

<b><u>MEETING</u></b> <b>LICENSING SUB-COMMITTEE</b>
<b><u>DATE AND TIME</u></b> <b>TUESDAY 21ST AUGUST, 2018</b> <b>AT 10.30 AM</b>
<b><u>VENUE</u></b> <b>THE HERITAGE ROOM, HENDON TOWN HALL, THE BURROUGHS, LONDON NW4 4BQ</b>

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

**Councillors**

**John Hart  
Linda Freedman  
Claire Farrier**

*\*The licensing authority will only allow licensing decisions to be taken by a minimum of three Councillors. In the event of one Member being unable to attend, their place will be substituted by another Member taken from the membership of the full Licensing Committee.*

*In the event of this substitution taking place, all parties will be informed of the change of Membership at the beginning of the hearing.*

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

**Andrew Charlwood – Head of Governance**

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

Media Relations Contact: Gareth Greene 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.	Report of the Trading Standards & Licensing Manager	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](mailto:governanceservice@barnet.gov.uk). People with hearing difficulties who have a text phone, may telephone our minicom number on 020 8203 8942. All of our Committee Rooms also have induction loops.

### FIRE/EMERGENCY EVACUATION PROCEDURE

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

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

Do not stop to collect personal belongings

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

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

This page is intentionally left blank

# LONDON BOROUGH OF BARNET

## LICENSING SUB COMMITTEE

### HEARINGS PROCEDURE

AGENDA ITEM 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.

This page is intentionally left blank



	<p style="text-align: center;"><b>Licensing Sub-Committee</b> <b>Tuesday 21<sup>st</sup> August 2018</b></p>
<p style="text-align: center;"><b>Title</b></p>	<p><b>The Spirit Club, 33 Linden Lea, London, N2 0RF</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>Garden Suburb</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 – Agreements Annex 3 – Representations Annex 4 – Matters for decision</p>
<p style="text-align: center;"><b>Officer Contact Details</b></p>	<p>Daniel Pattenden 020 8359 2175 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 an application for a New Premises Licence, under section 17 of the Licensing Act 2003 for The Spirit Club, 33 Linden Lea, London, N2 0RF.**

## **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 Council's Constitution, Article 7 - Committees, Forums, Working Groups and Partnerships, responsibility for hearings relating to licensing matters are delegated to the Licensing Sub-Committee.

## **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

### The Spirit Club, 33 Linden Lea, London, N2 0RF

#### 1. The Applicants

The application was submitted by Richard Sager.

#### 2. Application

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

- To allow the sale of alcohol for consumption off the premises only from 09:00hrs until 17:00hrs Monday to Friday.
- To allow the premises to remain open to members of the public from 07:00hrs until 23:30hrs Monday to Sunday

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

#### 3. Agreements

The applicant has been in discussions with Pc Vicky Wilcock on behalf of Metropolitan Police with regards to the inclusion of various conditions in their application. I can confirm that the applicants agreed to amend their application in order to show the below conditions:

- All sales of alcohol will only be made to persons who have become a member. Becoming a member will be done by completing a questionnaire/personal information form which will be accompanied by debit/credit card payment details (card details will be stored with an appropriate financial services company).
- Customers collecting purchases of alcohol from the premises will be asked to produce ID to ensure they are over 18 if the seller is in any doubt of their age. Applying a 'challenge 25' style policy will help prevent accidental supply to those underage. If the person appears under 25, they should be asked to produce ID to prove they are over 18.
- Sales of alcohol to be delivered will be paid for by card to ensure an age verification process takes place at the point of payment. The delivery will be signed for and the person signing for the delivery must be able to prove they are over 18 if it is not the person named on the card used for payment.
- There will be no consumption of alcohol purchased on the premises. Persons residing at the premises and their private guests are exempt from this.
- In the event that the licence holder moves from this premises, the licence will be surrendered.

A full copy of the agreement can be seen attached to this report in **Annex 2**.

#### 4. Representations

##### Responsible Authorities

The Licensing Team have not received any representations from any of the responsible authorities.

### Other representations

The Licensing Team have received 16 valid representations from members of the public. These representations relate to the licensing objectives of the prevention of crime and disorder and prevention of public nuisance.

The representation can be seen attached to this report in **Annex 3**.

## **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 varied. 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.

Daniel Pattenden  
Licensing Officer

Annex 1 – Application Form  
Annex 2 – Agreements  
Annex 3 – Premises licence  
Annex 4 – Representations

# Application Form

\* required information

**Section 1 of 21**

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

System reference

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

Your reference

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

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

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



Continued from previous page...

### Your Address

Address official correspondence should be sent to.

* Building number or name	<input type="text" value="33"/>
* Street	<input type="text" value="Linden Lea"/>
District	<input type="text" value="Barnet"/>
* City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value="Barnet"/>
* Postcode	<input type="text" value="N2 0RF"/>
* Country	<input type="text" value="United Kingdom"/>

## Section 2 of 21

### 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	<input type="text" value="33"/>
Street	<input type="text" value="Linden Lea"/>
District	<input type="text" value="Barnet"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value="Barnet"/>
Postcode	<input type="text" value="N2 0RF"/>
Country	<input type="text" value="United Kingdom"/>

#### Further Details

Telephone number	<input type="text" value="07808 769 423"/>
Non-domestic rateable value of premises (£)	<input type="text" value="0"/>

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

### 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 21

### INDIVIDUAL APPLICANT DETAILS

#### Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes  No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes  No

Continued from previous page...

### Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

Building number or name	<input type="text" value="33"/>
Street	<input type="text" value="Linden Lea"/>
District	<input type="text" value="Barnet"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value="Barnet"/>
Postcode	<input type="text" value="N2 0RF"/>
Country	<input type="text" value="United Kingdom"/>

### Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes  No

E-mail	<input type="text" value="richard@thespirtedclub.com"/>
Telephone number	<input type="text" value="07808 769 423"/>
Other telephone number	<input type="text" value="07808 769 423"/>
* Date of birth	<input type="text" value="14"/> / <input type="text" value="07"/> / <input type="text" value="1975"/> dd mm yyyy
* Nationality	<input type="text" value="British"/> <a href="#">Documents that demonstrate entitlement to work in the UK</a>

## Section 5 of 21

### OPERATING SCHEDULE

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

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

Provide a general description of the premises

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

The premises are a residential property.

*Continued from previous page...*

My hobby is exploring Whisk(e)y with friends, having personally worked in Bacardi-Martini for over 8 years and having come to appreciate Scotch and other Whiskies. The process is internet-based, whereby whiskies and potentially other spirits requested by my friends in my whisky group (requested via website / email / SMS / phone call) are dispatched from the property

The physical consumption of paid-for alcohol will not take place on the premises itself.

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

#### Section 6 of 21

##### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

#### Section 7 of 21

##### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

#### Section 8 of 21

##### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

#### Section 9 of 21

##### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

#### Section 10 of 21

##### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

#### Section 11 of 21

##### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

Continued from previous page...

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

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

- Yes  No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**Section 15 of 21**

**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

Continued from previous page...

FRIDAY

Start	<input type="text" value="09:00"/>	End	<input type="text" value="17:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text"/>	End	<input type="text"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

N/A

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.

N/A

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

**Name**

First name

Family name

Date of birth  /  /   
dd mm yyyy

Continued from previous page...

**Enter the contact's address**

Building number or name	<input type="text" value="33"/>
Street	<input type="text" value="Linden Lea"/>
District	<input type="text" value="Barnet"/>
City or town	<input type="text" value="London"/>
County or administrative area	<input type="text" value="Barnet"/>
Postcode	<input type="text" value="N2 0RF"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LAPERS/17/57330"/>
Issuing licensing authority (if known)	<input type="text" value="Barnet"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

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

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

Reference number for consent form (if known)

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

**Section 16 of 21**

**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.

**Section 17 of 21**

**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.

Continued from previous page...

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

N/A

The premises are not open to the public at any time.

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.

N/A

**Section 18 of 21**

**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)



*Continued from previous page...*

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

I am both the premises owner and the designated premises supervisor; as such, I will remain up-to-date on all applicable laws and licensing objectives and ensure they are adhered to. Particular attention will be paid to;

a) Protection of Children From Harm; deliveries will only be completed if proof-of-age can be demonstrated (note sales are limited to friends of the business owner, where proof-of-age is less of a concern, however should there be any doubt, proof of age will also be sought in such an instance). Similarly, the alcohol will be stored in an out-of-sight, locked location, from children and will not be stored in an accessible area prior to dispatch from the premises.

Whilst no specific commercial or consumption activity (physical sale or imbibing of alcohol) will take place on the premises, multiple actions to support both the prevention of crime and disorder and public safety have been identified and will be adhered to to ensure these specific objectives are also fully met, e.g. use of a burglar alarm coupled with security lighting and double glazing / 6-bolt Matadoor, no public advertising of the 'hobby' nor address from which the alcohol is dispatched. Similarly receipt and dispatch of goods will be scheduled to minimise any disturbance to the general locale.

As a licensed premises we are acutely aware that our approach, process and 'operations' functions fully adhere to and promote the licensing objectives. I fully-intend to support these objectives through operating schedules, processes and infrastructure discussed above and below.

b) The prevention of crime and disorder

The premises are fitted with secure doors (front door is a 6-bolt Matadoor) and windows (with internal secondary glazing).

There is an alarm on the premises that is directly connected to the Alarm Company and who call the registered premises owners if the alarm is triggered.

There are security lights at both the front and back of the premises that are triggered by movement on the property, as well as lights at the front of the house that remain on throughout the night.

Volume of alcohol to be held on the premises is limited, given the application is for the support of a hobby rather than a full commercial enterprise. There is no advertising of the hobby, nor publication of the address of the premises in any material.

There is no planned consumption of paid-for alcohol on the premises, resulting in no foreseeable public disorder situation arising.

c) Public safety

There are lights at the front of the premises that are triggered by movement on the property, as well as lights at the front of the house that remain on throughout the night and when dark (e.g. during winter).

All parts of the premises are kept in good, safe working order, despite the premises not being used to host customers or to physically execute the face-to-face sale or consumption of alcohol.

A log book shall be kept upon the premises in which shall be entered particulars of inspections made; those required to be made by statute, and information compiled to comply with any public safety condition attached to the premises licence that requires the recording of such information. The log book shall be kept available for inspection when required by persons authorised by the Licensing Act 2003 or associated legislation.

d) The prevention of public nuisance

There is no planned consumption of paid-for-alcohol on the premises, resulting in no foreseeable public disorder situation. This includes no customers coming to the premises or standing around at any time during the day.

Deliveries of goods necessary for the operation of the hobby will be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.

Any dispatches to the Royal Mail or other postal service will be made during normal working hours. Likewise, any removal of waste packaging will be completed no later than 8pm in the evening to reduce noise levels at the premises.

*Continued from previous page...*

e) The protection of children from harm

Alcohol will be stored at the top of the premises, out of sight of children. More specifically, a cubby hole in the loft has been identified as the store cupboard; this has a locked door leading to it which will prevent any children from gaining access.

Alcohol will not be temporarily stored in general areas prior to dispatch to the Royal Mail or other postal service.

Alcohol will be delivered via RM or other postal service on a recorded delivery basis and require proof of age upon delivery, specifically Challenge 25 - a retailing strategy that encourages anyone who is over 18 but who appears under 25 to present acceptable ID (e.g. a card bearing a PASS hologram, a photographic driving licence or a passport) if they wish to take receipt of the alcohol; without this, the parcel will not be handed over.

## **Section 19 of 21**

### **NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**

*Continued from previous page...*

### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a 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 premises 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 an entitlement 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 by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

*Continued from previous page...*

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

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.

## Section 20 of 21

### NOTES ON REGULATED ENTERTAINMENT

*Continued from previous page...*

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:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

*Continued from previous page...*

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 21 of 21**

**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 you are required to pay a higher fee

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

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

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

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

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

Continued from previous page...

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 TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

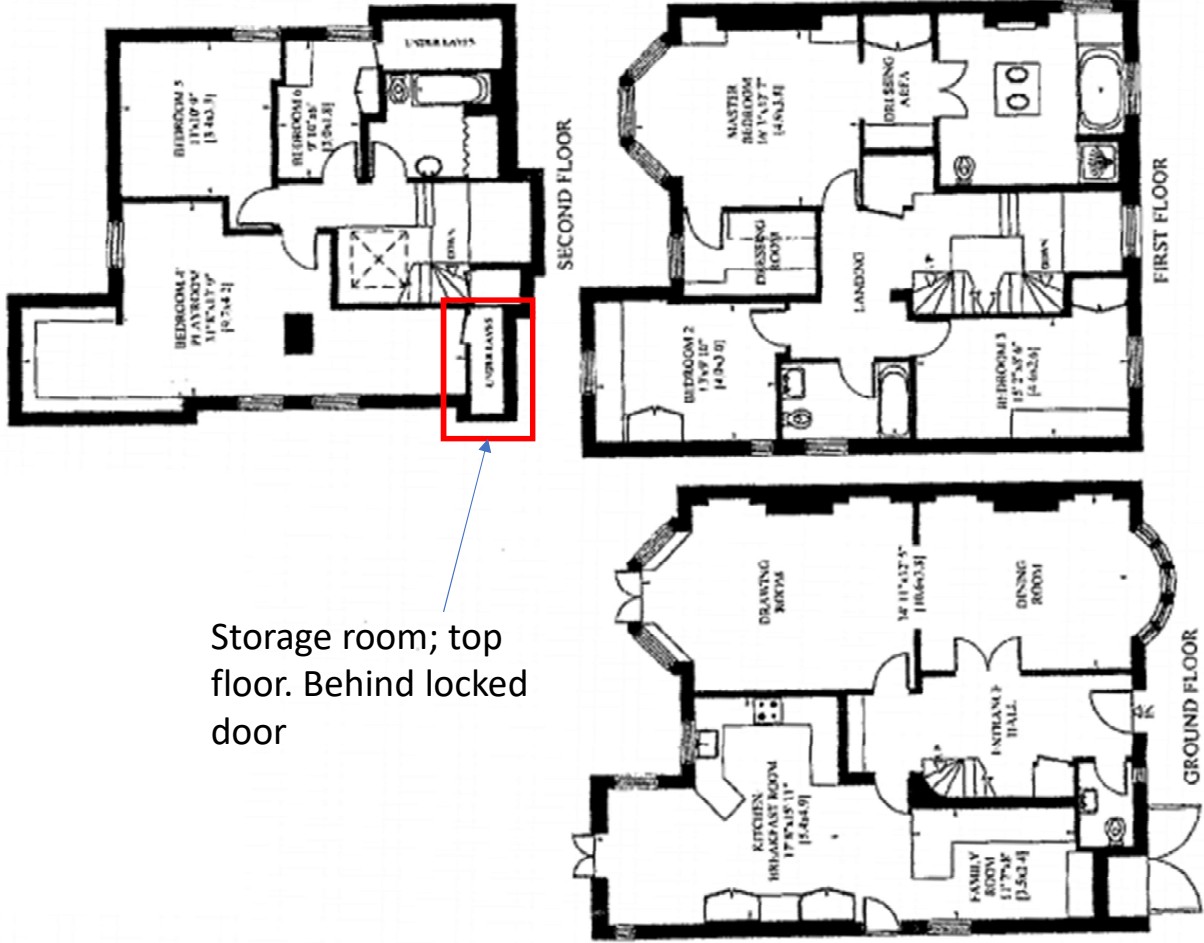
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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**

**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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)





Storage room; top floor. Behind locked door

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

Richard Neil Sager

-----  
[full name of prospective premises supervisor]

I

of

33 Linden Lea, London, N2 0RF

-----  
[home address of prospective premises supervisor]

herby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for a premises licence at the above address (33 Linden Lea, London, N2 0RF)

-----  
[type of application]

by

Richard Neil Sager

-----  
[name of applicant]

N/A

relating to a premises licence

-----  
[number of existing licence, if any]

for

33 Linden Lea, London, N2 0RF

-----  
[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

Richard Nel Sager

[name of applicant]

concerning the supply of alcohol at  
33 Linden Lea, London, N2 0RF

[name and address of premises to which application relates]

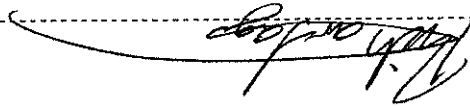
I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number  
LAPERS/17/57330

[insert personal licence number, if any]

Personal licence issuing authority  
London Borough of Barnet, Barnet House, 1255 High Road, London, N20 0EJ  
[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

Richard Sager

Date

26/06/2018

# Conditions agreed

## Pattenden, Daniel

---

**From:** Vicky.Johnson@met.pnn.police.uk on behalf of barnet.licensing@met.pnn.police.uk  
**Sent:** 11 July 2018 13:05  
**To:** LicensingAdmin  
**Cc:** Pattenden, Daniel; Rudland, Michelle  
**Subject:** New Premises Licence Application: The Spirited Club 33 Linden Lea N2

LBB Licensing

Please see below agreement to conditions for this premises licence application.

There will be no police objections with these applied to the licence.

Regards

*Vicky Wilcock*

Licensing

---

**From:** Richard Sager <richard@thespiritedclub.com>  
**Sent:** 11 July 2018 11:23  
**To:** SX Mailbox - Licensing <barnet.licensing@met.police.uk>  
**Subject:** Re: New Premises Licence Application: The Spirited Club 33 Linden Lea N2

Dear Vicky

Many thanks for your email. I completely understand the situation and why a different / additional set of requirements is required.

These requirements make sense to me and I can confirm I can and will adhere to them.

Please do not hesitate to contact me if you like to discuss this, or other matters, further.

With kind regards

Richard  
06808 769 423

Get [Outlook for iOS](#)

---

**From:** [Vicky.Johnson@met.police.uk](mailto:Vicky.Johnson@met.police.uk) <[Vicky.Johnson@met.police.uk](mailto:Vicky.Johnson@met.police.uk)> on behalf of [barnet.licensing@met.police.uk](mailto:barnet.licensing@met.police.uk) <[barnet.licensing@met.police.uk](mailto:barnet.licensing@met.police.uk)>  
**Sent:** Monday, July 9, 2018 10:26:20 AM  
**To:** Richard Sager  
**Subject:** New Premises Licence Application: The Spirited Club 33 Linden Lea N2

Richard,

We have received your application for a premises licence. This type of business model has only been put forward to us a couple of times over the last year or so and we have had to design the conditions as best we can, given the unique set up which is different from your usual retail fronted premises.

In order to promote the licensing objectives I enclose a proposal of appropriate conditions;

- All sales of alcohol will only be made to persons who have become a member. Becoming a member will be done by completing a questionnaire/personal information form which will be accompanied by debit/credit card payment details (card details will be stored with an appropriate financial services company).
- Customers collecting purchases of alcohol from the premises will be asked to produce ID to ensure they are over 18 if the seller is in any doubt of their age. Applying a 'challenge 25' style policy will help prevent accidental supply to those underage. If the person appears under 25, they should be asked to produce ID to prove they are over 18.
- Sales of alcohol to be delivered will be paid for by card to ensure an age verification process takes place at the point of payment. The delivery will be signed for and the person signing for the delivery must be able to prove they are over 18 if it is not the person named on the card used for payment.
- There will be no consumption of alcohol purchased on the premises. Persons residing at the premises and their private guests are exempt from this.
- In the event that the licence holder moves from this premises, the licence will be surrendered.

Please let me know if these conditions are acceptable or if you feel any part would cause problems.

Regards

*Vicky Wilcock*

PC349SX Wilcock

Licensing Office

---

Tel: 02087334195 (Internal: 744195)

Licensing Team Email: [barnet.licensing@met.police.uk](mailto:barnet.licensing@met.police.uk)

Based: Barnet Police Station

Post to: Licensing(@SA) C/O Colindale Police Station, Graham Park Way, London, NW9 5TW

**Consider our environment - please do not print this email unless absolutely necessary.**

NOTICE - This email and any attachments may be confidential, subject to copyright and/or legal privilege and are intended solely for the use of the intended recipient. If you have received this email in error, please notify the sender and delete it from your system. To avoid incurring legal liabilities, you must not distribute or copy the information in this email without the permission of the sender. MPS communication systems are monitored to the extent permitted by law. Consequently, any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude any binding agreement on behalf of the MPS by email. The MPS accepts no responsibility for unauthorised agreements reached with other employees or agents. The security of this email and any attachments cannot be guaranteed. Email messages are routinely scanned but malicious software infection and corruption of content can still occur during transmission over the Internet. Any views or opinions expressed in this communication are solely those of the author and do not necessarily represent those of the Metropolitan Police Service (MPS).

**Find us at:**

**Facebook:** <https://m.facebook.com/metpoliceuk>

**Twitter:** @metpoliceuk

**Consider our environment - please do not print this email unless absolutely necessary.**

NOTICE - This email and any attachments may be confidential, subject to copyright and/or legal privilege and are intended solely for the use of the intended recipient. If you have received this email in error, please notify the sender and delete it from your system. To avoid incurring legal liabilities, you must not distribute or copy the information in this email without the permission of the sender. MPS communication systems are monitored to the extent permitted by law. Consequently, any email and/or attachments may be read by monitoring staff. Only specified personnel are authorised to conclude any binding agreement on behalf of the MPS by email. The MPS accepts no responsibility for

# Representations

**Lucien Gubbay**

**Subject:** Application for a Premises Licence at 33 Linden Lea pursuant to the Licensing Act 2003 by Sager Enterprises.

To:  
The London Borough of Barnet Licencing Team  
The London Borough of Barnet Planning Authority  
The Chairman, Hampstead Garden Suburb Trust  
The Chairman HGS Residents' Association  
London Borough of Barnet, Local Ward Councillors

The undersigned are residents of Linden Lea and Rowan Walk, London N2, two quiet residential streets within the Conservation Area and close to an entrance to the Lyttelton Playing Fields, a popular venue for children, families and local primary schools.

We object to the licencing application to run an online business involving the sale of alcohol from 33 Linden Lea, London N2, a notice of which is attached to a tree in its front garden.

Such commercial activity will necessarily involve deliveries of alcohol by vans or larger vehicles, increasing occasional traffic congestion in this residential area. It will also involve the collection of alcohol purchased online by an unknown number of customers either on foot or in vehicles.

Though the application excludes consumption on the premises, there can be no guarantee that it will not take place nearby on convenient benches or in the almost adjacent entrance to the Playing Fields. This would damage the local environment and is highly undesirable in this residential area.

We call on the Licensing Authority to reject this application; and also on the Barnet Planning Authority, the Hampstead Garden Suburb Trust, the HGT Residents' Association and our Ward Councillors actively to support our objection.

Signed:

Jeremy Grose, Linden Lea, London N2  
Joyce Gubbay, Linden Lea  
Lee Djanogly, Linden Lea

*M. Baker*  
MICHAEL BAKER  
LINDEN LEA

TANYA CORDREY, LINDEN LEA

*NATHAN ADER*, LINDEN LEA  
LONDON N2  
*IRVING GROSE*, LINDEN LEA

*Henry Cohen* Linden Lea

*MICHAEL GOLDSTEIN*

*DR DENNIS ABADI*

Linden Lea, N2

LINDEN LEA LONDON N2

*ALAN ADX*, Linden Lea

*RICHARD SASSOON*, ROWAN WALK  
LONDON N2



## Pattenden, Daniel

---

**From:** LicensingAdmin  
**Sent:** 24 July 2018 14:42  
**To:** Pattenden, Daniel  
**Subject:** FW: Licensing Application 27062018 - Spirit Club 33 Linden Lea London N2 ORF

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FYI... Rep received and attached to case LAPRE1/18/58772 .

### Antoinette Hammond

#### Specialist Technical Support Officer for Re

Address: 9<sup>th</sup> Floor, Barnet House, 1255 High Road, London N20 0EJ

Email: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)

Work: Tel: 0208 359 7443

Website: [www.capita.co.uk/property](http://www.capita.co.uk/property)  
[www.re-ltd.co.uk](http://www.re-ltd.co.uk)



Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet.  
Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.

Please consider the environment - do you really need to print this email?

#### **RESTRICTED**

*The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient or his/her representative you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you are not the intended recipient, please notify the sender immediately.*

**From:** LicensingAdmin  
**Sent:** 24 July 2018 14:22  
**To:** LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>  
**Subject:** Re: Licensing Application 27062018 - Spirit Club 33 Linden Lea London N2 ORF

Dear sirs,

Thank you for your email,

As requested my full details are as follows:

**Mr. David Sadka,**  
Rowan Walk,  
Hampstead Garden Suburb  
London N2

Resident at the above address since September 1992 (25+ years)

Kind regards  
David Sadka.

-----Original Message-----

From: LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>  
To:

Sent: Tue, 24 Jul 2018 13:58  
Subject: RE: Licensing Application 27062018 - Spirit Club 33 Linden Lea London N2

Dear Ms Sadka,

Thank you for your email.

So that your comments can be put before a licensing officer for them to validate (in line with the licensing act 2003) we need for you to supply us with your full residential address. As the last date for representations for this case is today I am afraid that we will need this information by midnight tonight.

Regards,

**Licensing Team**

**Specialist Technical Support Officer for Re**

Address: 2<sup>nd</sup> Floor, Barnet House, 1255 High Road, London N20 0EJ

Email: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)

Work: Tel: 0208 359 7443

Website: [www.capita.co.uk/property](http://www.capita.co.uk/property)  
[www.re-ltd.co.uk](http://www.re-ltd.co.uk)



Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet. Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.

Please consider the environment - do you really need to print this email?

**RESTRICTED**

*The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient or his/her representative you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you are not the intended recipient, please notify the sender immediately.*

**From:**

**Sent:** 24 July 2018 11:17

**To:** LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>

**Subject:** Licensing Application 27062018 - Spirit Club 33 Linden Lea London N2 0RF

Dear Sirs,

I am writing to object to the above Licensing Application for the above residential property, which I only became aware of today from a small concealed notice strung on a tree near my property at Rowan Walk London N2. None of the residents of Rowan Walk & Linden Lea and the neighbouring houses on Linden Lea know of this application. Please see sketch diagram of street plan and photos for your reference.

The location of the property in question is totally unsuitable for a business selling alcohol / spirits even, if online and not for consumption on the property itself. People will still be collecting the alcohol from the property and more than likely arriving by car parking in the street and possibly loitering about after.

My reasons for objecting are on the following grounds:-

A) A substantial increase in car traffic in a relatively small residential street and a congested corner with Rowan Walk- with much more foot traffic of people going in and out of the property. This part of the street is usually full of parked cars from residents who do not have big enough driveways- and from drivers who park to go Lyttleton playing fields which backs onto Linden Lea and has access between no 25 and 27 - which is only 3 houses away from no 33. There is continuous congestion already from various builders, gardeners and service trade people who regularly park on this corner making it difficult for any car to navigate on a good day. It is also the bus route of the H2 which often gets stuck in the melee of traffic at this point of the street. It will become even more of a nuisance if this Licence is granted.

B) This part of the street, the junction in front of no 33 Linden Lea and Rowan Walk is the regular route used by many mothers with baby buggies and toddlers going to the aforementioned park, which also has a playing ground and a baby club and used daytime usually after 9 am and 3pm - within the hours the proposed licensing permit.

Added congestion from vans delivering to no 33 would endanger the safety of the children, as drivers often do a U turn or try to reverse on Linden to turn left into Rowan Walk as a shortcut - which is also a narrow street with grass verges. Cars already regularly mount the pavement to get past the parked cars. It will be an accident waiting to happen to invite any further cars into this location and will surely endanger these children and pedestrian. In addition

primary school children from Kerem School on Norrice Lea regularly and daily, use Rowan Walk to come back from school between 3.30 and 4.15 weekdays. It would endanger them also.

This is a residential street in a residential neighbourhood with a majority of families with young children who should not have premises selling alcohol on their door step which surely should not be allowed and encouraged. It would be an absolute folly to allow it and I urge you to consider the consequences.

I await to hear from you.

Yours faithfully  
David Sadka

This email and any attachments to it are intended solely for the individual to whom it is addressed. It may contain sensitive or confidential material and should be handled accordingly. However, it is recognised that, as an intended recipient of this email, you may wish to share it with those who have a legitimate interest in the contents.

If you have received this email in error and you are not the intended recipient you must not disclose, distribute, copy or print any of the information contained or attached within it, all copies must be deleted from your system. Please notify the sender immediately.

Whilst we take reasonable steps to identify software viruses, any attachments to this email may contain viruses which our anti-virus software has failed to identify. No liability can be accepted, and you should therefore carry out your own anti-virus checks before opening any documents.

Please note: Information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

## Pattenden, Daniel

---

**From:** LicensingAdmin  
**Sent:** 24 July 2018 14:45  
**To:** Pattenden, Daniel  
**Subject:** FW: Spirit Club, 33 Linden Lea, London N2 0RF

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

FYI... Representation received and attached to case.

Thanks,

### Antoinette Hammond

#### Specialist Technical Support Officer for **Re**

Address: 9<sup>th</sup> Floor, Barnet House, 1255 High Road, London N20 0EJ

Email: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)

Work: Tel: 0208 359 7443

Website: [www.capita.co.uk/property](http://www.capita.co.uk/property)  
[www.re-ltd.co.uk](http://www.re-ltd.co.uk)



**Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet. Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.**

Please consider the environment - do you really need to print this email?

#### **RESTRICTED**

*The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient or his/her representative you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you are not the intended recipient, please notify the sender immediately.*

---

**From:**  
**Sent:** 24 July 2018 14:13  
**To:** LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>  
**Subject:** Re: Spirit Club, 33 Linden Lea, London N2 0RF

My full address is:

-- Linden Lea  
London  
N2

Regards,

Simon Shelley

On 24 Jul 2018, at 13:59, LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)> wrote:

Dear Mr Shelley,

Thank you for your email.

So that your comments can be put before a licensing officer for them to validate (in line with the licensing act 2003) we need for you to supply us with your full residential address. As the last date for representations for this case is today I am afraid that we will need this information by midnight tonight.

Regards,

**Licensing Team**

**Specialist Technical Support Officer for Re**

Address: 2<sup>nd</sup> Floor, Barnet House,1255 High Road, London N20 0EJ

Email: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)

Work: Tel: 0208 359 7443

Website: [www.capita.co.uk/property](http://www.capita.co.uk/property)

[www.re-ltd.co.uk](http://www.re-ltd.co.uk)

<image001.png>**Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet. Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.**

Please consider the environment - do you really need to print this email?

**RESTRICTED**

*The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient or his/her representative you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you are not the intended recipient, please notify the sender immediately.*

---

**From:**

**Sent:** 24 July 2018 10:15

**To:** LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>

**Subject:** Spirit Club, 33 Linden Lea, London N2 0RF

Dear Sirs,

I live at Linden Lea with my family.

I note that there are only 4 grounds upon which I am entitled to object but I am astounded that Barnet Council are even considering allowing the sale of alcohol from a house in a residential area such as this.

I object to the use of 33 Linden Lea to sell alcohol for a number of reasons;

Linden Lea is a road full of families with young children. Aside from the obvious that selling alcohol from a house sets a terrible example to the children, the increase in the number of vehicles that would be using the road will certainly increase the danger to the children. Linden Lea is a busy road already being a cut through from Kingsley Way to Norrice Lea and also due to the number of people using the road to park when using the entrance to Lyttleton Playing Fields. An increase in traffic and further difficulty in parking will undoubtedly lead to more accidents and a heightened risk of harm to the many children using the pavements and road.

I do not feel it necessary to comment on the increase in public nuisance and potential crime that selling alcohol from a house will cause as it should be abundantly clear to anyone that this application is totally out of keeping with the neighbourhood.

Yours faithfully,

Simon Shelley

This email and any attachments to it are intended solely for the individual to whom it is addressed. It may contain sensitive or confidential material and should be handled accordingly. However, it is recognised that, as an intended recipient of this email, you may wish to share it with those who have a legitimate interest in the contents.

If you have received this email in error and you are not the intended recipient you must not disclose, distribute, copy or print any of the information contained or attached within it, all copies must be deleted from your system. Please notify the sender immediately.

Whilst we take reasonable steps to identify software viruses, any attachments to this email may contain viruses which our anti-virus software has failed to identify. No liability can be accepted, and you should therefore carry out your own anti-virus checks before opening any documents.

Please note: Information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

## Pattenden, Daniel

---

**From:** LicensingAdmin  
**Sent:** 25 July 2018 09:50  
**To:** Rudland, Michelle; Pattenden, Daniel  
**Subject:** FW: Spirit Club , 33 Linden Lea Barnet N2 ORF

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

Another rep received yesterday... has now been attached to the case LAPRE1/18/58772.

Thanks

Antoinette Hammond  
Specialist Technical Support Officer for Re  
Address: 9th Floor, Barnet House, 1255 High Road, London N20 0EJ  
Email: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)  
Work: Tel: 0208 359 7443  
Website: [www.capita.co.uk/property](http://www.capita.co.uk/property)  
[www.re-ltd.co.uk](http://www.re-ltd.co.uk)

Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet. Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.

Please consider the environment - do you really need to print this email?

RESTRICTED

The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient or his/her representative you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you are not the intended recipient, please notify the sender immediately.

-----Original Message---

From: Simone Skolnick  
Sent: 24 July 2018 17:39  
To: LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>  
Subject: Spirit Club , 33 Linden Lea Barnet N2 ORF

Simone Skolnick  
Rowan Walk  
London N2

To whom it may concern

I would like to oppose the application for a liquor license at the above address.

This is a family neighbourhood with young children and youths. I don't feel it's appropriate for them to have the ability to purchase alcohol at the end of our road, which is also next to a playing field.

The streets are small and have limited parking.

Thank you  
Your faithfully

Simone Skolnick

# HAMPSTEAD - GARDEN - SUBURB - TRUST

Finchley Road Hampstead Garden Suburb London NW11

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

And also at:

Building 4  
North London Business Park  
Oakleigh Road South  
London  
N11 1NP

Also by e mail to: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)

25 July 2018

Dear Sirs

I write on behalf of Hampstead Garden Suburb Trust in respect of the application by Sager Enterprises for a Premises Licence to permit the online sale and delivery of alcohol at 33 Linden Lea Hampstead Garden Suburb London N2 0RF, reference number LAPRE1/18/58772.

The Hampstead Garden Suburb Trust is a charity whose purpose is to preserve the character and amenity of Hampstead Garden Suburb. The Trust is the ground landlord and operates a Scheme of Management granted by the High Court under the Leasehold Reform Act 1967 for the Suburb which grants the Trust powers controlling the use and appearance of properties on the estate choosing to purchase their freehold.

The Suburb was planned as a mainly residential suburb of London rather than a city or town. As such there are only a small number of areas planned as shops or for business activities. This separation of uses and the residential use of individual houses are important aspects of the character and amenity of the Suburb. Granting a Premises Licence at 33 Linden Lea would alter that character to the detriment of the Suburb, and affect the amenity of nearby residents. It would also set an unwelcome precedent.

For the above reasons, the Trust urges Barnet to reject this application.

Yours faithfully

Nick Packard  
Trust Manager



## Pattenden, Daniel

---

**From:** Rudland, Michelle  
**Sent:** 25 July 2018 14:02  
**To:** Pattenden, Daniel  
**Subject:** FW: Licensing Application

**Follow Up Flag:** Follow up  
**Flag Status:** Completed

### Michelle Rudland

**Team Leader (Licensing & Anti Social Behaviour),  
Community Protection (Regulation)**

London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, London, N20 0EJ

Tel: 020 8359 7452

Barnet Online: [www.barnet.gov.uk](http://www.barnet.gov.uk)

 please consider the environment - do you really need to print this email?

**Re**

Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet.  
Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.



**Cleaner Air  
Borough**

AWARDED BY THE  
MAYOR OF LONDON

 **Is there an empty property in your street? Please let the Council know on 0208 359 7995  
or e mail [empty.properties@barnet.gov.uk](mailto:empty.properties@barnet.gov.uk)**

---

**From:** LicensingAdmin  
**Sent:** 25 July 2018 13:19  
**To:** Rudland, Michelle <Michelle.Rudland@barnet.gov.uk>  
**Subject:** FW: Licensing Application

Received and attached to the case.

Thanks,

### Antoinette Hammond

**Specialist Technical Support Officer for Re**

Address: 9<sup>th</sup> Floor, Barnet House, 1255 High Road, London N20 0EJ

Email: [licensingadmin@barnet.gov.uk](mailto:licensingadmin@barnet.gov.uk)

Work: Tel: 0208 359 7443

Website: [www.capita.co.uk/property](http://www.capita.co.uk/property)  
[www.re-ltd.co.uk](http://www.re-ltd.co.uk)



Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet.  
Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.

Please consider the environment - do you really need to print this email?

**RESTRICTED**

*The information in this e-mail and any attachments is confidential and may be subject to legal professional privilege. Unless you are the intended recipient or his/her representative you are not authorised to, and must not, read, copy, distribute, use or retain this message or any part of it. If you are not the intended recipient, please notify the sender immediately.*

---

**From:**

**Sent:** 25 July 2018 12:18

**To:** LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)>

**Subject:** Re: Licensing Application

dear sirs

application address

33 linden lea, hampstead garden suburb

objection based on (a) public nuisance

(b) outside of the trust rules

" not to carry on in the demised premises any trade, business..."

"not to use the demised premises ...for any purposes whatsoever  
other than those of a private dwelling-house..."

we urge you to kindly decline this application

regards

philip reichman

milton close

hampstead garden suburb

On Wednesday, 25 July 2018, 09:41:12 GMT+1, LicensingAdmin <[LicensingAdmin@barnet.gov.uk](mailto:LicensingAdmin@barnet.gov.uk)> wrote:

Dear Mr Reichman,

Thank you for your email.

Unfortunately the reference you have provided does not relate to any licence applications that this department is currently dealing with. We would therefore ask that you provide us with the name and address of the premises to which you are wishing make a representation against so that we can add your email to the appropriate case.

The Licensing Act 2003 requires all valid representations made in relation to a premises licence application must contain the following:

- Full name and address of the person submitting the representation
- Be received by the Licensing Team by last date for representations
- Relate to one or more of the four licensing objectives (prevention of crime and disorder, prevention of public nuisance, Public Safety and the protection of children from harm)

We would therefore also ask that you provide the information identified above so that your comments can be given to the licensing officer dealing with the identified application.

regards

## Licensing Team

### Community Protection (Regulation)

London Borough of Barnet, Barnet House, 1255 High Road, Whetstone, London, N20 0EJ

Tel: 020 8359 7443

Barnet Online: [www.barnet.gov.uk](http://www.barnet.gov.uk)

 please consider the environment - do you really need to print this email?



Re (Regional Enterprise) Ltd is a joint venture between Capita plc and The London Borough of Barnet.

Registered Office: 17 Rochester Row, London, England SW1P 1QT. Registered in England 08615172.



 **Is there an empty property in your street? Please let the Council know on 0208 359 7995 or e mail [empty.properties@barnet.gov.uk](mailto:empty.properties@barnet.gov.uk)**

**Subject:** Licence Application 27062018

Dear sirs,

With reference to licence application 27062018, we object to the application on the basis that this house is within the Hampstead Garden Suburb Trust area and thus such is bound by the original Lease Agreements of the Trust.

This states that houses may be used for Residential purposes only and may not carry out any commercial practice whatsoever.

We urge you to kindly decline this application.

Yours

P Reichman

This email and any attachments to it are intended solely for the individual to whom it is addressed. It may contain sensitive or confidential material and should be handled accordingly. However, it is recognised that, as an intended recipient of this email, you may wish to share it with those who have a legitimate interest in the contents.

If you have received this email in error and you are not the intended recipient you must not disclose, distribute, copy or print any of the information contained or attached within it, all copies must be deleted from your system. Please notify the sender immediately.

Whilst we take reasonable steps to identify software viruses, any attachments to this email may contain viruses which our anti-virus software has failed to identify. No liability can be accepted, and you should therefore carry out your own anti-virus checks before opening any documents.

Please note: Information contained in this e-mail may be subject to public disclosure under the Freedom of Information Act 2000 or the Environmental Information Regulations 2004.

# Matters for Decision

## MATTERS FOR DECISION

### The Spirit Club, 33 Linden Lea, London, N2 0RF

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

#### Standard Days and Timings

Day	Proposed start time	Proposed finish time	Granted as application	Amended to:	Refused
Monday	09:00	17:00			
Tuesday	09:00	17:00			
Wednesday	09:00	17:00			
Thursday	09:00	17:00			
Friday	09:00	17:00			
Saturday					
Sunday					

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	09:00	17:00			
Tuesday	09:00	17:00			
Wednesday	09:00	17:00			
Thursday	09:00	17:00			
Friday	09:00	17:00			
Saturday					
Sunday					

Added conditions, if any:

Reasons for decisions above:

This page is intentionally left blank