

**MEETING**

**LICENSING SUB-COMMITTEE**

**DATE AND TIME**

**WEDNESDAY 1ST FEBRUARY, 2017**

**AT 10.30 AM**

**VENUE**

**HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ**

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

**Councillor Alison Cornelius    Councillor Maureen Braun    Claire Farrier**

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

**Andrew Charlwood – Head of Governance**

Governance Services contact: Governance Service [governance.service@barnet.gov.uk](mailto:governance.service@barnet.gov.uk)

Media Relations contact: Sue Cocker 020 8359 7039

**ASSURANCE GROUP**

## ORDER OF BUSINESS

Item No	Title of Report	Pages
1.	Appointment of Chairman	
2.	Absence of Members (If any)	
3.	Declaration of Members' Disclosable Pecuniary interests and Non Pecuniary interests (If any)	
4.	Licensing Sub-Committee Hearing Procedure	5 - 8
5.	New Premises application, PND Express, 403 Hendon Way, London, NW4 3LH	9 - 38
6.	Motion to exclude the Press and Public	
7.	Deliberation by the Sub-Committee in Private Session	
8.	Re-admission of the Press and Public: Announcement of the decision of the Sub-Committee	
9.	Any other Item(s) the Chairman decides are urgent	

### FACILITIES FOR PEOPLE WITH DISABILITIES

Hendon Town Hall has access for wheelchair users including lifts and toilets. If you wish to let us know in advance that you will be attending the meeting, please telephone Governance Service [governance.service@barnet.gov.uk](mailto:governance.service@barnet.gov.uk). People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

### FIRE/EMERGENCY EVACUATION PROCEDURE

If the fire alarm sounds continuously, or if you are instructed to do so, you must leave the building by the nearest available exit. You will be directed to the nearest exit by Committee staff or by uniformed custodians. It is vital you follow their instructions.

You should proceed calmly; do not run and do not use the lifts.

Do not stop to collect personal belongings

Once you are outside, please do not wait immediately next to the building, but move some distance away and await further instructions.

Do not re-enter the building until told to do so.

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# LONDON BOROUGH OF BARNET

## LICENSING SUB COMMITTEE

### HEARINGS PROCEDURE

AGENDA ITEM 4

#### *General points*

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

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

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

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

#### **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 <sup>6</sup>

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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	<p style="text-align: center;"><b>Licensing Sub-Committee</b> <b>Wednesday 1<sup>st</sup> February 2017</b></p>
<p style="text-align: center;"><b>Title</b></p>	<p><b>New Premises application, PND Express, 403 Hendon Way, London, NW4 3LH</b></p>
<p style="text-align: center;"><b>Report of</b></p>	<p>Trading Standards &amp; Licensing Manager</p>
<p style="text-align: center;"><b>Wards</b></p>	<p>West Hendon</p>
<p style="text-align: center;"><b>Status</b></p>	<p>Public</p>
<p style="text-align: center;"><b>Enclosures</b></p>	<p>Report of the Licensing Officer Annex 1 – Application Form Annex 2 – Representations Annex 3 – Matters for decision</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Daniel Pattenden 020 8359 2508 daniel.pattenden@barnet.gov.uk</p>

**Summary**

This report asks the Sub-Committee to consider an application for a New Premises Licence, under section 17 of the Licensing Act 2003.

**Recommendations**

- 1. This report asks the Sub-Committee to consider to consider an application for a New Premises Licence, under section 17 of the Licensing Act 2003 for PND Express, 403 Hendon Way, London, NW4 3LH**

## **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 (and not withdrawn), the authority must hold a hearing to consider it, unless the applicant and any party or responsible authority who has made (and not withdrawn) a valid representation agree, or where the authority considers that the representations are frivolous, vexatious or will certainly not influence the authority's determination of the application.

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

- 3.1 N/A

## **4. POST DECISION IMPLEMENTATION**

- 4.1 The decision will have immediate effect

## **5. IMPLICATIONS OF DECISION**

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

- 5.1.1 Members are referred to the Council's Licensing Policy for consideration

- 5.1.2 Timely legal and fair decisions support objectives contained within the Corporate Plan. In particular in relation to a "successful London borough" by ensuring that only legal, well regulated licensable activities occur within the borough.

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

- 5.2.1 N/A

### **5.3 Legal and Constitutional References**

- 5.3.1 The Licensing Act 2003 sets out how applications for premises licences should be dealt with where valid representations have been submitted.

- 5.3.2 Under the Constitution, Responsibility for Functions (Annex A), the Licensing Act 2003 and associated regulations, as delegated to it by the Licensing Committee, including the determination of review applications.

## **5.4 Risk Management**

5.4.1 N/A

## **5.5 Equalities and Diversity**

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

## **5.6 Consultation and Engagement**

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

## **6. BACKGROUND PAPERS**

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

# Officers Report

# LICENSING ACT 2003

## OFFICERS REPORT

### PND Express, 403 Hendon Way, London, NW4 3LH

#### 1. The Applicants

The application was submitted by NTAD Consultants Ltd on behalf of Pahitharan Selvarajah.

#### 2. Application

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

- To allow the sale and supply of alcohol off the premises only from 08:00hrs until 23:00hrs Monday to Saturday and 10:00hrs until 22:30hrs.
- To allow the premises to open to members of the public from 08:00hrs until 23:00hrs Monday to Saturday and 10:00hrs until 22:30hrs.

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

#### 3. Representations

##### Responsible Authorities

The Licensing Team have received a representation from Barnet police licensing on behalf of the Metropolitan Police. The representations relate to the prevention of crime and disorder licensing objective.

##### Other representations

The Licensing Team have not received any representations from any other parties.

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

#### 4. Officer Comments

The licensing Act 2003 does not allow issues relating to parking or need to be considered when determining a licence application.

## 5. 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.

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

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

Daniel Pattenden  
Licensing Officer

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

# Application Form

\* required information

**Section 1 of 19**

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

System reference	Not Currently In Use	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.
<p>Are you an agent acting on behalf of the applicant?</p> <p><input checked="" type="radio"/> Yes      <input type="radio"/> No</p>		<p>Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.</p>

**Applicant Details**

* First name	Pahitharan	
* Family name	Selvarajah	
* E-mail		
Main telephone number		Include country code.
Other telephone number		
<p><input checked="" type="checkbox"/> Indicate here if the applicant would prefer not to be contacted by telephone</p>		

Is the applicant:

<p><input checked="" type="radio"/> Applying as a business or organisation, including as a sole trader</p> <p><input type="radio"/> Applying as an individual</p>	<p>A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.</p>
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**Applicant Business**

<p>Is the applicant's business registered in the UK with Companies House?</p>	<p><input checked="" type="radio"/> Yes      <input type="radio"/> No</p>	<p>Note: completing the Applicant Business section is optional in this form.</p>
Registration number	10508745	
Business name	PND Express Ltd	If the applicant's business is registered, use its registered name.
VAT number	-      None	Put "none" if the applicant is not registered for VAT.
Legal status	Please select...	



*Continued from previous page...*

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

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

**Agent Business**

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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 19**

**PREMISES DETAILS**

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

**Premises Address**

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

Non-domestic rateable value of premises (£)

## Section 3 of 19

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

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

### Confirm The Following

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

## Section 4 of 19

### NON INDIVIDUAL APPLICANTS

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

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

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

Continued from previous page...

Private Limited Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

**Section 5 of 19**

**OPERATING SCHEDULE**

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

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

Provide a general description of the premises

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

OFF LICENCE

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

*Continued from previous page...*

**Section 6 of 19**

**PROVISION OF PLAYS**

Will you be providing plays?

- Yes  No

**Section 7 of 19**

**PROVISION OF FILMS**

Will you be providing films?

- Yes  No

**Section 8 of 19**

**PROVISION OF INDOOR SPORTING EVENTS**

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 19**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 19**

**PROVISION OF LIVE MUSIC**

Will you be providing live music?

- Yes  No

**Section 11 of 19**

**PROVISION OF RECORDED MUSIC**

Will you be providing recorded music?

- Yes  No

**Section 12 of 19**

**PROVISION OF PERFORMANCES OF DANCE**

Will you be providing performances of dance?

- Yes  No

**Section 13 of 19**

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

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

- Yes  No

**Section 14 of 19**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

**Section 15 of 19**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

Yes  No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

On the premises  Off the premises  Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

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

Continued from previous page...

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

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

**Enter the contact's address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

Continued from previous page...

**Section 16 of 19**

**ADULT ENTERTAINMENT**

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

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

NONE

**Section 17 of 19**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations



*Continued from previous page...*

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

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

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

## Section 18 of 19

### LICENSING OBJECTIVES

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

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

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

As a responsible retailer we would like to propose the following robust conditions, trading style and hours to ensure that, should this application be granted it will not in any way have a negative impact on the licensing objectives.

LICENSABLE ACTIVITY APPLIED FOR: RETAIL SALE OF ALCOHOL (OFF SALES ONLY)

Opening Hours to the public - 08.00 -23.00 Monday to Saturday and 10:00 - 22:30 Sunday

Hours of Licensable activity - 08.00 -23.00 Monday to Saturday and 10:00 - 22:30 Sunday

1. No super-strength beer, lagers, ciders of 6.0% ABV (alcohol by volume) or above shall be sold at the premises.
2. All alcohol to be price labelled with the name of the premises for clear identification as to place of purchase by any Responsible authority.
3. No single cans of beer, lager or ciders shall be sold at the premises.
4. No sales of alcohol will be made from these premises to known street drinkers.
5. Strict Challenge 25 policy is in place.

b) The prevention of crime and disorder

### PREVENTION OF CRIME AND DISORDER

6. The premises shall install and maintain a comprehensive CCTV system which records 24 hours a day. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
7. All CCTV recordings shall be stored for a minimum period of 31 days and all recordings will be stamped with the correct date and time. Viewing of recordings shall be made available, subject to Data Protection legislation, immediately upon the request of Police or an authorised council officer.
8. A CCTV will monitor the exterior front of the premises.
9. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open, This staff member must be able to provide a police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.
10. Signage will be prominently displayed advising customers that they are being recorded on CCTV.
11. Additional signage which can read as follows:

A. NO ALCOHOL WILL BE SERVED TO KNOWN STREET DRINKERS

B. PLEASE NOTE THAT THIS STORE DOES NOT STOCK OR SELL ANY STRONG BEERS OR CIDERS WITH AND ABV OF MORE <sup>25</sup>

*Continued from previous page...*

THAN 6.0%.

C. NO SINGLE CANS OR BOTTLES OF BEER OR CIDER WILL BE SOLD.

D. NO LOITERING

E. STRICT CHALLENGE 25 POLICY IS IN PLACE AT THESE PREMISES

12. A refusals book shall be kept detailing all refused sales of alcohol. The record should include the date and time of the refused sale, a description of the refusal and the name of the member of staff who refused the sale. Records shall be kept on the premises and maintained for a minimum of 12 months. Records will be made available for inspection at the premises by the police or an authorised officer of the Council at all times.

13. The premises will not sell any SUPER- STRENGTH beer, lager, or cider that is equal to or greater than 6.0% ABV. For the avoidance of doubt, this does not include specialist products from craft or microbreweries or limited edition / seasonal products (e.g. Christmas gift packs), subject to Police and Local Authority discretion.

14. No sales of single cans of beer, lager or cider.

15. Any person showing any sign of intoxication will be refused the sale of alcohol.

16. There will always be a Personal Licence holder on the premises throughout the time that licensable activity is taking place to authorise any sales of alcohol.

17. All alcohol to be labelled with the name of the premises for clear identification as to place of purchase by any Responsible authority.

18. No alcoholic drinks will be purchased by the premises owners, DPS or staff from sellers calling at the premises.

19. All invoices (originals or copies) for all alcoholic goods for retail sale on the premises will be kept at the premises and made available to Police officers, authorised County Council Trading Standards Officers and HMRC Officers upon request.

#### c) Public safety

##### PUBLIC SAFETY

20. The installed digital CCTV system will record for 31 days all public areas of the premises which will monitor all public safety issues. The DPS will be responsible to carry out a fire and health and safety risk assessments for licensed premises all notices in relation to public health and safety will be displayed.

21. The DPS will ensure that the premises operate in line with existing health and safety legislation and is aware that it is also the responsibility of the premises licence holder that this legislation is adhered to.

#### d) The prevention of public nuisance

##### THE PREVENTION OF PUBLIC NUISANCE

22. The DPS and the Premises Licence holder are responsible for ensuring that the premises do not cause any nuisance to the local residents, other business operators or the general public.

23. The DPS will monitor the external areas of the premises in relation to public nuisance or antisocial behaviour.

24. Deliveries and rubbish collections will only take place during normal business hours and are at the rear of the premises.

25. Any antisocial behaviour CCTV recordings will be made available to the police and environmental health officers.

26. A CCTV will monitor the exterior front of the premises

27. Notices will be prominently displayed at the exit requesting that customers to respect the nature of the residential area and leave quietly.

28. Customers shall be discouraged from congregating outside the premises.

29. Signage will be prominently displayed advising customers that they are being recorded on CCTV. Additional signage which can read as follows:

F. NO ALCOHOL WILL BE SERVED TO KNOWN STREET DRINKERS

G. PLEASE NOTE THAT THIS STORE DOES NOT STOCK OR SELL ANY STRONG BEERS OR CIDERS WITH AND ABV OF MORE THAN 6.0%.

H. NO SINGLE CANS OR BOTTLES OF BEER OR CIDER WILL BE SOLD.

I. NO LOITERING

J. STRICT CHALLENGE 25 POLICY IS IN PLACE AT THESE PREMISES

#### e) The protection of children from harm

##### THE PROTECTION OF CHILDREN FROM HARM

**Continued from previous page...**

30. No super-strength beer, lagers, ciders of 6.0% ABV (alcohol by volume) or above shall be sold at the premises.
31. All alcohol to be labelled with the name of the premises for clear identification as to place of purchase by any Responsible authority.
32. A challenge 25 proof of age scheme shall operate at the premises. Signage shall be displayed advising customers that the scheme is in place.
33. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee.
34. The proposed DPS will ensure that all staff receives fully documented training in relation to Challenge 25 and the licensing Objectives.
35. All necessary signage will be displayed with regard to challenge 25 and the fact that NO ID NO SALE policy is in place.
36. A personal Licence holder will be on duty throughout the time of licensable activity is taking place to authorise any sale of Alcohol.
37. Refresher Training (every six months) relating to the sale of alcohol and the conditions of the premises licence.
38. The DPS and premises licence holder ensures that there are no specific promotions targeting alcohol products at young people e.g. alco-pops drinks or very cheap alcohol sales.
39. There will be an unimpeded view of the street from the service counter/till area as to prevent Proxy Sales.

**Section 19 of 19**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises Licence Fees are determined by the non domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

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

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

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

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

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

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

Capacity 5000-9999	£1,000.00
Capacity 10000 -14999	£2,000.00
Capacity 15000-19999	£4,000.00
Capacity 20000-29999	£8,000.00
Capacity 30000-39000	£16,000.00
Capacity 40000-49999	£24,000.00
Capacity 50000-59999	£32,000.00
Capacity 60000-69999	£40,000.00

*Continued from previous page...*

Capacity 70000-79999	£48,000.00
Capacity 80000-89999	£56,000.00
Capacity 90000 and over	£64,000.00

\* Fee amount (£)

## DECLARATION

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

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

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

\* Full name

\* Capacity

\* Date  /  /   
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/barnet/apply-1> to upload this file and continue with your application.

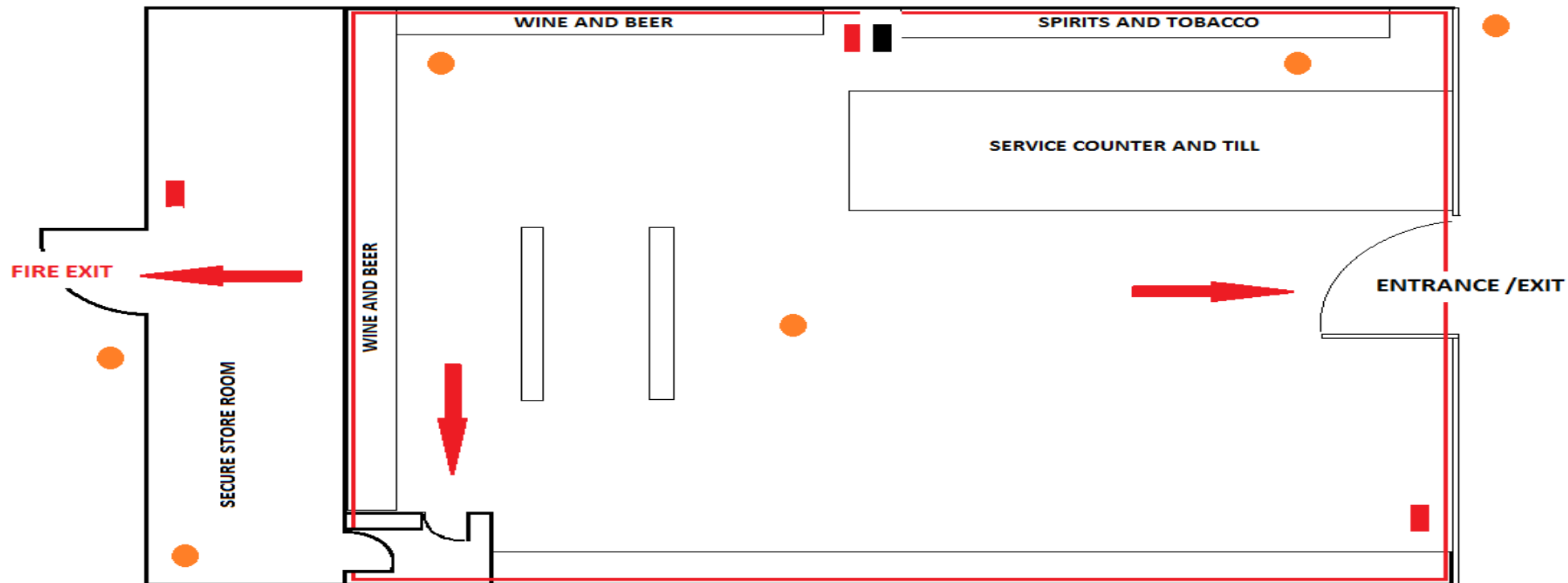
Don't forget to make sure you have all your supporting documentation to hand.

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

**OFFICE USE ONLY**

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

[< Previous](#) [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [Next >](#)



**PROPOSED LICENSING PLAN    KEY - SCALE 1:100 ON A2**

<p><b>PND EXPRESS 403 HENDON WAY HENDON LONDON NW4 3LH</b></p>	<table border="0" style="width: 100%;"> <tr> <td style="text-align: center; width: 20px;">●</td> <td>CCTV CAMERA</td> </tr> <tr> <td style="text-align: center; width: 20px;">┌┐</td> <td>LICENSABLE AREA</td> </tr> <tr> <td style="text-align: center; width: 20px;">■</td> <td>H2O FIRE EXTINGUISHER</td> </tr> <tr> <td style="text-align: center; width: 20px;">■</td> <td>CO2 FIRE EXTINGUISHER</td> </tr> <tr> <td style="text-align: center; width: 20px;">➔</td> <td>FIRE EVACUATION POINT</td> </tr> </table>	●	CCTV CAMERA	┌┐	LICENSABLE AREA	■	H2O FIRE EXTINGUISHER	■	CO2 FIRE EXTINGUISHER	➔	FIRE EVACUATION POINT
●	CCTV CAMERA										
┌┐	LICENSABLE AREA										
■	H2O FIRE EXTINGUISHER										
■	CO2 FIRE EXTINGUISHER										
➔	FIRE EVACUATION POINT										

**Consent of individual to being specified as premises supervisor**

**I /WE , Mr PAHITHARAN SELVARAJAH**

---

*[full name of prospective premises supervisor]*

Of **69 TREGENNA AVENUE,  
HARROW  
LONDON  
HA2 8QP**

*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

**NEW PREMISES LICENCE APPLICATION**

---

*[type of application]*

By

**PND Express LTD**

---

*[name of applicant]*

relating to a premises licence

*[number of existing licence, if any]*

for

**PND EXPRESS  
403 HENDON WAY,  
HENDON,  
LONDON ,  
NW4 3LH**

*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by

**PND Express LTD**

.....  
*[name of applicant]*

concerning the supply of alcohol at

For

**PND EXPRESS**

**403 HENDON WAY,**

**HENDON,**

**LONDON ,**

**NW4 3LH**

.....  
*[name and address of premises to which application relates]*

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

**LN/000004888/2011/1**

.....  
*[insert personal licence number, if any]*

Personal licence issuing authority

**LONDON BOROUGH OF HARROW**

.....  
*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print)

**MIR PAHITHARAN SELVARAJAH**

Date

**05<sup>TH</sup> DECEMBER 2016**



# Representations

London Borough Barnet  
Licensing Team  
Barnet House  
1255 High Road  
Whetstone  
London  
N20 0EJ

**BARNET POLICE STATION**  
Please post to:  
Licensing Office @SA  
Colindale Police Station  
GRAHAM PARK WAY  
LONDON  
NW9 5TW

Telephone: 020 8733 4195

Email: [barnet.licensing@met.police.uk](mailto:barnet.licensing@met.police.uk)  
Date: 15<sup>th</sup> December 2016

Ref:  
Our ref: 225/16

CC: London Borough of Barnet

**Police objection to a new premises licence**

Section	17						Licensing Act 2003
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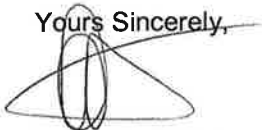
Notice Received: 7<sup>th</sup> December 2016  
From: Pahitharan Selverajah  
Premises: PNA Express, 403 Hendon Way, London, NW4 3LH

**For the following reason(s) Police are satisfied that the exceptional circumstances of the case are such that by granting the application would undermine the licensing objective, crime prevention.**

- The premises was subject to a drugs search warrant being executed in August 2016. Class A and B drugs were found in the staff member's car parked directly outside and other drug paraphernalia were found inside the shop.
- The applicant was the person responsible for the shop at that time and carried on licensable activity without transferring the premises licence or having a DPS for over a year.
- The premises licence was reviewed on 7<sup>th</sup> November 2016 for the reasons stated above. The result of this review was revocation.

**The Police respectfully request the application of appropriate conditions be attached to the licence in order to fully promote the 4 licensing objectives.**

Yours Sincerely,



Licensing Office  
Barnet Borough Police.

# Matters for Decision

## MATTERS FOR DECISION

### PND Express, 403 Hendon Way London, NW4 3LH

To allow the Sale and supply of alcohol refreshment off the premises only

#### Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	08:00	23:00			
Tuesday	08:00	23:00			
Wednesday	08:00	23:00			
Thursday	08:00	23:00			
Friday	08:00	23:00			
Saturday	08:00	23:00			
Sunday	10:00	22:30			

Added conditions, if any:

Reasons for decisions above:

**Hours premises are open to the public**

**Standard Days and Timings**

<b>Day</b>	<b>Proposed start time</b>	<b>Proposed finish time</b>	<b>Granted as application</b>	<b>Amended to:</b>	<b>Refused</b>
Monday	08:00	23:00			
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Friday	08:00	23:00			
Saturday	08:00	23:00			
Sunday	10:00	22:30			

Added conditions, if any:

Reasons for decisions above:

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