



CITY OF WESTMINSTER

MINUTES

Licensing Sub-Committee (3)

MINUTES OF PROCEEDINGS

Minutes of a meeting of the **Licensing Sub-Committee (3)** held on **Tuesday 19th February, 2019**, Room 3.1, 3rd Floor, 5 Strand, London, WC2 5HR.

Members Present: Councillor Melvyn Caplan (Chairman), Councillor Susie Burbridge and Councillor Aziz Toki

Apologies for Absence: None

1 MEMBERSHIP

1.1 All Members were present.

2 DECLARATIONS OF INTEREST

2.1 No declarations were made.

1 BRASSIERE CAFE MED, 21 LOUDOUN ROAD, LONDON, NW8 0NB

LICENSING SUB-COMMITTEE No. 3

Tuesday 19th February 2019

Membership: Councillor Melvyn Caplan (Chairman), Councillor Susie Burbridge and Councillor Aziz Toki

Legal Adviser: Horatio Chance

Committee Officer: Andrew Palmer

Presenting Officer: Daisy Gadd

Present: Mr Brian Anderson (on behalf of the Home Office/Applicant), Ms Latifa Grant (on behalf of the Home Office/Applicant), James McGinley (representing the Licence Holder) and Louise Heighes (Designated Premises Supervisor).

**Brasserie Café Med, 21 Loudoun Road London NW8 0NB
18/12993/LIREVP (“The Premises”)**

An application had been submitted by the Home Office (Immigration Enforcement), for a review of the premises licence for Brasserie Café Med, 21 Loudoun Road, London, NW8 0NB (the Premises) on the grounds of prevention of crime and disorder.

Officers from Immigration Enforcement had conducted a visit to the Premises on 22 June 2018, and had arrested three subjects as overstayers with no right to work in the UK. In light of the three subjects found working illegally, Home Office Immigration Enforcement wished to seek revocation of the premises licence.

Immigration Enforcement had now contacted the Licensing Authority to advise that due to the fact that forged documents had been used by some of the workers to gain employment, and that it would not be reasonable to expect the licence holder to know that they were forged, it was that their application for the review of the licence be withdrawn and that the hearing should be dispensed with.

Prior to opening the Committee for discussion, the Committee wanted to discuss a preliminary issue and sought clarification from the Legal Advisor regarding the request for withdrawal. The Legal Advisor stated that under the Licensing Act 2003 it was a mandatory requirement to hold a hearing in relation to the review of a premises licence and that any such request to withdraw the application for review should be made directly to the Committee to consider the evidence put forward in that respect.

Decision:

After the Hearing had been formally opened, Brian Anderson (on behalf of the Home Office/Applicant) addressed the Committee and confirmed that the Home Office wished the application for revocation to be withdrawn.

James McGinley (representing the Licence Holder) also addressed the Committee, and confirmed that he did not wish to comment further, unless asked to address a specific issue.

The Committee recognised that asking for revocation of a licence was a major and severe step that had to be treated seriously; and that there were a number of alternative measures to revocation that could have been taken, which included imposing conditions if it were minded to do so

In reaching its decision, the Committee considered the request for withdrawal of the application carefully, and had sympathy for the premises licence holder who had experienced many months of uncertainty. The parties attending the hearing agreed that the process had been unsatisfactory, and that lessons needed to be learned by the Home Office to ensure that immigration enforcement was dealt with in a professional and appropriate way that was fair to all parties. The Committee also

commented that if measures other than revocation were appropriate, they needed to be sought at the appropriate time and that consideration of the licensing objectives should always be borne in mind.

The Committee acknowledged that the facts of the application were not in dispute, and accordingly had no choice but to accept the request that the application for revocation be withdrawn.

2 NOURA BRASSIERE, 11-12 WILLIAM STREET, LONDON, SW1X 9HL

LICENSING SUB-COMMITTEE No. 3

Tuesday 19th February 2019

Membership: Councillor Melvyn Caplan (Chairman), Councillor Susie Burbridge and Councillor Aziz Toki

Legal Adviser: Horatio Chance

Committee Officer: Andrew Palmer

Presenting Officer: Daisy Gadd

Present: Mr Brian Anderson (on behalf of the Home Office/Applicant), Ms Latifa Grant (on behalf of the Home Office/Applicant), Mr Nader Bou Anton (Premises Licence Holder) and Ms Sadaf Ali (Solicitor, representing the Licence Holder).

Noura Brasserie, 11-12 William Street, London SW1X 9HL 18/13511/LIREVP ("The Premises")

An application had been submitted by the Home Office (Immigration Enforcement), for a review of the premises licence for Noura Brasserie, 11-12 William Street, London SW1X 9HL (the Premises) on the grounds of prevention of crime and disorder.

Officers from Immigration Enforcement had conducted a visit to the Premises on 10 June 2018, and had arrested five subjects with no right to work in the UK. In light of the five subjects found working illegally, Home Office Immigration Enforcement wished to seek revocation of the premises licence.

Decision:

Mr Brian Anderson and Ms Latifa Grant addressed the Committee on behalf of the Home Office ("The Applicant"), and confirmed that they were familiar with the case

and could provide binding commitments and answers to questions.

Ms Grant confirmed to the Committee that following receipt of an allegation, the Home Office had visited the Premises and found that five of the employees were working in the UK illegally. The Committee noted that visitors could be granted a visa that enabled them to work in the UK for six months. If the visitor continued to work without applying to extend their visa they could no longer work legally, and would be shown on the Home Office records as having overstayed. Ms Grant informed the Committee that it was part of the employer's responsibilities to carry out checks to ensure that their employees had the right to work legally in the UK, and to review those checks and procedures as and when required and where appropriate obtain evidence of workers making an application to the Home Office to extend their visa.

The Home Office confirmed to the Committee that proof of identity and eligibility to work could be provided by documentation that included passports, ID cards, National Insurance cards, bank accounts and job seekers paperwork. Although further checks could be carried out by the employer's accountant to identify overstayers, the Home Office emphasised that confirmation of eligibility to work was the employer's responsibility.

Ms Sadaf Ali addressed the Committee on behalf of the Licence Holder, who had evidence that all of the prescribed checks seeking proof of identity, eligibility to work and financial arrangements had been carried out prior to the workers being given contracts of employment. Ms Ali considered that there had been no wrong doing by the Applicant, as the checks had appeared correct, and the Licence Holder had been unaware that the documentation had been forgeries. The Licence Holder's accountant had also been satisfied with the supporting paperwork, and had no reason to doubt that the employees were genuine as National Insurance payments and PAYE tax had also been paid on behalf of employees for several months without being challenged. Ms Ali informed the Committee that the Licence Holder had in the past tried unsuccessfully to contact the Home Office for advice.

Ms Ali also considered that there were discrepancies in the case brought by the Home Office, as the allegations had continued to relate to five subjects, and did not take into account successful statutory checks having reduced this number to three.

Ms Grant acknowledged that employers could have difficulty in identifying forged documents, but considered that the Licence Holder had been aware that the workers had limited time remaining on their visas, but had not taken appropriate follow-up action. Ms Grant suggested that there were ways in which the Licence Holder could improve existing procedures by introducing a system that flagged up when workers' visas were about to expire. The Home Office stood by their request for revocation, on the basis that they considered that employee records were not to the best standard; and that checks commenced by the Licence Holder and accountant had not been completed. The Home Office also stated that they had no record of the Licence Holder having sought to make contact.

The Committee sought clarification of the procedures that should be in place to ensure that employees had the right to work, and Ms Grant confirmed that passports and ID cards should be checked, copied and signed. If the employer had any doubts, they should contact the Home Office to check the legitimacy of workers before any

training, trial period or contract commenced. It was submitted that Accountants should also be aware of the Home Office rules and procedures, and carefully check employee's National Insurance or PAYE details. The Committee noted that employers were also able to refer to the Home Office website for advice and guidance to ensure best practice.

As a decision could only be made based on the evidence that was given, the Committee asked whether the Home Office had considered other remedies, measures or conditions as an alternative means to revocation. Ms Grant commented that the Licence Holder had carried out more checks than were done at many other premises, and recognised the difficulty ordinary people could have in determining forgeries. The Home Office acknowledged that in the given circumstances revocation could be excessive, and suggested that an alternative could be adding a condition to the premises licence to ensure that the Licence Holder worked more closely with the Home Office in future to ensure that people had the right to work.

The Legal Advisor to the Committee asked the Home Office whether there had been a lack of dialogue with the operator, and Mr Anderson acknowledged that communication could have been better between the parties and the Committee noted this.

The Committee recognised that asking for revocation of a licence was a major and severe step that had to be treated seriously, and that they had to consider whether the request was the right one, or whether there were alternative measures such as imposing conditions or adopting another sanction using its powers available to it under section 52 (4) of the Licensing Act 2003. The Committee acknowledged that the application had been a difficult case, as although the facts at one level were not in dispute, dealing with forged documents had raised a number of issues.

However, having listened carefully to the evidence presented by the various parties, the Committee decided that on balance it would not be appropriate in all of the circumstances of the case to revoke the premises licence. The Committee in determining the matter has to consider each case on its individual merits and was therefore persuaded by the licence holder that he acted diligently in carrying out the necessary employment checks and on this occasion felt that a warning was appropriate. The Committee also took comfort from the fact that the Home Office had stated in their evidence to the Committee that upon reflection they had now come to the conclusion that seeking revocation was a disproportionate measure to be taken and not appropriate. The Committee also decided on balance not to impose conditions on the licence, but agreed that the licence holder needed to understand the seriousness of the matter, and that the Committee would not hesitate to act if a similar situation were to occur in future. The law and the Home Office Guidance is very clear on the employer's responsibilities, and in future the licence holder needed to be aware of the sophistication of forged documents and be even more stringent in its checks. The Committee strongly recommended that the licence holders should take up the offer made by the Home Office to provide advice on best practice, to ensure that the business was not impeded by people who sought to work illegally. The Committee commented that after offences had been found, the Home Office needed to seek a dialogue between all parties and do more work before seeking revocation of a premises licence.

3 SUSHI EATERY, 40 FRITH STREET, LONDON, W1D 5LN

LICENSING SUB-COMMITTEE No. 3

Tuesday 19th February 2019

Membership: Councillor Melvyn Caplan (Chairman), Councillor Susie Burbidge and Councillor Aziz Toki

Legal Adviser: Horatio Chance

Committee Officer: Andrew Palmer

Presenting Officer: Daisy Gadd

Present: Mr Brian Anderson (on behalf of the Home Office/Applicant), Ms Latifa Grant (on behalf of the Home Office/Applicant), Mr Fook Moon Chan (Premises Licence Holder), Mr Wai Keun Cheong (Director) and Ms Safar Nasrandi (legal representative for the licence holder).

Sushi Eatery, 40 Frith Street, London W1D 5LN 18/12982/LIREVP ("The Premises")

An application had been submitted by the Home Office (Immigration Enforcement), for a review of the premises licence for Sushi Eatery, 40 Frith Street, London W1D 5LN (the Premises) on the grounds of prevention of crime and disorder.

Officers from Immigration Enforcement had conducted a visit to the Premises on 25 June 2018, and had arrested five subjects who had no right to work in the UK. In light of the five subjects found working illegally, the Home Office wished to seek revocation of the premises licence.

Decision:

Latifa Grant (on behalf of the Home Office/Applicant) addressed the Committee, and advised that following discussions between the Home Office and the licence holder, it had been agreed that a request would be made for the application for revocation to be withdrawn, subject to conditions being imposed on the premises licence which set out the measures that would be taken to ensure prospective employees had the right to work in the UK.

The Committee agreed to adjourn the Hearing for 30 minutes, to enable the parties to agree the content of the further proposed conditions.

When the Committee reconvened, the following proposed conditions were tabled:

- 1) No person shall be allowed to work (including permanently, temporarily or on a trial basis) at the premises unless they have and are able to demonstrate the right to work.

- 2) Right to work checks shall be carried out by the Premises Licence Holder or an individual authorised by the Premises Licence Holder on all persons carrying out work within the premises, whether paid or otherwise, temporary or permanent, before those persons commence work. The documentation for each such person shall include the original documents to show they have a right to work in the UK and date-stamped colour copies of all documents produced and enquiries made shall be retained on the premises confirming the name of the person who has checked the original documents, any enquiries made. This information shall be retained in each case for a minimum of 3 years. Such copies to be kept on the premises and made available for immediate inspection by Police, Licensing or Immigration Officers.
- 3) Right to work audits of all persons working at the premises shall be carried out at least annually, and sooner where any visas are time limited and where the status of the person to remain in the UK has changed. Records of said audits shall be retained for a period of at least 3 years and made available for immediate inspection by Police, Licensing or Immigration Officers.

The Committee agreed that although on some occasions revoking a premises licence could be the correct course of action, it should only be considered as a last resort, and the Home Office should always seek an opportunity to enter into dialogue with the licence holder at an early stage before submitting such an application to the Licensing Authority

The Committee acknowledged the difficulty in determining whether identification documents were forgeries, but emphasised that the Home Office guidance for checking eligibility to work in the UK needed to be followed, and was not optional.

Having carefully considered the evidence, the Committee agreed that the premises licence should not be revoked, and considered that adding the proposed conditions to the operating licence would be an appropriate remedy in this case that would have the desired effect of promoting the licensing objectives in particular the crime and disorder licensing objective. The Committee also suggested that the licence holder should liaise with the Home Office to ensure that appropriate checks were made in future.

Conditions attached to the Licence

Mandatory conditions

1. No supply of alcohol may be made at a time when there is no designated premises supervisor in respect of this licence.
2. No supply of alcohol may be made at a time when the designated premises supervisor does not hold a personal licence or the personal licence is suspended.

3. Every supply of alcohol under this licence must be made or authorised by a person who holds a personal licence.
4.
 - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children;
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to;
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on;
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

7. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
8. The responsible person shall ensure that;
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures;
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) customers are made aware of the availability of these measures.

A responsible person in relation to a licensed premises means the holder of the premise licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

Conditions consistent with the operating Schedule

9. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
10. Substantial food and non-intoxicating beverages, including drinking water, shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises.
11. The supply of alcohol shall be by waiter or waitress service only.
12. There shall be no hot food or hot drinks provided for takeaway service after 23:00 hours.
13. There shall be no draught sales of alcohol.
14. The sale of alcohol for consumption 'off' the premises shall only be supplied

with and ancillary to a take-away meal.

15. All sales of alcohol for consumption 'off' the premises shall be in sealed containers only, and shall not be consumed on the premises.
16. Patron's temporarily leaving the premises shall not be permitted to take drinks outside with them.
17. The maximum number of persons accommodated at any one time (excluding staff) shall not exceed:

Basement - 40 Persons
Ground Floor - 10 Persons
18. All waste shall be properly presented and placed for collection no earlier than 30 minutes before the scheduled collection time.
19. No rubbish, including bottles, shall be moved, removed or placed in the outside areas between 2300 hours and 0800 hours.
20. No noise shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to nuisance.
21. Notices shall be prominently displayed at all exists requesting patrons to respect the needs of local residents and leave the area quietly.
22. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
23. The pavement from the building line to the kerb edge immediately outside the premises, including gutter/channel at its junction with the kerb edge, shall be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements.
24. The entrance door shall be kept closed after 22:00 hours or at anytime that regulated entertainment is provided, except for the immediate access and egress of persons.
25. A Challenge 21 scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence or passport.
26. The premises shall install and maintain a CCTV system as per the minimum requirements of a Metropolitan Police Crime Prevention Officer. All entry and exit points will be covered enabling frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available immediately upon the request of Police or authorised officer

throughout the preceding 31 day period.

27. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show Police recent data or footage with the absolute minimum of delay when requested.
28. The premises shall only operate as a restaurant:
 - (i) In which customers are shown to their table,
 - (ii) Which provide food in the form of substantial table meals that are prepared on the premises and are served and consumed at the table using non disposable crockery,
 - (iii) which do not provide any take away service of food, hot drinks or alcohol for immediate consumption after 23.30hrs Monday to Thursday, and after midnight on Fridays and Saturdays and after 22.30hrs on Sundays.
 - (iv) where intoxicating liquor shall not be sold, supplied, or consumed on the premises otherwise than to persons who are bona fide taking substantial table meals and provided always that the consumption of intoxicating liquor by such persons is ancillary to taking such meals.
29. The supply of alcohol shall be by waiter or waitress service only.
30. All sales of alcohol for consumption off the premises shall be in sealed containers only, and shall only be supplied ancillary to take away food
31. A log shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sale and the name of the member of staff who refused the sale. The log shall be available for inspection at the premises by the police or an authorised officer of the City Council at all times whilst the premises are open.
32. No person shall be allowed to work (including permanently, temporarily or on a trial basis) at the premises unless they have and are able to demonstrate the right to work.
33. Right to work checks shall be carried out by the Premises Licence Holder or an individual authorised by the Premises Licence Holder on all persons carrying out work within the premises, whether paid or otherwise, temporary or permanent, before those persons commence work. The documentation for each such person shall include the original documents to show they have a right to work in the UK and date-stamped colour copies of all documents produced and enquiries made shall be retained on the premises confirming the name of the person who has checked the original documents, any enquiries made. This information shall be retained in each case for a minimum of 3 years. Such copies to be kept on the premises and made available for immediate inspection by Police, Licensing or Immigration Officers.

34. Right to work audits of all persons working at the premises shall be carried out at least annually, and sooner where any visas are time limited and where the status of the person to remain in the UK has changed. Records of said audits shall be retained for a period of at least 3 years and made available for immediate inspection by Police, Licensing or Immigration Officers.

4 TUK TUK NOODLE BAR, 56 OLD COMPTON STREET, LONDON, W1D 4UE

LICENSING SUB-COMMITTEE No. 3

Tuesday 19th February 2019

Membership: Councillor Melvyn Caplan (Chairman), Councillor Susie Burbridge and Councillor Aziz Toki

Legal Adviser: Horatio Chance

Committee Officer: Andrew Palmer

Presenting Officer: Daisy Gadd

Present: Mr Brian Anderson (on behalf of the Home Office/Applicant), Ms Latifa Grant (on behalf of the Home Office/Applicant), Mr Sonny Yin Wei Huang (Licensee), and Ms Tara O'Leary (Counsel, on behalf of the Licensee).

Tuk Tuk Noodle Bar, 56 Old Compton Street, London W1D 4UE 18/13165/LIREVP ("The Premises")

An application had been submitted by the Home Office (Immigration Enforcement), for a review of the premises licence Tuk Tuk Noodle Bar, 56 Old Compton Street, London W1D 4UE (the Premises) on the grounds of prevention of crime and disorder.

Officers from Immigration Enforcement had conducted a visit to the Premises on 22 June 2018, and had arrested four subjects who had no right to work in the UK. The first subject was an illegal entrant and was arrested and detained; the second was found to be an overstayer and was arrested and detained; the third was found to be an overstayer and was bailed; and the fourth was found to be working in breach of his conditions and was arrested and detained. In light of the four subjects found working illegally, Home Office Immigration Enforcement wished to seek revocation of the premises licence, which was held by Apogee Enterprises Ltd.

On 26 October 2018, the lease and business relating to the Premises were sold to Huang Holdings Ltd, and the premises licence subsequently transferred under delegated authority. The Premises were currently undergoing refurbishment.

At the time of the purchase, Huang Holdings Ltd had been unaware of any breach of

statutory requirements that related to the Premises or its use or occupation, and did not take over any of the seller's employees.

The Home Office had now contacted the Licensing Authority to advise that after due consideration of the information provided in relation to the change of ownership of the lease and business, Immigration Enforcement had agreed that it would not be appropriate to proceed with the review and had requested that the application for review should be withdrawn.

Prior to opening the Committee for discussion, the Committee wanted to discuss a preliminary issue and sought clarification from the Legal Advisor regarding the request for withdrawal. The Legal Advisor stated that under the Licensing Act 2003 it was a mandatory requirement to hold a hearing in relation to the review of a premises licence and that any such request to withdraw the application for review should be made directly to the Committee to consider the evidence put forward in that respect.

Decision:

After the Hearing had been formally opened, Brian Anderson (on behalf of the Home Office/Applicant) addressed the Committee and confirmed that the Home Office wished the application for revocation to be withdrawn.

Ms O'Leary (Counsel, on behalf of the Licensee) addressed the Committee, and confirmed that Huang Holdings Ltd had purchased the Premises as a new business, and had been completely unaware of any breach of statutory requirements that related to the Premises or its use or occupation, and did not take over any of the seller's employees.

In reaching its decision, the Committee considered the request for withdrawal of the application carefully, and had sympathy for the premises licence holder who had experienced many months of uncertainty. The parties attending the hearing agreed that the process had been unsatisfactory, and that lessons needed to be learned by the Home Office to ensure that immigration enforcement was dealt with in a professional and appropriate way that was fair to all parties. The Committee commented that asking for revocation of a licence was a major and severe step that had to be treated seriously and only as a last resort because the ramifications for the operator potentially losing a premises licence could be significant to his business.

The Committee acknowledged that the facts of the application were not in dispute, and accepted that the purchaser had been unaware of the breach of statutory requirements that had occurred at the Premises. The Committee accordingly had no choice but to accept the request that the application for revocation be withdrawn.

The Meeting ended at 13.10 pm.