



LICENSING PANEL

WEDNESDAY 28 SEPTEMBER 2005

1.30 PM *

PANEL AGENDA (LICENSING AND GENERAL PURPOSES)

**COMMITTEE ROOM 5
HARROW CIVIC CENTRE**

* THERE WILL BE A BRIEFING FOR MEMBERS AT 7.00 PM IN COMMITTEE ROOM 4

MEMBERSHIP (Quorum 3)			
Chair:	Councillor (none)		
	<u>Councillors:</u>		
Choudhury	Mrs Bath Knowles	(none)	(none)

**Issued by the Democratic Services Section,
Legal Services Department**

**Contact: Michelle Fernandes, Committee Administrator
Tel: 020 8424 1542 E-mail: michelle.fernandes@harrow.gov.uk**

***NOTE FOR THOSE ATTENDING THE MEETING:
IF YOU WISH TO DISPOSE OF THIS AGENDA, PLEASE LEAVE IT BEHIND AFTER THE MEETING.
IT WILL BE COLLECTED FOR RECYCLING.***

HARROW COUNCIL

LICENSING PANEL

WEDNESDAY 28 SEPTEMBER 2005

AGENDA - PART I

1. **Appointment of Chair:**
To appoint a Chair for the purposes of this meeting.
2. **Attendance by Reserve Members:**
To note that there are no Reserve Members currently appointed to this Panel.
3. **Declarations of Interest:**
To receive declarations of personal or prejudicial interests, arising from business to be transacted at this meeting, from all Members present.
4. **Arrangement of Agenda:**
To consider whether any of the items listed on the agenda should be considered with the press and public excluded on the grounds that it is thought likely, in view of the nature of the business to be transacted, that there would be disclosure of confidential information in breach of an obligation of confidence or of exempt information as defined in the Local Government (Access to Information) Act 1985.
5. **Minutes:**

[Note: Licensing Panel minutes are:-
 - (1) approved following each meeting by the Members serving on that particular occasion and signed as a correct record by the Chair for that meeting;
 - (2) printed into the Council Minute Volume, published monthly;
 - (3) not submitted to the next panel meeting for approval.Reasons: The Licensing Panel is constituted from a pooled membership. Consequently, a subsequent Panel meeting is likely to comprise a different Chair and Members who took no part in the previous meeting's proceedings. The process referred to at (1) above provides appropriate approval scrutiny].
6. **Public Questions:**
To receive questions (if any) from local residents or organisations under the provisions of Committee Procedure Rule 18 (Part 4B of the Constitution).
7. **Petitions:**
To receive petitions (if any) submitted by members of the public/Councillors under the provisions of Committee Procedure Rule 15 (Part 4B of the Constitution).

8. **Deputations:**
To receive deputations (if any) under the provisions of Committee Procedure Rule 16 (Part 4B of the Constitution).
- Enc. 9. **Licensing Procedures:** (Pages 1 - 2)
Procedure to be followed at an oral hearing.
- Enc. 10. **Application for variation of Hours at Chandi Bar, 59 High Street, Edgware during Transitional Period:** (Pages 3 - 32)
Report of the Chief Environmental Health Officer.
- Enc. 11. **Application for Variation of Hours during Transitional Period, Ajans Food & Wine, 324 Rayners Lane, Harrow:** (Pages 33 - 58)
Report of the Chief Environmental Health Officer.
- Enc. 12. **Application for Variation of Hours at Rambling Inn, 410 Kenton Lane, Kenton During Transitional Period:** (Pages 59 - 88)
Report of the Chief Environmental Health Officer.
13. **Any Other Business:**
Which the Chair has decided is urgent and cannot otherwise be dealt with.

AGENDA - PART II - NIL

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Licensing Panel – Licensing Act 2003

Procedure A - Oral Hearing in Public

This document provides a summary of the Panel's usual procedure for the conduct of an oral hearing in public.

- 1 Introduction by chair of:
 - Members
 - Officers and Officers of Responsible Authorities
 - Applicants and Objectors
 - the procedure for the hearing.
2. Presentation of the report by Officers of the Relevant Authority.
3. Presentation by the applicant of their statement. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
4. Questioning of applicant by:
 - each of the objectors
 - the Panel
5. Presentation by the objectors, or their representative of their statements. Additional material may be submitted with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.
6. Questioning of each objector by:
 - the applicant
 - the Panel
7. Concluding statement(s) by objectors.
8. Concluding statement by applicant.
9. The Panel together with their legal advisor and committee clerk withdraw to consider of the application. Should the Panel wish to clarify any point with any particular party, all sides are recalled for the questions to be asked.
10. The hearing is reconvened for the Panel to announce their decision. Should the application be refused or conditions be placed on the licence the Panel must give reasons for this action.

NOTES

WITNESSES: Either side may call witnesses to support their case. Witnesses should have submitted written statements before the hearing which they present and on which they may be questioned. Witnesses introduced at short notice may speak with the agreement of the Panel and the other party, subject to advice by the Council's legal advisor at the time.

ADJOURNMENT: The Panel may at any time adjourn to a later date for the further consideration of an application. The date and time should be agreed with all parties as far as possible.

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Meeting:	Licensing Panel
Date:	28 September 2005
Subject:	Application for variation of hours at Chandi Bar, 59 High Street, Edgware during Transitional period
Responsible Officer:	Chief Environmental Health Officer
Contact Officer:	P Sivashankar, Service Manager, ext 5605
Portfolio Holder:	Councillor Philip O'Dell
Key Decision:	No
Status:	Public

Section 1: Summary

Decision Required

Members are asked to determine the application in accordance with the guidance in Section 2.5.

Reason for report

The application for a simultaneous variation by the Chandi bar has received representations. As per the Council's Licensing Policy and Delegation of Licensing Functions, all applications with unresolved representations are to be determined by the Licensing Panel.

Benefits

The hearing provides the applicant, persons making the representations and the Licensing Authority an opportunity to engage in constructive dialogue to determine the application in an open public forum.

Cost of Proposals

None

Risks

If any party is aggrieved with the decision or is believes that a fair hearing is not provided, they can apply to the magistrates Court for a re-hearing.

Implications if recommendations rejected

As above

Section 2: Report

2.1 Brief History

- 2.1.1 Application has been made by Messer's Poppleston Allen Solicitors on behalf of Postcode Pubco Ltd for a Premises Licence. A copy of the application and the existing Entertainment licence are attached to this report.
- 2.1.2 The application seeks changes to the existing Justices Licence hours, which, if granted, will take effect from 24th November 2005:

Note: The Secretary of State through the statutory guidance has made this statement;

It should normally be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year – such as bank holidays – and to incorporate appropriate opening hours for these occasions in their operating schedules. Similarly, temporary event notices – in respect of which a personal licence holder may give fifty each year – should be sufficient to cover events like Golden Wedding Anniversaries or 21st Birthday parties which take place at premises which do not have a premises licence or club premises certificate. However, with the passage of time exceptional events of local, national or international significance will arise which could not or have not been anticipated. Such events can give rise to the need to vary the conditions of large numbers of premises licences and club premises certificates. In such circumstances, it will be open to the Secretary of State to make a licensing hours order to provide for premises with a premises licence or club premises certificate to open for specified, generally extended, hours on these special occasions. Examples might include a one-off local festival, a Royal Jubilee, a World Cup or an Olympic Games.

*Such events should be genuinely exceptional and the Secretary of State will not consider making such an order lightly. Licensing authorities (or any other persons) approaching the Secretary of State about the making of such an order are advised that they should give **at least** six months notice before the celebration in question. Before making such an order, the*

Secretary of State is required to consult such persons as she considers appropriate, and this would generally enable a wide-range of bodies to make representations to her for consideration. In addition, such an order will require the approval of both Houses of Parliament. Six months would be the minimum period in which such a process could be satisfactorily completed.

The existing opening hours are listed on the attached Entertainment licence.

2.1.3 The Premises:

The premises are situated in the commercial part of High Street Edgware, but residential dwellings are located at close proximity. The premises are of solid construction and not purpose built for entertainments. However, through the Entertainment licence, there are additional controls put in place to minimise the nuisance caused by music noise. A location map is attached to this report.

2.1.4 Policy Implications

According to the Statutory Guidance issued by the Secretary of State under s182 of the Licensing Act 2003, recommends that variation of this nature should be based on 5 main policy aims. These are that;

1. the main purpose of the licensing regime is to promote the licensing objectives;
2. applicants for premises licences or for major variations of such licences are expected to conduct a thorough risk assessment with regard to the licensing objectives when preparing their applications. This risk assessment will inform any necessary steps to be set out in an operating schedule to promote the four licensing objectives;
3. Operating schedules, which form part of an application, should be considered by professional experts in the areas concerned, such as the police and environmental health officers, when applications for premises licences and club premises certificates are copied to them by applicants;
4. local residents and businesses are free to raise relevant representations, which relate to the promotion of the licensing objectives, about the proposals contained in an application; and
5. the role of a licensing authority is primarily to regulate the carrying on of the licensable activity when there are differing specific interests in those activities to ensure that the licensing objectives are promoted in the wider interests of the community.

When considering applications, it is expected that licensing authorities will seek to uphold these policy aims.

The Council's Licensing Policy in section 2.2 stipulates that a thorough risk assessment with regards to the Licensing Objectives must be carried out to reflect the individual nature of the venue.

2.2 Representations

2.2.1 The application has received representations from 2 Responsible Authorities. Copies of these representations are attached to this Report.

2.3 Consultation

The application was advertised in accordance with the Regulations under the Licensing Act 2003.

2.4 Financial Implications

N/A

2.5 Legal Implications

2.5.1 Having considered the representations from all parties, the Panel has to determine the application for the variation of the converted premises licence. The legislation does not list the grounds on which the Panel can refuse and/or grant an application for a licence. The legislation does allow for the imposition of conditions, restrictions, etc. but again offers no guidance as to the type of condition that may be imposed. It is clear that any additional conditions would have to be practical, enforceable and meet the rules of natural justice and the promotion of the four Licensing Objectives.

2.5.2 Options available to the Panel:

- a. To grant the application as it stands. Any licence granted would be subject to conditions relating to the Operating Schedule attached to the Application.
- b. To grant the Licence in light of any evidence presented at the hearing, from both the interested party and the applicant, subject to:
 - i) The conditions mentioned in the operating schedule being modified to such extent as the authority considers necessary for the promotion of the licensing objectives and/or to limit the period of validity of the grant, and
 - ii) Any condition which, must under section 19, 20 or 21 (Mandatory Conditions) of the Licensing Act 2003 be included in the licence, and
 - iii) To exclude from the scope of the licence any of the licensable activities to which the application relates,
- c. To reject the application.

2.5.3 It should be noted with all options that;

i). Clear reasons would have to be given to the applicant and to the persons/Responsible Authorities who made representations if the application were granted, refused or, if additional conditions were imposed; and

ii). The applicant and/or the interested party/Responsible Authorities would have the right of appeal to a Magistrates Court.

2.5.3. In addition to determining the application in accordance with the legislation, Members must also have regard to the provisions of the Human Rights Act 1998.

2.6 Equalities Impact

N/a

Section 3: Supporting Information/ Background Documents

Application

Representations

Mandatory Conditions that would be attached to the licence if granted.

Conditions drawn from the Operating Schedule provided by the Applicant-Annex

2

Annex 2 – Conditions consistent with the operating Schedule

Please refer to operating schedule.

MANDATORY CONDITIONS

19 Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

20 Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39)

(authority to determine suitability of video works for classification).

21 Mandatory condition: door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the

licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to-

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

(3) For the purposes of this section-

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Postcode Pubco Limited apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Chandi 59 High Street Edgware	
Post town London	Post code HA8 7DD

Telephone number of premises (if any) 0208 9523231

Non-domestic rateable value of premises £ 27,000

Part A2 - Applicant Details

Please state the capacity in which you applying to convert your existing licence

- | | | |
|---|-------------------------------------|-----------------------------|
| a) An individual or individuals | <input type="checkbox"/> | please complete section (A) |
| b) a person other than an individual | | |
| i) as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| ii) as a partnership | <input type="checkbox"/> | please complete section (B) |
| iii) as an unincorporated association | <input type="checkbox"/> | please complete section (B) |
| iv) or other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) a charity | <input type="checkbox"/> | please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> | please complete section (B) |
| f) a health service body | <input type="checkbox"/> | please complete section (B) |
| g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital | <input type="checkbox"/> | please complete section (B) |
| h) the chief officer of police of a police force in England and Wales | <input type="checkbox"/> | please complete section (B) |

ACCEPTED
- 5 AUG 2005

(A) INDIVIDUAL APPLICANTS (fill in as applicable)	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	
First Names	
I am 18 years old or over	<input checked="" type="checkbox"/>
Current postal address if different from premises address	
Post town	Post code
Daytime contact telephone number	
E-mail address (optional)	

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	
First Names	
I am 18 years old or over	<input checked="" type="checkbox"/>
Current postal address if different from premises address	
Post town	Post code
Daytime contact telephone number	
E-mail address (optional)	

(B) OTHER APPLICANTS

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

Name Postcode Pubco Limited
Address 225/227 Edgware Road Colindale London NW9 6LU
Registered number (where applicable) 3684724
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 0208 200 5256
E-mail address (optional)

Part A3 - Operating Schedule

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

n/a

General description of premises (please read guidance note 1)

An Irish themed bar situated in a predominantly retail area. Food is served, some entertainment is provided. There is a bar serving alcohol.

What existing licensable activities are authorised by your existing licence(s)?

Provision of regulated entertainment:

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

Provision of late night refreshment

Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name	Mr Anil Begga <i>Raj Nikant Patel</i>
Address	c/o Chandi 59 High Street Edgware London HA8 7DD
Personal Licence number, if known	Not Known

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

Sale of Alcohol

The provisions of Sections 59, 60, 61, 63 and 76 of the Licensing Act 1964 apply ie, normal permitted hours as extended by Section 76.

Whilst it is not a licensable activity the drinking up time is 30 minutes.

The special hours certificate is limited to 11.00 until midnight Sunday to Thursday, 11.00 until 02.00 the following morning Friday and Saturday

Regulated Entertainment

The playing of recorded music in the premises is permitted 24 hours a day pursuant to Section 182 of the Licensing Act 1964.

The Public Entertainment Licence licences music and dancing across the whole premises Sunday to Thursday 11.00 until midnight, 11.00 until 02.00 the following morning Friday and Saturday

Late Night Refreshment

The sale of hot food and drink to non-residents is permitted up to 30 minutes after the permitted hours for the sale of alcohol end under the provisions of section 1 of The Greater London Council (General Powers) Act 1968

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

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

The following conditions appear on the Public Entertainment Licence:

1. The maximum number of patrons accommodated at any one time should not exceed 100
2. There shall be no new admission of persons to the premises after 11pm
3. A minimum of two security staff shall be on duty on Friday and Saturday evenings
4. During entertainments, both sets of entrance lobby doors shall be kept closed except when in use for access and egress.
5. A noise limiting device shall be maintained on the amplification system at a level agreed with the Chief Environmental Health Officer
6. A log book shall be kept recording all complaints by the public and all incidents resulting in the presence of Metropolitan Police at the premises

This premises is subject to the standard Public Entertainment conditions issued by Harrow London Borough Council; these conditions are not attached.

The existing licence conditions were imposed without reference to the licensing objectives under the Licensing Act 2003. It is inappropriate for us to place these conditions in the specific boxes below as some may relate to all four licensing objectives and some to none.

b) The prevention of crime and disorder

See box A above

c) Public safety

See box A above

d) The prevention of public nuisance

See box A above

e) The protection of children from harm

See box A above

	Please tick Y Yes
▪ I have made or enclosed payment of the fee	✓
▪ I have enclosed my existing licence(s) or a certified copy of each licence	✓
▪ I have enclosed a plan of the premises	✓
▪ I have sent copies of this application to the chief officer of police (please read guidance note 3)	✓
▪ I have enclosed the consent form completed by the proposed premises supervisor, if relevant	✓
▪ I have enclosed the consent of the justices' licence holder to my application, if relevant	✓
▪ I understand that if I do not comply with the above requirements my application will be rejected	✓

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

Part A4 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature.....

Date 01/08/05..... *SEE OVER PAGE*.....

Capacity Poppleston Allen Solicitors on behalf of the applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 6). If signing on behalf of the applicant please state in what capacity.

Signature.....

Date 3/8/05

Capacity Poppleston Allen Solicitors
for and on behalf of the applicant

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
Kathleen Zajac - P20335/106 Poppleston Allen 37 Stoney Street The Lace Market	
Post town Nottingham	Post code NG1 1LS
Telephone number	0115 948 7402
E-mail address (optional)	k.zajac@popall.co.uk

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.

PART B - Application to vary a premises licence under the Licensing Act 2003

We Postcode Pub Co Limited being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34 of the Licensing Act 2003 for the premises described in Part A above.

Part B1 - Variation

Do you want the proposed variation to have effect from the second appointed day?

Please tick ✓

If not when do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Please describe briefly the nature of the proposed variation. (Please read guidance note 8)

1. To extend the hours for the sale of alcohol throughout the whole of the premises from 10.00 to 03.00 the following morning Mondays to Sundays.
2. To permit and extend the hours for the provision of regulated entertainment and late night refreshment from 10.00 to 04.00 the following morning Mondays to Sundays
3. To remove any embedded restrictions which are placed on the licence by virtue of Schedule 8 paragraph 6(8) of the Licensing Act 2003 save as otherwise indicated.

Part B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick ✓

Provision of regulated entertainment

- | | Yes |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

Please complete Part B3 on this form.

Day	Start	Finish	DOH
Mon			Please give further details here (please read guidance note 10)
Tue			
Wed			
Thu			
Fri			
Sat			
Sun			
			State any seasonal variations for performing plays (please read guidance note 11)
			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 12)

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10.00	04.00	Please give further details here (please read guidance note 10) Music, videos and DVDs shown throughout the premises	Both	
Tue	10.00	04.00			
Wed	10.00	04.00	State any seasonal variations for the exhibition of films (please read guidance note 11)		
Thu	10.00	04.00	None		
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.		
Sat	10.00	04.00			
Sun	10.00	04.00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10)
Day	Start	Finish	
Mon			State any seasonal variations for indoor sporting events (please read guidance note 11)
Tue			
Wed			
Thu			
Fri			
Sat			
Sun			
			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 12)

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
Thu						
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10.00	04.00	Please give further details here (please read guidance note 10) Live music provided by soloists and bands playing unamplified and amplified music		
Tue	10.00	04.00			
Wed	10.00	04.00	State any seasonal variations for the performance of live music (please read guidance note 11)		
Thu	10.00	04.00			
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sat	10.00	04.00			
Sun	10.00	04.00			

F Tue	10.00	04.00	house sound system
Wed	10.00	04.00	State any seasonal variations for playing recorded music (please read guidance note 11)
Thu	10.00	04.00	None
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)
Sat	10.00	04.00	An additional hour to the standard and non-standard times on the day when British Summertime commences
Sun	10.00	04.00	New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10.00	04.00	Please give further details here (please read guidance note 10) Dancing by staff throughout the premises	Both	
Tue	10.00	04.00			
Wed	10.00	04.00	State any seasonal variations for the performance of dance (please read guidance note 11)		
Thu	10.00	04.00			
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sat	10.00	04.00			
Sun	10.00	04.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	
Mon					Outdoors
Tue			Please give further details here (please read guidance note 10)	Both	
Wed					
Thu			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Fri					
Sat					
Sun			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)		

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10) In house music system playing amplified music controlled by the staff.		
Mon	10.00	04.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 11) None Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day]		
Tue	10.00	04.00			
Wed	10.00	04.00			
Thu	10.00	04.00			
Fri	10.00	04.00			
Sat	10.00	04.00			
Sun	10.00	04.00			

J

Provision of facilities for dancing Standard days and timings (please read guidance note 1)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (see guidance note 9).		
			Indoors	✓	
			Outdoors		
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 10) Provision of DJ and lighting systemf		
Mon	10.00	04.00	State any seasonal variations for providing dancing facilities (please read guidance note 11) None Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Tue	10.00	04.00			
Wed	10.00	04.00			
Thu	10.00	04.00			
Fri	10.00	04.00			
Sat	10.00	04.00			
Sun	10.00	04.00			

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoor	
Mon				Outdoor	
Tue				Both	
Wed			Please give further details here (please read guidance note 10)		
Thu			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10.00	04.00		Both	
Tue	10.00	04.00	Please give further details here (please read guidance note 10) Food provided as and when required including functions or events		
Wed	10.00	04.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 11) None		
Thu	10.00	04.00			
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sat	10.00	04.00			
Sun	10.00	04.00			

MON	10.00	03.00	State any seasonal variations for the supply of alcohol (please read guidance note 11)
Tue	10.00	03.00	
Wed	10.00	03.00	
Thu	10.00	03.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12)
Fri	10.00	03.00	
Sat	10.00	03.00	An additional hour to the standard and non-standard times on the day when British Summertime commences
Sun	10.00	03.00	New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

In all cases please completed boxes N, O P and Q below :

N

Please 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 (please read guidance note 14)

None

O

Hours premises are open to the public
Standard days and timings (please read guidance note 8)

Day	Start	Finish
Mon	10.00	05.00
Tue	10.00	05.00
Wed	10.00	05.00
Thu	10.00	05.00
Fri	10.00	05.00
Sat	10.00	05.00
Sun	10.00	05.00

State any seasonal variation (please read guidance note 11)

None

Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)

New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.

An additional hour to the standard and non-standard times on the day when British Summertime commences

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking
Any condition limiting the times alcohol can be sold or regulated entertainment provided.

Any restrictions which are placed on the Licence by virtue of Schedule 8 paragraph 6(8) of the Licensing Act 2003, except:

1. The extended permitted hours for the sale & consumption of alcohol and provision of regulated entertainment on New Years Eve/New Years Day
2. On commencement of British Summertime, the benefit of the clock going forward at 02:00 instead of 01:00 GMT

The restriction on drinking up time is to be replaced with the finish time in Box O.

Condition number 2 on the Public Entertainment licence which reads 'There shall be no admission of persons to the premises after 11pm'

...operation will not differ significantly during the extended hours. The additional hours sought will of themselves promote the licensing objectives as stated in paragraph 3.29 eg the Guidance, in allowing customers to emerge from the premises at a more gradual rate.

b) The prevention of crime and disorder

1. If a disc jockey is used on any night then he/she will ask customers to leave quietly.
2. Notices will be displayed at the exit to the premises asking customers to leave quietly.
3. The current level of lighting outside the premises will continue for the additional hours of trading.
4. The existing CCTV system will continue to operate during the additional hours of trading.
5. Notices stating that CCTV is in operation will be displayed throughout the premises.
6. Any person who appears to be intoxicated will not be allowed entry to the premises.
7. The premises will actively participate in the local pub watch or equivalent scheme.
8. Where already used text/radio pagers will continue to be used for the additional hours of trading and will be monitored by a responsible member of staff.
9. Toughened glass will continue to be used during the additional hours of trading.
10. The premises will only accept passport and driving licence as proof of age or other forms of identification agreed with the police
11. Food, soft drinks and tea/coffee will continue to be available until 1 hour minutes before the premises close.
12. The number of door supervisors on duty during the additional hours will be reviewed in consultation with the police.
14. A free phone taxi service will be provided.
15. Customers shall be allowed to wait on the premises while they wait for a taxi to arrive.
17. Door supervisors will ensure as far as possible that any bottles or glasses are not removed from the premises.
18. All instances of crime and disorder will be reported to the police and will be kept in an incident log book which will be monitored by the Area Manager.
20. Customers will be searched on a random basis and any persons found to be in possession of illegal drugs or weapons will as far as legally possible, be retained and the police called.
21. Any illegal drugs or weapons found will be stored in a secure facility and arrangements made with the police for their delivery to the police.

22. The premises will continue to operate a zero tolerance policy during the additional hours of trading.

c) Public safety

1. We take our obligations under existing legislation seriously. However, the nature and the operation will not alter significantly during the additional hours and no further measures are considered necessary to promote these licensing objectives.
2. Free drinking water will be available at all times during the additional hours.

d) The prevention of public nuisance

1. If a disc jockey is used on any night then he/she will ask customers to leave quietly.
2. Notices will be displayed at the exit to the premise asking customers to leave quietly.
3. The current level of lighting outside the premises will continue for the additional hours of trading.
4. The existing CCTV system will continue to operate during the additional hours of trading.
5. Notices stating that CCTV is in operation will be displayed throughout the premises.
6. No recorded music will be played outside the premises.
7. Reasonable steps will be taken to recognise the need of local residents and the encourage customers to leave quietly.
8. The premises close 2 hours after the sale of alcohol has finished. Food and non-alcoholic drinks together with quieter music and dancing will be available for one hour after the sale of alcohol has finished.
9. A free phone taxi service will be provided.
10. Customers shall be allowed to wait on the premises while they wait for a taxi to arrive.
11. Music will be played at a quieter level for the last 30 minutes of trading during which time the levels of lighting will be raised.

e) The protection of children from harm

1. No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.
2. Any person who appears to be under the age of 18 will be required to produce proof of age before being allowed entry to the premises, purchasing or consuming alcohol.
3. No person under the age of 18 will be allowed to enter or remain on the premises after 9.00pm.

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor
No variation is sought to the individual specified in section A3

Address of proposed designated premises supervisor
No variation is sought to the individual specified in section A3

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable
No variation is sought to the individual specified in section A3

Please tick ✓

Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B4 – Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17) If signing on behalf of the applicant please state in what capacity.

Signature.....

Date 31/1/2005

Capacity Poppleston Allen Solicitors acting on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18) If signing on behalf of the applicant please state in what capacity.

Signature.....

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
Kathleen Zajac - P20335/132 Poppleston Allen Solicitors 37 Stoney Street The Lace Market	
Post town Nottingham	Post code NG1 1LS

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.



Meeting:	Licensing Panel
Date:	28 September 2005
Subject:	Application for variation of hours during Transitional period, Ajans Food & Wine, 324 Rayners Lane, Harrow
Responsible Officer:	Chief Environmental Health Officer
Contact Officer:	P Sivashankar, Service Manager, ext 5605
Portfolio Holder:	Councillor Philip O'Dell
Key Decision:	No
Status:	Public

Section 1: Summary

Decision Required

Members are asked to determine the application in accordance with the guidance in Section 2.5.

Reason for report

The application for a simultaneous variation for Ajans Food & Wine, 324 Rayners Lane, Harrow has received representations from Responsible Authorities. As per the Council's Licensing Policy and delegation of Licensing functions, all applications with unresolved representations are to be dealt by the Licensing Panel.

Benefits

The hearing provides the applicant, persons making the representations and the Licensing Authority an opportunity to engage in constructive dialogue to determine the application in an open public forum.

Cost of Proposals

None

Risks

If any party is aggrieved with the decision or is believes that a fair hearing is not provided, they can apply to the magistrates Court for a re-hearing.

Implications if recommendations rejected

N/A

Section 2: Report

2.1 Brief History

2.1.1 Application has been made by Mr Niranjan Rajasingam, for a Premises Licence for Ajans Food & Wine,. A copy of the application is attached to this Report. The premises are licensed to sell alcohol OFF the premises.

2.1.2 The application seeks changes to the existing Justices Licence (converted) hours, and if granted will take effect from 24th November 2005:

Existing hours as converted Licence shows:
Alcohol shall not be sold or supplied except during permitted hours.
In this condition, permitted hours means:
a. On weekdays, other than Christmas Day, 0800 to 2300.
b. On Sundays, other than Christmas Day, 1000. to 2230.
c. On Christmas Day, 12 noon to 1500. and 1900. to 2230.
d. On Good Friday, 0800. to 2230.

2.1.3 The Premises:

The premises are situated in a predominantly commercial part of Rayners lane, close to Rayners Lane Station. There is residential accommodation provided above most of the premises, which are likely to be occupied by residents.

2.2 Representations

2.2.1 The application has received a representation from Responsible Authority. Copies of these letters are attached to this Report.

2.3 Consultation

2.3.1 The application was advertised in accordance with the Regulations under the Licensing Act 2003.

2.4 Financial Implications

None.

2.5 Legal Implications

2.5.1 Having considered the representations of the applicant and the interested party, the Panel has to determine the application for the licence. The legislation does not list the grounds on which the Panel can refuse and/or grant an application for a licence. The legislation does allow for the imposition of conditions, restrictions, etc. but again offers no guidance as to the type of condition that may be imposed. It is clear that any additional conditions would have to be practical, enforceable and meet the rules of natural justice and the promotion of the Four Licensing Objectives.

2.5.2 Options available to the Panel:

- a. To grant the application as it stands. Any licence granted would be subject to conditions relating to the Operating Schedule attached to the Application.
- b. To grant the Licence in light of any evidence presented at the hearing, from both the interested party and the applicant, subject to –

The conditions mentioned in the operating schedule being modified to such extent as the authority considers necessary for the promotion of the licensing objectives, and

Any condition which, must under section 19, 20 or 21 (Mandatory Conditions) of the Licensing Act 2003 be included in the licence, and

To exclude from the scope of the licence any of the licensable activities to which the application relates,

- c. To reject the application.

It should be noted with all options that;

- i). Clear reasons would have to be given to the applicant and to the interested party if the application were granted, refused or, if additional conditions were imposed; and
- ii). The applicant and/or the interested party would have the right of appeal to a Magistrates Court.

2.5.3. In addition to determining the application in accordance with the legislation, Members must also have regard to the provisions of the Human Rights Act 1998.

2.6 Equalities Impact

N/a

Section 3: Supporting Information/ Background Documents

Application

Representations (letter of objection to the application)

Mandatory Conditions that would be attached to the licence if granted.

Conditions drawn from the Operating Schedule provided by the Applicant-Annex
2

**Annex 2 – Conditions consistent with the operating
Schedule**

General

None offered

By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Meeting:	Licensing Panel
Date:	28 September 2005
Subject:	Application for variation of hours at Rambling Inn, 410 Kenton Lane, Kenton during Transitional period
Responsible Officer:	Chief Environmental Health Officer
Contact Officer:	P Sivashankar, Service Manager, ext 5605
Portfolio Holder:	Councillor Philip O'Dell
Key Decision:	No
Status:	Public

Section 1: Summary

Decision Required

Members are asked to determine the application in accordance with the guidance in Section 2.5.

Reason for report

The application for a conversion and simultaneous variation by the Rambling Inn has received representations. As per the Council's Licensing Policy and Delegation of Licensing Functions, all applications with unresolved representations are to be determined by the Licensing Panel.

Benefits

The hearing provides the applicant, persons making the representations and the Licensing Authority an opportunity to engage in constructive dialogue to determine the application in an open public forum.

Cost of Proposals

None

Risks

If any party is aggrieved with the decision or is believes that a fair hearing is not provided, they can apply to the magistrates Court for a re-hearing.

Implications if recommendations rejected

As above

Section 2: Report

2.1 Brief History

- 2.1.1 Application has been made by Messer's Poppleston Allen Solicitors on behalf of Postcode Pubco Ltd for a Premises Licence. A copy of the application and the existing Entertainment licence are attached to this report.
- 2.1.2 The application seeks changes to the existing Justices Licence hours, which, if granted, will take effect from 24th November 2005:

Note: The Secretary of State through the statutory guidance has made this statement;

It should normally be possible for applicants for premises licences and club premises certificates to anticipate special occasions which occur regularly each year – such as bank holidays – and to incorporate appropriate opening hours for these occasions in their operating schedules. Similarly, temporary event notices – in respect of which a personal licence holder may give fifty each year – should be sufficient to cover events like Golden Wedding Anniversaries or 21st Birthday parties which take place at premises which do not have a premises licence or club premises certificate. However, with the passage of time exceptional events of local, national or international significance will arise which could not or have not been anticipated. Such events can give rise to the need to vary the conditions of large numbers of premises licences and club premises certificates. In such circumstances, it will be open to the Secretary of State to make a licensing hours order to provide for premises with a premises licence or club premises certificate to open for specified, generally extended, hours on these special occasions. Examples might include a one-off local festival, a Royal Jubilee, a World Cup or an Olympic Games.

*Such events should be genuinely exceptional and the Secretary of State will not consider making such an order lightly. Licensing authorities (or any other persons) approaching the Secretary of State about the making of such an order are advised that they should give **at least** six months notice before the celebration in question. Before making such an order, the*

Secretary of State is required to consult such persons as she considers appropriate, and this would generally enable a wide-range of bodies to make representations to her for consideration. In addition, such an order will require the approval of both Houses of Parliament. Six months would be the minimum period in which such a process could be satisfactorily completed.

The existing opening hours are listed on the attached Entertainment licence.

2.1.3 The Premises:

The premises are situated in the main commercial part of Belmont Circle, but residential dwellings are located at close proximity. The premises are of solid construction and not purpose built for entertainments. However, through the Entertainment licence, there are additional controls put in place to minimise the nuisance caused by music noise. This Section has received in the past complaints regarding noise and anti-social behavior from patrons of Rambling Inn, however this Division was not able to investigate these complaints as the complainants did not want to be identified to the operators of the premises. A location map and the Planning Conditions are attached to this report.

2.1.4 Policy Implications

According to the Statutory Guidance issued by the Secretary of State under s182 of the Licensing Act 2003, recommends that variation of this nature should be based on 5 main policy aims. These are that;

1. the main purpose of the licensing regime is to promote the licensing objectives;
2. applicants for premises licences or for major variations of such licences are expected to conduct a thorough risk assessment with regard to the licensing objectives when preparing their applications. This risk assessment will inform any necessary steps to be set out in an operating schedule to promote the four licensing objectives;
3. operating schedules, which form part of an application, should be considered by professional experts in the areas concerned, such as the police and environmental health officers, when applications for premises licences and club premises certificates are copied to them by applicants;
4. local residents and businesses are free to raise relevant representations, which relate to the promotion of the licensing objectives, about the proposals contained in an application; and
5. the role of a licensing authority is primarily to regulate the carrying on of the licensable activity when there are differing specific interests in those activities to ensure that the licensing objectives are promoted in the wider interests of the community.

When considering applications, it is expected that licensing authorities will seek to uphold these policy aims.

The Council's Licensing Policy in section 2.2 stipulates that a thorough risk assessment with regards to the Licensing Objectives must be carried out to reflect the individual nature of the venue.

2.2 Representations

2.2.1 The application has received representations from 3 Responsible Authorities and 1 local resident. Copies of these representations are attached to this Report.

2.3 Consultation

The application was advertised in accordance with the Regulations under the Licensing Act 2003.

2.4 Financial Implications

N/A

2.5 Legal Implications

2.5.1 Having considered the representations from all parties, the Panel has to determine the application for the variation of the converted premises licence. The legislation does not list the grounds on which the Panel can refuse and/or grant an application for a licence. The legislation does allow for the imposition of conditions, restrictions, etc. but again offers no guidance as to the type of condition that may be imposed. It is clear that any additional conditions would have to be practical, enforceable and meet the rules of natural justice and the promotion of the four Licensing Objectives.

2.5.2 Options available to the Panel:

- a. To grant the application as it stands. Any licence granted would be subject to conditions relating to the Operating Schedule attached to the Application.
- b. To grant the Licence in light of any evidence presented at the hearing, from both the interested party and the applicant, subject to:
 - i) The conditions mentioned in the operating schedule being modified to such extent as the authority considers necessary for the promotion of the licensing objectives and/or to limit the period of validity of the grant, and
 - ii) Any condition which, must under section 19, 20 or 21 (Mandatory Conditions) of the Licensing Act 2003 be included in the licence, and

- iii) To exclude from the scope of the licence any of the licensable activities to which the application relates,
- c. To reject the application.

2.5.3 It should be noted with all options that;

i). Clear reasons would have to be given to the applicant and to the persons/Responsible Authorities who made representations if the application were granted, refused or, if additional conditions were imposed; and

ii). The applicant and/or the interested party/Responsible Authorities would have the right of appeal to a Magistrates Court.

2.5.3. In addition to determining the application in accordance with the legislation, Members must also have regard to the provisions of the Human Rights Act 1998.

2.6 Equalities Impact

N/a

Section 3: Supporting Information/ Background Documents

Application

Representations

Mandatory Conditions that would be attached to the licence if granted.

Conditions drawn from the Operating Schedule provided by the Applicant-Annex

2

Annex 2 – Conditions consistent with the operating Schedule

Please refer to operating schedule.

MANDATORY CONDITIONS

19 Mandatory conditions where licence authorises supply of alcohol

(1) Where a premises licence authorises the supply of alcohol, the licence must include the following conditions.

(2) The first condition is that no supply of alcohol may be made under the premises licence-

(a) at a time when there is no designated premises supervisor in respect of the premises licence, or

(b) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

(3) The second condition is that every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

20 Mandatory condition: exhibition of films

(1) Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

(2) Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation made by that body.

(3) Where-

(a) the film classification body is not specified in the licence, or

(b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

(4) In this section-

"children" means persons aged under 18; and

"film classification body" means the person or persons designated as the authority under section 4 of the Video Recordings Act 1984 (c.39)

(authority to determine suitability of video works for classification).

21 Mandatory condition: door supervision

(1) Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, the

licence must include a condition that each such individual must be licensed by the Security Industry Authority.

(2) But nothing in subsection (1) requires such a condition to be imposed-

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c.12) (premises with premises licences authorising plays or films), or

(b) in respect of premises in relation to-

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

(3) For the purposes of this section-

(a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

We Postcode Pubco Limited apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description	
Rambling Inn 410 Kenton Lane Belmont Circle Belmont	
Post town Harlow	Post code HA3 8RQ

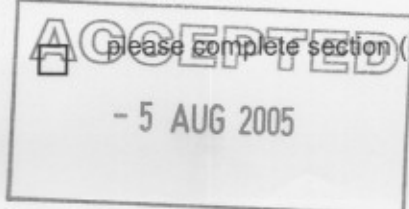
Telephone number of premises (if any) 0208 9079374

Non-domestic rateable value of premises £ 7,000

Part A2 - Applicant Details

Please state the capacity in which you applying to convert your existing licence

- a) An individual or individuals please complete section (A)
- b) a person other than an individual
 - i) as a limited company please complete section (B)
 - ii) as a partnership please complete section (B)
 - iii) as an unincorporated association please complete section (B)
 - iv) or other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)



(A) INDIVIDUAL APPLICANTS (fill in as applicable)	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	
First Names	
I am 18 years old or over	<input checked="" type="checkbox"/>
Current postal address if different from premises address	
Post town	Post code
Daytime contact telephone number	
E-mail address (optional)	

SECOND INDIVIDUAL APPLICANT (IF APPLICABLE)	
TITLE (delete as appropriate): Mr Mrs Miss Ms Other (please state)	
Surname	
First Names	
I am 18 years old or over	<input checked="" type="checkbox"/>
Current postal address if different from premises address	
Post town	Post code
Daytime contact telephone number	
E-mail address (optional)	

(B) OTHER APPLICANTS

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

Name Postcode Pubco Limited
Address 225/227 Edgware Road Colindale London NW9 6LU
Registered number (where applicable) 3684724
Description of applicant (for example, partnership, company, unincorporated association etc.) Limited Company
Telephone number (if any) 0208 200 5256
E-mail address (optional)

Part A3 - Operating Schedule

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

n/a

General description of premises (please read guidance note 1)

An Irish themed bar situated in a predominantly retail area. Food is served, some entertainment is provided. There is a bar serving alcohol

What existing licensable activities are authorised by your existing licence(s)?

Provision of regulated entertainment:

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

Provision of late night refreshment

Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name	Mr Hitesh Sejtal
Address	c/o Rambling Inn 410 Kenton Lane Belmont Circle Belmont Harlow HA3 8RQ
Personal Licence number, if known	Not Known

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

Sale of Alcohol

The provisions of Sections 59, 60, 61 and 63 of the Licensing Act 1964 apply ie, normal permitted hours.

Whilst it is not a licensable activity the drinking up time is 20 minutes.

Regulated Entertainment

The playing of recorded music in the premises is permitted 24 hours a day pursuant to Section 182 of the Licensing Act 1964.

The Public Entertainment Licence hours are Monday and Tuesday 11.00 until 23.00, Wednesday to Saturday 11.00 until 00.00, and Sunday 11.00 until 22.30

Late Night Refreshment

The sale of hot food and drink to non-residents is permitted up to 30 minutes after the permitted hours for the sale of alcohol end under the provisions of section 1 of The Greater London Council (General Powers) Act 1968.

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

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

The special conditions upon the Public entertainment licence are attached

These premises are subject to the standard Public Entertainment conditions issued by Harrow London Borough Council; these conditions are not attached.

The existing licence conditions were imposed without reference to the licensing objectives under the Licensing Act 2003. It is inappropriate for us to place these conditions in the specific boxes below as some may relate to all four licensing objectives and some to none.

b) The prevention of crime and disorder

See box A above

c) Public safety

See box A above

d) The prevention of public nuisance

See box A above

e) The protection of children from harm

See box A above

	Please tick Y Yes
▪ I have made or enclosed payment of the fee	✓
▪ I have enclosed my existing licence(s) or a certified copy of each licence	✓
▪ I have enclosed a plan of the premises	✓
▪ I have sent copies of this application to the chief officer of police (please read guidance note 3)	✓
▪ I have enclosed the consent form completed by the proposed premises supervisor, if relevant	✓
▪ I have enclosed the consent of the justices' licence holder to my application, if relevant	✓
▪ I understand that if I do not comply with the above requirements my application will be rejected	✓

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

Part A4 – Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (Please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature.....

Date 3/8/05

Capacity Poppleston Allen Solicitors on behalf of the applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent. (Please read guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature.....

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 7)	
Kathleen Zajac - P20344/113 Poppleston Allen 37 Stoney Street The Lace Market	
Post town Nottingham	Post code NG1 1LS
Telephone number	0115 948 7402
E-mail address (optional)	k.zajac@popall.co.uk

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM.

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK.

PART B - Application to vary a premises licence under the Licensing Act 2003

We Postcode Pub Co Limited being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34 of the Licensing Act 2003 for the premises described in Part A above.

Part B1 - Variation

Do you want the proposed variation to have effect from the second appointed day? Please tick ✓

If not when do you want the variation to take effect from

Day	Month	Year

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Please describe briefly the nature of the proposed variation. (Please read guidance note 8)

1. To extend the hours for the sale of alcohol throughout the whole of the premises from 10.00 to 03.00 the following morning Mondays to Sundays.
2. To permit and extend the hours for the provision of regulated entertainment and late night refreshment from 10.00 to 04.00 the following morning Mondays to Sundays
3. To remove any embedded restrictions which are placed on the licence by virtue of Schedule 8 paragraph 6(8) of the Licensing Act 2003 save as otherwise indicated.

Part B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary were successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them ?

(please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Please tick ✓

Provision of regulated entertainment

- | | Yes |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

Please complete Part B3 on this form.

A

Plays Standard days and timings (please read guidance note 8)			Will the performance of a play take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)	Both		
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 11)		
Thu						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat						
Sun						

B

Films Standard days and timings (please read guidance note 8)			Will the exhibition of films take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10.00	04.00	Please give further details here (please read guidance note 10) Music, videos and DVDs shown throughout the premises	Both	
Tue	10.00	04.00			
Wed	10.00	04.00	State any seasonal variations for the exhibition of films (please read guidance note 11) None		
Thu	10.00	04.00			
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences. New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.		
Sat	10.00	04.00			
Sun	10.00	04.00			

C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 10)	
Day	Start	Finish		
Mon			State any seasonal variations for indoor sporting events (please read guidance note 11)	
Tue				
Wed				
Thu				Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 12)
Fri				
Sat				
Sun				

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 8)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 10)			
Tue						
Wed				State any seasonal variations for boxing or wrestling entertainment (please read guidance note 11)		
Thu						
Fri				Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10.00	04.00	Please give further details here (please read guidance note 10) Live music provided by soloists and bands playing unamplified and amplified music		
Tue	10.00	04.00			
Wed	10.00	04.00	State any seasonal variations for the performance of live music (please read guidance note 11)		
Thu	10.00	04.00			
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Sat	10.00	04.00			
Sun	10.00	04.00			

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	
Day	Start	Finish	Indoors	Outdoors
Mon	10.00	04.00		✓
Tue	10.00	04.00		
Wed	10.00	04.00		
Thu	10.00	04.00		
Fri	10.00	04.00		
Sat	10.00	04.00		
Sun	10.00	04.00		

Will the playing of recorded music take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).

Indoors **Outdoors** **Both**

Mon 10.00 04.00 **Please give further details here** (please read guidance note 10)
Amplified recorded music played throughout the premises through the in-house sound system

Tue 10.00 04.00

Wed 10.00 04.00 **State any seasonal variations for playing recorded music** (please read guidance note 11)
None

Thu 10.00 04.00

Fri 10.00 04.00 **Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list** (please read guidance note 12)
An additional hour to the standard and non-standard times on the day when British Summertime commences

Sat 10.00 04.00

Sun 10.00 04.00
New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day

G

Performances of dance Standard days and timings (please read guidance note 8)			Will the performance of dance take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10) Dancing by staff throughout the premises		
Mon	10.00	04.00			
Tue	10.00	04.00	State any seasonal variations for the performance of dance (please read guidance note 11)		
Wed	10.00	04.00			
Thu	10.00	04.00	Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Fri	10.00	04.00			
Sat	10.00	04.00			
Sun	10.00	04.00			

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	
				Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 10)		
Tue					
Wed			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 11)		
Thu					
Fri			Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sat					
Sun					

Provision of facilities for making music Standard days and timings (please read guidance note 8)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoors	✓
				Outdoors	
				Both	
Day	Start	Finish	Please give further details here (please read guidance note 10) In house music system playing amplified music controlled by the staff.		
Mon	10.00	04.00	State any seasonal variations for the provision of facilities for making music (please read guidance note 11) None		
Tue	10.00	04.00			
Wed	10.00	04.00			
Thu	10.00	04.00			
Fri	10.00	04.00			
Sat	10.00	04.00			
Sun	10.00	04.00			
			Non standard timings. Where you intend to use the premises for the provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day]		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 1)			Will the facilities for dancing be indoors or outdoors or both – please tick (✓) (see guidance note 9).		
			Indoors	✓	
			Outdoors		
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 10) Provision of DJ and lighting systemf		
Mon	10.00	04.00	State any seasonal variations for providing dancing facilities (please read guidance note 11) None		
Tue	10.00	04.00			
Wed	10.00	04.00			
Thu	10.00	04.00			
Fri	10.00	04.00			
Sat	10.00	04.00			
Sun	10.00	04.00			
			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (✓) (please read guidance note 9).	Indoor	
Mon				Outdoor	
Tue			Please give further details here (please read guidance note 10)		
Wed					
Thu			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J (please read guidance note 11)		
Fri					
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within J or K at different times to those listed in the column on the left, please list (please read guidance note 12)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (✓) (please read guidance note 9).		Indoors	✓
Day	Start	Finish			Outdoors	
Mon	10.00	04.00	Please give further details here (please read guidance note 10) Food provided as and when required including functions or events		Both	
Tue	10.00	04.00				
Wed	10.00	04.00	State any seasonal variations for the provision of late night refreshment (please read guidance note 11)			
Thu	10.00	04.00	None			
Fri	10.00	04.00	Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 12)			
Sat	10.00	04.00	An additional hour to the standard and non-standard times on the day when British Summertime commences			
Sun	10.00	04.00	New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day			

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption (Please tick box ✓) (please read guidance note 13)	On the premises	√
Day	Start	Finish		Off the premises	
Mon	10.00	03.00	State any seasonal variations for the supply of alcohol (please read guidance note 11) None	Both	
Tue	10.00	03.00			
Wed	10.00	03.00			
Thu	10.00	03.00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12) An additional hour to the standard and non-standard times on the day when British Summertime commences New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day		
Fri	10.00	03.00			
Sat	10.00	03.00			
Sun	10.00	03.00			

In all cases please completed boxes N, O P and Q below :

N

Please 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 (please read guidance note 14)

None

O

<p>Hours premises are open to the public Standard days and timings (please read guidance note 8)</p>			<p>State any seasonal variation (please read guidance note 11)</p> <p>None</p>
Day	Start	Finish	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)</p> <p>New Years Eve from the end of permitted hours on New Years Eve to the start of permitted hours on New Years Day.</p> <p>An additional hour to the standard and non-standard times on the day when British Summertime commences</p>
Mon	10.00	05.00	
Tue	10.00	05.00	
Wed	10.00	05.00	
Thu	10.00	05.00	
Fri	10.00	05.00	
Sat	10.00	05.00	
Sun	10.00	05.00	

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking
Any condition limiting the times alcohol can be sold or regulated entertainment provided.

Any restrictions which are placed on the Licence by virtue of Schedule 8 paragraph 6(8) of the Licensing Act 2003, except:

1. The extended permitted hours for the sale & consumption of alcohol and provision of regulated entertainment on New Years Eve/New Years Day
2. On commencement of British Summertime, the benefit of the clock going forward at 02:00 instead of 01:00 GMT

The restriction on drinking up time is to be replaced with the finish time in Box O.

Q Please describe any additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 15)

We will continue to train our staff to the standards required by relevant legislation.

The style and operation will not differ significantly during the extended hours. The additional hours sought will of themselves promote the licensing objectives as stated in paragraph 3.29 eg the Guidance, in allowing customers to emerge from the premises at a more gradual rate.

We will continue to observe all conditions on existing licences for the additional hours of trading.

b) The prevention of crime and disorder

1. If a disc jockey is used on any night then he/she will ask customers to leave quietly.
2. Notices will be displayed at the exit to the premises asking customers to leave quietly.
3. The current level of lighting outside the premises will continue for the additional hours of trading.
4. The existing CCTV system will continue to operate during the additional hours of trading.
5. Notices stating that CCTV is in operation will be displayed throughout the premises.
6. Any person who appears to be intoxicated will not be allowed entry to the premises.
7. The premises will actively participate in the local pub watch or equivalent scheme.
8. Where already used text/radio pagers will continue to be used for the additional hours of trading and will be monitored by a responsible member of staff.
9. Toughened glass will continue to be used during the additional hours of trading.
10. The premises will only accept passport and driving licence as proof of age or other forms of identification agreed with the police
11. Food, soft drinks and tea/coffee will continue to be available until 1 hour minutes before the premises close.
12. The number of door supervisors on duty during the additional hours will be reviewed in consultation with the police.
14. A free phone taxi service will be provided.
15. Customers shall be allowed to wait on the premises while they wait for a taxi to arrive.
17. Door supervisors will ensure as far as possible that any bottles or glasses are not removed from the premises.
18. All instances of crime and disorder will be reported to the police and will be kept in an incident log book which will be monitored by the Area Manager.
20. Customers will be searched on a random basis and any persons found to be in possession of illegal drugs or weapons will as far as legally possible, be retained and the police called.

21. Any illegal drugs or weapons found will be stored in a secure facility and arrangements made with the police for their delivery to the police.
22. The premises will continue to operate a zero tolerance policy during the additional hours of trading.

c) Public safety

1. We take our obligations under existing legislation seriously. However, the nature and the operation will not alter significantly during the additional hours and no further measures are considered necessary to promote these licensing objectives.
2. Free drinking water will be available at all times during the additional hours.

d) The prevention of public nuisance

1. If a disc jockey is used on any night then he/she will ask customers to leave quietly.
2. Notices will be displayed at the exit to the premise asking customers to leave quietly.
3. The current level of lighting outside the premises will continue for the additional hours of trading.
4. The existing CCTV system will continue to operate during the additional hours of trading.
5. Notices stating that CCTV is in operation will be displayed throughout the premises.
6. No recorded music will be played outside the premises.
7. Reasonable steps will be taken to recognise the need of local residents and the encourage customers to leave quietly.
8. The premises close 2 hours after the sale of alcohol has finished. Food and non-alcoholic drinks together with quieter music and dancing will be available for one hour after the sale of alcohol has finished.
9. A free phone taxi service will be provided.
10. Customers shall be allowed to wait on the premises while they wait for a taxi to arrive.
11. Music will be played at a quieter level for the last 30 minutes of trading during which time the levels of lighting will be raised.

e) The protection of children from harm

1. No person under the age of 18 shall be admitted to any part of the premises where entertainment of an adult nature is being provided.
2. Any person who appears to be under the age of 18 will be required to produce proof of age before being allowed entry to the premises, purchasing or consuming alcohol.
3. No person under the age of 18 will be allowed to enter or remain on the premises after 9.00pm.

Part B3 – Premises Supervisor

Full name of proposed designated premises supervisor
No variation is sought to the individual specified in section A3

Address of proposed designated premises supervisor
No variation is sought to the individual specified in section A3

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable
No variation is sought to the individual specified in section A3

Please tick ✓

Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief officer of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 34 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B4 – Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17) If signing on behalf of the applicant please state in what capacity.

Signature.....

Date 3/8/05

Capacity Poppleston Allen Solicitors acting on behalf of the applicant

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18) If signing on behalf of the applicant please state in what capacity.

Signature.....

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
Kathleen Zajac - P20344/125 Poppleston Allen Solicitors 37 Stoney Street The Lace Market	
Post town Nottingham	Post code NG1 1LS

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and provide a place for consumption of these off-supplies you must include a description of where the place is and its proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act.

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.