

Minutes

LICENSING SUB COMMITTEE (SOUTH)

23 August 2011

Meeting held at Committee Room 5 - Civic Centre,
High Street, Uxbridge UB8 1UW



| | | |
|----|--|-------------------------------|
| | <p>Committee Members Present: Councillors Josephine Barrett (Chairman) Bruce Baker Carol Melvin Brian Stead Lynne Allen</p> <p>Witnesses Present: Sandra Graham - representing Mrs Badyal Mrs Badyal Mrs Kaur Mr Forsythe Mr Macleay – representing Mr Roobathas Mr Roobathas</p> <p>LBH Officers Present: Sarah Hickey – Legal Officer, Gill Brice- Democratic Services Officer, Sharon Garner - Licensing Officer.</p> <p>Also Present: Sargeant Ian Meens Martin King – Trading Standards</p> | |
| 1. | HAYES NEWS & BOOZE, 772/774 BOTWELL LANE, HAYES (Agenda Item 5) | Action by |
| | <p>This was an application for review of a premises licence under Part 3 Section 51 of the Licensing Act 2003 in respect of Hayes News & Booze, 772/774 Uxbridge Road, Hayes.</p> <p>The Sub-Committee considered this application and had taken into account evidence and submissions from all of the parties. In reaching its decision the Sub-Committee had taken into account the relevant provisions of the Licensing Act 2003, the Secretary of State's Guidance issued under the Act and the Council's Statement of Licensing Policy. The Sub-committee had also taken into account its overriding duty to promote the Licensing Objectives.</p> <p>In line with paragraph 11.26 of the guidance, the Sub-Committee had decided that the revocation of the licence was the only way to deal with the problems that have come to light in this review. A premises licence was not a right and it placed a strong burden on the Premises Licence Holder and the DPS to uphold the Licensing Objectives. The Premises Licence Holder and the DPS to date have not demonstrated the requisite management or skills necessary to run the premises in a manner which uphold these objectives.</p> | Sharon Garner Sarah Hickey |

| | | |
|----|--|---|
| | <p>The Sub-Committee considered that the conditions put forward would not adequately address the poor management of the premises as outlined above.</p> <p>The lack of sound judgement in taking management decisions highlighted in the review was attributable to both the DPS and Licence Holder. This was a family run business and it was considered that the removal of the DPS would not resolve the issue but she would merely become a figurehead for the failures which had occurred. Such action would not give the Sub-Committee confidence that the licensing objectives would be upheld in the future.</p> <p>Resolved – That the Premises Licence in relation to Hayes News & Booze, 772/774 Uxbridge Road Hayes be revoked.</p> | |
| 2. | <p>BOTWELLEARS, 25 BOTWELL LANE, HAYES (<i>Agenda Item 6</i>)</p> <p>This was an application for review of a premises licence under Part 3 Section 51 of the Licensing Act 2003 in respect of Botwellears, 25 Botwell Lane, Hayes</p> <p>The Sub-Committee had considered this application and taken into account evidence and submissions from all of the parties. In reaching its decision the Sub-Committee had taken into account the relevant provisions of the Licensing Act 2003, the Secretary of State's Guidance issued under the Act and the Council's Statement of Licensing Policy. The Sub-Committee had also taken into account its overriding duty to promote the Licensing Objectives.</p> <p>The Sub-Committee had decided that the revocation of the Premises Licence was a proportionate and necessary response to the issues that had been raised in this review. A Premises Licence was not a right and placed a strong burden on the Licence Holder to uphold all the licensing objectives. The License Holder had not acted in a manner which upholds those objectives.</p> <p>The Sub-Committee considered that the conditions put forward would not adequately address the problems raised in this review and would not give the Sub-Committee confidence that the licensing objectives would be upheld in the future.</p> <p>Resolved – That the Premises Licence in respect of Botwellears, 25 Botwell Lane, Hayes be revoked.</p> | <p>Action by</p> <p>Sharon Garner Sarah Hickey</p> |
| | <p>The meeting, which commenced at 10.00 a.m., closed at 13.20 p.m.</p> | |

These are the minutes of the above meeting. For more information on any of the resolutions please contact Gill Brice on 01895 250693. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.