

MEETING

LICENSING SUB-COMMITTEE

DATE AND TIME

WEDNESDAY 20TH NOVEMBER, 2019

AT 10.30 AM

VENUE

COMMITTEE ROOM 3, HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ

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

Councillors

Claire Farrier
Zakia Zubairi
John Hart

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

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

Andrew Charlwood – Head of Governance

Governance Services contact: Governance Service governanceservice@barnet.gov.uk

Media Relations contact: Garath Greene 020 8359 7039

ASSURANCE GROUP

ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	APPOINTMENT OF CHAIRMAN	
2.	DECLARATION OF MEMBERS' DISCLOSABLE PECUNIARY INTERESTS AND NON PECUNIARY INTERESTS (IF ANY)	
3.	LICENSING SUB-COMMITTEE HEARING PROCEDURE	5 - 8
4.	REPORT OF THE LICENSING AND TRADING STANDARDS	9 - 44
5.	MOTION TO EXCLUDE THE PRESS AND PUBLIC	
6.	DELIBERATION BY THE SUB-COMMITTEE IN PRIVATE SESSION	
7.	RE-ADMISSION OF THE PRESS AND PUBLIC: ANNOUNCEMENT OF THE DECISION OF THE SUB-COMMITTEE	
8.	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 governanceservice@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.

This page is intentionally left blank

LONDON BOROUGH OF BARNET

LICENSING SUB COMMITTEE

HEARINGS PROCEDURE

AGENDA ITEM 3

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.

Governance Officer

- To seek nominations for Chairman
- Elect Chairman
- Hand over to the Chairman

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.
- 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.

This page is intentionally left blank

AGENDA ITEM 4



Licensing Sub-Committee
Wednesday 20th November 2019
10.30am

Title	Temporary Event Notice for Senator Restaurant & Banquet, 3 Bell Lane, London, NW4 2BP
Report of	Trading Standards & Licensing
Wards	Hendon
Status	Public
Urgent	N/A
Key	N/A
Enclosures	Report of the Licensing Officer Annex 1 – Temporary Event Notice Annex 2 – Premises Licence Annex 3 – Police Objection Annex 4 – Notice of Decision Annex 5 – PRESCRIBED FORM OF NOTICE (conditions on a temporary event NOTICE) AND STATEMENT OF CONDITIONS
Officer Contact Details	Mariesa Connolly 0208 359 2125 Mariesa.connolly@barnet.gov.uk

Summary

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

Recommendations

1. That the Sub-Committee considers the Temporary Event Notice for an event to be held on Wednesday 20th November 2019 at 10.30am at Senator Restaurant & Banquet, 3 Bell Lane, London, NW4 2BP, to which a Police Objection has been received.

1. WHY THIS REPORT IS NEEDED

- 1.1 The licensing authority having received an objection from the police that that not 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

REPORT CLEARANCE CHECKLIST

(Removed prior to publication and retained by Governance Service)

Note: All reports must be cleared by the appropriate Committee Chairman, Chief Officer, Legal, Finance and Governance as a minimum. Report authors should also engage with subject matter experts from other service areas where this is required (e.g. procurement, equalities, risk, etc.). The name and date that the chairman or officer has cleared the report must be included in the table below or the report will not be accepted.

Legal, Finance and Governance require a minimum of 5 working days to provide report clearance. Clearance cannot be guaranteed for reports submitted outside of this time and your report is likely to be withdrawn from the agenda and deferred to the next scheduled meeting.

AUTHOR TO COMPLETE TABLE BELOW:

Who	Clearance Date	Name
Committee Chairman		
Chief Officer		
HB Public Law		

Finance		
Governance		

Officer Report

LICENSING ACT 2003

REPORT FOR PUBLIC HEARING

Senator Restaurant & Banquet, 3 Bell Lane, London, NW4 2BP

The Notice

This Temporary Event Notice was given to the Licensing Authority by Mr Mohammad Javanmardi under Section 100 of the Licensing Act 2003.

- 1.1 The notice submitted seeks to permit the sale of alcohol by retail, the provision of regulated entertainment and the provision of late night refreshment for an event which is due to commence on the following dates & times;

Saturday, Nov 30th from 00.00am to 04.00am

- 1.2 A copy of the Temporary Event Notice is attached to this report in **Annex 1**.

- 1.3 Senator Restaurant & Banquet holds a premises licence which currently allows licensable activities from;

Standard times;

Sale or supply of Alcohol

Monday to Sunday 12:00hrs - 00:30hrs

Playing of recorded music - Indoors

Monday to Sunday 11:00hrs - 00:30hrs

Provision of late night refreshment - Indoors

Monday to Sunday 23:00hrs - 00:30hrs

The hours that the premises are open to the public

Standard Timings

Monday to Sunday 11:00hrs - 01:00hrs

Non Standard Opening Hours:

Yalda Night, Christmas Eve, New Year's Eve, Valentines Day and good Friday from 12:00hrs till 02:00hrs

A copy of the current premises licence is attached to this report in **Annex 2**

1 Police Objection

- 2.1 The licensing authority has received a police objection from PC Vicky Wilcock on behalf of the Metropolitan Police Service. PC Vicky Wilcock states:

'The Police objection is primarily concerned with the crime and disorder, prevention of public nuisance and public safety objectives.

The Police objection & any supporting information are attached to the report in **Annex 3**.

2 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.

3 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 4.

(1) Where a relevant objection notice is made, the authority must-

- (a) hold a hearing to consider the objection notice, unless the premises 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 objective to do so.

4.2 The licensing sub-committee can only

- (a) grant the notice as applied for;
- (b) impose conditions on the notice that are shown on the premises licence/club premises certificate for this property if it is considered appropriate for the promotion of a licensing objective,
- (c) reject the application;

Section 105 (2) states: -

1. 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.

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

5. Attaching conditions

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

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

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

Prepared By:

Mariesa Connolly

TS & Licensing Enforcement Officer

Annex 1 – Temporary Event Notice

Annex 2 – Premises Licence

Annex 3 – Police objection

Annex 4 – Decision notice

Annex 5 - PRESCRIBED FORM OF NOTICE (conditions on a temporary event NOTICE) AND STATEMENT OF CONDITIONS

Temporary Event Notice

* required information

Section 1 of 9

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 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 9

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 / /

dd mm yyyy

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 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?

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 No

E-mail

Telephone number

Other telephone number

Section 3 of 9

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?

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 No

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

* 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

Location Details

* Provide further details about the location of the event

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)

Modern, spacious function hall with a contemporary, elegant design. It boasts a well stocked bar, an impressive sound system with a stage, spacious kitchen, lighting system, screen, locker room, among other.

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

*live music night
*SIA security provide (E1 SECURITY LTD)
*D.j playing

- An ID scan system will be used at the point of entry. All persons entering shall have their ID scanned to ensure age verification takes place and to capture the identity of any known persons committing offences. This ID scan system will be connected to a network that has alerts where banned people can be flagged up and added to the database which is complaint with data protection.
- There will be a minimum of 2 SIA staff on the entrance with risk assessed numbers within the premises. SIA licensed door supervisors shall be on duty at the premises for the duration of the event and until the premises is secured after the event, at least one of whom shall be a female. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests. Any persons to be searched shall only be searched by an SIA trained member of staff only and the location where the search is to take place must be monitored by the premises CCTV system.
- All SIA staff will be in radio contact with each other and the event management/ venue management throughout the duration of the event until the venue and immediate street outside are clear.
- The premises CCTV will be in operation throughout the duration of the event in line with the existing premises licence conditions.
- An age verification policy will be in place throughout the event in line with the existing premises licence conditions.
- There will be no admissions or re-admissions during the last 2 hours before the event will end.
- No glasses, bottles or beverages to be taken outside at any time (save for plastic bottle/cup of water)
- There will be a personal licence holder on duty at the premises for the duration of the event.
- A designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear with adequate door staff deployed to minimize the potential for nuisance.
- A currently qualified first aider will be on duty at the premises for the duration of the event.
- A direct telephone number for the manager/event management will be made available residents and businesses in the vicinity
- All alcohol served at the event will be done so by trained staff at the bar so that levels of intoxication can be monitored. Staff shall ensure that empty glass bottles/glasses are not left out on tables and that full bottles of spirits are not handed out. Spirits to be sold in Single (25ml) and Doubles (35ml) only.
- All Licensable activities (sales of alcohol, regulated entertainment and late night refreshments) to cease by 0330hrs and premises to close at 0400hrs. This will allow the event a winding down and drink-up period.

Section 4 of 9

LICENSABLE ACTIVITIES

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

Continued from previous page...

- 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

(See also guidance on completing the form, note 7).

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 8).

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 9)

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

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 10)

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 11)

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 12):

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

Continued from previous page...

Section 5 of 9

RELEVANT ENTERTAINMENT (See also guidance on completing the form, note 13)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Live music will exceptionally be provide until the end of the event.

Section 6 of 9

PERSONAL LICENCE HOLDERS (See also guidance on completing the form, note 14)

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 / /
dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES (See also guidance on completing the form, note 15)

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 (including the number of late temporary event notices, if any) you have given for events in that same calendar year

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 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES (See also guidance on completing the form, note 16)

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 9 of 9	
CONDITION (See also guidance on completing the form, note 18)	
It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.	
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 (See also guidance on completing the form, note 19)	
* 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	
<input checked="" type="checkbox"/> 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	<input type="text" value="Mohammad Javanmardi"/>
* Capacity	<input type="text" value="Owner"/>
* Date	<input type="text" value="15"/> / <input type="text" value="05"/> / <input type="text" value="2019"/> dd mm yyyy
<input type="button" value="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	erezbm1479
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

1 2 3 4 5 6 7 8 9 Next >

Premises Licence

Licensing Act 2003 Part A Premises Licence Premises Licence Number : LAPRE1/16/54478	Licensing Authority: London Borough of Barnet, Community Protection (Regulation) Barnet House 1255 High Road Whetstone London N20 0EJ 23/12/2016
---	---

Part 1 – Premises details

Postal address of premises, or if none, ordnance survey reference or description Senator Restaurant,3 Bell Lane	
Post Town London	Post Code NW4 2BP
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

Performance of live music - Indoors

Standard Days & Timings

Monday to Sunday 20:30hrs - 00:30hrs

Non Standard Timings & Seasonal Opening Times:

Yalda Night, Christmas Eve, New Years Eve, Valentines Day and good Friday from 12:00hrs till 02:00hrs

Playing of recorded music - Indoors

Standard Days & Timings

Monday to Sunday 11:00hrs - 00:30hrs

Non Standard Timings & Seasonal Opening Times:

Yalda Night, Christmas Eve, New Years Eve, Valentines Day and good Friday from 12:00hrs till 02:00hrs

Provision of late night refreshment - Indoors

Standard Days & Timings

Monday to Sunday 23:00hrs - 00:30hrs

Non Standard Timings & Seasonal Opening Times:

Yalda Night, Christmas Eve, New Years Eve, Valentines Day and good Friday from 12:00hrs till 02:00hrs

Sale or supply of Alcohol

Standard Days & Timings

Monday to Sunday 12:00hrs - 00:30hrs

The hours that the premises are open to the public

Standard Timings

Monday to Sunday 11:00hrs - 01:00hrs

Non Standard Opening Hours:

Yalda Night, Christmas Eve, New Years Eve, Valentines Day and good Friday from 12:00hrs till 02:00hrs

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

On the premises only

Part 2

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

Jhone Dryer
3 Bell Lane
London
NW4 2BP

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

N/A

Name of designated premises supervisor where the premises licence authorises for the supply of alcohol

Mohammad Javanmardi

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

Personal Licence number: ~~XXXXXXXXXX~~
Personal Licence Issuing Authority: Ealing Borough Council

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. (1) The responsible person must 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—
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (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 in a manner which carries a significant risk of undermining a licensing objective;
 - (d) 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;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

- ii. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
 - iii. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
 - (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
 - (3) 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 either—
 - (a) a holographic mark, or
 - (b) an ultraviolet feature.
 - iv. The responsible person must 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;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available."
4. 1.A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
- 2.For the purposes of the condition set out in paragraph 1 -
- (a)"duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b)"permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

Where -

(i)P is the permitted price

(ii)D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii)V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -

(i) The holder of the premises licence

(ii)The designated premises supervisor (if any) in respect of such a licence, or

(iii)The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e)"value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4.(1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

5. Each individual employed in the role of guarding the premises against unauthorised access or occupation, against outbreaks of disorder or against damage must be licensed by the Security Industry Authority.

Annex 2 – Conditions consistent with the operating schedule

6. A CCTV system will be installed that complies with the following specifications:
 - a. Digital recording colour CCTV comprising of a multi camera system
 - b. The head unit (recorder) for storing the images will store such data on a hard drive or a similar quality medium
 - c. 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)
 - d. A CD, DVD burner or USB type device will also form part of the system to facilitate making copies of the footage
 - e. The quality of the images must be of a sufficiently high standard to allow identification of the subject matter
 - f. Cameras will cover key areas identified by the operator and Police. These will include clear headshots of persons entering the shop area, the till area and areas where alcohol are displayed for sale
 - g. Images must be retained for a minimum period of 31 days before overwriting
 - h. The images will be made available in reasonable time on demand by the Police and authorised officers of the London Borough of Barnet
 - i. 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
 - j. This system will be fully maintained at all times to ensure correct operation
7. A refusals / incidents register shall be maintained at the premises recording:
 - a. All known incidents of crime and disorder occurring at the premises with dates and times

- b. Details of occasions when the emergency services are called to the premises
 - c. All refusals of alcohol sales and ejections from the premises.
 - d. This register will be available for inspection by a police officer or other authorised officer on request.
8. The premises shall operate a challenge 25 policy. Anyone attempting to purchase alcohol who appears under the age of 25 years shall be required to produce valid photo ID (such as a photo card driving licence, passport or PASS accredited age verification card) to prove they are 18 years or older. Failure to produce acceptable ID shall result in a refusal of the sale. This refusal shall be documented in the refusals / incident log.
 9. Suitable numbers of SIA accredited door staff must be employed on Friday, Saturday Nights, and any Thursday/Sunday Night preceding a bank holiday when there is licensable activity of regulated entertainment/ live music is taking place. They will be on duty from 2100 hours until the premises is closed and secured. In addition to the above stipulations an SIA registered member of staff will be on the premises for all functions where the licensable activity of live music is taking place. A log is to be kept of who has been employed (including badge number), when and what their contact details are. This log must be available for inspection by the police or authorised local authority officer.
 10. All doors and windows will be closed from 2100 hours to prevent noise escaping from the premises.
 11. There will be no vertical drinking (Like a pub where a drink can be bought at the bar and consumed while standing)
 12. All service of alcohol will be made by waiter/waitress.
 13. Alcohol will only be consumed by persons seated at a table (with a substantial meal) or kept sealed to be taken away from the premises with a takeaway meal.
 14. Alcohol will only be sold to customers purchasing food.
 15. Relevant staff will receive documented training on the licensing act 2003 and the challenge 25 policy. The training will be repeated every twelve months. Records of this training and any written policies relating to it will be kept and made available to police or council on request.
 16. All parts of the premises will be adequately illuminated and those routes to which any persons have access to and from will be kept clear.
 17. A sign will be placed within the premise asking customers to respect neighbours by keeping noise down and to leave quietly.

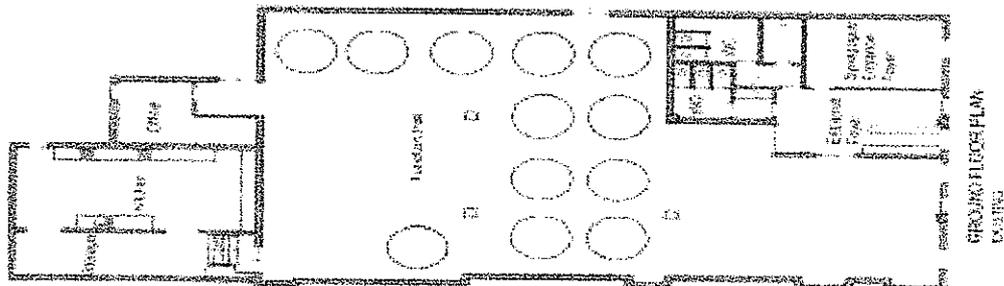
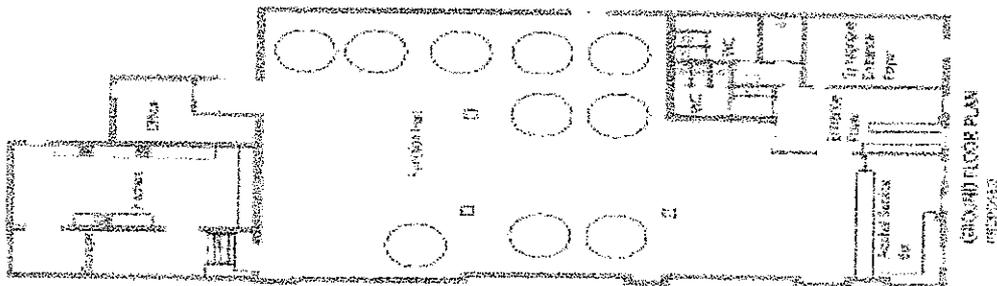
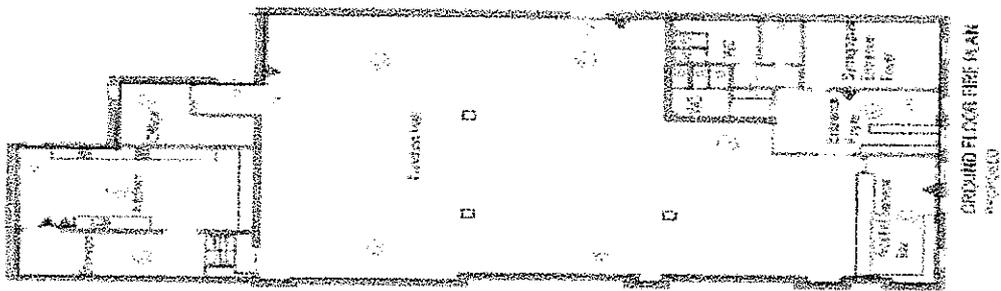
18. The delivery of goods, food, drinks or any other materials for the operation of the business will be carried out as such a time or in such a manner as to prevent a nuisance and disturbance to nearby residents.

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 LAPRE1/16/54478



Police Objection

The Licensing Officer

Barnet House

1255 High Road
Whetstone
London
N20 0EJ

Date: 6th November 2019

LA Ref: LATEN/19/61921

NW-BCU Licensing (Barnet Borough)

Room 3.04 Charter Gate
South Harrow Police Station
74 Northolt Road
Harrow
HA2 0DN

Tel: 020 8733 4195

Email: NWMailbox.LicensingBarnet@met.police.uk

Police Representations to the Temporary Event Notice for

Senator Restaurant 3 Bell Lane NW4 2BP 30th November 2019

I certify that I have considered the notice shown above and I wish to make representations that the use of the premises for the temporary event would undermine the crime prevention initiative, for the reasons indicated below.

<i>Officer:</i>	PC Wilcock
<i>SX</i>	Barnet

An officer of the Metropolitan Police, in whose area the premises are situated, who is authorised for the purposes of exercising its statutory function as a 'Responsible Authority' under the Licensing Act 2003.

A Temporary Event Notice has been given under section 100 Licensing Act 2003 by

Mohammad Javanmardi

Police are formally making representations to the notice under section 104 Licensing Act 2003. The Police objection is primarily concerned with the crime and disorder and prevention of public nuisance and public safety objectives.

A promoted event took place at the venue on 19th October 2019 at 0143 hours. Police attendance was requested by a member of the public stating some 200 people were crushing to get in to the premises.

This appeared to soak up the resources of most of the night duty officers covering Barnet Borough and Kilburn including the Duty Inspector, a police dog and the helicopter needed to monitor and contain the crowds.

With regards to the specific licensing objectives not promoted as a result of this incident;

Crime and disorder: There were sporadic outbursts of pushing/fighting and people (including ticket holders and security) arguing with police

Public safety: overcrowding and crushing at the entrance

Public nuisance; Lots of noise in the street from various people shouting, screaming etc.

This incident resulted in us having to object to an application for a late TEN for 27th October 2019.

There were a number of measures that should have been in place on the night, including the use of an ID Scanner, which was not in place. People were purchasing full bottles of spirits (we have a price list of what was offered on the night) and door staff had no control over access and

Please ensure any response is made to the Barnet Police Licensing team to the below email address: NWMailbox.LicensingBarnet.met.police.uk

gress. It is for this reason that we cannot be confident that these measures have ever been in place. The attached list are those points that had been previously discussed and agreed, those points highlighted were been witnessed as not be

Police have requested the applicant provide a risk assessment for the running of promoted events at this venue in August 2019. We have **not** received one to date.

On 25th October police have asked for CCTV covering the date of the incident (18th/19th Oct) and the previous event on 12th/13th October 2019. We have **not** been supplied with this.

Despite consistently being told that it is, the same promotor running these events it transpired that it was someone else on the 18th October and was due to be yet another person for the intended event on 26th October.

I called the applicant on 6th November at approx. 12:30 on the number given (answering the phone as Ben) to try to establish what the situation was. He was adamant that there would not be a repeat of 19th Oct, but wanted to call me back an hour later to discuss further. He did not call me.

I was hoping to find out the following;

- **Event name**
- **Who is the promotor organising and publicising the event?**
- **How the ticket sales are being run (online? On the door? list of all sites being sold from? How many?)**
- **Who the personal licence holder will be on the night overseeing the event? (Provide scanned copy of their Personal Licence card)**
- **Who the first aider will be and whom they are qualified by?**
- **Exact numbers of SIA door staff employed for the event?**
- **Only SIA from one company/agency, all security must be hired by the venue.**
- **All SIA staff to be in Hi-Viz and have radio communication with each other.**
- **All drinks to be sold in plastic containers only**
- **No drinks to be bought in by patrons**

At this time, we have no confidence in the applicant's ability to promote the licensing objectives in relation to these extended events.

Yours sincerely

PC Wilcock (1349NW)

Barnet Police Licensing (NW-BCU Partnership & Prevention)

Metropolitan Police.

Please ensure any response is made to the Barnet Police Licensing team to the below email address: NWMailbox.LicensingBarnet.met.police.uk

- live music night
- SIA security provide (E1 SECURITY LTD)
- D.j playing
- An ID scan system will be used at the point of entry. All persons entering shall have their ID scanned to ensure age verification takes place and to capture the identity of any known persons committing offences. This ID scan system will be connected to a network that has alerts where banned people can be flagged up and added to the database which is compliant with data protection.
- There will be a minimum of 2 SIA staff on the entrance with risk assessed numbers within the premises. SIA licensed door supervisors shall be on duty at the premises for the duration of the event and until the premises is secured after the event, at least one of whom shall be a female. All staff engaged outside the entrance to the premises, or supervising or controlling queues, shall wear high visibility yellow jackets or vests. Any persons to be searched shall only be searched by an SIA trained member of staff only and the location where the search is to take place must be monitored by the premises CCTV system.
- All SIA staff will be in radio contact with each other and the event management/ venue management throughout the duration of the event until the venue and immediate street outside are clear.
- The premises CCTV will be in operation throughout the duration of the event in line with the existing premises licence conditions.
- An age verification policy will be in place throughout the event in line with the existing premises licence conditions.
- There will be no admissions or re-admissions during the last 2 hours before the event will end.
- No glasses, bottles or beverages to be taken outside at any time (save for plastic bottle/cup of water)
- There will be a personal licence holder on duty at the premises for the duration of the event.
- A designated queuing area shall be enclosed within appropriate barriers to ensure that the footway is kept clear with adequate door staff deployed to minimize the potential for nuisance.
- A currently qualified first aider will be on duty at the premises for the duration of the event.
- A direct telephone number for the manager/event management will be made available residents and businesses in the vicinity
- All alcohol served at the event will be done so by trained staff at the bar so that levels of intoxication can be monitored.
- Staff shall ensure that empty glass bottles/glasses are not left out on tables and that full bottles of spirits are not handed out.
- Spirits to be sold in Single (25ml) and Doubles (35ml) only.
- All Licensable activities (sales of alcohol, regulated entertainment and late night refreshments) to cease by 0330hrs and premises to close at 0400hrs. This will allow the event a winding down and drink-up period.

Notice of Decision

Prescribed Form of Notice

**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, London Borough of Barnet, 8th Floor, Barnet Council, 2 Bristol Avenue, Colindale, NW9 4EW

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

On 5th November 2019 the licensing authority received from you, Mr Mohammad Javanmardi, a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place 30th of November 2019 at Senator Restaurant & Banquet, 3 Bell Lane, London, NW4 2BP. 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.	X
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			

This page is intentionally left blank