Minutes

LICENSING SUB COMMITTEE

22 December 2014

Meeting held at Committee Room 6 - Civic Centre, High Street, Uxbridge UB8 1UW

	Committee Members Present: Councillors Dominic Gilham (Chairman), Lynne Allen and Carol Melvin **Also Present**: Acting Sergeant Ian Wares, Mr Patel, Ms Poona Sharma, Kenny Terizake and Mr Gibson **LBH Officers Present**: Claire Freeman - Regulatory Services Manager , Stephanie Waterford - Regulatory Services Officer, Ian Meens - Regulatory Service Officer, Shabeg Nagra - Public Protection Manager, John Abiona, Environment Protection Officer , Tim Brown - Legal Services, Gill Oswell - Democratic Services
12.	**APOLOGIES FOR ABSENCE** *(Agenda Item 1)* There were no apologies.
13.	**TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE** *(Agenda Item 3)* It was confirmed that items marked Part 1 would be considered in public and items marked Part 2 would be considered in private.
14.	**HALE END CLOSE, EASTCOTE** *(Agenda Item 5)* The Licensing Officer introduced the report advising the Sub-Committee that the application before members was for a premises licence for Hale End Close for the off-sales of alcohol. The Sub-Committee was informed that the application had been advertised in accordance with standard procedures and there had been 3 representations received objecting to the licence being granted on crime and disorder and public nuisance. The Sub-Committee heard from the applicant's agent who advised that the business would be small as storage facilities at the premises were limited. There would be no large delivery vehicles coming to the site as the applicant would be collecting the alcohol from his suppliers and making deliveries himself. If the business was successful the applicant would have to look for alternative premises but at this initial stage it would be a one person business, selling small amounts of alcohol. To help the Sub-Committee the applicant's agent suggested an additional condition to restrict the hours for alcohol being brought to the premises by the license holder to Monday to Saturday between 8 am - 6 pm and Sunday 9 am - 4 pm.

	The officer from the Environment Protection Unit advised that their objection was around the licence objective of prevention of public nuisance. This was due to the location of the premises within a block of flats and operating 24 hours 7 days a week. There were no procedures in place to prevent customers from finding the licence holders address and turning up to purchase alcohol at all times of the day and night. The Chairman of the Eastcote Conservation Panel addressed the meeting stating that there were a number of questions about the operation that had not been answered. The Conservation Panel's concerns were in relation to the business operating 24/7 and the disturbance this may cause to residents. Cllr Nick Denys addressed the meeting explained that the application would change the nature of the property and there was the potential for the business to grow. There were concerns that the premises would turn into a wholesalers causing additional disruption to residents. In answer to a question raised the applicant's agent advised that there would be a minimum delivery requirement and delivery would be immediate if stock was available. It was expected that the business would operate within a twenty mile radius of the premises. Each party gave their closing remarks following which all parties were asked to leave the room whilst the sub-committee made their decision. The Sub-Committee considered all the representation made and decided not to grant the licence. **Resolved - That the Sub-Committee refused to grant the licence.**
15.	**BLUE LAGOON, WOOD END GREEN ROAD, HAYES** *(Agenda Item 6)* The Licensing officer introduced the report to the Sub-Committee explaining that this review hearing followed an application by the Metropolitan Police dated 2 December 2014 for a summary review of the Premises Licence of the Blue Lagoon, Hayes. An expedited review hearing had been held on the 4 December 2014 under section 53B of the Act. At that meeting the Sub-Committee imposed an interim step of adding nine conditions to the current premises licence as listed in the decision notice found at pages 75-76 of the agenda. Acting Police Sergeant (APS) Ian Wares introduced the application and stated that recent incidents at the Premises had brought about this application. The Sub-Committee were informed that the new owners had taken over the licence on 23 September 2014 and there had been three incidents since this time. APS Wares stated that he believed that the management team at the Blue Lagoon were not in full control of the Premises. He also felt that the there should be a better booking system in place at the premises to ensure they had control over private parties. APS Ian Wares also raised concerns that there had been no contact with the Designated Premises Supervisor. The Sub-Committee were informed that since the interim steps were introduced on the 4 December 2014, the Police had carried out three compliance checks at the Premises. On 5 and 19 December 2014 there were no breaches found, however on the 12 December 2014 there were two breaches of licence conditions. As such a section 19 closure notice was served, the premises were voluntarily closed.

APS Ian Wares noted that Licence Holders had been trying hard but felt that they lacked experience. As such he recommended that the Sub-Committee imposed the interim steps imposed on the Licence on a permanent basis. However there were still concerns over the Designated Premises Supervisor and welcomed the application that had been submitted by the Licence Holder to change this.

On behalf of the Responsible Authority, Mr Shabeg Nagra stated the permanent imposition of the Interim Steps was fully supported, as there were concerns about the recent incidents and some of the previous management practice.

Ms Waterford a witness for the responsible authority advised the sub-committee that during a visit to the Premises on 29 November 2014, there were some public safety concerns at the Premises. This prompted a referral and a subsequent visit by a Fire Inspector, although there were some concerns, these had now been rectified by the Licence Holder and the Premises was now compliant with fire safety regulations.

It was noted that concerns in relation to the booking system for private functions, had been taken on board by the licence holder and measures had been implemented measures to help with booking and management of events in future.

Mr Meens clarified the reference in the report on page 85 of the Agenda and to an old condition that may suggest that alcohol could only be consumed ancillary to food. This condition had been imposed under old licensing legislation and that this should be removed from the licence. He also clarified, that the issue in relation to the third gaming machine had now been resolved and no further action taken action.

The Sub-Committee heard from Mr Patel on behalf of the Licence Holder and provided an explanation in relation to concerns raised by the Police and Responsible Authorities and advised that all the concerns had now been rectified. Mr Patel explained that an application to transfer the Designated Premises Supervisor had been made.

All parties were asked to leave the room whilst the Sub-Committee considered their decision.

THE DECISION

The Sub-Committee considered all the relevant representations and decided to add the 9 conditions added as an interim step on the 4 December 2014 should be added on a permanent basis to the Premises Licence of the Blue Lagoon Bar:

Resolved - That the additional 9 conditions added as an interim step on the 4 December be added to the premises licence as follows:-

1. **The installed CCTV system shall be maintained in effective working order whenever the premises are in use for the purposes of the license and shall be capable of capturing the following images:**

    a. **All public areas within the premises;**
    b. **The outside smoking area and car park; and**
    c. **A clear facial image of any person entering the premises by all public entrances.**

	2. The recorded CCTV images shall be stored in a secure location for a minimum period of thirty (30) days. The images shall be available for inspection on request by authorized officers of the Council and the Metropolitan Police Service. **3. Clear and visible signage shall be prominently displayed throughout the venue indicating CCTV recording is operational. This shall include signage at the entry and exit points and behind the bar.** **4. On Friday and Saturday evenings after 18:00 hours until the venue closes to the public, a personal license holder shall be on duty at the venue and responsible for authorising the sale of alcohol.** **5. The premises shall employ and minimum of two (2) SIA licensed door supervisors on Friday and Saturday evenings after 18:00 hours until the venue closed and all customers have left the premises.** **6. The premises shall employ and minimum of two (2) SIA licensed door supervisors whenever there is a private function booked at the premises for 25 persons or more and where alcohol is served, a minimum of three (3) SIA licensed door supervisors whenever there is a private function booked at the premises for 100 persons or more and a minimum of four (4) SIA licensed door supervisors whenever there is a private function booked at the premises for 150 persons or more. The door supervisors shall remain on duty until the function has finished.** **7. There shall be a log book to record the start and finishing times of SIA door supervisors and the following information shall be recorded:** **a. The printed name of the door supervisor;** **b. The badge number;** **c. The expiry date of the SIA license; and** **d. A signature of the door supervisor** **The log book will record any incidents, refusals or persons being removed from the premises and this log will be available for inspection by the relevant authorities on request.** **8. All pint and half pint glasses used on the premises shall be made from safety glasses.** **9. All bottled drinks shall be decanted into toughened safety glasses.** **The Sub-Committee also determined that the condition stating "*Alcohol shall be ancillary to the use of the premises for music and dancing and substantial refreshment*" from Annex 2 of the Premises Licence shall be removed.**
	The meeting, which commenced at 2.00 pm, closed at 5.05 pm.

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