



HILLINGDON
LONDON



Notice of Hearing Licensing Sub Committee

Date: FRIDAY, 20 MARCH 2015

Time: 2.00 PM

Venue: COMMITTEE ROOM 5 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE 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:

Dominic Gilham (Chairman)

Lynne Allen

Roy Chamdal

Important Information

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

Wednesday 18 March 2015

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: Thursday, 5 March 2015

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Email: democratic@hillington.gov.uk

This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=352&Year=0>

Putting our residents first

Lloyd White

Head of Democratic Services

London Borough of Hillingdon,

3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW

www.hillingdon.gov.uk

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Please enter from the Council's main reception where you will be directed to the Committee Room.

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In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.



Agenda

CHAIRMAN'S ANNOUNCEMENTS

Hearing Protocol

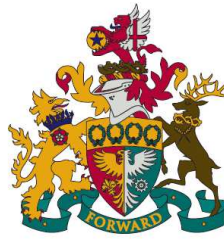
- 1 Apologies for Absence
- 2 Declarations of interest in matters coming before this meeting
- 3 To confirm that the items of business marked Part I will be considered in Public and items marked Part II will be considered in Private
- 4 Matters that have been notified in advance or urgent

Part I - Members, Public and Press

	Title of Report / Address of application	Ward	Time	Page
5	Review of Premises Licence - Blue Lagoon Appendix 1 Appendix 3 Appendix 5	Botwell	2PM	9 - 234 (13 - 14) (47) (227 - 234)

Part II - Members Only

	Title of Report / Address of application	Ward	Time	Page
5	Review of Premises Licence - Blue Lagoon Appendix 2 Appendix 4	Botwell	2PM	(15 - 46) (49 - 225)



HILLINGDON
LONDON

Licensing Act 2003

Sub-Committee Hearings Protocol for determining applications for Reviews of Premises Licences or Club Premises Certificates

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 if you wish to attend and be heard at a Licensing sub-committee hearing

1. On receiving the Notice of Hearing

What is the Notice of Hearing?

Hillingdon Democratic Services will give appropriate notice of the hearing, which depends upon the type of application to be considered. Exact timings are shown on the front page of the Agenda (attached to the front of the Notice of Hearing).

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 requests 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.

Contact Information:

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

Clerk to the Committee

Tel: 01895 277655

Email: democratic@hillington.gov.uk

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

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.

*Full details are given in the front of the Notice of Hearing of the deadline by which you should give your notice. All those who have made a request and the premises licence holder 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

If I want to withdraw my request - how do I do this?

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

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

When a party informs the authority that he/she cannot attend the hearing or, without prior notice, fails to attend or be represented at the hearing, the sub-committee may either adjourn the hearing to a specified date, but **only** where it considers this to be necessary in the public interest or necessary for its consideration of any representations. Alternatively, the sub-committee may hold the hearing in the party's absence.

Where the sub-committee adjourns the hearing it shall notify the parties of the new date, time and place to which the hearing has been adjourned. Where the hearing is held in the absence of a party the sub-committee will still consider the application or any representations submitted by that party.

Can the date of the hearing be changed?

Only if the Licensing sub-committee scheduled to hear the review considers it to be necessary in the public interest or necessary for its consideration of any representations made by a party. In all other circumstances, the licensing authority cannot be flexible in the dates for hearings as the Licensing Act 2003 sets a strict legal deadline by which hearings must be heard.

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.

2. Before the Hearing

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 607, 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.

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 person who has requested the review may attend in person or, if the review 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 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 Legal Advisor can outline the procedures to be followed at the hearing.

What if there is more than one Applicant or a number of different Parties to the review attend the hearing?

At the briefing, the Legal Advisor may ask that a spokesman is agreed amongst those present who have similar requests for a review or representations in support.

Who are the people on the Licensing sub-committee?

Three 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:

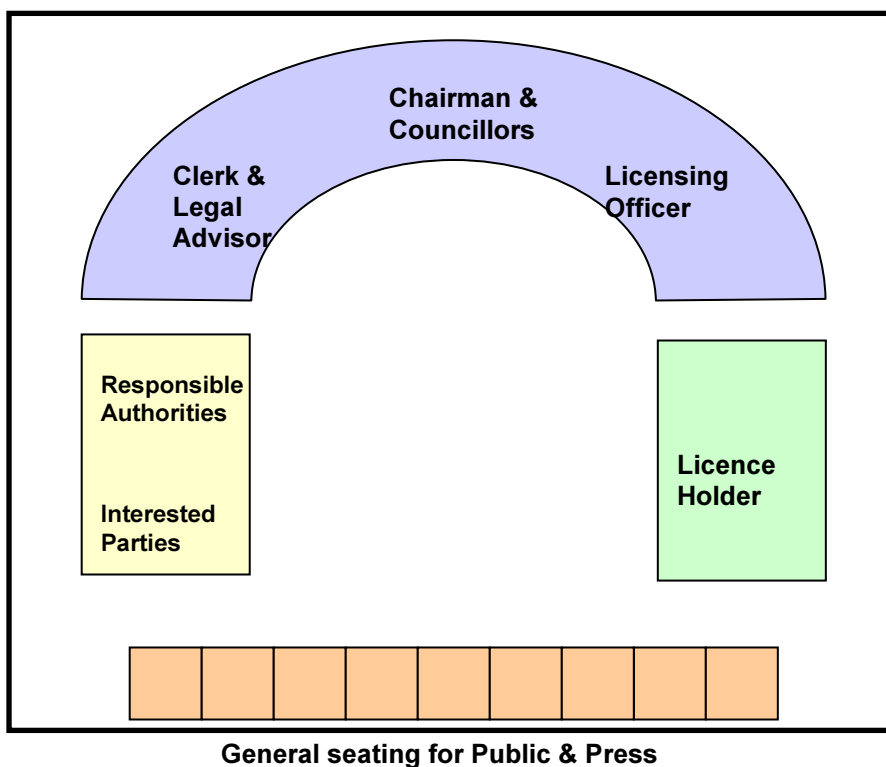
- The **Council’s Licensing Officer** who will introduce the Officer report and outline his/her role.
- A **Legal Advisor** whose role is to assist the Committee with legal advice and to ensure that a fair and balanced hearing takes place.
- A **Clerk to the Committee** whose role is to summarise and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

3. During the Hearing

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?

The hearing will begin immediately after the procedural briefing and the set up of the room for those involved will generally be as shown below:



In general, how will the hearing be conducted?

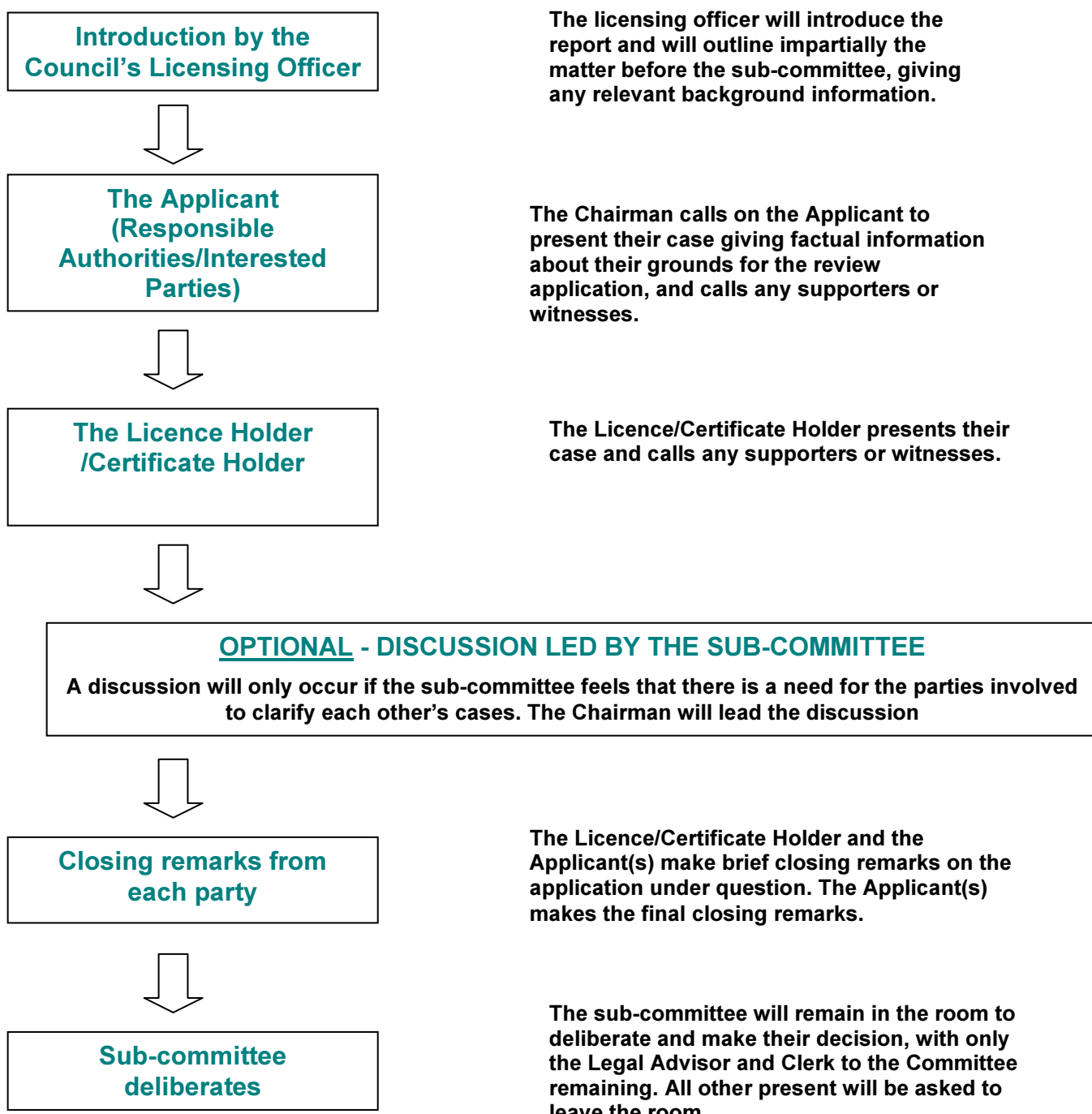
The procedure to be followed at the hearing will normally be as shown in the flow chart below, although all procedural matters will be subject to the discretion of the Chairman. All persons present will be requested to identify themselves and to give the reason for their presence. The sub-committee may 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:





Chairman announces the decision

Parties may return to the room when asked and the Chairman announces the decision. The Chairman reminds the Licence/Certificate Holder that the decision will be sent to them in writing. There can be no further questions or statements.

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 three 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 a ward Councillor make a representation and or speak at a hearing?

If a ward Councillor, 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 ward Councillor believes they have a personal or prejudicial interest in the application, they may still submit a relevant representation.

Ward Councillors, 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 without notice. 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 ward Councillor 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.

Ward Councillors 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 the reasons for that decision, taking into account the evidence presented by all parties during the hearing.

4. After the Hearing

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 the premises licence holder a decision letter shortly after the meeting outlining the decision and any conditions that are attached to the licence. In addition, a copy of the decision letter will be sent to all those who made an application for a review in connection with the premises. This will confirm the decision made; any conditions attached to a review application or the reasons for revocation. 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

Can we appeal against the decision?

Following the decision, the premises licence holder or any person who has made an application for a review can appeal to the Magistrates Court.

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

The council's Licensing Service is required to arrange for a poster to be displayed at, or near, the premises in question when applications for Reviews of premises licences or club premises certificates are received. A poster is also displayed at the Civic Centre.

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

Agenda Item 5

REVIEW OF PREMISES LICENCE FOLLOWING A CLOSURE ORDER - BLUE LAGOON PUBLIC HOUSE.

Committee	Licensing Sub-Committee
Officer Contact	Claire Freeman, Residents Services 01895 277433
Papers with report	Part 1 Appendix 1 - Closure Order issued on 9 th March 2015 Appendix 3 - Notice of Review under S167 Appendix 5 - Current Premises Licence Part 2 Appendix 2 - Police submissions Appendix 4 - Representation from the Licensing Authority
Ward(s) affected	Botwell

SUMMARY

To carry out a review pursuant to Section (S) 167 of the Licensing Act 2003 in relation to the Blue Lagoon Public House, Wood End Green Road, Hayes UB3 2SB.

RECOMMENDATION

That the Licensing Sub-Committee considers the premises licence review instigated by S167 of the Licensing Act 2003 (the Act) for the licence granted to Mahadev Pubco Ltd for the premises known as Blue Lagoon, Wood End Green Road Hayes, UB3 2SB.

MATTERS FOR CONSIDERATION

Under S167 of the Licensing Act 2003 a premises licence review is triggered where a Magistrates Court has made a Closure Order under section 80 of the Anti-Social Behaviour, Policing and Crime Act 2014.

On Monday 9th March 2015, Uxbridge Magistrates Court issued a Closure Order which closes the premises for a period of three months. The Licensing Authority was notified of the order on Tuesday 10th March 2015.

The closure order was sought by the Metropolitan Police Service following an incident of violence at the premises during the early hours of Saturday 7th March 2015.

A copy of the closure order is attached as **Appendix 1**.

Further submissions from the Police including the statements in relation to the closure order and previous history of the premises, are attached as **Appendix 2**.

The Licensing Authority is required to notify responsible authorities and other interested parties of the review and invite representations.

A Licensing Officer placed copies of the notice at the premises, at the Council offices and also on the Councils website.

The closing date for representations to be received was 17th March 2015. A copy of the notice of review is attached as **Appendix 3**.

A representation was received from the Licensing Authority. This representation is attached as **Appendix 4**.

INFORMATION

A premises licence once issued remains valid unless it is specified to have effect for a limited period, surrendered or revoked.

The premises is a public house (PH) situated on Wood End Green Road in Hayes and is licensed to provide regulated entertainment, in the form of live music, recorded music and performance of dance and entertainment of a similar description, late night refreshment and the sale of alcohol. A copy of the current premises licence is included in **Appendix 5**.

The premise has been licensed under the Licensing Act 2003 since 2005. The current premises licence holder (Mahadev Pubco Ltd) took on the premises licence in August 2013.

The premises was the subject of Summary Review proceedings under S53(a) of the Licensing Act 2003 in December 2014. This summary review was brought by Police on a number of incidents of serious crime and disorder.

The Licensing Authority considered the matter on 4th December and 22nd December resolving to impose a number of additional conditions.

Full details of the previous review hearings and decision notices have been included in the representation of the Licensing Authority.

Documents before the Sub-Committee

Appendix 1 - Closure Order issued by Uxbridge Magistrates Court on 9th March 2015

Appendix 2 - Police Submissions

Appendix 3 - Notice of review

Appendix 4 - Representation on behalf of the Licensing Authority

Appendix 5 - Current Premises Licence

LEGAL IMPLICATIONS

Following an application by the Chief Police Officer for summary review of a premises licence under section 53A of the Licensing Act 2003 the licensing authority must convene a hearing and determine a review licence within 28 days of receipt of that application. Owing to the tight timescales to commence the hearing, normal notice periods for the hearing are suspended. The review is required to be advertised for a period not less than seven consecutive days starting with the day after the application was received.

The Licensing Sub-Committee is required to consider:

- the application for review and any relevant representations by the applicant for review;
- representations by the premises licence holder; and
- any other relevant representations made.

Relevant representations are those that relate to one or more of the licensing objectives, have not been withdrawn and are made within the period of 10 consecutive working days beginning on the date the notice was first published.

Members must take such steps (if any) as they consider appropriate for the promotion of the licensing objectives. The Licensing Sub-Committee may:

- Modify the conditions of the licence (this includes the power to omit or alter existing conditions and add new conditions)
- Exclude a licensable activity from the scope of the licence
- Remove the designated premises supervisor
- Suspend the licence for a period not exceeding three months
- Revoke the licence.

The Sub-Committee must also secure that from the coming into force of the determination of the review, any interim steps having effect pending that determination cease to have effect (except so far as they are comprised in steps taken by the Sub-Committee in the review). However, any interim steps may have effect until after the review decision has come into effect, either after the expiry of a period of 21 days after the parties are notified of the review decision, or if the decision is appealed, once the appeal has been dispensed with by the Magistrates' Court.

Conditions

Members are also referred to the Secretary of State's guidance on conditions, which states that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises. Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided. Conditions will not be necessary if they duplicate a current statutory requirement.

Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

Reasons

If the Sub-Committee determines that it is necessary to take any steps in relation to the premises licence, it must give reasons for its decision.

The Role of the Licensing Sub-Committee

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 licensing law, relevant 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.

Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the licence holder and those making representations 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.

Appeals

Responsible Authorities, persons making relevant representations and the licence holder will 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.

Closure Order

(Anti-Social Behaviour, Crime and Policing Act 2014 -
Part 4, Chapter 3, Section 80)

UXBRIDGE MAGISTRATES

Court

Sitting at - UXBRIDGE MAGISTRATES COURT, HAREFIELD ROAD, UXBRIDGE, UB8 1PG
(Code)

Date: Monday 9th March 2015

Address: Blue Lagoon, 3 Wood End Green Road, Hayes, Middlesex, UB3
2SB

On application of Inspector George of the Metropolitan Police Service:

Name of Applicant Authority: Metropolitan Police Service

Address of Applicant Authority: UXBRIDGE POLICE, 1 WARWICK ROAD,
UXBRIDGE, UB8 1PG

This court is satisfied that (tick the relevant box):

(a) a person has engaged, or (if the order is not made) is likely to engage, in disorderly, offensive or criminal behaviour on the premises, or

(b) the use of the premises has resulted, or (if the order is not made) is likely to result, in serious nuisance to members of the public, or

(c) there has been, or (if the order is not made) is likely to be, disorder near those premises associated with the use of those premises,

and that the order is necessary to prevent the behaviour, nuisance or disorder from continuing, recurring or occurring.

2.

Accordingly, a **Closure Order** is made, pursuant to Section 80 of the Anti-Social Behaviour, Crime and Policing Act 2014, in respect of the address specified above

A Closure Order is an order prohibiting access to the premises for a period specified in the order

This Closure Order prohibits access by all persons (except those specified or those of a specified description) at all times (unless specified) in all circumstances (unless specified), for a period of (~~maximum of three months~~)

starting at *09/03/15* and ending at *08/06/15*

Subject to the following exceptions:

Manager/owner allowed access to collect belongings/property. (But only by attendance with police by calling 101 to make prior arrangements with local officers.)

A person who without reasonable excuse remains on or enters premises in contravention of a Closure Order commits an offence under section 86 of the Anti-social Behaviour, Crime and Policing Act 2014, liable on summary conviction to imprisonment not exceeding 51 weeks and / or an unlimited fine.

If this Closure Order relates to licensed premises in respect of which a premises license is in force, then the Court shall notify the relevant licensing authority that a Closure Order has been issued - section 167 of the Licensing Act 2003, refers.

District Judge / Justice of the Peace

Stabben

[By order of the clerk of the court]

Date: *9/3/15*

By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government (Access to Information) Act 1985 as amended.

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HILLINGDON
LONDON

LONDON BOROUGH OF HILLINGDON

NOTICE OF PREMISES LICENCE REVIEW
Licensing Act 2003

A Premises Licence Review following a closure order under Section 167 of the Licensing Act 2003 is being considered by the London Borough of Hillingdon, as the Licensing Authority, for the following premises:-

BLUE LAGOON PUBLIC HOUSE
Wood End Green Road
Hayes
UB3 2SB

The review will be considered on the on the following grounds:-

Prevention of Crime and Disorder

Anyone wishing to make representations in respect of the review must notify the Licensing Authority in writing by:

17th March 2015

Representations may be sent to; Licensing Authority, Civic Centre, High Street, Uxbridge, UB8 1UW or licensing@hillington.gov.uk.

Note:

a) Copies of representations are sent to the applicant and the original letters are kept on file, which is open to scrutiny by members of the public, press and/or the broadcasting media. Persons making representations in respect of the review of a licence must be prepared to attend in person at a hearing before a committee of the Council.

b) It is an offence to knowingly or recklessly make a false statement in connection with an application with a maximum fine on conviction of £5,000

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By virtue of paragraph(s) 7 of Part 1 of Schedule 12A
of the Local Government (Access to Information) Act 1985 as amended.

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HILLINGDON
LONDON

LICENSING ACT 2003
Section 24

PREMISES LICENCE

Ref: SW/6196

Premises Licence Number: LBHIL 407/05

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

Claire Freeman

Signature:

Date: 22nd December 2014

Part 1 – Premises Details

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

Blue Lagoon
Wood End Green Road

Post Town - Hayes

Postcode – UB3 2SB

Telephone number – 0208 8484659

Where the licence is time limited, the dates -

N/A

Licensable activities authorised by the licence –

The sale by retail of alcohol

The provision of regulated entertainment being:-

- performance of live music
- playing recorded music
- performance of dance and
- entertainment of a similar description

The provision of late night refreshment

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

The sale of alcohol and the provision of late night refreshment:

Monday to Saturday, between 10.00 hours and 02.00 hours (or 03.00 on the morning of which summer time begins).

On Sundays, between 12.00 hours and 00.30 hours.

On Sundays immediately before bank holidays (except Easter Monday) between 12.00 and 02.00 hours the following morning.

From the start of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day

The provision of regulated entertainment:

Monday to Saturday between 09.00 hours and 02.00 hours the following day

On Sundays between 09.00 hours and 00.30 hours

Sundays preceding a Bank Holiday – between 09.00 hours and 02.00 hours

The opening hours of the premises -

Not restricted

Where the licence authorises supplies of alcohol whether these are on and/or off supplies –

ON AND OFF SUPPLIES

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence -

Mahadev Pubco Ltd
3 Wood End Green Road
Hayes
Middlesex
UB3 2SB

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

08547761

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol –

Miss Poona Sharma

Personal Licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol –

LN/00000T196/2014/1

London Borough of Harrow
Station Road
Harrow
HA1 2UT

Annex 1 – Mandatory Conditions

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
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—

(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 in a manner which carries a significant risk of undermining a licensing objective;

(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 in a manner which carries a significant risk of undermining a licensing objective;

(d) 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;

(e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
(2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) 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 either—

- (a) a holographic mark, or
- (b) an ultraviolet feature.

7. The responsible person must 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) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory Condition - Permitted Price

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in

question; and

(e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994(7).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2– Conditions consistent with the operating Schedule

The Licence Holder shall ensure that the following licence conditions are fully complied with:

1. The folding screens which can be used to partition off areas of the public house shall be locked back in the open position whenever the premises is in use for the purpose of public entertainment.
2. The approved sound limiting equipment installed within the premises shall be checked and tested at regular intervals to ensure that it is in effective working order and will operate at the pre-determined sound level specified by the council's officer.

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

1. The installed CCTV system shall be maintained in effective working order whenever the premises are in use for the purposes of the licence 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 licence 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 licence; 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.

Annex 4 – Plans

Drawing number: 31126

Licensing Service Registered Plan Number: 456/05