of Decision Enclosure 5 – Current Premises Licence Enclosure 6 – Prescribed form of notice (conditions on a temporary event notice) and statement of conditions
For decision:	Licensing Sub-Committee
Function of:	Council
Reason for urgency / exemption from call-in (if appropriate)	Not applicable
Contact for Further Information:	Jack Dowler 020 8359 7443; jack.dowler@barnet.gov.uk

**1. RECOMMENDATIONS**

1.1 That the Sub-Committee considers a Temporary Event Notice under the Licensing Act 2003.

**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 representation has 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)
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# Officers Report

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**LICENSING ACT 2003**

**Licensing officer's report**

**Temporary Event Notice**

**Cavendish Banqueting Suite, FCI House, Edgware Road, Colindale,  
NW9 5AE**

**The Notice**

The Temporary Event Notice was given to the authority by Mr Lavern Cassius Wright of 88 Monks Park, Wembley, Middlesex, HA9 6JQ on Tuesday 1<sup>st</sup> April 2014 under Section 100 of the Licensing Act 2003, however was not valid until Thursday 3<sup>rd</sup> April when the Temporary Event Notice was given to the Police.

The notice seeks to permit the sale by retail of alcohol, the provision of regulated entertainment and the provision of late night refreshment for an event which is due to take place from the 5<sup>th</sup> - 6<sup>th</sup> July 2014 from 22:00hrs – 05:00hrs. The event is described as being a Spring Gala Dinner show and dance celebrations.

A copy of the Temporary Event Notice can be found in Enclosure 2 attached to this report.

**Objection**

The police, having been provided with a copy of the Application have provided the Licensing Authority with their objection. This was received by the licensing authority on Monday 7<sup>th</sup> April 2014.

For the reasons identified in their Notice the Police have stated that they are satisfied that allowing the premises to be used in accordance with this notice would undermine a licensing objective.

A copy of the Police Objection can be found attached to this report in Enclosure 3.

## Officer Comments

3.1 The London Borough of Barnet's Licensing Policy states the following about Temporary Event Notices:

- Applicants should be aware that the serving on the Council of a Temporary Event Notice does not remove their obligations under other legislation. Where necessary, permissions should be sought from the appropriate body. The Council expects that applicants understand their obligations in respect of:
  - Planning permissions
  - Health and safety
  - Noise pollution
  - The erection of temporary structures
  - Road closures
  - The use of pyrotechnics
  - Anti-social behaviour
- Applicants intending to sell alcohol should be aware that it is an offence to supply alcohol to minors or persons who are drunk. Also that the Police have powers to close down events without notice on the grounds of disorder, the likelihood of disorder or because of public nuisance caused by noise.
- Applicants should be aware that a limit of less than 500 persons at any one time applies to temporary events and failure to comply with this limit may lead to prosecution. Where appropriate, organisers are strongly recommended to employ means of recording the number of persons entering and leaving the premises.
- The attention of applicant is drawn to the fact police will expect to see a completed Music Promotion / Event Risk Assessment Scheme (Form 696 & 696A) if the event involves live or DJ music and is open to the public or section of the public.

## **4 Determination**

4.1 The sub-committee shall determine the application in accordance with Section 105 of the Licensing Act 2003. The Notice of Decision is attached as Enclosure 4.

4.2 The relevant licensing authority must—

(a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and

(b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it appropriate for the promotion of a licensing objective to do so.

4.3 *Section 105(3) states:-*

The relevant licensing authority must –

(a) in a case where it decides not to give a counter notice under this section, give the premises user and [each relevant person] notice of the decision, and

(b) in any other case—

(i) give the premises user the counter notice and a notice stating the reasons for its decision, and

(ii) give [each relevant person] a copy of both of those notices.

4.4 Any decision or counter notice must be issued to the premises user at least 24 hours before the specified event period. A failure to do so will result in the premises user being able to proceed with the event.

## **5. Attaching conditions**

The licensing authority may decide not to give the applicant a counter notice under section 105 of the Act and instead impose one or more conditions on the notice in accordance with section 106A(2) of the Act.

The premises licence in place for these premises with its attached conditions can be found attached to this report in Enclosure 5.

- 5.1 Full Copies of the Councils Statement of Licensing Policy, the Statutory Guidance to the Act will be available at the Licensing Sub Committee hearing or in advance if required. A map centrally locating the premises and premises plans will be available at the hearing.

Jack Dowler  
Trading Standards and Licensing Technical Officer

Tuesday, 08 April 2014

Enclosure 2 – Temporary Event Notice  
Enclosure 3 – Police Objection  
Enclosure 4 – Notice of Decision  
Enclosure 5 – Current Premises Licence  
Enclosure 6 – Prescribed form of notice (conditions on a temporary event notice) and statement of conditions.

# Temporary Event Notice Application

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### Temporary Event Notice

Information on the Licensing Act 2003 is available on the website of the Department for Culture, Media and Sport ([http://www.culture.gov.uk/alcohol\\_and\\_entertainment/default.htm](http://www.culture.gov.uk/alcohol_and_entertainment/default.htm)) or from your local licensing authority.

Before completing this notice please read the guidance notes at the end of the notice. If you are completing this notice by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written or typed in black ink. Use additional sheets if necessary.

You should keep a copy of the completed notice for your records. You must send two copies of this notice to the licensing authority and an additional copy must be sent to the chief officer of police for the area in which the premises are situated. The licensing authority will endorse one of the two copies and return it to you as an acknowledgement of receipt.

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

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	Wright
Forenames	Lavern Cassius
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)
Surname	
Forenames	
3. Your date of birth	Month: Year: 1965
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)	
[Redacted Address]	
7. Other contact details	
Telephone numbers	[Redacted Contact Details]
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (optional)	

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Post code
9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail Address (optional)	

<b>2. The premises</b>	
Please give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Cavendish Banqueting Suite FCI Building Edgware Road London NW9 5AE	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
NA	
Please describe the nature of the premises below. (Please read note 4)	
A Banqueting Hall, purposely and suitably arranged.	
Please describe the nature of the event below. (Please read note 5)	
A Spring Gala Dinner Show & Dance Celebrations. Dinner will be a 3 course buffet. This is an event with mature Patrons in the age group 30-60 years of age.	

Entertainment will be a performance by lovers rock artist. Music and dancing to big people music reggae , loversrock & soul. There will be a responsibly run pay bar.

3. 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). (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	<input type="checkbox"/>	
The provision of regulated entertainment	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input checked="" type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 7)		
Saturday 5 TH July 2014		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 8)		
22:00 hrs until 05:00 hrs		
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 9)	350	
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 10)	On the premises only	<input checked="" type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input type="checkbox"/>

4. Personal licence holders. (Please read note 11)		
Do you currently hold a valid personal licence? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If "Yes" please provide the details of your personal licence below.		

Issuing licensing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

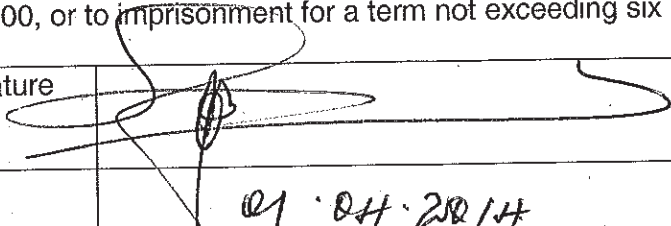
5. Previous temporary event notices you have given (Please read note 12)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? (Please mark an "X" in the box that applies to you)	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices you have given for events in that same calendar year	1	
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 <input checked="" type="checkbox"/>	No <input type="checkbox"/>

6. Associates and business colleagues (Please read note 13)		
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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <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? (Please mark an "X" in the box that applies to you)	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
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7. Checklist (Please read note 14)	
I shall (Please mark the appropriate boxes with an "X")	
Send two copies of this notice to the licensing authority for the area in which the premises are located	<input checked="" type="checkbox"/>
Send a copy of this notice to the chief officer of police for the area in which the premises are located	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, send two copies of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, send a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
Make or enclose payment of the fee for the application	<input checked="" type="checkbox"/>
Sign the declaration in Section 9 below	<input checked="" type="checkbox"/>

8. Condition (Please read note 15)
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.

9. Declarations (Please read note 16)	
The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	
Date	01.04.2014

Name of Person signing	Lavern Cassius Wright
------------------------	-----------------------

For completion by the Licensing Authority

10. Acknowledgement (Please read note 17)	
I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the Licensing Authority
Date	
Name of Officer signing	



ENCLOSURE 3

# Police Objection

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**METROPOLITAN  
POLICE**

**TOTAL POLICING**

*With compliments*

London Borough of Barnet  
Licensing Team  
Building 4  
North London Business Park  
Oakleigh Road South  
London  
N11 1NP

Licensing Office Room 1:20  
Colindale Police Station  
Grahame Park Way  
Colindale  
NW9 5TW

Telephone: 020 8733 5261  
e-mail: [SX\\_Licensing@met.police.uk](mailto:SX_Licensing@met.police.uk)  
Date: 7<sup>th</sup> April 2014

L.B.B. ref:  
Our ref: T/89/14

CC:

**Police Make Representations to the following Temporary Event Notice  
Sect 100 of the Licensing Act 2003**

**Application Given To Police: 3<sup>rd</sup> April 2014 Applicant failed to comply with Sect 100A(2)(b)**

**Premises: Cavendish Banqueting Suite Edgware Rd Colindale NW9 5AE**  
**Person: Mr Lavern Cassius WRIGHT**  
**Event: Spring Gala Dinner Show & Dance**  
**Date: 5<sup>th</sup> July 2014**  
**Time: 22:00hrs - 05:00hrs the following day**

The Police are satisfied that allowing the premises to be used in accordance with this notice would undermine a licensing objective:

There have been previous Police concerns, re events at these premises. I have repeatedly asked the owners to ensure that a booking confirmation is completed, together with a Police Risk assessment form. These documents need to be sent to the Police in support of the TEN. This is only required for events running later than 2am in the morning.

It is not sufficient for the premises licence holder to accept a booking and payment for an event, then attempt to absolve themselves of any responsibility by not completing the TEN in their name. This is a very uncommon practice and does little to instil any faith in the professionalism of the premises licence holder and owners/management of this venue.

The DPS and premises licence holder are fully aware of this. An agreement was reached last year whereby they would confirm and discuss any late night events with the Police prior to submitting a TEN. The lack of engagement with the Police is very disappointing.

The premises user failed to serve the TEN on the Police. This was only done after the Licensing Authority informed them that the notice was not valid until the Police had been served a copy.

The premises user has not provided any information with regard to:

- the type of acts
- DJs promoter
- security staff

- If the event is private with a guest list and pre sold tickets or will it be a promoted event
- Will admission be available on the door

With a terminal hour of 5am for the licensable activity the people attending this function are likely to cause unreasonably high levels of noise nuisance when they leave. This is also during a time when most of the local residents would be asleep.

Hopefully this matter will be resolved without the need for a hearing.

However, if the premises user does not engage with the Police and provide the information and reassurances to fully promote the 4 licensing objectives. I would respectfully request that the Licensing Sub Committee rejects this notice.

Yours Sincerely,

A handwritten signature in black ink that reads "P. M. Altman". The signature is written in a cursive, slightly slanted style.

Police Sergeant Mark ALTMAN

ENCLOSURE 4

# Notice of Decision

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**PERMITTED TEMPORARY ACTIVITIES**  
**Licensing Act 2003 part 5 sections 100-110 (the Act)**

**Licensing Authority: Directorate of Corporate Governance, Building 4, North  
London Business Park, Oakleigh Road South, New Southgate, London,  
NW11 1NP**

**Ref: LTEN/14/01478**

On Tuesday 1<sup>st</sup> April 2014 the licensing authority received from you, the premises user Mr Lavern Cassius Wright, a temporary event notice in respect of proposed temporary licensable activities due to take place on Saturday 5 July 2014 at 22:00hrs and finishing at 05:00 hrs on Sunday 6 July 2014 within the overall premises of Cavendish Banqueting Suite, FCI House, Edgware Road, NW9 5AE.

**NOTICE OF DECISION**

- (a) COUNTER NOTICE**
  - (b) DECISION NOT TO ISSUE A COUNTER NOTICE**
- (delete that which is not applicable)**

The Licensing Authority, having received a notice of objection from the relevant chief officer of police under section 104(2)(a) of the Act and in accordance with section 105(2)(a) of the Act, having held a hearing on Friday 11<sup>th</sup> April to consider the objection notice hereby;

- (a)** gives the premises user this counter notice as it considers it necessary for the promotion of the crime prevention objective to do so. **The event may not go ahead.**
- (b)** does not consider it necessary to give a counter notice for the promotion of the crime prevention objective. **The event may go ahead.**

(delete that which does not apply)

**NOTICE STATING REASONS FOR THE DECISION**

The following reasons are given:

.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....  
.....

**SERVICE OF THIS COUNTER NOTICE/NOTICE OF DECISION.**

At least twenty four hours before the beginning of the event period as specified in the temporary event notice, the relevant licensing authority must:

- (a) in a case where it decided not to give a counter notice under this section, give the premises user and the relevant chief officer of police notice of the decision, and
- (b) in any other case-
  - (i) give the premises user the counter notice and a notice stating the reasons for its decision, and
  - (ii) give the relevant chief officer of police a copy of both of those notices.

**CERTIFICATE OF SERVICE**

I \_\_\_\_\_ (print name) an officer of the London Borough of Barnet, hereby certify that I served a true copy of this notice on the premises user \_\_\_\_\_ (print name of premises user)

by: (insert method notice given)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Signed \_\_\_\_\_

Dated \_\_\_\_\_

## **MANNER OF GIVING A COUNTER NOTICE:**

A counter notice is given in the prescribed manner if it is:

- (a) delivered to the relevant premises user in person
- (b) left at the “appropriate address”
- (c) sent to that address by ordinary post; or
- (d) sent by e-mail to an appropriate e-mail address.

## **RIGHTS OF APPEAL:**

Under Schedule 5 Part 3 Licensing Act 2003

### **Temporary Event Notices**

- 16(1) This paragraph applies where -
  - (a) a temporary event notice is given under section 100, and
  - (b) a chief officer of police gives an objection notice in accordance with section 104(2).
- (2) Where the relevant licensing authority gives a counter notice under section 105(3), the premises user may appeal against that decision.
- (3) Where that authority decides not to give such a counter notice, the chief officer of police may appeal against that decision.
- (4) An appeal under this paragraph must be made to the magistrate’s court for the petty sessions area (or any such area) in which the premises concerned are situated.
- (5) An appeal under this paragraph must be commenced by notice of appeal given by the appellant to the justices’ chief executive for the magistrate’s court within the period of 21 days beginning with the day on which the appellant was notified by the licensing authority of the decision appealed against.
- (6) But 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.
- (7) On an appeal under sub-paragraph (3), the premises user is to be the respondent in addition to the licensing authority.

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ENCLOSURE 5

# Premises Licence

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# Licensing Act 2003

## Part A: Premises Licence

Premises Licence Number:  
LN/199906787

### Licensing Authority:

London Borough of Barnet,  
Building 4, North London Business Park  
Oakleigh Road South  
New Southgate,  
London,  
N11 1NP

### Part 1 - Premises details

#### Postal address of premises, or if none, ordnance survey map reference or description

Cavendish Banqueting Suite (First Floor), FCI Building, The Hyde, Edgware Road, Colindale

#### Post Town

London

#### Post code

NW9 5AE

#### Telephone number

020 8205 5012

#### 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, and  
The provision of late night refreshment.

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

##### Sale by retail of alcohol

##### Standard Days and Timings:

Sunday to Thursday 12:00 to 23.30 hrs  
Friday and Saturday 12:00 to 00.30 hrs

##### Non Standard Timings & Seasonal Variations:

None

##### The provision of regulated entertainment

**The playing of live music indoors only.**

**The playing of recorded music indoors only.**

**The performance of dance indoors only.**

**The provision of facilities for dancing indoors only.**

**The provision of facilities for entertainment of a similar to the provision of facilities for dancing, indoors only.**

##### Standard days and timings:

Sunday to Thursday 12:00 to 23.30 hrs  
Friday and Saturday 12:00 to 00.00 hrs

##### Non Standard Timings & Seasonal Variations:

None

**The provision of late night refreshment indoors only.**

**Standard days and timings:**

Sunday to Thursday	23:00 to 00.00 hrs
Friday and Saturday	23:00 to 00.30 hrs

**Non Standard Timings & Seasonal Variations:**

None

**The hours that the premises are open to the public**

**Standard days and timings:**

Sunday to Thursday	12:00 to 00.00 hrs
Friday and Saturday	12:00 to 01.00 hrs

**Non Standard Timings & Seasonal Variations:**

None

**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**

Cavendish Banqueting Suite (First Floor)  
FCI Building, The Hyde, Edgware Road,  
Colindale  
London  
NW9 5AE

020 8205 5012

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

5546607

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

Akbar Lakhani  
106 Uxbridge Road  
Hatch End  
Middlesex  
HA5 4DS

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

09AL-00AQ-HQMD-QHJW

## **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
  - (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.

## **Annex 2 – Conditions consistent with the operating schedule**

4. No nude or semi nude performances will be permitted on the premises.
5. All functions that consist of licensable activities will be pre-booked and private.
6. All staff will receive adequate and appropriate training.
7. Adequate arrangements will be made to monitor and control the number and behaviour of persons present.
8. Adequate signage will be displayed at the public exit from the premises reminding patrons to leave the premises and area quietly.
9. Children under the age of 16 years will not be permitted entry to the bar area as shown on the plan described in Annex 4 to this licence.
10. Children under the age of 16 years will be accompanied by an adult over the age of 18 years.
11. All cameras and recording equipment shall be installed and maintained in accordance with the manufacturers instructions and will be fully operational when the premises are open to the public for any licensable activity.
12. The system upon which images are recorded shall be suitable and secure. The images shall be retained for a period of not less than one calendar month and be made available to Council and Police Officers on request.

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

13. An adequate number of security staff shall be employed at each pre-booked event at the premises and each shall commence work 30 minutes before the start time and be present until 30 minutes after the event is concluded and the building is secured.
14. The building shall only be opened for pre-booked functions for which the appropriate hiring condition forms have been duly completed and signed.

## **Annex 4 - Plan**

As submitted to the Council with the application for a premises licence under the Licensing Act 2003 consisting of two plans, one marked Cavendish Banqueting Suite First Floor and one marked Cavendish Banqueting Suite Ground Floor.

# Prescribed form of notice

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PRESCRIBED FORM OF NOTICE (CONDITIONS ON A TEMPORARY EVENT NOTICE) AND  
STATEMENT OF CONDITIONS

The prescribed form for a notice (conditions on a temporary event notice) is as follows:

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

Notice (Conditions on a Temporary Event Notice) – Permitted Temporary Activities

**On Tuesday 1<sup>st</sup> April 2014 the licensing authority received from you, Mr Lavern Cassius Wright, a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 5<sup>th</sup>-6<sup>th</sup> July 2014 at Cavendish Banqueting Suite, FCI House, Edgware Road, Colindale, NW9 5AE. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”). The licensing authority has decided not to give you a counter notice under section 105 of the Act and instead is imposing one or more conditions on the notice in accordance with section 106A(2) of the Act.**

**The attached statement (“statement of conditions”) sets out the condition(s) which has/have been imposed on the notice.**

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
<b>A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</b>	
<b>A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.</b>	

A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

The Licensing Act 2003 does not make provision for you to appeal against this counter notice.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine not exceeding £20,000, or to both.

<b>SIGNATURE</b>	On behalf of the licensing authority	<b>DATE</b>	
<b>Name of Officer signing</b>			

The prescribed form for a statement of conditions is as follows:

<b>The condition(s) is/are:</b>			
<b>SIGNATURE</b>		<b>DATE</b>	
	On behalf of the licensing authority		
<b>Name of Officer signing</b>			