

**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 Claire Farrier

Councillor Anne Hutton

**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](mailto: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.	TEMPORARY EVENT NOTICE FOR FORECOURT AND BEER GARDEN, 56 THE BURROUGHS, LONDON, NW4 4AN (4-9 JULY)	5 - 28
6.	TEMPORARY EVENT NOTICE FOR FORECOURT AND BEER GARDEN, 56 THE BURROUGHS, LONDON, NW4 4AN (12-14 JULY)	29 - 50
7.	MOTION TO EXCLUDE THE PRESS AND PUBLIC	
8.	DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION	
9.	RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE	
10.	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 Governance Service [governance.service@barnet.gov.uk](mailto:governance.service@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](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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## Licensing Sub-Committee

18<sup>th</sup> June 2014

<b>Title</b>	<b>Temporary Event Notice for Forecourt and Beer Garden, 56 The Burroughs, London, NW4 4AN</b>
<b>Report of</b>	Trading Standards & Licensing
<b>Wards</b>	Hendon Ward
<b>Date added to Forward Plan</b>	N/A
<b>Status</b>	Public
<b>Enclosures</b>	Report of the Licensing Officer Annex 1 – Temporary Event Notice Annex 2 – Police Objection Notice Annex 3 – Notice of Decision
<b>Officer Contact Details</b>	Jack Dowler 0208 359 7575 jack.dowler@barnet.gov.uk

### Summary

This report asks the Sub-Committee to consider a Temporary Event Notice under Licensing Act 2003.

### Recommendations

That the Sub-Committee considers the Temporary Event Notice for an event to be held from 4<sup>th</sup> July – 9<sup>th</sup> July 2014 at the Forecourt and Beer Garden, 56 The Burroughs, London, NW4 4AN to which a Police Objection has been received.

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The licensing authority having received an objection notice from the police that has not been withdrawn must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary)

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Licensing Act 2003 states that should the licensing authority receive an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not applicable

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The decision will have immediate effect

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Council’s Licensing Policy

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 None

### **5.3 Legal and Constitutional Reference**

- 5.3.1 A valid objection notice has been received in relation to this Temporary Event Notice, which is therefore before the Sub-Committee for consideration

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

#### 5.4 **Risk Management**

5.4.1 Not applicable

#### 5.5 **Equalities and Diversity**

5.5.1 Licence applications/notices 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

#### 5.6 **Consultation and Engagement**

5.6.1 Not applicable

### 6. **BACKGROUND PAPERS**

6.1 The Temporary Event Notice, The Licensing Officer report and the enclosures are attached to this report

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

#### **5.4 Risk Management**

5.4.1 Not applicable

#### **5.5 Equalities and Diversity**

5.5.1 Licence applications/notices 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

#### **5.6 Consultation and Engagement**

5.6.1 Not applicable

### **6. BACKGROUND PAPERS**

6.1 The Temporary Event Notice, The Licensing Officer report and the enclosures are attached to this report

# Officers Report

## LICENSING ACT 2003

### REPORT FOR PUBLIC HEARING

Forecourt and Beer Garden, 56 The Burroughs, London, NW4 4AN

#### 1 The Notice

- 1.1 This Temporary Event Notice was given to the Licensing Authority by Ms Georgina Conway under Section 100 of the Licensing Act 2003.
- 1.2 The notice submitted seeks to permit the sale by retail of alcohol for consumption on the premises, the provision of regulated entertainment and the provision of late night refreshment for an event which is due to commence on Friday 4<sup>th</sup> July at 12:00hrs and finish at 01:15hrs the next day until the 9<sup>th</sup> July.
- 1.3 The event is described within the notice as being an event to 'supply alcoholic beverages such as beer and Pimms along with a meal from the catering trailer and to show TV/movies during the dates and times specified in the beer garden..'
- 1.4 A copy of the Temporary Event Notice is attached to this report in Annex 1.

#### 2 Objection notice from Police and Noise Nuisance

- 2.1 The licensing authority has received an objection notice from Sergeant Mark Altman on behalf of the Metropolitan Police Service. Sergeant Altman states:

*"The Police are concerned that in the exceptional circumstances, and to prevent crime and disorder, that this notice should be rejected."*

- 2.2 The objection notice is attached to the report in Annex 2.

#### 3 Officers 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 in Annex 3.

4.2 The relevant licensing authority must-

- (a) hold a hearing to consider the objection notice, unless the premise user, the chief officer of police 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 necessary for the promotion of the crime prevention objection 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 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.

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.

Prepared By:

Jack Dowler  
Trading Standards and Licensing Technical Officer

Annex 1 – Temporary Event Notice  
Annex 2 – Police Objection  
Annex 3 – Notice of decision

# Temporary Event Notice



\* required information

**Section 1 of 0**

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 address

Main telephone number

Include country code.

Other telephone number

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

Building number or name	
Street	
District	
City or town	
County or administrative area	
Postcode	
Country	

**Section 2 of 0**

**APPLICATION DETAILS** (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Your date of birth

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar to) the address in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

Continued from previous page...

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

### Section 3 of 0

#### THE PREMISES

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

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). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

- Yes  No

#### Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="56"/>
Street	<input type="text" value="the burroughs"/>
District	<input type="text"/>
City or town	<input type="text" value="london"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="nw4 4an"/>
Country	<input type="text" value="United Kingdom"/>

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither  Premises licence  Club premises certificate

#### Location Details

Provide further details about the location of the event

outside beer garden and forecourt

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

<input type="text"/>
----------------------

Continued from previous page...

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

## Section 4 of 0

### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises ([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

[\(See also guidance on completing the form, note 7\).](#)

### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date

/  /   
dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date

/  /   
dd mm yyyy

**Continued from previous page...**

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 9\)](#)

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

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 0**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 12\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

17	/	10	/	2011
dd		mm		yyyy

Date of expiry

16	/	10	/	2021
dd		mm		yyyy

Any further relevant details

**Section 6 of 0**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 13\)](#)

**Continued from previous page...**

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?  Yes  No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or  Yes  No

b) Begins 24 hours or less after the event period proposed in this notice?

**Section 7 of 0**

**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 14\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?  Yes  No

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  Yes  No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?  Yes  No

**Continued from previous page...**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes  No

a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 0**

**CONDITION**

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.  
[\(See also guidance on completing the form, note 16\)](#)

**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.  
This formality requires a fixed fee of £21

**DECLARATION**

- \* 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
- 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

Capacity

Date  /  /   
dd mm yyyy

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/temporary-event-notice/barnet/apply-1> to upload this file and continue with your application.

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

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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## Dowler, Jack

---

**From:** Georgina Conway <georgina@ameris.co.uk>  
**Sent:** 06 June 2014 17:14  
**To:** Dowler, Jack  
**Subject:** Re: Temporary Event Notices

Hi jack

all events are to supply alcoholic beverages such as beer and pimm's along with a meal from my catering trailer and show tv/movies during the dates and times specified in my beer garden. The premises I rent is the forecourt and beer garden of a disused pub. My customers are currently buying food from me and alcohol across the road and bringing to my beer garden I consume.  
I hope this clears up any confusion.

Best wishes

Georgina Conway  
Sent from my iPhone

On 6 Jun 2014, at 16:53, "Dowler, Jack" <[Jack.Dowler@Barnet.gov.uk](mailto:Jack.Dowler@Barnet.gov.uk)> wrote:

Hi Georgina,

I am e-mailing in regards to the two Temporary Event Notices you have submitted today for events on the 9<sup>th</sup> July and the 14<sup>th</sup> July.

On both Notices you have not stated the nature of the event. Please could you explain the nature of the event.

Kind Regards

Jack Dowler  
Trading Standards and Licensing Technical Officer  
Development & Regulatory Services  
London Borough of Barnet, 2nd Floor Building 4, North London Business Park, Oakleigh Road South, London N11 1NP

**Tel: 020 8359 7575**  
**Mob: 07951 985 176**  
**Email: [Jack.Dowler@barnet.gov.uk](mailto:Jack.Dowler@barnet.gov.uk)**  
**Barnet online: [www.barnet.gov.uk](http://www.barnet.gov.uk)**  
**[www.re-ltd.co.uk](http://www.re-ltd.co.uk)**

<image001.jpg>

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# Police Objection

*With compliments*

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

WHETSTONE POLICE STATION  
1170 HIGH ROAD  
WHETSTONE  
LONDON N20 0LW

Telephone: 020 8733 5261  
Facsimile: 020 8733 5268  
e-mail: [SX\\_Licensing@met.police.uk](mailto: SX_Licensing@met.police.uk)  
Date: 9<sup>th</sup> June 2014

L.B.B. ref:  
Our ref: T/184/14

CC:

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

**Application Given To Police On: 6<sup>th</sup> June 2014**

**Premises: Forecourt & Beer Garden of closed White Bear Pub 56 The Burroughs Hendon NW4 4AN**  
**Person: Georgina CONWAY**  
**Event: Sale of alcohol Screens during World Cup 2014 4<sup>th</sup> - 9<sup>th</sup> July 2014**

The Police are concerned that in the exceptional circumstances, and to prevent crime and disorder, that this notice should be rejected.

This is taking place during the Football World Cup and the Police are concerned that selling alcohol and using the forecourt and and beer garden of the now closed White Bear pub is likely to lead to disorder and noise nuisance.

The area adjoins the public footway and causes a potential Policing issue.

There is no CCTV covering the area, no Risk assessment has been submitted and no details of security/SIA staff have been mentioned.

The Police respectfully request that the Licensing Sub Committee rejects this notice for the reasons mentioned and in order to promote the licensing objectives.

Yours Sincerely,



Police Sergeant Mark ALTMAN

# Notice of Decision

**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/14/06491**

On Friday 6<sup>th</sup> June 2014 the licensing authority received from you, the premises user Ms Georgina Conway, a temporary event notice in respect of proposed temporary licensable activities due to take place on Friday 4 July 2014 at 12:00hrs and finishing at 01:15hrs every day until Wednesday 9 July 2014 within the Forecourt and Beer Garden of 56 The Burroughs, London, NW4 4AN.

**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 Wednesday 18<sup>th</sup> June 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:

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**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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AGENDA ITEM 6



## Licensing Sub-Committee

18<sup>th</sup> June 2014

<b>Title</b>	<b>Temporary Event Notice for Forecourt and Beer Garden, 56 The Burroughs, London, NW4 4AN</b>
<b>Report of</b>	Trading Standards & Licensing
<b>Wards</b>	Hendon Ward
<b>Date added to Forward Plan</b>	N/A
<b>Status</b>	Public
<b>Enclosures</b>	Report of the Licensing Officer Annex 1 – Temporary Event Notice Annex 2 – Police Objection Notice Annex 3 – Notice of Decision
<b>Officer Contact Details</b>	Jack Dowler 0208 359 7575 jack.dowler@barnet.gov.uk

### Summary

This report asks the Sub-Committee to consider a Temporary Event Notice under Licensing Act 2003.

### Recommendations

That the Sub-Committee considers the Temporary Event Notice for an event to be held from 12<sup>th</sup> July – 14<sup>th</sup> July 2014 at the Forecourt and Beer Garden, 56 The Burroughs, London, NW4 4AN to which a Police Objection has been received.

## **1. WHY THIS REPORT IS NEEDED**

- 1.1 The licensing authority having received an objection notice from the police that has not been withdrawn must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary)

## **2. REASONS FOR RECOMMENDATIONS**

- 2.1 The Licensing Act 2003 states that should the licensing authority receive an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a “notice (statement of conditions)”) and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

## **3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED**

- 3.1 Not applicable

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The decision will have immediate effect

## **5. IMPLICATIONS OF DECISION**

### **5.1 Corporate Priorities and Performance**

- 5.1.1 The Council’s Licensing Policy

### **5.2 Resources (Finance & Value for Money, Procurement, Staffing, IT, Property, Sustainability)**

- 5.2.1 None

### **5.3 Legal and Constitutional Reference**

- 5.3.1 A valid objection notice has been received in relation to this Temporary Event Notice, which is therefore before the Sub-Committee for consideration

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

#### **5.4 Risk Management**

5.4.1 Not applicable

#### **5.5 Equalities and Diversity**

5.5.1 Licence applications/notices 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

#### **5.6 Consultation and Engagement**

5.6.1 Not applicable

### **6. BACKGROUND PAPERS**

6.1 The Temporary Event Notice, The Licensing Officer report and the enclosures are attached to this report

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

#### 5.4 **Risk Management**

5.4.1 Not applicable

#### 5.5 **Equalities and Diversity**

5.5.1 Licence applications/notices 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

#### 5.6 **Consultation and Engagement**

5.6.1 Not applicable

### 6. **BACKGROUND PAPERS**

6.1 The Temporary Event Notice, The Licensing Officer report and the enclosures are attached to this report

## LICENSING ACT 2003

### REPORT FOR PUBLIC HEARING

Forecourt and Beer Garden, 56 The Burroughs, London, NW4 4AN

#### 1 The Notice

- 1.1 This Temporary Event Notice was given to the Licensing Authority by Ms Georgina Conway under Section 100 of the Licensing Act 2003.
- 1.2 The notice submitted seeks to permit the sale by retail of alcohol for consumption on the premises, the provision of regulated entertainment and the provision of late night refreshment for an event which is due to commence on Saturday 12<sup>th</sup> July at 12:00hrs and finish at 01:15hrs the next day until the 14<sup>th</sup> July.
- 1.3 The event is described within the notice as being an event to 'supply alcoholic beverages such as beer and Pimms along with a meal from the catering trailer and to show TV/movies during the dates and times specified in the beer garden..'
- 1.4 A copy of the Temporary Event Notice is attached to this report in Annex 1.

#### 2 Objection notice from Police and Noise Nuisance

- 2.1 The licensing authority has received an objection notice from Sergeant Mark Altman on behalf of the Metropolitan Police Service. Sergeant Altman states:

*"The Police are concerned that in the exceptional circumstances, and to prevent crime and disorder, that this notice should be rejected."*

- 2.2 The objection notice is attached to the report in Annex 2.

#### 3 Officers 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 in Annex 3.

4.2 The relevant licensing authority must-

- (a) hold a hearing to consider the objection notice, unless the premise user, the chief officer of police 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 necessary for the promotion of the crime prevention objection 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 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.

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.

Prepared By:

Jack Dowler  
Trading Standards and Licensing Technical Officer

Annex 1 – Temporary Event Notice  
Annex 2 – Objection Notice  
Annex 3 – Notice of decision

# Temporary Event Notice

\* required information

**Section 1 of 0**

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 address

Main telephone number

Include country code.

Other telephone number

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.



Continued from previous page...

**Your Address**

Address official correspondence should be sent to.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 0**

**APPLICATION DETAILS** (See also guidance on completing the form, general notes and note 1)

Have you had any previous or maiden names?

Your date of birth





Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

**Correspondence Address**

Is the address the same as (or similar) to the address in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

### Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail	<input type="text"/>
Telephone number	<input type="text"/>
Other telephone number	<input type="text"/>

### Section 3 of 0

#### THE PREMISES

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

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). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

- Yes  No

#### Address

Is the address the same as (or similar to) the address given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name	<input type="text" value="56"/>
Street	<input type="text" value="the burroughs"/>
District	<input type="text"/>
City or town	<input type="text" value="london"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="nw4 4an"/>
Country	<input type="text" value="United Kingdom"/>

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

- Neither  Premises licence  Club premises certificate

#### Location Details

Provide further details about the location of the event

outside beer garden and forecourt

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below [\(see also guidance on completing the form, note 3\)](#)

*Continued from previous page...*

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

#### Section 4 of 0

#### LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises ([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.  
[\(See also guidance on completing the form, note 7\).](#)

#### Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

[\(see also guidance on completing the form, note 8\)](#)

Event start date       /  /   
   dd                    mm                    yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date         /  /   
   dd                    mm                    yyyy

**Continued from previous page...**

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

[\(see also guidance on completing the form, note 9\)](#)

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

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
- Off the premises only
- Both

**Section 5 of 0**

**PERSONAL LICENCE HOLDERS** [\(See also guidance on completing the form, note 12\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue

17	/	10	/	2011
dd		mm		yyyy

Date of expiry

16	/	10	/	2021
dd		mm		yyyy

Any further relevant details

**Section 6 of 0**

**PREVIOUS TEMPORARY EVENT NOTICES** [\(See also guidance on completing the form, note 13\)](#)

**Continued from previous page...**

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?

- Yes  No

State the number of temporary event notices you have given for events in that same calendar year

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or  Yes  No  
b) Begins 24 hours or less after the event period proposed in this notice?

**Section 7 of 0**

**ASSOCIATES AND BUSINESS COLLEAGUES** [\(See also guidance on completing the form, note 14\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

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  Yes  No  
b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

- Yes  No

**Continued from previous page...**

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes  No

a) Ends 24 hours or less before; or  
b) Begins 24 hours or less after the event period proposed in this notice?

**Section 8 of 0**

**CONDITION**

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 4 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.  
[\(See also guidance on completing the form, note 16\)](#)

**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.  
This formality requires a fixed fee of £21

**DECLARATION**

- \* 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
- 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

Capacity

Date  /  /   
dd mm yyyy

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/temporary-event-notice/barnet/apply-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[< Previous](#)   [1](#)   [2](#)   [3](#)   [4](#)   [5](#)   [6](#)   [7](#)   [8](#)   [Next >](#)

## Dowler, Jack

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**From:** Georgina Conway <georgina@ameris.co.uk>  
**Sent:** 06 June 2014 17:14  
**To:** Dowler, Jack  
**Subject:** Re: Temporary Event Notices

Hi jack

all events are to supply alcoholic beverages such as beer and pimms along with a meal from my catering tailer and show tv/movies during the dates and times specified in my beer garden. The premises I rent is the forecourt and beer garden of a disused pub. My customers are currently buying food from me and alcohol across the road and bringing to my beer garden I consume.  
I hope this clears up any confusion.

Best wishes

Georgina Conway  
Sent from my iPhone

On 6 Jun 2014, at 16:53, "Dowler, Jack" <[Jack.Dowler@Barnet.gov.uk](mailto:Jack.Dowler@Barnet.gov.uk)> wrote:

Hi Georgina,

I am e-mailing in regards to the two Temporary Event Notices you have submitted today for events on the 9<sup>th</sup> July and the 14<sup>th</sup> July.

On both Notices you have not stated the nature of the event. Please could you explain the nature of the event.

Kind Regards

Jack Dowler  
Trading Standards and Licensing Technical Officer  
Development & Regulatory Services  
London Borough of Barnet, 2nd Floor Building 4, North London Business Park, Oakleigh Road South, London N11 1NP

**Tel: 020 8359 7575**  
**Mob: 07951 985 176**  
**Email: [Jack.Dowler@barnet.gov.uk](mailto:Jack.Dowler@barnet.gov.uk)**  
**Barnet online: [www.barnet.gov.uk](http://www.barnet.gov.uk)**  
**[www.re-ltd.co.uk](http://www.re-ltd.co.uk)**

<image001.jpg>

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

This email and any attachments to it are intended solely for the individual to whom it is



# Police Objection



**METROPOLITAN  
POLICE**

*Working for a safer London*

*With compliments*

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

WHETSTONE POLICE STATION  
1170 HIGH ROAD  
WHETSTONE  
LONDON N20 0LW

Telephone: 020 8733 5261  
Facsimile: 020 8733 5268  
e-mail: [SX\\_Licensing@met.police.uk](mailto: SX_Licensing@met.police.uk)  
Date: 9<sup>th</sup> June 2014

L.B.B. ref:  
Our ref: T/184/14

CC:

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

**Application Given To Police On: 6<sup>th</sup> June 2014**

**Premises: Forecourt & Beer Garden of closed White Bear Pub 56 The Burroughs Hendon NW4 4AN**  
**Person: Georgina CONWAY**  
**Event: Sale of alcohol Screens during World Cup 2014 12<sup>th</sup> - 14<sup>th</sup> July 2014**

The Police are concerned that in the exceptional circumstances, and to prevent crime and disorder, that this notice should be rejected.

This is taking place during the Football World Cup and the Police are concerned that selling alcohol and using the forecourt and and beer garden of the now closed White Bear pub is likely to lead to disorder and noise nuisance.

The area adjoins the public footway and causes a potential Policing issue.

There is no CCTV covering the area, no Risk assessment has been submitted and no details of security/SIA staff have been mentioned.

The Police respectfully request that the Licensing Sub Committee rejects this notice for the reasons mentioned and in order to promote the licensing objectives.

Yours Sincerely,

Police Sergeant Mark ALTMAN

# Notice of Decision

**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/14/06500**

On Friday 6<sup>th</sup> June 2014 the licensing authority received from you, the premises user Ms Georgina Conway, a temporary event notice in respect of proposed temporary licensable activities due to take place on Saturday 12 July 2014 at 12:00hrs and finishing at 01:15hrs every day until Monday 14 July 2014 within the Forecourt and Beer Garden of 56 The Burroughs, London, NW4 4AN.

**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 Wednesday 18<sup>th</sup> June 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:

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**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.