

MEETING

LICENSING SUB-COMMITTEE

DATE AND TIME

WEDNESDAY 6TH AUGUST, 2014

AT 12.00 PM

VENUE

HENDON TOWN HALL, THE BURROUGHS, NW4 4BG

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

Councillors

Maureen Braun

John Marshall

John Hart

Substitute Members

All Members

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.	Temporary Event Notice for Cavendish Banqueting Suite, First Floor FCI House, Edgware Road, NW9 5AE	5 - 36
6.	Motion to exclude the Press and Public	
7.	Deliberation by the Sub-Committee in Private Session	
8.	Re-admission of the Press and Public: Announcement of the decision of the Sub-Committee	
9.	Any other Item(s) the Chairman decides are urgent	

FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Governance Service 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 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.

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LONDON BOROUGH OF BARNET

LICENSING SUB COMMITTEE

HEARINGS PROCEDURE

AGENDA ITEM 4

General points

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

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

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

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

Chairman

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

Governance Officer

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

Licensing Officer presents the report to the Committee

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

Applicant

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

Other parties

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

Note regarding use of video evidence

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

Members question Licensing Officer on Policy

Discussion

Chairman leads a discussion concentrating on points of dispute:

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

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

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

Determination

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

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

- Parties, apart from Legal and Governance Officer, leave the room.
- The Committee deliberates, with advice as required from Legal and Governance Officer, and reaches a conclusion. The Legal officer may assist, as required, in formulating the wording of the determination.

- Parties return.
- Chairman reads out determination, and advises it will be sent in writing to all parties.
- Opportunity for determination to be clarified by any interested party who is unclear.
- Chairman gives advice about appealing against the determination.
- Chairman thanks all for attending and closes the meeting.

...Within five working days of the hearing

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

Information on Appealing against the decision

You may at any time before the expiration of a period of 21 days from notification appeal to Willesden Magistrates' Court, 448 High Road London England NW10 2DZ (Telephone 020 8955 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



Licensing Sub-Committee 6th August 2014

Title	Temporary Event Notice for Cavendish Banqueting Suite, First Floor FCI House, Edgware Road, NW9 5AE
Report of	Trading Standards & Licensing Manager
Wards	Burnt Oak Ward
Status	Public
Enclosures	Officers Report Annex 1 – Temporary Event Notice Annex 2 – Objection Notice Annex 3 – Notice of decision Annex 4 – Premises Licence Annex 5 – Prescribed form of notice (conditions on a temporary)
Officer Contact Details	Michelle Rudland 020 8359 7452 michelle.rudland@barnet.go.uk

Summary

This report asks the Sub-Committee to consider a Temporary Event Notice under Licensing Act 2003 to which a valid objection to the notice has been submitted.

Recommendations

1. That the Sub-Committee considers the Temporary Event Notice for an event to be held of the 25th October 2014 to the 26th October 2014 at Cavendish Banqueting Suite, First Floor FCI House, Edgware Road, NW9 5AE to which a Police Objection has been received.

1. WHY THIS REPORT IS NEEDED

- 1.1 The licensing authority having received a valid objection from the police must hold a hearing to consider the temporary event notice

2. REASONS FOR RECOMMENDATIONS

- 2.1 Where a objection to the notice is given under section 104 of the Licensing Act 2003 (and not withdrawn), the authority must hold a hearing to consider it, unless the authority, the applicant and the chief officer of police who gave the notice agree that a hearing is unnecessary.

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 Members are referred to the Council's Licensing Policy for consideration
- 5.1.2 Timely legal and fair decisions support objectives contained within the Corporate Plan. In particular in relation to a "successful London borough" by ensuring that only legal, well regulated licensable activities occur within the borough.

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

- 5.2.1 N/A

5.3 Legal and Constitutional References

- 5.3.1 The Licensing Act 2003 sets out how Temporary Event Notices should be dealt with where objections to the notice have been submitted.
- 5.3.2 Under the Constitution, Responsibility for Functions (Annex A), the Licensing Act 2003 and associated regulations, as delegated to it by the Licensing Committee, including the determination of applications where valid representations/objections have been made.

5.4 Risk Management

5.4.1 N/A

5.5 Equalities and Diversity

5.5.1 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

5.6 Consultation and Engagement

5.6.1 The statutory consultation process that has been followed in accordance with the Licensing Act 2003

6. BACKGROUND PAPERS

6.1 The Temporary Event Notice, the report of the Licensing Officer and appendices are attached to this report.

Officers Report

LICENSING ACT 2003

REPORT FOR PUBLIC HEARING

Cavendish Banqueting Suite, First Floor FCI House, Edgware Road, NW9 5AE

1 The Notice

- 1.1 This Temporary Event Notice was given to the Licensing Authority by Mr Irfan Undre 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 25th October 2014 at 19:00hrs and finishing at 05:00 on Sunday 26th October 2014.
- 1.3 No description of the event was been provided by the notice giver.
- 1.4 A copy of the Temporary Event Notice is attached to this report in Annex 1.

2 Objection notice from Police

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

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

This event is scheduled to take place until 5am in the morning. The Police have insufficient information to make any meaningful decision as to the likelihood of crime and disorder. Information needs to be provided by Mr UNDRE re the nature of entertainment, security staff to be deployed, if the event is private with a guest list or will be a promoted event, details of the promoter etc."

- 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 as Annex 3.
- 4.2 The relevant licensing authority must—
- (a) hold a hearing to consider the objection notice, unless the premises user, the relevant person who gave the objection notice and the authority agree that a hearing is unnecessary, and
 - (b) having regard to the objection notice, give the premises user a counter notice under this section if it considers it appropriate for the promotion of a licensing objective to do so”.
- 4.3 *Section 105(3) states:-*
- The relevant licensing authority must –
- (a) in a case where it decides not to give a counter notice under this section, give the premises user and [each relevant person] notice of the decision, and
 - (b) in any other case—
 - (i) give the premises user the counter notice and a notice stating the reasons for its decision, and
 - (ii) give [each relevant person] a copy of both of those notices”.
- 4.4 Any decision or counter notice must be issued to the premises user at least 24 hours before the specified event period. A failure to do so will result in the premises user being able to proceed with the event.

5. Attaching conditions

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

The premises licence in place for these premises with its attached conditions can be found attached to this report in Annex 4.

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

Prepared By:

Michelle Rudland
Senior Licensing Officer

- Annex 1 – Temporary Event Notice
- Annex 2 – Objection Notice
- Annex 3 – Notice of decision
- Annex 4 – Premises Licence
- Annex 5 – Prescribed form of notice (conditions on a temporary event notice) and statement of conditions

Temporary Event Notice

* required information

Section 1 of 8

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

Not Currently In Use

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

Your reference

Leroy Ruock

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

Irfan

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.

Applicant Business

Is your business registered in the UK with Companies House?

☒ Yes ☐ No

Registration number

06830153

Business name

Cavendish Hospitality Ltd

If your business is registered, use its registered name.

VAT number

GB

983174786

Put "none" if you are not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 8

APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

☐ Yes ☒ No

Your date of birth

Applicant must be 18 years of age or older

dd mm yyyy

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 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

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

Telephone number

Other telephone number

Section 3 of 8

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

FCI House

Street

Edgware Road

District

City or town

Collindale

County or administrative area

Postcode

NW9 5AE

Country

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

Premises licence number

LN200713958

Location Details

Provide further details about the location of the event

The event is to be held at Cavendish Hospitality Ltd

Continued from previous page...

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](#))

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

Cavendish Hospitality Ltd is a family run business, hosting a variety of events including weddings, parties, musical and charity events.

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

Section 4 of 8

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

25

 /

10

 /

2014

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

26

 /

10

 /

2014

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)

19.00 - 05.00

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

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

350

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 8

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

Do you currently hold a valid personal licence?

- ☐ Yes ☐ No

Section 6 of 8

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

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

2

Continued from previous page...

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 8

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

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

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

Continued from previous page...

Section 8 of 8

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

Irfan Undre

Capacity

Director

Date

29 / 07 / 2014
dd mm yyyy

Add another signatory

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" value="Leroy Ruock"/>
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 >](#)

Police Objection Notice

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
Date: 31st July 2014

L.B.B. ref:
Our ref: T/239/14

CC:

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

Application Given To Police: 30th July 2014

Premises: Cavendish Banqueting Suite Edgware Rd Colindale NW9 5AE
Person: Irfan UNDRE
Event: Dance Competition £1,500 1st Prize
Date: Saturday 25th October 2014
Time: 19:00hrs - 05:00hrs the following day

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

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

The DPS and premises licence holder are fully aware of this. An agreement was reached last year whereby they would confirm and discuss any late night events with the Police prior to submitting a TEN. This was further agreed at a meeting held at Colindale Police Station on 23rd April with the owner Mr Irfan UNDRE and his solicitor Nick WALTON from Poppleston Allen.

This event is scheduled to take place until 5am in the morning. The Police have insufficient information to make any meaningful decision as to the likelihood of crime and disorder. Information needs to be provided by Mr UNDRE re the nature of entertainment, security staff to be deployed, if the event is private with a guest list or will be a promoted event, details of the promoter etc.

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

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

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

Yours Sincerely,

A handwritten signature in black ink, appearing to read 'P. M. Altman'. The signature is written in a cursive, flowing style.

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/13/06749

On Tuesday 4th June the licensing authority received from you, the premises user Miss Avis Lawrence, a temporary event notice in respect of proposed temporary licensable activities due to take place on Saturday 3 August 2013 at 22:00hrs and finishing at 04:30 hrs on Sunday 4 August 2013 within the overall premises of Cavendish Banqueting Suite, First Floor FCI House, Edgware Road, NW9 5AE.

NOTICE OF DECISION

(a) COUNTER NOTICE

(b) DECISION NOT TO ISSUE A COUNTER NOTICE

(delete that which is not applicable)

The Licensing Authority, having received a notice of objection from the relevant chief officer of police under section 104(2)(a) of the Act and in accordance with section 105(2)(a) of the Act, having held a hearing on Monday 24th 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:

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

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.

Premises Licence

Licensing Act 2003 Part A: Premises Licence Premises Licence Number: LN/200713958	Licensing Authority: London Borough of Barnet, Building 4, North London Business Park Oakleigh Road South New Southgate, London, N11 1NP LPRL/14/04500 (19/05/2014)
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Part 1 – Premises details

Postal address of premises, or if none, ordnance survey map reference or description Cavendish Banqueting Ltd, European Design Centre, The Hyde	
Post Town London	Post code NW9 5AE
Telephone number None given	

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

Licensable activities authorised by the licence The Sale by Retail of Alcohol The Provision of Regulated Entertainment The Provision of Late Night Refreshment
--

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

The provision of facilities of a similar description to that of the provision of facilities for making music or the provision of facilities for dancing - Indoors only

Standard Days and Timings:

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

The Provision of late night refreshment - Indoors only

Standard Days and Timings:

Sunday to Thursday	23:00hrs - 00:00hrs
Friday to Saturday	23:00hrs - 00:30hrs

The hours that the premises are open to the public

Standard Days and Timings

Sunday to Thursday	12:00hrs - 00:00hrs
Friday to Saturday	12:00hrs - 01:00hrs

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

On supplies only

Part 2

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

Cavendish Hospitality Ltd
FC1 Building, The Hyde
Edgware Road
Colindale
NW9 5AE
02082055012

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

06830153

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

Ifran Khan

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

Annex 1 - Mandatory Conditions

- 1 No supply of alcohol may be made under the premises licence-
 - (a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - (b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
- 2 Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- 3
 - i. (1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - ii. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 - iii. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 - iv. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

v. The responsible person shall ensure that–

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures–

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

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

Annex 2 – Conditions consistent with the operating schedule

- 4 A CCTV system will be installed that complies with the following specifications:
 - a. The CCTV system is installed at the premises and maintained in accordance with the manufacturers.
 - b. The CCTV system will be fully operational when the premises are open to the public for any licensable activity.
 - c. The system will retain images in a suitable and secure environment.
 - d. The images shall be retained for a period of not less than 31 days.
 - e. CCTV recordings shall be made available to an Authorised Officer of London Borough Barnet or a Police Officer upon request as is reasonably practical and in any case within 24 hours.
 - f. The digital recording system should included the facility to provide an investigating Officer with evidence on a removable media format that can be easily retrieved.
 - g. Signage advising patrons that CCTV is operating shall be positioned in a prominent position within the licensed premises.
- 5 An adequate number of security staff shall be employed at each pre booked event at the premises and shall commence work 30 minutes prior to the start time and be present until 30 minutes after the event has concluded and the building is secured.
- 6 Adequate signage will be displayed at the public exit from the premises reminding patrons to leave the premises and area quietly and to respect the residents in the neighbourhood.
- 7 Children under the age of 16 years will not be permitted to enter the bar area as shown on plan number CH01 as attached to the licence.
- 8 Children under the age of 16 years must be accompanied by an adult over the age of 18 years at all times.

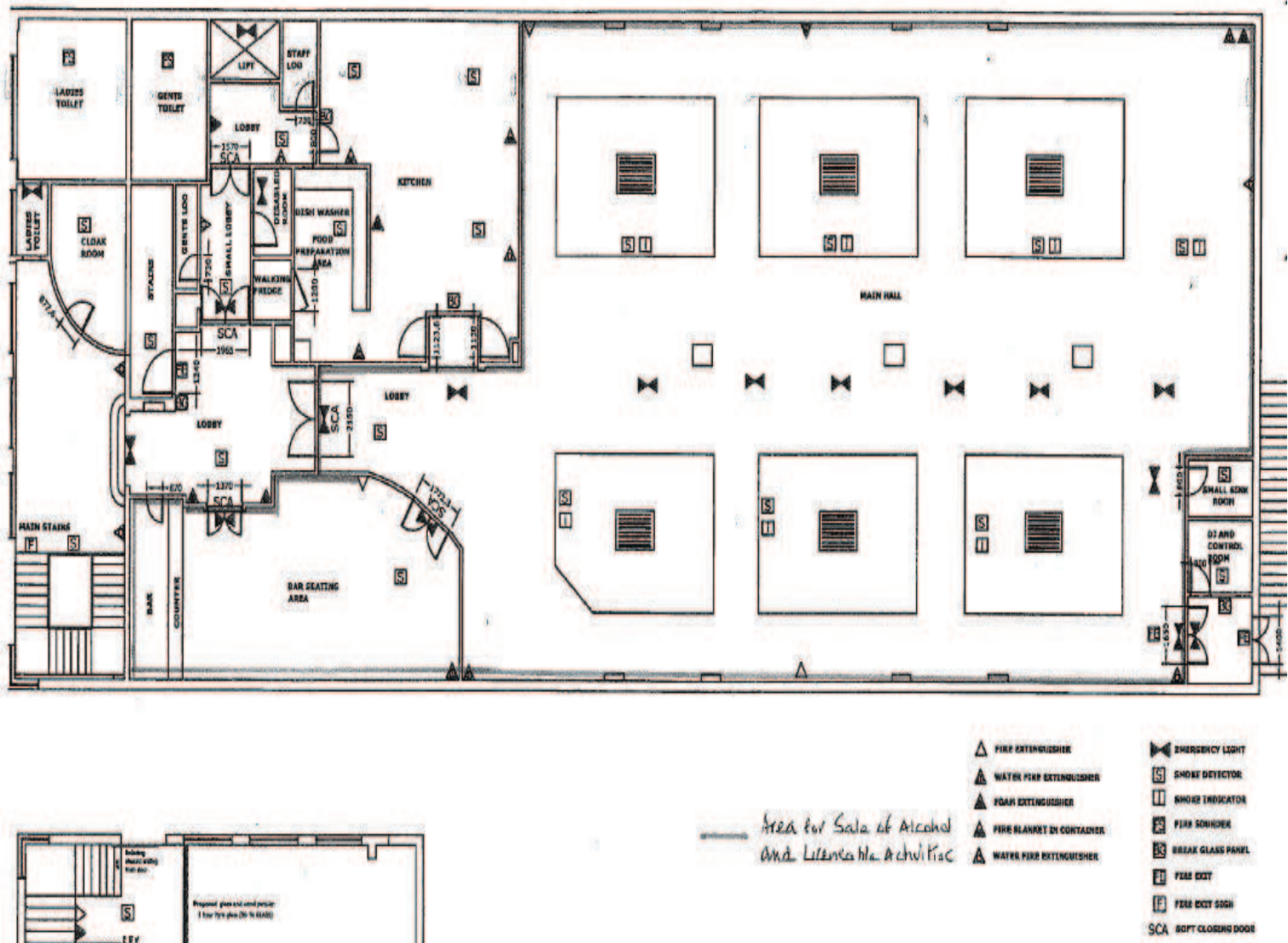
- 9 The Building shall only be available for pre-booked functions for which the appropriate hiring condition forms have been duly completed.
- 10 All staff will receive adequate and appropriate training.
- 11 Adequate arrangements will be made to monitor and control the number and behaviour of persons present.
- 12 Regular noise monitoring takes place when activities are proceeding at the premises.

Annex 3 – Conditions attached after hearing by the licensing authority

N/A

Annex 4 - Plan

As submitted to the Council with the application for the grant of a premises licence under schedule 8 of the Licensing Act 2003. Reference: LPRL/14/04500



Prescribed form of notice

(conditions on a temporary event
notice) and statement of conditions

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

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

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

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

On Tuesday 4th June the licensing authority received from you, Miss Avis Lawrence, a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 3rd – 4th August 2013 at Cavendish Banqueting Suite, First Floor FCI House, Edgware Road, NW9 5AE. The licensing authority has received an objection under section 104(2) of the Licensing Act 2003 (“the Act”). The licensing authority has decided not to give you a counter notice under section 105 of the Act and instead is imposing one or more conditions on the notice in accordance with section 106A(2) of the Act.

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

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

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

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

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

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

SIGNATURE	On behalf of the licensing authority	DATE	
Name of Officer signing			

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

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