

MEETING

LICENSING SUB-COMMITTEE

DATE AND TIME

WEDNESDAY 18TH JUNE, 2014

AT 10.30 AM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

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

Councillor John Hart

Councillor Anne Hutton

Councillor Claire Farrier

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

Andrew Nathan – Head of Governance

Governance Services contact: Governance Service governance.service@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.	Carluccio's, Unit 1A, The Spires Shopping Centre, Barnet, EN5 5XY	5 - 30
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

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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

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

Meeting	Licensing Sub-Committee
Date	18 th June 2014
Subject	Carluccio's, Unit 1A, The Spires Shopping Centre, Barnet, EN5 5XY
Report of Summary	Trading Standards & Licensing Manager This report asks the Sub-Committee to consider the application for a new Premises Licence, under section 17 of the Licensing Act 2003.

Officer Contributors	Daniel Pattenden – Licensing Officer
Status (public or exempt)	Public
Wards Affected	High Barnet
Enclosures	Report of the Licensing Officer Annex 1 – Application Form Annex 2 – Representations Annex 3 – 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 new premises licence for Carluccio's, Unit 1A, The Spires Shopping Centre, Barnet, EN5 5XY.

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

Carluccio's, Unit 1A, The Spires Shopping Centre, Barnet, London EN5 5XY

1. The Applicants

The application was submitted by Poppleston Allen LLP on behalf of Carluccio's Ltd, 35 Rose Street, London, WC2E 9EB.

2. Application

The application before the sub committee was submitted under Section 17 of the Licensing Act 2003 for a New Premises Licence. The application seeks to allow the following:

- To allow the sale of alcohol for consumption both on and off the premises from 08:00hrs until 00:00hrs Monday to Sunday.
- To allow the provision of late night refreshment indoors only from 23:00hrs until 00:00hrs Monday to Sunday.
- To allow the premises to remain open to the public from 08:00hrs until 00:30hrs Monday to Sunday.

A full copy of the application can be seen in **Annex 1** attached to this report.

3. Representations

Responsible Authorities

The licensing department have received a representation submitted by Sergeant Mark Altman on behalf of the Metropolitan Police.

The representation refers to the Sergeant Altman's request that the applicant installs a CCTV system in line with the minimum suggested standards. This is in order to fully promote the four licensing objectives and to ensure that the applicant takes all reasonable steps to promote the licensing objectives.

Other representations

No representations have been received by other interested parties.

The representation letters can be seen in full in **Annex 2** attached to this report.

4. 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 necessary 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 – Representation
Annex 3 – Matters for decision

Premises Licence Application

London Borough of Barnet

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Carluccio's Limited

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Carluccio's Unit 1A The Spires Shopping Centre Barnet			
Post town	London	Post code	EN5 5XY

Telephone number at premises (if any)	Not known at present
Non-domestic rateable value of premises	Not rated

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

Please tick yes

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
- I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/>	Please tick yes
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name Carluccio's Limited
Address 35 Rose Street London WC2E 9EB
Registered number (where applicable) 02001576
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 0207 580 3050
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises license to start?

FROM THE DATE UPON WHICH THE COUNCIL ARE NOTIFIED THAT THE WORKS TO THE PREMISES HAVE BEEN COMPLETED

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

A

Please give a general description of the premises (please read guidance note1)
Carluccio's is a branded Italian Café and deli which combines a restaurant style operation with service of food and drink by waiter/waitress service, with a high class delicatessen for the sale of fresh cooked products and a very limited range of alcohol for consumption off the premises.

The licensed area will be on the ground floor of the Shopping Centre. External seating to the front and right side of the premises to be used for the consumption of food and drink.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

N/A

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)

- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of late night refreshment (if ticking yes, fill in box I)

Supply of alcohol (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<p>Please give further details (please read guidance note 3)</p> <hr/> <p>State any seasonal variations for indoor sporting events (please read guidance note 4)</p> <hr/> <p>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)</p>
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<p>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)</p>	
Day	Start	Finish	Indoors	<input checked="" type="checkbox"/>
Mon			Outdoors	<input type="checkbox"/>
Tue			Both	<input type="checkbox"/>
Wed			<p>Please give further details here (please read guidance note 3)</p>	
Thur			<p>State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)</p>	
Fri			<p>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)</p>	
Sat				
Sun				

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the playing of recorded music (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input checked="" type="checkbox"/>	
				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors <input type="checkbox"/>	
Mon				Outdoors <input type="checkbox"/>	
				Both <input type="checkbox"/>	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Hot food and hot drinks.		
Mon	23:00	00:00			
Tue	23:00	00:00	State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed	23:00	00:00			
Thur	23:00	00:00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri	23:00	00:00			
Sat	23:00	00:00			
Sun	23:00	00:00			

J

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	08:00	00:00			
Tue	08:00	00:00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Wed	08:00	00:00			
Thur	08:00	00:00			
Fri	08:00	00:00			
Sat	08:00	00:00			
Sun	08:00	00:00			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name This unit is not yet trading. A DPS will be transferred onto this licence prior to the commencement of trading.	
Address	
Postcode	
Personal Licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
None

L

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	00:30	
Tue	08:00	00:30	
Wed	08:00	00:30	
Thur	08:00	00:30	
Fri	08:00	00:30	
Sat	08:00	00:30	
Sun	08:00	00:30	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)			

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

1. These premises will trade predominantly as a restaurant, and substantial food and non-intoxicating drinks shall be available at all times the premises are trading.
2. Off sales of alcohol will primarily be made from the delicatessen area (marked Retail upon the plan).
3. Tables and chairs will be laid out for customers and there shall be waiter/waitress service. Food and alcohol will be served to customers seated or to those waiting to be seated.
4. Management are well aware of all their responsibilities in respect of current legislation. There is an intensive 10 day training scheme for all staff joining the company before a new unit opens, and thereafter there is ongoing regular training, monitored by the head office on a random but regular basis, and full and detailed training manuals are available for inspection, which are again regularly updated as and when necessary.
5. The introductory pack provided to all staff provides summary notes relating to the appropriate and relevant legislation which staff have to sign.
6. All employees are supplied with the company manual called "The Book" which sets out terms and conditions of employment, and a general section relating to personnel, disciplinary and grievance procedures and substantial selection on health and safety and hygiene, both personal and relating to food.

b) The prevention of crime and disorder

See box a) above

1. Staff training includes details of offences relating to the sale and supply of alcohol to under 18's.
2. Crime prevention measures will be instigated following consultation with the Metropolitan Police.

c) Public safety

See box a) and b) above

1. The staff training manuals referred to above include full training in relation to accidents to staff and customers on the premises, and requirement to detail any such problems, and also full food hygiene training which is reinforced by the general introductory note and safety notes.
2. Risk assessments are carried out at regular intervals and revised if there is any change in methods used at the unit for both fire safety, general hazards, and food safety.

d) The prevention of public nuisance

1. Very low background noise is played inside the unit only and there is never any issue of noise escape.

e) The protection of children from harm

See box a) and b) above

1. Staff are trained to ensure that there is no sale of alcohol to persons under 18. The premises operate a "Challenge 21" policy. That policy shall require any person who appears to be under 21 to produce one of the following forms of identification:
 - a) A full UK photo Driving License;
 - b) Passport;
 - c) Military ID Card;
 - d) A recognised proof of age card accredited under the Proof of Age Standards Scheme (PASS)


Please tick yes

- I have made or enclosed payment of the fee or
- I have not made or enclosed payment of the fee because the application has been made in relation to the introduction of the late night levy
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	17.4.2014
Capacity	Poppleston Allen – Solicitors for and on behalf of the applicant

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Lisa Sharkey
37 Stoney Street
The Lace Market

Post town	Nottingham	Post code	NG1 1LS
Telephone number (if any)	0115 9538504		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
l.sharkey@popall.co.uk			

Notes for Guidance

1. 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example the 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.

Representation



**METROPOLITAN
POLICE**

TOTAL POLICING

With compliments

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

**LICENSING OFFICE
COLINDALE POLICE STATION
GRAHAM PARK WAY
COLINDALE
NW95TW**

**Telephone: 020 8733 5261
Facsimile: 020 8733 5268
e-mail: SX_Licensing@met.police.uk
Date: 19th May 2014**

L.B.B. ref:
Our ref: 200/2014

CC: London Borough of Barnet

Police Make Representations to the following application made under

Section(s)	17						Licensing Act 2003
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Application Given To Police On: 22nd April 2014

Premises: Carluccios Unit 1a The Spires Shopping Centre Barnet EN5 5XY

Representations

J) alcohol sale by retail	Y
L) Hours premises are open to the public	Y

The Police have requested that the applicant installs a CCTV system in line with the minimum suggested standards. This is in order to fully promote the 4 licensing objectives and to ensure that the applicant takes all reasonable steps to promote the licensing objectives.

The Police suggest that the installation of a CCTV system is appropriate and reasonable. Whilst the shopping centre covers the public areas and walkways, it affords no internal coverage for the actual restaurant site.

Following initial conversations with the applicant's solicitor the Police have been unable to reach an agreement.

It is my understanding that the solicitors are awaiting further instructions from their client. Unfortunately the last date for representations falls on the 21st May and the officer dealing with this case will not be available due to a period of leave.

Hopefully an agreement will be reached and the need for a hearing dispensed with.

Yours Sincerely,



Police Sergeant Mark ALTMAN

CCTV Conditions

- Digital recording CCTV comprising a multi camera system.
- The head unit (recorder) for storing the images will store such data on a hard drive or a similar quality medium.
- A CD or DVD burner will also form part of the system to facilitate making copies of the images.
- If the head unit (recorder) is kept on the premises it must be located in a secure cabinet or other secure area, preferably out of the sight and reach of the public. The unit must be further secured by physical means to prevent anyone from merely picking up and removing the unit, e.g. a secure metal boot, or metal case strap, bolted to an immovable object like a wall or floor.
- The quality of the images must be of a sufficiently high standard to allow identification of the subject matter.
- Cameras will cover key areas identified by the operator and Police. These will include clear headshots of persons entering the premises, any bar areas, the till and entrance to the toilets.
- Images must be retained for a period of 31 days before overwriting.
- The images will be made available in reasonable time on demand by the Police and authorised officers of the London Borough of Barnet.
- At all times when the premises are open there shall be at least one person who is capable of operating the CCTV system if required to do so by the Police or authorised officers of the London Borough of Barnet.
- This system will be fully maintained at all times to ensure correct operation.

Matters for Decision

MATTERS FOR DECISION

Carluccio's, Unit 1A, The Spires Shopping Centre, Barnet, EN5 5XY

To allow the sale of alcohol on and off the premises

Standard Days and Timings

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

Added conditions, if any:

Reasons for decisions above:

To allow 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	00:00			
Saturday	23:00	00:00			
Sunday	23:00	00:00			

Added conditions, if any:

Reasons for decisions above:

Hours premises are 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	00:30			
Saturday	08:00	00:30			
Sunday	08:00	00:30			

Added conditions, if any:

Reasons for decisions above:

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