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Meeting	Licensing Sub-Committee
Date	07 <sup>th</sup> April 2014
<b>Subject</b>	<b>McDonalds, Friern Bridge Retail Park, Pegasus Way, N11 3PW</b>
Report of	Trading Standards & Licensing Manager
Summary	This report asks the Sub-Committee to consider the application for a new Premises Licence, under section 17 of the Licensing Act 2003.

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

**1. RECOMMENDATIONS**

1.1 That the Sub-Committee considers the application for a new premises licence for McDonalds, Friern Bridge Retail Park, Pegasus Way, N11 3PW.

**2. RELEVANT PREVIOUS DECISIONS**

2.1 None.

**3. CORPORATE PRIOTY AND POLICY CONSIDERATIONS**

3.1 The Council's Licensing policy.

**4. RISK MANAGEMENT ISSUES**

4.1 Not applicable.

**5. EQUALITIES AND DIVERSITY ISSUES**

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

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

6.1 None.

**7. LEGAL ISSUES**

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

**8. CONSTITUTIONAL POWERS**

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

**9. BACKGROUND INFORMATION**

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

**10. LIST OF BACKGROUND PAPERS**

10.1 None.

<b>Cleared by Legal (Officer's initials)</b>
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<b>PM</b>
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# Officers Report

## LICENSING ACT 2003

### OFFICERS REPORT

#### McDonalds Restaurant, Friern Bridge Retail Park, Pegasus Way, N11 3PW

#### 1. The Applicants

The application was submitted by Joshua Simons & Associates on behalf of Appt Corporation Ltd t/a McDonalds, Iron Bridge, Uxbridge Road, Southall, UB1 3EG.

#### 2. Application

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

- To allow late night refreshment outdoors only from 23:00hrs until 05:00hrs (24 Hours) Monday to Sunday
- To allow the premises to remain open to the public from 23:00hrs until 05:00hrs (24 Hours) Monday to Sunday

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

#### 3. Representations

##### Responsible Authorities

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

Within Sergeant Altman's representation he has stated that the Police still have concerns that there will be a significant increase in crime and disorder if these premises are permitted to open 24 hours a day. Sergeant Altman goes on to state that:

*"The Police have suggested that the following conditions would assist in reducing the likelihood of crime and disorder. They would also assist to promote the four licensing objectives:*

- *A CCTV system in line with Police recommendations*
- *An automatic number plate reader (ANPR) this will be able to record data of all vehicles which can be logged and retrieved in the event of any incidents. The system can also be used between other premises to forewarn of issues previously recorded against the vehicle registration."*

##### Other representations

No other representations have been submitted by interested parties

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

#### **4. Attaching conditions**

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

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

In relation to conditions, the statutory guidance at chapter 10.8 states that “The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives.

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

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

Daniel Pattenden  
Licensing Officer

Annex 1 – Application Form  
Annex 2 – Representation  
Annex 3 – Matters for decision

# Premises Licence Application

\* required information

**Section 1 of 19**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

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

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Is the applicant:

Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If the applicant's business is registered, use its registered name.

\* VAT number

Put "none" if the applicant is not registered for VAT.

\* Legal status

Continued from previous page...

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name

If your business is registered, use its registered name.

\* VAT number

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

\* Legal status



Continued from previous page...

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent 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 19**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

**Section 3 of 19**

**APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

**Confirm The Following**

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

**Section 4 of 19**

**NON INDIVIDUAL APPLICANTS**

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

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Private Limited Company

**Address**

Building number or name	Iron Bridge
Street	Uxbridge Road
District	
City or town	Hanwell
County or administrative area	Middlesex
Postcode	UB1 3EG
Country	United Kingdom

**Contact Details**

E-mail	
Telephone number	
Other telephone number	

Add another applicant

**Section 5 of 19**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of the premises

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

The premises consists of a restaurant with a drive thru facility. The site is located in the Friern Bridge Retail Park which is on the northern side of the North Circular Road. The retail park consists of approximately 10 modern retail units of various sizes set in an L shaped block on the north-western and north eastern side of the site.

The applicant proposes to to operate the drive thru part of the premises for the sale of late night refreshment between 23:00 and 05:00 for 7 days a week. The layout of the drive thru is illustrated on plan numbered 4671\_856\_04 Revision E deposited with this application.

*Continued from previous page...*

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

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

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

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes  No

Continued from previous page...

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes                       No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors                       Outdoors                       Both

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

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

Hot food and beverages are to be served to customers from the drive thru facility.

Continued from previous page...

State any seasonal variations

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

None

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

None

#### Section 15 of 19

##### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes  No

##### PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor  
 As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

#### Section 16 of 19

##### ADULT ENTERTAINMENT

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

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

None

#### Section 17 of 19

##### HOURS PREMISES ARE OPEN TO THE PUBLIC

Continued from previous page...

**Section 18 of 19**

**LICENSING OBJECTIVES**

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

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

List here steps you will take to promote all four licensing objectives together.

CCTV installed and in operation.  
The restaurant to close between 23:00 and 05:00.  
Customer signage.  
No childrens parties to be held during licensable timings

b) The prevention of crime and disorder

CCTV shall be installed and in operation throughout the drive thru.  
Signage shall be clearly displayed throughout the drive thru advising customers that CCTV is in operation.  
A duty manager or similar shall be employed at the premises between 23:00 and 05:00.

c) Public safety

A duty manager or similar shall be employed at the premises between 23:00 and 05:00.  
The restaurant shall be closed to customers between 23:00 and 05:00 hours Monday to Sundays inclusive.

d) The prevention of public nuisance

Signage shall be displayed throughout the drive thru advising customers to keep noise to a minimum.  
Litter shall be cleared from the drive thru.

e) The protection of children from harm

Children's parties shall not be held during licensable timings.

**Section 19 of 19**

**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.  
Premises Licence Fees are determined by the non domestic rateable value of the premises.  
To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

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

Continued from previous page...

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

None

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

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

None



**Continued from previous page...**

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

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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

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

\* Fee amount (£)

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

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

**DECLARATION**

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

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

*Continued from previous page...*

\* Full name

\* Capacity

Date (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/premises-licence/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.

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

# Representation



**METROPOLITAN  
POLICE**

**TOTAL POLICING**

*With compliments*

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

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

**Telephone: 020 8733 5261  
Facsimile: 020 8733 5268  
e-mail: SX\_Licensing@met.police.uk  
Date: 11<sup>th</sup> March 2014**

**L.B.B. ref:**  
**Our ref: 80/2014**

**CC: London Borough of Barnet**

**Police Make Representations to the following application made under**

<b>Section(s)</b>	<b>17</b>					<b>Licensing Act 2003</b>
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**Application Given To Police On: 19<sup>th</sup> February 2014**

**Premises: McDonalds Restaurant Friern Bridge Retail Park Pegasus Way N11 3PW**

**Representations**

a) plays (box A)	
b) films (box B)	
c) indoor sporting events (box C)	
d) boxing or wrestling entertainment (box D)	
e) live music (box E)	
f) recorded music (box F)	
g) performances of dance (box G)	
h) anything of a similar description to that falling within (e), (f) or (g) (box H)	
i) making music (box I)	
j) dancing (box J)	
k) entertainment of a similar description to that falling within (i) or (j) (box K)	
l) late night refreshment (box L)	<b>Y</b>
m) alcohol sale by retail (box M)	
n) adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (box N)	
o) Hours premises are open to the public (box O)	<b>Y</b>

Following a meeting with the applicant and their agent, Joshua Simons, on Friday 7<sup>th</sup> March 2014. The Police still have concerns that there will be a significant increase in crime and disorder if these premises are permitted to open 24 hours a day.

The Police have suggested that the following conditions would assist in reducing the likelihood of crime and disorder. They would also assist to promote the four licensing objectives:

- A CCTV system in line with Police recommendations
- An automatic number plate reader (ANPR) this will be able to record data of all vehicles which can be logged and retrieved in the event of any incidents. The system can also be used between other premises to forewarn of issues previously recorded against the vehicle registration

Yours Sincerely,

A handwritten signature in black ink that reads "P. M. Altman". The signature is written in a cursive style with a large initial 'P'.

Police Sergeant Mark ALTMAN

## **CCTV Condition**

- Digital recording colour CCTV comprising a multi camera system.
- The head unit (recorder) for storing the images will store such data on a hard drive or a similar quality medium.
- A CD or DVD burner will also form part of the system to facilitate making copies of the images.
- If the head unit (recorder) is kept on the premises it must be located in a secure cabinet or other secure area, preferably out of the sight and reach of the public. The unit must be further secured by physical means to prevent anyone from merely picking up and removing the unit, e.g. a secure metal boot, or metal case strap, bolted to an immovable object like a wall or floor.
- The quality of the images must be of a sufficiently high standard to allow identification of the subject matter.
- Cameras will cover key areas identified by the operator and Police. These will include external cameras covering any outside area used by patrons of the premises, the external entrance and exit doors, clear headshots of persons entering the premises, approach route to the toilets, the bar and till areas and other areas not in full view from the bar.
- Images must be retained for a period of 31 days before overwriting.
- The images will be made available in reasonable time on demand by the Police and authorised officers of the London Borough of Barnet.
- At all times when the premises are open there shall be at least one person who is capable of operating the CCTV system if required to do so by the Police or authorised officers of the London Borough of Barnet.
- This system will be fully maintained at all times to ensure correct operation.

# Matters for Decision

## MATTERS FOR DECISION

### McDonalds, Friern Bridge Retail Park, Pegasus Way, N11 3PW

To allow late night refreshment outdoors only

#### Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	23:00	05:00			
Tuesday	23:00	05:00			
Wednesday	23:00	05:00			
Thursday	23:00	05:00			
Friday	23:00	05:00			
Saturday	23:00	05:00			
Sunday	23:00	05:00			

Added conditions, if any:

Reasons for decisions above:



**Hours premises are open to the public**

**Standard Days and Timings**

<b>Day</b>	<b>Proposed start time</b>	<b>Proposed finish time</b>	<b>Granted as application</b>	<b>Amended to:</b>	<b>Refused</b>
Monday	00:00	24:00 (24 Hours)			
Tuesday	00:00	24:00 (24 Hours)			
Wednesday	00:00	24:00 (24 Hours)			
Thursday	00:00	24:00 (24 Hours)			
Friday	00:00	24:00 (24 Hours)			
Saturday	00:00	24:00 (24 Hours)			
Sunday	00:00	24:00 (24 Hours)			

Added conditions, if any:

Reasons for decisions above: