



# Notice of Hearing

## Licensing Sub Committee (North)

**Date:** **FRIDAY, 16 SEPTEMBER 2011**

**Time:** **2.00 PM**

**Venue:** **COMMITTEE ROOM 5,  
CIVIC CENTRE, UXBRIDGE,  
MIDDLESEX, UB8 1UW**

**Meeting Details:** Members of the Public and Press are welcome to attend this meeting

**This agenda and associated reports can be made available in other languages, in Braille, large print or on audio tape on request. Please contact us for further information.**

### Councillors on the Sub-Committee:

Andrew Retter (Chairman)  
Lynne Allen  
Bruce Baker  
Judy Kelly  
Carol Melvin

### Important Information

On receipt of this notice, you **MUST** notify the Committee Clerk (contact details below) by the following date:

**13 September 2011**

If you don't notify you may lose your right to speak at the hearing. When notifying you must confirm:

- 1) Whether you intend to attend or to be represented by someone at the hearing;
- 2) If you consider a hearing to be unnecessary and;
- 3) Whether to request that another person attends (other than your representative) as a witness

**Published:** 31 August 2011

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=300&MId=1167&Ver=4>

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Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room. An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

Please switch off any mobile telephones and BlackBerries™ before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

If there is a FIRE in the building the alarm will sound continuously. If there is a BOMB ALERT the alarm sounds intermittently. Please make your way to the nearest FIRE EXIT.



# Agenda

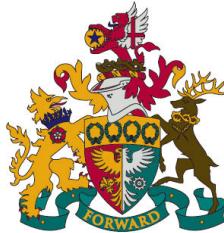
- 1 Apologies for absence
- 2 Declarations of Interest
- 3 To confirm that items marked part I will be considered in public and items marked part II will be considered in private

## **Part I - Members, Public and Press**

### **Licensing Hearing Protocol**

- 4 Application for a variation to a Premises Licence to Waitrose, Green Lane, Northwood.

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**HILLINGDON**  
LONDON

## Licensing Act 2003

# Licensing Sub-Committee Hearing Protocol for determining new & variation premises/club licences

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**This protocol outlines the procedures that will apply:**

Full details of the regulations surrounding sub-committee hearings are available for download on the Department of Culture, Media and Sport's website by [clicking here](#).

**It is important that you carefully read these procedures before you make a representations to an application or wish to attend and be heard at a Licensing sub-committee hearing**

Version agreed by the Licensing Committee – **TBC\*\*\*\***  
Published by the Cabinet Office, Democratic Services

# 1. On receiving the Notice of Hearing

## What is the Notice of Hearing?

The Licensing Sub-committee hearing will normally be held within the period of 20 working days from when the consultation period ends. The Hillingdon Licensing Service will give appropriate notice of the hearing, which depends upon the type of application to be considered. Exact timings are attached in the Appendix (parts 2&3).

A Notice of the Hearing will be sent to all parties accompanied by:

- Date, time and location of the actual hearing and a procedural briefing to be held beforehand;
- This procedure note, the report from the Council's Licensing Officer with relevant representations attached;
- Confirmation that a party may be assisted / represented by a person who does not have to be legally qualified;
- Confirmation that a party to the hearing may address the authority, give further information on a point on which the authority requires clarification and, if considered by the authority to be required, question another party to the hearing;
- The consequences of not attending or being represented at a hearing (which normally will be that the hearing will proceed in the party's absence); and
- A note of any particular points on which the Hillingdon Licensing Service wants clarification.

## What do I do when I receive the Notice of Hearing?

On receipt of the Notice of Hearing, all parties must inform the Clerk to the Committee – **normally no later than 2 working days before the hearing\*** – whether they:

- Intend to attend or to be represented at the hearing;
- Consider a hearing to be unnecessary; and
- Wish to request that another person appear at the hearing (other than their representative) as a witness. If such a request is made, it should be accompanied by details of the name of that person and a full description of the points about which that person may be able to assist the hearing.

\*In the Appendix (part 4), full details are given of the deadline by which you should give your notice. All objectors and applicants are also reminded of their right to have a legal representative at the hearing.

**If a party does not notify the above to the Clerk to the Committee before the relevant deadline they will not be entitled to speaking rights at the hearing.**

**IT IS IMPORTANT THAT YOU REPLY TO THE NOTICE**

### Contact Information:

To give notice or any queries relating to the hearing please contact:

Clerk to the Committee

Tel: 01895 277655

Email: [nwilliams@hillingdon.gov.uk](mailto:nwilliams@hillingdon.gov.uk)

Write to: Clerk to the Committee, Cabinet Office, 3E/05, Civic Centre, Uxbridge, UB8 1UW

## **If I want to withdraw my representations - how do I do this?**

Any party may withdraw their representations by contacting the Clerk to the Committee by phone, letter or email, providing they give notice no later than 24 hours before the hearing. If, during hearing, any party wishes to withdraw their representations they may do so orally by informing the Chairman.

## **What happens if I cannot attend the sub-committee hearing?**

If you have made a representation and are unable to attend the sub-committee hearing, the sub-committee will only hear and consider any evidence and arguments put forward by or on behalf of the applicant and other parties present in relation to the written objections received. The sub-committee will take into account, in considering the importance to be attached to the objection that the objector was not available to be questioned about their statements.

## **Can you accommodate any special needs I may have?**

Yes, if any person, who intends to be present at the hearing, has any special needs, (for example in connection with access, hearing, language or vision) this should be brought to the attention of the Clerk to the Committee prior to the hearing in order that appropriate provision may be made.

## **Can the date of the hearing be changed?**

Unfortunately, the Hillingdon Licensing Service cannot be flexible in the dates for hearings as the Licensing Act 2003 sets a strict legal deadline by which hearings must be heard.

## 2. Before the Hearing

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You will have been notified of the date and time of the Licensing Sub-committee hearing. The hearings will normally take place at the Civic Centre, High Street, Uxbridge in one of the Committee Rooms.

### **How do I get to the Civic Centre?**

Parking may be available via the entrance to the Civic Centre in the High Street by contacting the Clerk to the Committee in advance. Parking is also available in the nearby Chimes Shopping Centre Car Park. Bus routes 207, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away.

Please enter from the main reception where you will be directed to the relevant Committee Room. Please switch off your mobile phone when entering the room and note that Hillingdon Council operates a no-smoking policy in its offices.

### **Will the hearing be in public?**

There may be other members of the public and press that attend the hearing to observe the proceedings, but they will not be allowed to speak. At any hearing, the applicant may attend in person or, if the application or objection is made by an organisation or corporate body, a duly authorised representative may be present, who is able to speak on their behalf can do so.

The hearing will take place in public. However, in exceptional circumstances, when the sub-committee considers that it is in the public interest, it may exclude the public from all or any part of a hearing. Hearings will normally take place during the day.

### **I have some new evidence - may I present it?**

The sub-committee **will not** normally allow the production of new written evidence not previously submitted as relevant representations by any party. In the case where the sub-committee does allow new evidence, all other parties must give their consent before it is heard.

If new material is permitted, the hearing may need to be adjourned to allow time to consider it and for other parties to respond to it. Accordingly, any application to have new material considered should demonstrate exceptional reasons for its admission. It is, therefore important for parties to ensure that all evidence is submitted in writing as soon as possible and in accordance with the relevant timescales.

### **Will I be briefed on procedure before the hearing?**

Yes, in the notice of hearing, you will have been asked to attend a procedural briefing before the hearing starts. All parties will be asked to attend this briefing so that the Council's Licensing Officer or Legal Advisor can outline the procedures to be followed at the hearing.

## **What if there are a number of objectors present?**

At the briefing, in the event of a large number of representations, the Licensing Officer or Legal Advisor will ask that a spokesman is agreed amongst those present who have similar representations.

## **Who are the people on the Licensing sub-committee?**

Five elected councillors of the London Borough of Hillingdon sit on a Licensing sub-committee and it is only they who can determine the application. Its minimum membership is two. Councillors who sit on the sub-committees have been trained in the new Licensing regulations and have experience of determining applications of various kinds.

One of the Councillors will be the Chairman of the hearing and it will be he/she who will call interested parties and responsible authorities to speak and ensure time limits are adhered to as set out in the procedures.

Other people who will be present along with the Councillors include:

- **The Council's Licensing Officer** who will introduce the Officer report and outline his/her role.
- **A Legal Adviser** whose role is to assist the Committee with legal advice and to ensure that a fair and balanced hearing takes place.
- **A Clerk to the Committee** whose role is to summarise and record decisions on individual cases and to provide help and assistance to members of the public attending such meetings.

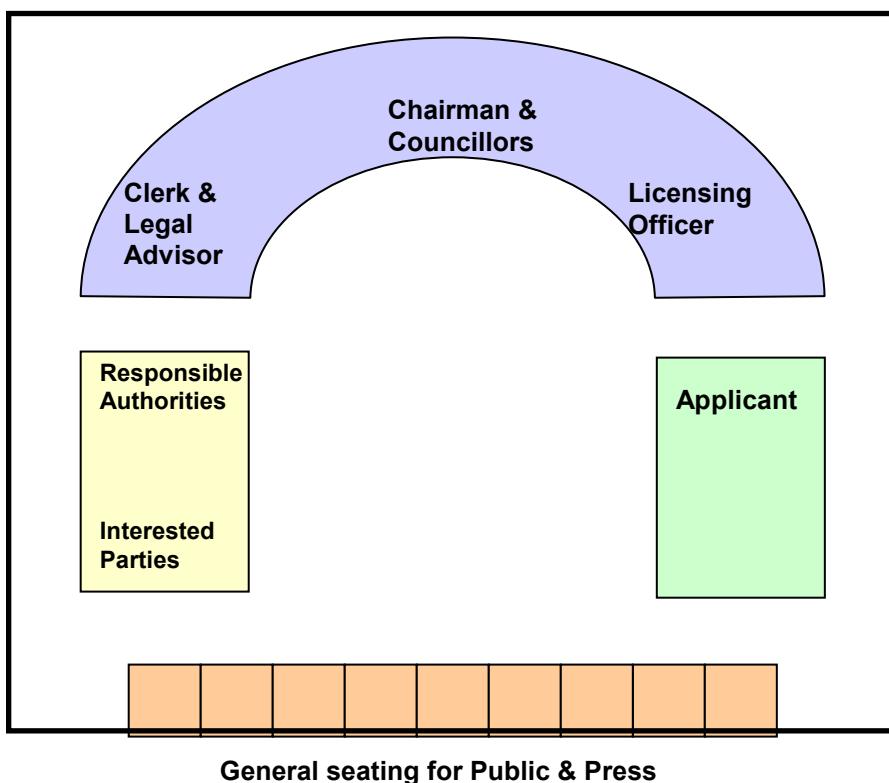
### 3. During the Hearing

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The procedure at the sub-committee hearing will, in general, be based on those used in a court of law. Although the strict rules of evidence will not apply, they will be observed to a great extent, because this is the best way of hearing the evidence from all parties. The hearing will take the form of a discussion led by the sub-committee councillors. The sub-committee will seek clarification on the issues from the parties as it considers appropriate.

#### Where shall I sit at the hearing?

Once you have attended the procedural briefing, you will be directed into the relevant Committee Room. The set up of the room for those involved will generally be as shown below:



#### In general, how will the hearing be conducted?

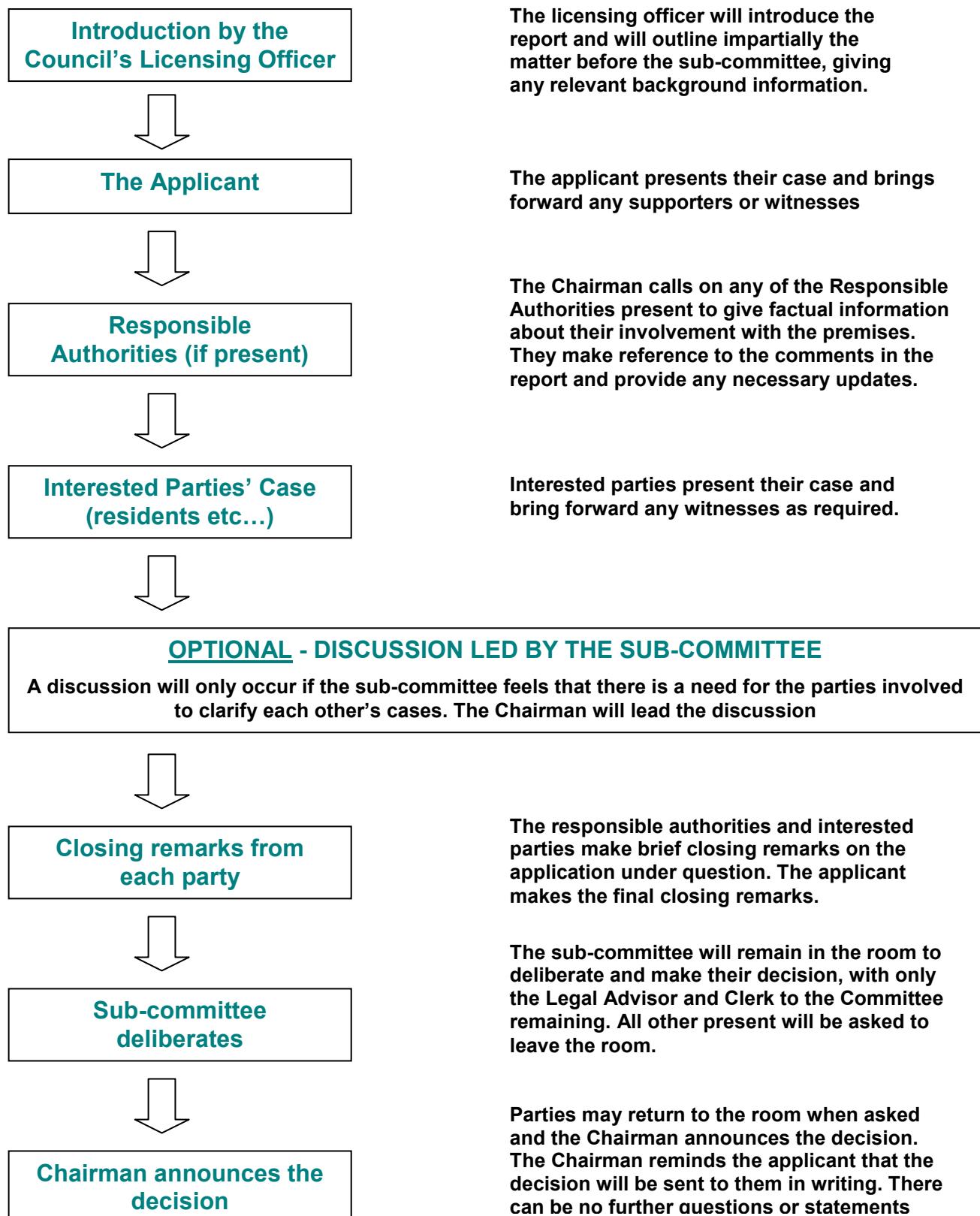
The procedure to be followed at the hearing will normally be as shown in the flow chart below, although all procedural matters will be subject to the discretion of the Chairman. All persons present will be requested to identify themselves and to give the reason for their presence. The sub-committee may consider any request from a party for another person to appear at the hearing as their representative.

It is important to note that cross-examination will not normally be permitted. Evidence, discussion and address must be relevant to the four licensing objectives. Repetition should also be avoided. The sub-committee will seek to prevent irrelevant and repetitive matters.

If, during its deliberations, the sub-committee considers that it is necessary for any person present at the hearing to provide further information or clarification on a particular point the hearing may be reconvened to deal with that issue. The sub-committee can also ask for procedural, technical or legal matter from officers present at any time during the proceedings.

## What is the order of proceedings?

The Chairman of the sub-committee will open the hearing by introducing the Councillors explaining the purpose of the proceedings and the general procedure. The Chairman will then check that there are no additions or alterations to the list of those appearing at the hearing, which will have been prepared in advance by the Clerk to the Committee and will then outline the procedure that will be followed for the remainder of the hearing. The procedure is as follows:



## **Can a Councillor sit on a sub-committee if the application is in their ward?**

Councillors who sit on a sub-committee are advised to take steps to minimise their involvement in any application prior to its consideration by the sub-committee so that decisions are seen to be reached at the hearing impartially and with an open mind. Councillors should not appear to be acting both as an advocate on behalf of their residents and as an adjudicator on an application.

If a Councillor on the sub-committee has already taken a view on an application in advance of the hearing, they should not be present for the hearing of the application and should leave the meeting room for that item. They should also not visit any premises under consideration prior to the hearing. In any cases of doubt, the Councillor should not sit on the sub-committee for a particular application. In this instance, a substitute Councillor may need to be found from the main Licensing committee of the Council or the hearing may continue as long as two of the five Councillors are still present.

The agenda papers will show which ward each Councillor sits for and the reports from the Council's Licensing Officer will detail which ward the application is in.

## **Can an Elected Member make a representation and or speak at a hearing?**

If an Elected Member, who does not sit on the sub-committee, wishes to make a formal objection to an application they may only do so if they make a written relevant representation as would apply to an Interested Party and in the same way as any other member of the public using the procedures outlined in this protocol. If the Elected Member believes they have a personal or prejudicial interest in the application, they may still submit a relevant representation.

Elected Members, who do not sit on the sub-committee, may also speak at a sub-committee hearing in support or against an application, for example on behalf of their constituents. They may also speak as an advocate or witness on behalf of the applicant or an Interested Party, even if they believe they have a personal or prejudicial interest. However, for the purposes of transparency, at the hearing, the Elected Member should disclose what their personal or prejudicial interest is and whether they have been in contact with the applicant, agent, Interested Party or responsible authority beforehand or have visited the premises concerned.

Elected Members making either a written relevant representation or wish to speak at a hearing should not communicate about the application before the hearing with any Councillors who sit on the sub-committee. This is so the sub-committee makes their decision with an open mind.

## **What power does the Chairman have to control the meeting?**

Under the Licensing act 2003, the Chairman may require any person attending the hearing who is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return or may permit the person to return only on such conditions as he or she may specify.

## **How will the sub-committee make its final decision?**

Once the sub-committee has heard from officers and the parties to the hearing and has had answers to its questions, the sub-committee will usually withdraw to make its decision on the application. The sub-committee must disregard any information given or evidence produced by a party or witness, which is not relevant to the application, representations or notice or the promotion of the licensing objectives.

Members of the sub-committee have a duty to behave impartially, not to predetermine the issue and not to discuss matters with press or residents. In making its decision the sub-committee must state in respect of premises licences why refusal or attachment of conditions is necessary in order to promote a particular licensing objective, and in respect of all other applications the reasons why applications are refused or revoked, taking into account the evidence presented by all parties during the hearing.

## 4. After the Hearing

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### **When will we get formal notice of the decision?**

The Chairman will normally announce the Sub-committee's decision in public at the end of the hearing and the reasons for the sub-committee's decision. This decision will then be communicated in writing to the parties as soon as possible after the hearing.

The Council's Legal Advisor will send applicants a decision letter shortly after the meeting outlining the decision and any conditions that are attached to the application. In addition, a letter will be sent to all those who made relevant written representations in connection with the application. This will confirm the decision made; any conditions attached to an approval or the reasons for refusal. Details of the respective appeal rights will also be sent with this notice.

The minutes of the meeting will be made available on the Council's website at:  
[www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

### **Can we appeal against the decision?**

Following the decision, the applicant or any person who has made a relevant representation in respect of a particular application can appeal to the Magistrates Court.

### **How can I find out about other applications in my area?**

Applicants for new premises licences and club premises certificates; applications for provisional statements and applications for variations of existing premises licences or club premises certificates must display a notice on the premises and advertise the application in a local newspaper.

All applications once they are lodged will be available for viewing on Hillingdon Council's website at [www.hillingdon.gov.uk](http://www.hillingdon.gov.uk) and in the Civic Centre Offices by appointment with the Licensing Service during working hours.

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# Agenda Item 4

## APPLICATION FOR A VARIATION OF A PREMISES LICENCE

Committee	Licensing Committee	
Officer Contact	Sharon Garner	01895 277230
Papers with report	<ul style="list-style-type: none"><li>• Appendix 1 – copy of application form</li><li>• Appendix 2 – copy of Premises Licence</li><li>• Appendix 3 – copy of representation from Cllr Richard Lewis</li><li>• Appendix 4 – list of responsible authorities</li><li>• Appendix 5 – map of area</li></ul>	
Ward(s) affected	Northwood	

### SUMMARY

To consider a representation from Councillor Richard Lewis in respect of an application for a variation of a premises licence to Waitrose, Green Lane, Northwood to extend the hours for the sale of alcohol, recorded music and opening hours from 08.00 hours to 07.00 hours everyday.

### RECOMMENDATION

**That the Licensing Sub Committee determine the application.**

### INFORMATION

- 1.1 An application for a variation of a premises licence to extend the hours for the sale of alcohol, recorded music and opening hours from 08.00 hours to 07.00 hours everyday at Waitrose, 52 Green Lane, Northwood HA6 2XW was received from Blake Lapthorn Solicitors, Watchmaker Court, 33 St. John's Lane, London EC1M 4DB, on behalf of Waitrose.

A copy of the application form is annexed to this report as **Appendix 1**.

A copy of the current Premises Licence for Waitrose is annexed to this report as **Appendix 2**.

- 1.2 The application was advertised in accordance with the standard procedures required by the Licensing Act 2003.

Following the advertisement of the application 1 letter was received from Councillor Richard Lewis making representation against the application, addressing the licensing objective of Prevention of Public Nuisance.

A copy of this letter is annexed to this report as **Appendix 3**.

- 1.3 In accordance with the legislation, the applicant is required to send copies of the application to the responsible authorities being:

- The Metropolitan Police Service
- London Fire & Emergency Planning Authority
- Child Protection Service, LBH
- Commercial Premises Service, LBH
- Environmental Protection Unit, LBH
- Trading Standards Service, LBH
- Planning Service, LBH

**(See Appendix 4)**

No representations were received from a Responsible Authority.

1.4 The period for consultation and the making of representations in respect of this application expired on 26<sup>th</sup> August 2011.

**1.5 General Information**

- The premises is a retail unit situated between Green Lane and Murray Road, Northwood.
- The current delivery times are from 07.00 until 19.00 hours, Monday to Saturday and from 09.00 to 17.00 hours on a Sunday

A map of the area is annexed to this report as **Appendix 5**.

**FINANCIAL IMPLICATIONS**

2.0 Members should be aware that the Planning, Environment, Education and Community Services directorate does not have a budget provision for costs, should the applicant be successful in appealing to the Court(s) against a decision of the Council. In the event that a Court was to uphold an appeal, officers would need to identify how the costs would be funded before action could be taken in order to comply with Council financial policy.

**LEGAL IMPLICATIONS**

**3.0 Principles for making the determination**

The general principle is that applications for Premises Licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.

3.1 Relevant representations are those which:-

- Are about the effect of the granting of the application on the promotion of the licensing objectives
- Are made by an interested party or responsible authority
- Have not been withdrawn
- Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

The four licensing objectives are :

- a. The prevention of crime and disorder;**
- b. Public safety;**

- c. The prevention of nuisance; and**
- d. The protection of children from harm.**

Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

3.2 The Licensing Sub-Committee must also consider the London Borough of Hillingdon's Licensing policy when deciding whether or not to grant the application. The terms of the Statement of Licensing Policy are highly persuasive, but not binding, on the Licensing Sub-Committee. The Licensing Sub-Committee may depart from the guidance contained in the Statement of Licensing Policy if it considers there are clear and convincing reasons to do so.

Where there is a conflict between the Licensing Act 2003 and the Statement of Licensing Policy, the Licensing Act must prevail.

3.3 Members are required to have regard to the Home Office Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case

3.4 When relevant representations are received then the Sub-Committee must have regard to them. Representations based on commercial reasons or moral grounds are not in themselves relevant representations. For example, a representation from a bar owner that the grant of a variation of a premises licence to another bar to allow such performances of dance will take customers away from his/her premises is not a relevant representation, nor is a representation from local residents on moral grounds.

3.5 The Licensing Sub-Committee can attach a "weight" to any relevant representations, such factors that could influence the "weight" to be placed on a representation could include:-

- Whether the representation can be clearly related to any one of the four licensing objectives;
- Whether the representation concerns matters over which the applicant is able to exercise control;
- Whether the representation is based on "hearsay" evidence;
- Whether the representation is supported by firm evidence;
- Whether the person making the representation has attended the hearing in person.

3.6 Having considered all relevant representations, and having taken into account the promotion of the licensing objectives, a decision can be taken:-

- To grant the licence, subject to the mandatory conditions and conditions consistent with the operating schedule;
- To impose additional relevant conditions to such an extent as is considered necessary for the promotion of the licensing objectives;
- To exclude any of the licensable activities to which the application relates
- To amend the times for all or some of the licensable activities;
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application

3.7

## **Conditions**

Conditions will not be necessary if they duplicate a current statutory requirement.

Members are also referred to the Home Office guidance on conditions, specifically section 10, and Annex D.

The Statutory Guidance states that only necessary, proportionate and enforceable conditions, which promote one or more of the licensing objectives, should be attached to the licence if it is granted (paragraph 10.11).

The Licensing Authority may therefore only impose such conditions as are necessary to promote the licensing objectives arising out of the consideration of the representations (paragraph 10.11), and should avoid straying into undisputed areas (paragraph 9.24).

Statutory Guidance also states that the pool of conditions that are supplied by the Secretary of State should not be applied universally irrespective of particular circumstances, but may be used as examples that can be tailored to suit individual premises and particular situations.

3.8

## **Reasons**

If the Sub-Committee determines that it is necessary to modify the conditions, or to refuse the application for a variation of a Premises Licence application, it must give reasons for its decision.

### **The Role of the Licensing Sub-Committee**

Sub-Committee members will note that, in relation to this application, the Council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the Council as authority responsible respectively for environmental health, child protection, trading standards, health and safety and as the planning authority.

Members should note that the Licensing Sub-Committee is meeting on this occasion solely to **perform the role of licensing authority**. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Licensing Law, Guidance and the Council's Statement of Licensing Policy.

As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, the occurrence of which would be relevant.

The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

The Licensing Sub-Committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the

licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.

Under the Human Rights Act 1998, the Sub Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The Sub-Committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Borough.

Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

## **BACKGROUND PAPERS**

- Appendix 1 – copy of application form
- Appendix 2 – copy of Premises Licence
- Appendix 3 – copy of representation from Cllr Richard Lewis
- Appendix 4 – list of responsible authorities
- Appendix 5 – map of area

## **BACKGROUND DOCUMENTS:**

The Licensing Act 2003

Guidance under Section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy

## **List of Representations**

	Prevention of Crime & Disorder	Public Safety	Prevention of Public Nuisance	Protection of Children from Harm
Councillor Richard Lewis			X	

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26/08/2011 (LDR)

# APPENDIX ①

083766/000018/JOSW/LDRLIC

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

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

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

We, Waitrose Ltd being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises licence number	212/05
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### Part 1 – Premises Details

Waitrose, 52 Green Lane, Northwood, Middlesex	
Post town	Post code HA6 2XW

Telephone number at premises (if any)	01923 820515
Non-domestic rateable value of premises	£387500.00

### Part 2 – Applicant Details

Daytime contact telephone number	01344 424680		
Email address (optional)			
Current postal address if different from premises address	Southern Industrial Area, Bracknell, Berkshire, RG12 8YA		
Post town	Bracknell	Post code	RG12 8YA

### Part 3 – Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?	<input checked="" type="checkbox"/>
--	-------------------------------------

Day      Month      Year

If not, when do you want the variation to take effect from	<input type="text"/>						
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Please describe briefly the nature of the proposed variation (please read guidance note 1)?
To vary the hours for licensable activities and opening hours to 7am daily

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.

Not Applicable

#### Part 4 – Operating Schedule

Please complete those parts of the Operating Schedule, which would be subject to change if this application to vary is successful

##### Provision of regulated entertainment – please tick Yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box h)

✓

##### Provision of entertainment facilities:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)


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

##### Supply of alcohol (if ticking yes, fill in box M)

✓
---

In all cases complete boxes N, O and P.

A

Plays			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
				Both	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 6)			<b>Will the performance of films take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the exhibition of films</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**C**

<b>Indoor Sporting Events</b> Standard days and timings (please read guidance note 6)			<b>Please give further details</b> (please read guidance note 3)		
Day	Start	Finish			
Mon					
Tue			<b>State any seasonal variations for indoor sporting events</b> (please read guidance note 4)		
Wed					
Thur			<b>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</b> (please read guidance note 5)		
Fri					
Sat					
Sun					

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 6)			<b>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 2)	Indoors	
Day	Start	Finish	<b>Please give further details</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for boxing or wrestling</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**E**

<b>Live music</b>			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish	<u>Please give further details</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of live music (please read guidance note 4)</b>		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**F**

<b>Recorded music</b>			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	✓
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish	<u>Please give further details</u> (please read guidance note 3)		
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00	<b>State any seasonal variations for the playing of recorded music (please read guidance note 4)</b>		
Thur	07:00	23:00			
Fri	07:00	23:00	<b>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat	07:00	23:00			
Sun	07:00	23:00			

**G**

<b>Performances of dance</b>			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
Day	Start	Finish	<u>Please give further details</u> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for the performance of dance (please read guidance note 4)</b>		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b>  Standard days and timings (please read guidance note 6)			<b>Please give a description of the type of entertainment you will be providing.</b>		
Day	Start	Finish	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon				Outdoors	
Tue			<b>Please give further details</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 4)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

**I**

<b>Provision of facilities for making music</b>  Standard days and timings (please read guidance note 6)			<b>Please give a description of the facilities for making music you will be providing.</b>		
Day	Start	Finish	Will the facilities for making music be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon				Outdoors	
Tue			<b>Please give further details</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for the provision of facilities for making music</b> (please read guidance note 4)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

## J

<b>Provision of facilities for dancing</b>			Will the facilities for dancing be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
				Both	
Day	Start	Finish	<b>Please give a description of the facilities for dancing you will be providing</b>		
Mon			<b>Please give further details</b> (please read guidance note 3)		
Tue					
Wed			<b>State any seasonal variations for providing dancing facilities</b> (please read guidance note 4)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sat					
Sun					

## K

<b>Provision of facilities for entertainment of a similar description to that falling within (i) or (j)</b>			<b>Please give a description of the type of entertainment facility you will be providing</b>		
Standard days and timings (please read guidance note 6)					
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Mon				Outdoors	
Tue				Both	
			<b>Please give further details</b> (please read guidance note 3)		
Wed					
Thur			<b>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within (i) or (j)</b> (please read guidance note 4)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for provision of facilities for entertainment of a similar description to that falling within (i) or (j) at different times to those listed in the column on the left, please list</b> (please read guidance note 5)		
Sun					

## L

<b>Late night refreshment</b>			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
Standard days and timings (please read guidance note 6)				Outdoors	
				Both	
Day	Start	Finish	<b>Please give further details</b> (please read guidance note 3)		
Mon					
Tue					
Wed			<b>State any seasonal variations for provision of late night refreshment</b> (please read guidance note 4)		
Thur					
Fri			<b>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</b> (please read guidance note 5)		
Sat					
Sun					

**M**

<b>Supply of alcohol</b>			Will the supply of alcohol be for consumption (please read guidance note 7)	On the premises	
Standard days and timings (please read guidance note 6)				Off the premises	
				Both	✓
Day	Start	Finish	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 4)		
Mon	07:00	23:00			
Tue	07:00	23:00			
Wed	07:00	23:00			
Thur	07:00	23:00	<b>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</b> (please read guidance note 5)		
Fri	07:00	23:00			
Sat	07:00	23:00			
Sun	07:00	23:00			

**N**

**Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children** (please read guidance note 8)

N/A

**O**

<b>Hours premises are open to the public</b>			<b>State any seasonal variations</b> (please read guidance note 4)
Standard days and timings (please read guidance note 6)			
Day	Start	Finish	
Mon	07:00	23:00	
Tue	07:00	23:00	
Wed	07:00	23:00	<b>Non standard timings. Where you intend the premises to be open at different times to those listed in the column on the left, please list</b> (please read guidance note 5)
Thur	07:00	23:00	
Fri	07:00	23:00	
Sat	07:00	23:00	
Sun	07:00	23:00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

NONE

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below.

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

**P**

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 9)**

No additional steps have been identified.

**b) The prevention of crime and disorder**

No additional steps have been identified.

**c) Public safety**

No additional steps have been identified.

**d) The prevention of public nuisance**

No additional steps have been identified.

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

No additional steps have been identified.

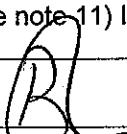
Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- 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 5 -- Signatures (please read guidance note 10)**

Signature of applicant (the current premises licence holder) or applicant's Solicitor or other duly authorised agent (see guidance note 11) If signing on behalf of the applicant please state in what capacity

Signature	
Date	28/07/2011
Capacity	Solicitor/Agent

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the proposed current premises licence holder) or 2<sup>nd</sup> 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 13)

Blake Lapthorn New Kings Court, Tollgate, Chandler's Ford  
083766/000018/JOSW/LDRLIC

Post town	Eastleigh	Postcode	SO53 3LG
Telephone number (if any)		Tel: 02380 908090	
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			

#### Notes for guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or 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

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 you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises
2. Where taking place in a building or other structure please tick as appropriate. Indoors may be in a tent.
3. For example 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.
4. For example (but not exclusive), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day, e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for days of the week when you intend the premises to be used for the activity
7. 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.
8. 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 regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi nudity, films for restricted age groups, the presence of gaming machines
9. Please list here steps you will take to promote all four licensing objectives together
10. The application form must be signed
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form
13. This is the address which we shall use to correspond with you about this application

**PREMISES LICENCE**

Ref:

SG/210/LBH

Premises Licence Number:

212/05

This Premises Licence has been issued by Norman C Stanley on behalf of the Licensing Authority, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW

Signature: ..... Date: 30<sup>th</sup> July 2010

**Part 1 – Premises Details**

Postal Address of Premises or, if none, Ordnance Survey map reference or description -

**Waitrose**

52 Green Lane

Post Town - Northwood

Postcode - HA6 2XW

Telephone number - 01923 820515

Where the licence is time limited, the dates -

N/A

Licensable activities authorised by the licence –

Sale of alcohol in the Staff dining room for consumption ON the premises to staff and bona fide guests only.

Sale by retail of alcohol from the shop for consumption OFF the premises.

Provision of regulated entertainment for recorded music

The times the licence authorises the carrying out of licensable activities –

Monday to Sunday 08.00 hours to 23.00 hours

The provision of recorded music is not time restricted.

The opening hours of the premises –

Monday to Sunday 08.00 hours to 23.00 hours

Where the licence authorises supplies of alcohol whether these are on and/or off supplies -  
Sale by retail of alcohol for consumption **OFF** the premises and **ON** the premises in the  
staff dining room only.

## Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence -  
Waitrose Limited  
Waitrose Development Southern Industrial Area  
Bracknell  
Berkshire  
RG12 8YA

Registered number of holder, for example company number, charity number (where applicable) -  
99405

Name, address and telephone number of designated premises supervisor where the premises licence  
authorises the supply of alcohol –  
Anthony Winter  
51 Lea Court  
Broad Lane  
London N15 4QH

Personal Licence number an issuing authority of personal licence held by designated premises supervisor  
where the premises licence authorises for the supply of alcohol –  
LN/00006742 – London Borough of Haringey

## **Annex 1 – Mandatory Conditions**

### **ALCOHOL**

1. No sale / supply of alcohol shall be made when there is no Designated Premises Supervisor in respect of the Premises Licence.
2. No sale / supply of alcohol shall be made when the Designated Premises Supervisor does not hold a Personal Licence or when his / her Personal Licence is suspended.
3. Every sale / supply of alcohol under the Premises Licence shall be made, or authorised by a person who holds a Personal Licence.

### **Applicable from 1<sup>st</sup> October 2010**

4. (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.

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

**The premises licence holder shall ensure that the following conditions are fully complied with:**

That alcohol shall not be sold in an open container or be consumed in the licensed premises except in the staff dining room and only to staff and their bona fide guests.

**Annex 3 – Conditions attached after a hearing by the licensing authority**

**N/A**

## Annex 4 – Plans

### Waitrose, Northwood

**Drawing Number:** 186-YFP-G01, 186-YFP-LG01 and 186-YFP-101  
Bamber and Reddan Architects

**Plan Number:** 238/05(2), 238/05(1) and 238/05(3)

# APPENDIX (3)



**London Borough of Hillingdon**  
**Cllr. Richard Lewis**

**Conservative Group Office**  
**Civic Centre**  
**Uxbridge**  
**Middlesex UB8 1UW**

**Tel:** 01895 250316/250728  
**Fax:** 01895 250765  
**E-Mail:** rlewis@hillingdon.gov.uk

Ms Sharon Garner  
Licensing Officer  
Licensing Services  
London Borough of Hillingdon

By E-mail

9<sup>th</sup> August, 2011

Dear Sharon

Would you please bring to the attention of the Licensing Committee my opposition to the extended hours license application made by Waitrose, Northwood.

Whilst I am happy to support Waitrose and believe they are an asset to the area, I fail to understand why they would want to alter their license and add a further hour of operation between 7am and 8am, 7 days a week.

As I am sure the committee are aware Waitrose fronts on to Northwood's main shopping road, Green Lane but backs on to Murray Road, which is a residential street. If the committee were to grant this variation I believe would be considerable noise created between 7am and 8am from both customers and staff visiting the store, as well as from deliveries being made.

Alternatively if the committee is minded to grant the variation, could I respectfully ask them to impose the following conditions on to the license, namely, that

**Deliveries can only made between 8am and 6pm Monday to Friday inclusive and on Saturday between 9am and 5pm. No deliveries to be made on Sunday.**

Yours sincerely

A handwritten signature in black ink, appearing to read 'R. Lewis'.

Cllr Richard Lewis

# APPENDIX (4)

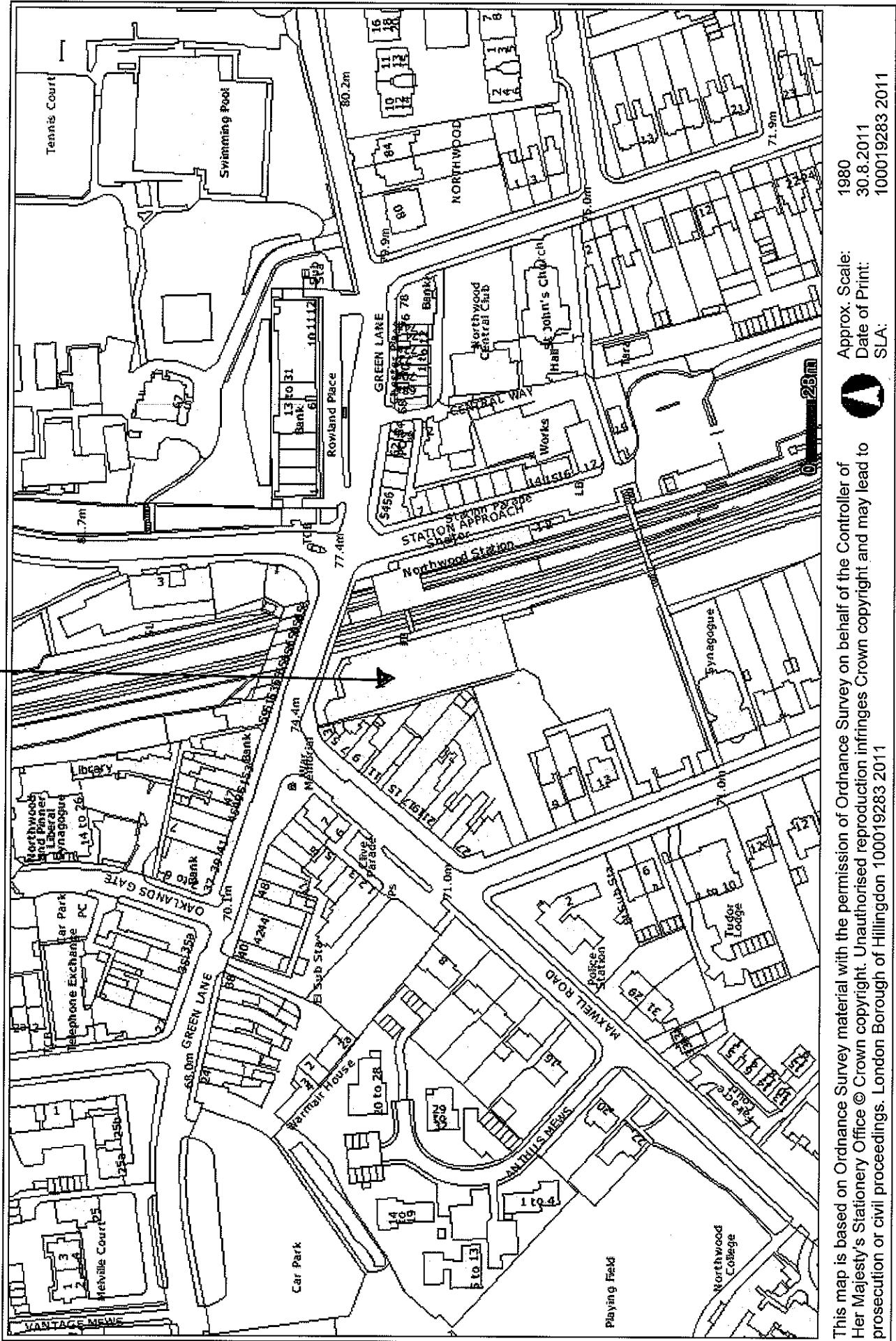
## RESPONSIBLE AUTHORITIES FOR GRANT, VARIATION OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE WITHIN THE LONDON BOROUGH OF HILLINGDON

The applicant must send the original application to the Licensing Service and a complete copy of the application including the form, operating schedule and plan in the prescribed form to each responsible authority as follows:-

<p>The Licensing Service London Borough of Hillingdon Civic Centre A357 High Street Uxbridge UB8 1UW <a href="mailto:licensing@hillingdon.gov.uk">licensing@hillingdon.gov.uk</a> <i>Licensing Authority</i></p>	<p>Chief Officer of Police c/o Northwood Police Station Murray Road Northwood HA6 2YW Attn Sgt I Meens <a href="mailto:licensing-xh@met.pnn.police.uk">licensing-xh@met.pnn.police.uk</a> <i>Hillingdon Police Enforcement</i> <b>*for all areas except Heathrow</b></p>
<p>Chief Officer of Police (Licensing) Heathrow Police Station East Ramp Hounslow TW6 2DJ <i>Heathrow Police Enforcement</i> <b>*for Heathrow area only</b></p>	<p>Fire Safety Regulation: North West Area 1 London Fire Brigade 169 Union Street London SE1 0LL Attn: North West Area Team <a href="mailto:hillingdongroup@london-fire.gov.uk">hillingdongroup@london-fire.gov.uk</a> <i>Hillingdon Fire Authority</i></p>
<p>Service Manager- Safeguarding Children and Quality Assurance 4S/07 Social Services London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW <a href="mailto:PHewitt@hillingdon.gov.uk">PHewitt@hillingdon.gov.uk</a> <i>A body involved in the Protection of Children from Harm</i></p>	<p>Food, Health and Safety Team London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW <a href="mailto:environmentalhealthcp@hillingdon.gov.uk">environmentalhealthcp@hillingdon.gov.uk</a> <i>Enforcing Authority for the Health and Safety at Work Act 1974</i></p>
<p>Trading Standards Service London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW Attn Divisional Trading Standards Officer <a href="mailto:tradingstandards@hillingdon.gov.uk">tradingstandards@hillingdon.gov.uk</a> <i>Enforcing Authority under the Weights and Measures Act 1985</i></p>	<p>Environmental Protection Unit London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW <a href="mailto:environmentalhealthepu@hillingdon.gov.uk">environmentalhealthepu@hillingdon.gov.uk</a> <i>Enforcing Authority for matters relating to Environmental Pollution and Public Nuisance</i></p>
<p>Head of Planning and Enforcement London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW <a href="mailto:planning@hillingdon.gov.uk">planning@hillingdon.gov.uk</a> <i>The Planning Authority</i></p>	

## APPENDIX 5

WARTROSE



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