

MEETING

LICENSING SUB-COMMITTEE

DATE AND TIME

FRIDAY 30TH SEPTEMBER, 2022

AT 1.30 PM

VENUE

**CL-CONFERENCE SUITE 1 - LONDON BOROUGH OF BARNET, 2 BRISTOL AVENUE,
COLINDALE, NW9 4EW**

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

Chair: TBC

Val Duschinsky
Claire Farrier
Zakia Zubairi
Barry Rawlings

Danny Rich
Eva Greenspan
Anne Hutton
Andrea Bilbow OBE

Philip Cohen
Alison Cornelius
Jennifer Grocock
Richard Barnes

In line with the Constitution's Public Participation and Engagement Rules, requests to submit public questions or comments must be submitted by 10AM on the third working day before the date of the committee meeting. Therefore, the deadline for this meeting is 27 September 2022 at 10AM. Requests must be submitted to Governance Service governanceservice@barnet.gov.uk

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

Andrew Charlwood – Head of Governance

Governance Service contact: Governance Service governanceservice@barnet.gov.uk 020 8359 6452

Media Relations Contact: Tristan Garrick 020 8359 2454 Tristan.Garrick@Barnet.gov.uk

ASSURANCE GROUP

Please consider the environment before printing.

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	5 - 8
5.	Report of the Trading Standards & Licensing Manager - At Hotix, 1 Burlington Parade, Cricklewood Broadway, NW2 6QG	9 - 56
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 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 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.

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 ⁶

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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Licensing Sub-Committee

30 September 2022



Title	<p>At Hotix</p> <p>1 Burlington Parade</p> <p>Cricklewood Broadway</p> <p>London</p> <p>NW2 6QG</p>
Report of	Trading Standards & Licensing Manager
Wards	Cricklewood
Status	Public
Urgent	N/A
Key	No
Enclosures	<p><i>Report of the Licensing Officer</i></p> <p>Annex 1 – Application Form and Plan</p> <p>Annex 2 – Representations</p> <p>Annex 3 – Matters for Decision</p>
Officer Contact Details	<p>Zekiel Cudjoe-0208 359 3110</p> <p>Zekiel.cudjoe@Barnet.gov.uk</p>
Summary	
<p>This report asks the Sub-Committee to consider an application for a New Premises Licence, under section 17 of the Licensing Act 2003</p>	

Officers Recommendations

This report asks the Sub-Committee to consider an application for a New Premises Licence, under section 17 of the Licensing Act 2003 for At Hotix 1 Burlington Parade Cricklewood Broadway London NW2 6QG

1. WHY THIS REPORT IS NEEDED

- 1.1 The licensing authority having received valid representations against the application for a premises licence is expected to hold a hearing to consider those representations. The application can be determined by the licensing authority without a hearing in certain circumstances.

2. REASONS FOR RECOMMENDATIONS

- 2.1 Where a representation is submitted under Section 18 (3) of the Licensing Act 2003 the authority must hold a hearing to consider such representations, unless the representation is withdrawn, the applicant or any party or responsible authority who has made a valid representation agrees or where the authority considers that the representations are frivolous or vexatious.

3. ALTERNATIVE OPTIONS CONSIDERED AND NOT RECOMMENDED

- 3.1 The Licensing Sub-Committee is required to give appropriate weight to the representations (including supporting information) presented by all the parties, the Guidance issued pursuant to section 182 of the Licensing Act 2003, the Council's statement of licensing policy and the steps that are appropriate to promote the four licensing objectives.

Having considered those relevant matters, the Licensing Sub-Committee is required to take such of the following steps (if any) as it considers appropriate for the promotion of the licensing objectives.

The steps are—

- (a) To grant the licence subject to—

(i) conditions that are consistent with the operating schedule accompanying the application modified to such extent as the authority considers appropriate for the promotion of the licensing objectives, and

(ii) any condition which must under section 19, 20 or 21 of the Licensing Act 2003 be included in the licence;

- (b) to exclude from the scope of the licence any of the licensable activities to which the application relates;

- (c) to refuse to specify a person in the licence as the premises supervisor;
- (d) to reject the application

For the purposes of 3.1(a) (i) above, the conditions of the licence are modified if any of them are altered or omitted or any new conditions added.

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 are 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 applications for premises licences should be dealt with where valid representations have been submitted.

5.3.2 Under the Council's Constitution, Article 7, the licensing sub-committee has responsibility delegated to it (from the Licensing Committee) for licensing hearings concerning all licensing matters.

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.

5.6 Consultation and Engagement

- 5.6.1 The statutory consultation process has been followed in accordance with the Licensing

Act 2003.

6. BACKGROUND PAPERS

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

Officers Report

LICENSING ACT 2003

OFFICERS REPORT

At Hotix 1 Burlington Parade Cricklewood Broadway London NW2 6QG

1. The Applicants

The application was submitted by Mrs Andreea-Lucia Lupu.

2. Application

The application before the subcommittee was submitted on the 05th August 2022 under Section 17 of the Licensing Act 2003 for an application for a New Premises Licence. The application seeks to apply for the following:-

Supply of alcohol (on the premises)

Tuesday	14:00hrs –23;30hrs
Wednesday	14:00hrs –23;30hrs
Thursday	14:00hrs –23;30hrs
Friday	14:00hrs –23;30hrs
Saturday	14:00hrs –23;30hrs
Sunday	14:00hrs –23;30hrs

Provision of late night refreshment (indoors and outdoors)

Tuesday	23:00hrs – 00:00hrs
Wednesday	23:00hrs – 00:00hrs
Thursday	23:00hrs – 00:00hrs
Friday	23:00hrs – 00:00hrs
Saturday	23:00hrs – 00:00hrs
Sunday	23:00hrs – 00:00hrs

Hours the premises are open to the public

Tuesday	12:00hrs – 00:00hrs
Wednesday	12:00hrs – 00:00hrs
Thursday	12:00hrs – 00:00hrs
Friday	12:00hrs – 00:00hrs
Saturday	12:00hrs – 00:00hrs
Sunday	12:00hrs – 00:00hrs

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

3. Representations

The Licensing Team received eight representations from a local residents. The representation relates to the Licensing objectives of prevention of crime and disorder and prevention of public nuisance.

The Licensing Team did not receive any representations from Responsible Authorities.

The full representation can be found in **Annex 2**.

4. Attaching conditions

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

The Committee must have regard to all of the representations made and the evidence it hears, and is asked to note that it may not attach conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate 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. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations.

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.

Zekiel Cudjoe
Licensing Officer

Annex 1 – Application Form and Plan

Annex 2 – Representation

Annex 3 – Matters for Decision

Application Form & Plan

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

Please read the following instructions first

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

You may wish to keep a copy of the completed form for your records.

I/We AT HOTIX

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

Part 1 – Premises details

Postal address of premises or, if none, Ordnance Survey map reference or description			
1 BURLINGTON PARADE CRICKLEWOOD			
Post town	LONDON	Postcode	NW2 6QG

Telephone number at premises (if any)	07946 730440
Non-domestic rateable value of premises	£ 17,750.

Part 2 - Applicant details

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

a)	an individual or individuals *		please complete section (A)
b)	a person other than an individual *		
<input checked="" type="checkbox"/>	i	as a limited company/limited liability partnership	please complete section (B)
	ii	as a partnership (other than limited liability)	please complete section (B)
	iii	as an unincorporated association or	please complete section (B)
	iv	other (for example a statutory corporation)	please complete section (B)

c)	a recognised club		please complete section (B)
d)	a charity		please complete section (B)
e)	the proprietor of an educational establishment		please complete section (B)
f)	a health service body		please complete section (B)
g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)
ga)	a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England		please complete section (B)
h)	the chief officer of police of a police force in England and Wales		please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

(A) individual applicants (fill in as applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service (please see note 15 for information)					

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Second individual applicant (if applicable)

Mr	Mrs	Miss	Ms	Other Title (for example, Rev)	
Surname			First names		
Date of birth or over		I am 18 years old		Please tick yes	
Nationality					
Current residential address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					
Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), the 'share code' provided to the applicant by that service: (please see note 15 for information)					

(B) Other applicants

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

Name
Address

Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

DD MM YYYY

0	1	0	9	2	0	2	2
---	---	---	---	---	---	---	---

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

DD MM YYYY

--	--	--	--	--	--	--	--

Please give a general description of the premises (please read guidance note 1)
COFFEE SHOP / SANDWICH BAR.

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

50

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

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

Provision of regulated entertainment (please read guidance note 2)	Please tick all that apply
a) plays (if ticking yes, fill in box A)	
b) films (if ticking yes, fill in box B)	
c) indoor sporting events (if ticking yes, fill in box C)	
d) boxing or wrestling entertainment (if ticking yes, fill in box D)	

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

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)	✓
<u>Supply of alcohol</u> (if ticking yes, fill in box J)	✓

In all cases complete boxes K, L and M

A

Plays Standard days and timings (please read guidance note 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place <u>indoors or outdoors or both</u> – please <u>tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finis h		Outdoors	
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			<u>Please give further details</u> (please read guidance note 4)
Day	Start	Finish	
Mon			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 5)
Tue			
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 6)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed				<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 5)	
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Please give further details here (please read guidance note 4)	
Tue					
Wed			State any seasonal variations for the performance of live music (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take <u>place indoors or outdoors or both –</u> <u>please tick</u> (please read guidance note 3)	Indoors	
				Outdoors	
Day	Start	Finis h		Both	
Mon			<u>Please give further details here</u> (please read guidance note 4)		
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 7)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon				<u>Please give further details here</u> (please read guidance note 4)	
Tue					
Wed			<u>State any seasonal variations for the performance of dance</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 4)		
Wed					
Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 5)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sun					

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 4)	Both	<input checked="" type="checkbox"/>
Tue	18.00	24.00			
Wed	18.00	24.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur	18.00	24.00			
Fri	18.00	24.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		
Sat	18.00	24.00			
Sun	18.00	24.00			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input checked="" type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Mon					
Tue	14.00	23.30			
Wed	14.00	23.30			
Thur	14.00	23.30			
Fri	14.00	23.30			
Sat	14.00	23.30			
Sun	14.00	23.30			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name ANDREEA-LUCIA LUPU	
Date of birth 27.11.1992	
Address FLAT 7, PLAMER COURT 34 CHARCOT ROAD	
Postcode	NW9 5US
Personal licence number (if known)	
Issuing licensing authority (if known)	

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 9).

L

<p>Hours premises are open to the public Standard days and timings (please read guidance note 7)</p>			<p>State any seasonal variations (please read guidance note 5)</p>
Day	Start	Finish	
Mon			
Tue	12.00	24.00	
Wed	12.00	24.00	
Thur	12.00	24.00	
Fri	12.00	24.00	
Sat	12.00	24.00	
Sun	12.00	24.00	
			<p>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 6)</p>

M

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

a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

PREVENTION OF CRIME AND DISORDER
PUBLIC SAFETY
THE PREVENTION OF PUBLIC NUISANCE
THE PROTECTION OF CHILDREN FROM HARM

b) The prevention of crime and disorder

WE HAVE INSTALLED AND WORKING TO A STANDARD,
TO THE SATISFACTION OF THE LICENCE AUTHORITY
AND THE POLICE WHO WILL BE INFORM IMMEDIATELY
OF ANY DEFECT AND PROMPT STEPS WILL BE TAKEN
TO RECTIFY ANY DEFECT. THE RECORDINGS WILL BE
RETAINED 28 DAYS AND MADE AVAILABLE TO THE
LOCAL AUTHORITY / POLICE.

c) Public safety

PREMISES WILL BE SUBJECT OF A FULL FIRE
RISK ASSESSMENT.

d) The prevention of public nuisance

EXTERNAL AREA WILL BE REGULARLY
MONITORED BY CCTV.

e) The protection of children from harm

THE LICENSEE AND STAFF WILL ASK PERSONS WHO APPEAR TO BE UNDER THE AGE OF 25 FOR PHOTOGRAPHIC ID ALL STAFF WILL BE TRAINED FOR UNDERAGE SALES PREVENTION.
A REGISTER OF REFUSED SALES SHALL BE KEPT AND

Checklist: MAINTAINED ON THE PREMISES.

Please tick to indicate agreement

<input type="checkbox"/>	I have made or enclosed payment of the fee.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the plan of the premises.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have sent copies of this application and the plan to responsible authorities and others where applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that I must now advertise my application.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	I understand that if I do not comply with the above requirements my application will be rejected.	<input checked="" type="checkbox"/>
<input type="checkbox"/>	[Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom or my share code issued by the Home Office online right to work checking service (please read note 15).	<input checked="" type="checkbox"/>

It is an offence, under Section 158 of the Licensing Act 2003, to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount.

It is an offence under Section 24b of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same act, will be committing an offence where they do so in the knowledge, or with reasonable cause to believe, that the employee is disqualified.

Part 4 – Signatures (please read guidance note 11)

Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in
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	<p>the UK (please read guidance note 15).</p> <ul style="list-style-type: none"> The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, or have conducted an online right to work check using the Home Office online right to work checking service which confirmed their right to work (please see note 15)
Signature	ANDREW LEON LUNA
Date	28 08 2022.
Capacity	DIRECTOR

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
Post town		Postcode	
Telephone number (if any)			
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

Notes for Guidance

1. Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.
2. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
 - Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption

- on those premises, provided that the audience does not exceed 500.
- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
3. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 4. For example the type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 5. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 6. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 7. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 8. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
 9. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect

of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.

10. Please list here steps you will take to promote all four licensing objectives together.
11. The application form must be signed.
12. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
13. Where there is more than one applicant, each of the applicants or their respective agent must sign the application form.
14. This is the address which we shall use to correspond with you about this application.
15. Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be issued to an individual or an individual in a partnership which is not a limited liability partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have the right to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

They do this in one of two ways:

- 1) by providing with this application, copies or scanned copies of the documents which an applicant has provided, to demonstrate their entitlement to work in the UK (which do not need to be certified) as per information published on gov.uk and in guidance.
- 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Home Office online right to work checking service.

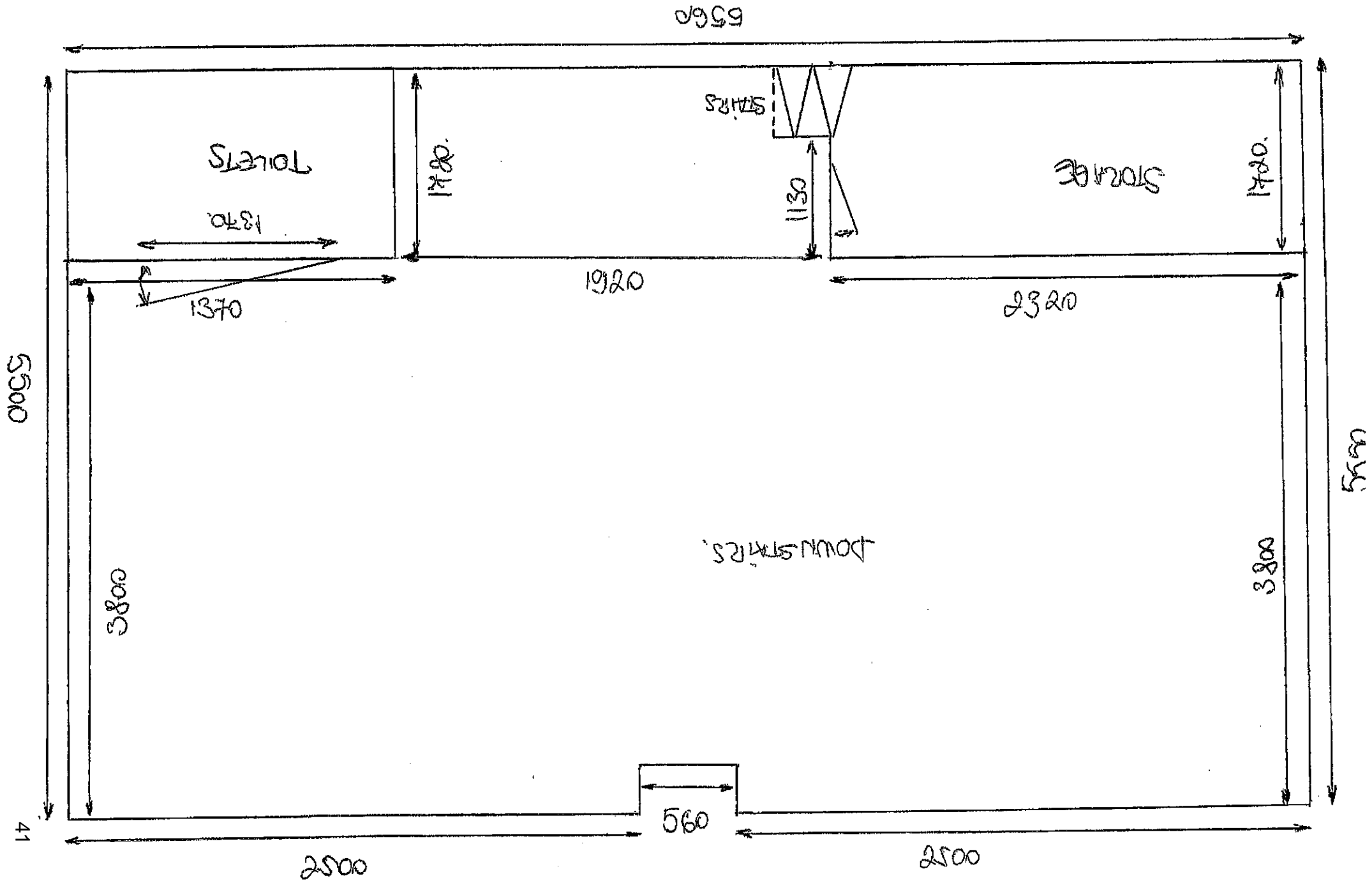
As an alternative to providing a copy of original documents, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth, will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be shared digitally. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copies of documents as set out above.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.



ROAD

PAVEMENT

6700

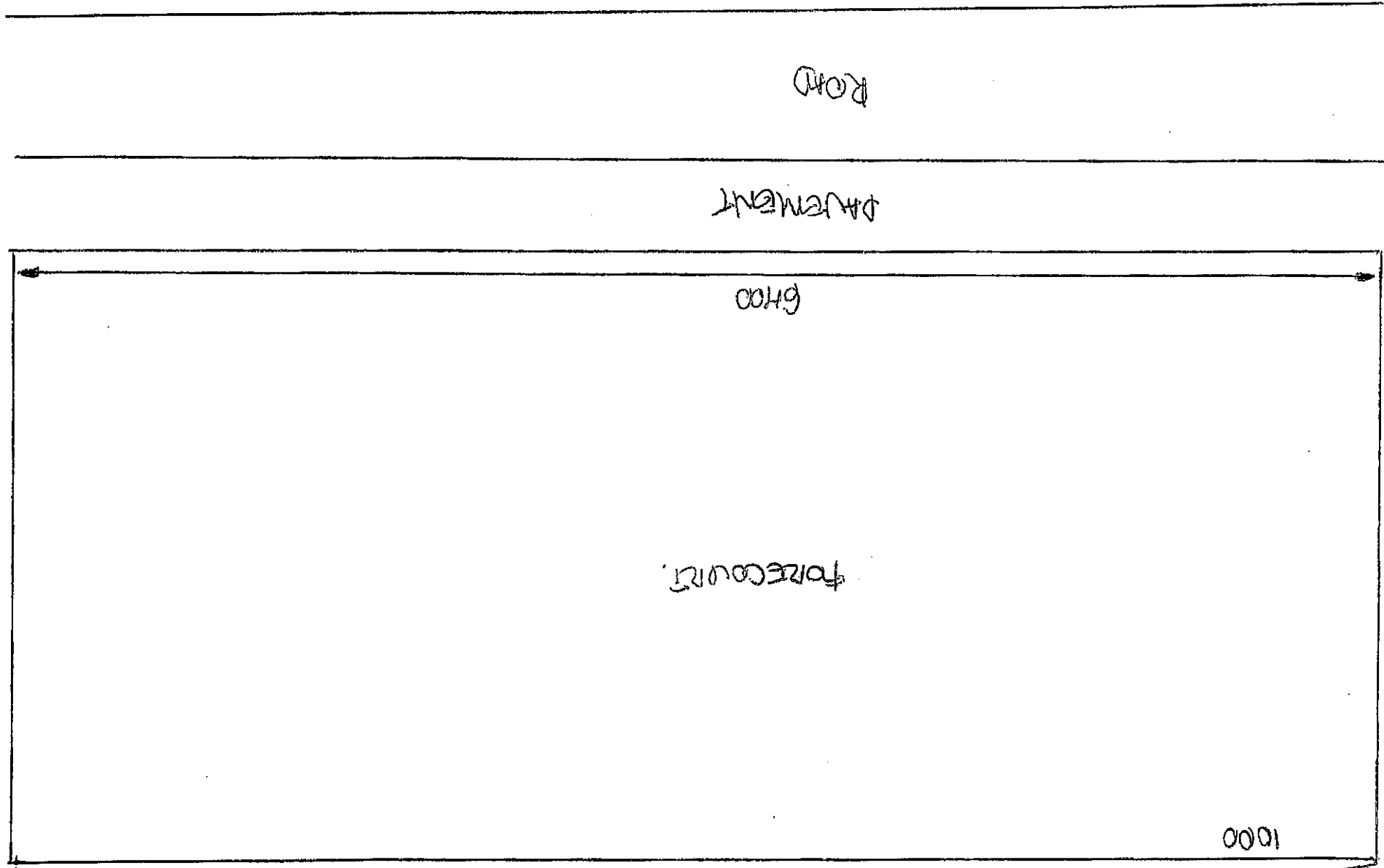
FORRECOURT.

1000

DOOR.

3800

42



Representations

Mrs Anna Faulkner's Representatio Mrs Anna Faulkner's Representation

Customer Details

Name:	Mrs Anna Faulkner
Email:	XXXXXXXXXXXXXXXXXXXXXXXXXX
Address:	XX Gratton Terrace, London NW2 XXX

Comments Details

Commenter Type:	Neighbour
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Stance:	Customer objects to the Licensing Application
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Reasons for comment:

Comments: 29/08/2022 5:54 PM I am objecting very strongly to an alcohol licence being granted permitting drinking inside the cafe and outside on the pavement.
The application would permit drinking alcohol until 23.30 hours from Tuesday until Sunday. I oppose a licence for the drinking of alcohol at any time.
The premises and pavement in front of Burlington Parade are very close i.e. 30 metres from our front door. Our houses in Gratton Terrace open directly onto the pavement, we have no front gardens. People drinking alcohol on the pavement only yards from our houses until 11.30 will be noisy and create a Public Nuisance. The noise will be heard inside Gratton rooms and bedrooms. Car doors slamming from vehicles parked outside our front doors late at night with shouting and loud good byes, create further Public Nuisance.
Recent past experience of a licenced premises across the street in Brent caused great disturbance at night to residents of Gratton Terrace for years. Involving shouting, revving of car engines, urination in the bushes opposite our houses.

Jessica Howe's Representation

From: XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX

Sent: 02 September 2022 09:29

Dear Licensing

I write on behalf of the Railway Terraces' Residents' Association to object to the licence application to sell alcohol until 11.30 pm.

The the use of the above premises as a cafe/sandwich bar is welcome and we wish it every success. However, there is concern amongst residents of Gratton Terrace about the sale of alcohol, which can be consumed both inside the premises and outside at pavement tables until midnight. People using these outside tables will be talking and laughing with friends, creating a noise which will be a Public Nuisance, especially late at night. The consumption of alcohol on the pavement until midnight will create a **Public Nuisance** for Gratton residents, who will be able to hear the noise in their homes and bedrooms, which face Burlington Parade. The outside seating will be inevitably be used, even during the winter, by those wishing to smoke whilst drinking.

Jessica Howey
Secretary
Railway Terraces Residents' Association
X Johnston Terrace
Nw2 XXX.

Michael Faulkner's Representation

Customer Details

Name:	Mr Michael Faulkner
Email:	XXXXXXXXXXXXXXXXXXXXXXXXXXXX
Address:	XX Grattoon Terrace, London NW2XXX

Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Licensing Application
Reasons for comment:	- All objectives
Comments:	31/08/2022 3:51 PM OBJECTION

I wish to object most strongly to the granting of a licence to sell alcohol for consumption at the cafe which will open at No. 1 Burlington Parade.

If granted on the basis of the application, alcohol would be consumed inside the premises and outside at seats and tables situated on the public pavement owned by the LLB. Burlington Parade is part of the Railway Terraces conservation area and part of the CPZ preventing vehicles parking there.

I have no objection to their selling , food and non-alcoholic beverages. My objection is solely to the sale of alcohol for consumption on the premises. I object for the following reasons:

1. On the basis of recent past experience of a premises which operated for years opposite Burlington Parade in the LB Brent, there was noise and nuisance at closing times every night the customers turned out very late at night.
2. The noise of loud voices and car engines revving up late at night caused great disturbance to us and our neighbours.
3. Burlington Parade is about 30 metres from the front door of my house and our neighbours' houses.
4. It is unclear whether there are adequate toilet facilities on the premises to cope with the numbers of customers anticipated.
- 5 The intention is to allow customers to drink until 23.30 hours. Drinking up time will extend this to midnight.
- 6 No licence for selling alcohol at any time in a residential area, which can cause social and public nuisance problems.

Conclusion. No licence for consumption of alcohol; prevent late-night noise and nuisance which will disturb residents living close to the premises.

Kind regards.

Mary Arje's Representation

Name:	Mrs Mary Arje
Email:	XXXXXXXXXXXXXXXXXXXXXXX
Address:	XX Midland Terrace, London NW2 XXX

Comments Details

Commenter Type:	Neighbour
Stance:	Customer objects to the Licensing Application
Reasons for comment:	<ul style="list-style-type: none">- Crime and Safety- Nuisance- Public Safety
Comments:	<p>31/08/2022 6:58 PM We have lived in the Railway Cottages for over 40 years and the cafe in question was for many years Stevens, the newsagents - a most useful store providing all the essential items.</p> <p>The idea of a local cafe selling alcohol from 2 pm until 11.30 pm with no mention of food, apart from sandwiches seems a very dangerous proposition.</p> <p>Seating for 56 people, including 24 on the pavement, is not a good idea and will only cause loud noise and anti-social behaviour. It is not fair for our neighbours in Gratton Terrace and Burlington Parade.</p> <p>We strongly object to the application in view of the "public nuisance" aspect this venture will no doubt result in.</p>

Tracy Marlow's Representation

From: TRACY MARLOW <XXXXXXXXXXXXXXXXXXXXXX>
Sent: 02 September 2022 16:05

Dear Cllr Clarke,

We wish to lodge our objection to the proposed alcohol licence for the above premises. We live directly behind it and the fact that the application suggests that 56 people could be there at any one time and owing to the lack of toilet facilities on the premises gives us a clear indication that it would be an easy option to use the bushes opposite as a public toilet.

The shop, prior to the last 3 years has always been used as a newsagent and hardware store and we are not against it being used as a cafe during normal hours but we strongly object to alcohol being served until late evening.

The premises and the pavement in front of Burlington Parade are very close to the front of Gratton Terrace houses, which do not have front gardens but open directly onto the street. Ourselves and other Gratton residents are very concerned that people eating and drinking alcohol on the pavement, only yards from our homes, until 11.30 or midnight will be noisy and create a Public Nuisance. People enjoying food and alcohol with friends often talk loudly, so it is likely that the noise will be heard inside Gratton houses and bedrooms, even if windows are closed. There may also be loud 'goodbyes' as people disperse at the end of the evening, creating further Public Nuisance.

Café patrons may well be local but may also come from further afield, so car doors slamming late at night may create further disturbances.

Therefore we would implore you to reject this application.

Yours sincerely,

David and Tracy Marlow

XX, Gratton Terrace.

(XXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXXX)

Lara Faulkner's representation

Good afternoon

I would like to comment on the above application for an alcohol licence at 1 Burlington Parade.

I am a Railway Terraces resident who is very concerned that people drinking alcohol on the pavement, only yards from Gratton Terrace until as late as midnight will be noisy and create a public nuisance, especially in the spring and summer months. It's likely any noise will be heard inside Gratton houses and bedrooms, even if windows are closed, as it is so close. There is also the potential for antisocial behaviour such as urination in the bushes facing Gratton Terrace – a problem which already exists but will most likely be made worse.

Thank you for your consideration of the above comments.

Regards

Lara Faulkner
XX Needham Terrace, NW2 XXX

Dr Roshan McClenahan's representation

Customer Details

Name: Dr Roshan McClenahan

Email: XXXXXXXXXXXXXXXXXXXXX

Address: X Gratton Terrace, London NW2 XXX

Comments Details

Commenter Type: Neighbour

Stance: Customer objects to the Licensing Application

Reasons for comment: - Children and Safety
- Nuisance

Comments: 01/09/2022 10:39 AM I don't think this is a good idea for the following reasons:
This is a residential area, and if this establishment has a license, this will encourage long noisy hours of drunken revelry, possibly causing a danger to the children in this area, and a fair amount of noise causing a problem for the residents, many of whom are old.
I believe they don't have enough lavatories, which means we will have a repeat of voiding in our hedge, which is already happening in the back hedge, causing offence.
Furthermore, the slamming of doors will waken residents.
To summarise, this is not a good idea.

ali Qassim's Representation.

From: ali qassim <XXXXXXXXXXXXXXXXXXXXXX>

Sent: 02 September 2022 13:41

Dear Licensing, Zekiel and Councillors,

As there seems to be a problem with the portal, we (Gratton Terrace 10a) are sending our concerns about Burlington Parade café/sandwich shop's licence application via this email.

We are worried about two issues:

The first is the licence to trade on the pavement.

I understand that there are plans for nearly 60 patrons in the premises (basement/shop and pavement) which seems an incredibly high amount for a shop of this small size.

SUPPLY OF ALCOHOL:

Our greatest worry (and that of neighbours) is over the plans to sell alcohol after 11 pm.

Our area is already vulnerable to casual passers-by using the area of bushes and plants between Gratton Terrace and the Broadway.

I hope the four attached photographs taken in the last eight weeks (June-July) of cans, soiled toilet paper etc can prove how this area is already used by casual drinkers/passers by.

Having a premises selling alcohol and till late in the evening **could aggravate this problem considerably.**

We would like the above concerns to be included in any objections/questions about this licence application.

Yours sincerely,

Ali Qassim and Sophia Sinclair-Webb (XXX Gratton Terrace, NW 2 XXX)

Matters for Decision

MATTERS FOR DECISION

Sale or supply of alcohol –on the premises

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	N/A	N/A			
Tuesday	14:00	23:30			
Wednesday	14:00	23:30			
Thursday	14:00	23:30			
Friday	14:00	23:30			
Saturday	14:00	23:30			
Sunday	14:00	23:30			

Added conditions, if any:

Reasons for decisions above:

Provision of late-night refreshment (indoors and outdoors)

Standard Days and Timings

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

Added conditions, if any:

Reasons for decisions above:

To allow the premises to remain open to the public

Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	N/A	N/A			
Tuesday	12:00	00:00			
Wednesday	12:00	00:00			
Thursday	12:00	00:00			
Friday	12:00	00:00			
Saturday	12:00	00:00			
Sunday	12:00	00:00			

Added conditions, if any:

Reasons for decisions above: