



HILLINGDON
LONDON



Notice of Hearing Licensing Sub-Committee

Date: TUESDAY, 10 MAY 2016

Time: 2.00 PM

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 Sub-Committee:

David Yarrow (Chairman)

Lynne Allen

Judy Kelly

Important Information

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

Thursday, 5 May 2016

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: Friday, 22 April 2016

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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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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	Pages
5	Application for a Review of a Premises Licence - Bar 101, 101-103 High Street, Ruislip, HA4 8JN Committee Report Appendix 1 - Recommendation of the Licensing Officer Appendix 2 - Review Application Appendix 4 - Representation Responsible Authority Appendix 5 - Representation Interested Party Appendix 6 - Current Premises Licence and Plan Appendix 7 - Site Photographs Appendix 8 - Site Map and Location Information	West Ruislip	2.00 PM BRIEFING FOR ALL PARTIES AT 1.40 PM	 19 - 26 27 - 28 29 - 42 43 - 52 53 - 54 55 - 62 63 - 70 71 - 76

Part II - Members Only

This item is included in Part 2 as it contains information relating to an individual or likely to reveal the identity of an individual and Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. The public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraphs 1,2 and 7 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).

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Hearing Protocol

This protocol outlines the procedures that will be followed in relation to hearings held under the Licensing Act 2003 and the Gambling Act 2005

Agreed and adopted by the Licensing Committee on 15 October 2015

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1. Introduction

- 1.1 The Licensing Act 2003 (Hearings) Regulations 2005 and the Gambling Act 2005 (Proceedings of Licensing Committees and Sub-committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007 ("together hereafter the Regulations") provide that a Licensing Authority shall, subject to the provisions of those Regulations, determine for itself the procedure to be followed at a hearing.
- 1.2 These procedures set out the way in which the Licensing Authority will conduct hearings under the Licensing Act 2003 ("hereinafter the 2003 Act") and the Gambling Act 2005 ("hereafter 2005 Act") and the associated Regulations.
- 1.3 Appendix 1 of this protocol includes the procedure that will be adopted by the Licensing Authority in the event that an interim hearing must be held following notice of a Summary Review pursuant to Section 53A of the Act.

2. Timescales

- 2.1 Most hearings under the 2003 Act must take place within 20 working days from the last date in which representations can be made.
- 2.2 Exceptions under the 2003 Act:
 - Within 10 working days from the day after the Authority receives the notice for a review of the premises licence following a Closure Order.
 - Within 7 working days from after the end of the period within which the police can object to:
A temporary event notice (the police must give notice of their objection within 3 working days of being given a copy of the notice); and
 - Within 5 working days beginning with the day after the end of the last date for the police to object to an interim authority notice (the police must give notice of their objection within 2 working days of being given a copy of the notice).
- 2.3 For applications made under the 2005 Act the Authority must commence a hearing as soon as reasonably practicable after the expiry of the statutory period where representations can be received.
- 2.4 These matters are more fully set out in the Regulations.
- 2.5 Where a hearing will take more than one working day, the Authority must arrange for the hearing to take place on consecutive working days.

3. Timescales for Notice of Hearing to be given

3.1 In most cases, the Authority shall give notice of a hearing no later than 10 working days before the first day on which the hearing is to be held.

3.2 Exceptions under the 2003 Act:

- Review of a premises licence following a Closure Order;
- Summary Review of premises licence

At least two working days notice must be given to the parties to a hearing for determination of:

- Police objection to an Interim Authority Notice;
- Police objection to a Temporary Event Notice.

4. Persons who must be notified of a hearing

4.1 The persons who must be notified of a hearing are set out below as a summary:

- Any applicant for any licence, provisional statement or review made under the 2003 Act and the 2005 Act;
- The premises user who submitted the temporary event notice under the 2003 Act;
- Any person who has made relevant representations about an application for a licence or provisional statement or review;
 - Any police officer who has given notice of objection under the 2003 Act to a person specified as a Designated Premises Supervisor;
 - An interim authority;
 - Transfer of a premises licence;
 - Transfer of a club premises licence;
 - Transfer of a club premises certificate;
 - A temporary event notice;
 - A personal licence.
 - Any holder of a premises licence or club premises certificate when an application is made for review.

5. Information to be provided in a Notice of Hearing

5.1 The information and documentation that must accompany the Notice of Hearing relating to an application or notice under the 2003 Act includes:

- The procedure to be followed at the hearing;
- The right of the party to attend and to be assisted or represented by any person whether legally qualified or not;

- The ability to give further information in support of their application where the Authority has sought clarification;
- The right to question any other party;
- The right to address the Authority;
- Notice of any particular on which the Authority will want clarification at the hearing;
- The consequences if a party does not attend or is not represented at the hearing;

5.2 The information and documentation that must accompany the Notice of Hearing relating to an application under the 2005 Act includes:

- The consequences where a party informs the Sub-Committee that he/she does not wish to attend or be represented at the hearing or fails to inform the Sub-Committee whether he/she will attend or be represented at the hearing;
- The requirements imposed on the Sub-Committee in conducting a hearing as set out in the Regulations;
- The consequences where a party has indicated that he/she wishes to attend or be represented at the hearing, but fails to attend or be represented at the hearing;
- The procedure to be followed at the hearing;
- The time limit and method by which a party should inform the Sub-Committee that he/she wishes to be assisted or represented by another person;
- The time limit and method by which a party should inform the Licensing Authority that he/she will want to call a witness to give evidence at the hearing, and the matters in relation to which he/she will want to call a witness to give evidence at the hearing and the matters in relation to which he/she wishes that witness to give evidence;
- The time limit and method by which a party should inform the Sub-Committee that he/she is willing to consent to the application being determined without a hearing;
- The matters on which the Sub-Committee considers at the time that it will want clarification at the hearing from a party.

5.3 The Notice of Hearing will ask all parties to attend a briefing session 20 minutes before the hearing begins. At this briefing the Council's Legal Advisor will be available to answer questions or provide any clarification.

6. Notice of Reply

6.1 On receipt of the Notice of Hearing, all parties must inform the Authority whether they:

- Intend to attend or 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 brief description of the point or points about which that person may be able to assist the hearing.

6.2 In the case of a hearing under-

- Section 48(3)(a) cancellation of interim authority notice following police objection; or
 - Section 105(2)(a) counter notice following police objection to Temporary Event Notice
- The party must return the notice no later than one working day before the day of the hearing.
 - In the case of a hearing under-
 - Section 167(5)(a) review of a premises licence following a closure order ; or
 - Section 53C review of premises licence following review notice; or
 - Paragraph 4(3)(a) of Schedule 8 conversion of an existing licence; or
 - Paragraph 16(3)(a) of Schedule 8 conversion of an existing club licence; or
 - Paragraph 26(3)(a) of Schedule 8 determination of application by holder of justices' licence for grant of personal licence
 - The party must return the notice no later than two working days before the day of the hearing.
 - In any other case, the party must give no later than five working days before the day of the hearing.

7. Failure of parties to attend the hearing

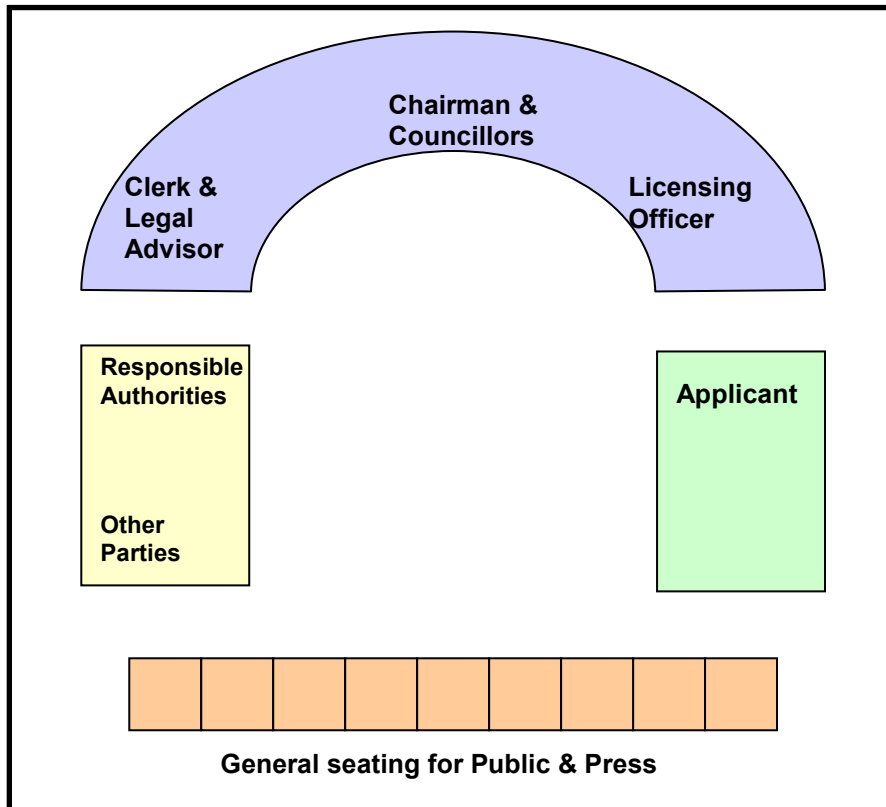
- 7.1 If a party has informed the Authority that they will not be attending or be represented at the hearing it may proceed in their absence.
- 7.2 If a party does not give notice that they will not be attending but fails to attend and is not represented the Authority may either:
- (a) Adjourn the hearing if it considers it to be necessary in the public interest; or
 - (b) Hold the hearing in the party's absence.
- 7.3 If the Authority holds the hearing in the absence of a party, it will consider at the hearing the application, the representation or notice given by the party.
- 7.4 If the Authority adjourns the hearing to a specified date it must forthwith (as soon as reasonably practicable under the Gambling Act regulations) notify the parties of the date, time and place to which the hearing has been adjourned.

8. Procedure at the hearing

- 8.1 Composition of Sub-Committee
- 8.2 The Sub-Committee will, usually consist of three members appointed from members of the Authority's Licensing Committee.

8.3 No business shall be transacted unless at least two members of the Sub-Committee are present and able to form a properly constituted Sub-Committee.

8.4 The usual room layout for the hearing will be as outlined below:



8.5 The usual order of proceedings will be as set out below:

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.

Introduction by the Council's Licensing Officer



The Applicant / Licence Holder



Responsible Authorities (if present)



Other Parties (residents etc...)



DISCUSSION LED BY THE SUB-COMMITTEE

The Chairman will lead the discussion. This will be a chance for all parties to provide comments on any submissions that have been made to the Sub-Committee.



Closing remarks from each party



Sub-Committee deliberates



Chairman announces the decision

The Licensing Officer will introduce the report and will outline the matter before the Sub-Committee, giving any relevant background information. The Sub-Committee may ask questions of the officer.

The Applicant, licence holder or the person representing him/her will be invited to address the Sub-Committee. They will be allowed sufficient time to present his/her case. The Sub-Committee may ask questions.

Responsible Authorities will be invited to address the Sub-Committee and will be allowed sufficient time. The Sub-Committee may ask questions of the Responsible Authorities.

Other parties will be invited to address the Sub-Committee. Where there are a number of parties making similar representations the Chairman will expect the parties to nominate a spokesperson to make the representations and all will be allowed sufficient time. The Sub-Committee may ask questions of the Other Parties.

The Chairman will invite the Responsible Authorities and Other Parties to make brief closing remarks on the application. The Applicant / licence holder makes the final closing remarks.

The Sub-Committee will remain in the room to deliberate and make their decision, with only the Legal Advisor and the Clerk to the Sub-Committee remaining. All others present will be asked to leave the room.

Parties may return to the room when invited to do so and the Chairman will announce the decision. The Chairman will remind the Applicant / licence holder that the decision will be sent to them in writing. There can be no further questions or statements.

- 8.6 The Sub-Committee may allow the parties to question any other party (if permission is given) and to address the Sub-Committee, but will seek in all cases to avoid repetition of matters (whether included in written material or otherwise) irrelevancy or any abuse of procedure.
- 8.7 The Sub-Committee will be guided by legal principles by determining whether evidence is relevant and fairly admissible. In particular, hearsay evidence may be admitted before the Sub-Committee but consideration will always be given to the degree of weight, if any, to be attached to such evidence in all the relevant circumstances.
- 8.8 When considering any representations or notice made by a party, the Authority may take into account documentary or other information produced by a party in support of their application, representation or notice, either:
- (a) Before the hearing; or
 - (b) With the consent of all other parties at the hearing.
- 8.9 If documentary or other evidence is submitted late or at the hearing, the Sub-Committee may decide to adjourn the hearing so as to allow Members and any other party time to consider the information and that may involve an adjournment of proceedings to another date. The Sub-Committee may decide not to consider the information if no satisfactory explanation is provided for its late submission.
- 8.10 Any party may withdraw their representations by contacting the Democratic Services Department by phone, letter or email, providing they give notice no later than 24 hours before the first day of the hearing. If, during the hearing, any party wishes to withdraw their representations they may do so orally by informing the Chairman.
- 8.11 The Sub-Committee when determining an application or notice under the provisions of the 2003 Act will disregard any information given by a party, or any other person appearing at the hearing which is not relevant to:
- (a) Their application, representation or notice;
 - (b) In the case of another person, the application representation or notice of the party requesting their appearance;
 - (c) The promotion of the licensing objectives; or
 - (d) In relation to a hearing to consider a notice given by the Police the crime prevention objective.
- 8.12 A hearing under the 2003 Act shall take place in public save that:
- (a) The Sub-Committee may exclude the public from all or part of a hearing where it considers that, on balance, it is in the public interest to do so;
 - (b) The parties and any person representing them may be excluded in the same way as another member of the public.

8.13 A hearing under the 2005 Act shall take place in public save that:

(a) The Sub-Committee may direct that all or part of a hearing must be in private if it is satisfied that it is necessary in all circumstances of the case, having regard to:

- Any unfairness to a party that is likely to result from a hearing in public; and
- The need to protect as far as possible, the commercial or other legitimate interests of a party.

8.14 The Sub-Committee may require any person attending the hearing who in their opinion is behaving in a disruptive manner to leave the hearing and may:

- (a) Refuse to permit the person to return; or
- (b) Allow them to return only on such conditions as the Authority may specify.

8.15 Any person excluded may, before the end of the hearing, submit to the Sub-Committee in writing, any information which, they would have been entitled to give orally had they not been required to leave and the Sub-Committee will take that information into account in reaching a determination of the application or review.

9 Determination of the application and time limits

9.1 For applications determined under the 2003 Act the Sub-Committee must make its determination at the conclusion of the hearing where the application is for:

- (a) A review of a premises licence following a closure order;
- (b) A summary review of a premises licence
- (c) A personal licence by the holder of a justices licence;
- (d) A counter notice following police objection to a temporary event notice.

9.2 In any other case, the Authority must make its determination within the period of five working days, beginning with the day or the last day on which the hearing was held.

9.3 Where a hearing has been dispensed with because all of the parties have agreed that a hearing is unnecessary (and the Authority has agreed, giving notice to the parties in writing) then the Authority must make its determination for the 2003 Act applications, reviews and notices within 10 working days beginning with the day the Authority gives such notices to the parties.

10 Record of Proceedings

10.1 The Authority must arrange for a record to be taken of the hearing in a permanent and intelligible form and for that record to be kept for six years from the date of determination. Where an appeal is brought against a determination by the Authority, the record must be kept for six years from the date of disposal of the appeal.

11 Irregularities

11.1 Proceedings will not be rendered void only as the result of failure to comply with any provision of the Regulations.

11.1 Where the Authority considers that any person may have been prejudiced as a result of an irregularity relating to the Regulations, it will take such steps, as it thinks fit to cure the irregularity, before reaching its determination.

11.2 Clerical mistakes in any document recording a determination of the Authority or errors arising in such a document as a result of an accidental slip or omission may be corrected by the Authority.

12 Notices

12.1 Any notices under these regulations will be given in writing. Such a notice may be sent electronically, providing:

- (a) It can be accessed by the recipient in a legible form;
- (b) It is capable of being reproduced as a document for future reference;
- (c) The recipient has agreed in advance to receive it in such form;
- (d) A copy is sent in documentary form forthwith to the recipient.

13 Appeals.

13.1 Either those that have made an application or those who have made representations on an application may have the right to appeal the Authorities decision to the Magistrates' Court.

13.1 An appeal must be commenced within twenty one days beginning with the day on which the appellant was notified by the Licensing Authority of their decision.

13.2 Notice of appeal should also be sent to the Authority's Legal Services Department.

14. Other information and contact details.

14.1 The minutes of a hearing will be made available on the Council's website at:

www.hillingdon.gov.uk

14.2 Applicants for new premises licences, 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.

14.3 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 Regulatory Services Department during working hours.

14.4 The address and contact details for Democratic Services are:

Clerk to the Committee
Democratic Services
3E/05
Civic Centre
Uxbridge
UB8 1UW

14.5 The address and contact details for Legal Services are:

Legal Services Department
3E/04
London Borough of Hillingdon
Civic Centre
Uxbridge
UB8 1UW

DX: 45101 Uxbridge

Appendix 1

**Hearing Protocol for interim hearings held pursuant to
Section 53A to 53C of the Licensing Act 2003.**

1. Introduction.

- 1.1 The powers under Section 53A to 53C of Licensing Act 2003 ("the Act") are aimed at tackling serious crime and serious disorder.
- 1.2 The powers allow the police to trigger a fast track process to review a premises licence where the police consider that the premises are associated with serious crime or serious disorder (or both) and the Licensing Authority to respond by taking interim steps quickly, where appropriate, pending a full review.

2. Triggering the expedited review.

- 2.1 The Chief Officer of Police for the area in which the premises are situated may apply to the Licensing Authority for an expedited licence review if a senior member of the force has issued a certificate that in his/her opinion a licensed premises is associated with serious crime and serious disorder (or both).

3. The Licensing Authority and the interim steps.

- 3.1 Within 48 hours of receipt of the chief officer's application, the licensing authority must give the premises licence holder and the responsible authorities a copy of the application for review and a copy of the certificate and must also consider whether it is necessary to take interim steps pending the determination of the review applied for. When calculating the 48 hour period any non-working day will be disregarded.
- 3.2 Consideration of the interim steps may take place without the holder of the premises licence having been given an opportunity to make representations to the relevant Licensing Sub-Committee. There is no requirement to hold a formal hearing in order to take interim steps. This means that the relevant Sub-Committee members can communicate by telephone or other means in order to reach a decision. In such circumstances, a written record will always be produced as soon as possible after a decision is reached.
- 3.3 The interim steps that the Licensing Authority must consider taking are-
 - The modification of the conditions of the premises licence;
 - The exclusion of the sale of alcohol by retail from the scope of the licence;
 - The removal of the designated premises supervisor from the licence;
 - The suspension of the licence.
- 3.4 In the event that the Licensing Authority decides to take one or more such steps-
 - (a) Its decision takes effect immediately or as soon after that as the Licensing Authority directs; but
 - (b) It must give immediate notice of its decision and of its reasons for making it to-
 - (i) the holder of the premises licence; and

(ii) the Chief Officer of the Police for the area in which the premises are situated.

3.5 The Act does not specify that the immediate notice has to be in writing. Where the Licensing Authority decides that the decision should take immediate effect and the licence holder was not present for the decision, then it will approach the licence holder by telephone and the call will be followed up as soon as possible with a written version of the decision and the reasons which is identical to or not significantly different from the version given by telephone.

4. Making representations against the interim steps.

4.1 The holder of the premises licence may make representations against the interim steps taken by a Licensing Authority.

4.2 There is no time limit for the premises licence holder to make representations on the interim steps, although in practice this would at some point be superseded by the full review which has to be completed within 28 days of the application being received by the Licensing Authority.

4.3 On receipt of a representation the Licensing Authority must, if the representations are not withdrawn, hold a hearing to consider those representations within 48 hours of the time of its receipt.

4.4 The Licensing Authority must give advance notice of the hearing to-

- (a) the holder of the premises licence;
- (b) the chief officer of police for the area in which the premises are situated.

4.5 At the hearing, the Licensing Authority must -

- (a) consider whether interim steps are appropriate for the promotion of the licensing objectives; and
- (b) determine whether to withdraw or modify the steps taken.

4.6 The Licensing Authority cannot adjourn the hearing to a later date if the licence holder fails to attend at the scheduled time.

4.7 The licence holder does not need to be present for the hearing to take place.

4.8 There is no timescale for notifying the licence holder of the hearing under this process, providing the notification takes place before the hearing is held. However, the Licensing Authority will aim to provide the licence holder with as much notice as is possible in the circumstances to afford the holder a maximum opportunity to prepare for and attend the hearing.

4.9 There is no right of appeal to a Magistrates' Court against the Licensing Authority's decision at this stage.

5. The review of the premises licence.

5.1 Within 28 days of receipt of an application under section 53A of the Act, the Licensing Authority must:

- hold a Sub-Committee hearing to consider the application for review and any relevant representations;
- take such steps as it considers appropriate for the promotion of the licensing objectives;
- secure that, from the coming into effect of the decision made on the determination of the review, any interim steps having effect pending that determination cease to have effect.

5.2 Those steps are-

- (a) the modification of the conditions of the premises licence;
- (b) the exclusion of a licensable activity from the scope of the licence;
- (c) the removal of the designated premises supervisor from the licence;
- (d) the suspension of the licence for a period not exceeding three months; or
- (e) revocation of the licence.

5.3 The Licensing Authority must:

- advertise the review inviting representations from any persons for no less than seven consecutive days and if applicable on the Licensing Authority's website;
- advertise that any representations made by the premises licence holder, responsible authority and any other persons should be submitted to the Licensing Authority within 10 working days of the advertisement of the review appearing; and
- give formal notice of the hearing no later than five working days before the day or first day on which the hearing is to be held to the premises licence holder and to every responsible authority.

5.4 A party shall give to the Licensing Authority a notice no later than two working days before the day or first day of the hearing stating whether-

- he intends to attend or be represented at the hearing;
- he considers a hearing to be unnecessary
- he would like permission for any other person to appear at the hearing and if so, explain on which points that person will be able to contribute.

5.5 The regulations relating to hearings are set out in the Licensing Act 2003 (Hearings) Regulations 2005. They apply to final hearings under the section 53A(2)(b). The issues that these regulations deal with include who can make representations and what those representations can be about. It is therefore possible for responsible authorities or any other persons to make representations in relation to any of the licensing objectives, not just crime and disorder. Similarly where it is in the public interest, the regulations relating

to the exclusion of individuals from hearings, or conducting the hearing in private, will apply.

- 5.6 The Licensing Authority must notify the determination and its reasons for making it to-
- (a) the holder of the premises licence;
 - (b) any person who made relevant representations; and
 - (c) the chief officer of police for the area in which the premises are situated.
- 5.7 An appeal may be made to the Magistrates' Court within 21 days of the licence holder being notified of the Licensing Authority's determination on the review.
- 5.8 An appeal may be made by the premises licence holder, the chief officer of police and/or any other person who made relevant representations.
- 5.9 The decision of the licensing authority, following the review hearing, will not have effect until the end of the period allowed for appeal, or until the disposal of the appeal.

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Review of Premises Licence

Committee	Licensing Sub-Committee
Officer Contact	Charlene Ellis - Licensing Officer - 01895 277433
Papers with report	Appendix 1 - Recommendation of the Licensing Officer Appendix 2 - Review Application Appendix 3 - Supporting Application Statement and Exhibits Appendix 4 - Representation Responsible Authority Appendix 5 - Representation Interested Party Appendix 6 - Current Premises Licence and Plan Appendix 7 - Site Photographs Appendix 8 - Site Map and Location Information
Ward name	West Ruislip
<b style="color: red;">NOT FOR PUBLICATION This report is public but the listed appendices contain confidential or exempt information	Appendix 3 - Supporting Application Statement and Exhibits This item is included in Part 2 as it contains information relating to an individual or likely to reveal the identity of an individual and Information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime. The public interest in withholding the information outweighs the public interest in disclosing it (exempt information under paragraphs 1,2 and 7 of Part 1 of Schedule 12A to the Local Government (Access to Information) Act 1985 as amended).

1.0 SUMMARY

To carry out a review of the premises licence pursuant to Section 51 of the Licensing Act 2003 in relation to the Bar 101, 101-103 High Street, Ruislip, HA4 8JN.

2.0 RECOMMENDATION

That the Licensing Sub-Committee modify the conditions attached to the premises licence as detailed in Appendix 1.

3.0 INFORMATION

3.1 On 17 March 2016, an application for a Review of the premises licence was received under S51 of the Licensing Act 2003. This was from the Metropolitan Police and relates to all four Licensing Act 2003 objectives.

3.2 In summary, the concerns raised in the review application relate to a mixture of assaults and anti-social behaviour incidents taking place at the premise between the period of September 2015 and March 2016. An attempt to address these issues was made by the Police on 1 February 2016 by way of convening a meeting with the licence holder, bar management and event's organiser. A

Part I - Members, Public and Press

variety of measures were verbally agreed by all parties and can be viewed within **Appendix 3** - document EM2.

- 3.3 Since the above agreement was established, two further serious incidents have occurred at the premises; one of which occurred on 5 March 2016 and concerned a weapon. This event subsequently prompted the review. Details of this incident can be found in **Appendix 3** - document MG(11)T. Information relating to the second incident of a reported 'Actual Bodily Harm', took place on 1 April 2016 and a Police Witness Statement has been produced and is attached as at **Appendix 3** - document reference EM5.
- 3.4 The review application from the Metropolitan Police stipulates full grounds for the review, in Section C of the application form together with supporting statements and exhibits; these are attached as **Appendix 2 and 3** respectively.

4.0 CONSULTATION

- 4.1 As required by the legislation, the application was served upon the licence holder and responsible authorities by the applicant on 17 March 2016
- 4.2 A legal notice of the review was displayed at the premises, Council Offices and placed on the Councils website,
- 4.3 Closing date for representations - 14 April 2016
- 4.4 A total of two responses to the consultation were received. These are detailed below.

5.0 REPRESENTATIONS

- 5.1 The Licensing Authority has made a representation and have put forward recommendations for the implementation of further licence conditions. A copy of the Licensing Authority's letter is attached as **Appendix 4**.
- 5.2 The Elected Ward Member for West Ruislip, Cllr Phillip Corthorne, has made a representation as an interested party. The representation has been made on the grounds of Prevention of Crime and Disorder and Prevention of Public Nuisance attached as at **Appendix 5**.

6.0 BACKGROUND INFORMATION

- 6.1 Current Licences held
The premises have been licensed under the Licensing Act 2003, since commencement of the act in 2005. The licence was subsequently transferred in line with this legislation in November 2011; when the current licence holder, Mr David Sanders, was instated as both the licence holder and designated premises supervisor.
- 6.2 Current Designated Premises Supervisor
Mr David Sanders.
- 6.3 Description of the Premises

Part I - Members, Public and Press

The premise occupies a double-fronted unit, there is no rear outdoor private space for patrons.

The premise is in a terraced position facing out onto High Street, Ruislip and adjoins two neighbouring retail outlets.

Directly positioned above the property are a number of residential dwellings.

There are no parking facilities at the premise but council operated parking bays apply and run the length of the front of the property.

Photos of both the internal and external layout can be viewed in **Appendix 7**.

6.4 Existing Licensable Activities

<u>Activity</u>		<u>Permitted</u>
Sale of Alcohol:	Consumption on the premises	✓
	Consumption off the premises	✓
Regulated Entertainment:	Plays	
	Films	
	Live Music (Indoors Only)	✓
	Recorded Music (Indoors Only)	✓
	Performances of dance (Indoors Only)	✓
	Indoor Sporting Events	
	Boxing/Wrestling	
Late Night Refreshment (Indoors Only)		✓

6.5 Current Licensable Activity & Opening Hours

	Sale of Alcohol	Regulated Entertainment	Late Night Refreshment	Opening hours
Monday	10:00-00:30	10:00-00:30	23:00-00:30	10:00-01:00
Tuesday	10:00-00:30	10:00-00:30	23:00-00:30	10:00-01:00
Wednesday	10:00-00:30	10:00-00:30	23:00-00:30	10:00-01:00
Thursday	10:00-00:30	10:00-00:30	23:00-00:30	10:00-01:00
Friday	10:00-01:30	10:00-01:30	23:00-01:30	10.00-02:00
Saturday	10:00-01:30	10:00-01:30	23:00-01:30	10.00-02:00

Part I - Members, Public and Press

Sunday	12:00-00:30	12:00-00:30	23:00-00:30	12:00-01:00
---------------	-------------	-------------	-------------	-------------

6.6 Premises Application History

A Minor Variation application was submitted by the current occupier, Mr David Sanders, in July 2012. This variation was to amend an existing annex 2 licence condition, which stipulated restrictions on re-entry to the premise.

Revision to the old condition "*No entry or re-entry will be permitted to the premises after midnight*" was successfully granted within the same month of application and currently conditions the premises to implement the following "*Entry to the premises for new customers after midnight shall not be permitted*"

A copy of the current premises licence and plan is attached as **Appendix 6**.

6.7 Other licensed premises nearby

Bar 101 is situated in a high street setting, sited amongst various eateries and convenience stores. Nearby licensed premises are shown on the area map and particulars of each licence are detailed in the attached appendices; as **Appendix 8**

7.0 OFFICER'S OBSERVATIONS

7.1 Visits made by Licensing Officers

July 2012

A Licensing Officer visited the premises on 5 July 2012 to undertake a routine compliance inspection. The inspection found breaches concerning the display of signage and the retention of CCTV footage. These matters were rectified immediately.

April 2016

A compliance visit was made on 4 April 2016, during the consultation stage for this review application. The visit was carried out by a Licensing Officer and the inspection was made by prior appointment.

The Officer met two members of staff; Emma Hilton - Bar Manager, and Daniel Sanders - Business Partner of the premises.

The focus of the visit was to ensure all existing conditions were being complied with. The findings overall were satisfactory and the management appeared to have implemented measures beyond the legal licence conditions; recording and retaining CCTV for an extended period of 34 days and employing the services of six door staff instead of the required one.

CCTV footage was checked on random dates and the following observations noted were made:

- 01/03/2016 at 00:00 - footage was available and recording in real time, the premises was closed prior to the authorised timings and verbal conditions

surrounding pavement cleansing, agreed with by the Police, were clearly visible and had been actioned.

- 02/04/2016 at 00:00 - premises was in full operation, five doorman were positioned at various points within the premise and patrons could be seen using a designated pavement smoking area to the front of the premises

7.2 Complaints received

No representation has been made by the Environmental Protection Unit, however for information purposes the following statements are direct complaint entries lifted from the EPU's resident complaint log. These complaints are those logged between the period of 2012 and 2016:

8/1/2015 Complaint received from a resident on the high street, complaint was about loud music they said music was often very loud and they could sometimes hear the vibrations in the furniture. They said can tell what songs are being played. I visited 101-103 Ruislip High Street and spoke to Emma Hilton. We discussed noise control. She said she would turn down speakers at front and look into getting anti vibration mounts and would talk to door men and DJs. We also discussed lobbied doors noise limiters and insulating the ceiling as things to think about.

14/12/2015 Complaint received from a different resident on the high street complaining of loud music and shouting, he said it was a regular problem. He was advised to call OOH when it was occurring and I spoke to the manager and made them aware of the problem.

Appendix 4 - reference SW2 also makes reference to complaints logged with the Councils out of hours service, from the evenings of 14th December 2015 and 23rd January 2016 and are exhibited by Stephanie Waterford - Licensing Authority

7.3 Relevant Sections of the Government Guidance

The Committee's attention is drawn to the following sections of the Home Office Section 182 Guidance:

Section 9.36 - Hearings

Section 9.41, 9.42, 9.43 - Determining Actions

Section 10.2 Conditions Attached - General

Section 11 - Reviews

7.4 Relevant Sections of Hillingdon's Statement of Licensing Policy

The Committee's attention is drawn to the following particularly relevant sections of the Hillingdon Licensing Policy:

Section 10.5 - Age Verification Schemes

Appendix B - Prevention of Crime and Disorder

Appendix D - Prevention of Public Nuisance - in particular, consideration factors for Management page 29-30

Appendix E - Protection of Children from Harm

LEGAL COMMENTS

Part I - Members, Public and Press

Following an application for review of a premises licence under Section 51 of the Licensing Act 2003, the licensing authority must convene a hearing within 20 working days following the 28 day application period following receipt.

The licensing authority must review the premises licence where it is alleged in an application for review by a Responsible Authority or other persons that any of the licensing objectives are being undermined.

"Relevant representations" are those which:

- Are relevant to one or more of the licensing objectives;
- Are made by a Responsible Authority or other persons within the prescribed period;
- Are made by the holder of the premises licence in response to an application for a review of the said premises;
- Have not been withdrawn; and
- If made by other persons, that they are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

The four licensing objectives are –

- The prevention of crime and disorder;
- Public safety;
- The prevention of nuisance and
- The protection of children from harm

Each objective must be considered to be of equal importance.

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

The Licensing Sub-Committee must also consider the London Borough of Hillingdon's Licensing Policy when deciding what action, if any, to instigate. The terms of the Statement of Licensing Policy are highly persuasive, but not binding, on the Licensing Sub-Committee.

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

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.

The sub-committee may decide to: –

- Take no action
- Modify the conditions of the licence by altering, omitting or adding any condition;
- Issue a formal warning, recommending an improvement within a specified time frame;
- 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; or
- Revoke the licence.

For this purpose the conditions of a premises licence are modified if any of them are altered or omitted or any new condition is added. Modifications of conditions and exclusions of licensable activities may be imposed either permanently or for a temporary period of up to three months.

The Sub-Committee may decide that no action is necessary if it finds that the review does not require it to take any steps necessary to promote the licensing objectives.

In deciding what remedial action if any it should take, the Sub-Committee must direct its mind to the causes or concerns which the representations identify. The remedial action should generally be directed at these causes and should always be no more than a necessary and proportionate response.

It is of particular importance that any detrimental financial impact that may result from a Licensing Authority's decision is necessary and proportionate to the promotion of the licensing objectives in the circumstances that gave rise to the application for review.

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.

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Licensing Officer Recommendation

The recommendation of the Licensing Officer is in support of the application for review and recommends that the following suggestions, taken from both the Metropolitan Police proposals and the Licensing Authorities recommendations, be given consideration and transposed into workable, enforceable conditions and subsequently annexed to the premises licence.

Metropolitan Police recommendations; as detailed in Appendix 2:

1. CCTV showing a head shot of people entering the venue and or a form of ID scan
2. Body Worn cameras
3. Door supervisors - wearing of high visibility clothing required
4. Crime reduction scheme - requirement to join local pub watch or similar and radio scheme if operating
5. Drugs box - requirement to have a drugs amnesty box
6. Glass - glass containers prohibited (Also see 'Polycarbonate') No drinks or bottles to be taken outside the venue
7. Personal licence holder - required to be present when alcohol sold
8. Promoted music events - DJ or MC music events require a 696
9. Proof of age - challenge 21 or similar scheme to be operated
10. Queuing - only permitted in identified designated area
11. Queues - to be orderly and supervised
12. Search - required on entry and re-entry - if they leave the smoking area, not to be readmitted into the venue.
13. Signage of times for sale of alcohol - signage to be prominently displayed
14. Smoking - customers limited to specific number

Licensing Authority recommendations; as detailed in Appendix 4:

1. On Friday and Saturday evenings, the licensable activities shall cease at 01.00am
 - a. *Note - it is not proposed to alter the opening hours of the premises but keep these at 02.00am on Friday and Saturday evening so that patrons will disperse over a 1 hour period rather than a 30 minute period, having less impact on the surrounding area.*
2. There shall be a procedure agreed with the Metropolitan Police Service Licensing Officer relating to the storage and/or disposal of illegal drugs, weapons and other prohibited items found on the premises or found on persons attempting to enter the premises.

APPENDIX 1

3. The premises licence holder shall develop and implement a full search policy. Staff and door supervisors shall receive regular training regarding this policy On Fridays, Saturdays and 'Special Event' nights as listed on Page 2 of the premises licence. All persons entering or re-entering the premises shall be searched by door supervisors, to include full bag searches, 'wand' searches' and body 'pat down' searches to prevent weapons, drugs or other prohibited items from being brought onto the premises
4. A minimum of 4 Door Supervisors shall be on duty on Friday and Saturday evenings from 21.00 hours until all patrons have left the premises and are dispersed from the area. Door Supervisors shall be visible and shall wear clothing which easily identifies them as such.
5. The premises licence holder shall develop a wind-down and dispersal policy. The policy shall include steps to promote the safe and orderly dispersal of patrons from the premises.
6. *Note - This policy is expected to contain such measures as; turning the music down to a background level; playing slower and quieter music during the final hour, lighting levels to be increased; assisting patrons with public transport and/or taxi services etc.*
7. There shall be a Personal Licence Holder on duty at the premises at all times the premises are open to the public.

The Licensing Committee may also be minded to consider the following measures as an enhancement to existing conditions already annexed to the premises licence. For the most part these measures are consistent with the practices already undertaken at the premises and are inline with updated Section 182 guidance and the current statement of Licensing Policy:

1. Current condition replacement "A proof of age scheme shall be in place" - replaced with *A 'Challenge 25' age verification Policy shall be implemented and strictly adhered to*
2. Current condition replacement " Reasonable steps shall be taken to recognise the rights of local residents and to encourage customers to leave quietly" "Notices shall be displayed around the premises asking patrons to leave quietly" - replaced with *Notices requesting customers to leave quietly shall be displayed both inside and outside the premises*
3. Current condition replacement "Public transport information shall be made available to customers, including taxi firms" replaced with *Public transport information shall be made readily available to customer; including taxi firms. Notices displaying this shall be affixed in a prominent position for patron information*
4. A incident log shall be maintained at the premises and shall be made available on request by The Metropolitan Police or an authorised officer from the London Borough Hillingdon.

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A
of the Local Government (Access to Information) Act 1985 as amended.

Document is Restricted

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HILLINGDON

LONDON

ATTN: Charlene Ellis
Licensing Officer
Regulatory Services

Reference; SW/16/LA03

Your Reference;

Date; 13th April 2016

Dear Madam,

**BAR 101, 101-103 HIGH STREET, RUISLIP, HA4 8JN
THE LICENSING ACT 2003**

With reference to the Premises Licence Review application submitted by the Metropolitan Police Service in respect of the above premises, you are advised that I am writing to you as the Officer duly authorised to make representations on behalf of the Licensing Authority.

The Licensing Authority is aware of the recent history of this premises and had concerns about the increasing number of crime and disorder incidents and also the complaints from residents in the area. In January 2016, the Licensing Authority began its own investigation with a view to instigating a premises licence review.

There were a number of incidents which gave us reason to investigate whether a premises licence review was appropriate, namely a number of public order and violent incidents which were dealt with by the Police and a number of noise and nuisance complaints to the Council's Out of Hours Teams. Part of our investigation involved requesting CCTV images of the evenings 23rd & 24th January 2016 demonstrating the levels of antisocial behaviour and noise disturbance associated with customers dispersing from the premises. These CCTV images are exhibited as SW1 and will be available to parties to the hearing.

Also exhibited are entries from the Council's complaints system from residents on the evenings of 14th December 2015 and 23rd January 2016. These are exhibited as SW2.

We discussed these issues with the Police and were made aware of a scheduled meeting of the licence holder with the Borough Commander on 1st February 2016 to discuss the crime and disorder issues. As a result of this, the Licensing Authority decided not to pursue the

Regulatory Services
T.01895 277232
swaterford@hillington.gov.uk
www.hillingdon.gov.uk
London Borough of Hillingdon,
Civic Centre, High Street, Uxbridge, UB8 1UW



INVESTOR IN PEOPLE

APPENDIX 4

review at that time, instead to allow the premises to make adjustments to their operation in discussions with the Police and to monitor any improvements.

The meeting on 1st February resulted in a voluntary agreement being made between the licence holders and the Police and most of the suggested operational changes were taken on board by the licence holders and implemented.

Following the meeting of 1st February, there was an improvement in the reports of antisocial behaviour incidents and nuisance. The Licensing Authority was therefore concerned to learn of the incident of 5th March which has led to this review and also the slippage in some of the voluntary measures agreed i.e. the non-implementation of Police Form 696.

It is understood that the Police have also recorded another incident of violence in the last week.

Taking into account the recent history of the premises, the Licensing Authority believes that the premises licence should be modified as follows:

1. On Friday and Saturday evenings, the licensable activities shall cease at 01.00am
Note - it is not proposed to alter the opening hours of the premises but keep these at 02.00am on Friday and Saturday evening so that patrons will disperse over a 1 hour period rather than a 30 minute period, having less impact on the surrounding area.
2. There shall be a procedure agreed with the Metropolitan Police Service Licensing Officer relating to the storage and/or disposal of illegal drugs, weapons and other prohibited items found on the premises or found on persons attempting to enter the premises.
3. No drinks to be taken outside of the premises.
4. The premises licence holder shall develop and implement a full search policy. Staff and door supervisors shall receive regular training regarding this policy. On Fridays, Saturdays and 'Special Event' nights as listed on Page 2 of the premises licence, all persons entering or re-entering the premises shall be searched by door supervisors, to include full bag searches and body 'pat down' searches, to prevent weapons, drugs or other prohibited items from being brought onto the premises.
5. No entry, except for re-entry, to the premises shall be permitted after 23.00 hours on Fridays, Saturdays and 'Special Event' nights as listed on Page 2 of the premises licence.
Note - for clarification, re-entry covers patrons using the smoking area only. Should a patron leave the smoking area, they will not be allowed re-entry.
6. A minimum of 4 Door Supervisors shall be on duty on Friday and Saturday evenings from 21.00 hours until all patrons have left the premises and are

APPENDIX 4

dispersed from the area. Door Supervisors shall be visible and shall wear clothing which easily identifies them as such.

7. The premises licence holder shall develop a wind-down and dispersal policy. The policy shall include steps to promote the safe and orderly dispersal of patrons from the premises.

Note - This policy is expected to contain such measures as; turning the music down to a background level; playing slower and quieter music during the final hour; lighting levels to be increased; assisting patrons with public transport and/or taxi services etc.

8. There shall be a Personal Licence Holder on duty at the premises at all times the premises are open to the public.

I intend to be present at the hearing to verbally deliver my representation and also to answer any queries from the Licensing Sub-Committee.

Yours faithfully



Stephanie Waterford
Senior Licensing Officer
Licensing Authority

ASBIT - ASB

Date: 14 April 2016

Incident Number: 4794416

Reporter

HA4 7BA

Location

**101 - 103 High Street
Ruislip
Middlesex
HA4 8JN, 101 - 103 High Street, Ruislip, , HA4 8JN**

Date created: 14/12/2015 22:32

Priority: Within 10 days

Raised by: Swaterford

Assigned to: CGill

Job Details:

Date of most recent incident? 12/12/2015

What type of Anti Social Behaviour do you wish to report? Threatening or violent behaviour

Which one are you? A witness

Do you know who is responsible? No

Have you reported this to the Police? Yes

If yes, please provide a Police reference number

What is your preferred method of contact? Email

What type of tenancy? Not Applicable

Target completion date: 28/12/2015

(ASBIANTI) ASBIT Community and Neighbourhood Nuisance

14/12/2015 22:32

ISSUE: Mass brawls and rioting. I have called emergency services twice to request Police for large group fights from patrons of Bar 101. The incident on 12 Dec included 50-60 people (from my vantage point, there may have been more at the other end of the High Street).

IMPACT: Personal safety, degradation of community

Mass violence in public areas is unacceptable. Could you provide me with an action plan on how the council intends to address this issue?

17/12/2015 09:21

Previous reports to Licencing:

from: Chan Bhola <cbhola@hillingdon.gov.uk>
to: Stephanie Waterford <swaterford@hillingdon.gov.uk>
cc: Sudhir Bhatt <sbhatt@hillingdon.gov.uk>
date: 6 October 2015 at 17:18
subject: Re: Bar 101, Ruislip High Street

Hi Stephanie,

Hope this email finds you well.

Just a quick to note to advise Sudhir and I drove past the above location on Saturday (03/10/2015) night on our way back from another OOHS job. There were a number of people waiting to get into the venue and were crowded all over the street. The security men were milling around but none had their SIA badges on display.

We haven't received any noise complaints about the venue as yet but thought we should make you aware.

Kind regards

Chan

from: Stephanie Waterford <swaterford@hillingdon.gov.uk>
to: Chan Bhola <cbhola@hillingdon.gov.uk>
date: 7 October 2015 at 17:25
subject: Re: Bar 101, Ruislip High Street

Many thanks Chan,

We have it scheduled for a night visit soon, so we will check in with them and discuss the issues.

Regards
Stephanie

from: Chan Bhola <cbhola@hillingdon.gov.uk>
to: Stephanie Waterford <swaterford@hillingdon.gov.uk>
date: 10 October 2015 at 02:29
subject: Re: Bar 101, Ruislip High Street

Good morning Stephanie,

On our way to drop Police off to West Ruislip Police station we drove through Ruislip High Street. At 0203 we noted a large number (approx 50 or more) of people gathered on both sides of the High Street and milling around the area of Bar 101. I could not see any security outside the location. We stopped for a few seconds at the zebra crossing, are we moved off, a lady, who appeared to be drunk walked across the road past the car as we were setting off again.

Would like to have further info if we get it, as we go about our patrol, or you have it in hand. Don't want to inundate you with info if you dont need/want it....let me know.
Hope you have a great weekend
Chan :)

called reporter vm stating he does not check vm!

from: Chan Bhola <cbhola@hillingdon.gov.uk>
to:
date: 17 December 2015 at 09:18
subject: Re: 4794416 - Bar 101 Ruislip High Street

Good morning Mr
I would be grateful if you could call me to discuss your reporter regarding the above location.
Kind regards
Chan

23/12/2015 11:48

from: Lisa McLaughlin <lmclaughlin@hillingdon.gov.uk>
to: Chan Bhola <CBhola@hillingdon.gov.uk>
date: 17 December 2015 at 11:55
subject: Re: 4794416

Hello Chan,

Please can you give a call back on .

He has called in response to the email you sent him.

from: Lisa McLaughlin <lmclaughlin@hillingdon.gov.uk>
to: Adam Stitson <astitson@hillingdon.gov.uk>
cc: Chan Bhola <CBhola@hillingdon.gov.uk>
date: 23 December 2015 at 10:43
subject: Re: 4794416

Hi Adam/Chan,

[REDACTED] has been trying to get in touch with Chan for an update on the above

case. He was not happy that his call just now was redirected to me. I advised him that Chan should be in the office today and should be able to return his call but he wanted to speak to a manager.

Please can someone call him back on.

Called reporter - Has had to call emergency services twice, following the bars closing, there have been fights. Poss 50-60 people outside the location. Made him aware of OOHs. Asked him to call during our operating hours. Asked him to call us when we are on and on days we do not operate, to email me incident log.

from: Chan Bhola <cbhola@hillingdon.gov.uk>
to: Stephanie Waterford <swaterford@hillingdon.gov.uk>
date: 23 December 2015 at 11:45
subject: Re: 4794416 - Bar 101

Hi Stephanie,
We have received reports of mass bawls outside bar 101 after closing.
As previously advised, OOHS Officers have witnessed large groups outside location and the security making no attempts to move them along.
Reporters will contact OOHS when issues are on-going.
Please can you advise whether you have been able to visit the location as previously advised.
Thank you and kind regards
Chan

04/01/2016 14:28

from: Chan Bhola <cbhola@hillingdon.gov.uk>
to: Stephanie Waterford <swaterford@hillingdon.gov.uk>
date: 4 January 2016 at 14:27
subject: Re: 4794416 - Bar 101

Hi Stephanie
Thanks for the update. The Onyx number is 4794416. I have asked the reporter to call OOHS when the problems are happening so Officers can witness.

Kind regards
chan

On 4 January 2016 at 13:52, Stephanie Waterford <swaterford@hillingdon.gov.uk> wrote:
Dear Chan,

Thanks for the update. We do have our eye on this one along with the Police. We have carried out visits and the Police do visit the premises regularly.

This one is likely to blow up a bit more but we are working closely with the Police to decide the best way to deal with it.

I would be grateful if you could confirm the Onyx job numbers for this incident? We are starting to create a log of incidents, should we need to review the licence in the near future.

We may ask for further detailed statements from the officers involved, but I'll let you know.

Thanks
Stephanie

28/01/2016 14:40

26/01/2016

Joint ASB meeting with the police

Police advised owners of Bar 101 are coming in to see the Borough Comaander relating report prepared by the Mets Licensing Team. A copy of the report was given to me by Insp Rob Bryan who advised the intel can be passed to our licensing team.

29/01/2016 09:33

Copy of report saved in shared folder and also emailed to Stephanie Waterford.

05/03/2016 23:07

no further reports received from reporter. No update from Stephanie. Case closed

(Draft)

ASBIT - ASB

Date: 14 April 2016

Incident Number: 4870117

Reporter

Mr

HA4 8JN

Contact Telephone:

Location

101 - 103 High Street

Ruislip

Middlesex

HA4 8JN, 101 - 103 High Street, Ruislip, , HA4 8JN

Date created:

Priority: Within 10 days

Raised by: Swaterford

Assigned to: LNorton

Job Details:

Date of most recent incident? 23/01/2016

What type of Anti Social Behaviour do you wish to report? Rowdy and nuisance behaviour

Which one are you? A witness

Do you know who is responsible? No

Have you reported this to the Police? No

If yes, please provide a Police reference number

What is your preferred method of contact? Email

What type of tenancy? Privately Owned

Target completion date: 08/02/2016

(ASBIANTI) ASBIT Community and Neighbourhood Nuisance

25/01/2016 12:17

Email received-

How can you possibly allow the license for Bar 101 on the high street to carry on? Every single weekend I have lived here for the past 4 months there has been fights outside - the bar clearly over serves customers and cannot control them when leaving the premises to the point 2 riot vans had to be called tonight at gone 2am. It is ridiculous and I'm certain I'm not the only one on Ruislip that has had enough of this bar. It needs its license revoking and shutting down immediately. I have both photographic and video evidence of the havoc caused by this bar and its customers and door staff which I will happily share with you and am currently sharing on social media. I suggest Hillingdon council do something about this issue quickly.

Licencing are also dealing with this.

Spoke to Lisa in EPU who advised to log as ASBIT and assign to EPU

26/01/2016 08:25

Louise

Can you email this over to EPU and then close this job. They don't pick up jobs on Onyx unfortunately.

26/01/2016 10:03

Done

Representation Form from Interested Parties

(Please read notes on reverse before completing)

Your details (See notes 2 & 3);

Your Name	CLLR PHILIP CORTHORNE
Your residential address	CIVIC CENTRE HIGH STREET UXBRIDGE MIDDLESEX UB8 3UN
Your email address	pcorthorne@hillington.gov.uk
Your phone number	[REDACTED]
The name of the body or organisation you represent	LB HILLINGTON

About the premises;

Name of the premises you are making a representation about	BAR 101
Address of the premises you are making a representation about	101 - 103 HIGH STREET RUISLIP, HA4 8JN

The Licensing Objectives (See note 4);

Licensing Objective	Reasons for your representation and any supporting evidence
<p>Please tick;</p> <p><input checked="" type="checkbox"/> Prevention of Crime/Disorder</p> <p><input checked="" type="checkbox"/> Prevention of Public Nuisance</p> <p><input type="checkbox"/> Protection of Children From Harm</p> <p><input type="checkbox"/> Public Safety</p>	<p>IT HAS BEEN REPORTED TO ME BOTH BY INSPECTOR ROB BRIAN OF THE MET POLICE, AND BY THE RUISLIP RESIDENTS ASSOCIATION, THAT THERE HAVE BEEN SEVERAL OCCASIONS IN THE RECENT PAST OF NOISE DISTURBANCE AND DISORDERLY BEHAVIOUR EMANATING FROM THESE PREMISES. THIS HAS GIVEN RISE TO CONCERNS AMONG LOCAL RESIDENTS.</p>

The outcome you are seeking from the Licensing Authority (See note 6);

<p>IF POSSIBLE, STOP OF REVOCATION, SPECIFIC MEASURES TO ALLEVIATE AND ADDRESS THESE ISSUES AND AN IMMEDIATE AND SUSTAINED IMPROVEMENT IN THE SITUATION.</p>
--

Signed: Date: 13.4.16

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LICENSING ACT 2003
Section 24



HILLINGDON
 LONDON

PREMISES LICENCE

Ref:

LBH 038/IM

Premises Licence Number:

LBHIL 188/05

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

Signature:

Date: 25th July 2012

Part 1 – Premises Details

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

Sweeney's
 101-103 High Street

Post Town - Ruislip

Postcode - HA4 8JN

Telephone number – 01895 636706

Where the licence is time limited, the dates -

N/A

Licensable activities authorised by the licence -

Sale by retail of alcohol

Provision of regulated entertainment being:- performance of live music, playing recorded music, performance of dance and entertainment of a similar description (indoors only)

Provision of late night refreshment (indoors only)

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

The sale of alcohol and regulated entertainment

Sunday between 12.00 hours and 00.30 hours the following day

Monday to Thursday between 10.00 hours and 00.30 hours the following day

Friday and Saturday between 10.00 hours and 01.30 hours the following day

Late night refreshment

Sunday between 23.00 hours and 00.30 hours the following day

Monday to Thursday between 23.00 hours and 00.30 hours the following day

Friday and Saturday between 23.00 hours and 01.30 hours the following day

All licensable activities

From the commencement of business on New Years Eve until the end of business on New Years Day

An additional hour following those detailed above (but in no case later than 02.00 hours) on:-

New Year's Day, Burns Night, Valentines Day, St David's Day, Commonwealth Day

St George's Day, Easter Sunday, Easter Monday, May Day bank holiday

FA Cup final day, Spring Bank Holiday Monday, August Bank Holiday Monday

Halloween, Guy Fawkes Night, St Andrew's Day

An additional 2 hours following those detailed above (but in no case later than 02.00 hours) on:-

St Patrick's Day, May Day Bank Holiday Sunday, Spring Bank Holiday Sunday

August Bank Holiday Sunday, Christmas Eve, Boxing Day

27th December, 28th December, 29th December, 30th December

Additional hours for international sporting events subject to providing the Licensing Service, the Councils Environmental Protection Unit and the Metropolitan Police Service 10 working days notice, and then only on receiving a subsequent 'CONSENT' from the Councils Licensing Service, in respect of this agreement to the specified day and/or times applied for.

The opening hours of the premises -

Sunday between 12.00 hours and 01.00 hours the following day

Monday to Thursday between 10.00 hours and 01.00 hours the following day

Friday and Saturday between 10.00 hours and 02.00 hours the following day

From the commencement of business on New Years Eve until the end of business on New Years Day

An additional hour following those detailed above (but in no case later than 03.00 hours) on:-

New Year's Day, Burns Night, Valentines Day, St David's Day, Commonwealth Day

St George's Day, Easter Sunday, Easter Monday, May Day bank holiday

FA Cup final day, Spring Bank Holiday Monday, August Bank Holiday Monday

Halloween, Guy Fawkes Night, St Andrew's Day

An additional 2 hours following those detailed above (but in no case later than 03.00 hours) on:-

St Patrick's Day, May Day Bank Holiday Sunday, Spring Bank Holiday Sunday

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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 -
David Sanders, [REDACTED]

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

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol -
David Sanders, [REDACTED]

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

LBHIL 2167 - London Borough of Hillingdon

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
4. (1) The responsible person shall take all reasonable steps to 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 in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children–

 - (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 (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
 - (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;
 - (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on–
 - (i) the outcome of a race, competition or other event or process, or
 - (ii) the likelihood of anything occurring or not occurring;
 - (e) 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.
5. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

6. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
7. (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.
8. The responsible person shall 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; and
 - (b) customers are made aware of the availability of these measures.

Door Supervisors

All Door Supervisors employed at the premises shall be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001 or be entitled to carry out that activity by virtue of Section 4 of that Act.

Annex 2– Conditions consistent with the operating Schedule

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

Prevention of crime and disorder

Entry to the premises for new customers after midnight shall not be permitted.

The installed CCTV system shall be maintained in effective working order.

The images shall be held for a period of 30 days and be supplied to the Police or the Licensing Authority on request.

A Door Supervisor shall be employed at the premises on Fridays, Saturdays and any special event days which finish at 02.00 hours.

A security manual shall be available on site.

A proof of age scheme shall be in place.

Public Safety

The installed emergency lighting system shall be maintained in effective working order.

Public transport information shall be made available to customers, including taxi firms.

Prevention of public nuisance

Reasonable steps shall be taken to recognise the rights of local residents and to encourage customers to leave quietly.

Notices shall be displayed around the premises asking patrons to leave quietly.

Protection of children from harm

All persons under 16 years of age attending the premises shall be accompanied by an adult over the age of 18 years at all times when the premises are open to the public.

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

N/A

Annex 4 – Plans

PDS drawing number 04/05/PB/01

Licensing Service registered plan number 214/05

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BAR101





APPENDIX 7

STRICTLY
NO
ENTRY
AFTER
MIDNIGHT
DUE TO
LICENSING
REGULATIONS



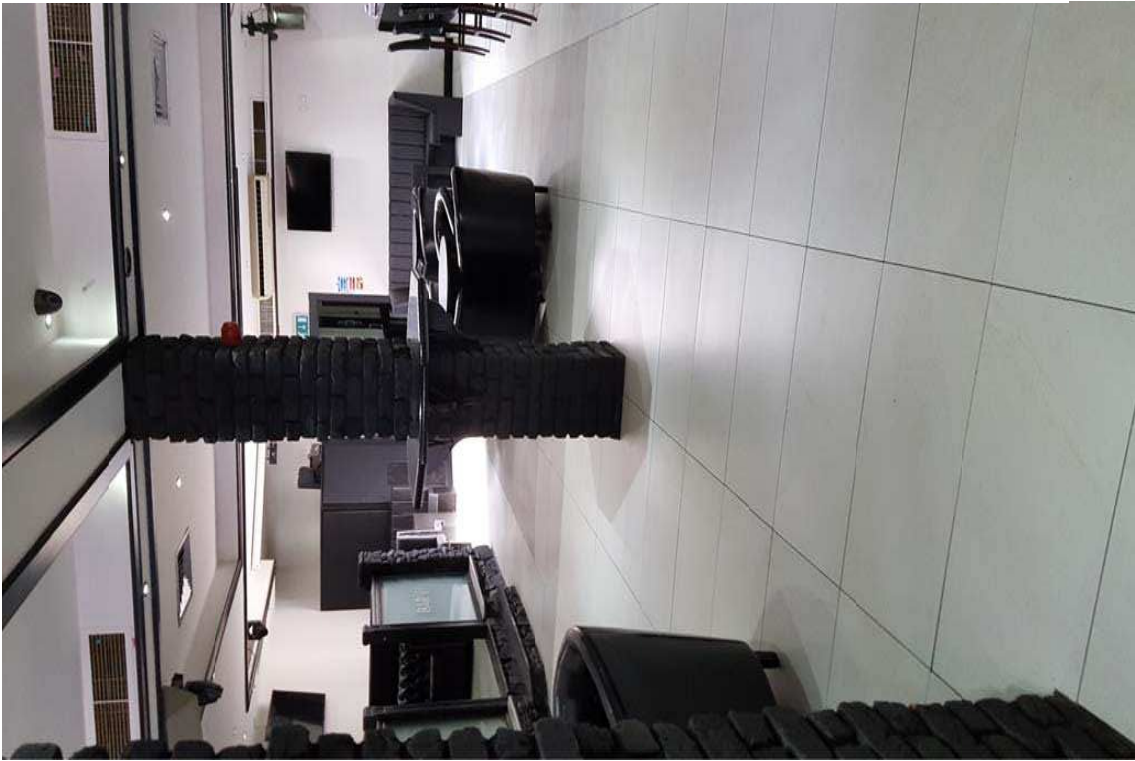
Please
respect our
neighbours
&
Leave quietly

SMART & TRENDY
Friday's & Saturday's
After 9pm
NO SPORTS TRAINERS,
HATS, HOODIES OR
TRACKSUITS!

APPENDIX 7



APPENDIX 7



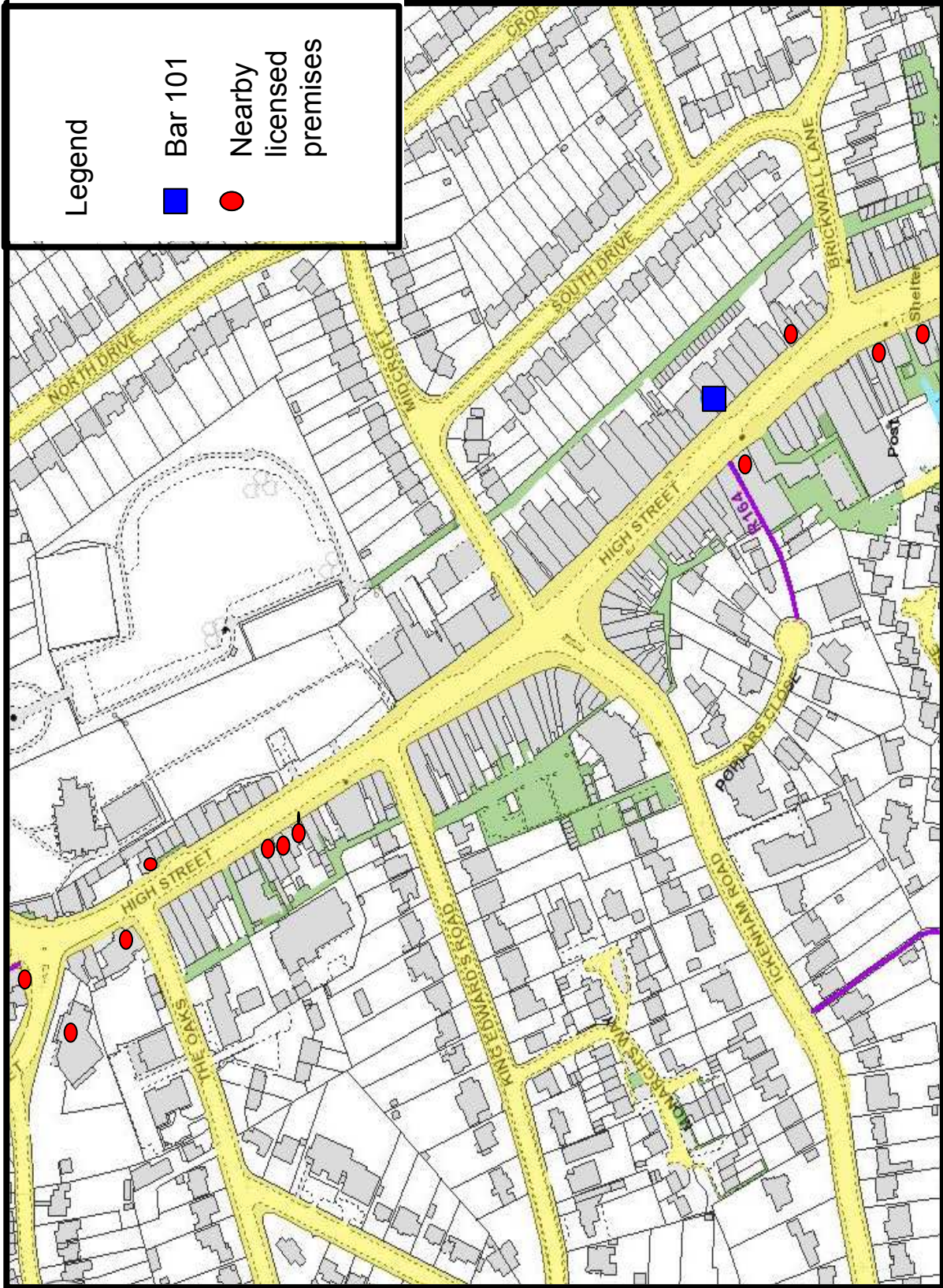
APPENDIX 7





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APPENDIX 8



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APPENDIX 8

Nearby Licensed Premises	Authorised Licensable Activity	Authorised Activity Times
<p>Tao Peking Restaurant 158-160 High Street Ruislip HA4 8LJ</p>	<p>Sale by Retail of Alcohol</p> <p>Provision of Regulated Entertainment (Indoors only)</p> <p>the provision of late night refreshment</p>	<p><u>The Sale by Retail of Alcohol</u> On weekdays 10:00 hours until 01:00 hours the following day</p> <p>On Sundays, Christmas Day and on Good Friday, between 12:00 hours and 23.30 hours</p> <p>From the start of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day</p> <p><u>Regulated Entertainment</u> Monday to Thursday 09:00 until 23:00 hours Friday and Saturday 09:00 until 01:00 hours on the following day Sunday 09.00 hours and 23.00 hours</p> <p><u>Provision of Late Night Refreshment</u> From 23.00 hours until 30 minutes after the terminal time for the sale of alcohol</p>
<p>Gurkha Pride 148 High Street Ruislip HA4 8LJ</p>	<p>Sale by Retail of Alcohol</p> <p>Provision of Regulated Entertainment for Recorded Music</p> <p>Provision of Late Night Refreshment</p>	<p><u>Provision of Recorded Music</u> Monday to Thursday From 12.00 hours until 15.00 hours and 18.00 hours until 23.00 hours – From 12.00 hours until 15.00 hours and 18.00 hours until 23.30 hours – Friday and Saturday From 12.00 hours until 22.00 hours on Sunday</p> <p><u>Provision of Late Night Refreshment</u> From 23.00 hours until 23.30 hours - Friday and Saturday</p> <p><u>Sale of alcohol</u> Monday to Thursday From 12.00 hours until 15.00 hours and 18.00 hours until 23.00 hours – Friday and Saturday From 12.00 hours until 15.00 hours and 18.00 hours until 23.30 hours – Sunday From 12.00 hours until 23.00 hours</p>

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<p>Ruislip Tandoori 115 High Street Ruislip HA4 8JN</p>	<p>Provision of Regulated Entertainment for Recorded Music</p> <p>Provision of Late Night Refreshment</p> <p>Sale by Retail of Alcohol</p>	<p><u>Sale of alcohol</u> On weekdays, other than Christmas Day, Good Friday or New Year's Eve, between 10.00 and 24.00 hours.</p> <p>On Sundays, Christmas Day and on Good Friday, between 12.00 and 23.30 hours.</p> <p>From the start of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day</p> <p><u>Provision of Late Night Refreshment</u> From 23.00 until 30 minutes after the terminal time for the sale of alcohol.</p>
<p>Tesco Stores Limited 124 High Street Ruislip HA4 8LR</p>	<p>Sale by Retail of Alcohol</p>	<p>From 06.00 hours until 23.00 hours everyday</p>
<p>Toresano 36 High Street Ruislip</p>	<p>Provision of Regulated Entertainment</p> <p>Provision of Late Night Refreshment (indoors only)</p> <p>Sale by Retail of Alcohol</p>	<p>Monday to Sunday 12.00 until 00.00 hours</p> <p>From 12.00 hours on New Years Eve until 02.00 hours on New Years Day</p>
<p>Ruislip Kebab 40 High Street Ruislip HA4 7AN</p>	<p>Provision of Late Night Refreshment</p>	<p>On Sundays to Thursdays 23.00 until 00.30 hours the following day</p> <p>On Fridays and Saturdays 23.00 until 01.30 hours the following day</p>
<p>Metro Piazza 34 High Street Ruislip HA4 7AN</p>	<p>Sale by Retail of Alcohol</p>	<p>Monday to Sunday 09.00 until 23.30 hours</p>
<p>Café Rouge 10 High Street Ruislip</p>	<p>Sale by Retail of Alcohol</p> <p>Provision of Regulated Entertainment</p> <p>Provision of Late</p>	<p><u>Provision of Regulated Entertainment</u> for live music and anything of a similar description: Sunday to Wednesday 10.00 hours until 00.00 hours Thursday, Friday and Saturday 10.00 hours until 01.00 hours Sale by retail of alcohol and</p>

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	Night Refreshment	<p>recorded music: Sunday to Wednesday 09.00 hours until 00.00 hours, Thursday, Friday and Saturday 09.00 hours until 01.00 hours</p> <p>From 09.00 hours on New Years Eve until 09.00 hours on New Years Day</p> <p><u>Provision of Late Night Refreshment</u> Sunday to Wednesday 23.00 until 00.30 hours Thursday, Friday and Saturday 23.00 until 01.30 hours</p>
<p>Prezzo The Duck House High Street Ruislip HA4 7AR</p>	<p>Sale by Retail of Alcohol</p> <p>Provision of Regulated Entertainment for Recorded Music</p> <p>Provision of Late Night Refreshment</p>	<p><u>The Sale of Alcohol by Retail</u> Monday to Saturday 10.00 until 00.30 hours the following day Sunday 10.00 until 00.00 hours</p> <p>From the start of licensed hours on New Year's Eve to the start of licensed hours on New Year's Day</p> <p><u>Late Night Refreshment</u> From 23.00 hours until 30 minutes after the terminal time for the sale of alcohol</p> <p>The provision of recorded music is not time restricted</p>
<p>ZAZA Restaurant 3/5 High Street Ruislip HA4 7AU</p>	<p>Provision of Regulated Entertainment for Recorded Music</p> <p>Sale by Retail of Alcohol</p> <p>Provision of Late Night Refreshment</p>	<p><u>Supply by retail of alcohol:</u> On weekdays 10.00 until 00.00 hours</p> <p>On Sundays, Christmas Day and on Good Friday, between 12.00 hours and 23.30 hours.</p> <p>When New Year's Eve is on a weekday, from 10.00 hours on New Year's Eve until 00.00 hours on New Year's Day, except when New Year's Day is on a Sunday, then the sale of alcohol shall cease at 23.30 hours.</p> <p><u>Provision of Late Night Refreshment</u> The sale of hot food and drink is permitted up to 30 minutes after the</p>

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		<p>permitted hours for the sale of alcohol ends.</p> <p>The provision of recorded music is not time limited.</p> <p>.</p>
<p>Harvester The George Bury Street Ruislip HA4 7TJ</p>	<p>Provision of Regulated Entertainment</p> <p>Provision of Late Night Refreshment (indoors and outdoors)</p> <p>Sale by Retail of Alcohol</p>	<p>Monday to Sunday 10.00 until 00.00 hours</p> <p>On Christmas Eve 10.00 until 01.00 hours on Christmas Day</p> <p>New Years Eve 10.00 until the close of business on New Years Day.</p> <p>The provision of recorded music is not time restricted</p>

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Agenda Item 6

By virtue of paragraph(s) 1, 2, 7 of Part 1 of Schedule 12A
of the Local Government (Access to Information) Act 1985 as amended.

Document is Restricted

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