



HILLINGDON  
LONDON



# Licensing Committee

**Date:** TUESDAY, 10 JANUARY  
2017

**Time:** 10.00 AM

**Venue:** COMMITTEE ROOM 6 -  
CIVIC CENTRE, HIGH  
STREET, UXBRIDGE UB8  
1UW

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

## Councillors on the Committee:

Dominic Gilham (Chairman)  
David Yarrow (Vice-Chairman)  
Lynne Allen  
Teji Barnes  
Roy Chamdal  
Jazz Dhillon  
Janet Gardner  
Patricia Jackson  
John Morse  
Brian Stead

**Published:** 28 December 2016

**Contact: Democratic Services**  
Tel: 01895 250636  
Email: [democratic@hillington.gov.uk](mailto:democratic@hillington.gov.uk)

This Agenda is available online at: [www.hillingdon.gov.uk](http://www.hillingdon.gov.uk)

*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](http://www.hillingdon.gov.uk)

# Useful information for residents and visitors

## Travel and parking

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.

## Accessibility

For accessibility options regarding this agenda please contact Democratic Services. For those hard of hearing an Induction Loop System is available for use in the various meeting rooms.

## Attending, reporting and filming of meetings

For the public part of this meeting, residents and the media are welcomed to attend, and if they wish, report on it, broadcast, record or film proceedings as long as it does not disrupt proceedings. It is recommended to give advance notice to ensure any particular requirements can be met. The Council will provide a seating area for residents/public, an area for the media and high speed WiFi access to all attending. The officer shown on the front of this agenda should be contacted for further information and will be available at the meeting to assist if required. Kindly ensure all mobile or similar devices on silent mode.

Please note that the Council may also record or film this meeting and publish this online.

## Emergency procedures

If there is a FIRE, you will hear a continuous alarm. Please follow the signs to the nearest FIRE EXIT and assemble on the Civic Centre forecourt. Lifts must not be used unless instructed by a Fire Marshal or Security Officer.

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

- 1 Apologies for Absence
- 2 To agree the minutes of the meetings held on 10 November 2016
- 3 Declarations of Interest in matters coming before this meeting
- 4 To confirm the items of business marked Part 1 will be held in Public and any Part 2 will be held in Private

## **Part 1 - Members, Press and Public**

- 5 Presentation & Open Discussion: Anti-Social Behaviour & Investigations Team - Powers to tackle noise, nuisance and ASB in relation to problem premises and public areas.
- 6 Committee Forward Planner 2016/17
- 7 Sub-Committee Decisions and Ratification of Minutes

This page is intentionally left blank



HILLINGDON  
LONDON

## Minutes

Licensing Committee  
Thursday, 10 November 2016  
Meeting held at Committee Room 5 - Civic Centre,  
High Street, Uxbridge UB8 1UW

### **Members Present:**

Dominic Gilham (Chairman)  
David Yarrow (Vice-Chairman)  
Lynne Allen  
Teji Barnes  
Roy Chamdal  
Janet Gardner  
Patricia Jackson  
Brian Stead

### **Also Present:**

Stephanie Waterford  
Nicole Cameron  
Mark Braddock  
Sgt. Karl Spour  
Acting Sgt. Ian Wares  
PC Emly Mitchell

### **13. APOLOGIES FOR ABSENCE**

Apologies were received from Councillors John Morse and Jazz Dhillon.

### **14. DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING**

No interests were declared in matters before the meeting.

### **15. TO AGREE THE MINUTES OF THE MEETINGS HELD ON 13 JULY 2016**

The minutes of the meeting held on 13 July 2016 were agreed as a correct record.

### **16. TO CONFIRM THE ITEMS OF BUSINESS MARKED PART 1 WILL BE HELD IN PUBLIC AND ANY PART 2 WILL BE HELD IN PRIVATE**

All matters were heard in public.

### **17. PRESENTATION & OPEN DISCUSSION: METROPOLITAN POLICE AND THEIR ROLES AND RESPONSIBILITIES IN RELATION TO LICENSING - SGT. KARL SPOUR**

The Committee received a comprehensive presentation from Sgt. Karl Spour, representing Hillingdon Borough Metropolitan Police, regarding their roles and responsibilities with respect to licensing matters. Key points raised included:

- How the Police undertakes a co-ordinated and intelligent-led approach to licensing matters, using integrated databases and risk analysis.
- Good co-operation with the Council and HMRC on site visits and enforcement, ensuring shift patterns are to 0200 hours on Friday and Saturday nights when venues are in full swing.
- Undertake visits at the request of venues themselves to provide advice
- Visual audits by the Police, in particular Hayes Town Centre around street drinking and items for sale in off-licenses, e.g. equipment for drug use.
- In support of counter-terrorism objectives, the Police have intervened with licensed venues to spot and prevent risky behaviour.
- Pub Watch had been re-launched and establishments have made good use of social media and WhatsApp groups to share information on individuals that could pose problems.
- How the Police welcomed the full and vigorous examination of conditions by Members of the Licensing Sub-Committees.

Following the presentation by the Police, the Committee welcomed the integrated working with the Council by the Police. Of particular note, Members asked if the 'Reducing the Strength' scheme could be revisited given recent efforts in encouraging responsible licensed retailers. Members also welcomed the police presence at Hillingdon Hospital, where records of any alcohol or drug related crime would be taken and followed up with relevant authorities.

#### **18. GAMBLING ACT 2005 - INDUSTRY STATISTICS AND FIXED ODDS BETTING TERMINALS**

Following a request from a previous meeting, Members received information on the monies generated through over-the-counter betting in Betting Shops in comparison with the monies generated through the use of Fixed Odds Betting Terminal Gaming Machines (FOBT's). It was noted that the Gambling Commission published Industry Statistics each year, which had been shared with Members to further elaborate upon this.

Of particular concern to the Committee was safeguarding, in particular for children and those addicted to gambling, including use of self-exclusion schemes. Upon further enquiry, Members noted the difference between skills machines, which were exempt from Gambling legislation, and those used for betting.

#### **RESOLVED:**

**That the Committee notes the information provided.**

#### **19. COMMITTEE FORWARD PLANNER 2016/17**

Members noted the presentation from the ASBIT Team in January and requested it cover issues around street drinking in Hayes Town Centre and details of the level and type of Members' Enquiries / contact centre queries around anti-social behaviour and licensing.

**RESOLVED: That the Committee note the Forward Planner.**

## **20. SUB-COMMITTEE DECISIONS AND RATIFICATION OF MINUTES**

Relevant Members of the Committee agreed minutes of previous licensing Sub-Committee hearings as a correct record and the Committee then ratified the minutes of the meetings.

### **RESOLVED:**

- 1) That the Committee note the decisions of the Licensing Sub-Committees since the last Licensing Committee meeting and;**
- 2) That the Committee, and Members present at the following Sub-Committees, approves the minutes as a correct record:**
  - a) 5 August 2016 (Part 1)**
  - b) 13 September 2016 (Part 1)**

The meeting closed at 10:56am.

This page is intentionally left blank



# Agenda Item 6

## LICENSING COMMITTEE - FORWARD PLANNER 2016/17

<b>Committee</b>	Licensing Committee
<b>Officer Contact</b>	Mark Braddock - Democratic Services
<b>Ward(s) affected</b>	N/A

### RECOMMENDATION:

That the Committee note the Forward Planner and suggest any alterations or additional topics or business items.

10 January 2017	Proposed Agenda / Reports	Lead	Timings
10am Committee Room 6	<b>Presentation:</b> ASBIT - powers to tackle noise, nuisance and ASB in relation to problem premises and public areas.		<b>Report deadline:</b> 22 December 2016 <b>Agenda Published:</b> 2 January 2017
	<b>Policies</b> <ul style="list-style-type: none"> <li>N/A</li> </ul>		
	<b>Informatives:</b> <ul style="list-style-type: none"> <li>N/A</li> </ul>	BS SW	
	<b>Business Review:</b> <ul style="list-style-type: none"> <li>Forward Planner</li> <li>Sub-Committee Minutes</li> </ul>	MB	

13 April 2017	Proposed Agenda / Reports	Lead	Timings
10am Committee Room 6	<b>Presentation:</b> Representative from the Gambling Commission	SW	<b>Report deadline:</b> TBC <b>Agenda Published:</b> TBC
	<b>Policies</b> <ul style="list-style-type: none"> <li>Update from Public Health</li> <li>Hearing Protocol for Street Trading (post consultation)</li> </ul>		
	<b>Informatives:</b> <ul style="list-style-type: none"> <li>Legislative Update</li> <li>Annual Licensing Activity Update</li> </ul>	NC SW	
	<b>Business Review:</b> <ul style="list-style-type: none"> <li>Forward Planner</li> <li>Sub-Committee Minutes</li> </ul>	MB	

## **Provisionally taken off the Planner**

- 'Reducing the Strength' update - 14 April 2016 meeting
- Building up the evidence base for sub-committee decisions - to incorporate into public health items

## **Annual Update**

- Licensing Activity Update

## SUB-COMMITTEE DECISIONS & RATIFICATION OF MINUTES

<b>Committee</b>	Licensing Committee
<b>Officer Contact</b>	Mark Braddock, Democratic Services
<b>Papers with report</b>	Minutes of Licensing Sub-Committees
<b>Ward(s) affected</b>	Various

### HEADLINE

This report updates Members on recent Licensing Sub-Committee decisions since the last meeting and seeks ratification of the minutes of the sub-committees as an accurate record.

The minutes shown are public minutes, as the meetings were considered in Part 1.

### RECOMMENDATIONS

- A: That the Committee note the decisions of the Licensing Sub-Committees since the last Licensing Committee meeting and;**
- B: That the Committee, and Members present at the following Sub-Committee, approve the minutes as a correct record:**

**a) 7 November 2016 (Part 1)**

(see below for breakdown of which Members attended which meeting to approve)

### SUPPORTING INFORMATION

Overleaf are the licensing sub-committee decisions since the last meeting. They are strictly for noting and ratification only, as the decisions have been made and implemented. Attached to this report are a number of sets of minutes, which have yet to be approved formally.

<b>Date of Meeting</b>	<b>Application or Matter Considered</b>	<b>Ward</b>	<b>Members Present</b>	<b>Sub-Committee Decision</b>
<b>7 November 2016</b> Part 1	Application for the renewal of a temporary street trading licence outside "One Pound Plus", 37 Station Road, West Drayton.	West Drayton	Yarrow (Chairman), Allen, Stead	<b>GRANTED</b> subject to condition

This page is intentionally left blank

## Minutes

### LICENSING SUB-COMMITTEE

7 November 2016

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



	<p><b>Committee Members Present:</b> Councillors David Yarrow (Chairman) Lynne Allen Brian Stead</p> <p><b>LBH Officers Present:</b> Kate Boulter, Democratic Services Officer Nicole Cameron, Legal Advisor Stephanie Waterford, Licensing Service</p>
6.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
7.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
8.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items were Part I and would be considered in public.</p>
9.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
10.	<p><b>RENEWAL APPLICATION FOR TEMPORARY STREET TRADING LICENCE OUTSIDE "ONE POUND PLUS", 37 STATION ROAD, WEST DRAYTON</b> (<i>Agenda Item 5</i>)</p> <p><b><i>Introduction by Licensing Officer</i></b></p> <p>Stephanie Waterford, Licensing Officer at London Borough of Hillingdon, introduced the report relating to an application for the renewal of a temporary street trading licence outside "One Pound Plus", 37 Station Road, West Drayton. The application had been made by the premises occupier, Mr Gurbajan Singh.</p> <p>The applicant sought to renew the licence to display household goods in a one metre shop front display outside the shop. The licence had been held since March 2014.</p> <p>It was noted that a letter dated 27 October 2016 from the applicant's representative, Mr</p>

Indranil Chakraborty, had been circulated as an addendum.

The application had been put before the Sub-Committee due to the receipt of one representation made in relation to the application, which stated concerns in relation to the application.

The Committee was invited to determine the application, and either grant, refuse, or amend the application as applied for.

### ***Representation by the Applicant***

Mr Singh's representative, Mr Chakraborty, addressed the Sub-Committee. The issues Mr Chakraborty raised in his representation were:

- The applicant endeavoured to contain his display within the permitted area but acknowledged that on occasions he had exceeded the one metre permitted by a few inches when, for example, the display was blown by the wind. There was a wide footpath and movement of a few inches would not block pedestrian access. The applicant was reliant upon others to tell him if the display had moved.
- The display was colourful and attractive.
- Mr Singh was experienced in managing the display to minimise disruption if a customer wished to buy goods at the bottom of the display. He did not leave goods on the pavement when rearranging the display.
- Thieves operated in the area and had stolen from the applicant's shop.
- Profit margins were small and Mr Singh worked very hard to run his business. If the licence were revoked, Mr Singh would lose his business as he could not compete against large businesses in the area.
- It was a difficult location to run a business from as there were no loading bays and the applicant had paid over £600 in parking fines received for leaving his vehicle outside the shop to load.
- Mr Chakraborty and Mr Singh stated that a man and a woman had come to the shop, claiming to be from the Council's Street Trading Department, and ordered Mr Singh to pay fines for exceeding the permitted size of his display. In response to this, officers advised that the Licensing Department had not issued any fines to Mr Singh during the past twelve months, and that officers would not visit premises to demand money. The Chairman advised that this issue was not a material consideration for the application to be determined, but should be investigated further outside of the meeting.
- Mr Chakraborty stated that the representations made by the objector, Councillor Dominic Gilham, were based on hearsay rather than fact. The allegations that the applicant had been dumping trade waste unlawfully was incorrect. The only trade waste Mr Singh's business generated was cardboard packaging which was recycled. The bins mentioned in Councillor Gilham's objection belonged to the flats at the rear of the shop, not the applicant.
- Mr Chakraborty requested that the applicant be given another opportunity to demonstrate he could run his business and comply with the conditions of the licence. He suggested Members could consider extending Mr Singh's display area

by a few inches, and monitoring compliance with the licence.

### ***Representation by the Applicant***

The objector, Councillor Dominic Gilham, addressed the Sub-Committee. With the agreement of the applicant and with permission from the Chairman, Councillor Gilham circulated some photographs of the applicant's street display. The issues Councillor Gilham raised in his representation were:

- Councillor Gilham was a local Ward Councillors and passed the applicant's shop daily. He had observed and reported infringement on a number of occasions. The display was too large and did not adhere to the criteria specified in the licence. The photographs showed that the display was always larger than one metre outside the shop.
- The Council's adopted policy stated that street trading must enhance the street scene. Councillor Gilham did not believe the display enhanced the street scene.
- The applicant had admitted to numerous breaches and fines which demonstrated he was not complying with the licence.
- Councillor Gilham did not believe the applicant's claim that his business did not generate any trade waste other than cardboard.
- The circulated photographs showed items including a shopping trolley and shelves stacked on land at the side of the applicant's shop, which contravened the requirement for the area to be kept clear throughout the street trading day. In response, the applicant stated that he was refitting his shop and the shelves were being stored there temporarily and would be gone by the end of the week. The applicant stated that the shopping trolley was not his and must have been dumped there by another party.
- Councillor Gilham acknowledged that there was a problem across the road from the applicant's shop, where donations for a charity shop were left on the pavement, and with the flats behind, but stated that these did not remove Mr Singh's obligation to keep a five metre area around his site clear.
- Councillor Gilham stated that he had spoken to the applicant on a number of occasions and had asked the Council's Antisocial Behaviour Team to visit. Residents had voiced their concerns about the applicant's shop to Councillor Gilham on a number of occasions. Residents were unhappy with rubbish around the site. It was Councillor Gilham's view that a street trading licence should not be granted to the applicant at this time.

### ***Discussion***

Members noted that the land at the side of the shop where shelving was stored belonged to Mr Singh, and asked whether he had considered erecting a fence to prevent other people dumping rubbish there. Mr Singh stated that in his view this could cause more of a problem as people could throw rubbish over the fence. Members reminded Mr Singh that the onus was on him as licence holder to comply with all the conditions of the licence, which included keeping the area around the shop clear.

Mr Singh advised that he had ordered trolleys which were 97cm deep which he planned to use to display his goods. These would ensure he kept within the one metre permitted, and also make it easier to move goods around. The refurbishment currently

under way would optimise space within the shop and mean fewer goods needed to be displayed outside.

The applicant confirmed that he paid to dispose of trade waste.

The Chairman confirmed that during deliberation, the representations that were received would be discussed and considered in any decision that was made.

### ***Committee Deliberation***

All parties were asked to leave the room while the Sub-Committee considered its decision.

All parties were invited back into the room for the Chairman to announce the decision of the Sub-Committee.

### ***The Decision***

#### **RESOLVED:**

The Sub-Committee has considered this application and taken into account evidence and submissions from all of the parties. In reaching its decision the Sub-Committee has taken into account the relevant provisions of Part III of the London Local Authorities Act 1990 and the Council's Street Trading Policy.

The Sub-Committee has decided, on a balance of probabilities, to renew a temporary street trading licence for a period of 3 months subject to the following condition:

1. The trading space shall be demarcated with demarcation studs to clearly define the trading area.

The Sub-Committee further make the following recommendations:

1. The Licence Holder is requested to work with the Council as part of the refurbishment to ensure that the Licence Holder's suggested improvements to the street trading area are in line with the Council's Street Trading Policy 2015.
2. That the Anti-Social Behaviour Investigations Team makes unannounced visits to the premises once a month.

The meeting, which commenced at 2.00 pm, closed at 4.30 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Kate Boulter, Clerk to the Licensing Sub-Committee on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

**The public part of this meeting was filmed live on the Council's YouTube Channel to increase transparency in decision-making, however these minutes remain the official and definitive record of proceedings.**