



HILLINGDON
LONDON



Notice of Hearing

Licensing Sub-Committee

Date: TUESDAY, 13 SEPTEMBER 2016

Time: 2.00 PM

Venue: COMMITTEE ROOM 5 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE UB8
1UW

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

Councillors on the Sub-Committee:

Dominic Gilham (Chairman)

Brian Stead

John Morse

IMPORTANT INFORMATION

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

8 September 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: 24 August 2016

Contact: Clerk to the Licensing Sub-Committee

Tel: 01895 250636

Email: democratic@hillington.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	Page
5	Premises Licence in respect of Village Cafe, High Point Village, Hayes, UB3 4FL	Botwell	2pm (briefing for all parties at 1.40pm)	19 - 62

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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

Contents

Paragraph	Subject	Page
1	Introduction	3
2	Timescales	3
3	Timescales for Notice of Hearing to be given	4
4	Persons who must be notified of a hearing	4
5	Information to be provided in a Notice of Hearing	4
6	Notice of Reply	5
7	Failure of parties to attend the hearing	6
8	Procedure at the hearing	6
9	Determination of the application and time limits	10
10	Record of proceedings	10
11	Irregularities	11
12	Notices	11
13	Appeals	11
14	Other information and contact details	11

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

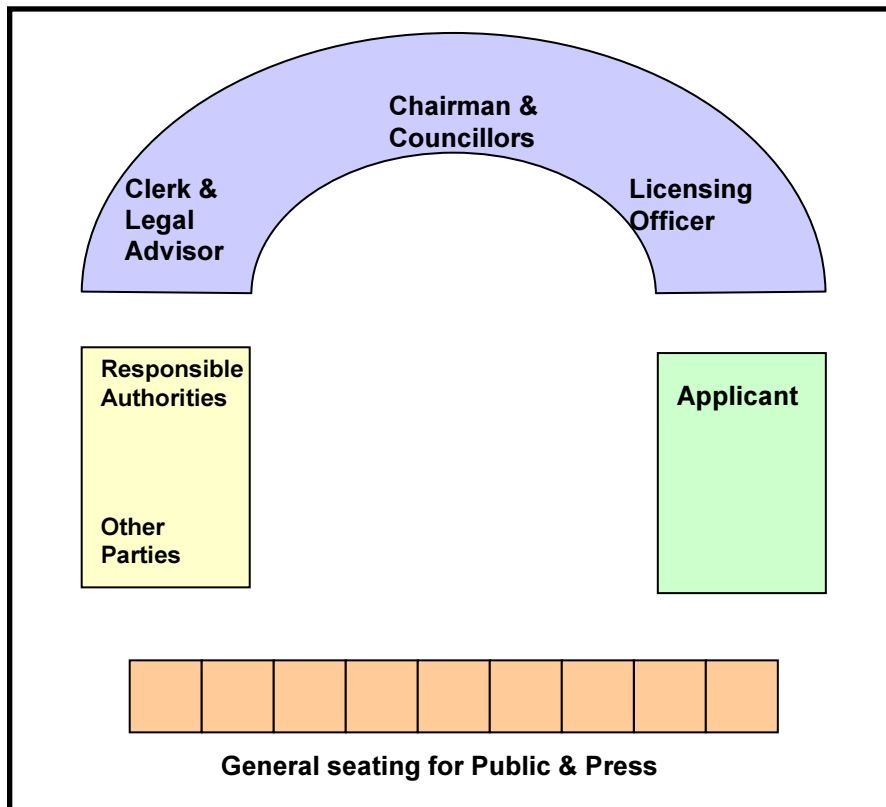
- 7.1 If a party has informed the Authority that they will not be attending or be represented at the hearing it may proceed in their absence.
- 7.2 If a party does not give notice that they will not be attending but fails to attend and is not represented the Authority may either:
- (a) Adjourn the hearing 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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Application for the grant of a Premises Licence: Village Cafe

Committee	Licensing Sub-Committee
Officer Contact	Ian Meens Licensing Officer Ex 01895 277067 (7067)
Papers with report	Appendix 1 - Conditions Appendix 2 - Application for the grant of a premises licence including proposed plan Appendix 3 - Representations from Interested parties Appendix 4 - Map of the area Appendix 5 - Index and Photographs
Ward name	Botwell

1.0 SUMMARY

To consider an application for a Premises Licence in respect of Village Cafe, High Point Village, Hayes, UB3 4FL and representations against the application received from five interested parties.

2.0 RECOMMENDATION

- 2.1 **That the Licensing Sub-Committee GRANT the application including the conditions suggested by the Licensing Officer, and those consistent with the operating schedule (Appendix 1)**

3.0 APPLICATION

The new Premises Licence application has been made by Mr Haval Sevhat for the premises Village Cafe.

3.1 Type of application applied for

New Premises Licence

3.2 Description of premises

The premises as a whole is a self contained lock up unit on the ground floor level in the High Point Village development. The development consists of various blocks of flats divided by communal areas.

The cafe which is viewable and accessible at street level affronts a communal area within a courtyard closed on three sides by private apartment accommodation beginning at one level above the ground (street) level.

Immediately outside the front of the cafe is an overhang of the building line being several meters in depth, this being the line of the building and apartments above. The overhang provides for some natural cover for outdoor seating for the cafe customers against the elements etc...

The full extent of the proposed licensed area, is shown on the plan submitted with the application **Appendix 2**.

Further photographs showing the indoor and outdoor seating are shown at **Appendix 5**.

3.3 Licensable Activities

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

3.4 Licensable Activity Hours

	Proposed hours for Premises Licence - Alcohol Sales	Proposed hours for Premises Licence - Late Night Refreshment
Monday	10.00-22:30	
Tuesday	10.00-22:30	
Wednesday	10.00-22:30	
Thursday	10.00-22:30	23:00-00:00
Friday	10.00-23:00	23:00-00:00
Saturday	10.00-23:00	23:00-00:00
Sunday	10.00-22:30	

3.5 Non Standard Timings

The following dates are listed in the application form without identifying the non-standard timings requested. Upon clarification with the applicant, it is confirmed that the application seeks one additional hour on the following dates: Christmas Day, St Patrick's Day and 21st March for Newroz (a day on the Kurdish calendar).

3.6 Opening Hours

	Proposed hours for premises licence
Monday	07.00-23:00
Tuesday	07:00-23:00
Wednesday	07:00-23:00
Thursday	07:00-23:00
Friday	07.00-00:00
Saturday	07.00-00:00
Sunday	07.00-23:00

3.7 Operating Schedule and Conditions

3.8 The operating schedule, as proposed by the Applicant, can be found in the application form in **Appendix 2**.

3.9 Section 18 of the operating schedule demonstrates the steps the applicant proposes to take in order to promote the licensing objectives. These steps have been transposed into licence conditions in **Appendix 1**.

4.0 **CONSULTATION**

4.1 Closing date for representations
17th August 2016

4.2 Public Notice published in local newspaper
10th August 2016 - Uxbridge Gazette

5.0 REPRESENTATIONS

5.1 RESPONSIBLE AUTHORITIES

No Representations were received from Responsible Authorities.

5.2 There are 5 representations from other parties

Interested Parties	Ground for Representation	Appendix
Randhir Bilkhu	Nuisance	Appendix 3
Sean Ceney	Nuisance	Appendix 3
K Khan	Nuisance	Appendix 3
Richard Smith	Nuisance and Crime and Disorder	Appendix 3
Daniele Ria	Nuisance and Crime and Disorder	Appendix 3

6.0 INFORMATION

6.1 Designated Premises Supervisor

The proposed designated Premises Supervisor is Heval Sevhat

6.2 Other licensed premises nearby

There are four off licensed local stores within 100 meters which are currently licensed to 23.00 weekdays and Saturdays. There are two public houses licensed with terminal hours from midnight weekdays to 01:00 or 02:00 at weekends. There is a hotel in the High Point Village complex with a licensed bar until 00:30.

Maps of the area and photos of the premises are attached as **Appendix 4**.

6.3 There has been no recorded Members Enquires for this site this being a newly built and yet unused property.

7.0 OFFICER'S OBSERVATIONS

7.1 Observations

7.2 This is an application to licence a lock up shop unit which proposes to operate as a licensed cafe in an area of considerable private dwellings. The area subject to the application is on the ground floor level overlooked by apartments and within a public square.

7.3 The application has requested that both alcohol and refreshment can be sold for consumption off the premises. This would permit alcohol and food to be consumed at

Classification: Public

Licensing Sub-Committee - 13 September 2016

tables outside the premises or as a take away. It would also allow a delivery service to be provided. The application also has a reference to outside seating in section 14 but the plan submitted with the application does not denote any premises/consumption area beyond the building line.

7.4 The application description in section 5 refers to 40 to 50 covers. The inside of the cafe plan shows 20 covers. There is an expectation that the outside will accommodate 20 to 30 covers (note: 'covers' are the number of seats in a restaurant)

7.5 S182 Guidance

The Committee's attention is drawn to the following particularly relevant section of the S182 Guidance:

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions will be appropriate to promote the licensing objectives.

7.6 Relevant sections of the Licensing Policy

14.5 Representations about an application must be made in writing to the Council's Regulatory Services Team within the statutory time limits.

14.6 Written representations include letters and emails. Representations received after the end of the public consultation period cannot legally be accepted and will not be considered by the Licensing Authority.

14.7 Representations must contain;

- a) The name, full address & post code, of the person making them;
- b) The reasons for their representation;
- c) Which of the four Licensing Objectives the representation relates to i.e. Crime and disorder; Public Nuisance; Public safety; Protection of children from harm.

14.8 Representations which do not meet this requirement may be rejected as being irrelevant or frivolous or vexatious.

14.9 Representations based on 'Need' for licensed premises, concerns the commercial demand for another pub, restaurant, off licence or hotel. This is not a matter for the licensing authority in discharging its licensing functions. 'Need' is a matter for planning committees and for the market. Representations made on the basis of need are likely to be rejected.

14.10 All valid representations will form part of a committee report that will become a public document. It will be given to the applicant, their agent, responsible

authorities, other persons making representations and any other party requesting a copy as well as the Licensing Sub-committee 10 working days prior to the hearing. Anonymous representations will not be accepted.

17.1 Conditions on premises licences and club certificates are determined by:

- The measures put forward on the Operating Schedule
- Mandatory conditions within the Act
- Measures decided at a hearing by the Licensing Sub Committee

17.2 Any conditions attached to licences following relevant representations will focus on matters within the control of the Premises Licence Holder or Club Management Committees. They will be used to ensure the premises are safe and do not create a nuisance. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity.

They will not be used as a means of attempting to attach responsibility to Premises Licence Holders or Club Management Committees for matters outside their reasonable control, such as antisocial behaviour once away from the premises or licensable activity.

8.0 LEGAL CONSIDERATIONS

When considering licence applications the Sub-Committee shall carry out its functions with a view to taking steps it considers appropriate for promoting the licensing objectives. The licensing objectives are:

- Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

The Sub-Committee must ensure that all licensing decisions:

- Have a direct relationship to the promotion of one or more of the four licensing objectives
- Have regard to the Council's statement of licensing policy
- Have regard to the Secretary of State guidance
- Must not be subject to a blanket policy to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded

The Sub-Committee is advised that when considering applications for a new premises licence, regard must be had to any relevant representations that are made before taking such steps (if any) as it considers necessary for the promotion of the licensing objectives. The steps are:

- grant the application.
- grant the application subject to conditions the Sub-Committee considers necessary to promote the licensing objectives

- exclude from the scope of the licence any licensable activity(ies) to which the application relates
- refuse to specify a designated premises supervisor
- reject the application

Officers have provided the Sub-Committee with recommendations related to this application. Subject to the above-mentioned factors having been properly considered, the Sub-Committee may depart from the recommendations if there are good reasons for doing so. The Sub-Committee is advised that such departures could give rise to an appeal or judicial review.

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Conditions Consistent with the Operating Schedule

1. *The premises shall maintain four CCTV cameras in good working order. Two cameras to cover the area inside the premises and two the area immediately outside.*
2. *The premises shall have clear and visible signage asking customers to leave quietly.*
3. *The premises shall adopt a challenge 21 scheme and staff shall be trained accordingly*
4. *Staff will be trained in first aid.*

Additional Conditions proposed by the Licensing Officer

1. *The use of the outdoor areas shall cease at 22.00 each day and the area shall be cleared of tables and chairs.*
2. *Alcohol sales shall be ancillary to persons taking table meals from 18.00hours each day*

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* required information

Section 1 of 19

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference

Not Currently In Use

This is the unique reference for this application generated by the system.

Your reference

You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

Heval

* Family name

sevhat

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

- Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Continued from previous page...

Your Address

Address official correspondence should be sent to.

* Building number or name	unit 5-6 cardinal building, high point villiage
* Street	station aproach
District	
* City or town	hayes
County or administrative area	
* Postcode	ub3 4fe
* Country	United Kingdom

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address


Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name	unit 5-6, cardinal building, high point villiage
Street	station aproach
District	
City or town	hayes
County or administrative area	
Postcode	ub3 4fe
Country	United Kingdom

Further Details

Telephone number	
Non-domestic rateable value of premises (£)	4,000

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Section 6 of 19

PROVISION OF PLAYS

Will you be providing plays?

- Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

- Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

- Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

- Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

- Yes No

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

- Yes No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the provision of late night refreshment take place indoors or outdoors or both?

- Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

The premises will have out side seating as well as inside.

Continued from previous page...

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Spiring, summer and atuhom

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Xmas, St patrik day and 21st March (Newroz)

Section 15 of 19

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Spicing, summer and autumn

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

New year, St Patrik day, Newroz day (21st March)

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Continued from previous page...

Enter the contact's address

Building number or name	<input type="text" value="19"/>
Street	<input type="text" value="hoppner road"/>
District	<input type="text"/>
City or town	<input type="text" value="hayes"/>
County or administrative area	<input type="text" value="middlesex"/>
Postcode	<input type="text" value="ub4 8py"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LBHIL2404"/>
Issuing licensing authority (if known)	<input type="text" value="hillington"/>

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Section 17 of 19

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

TUESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="24:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:00"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

SUMMER, SIPRING AND AUTUMN

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

XMAS, ST PATRIK DAYS AND 21ST MARCH (NEWROZ)

Section 18 of 19

LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

Continued from previous page...

List here steps you will take to promote all four licensing objectives together.

THERE IS A 4 CCTV IN PUBLIC AREA, 2 INSIDE AND 2 OUT SIDE. THE IMAGES WILL RECORDED FOT A MONTH. SECURITY BY A BALLYMORE GROUP WHO PATROLLING 24/7 HOUR/DAY.

b) The prevention of crime and disorder

PREMISES HAS A 4 CCTV IN PUBLIC AREA, SECURITY BY A BALLYMORE GROUP WHO PATROLLING 24/7 HOUR/DAY AND SIGANGES TO POLITLY ASK CUSTOMER TO LEAVE SILENCLY.

c) Public safety

STAFF WILL BE TRAINED FOR FIRST AID. CCTV IN PUBLIC AREA, SECURITY BY A BALLYMORE GROUP WHO PATROLLING 24/7 HOUR/DAY

d) The prevention of public nuisance

CCTV IN PUBLIC AREA, SECURITY BY A BALLYMORE GROUP WHO PATROLLING 24/7 HOUR/DAY AND SIGANGES TO ASK CUSTOMER TO LEAVE QUATLY.

e) The protection of children from harm

CCTV IN PUBLIC AREA, SIGNAGE FOR CHALANGE 21 YEAR OLD AND SHOW ID.

Section 19 of 19

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises' licence fees are determined by the non-domestic rateable value of the premises. To find out a premises' non-domestic rateable value, go to the Valuation Office Agency website at http://www.voa.gov.uk/business_rates/index.htm.

For full details, refer to the 'Fees for Applications' webpage: <http://www.hillingdon.gov.uk/media.jsp?mediaid=22879&filetype=pdf>

* Fee amount (£)

190.00

DECLARATION

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

HEVAL SEVHAT

Continued from previous page...

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/hillingdon/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

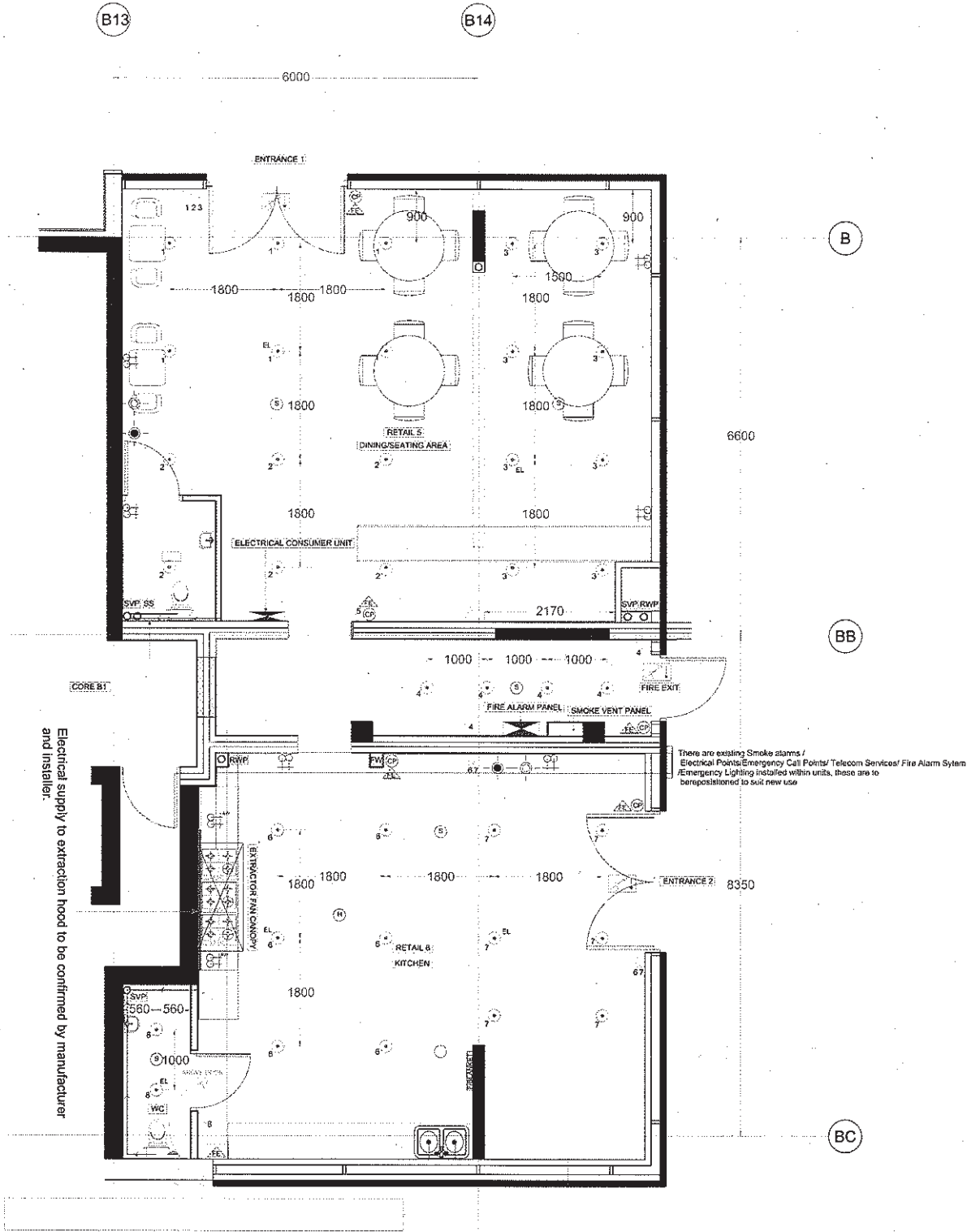
Approval deadline

Error message

Is Digitally signed

< Previous [1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) Next >

Appendix 2



PROPOSED LAYOUT
SCALE BAR 1:50 @ A1



SCALE BAR 1:50 @ A1

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Representation Form from Interested Parties

(Please read notes on reverse before completing)

Your details (See notes 2 & 3);

Your Name	K Khan
Your residential address	302 Cardinal Building, Station Approach, Hayes, UB3 4FD
Your email address	████████████████████
Your phone number	
The name of the body or organisation you represent	

About the premises;

Name of the premises you are making a representation about	Village Café
Address of the premises you are making a representation about	Unit 5-6 Cardinal Building, Station Approach, UB3 4FE

The Licensing Objectives (See note 4);

Licensing Objective	Reasons for your representation and any supporting evidence
<p><i>Please tick;</i></p> <p><input checked="" type="checkbox"/> <input type="checkbox"/> Prevention of Crime/Disorder</p> <p><input checked="" type="checkbox"/> <input 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>The applicant has requested a licence to serve alcohol and opening hours of 7am-11pm Sun to Wed and 7am-Midnight Thur to Sat. The serving of alcohol combined with late night opening will inevitably lead to an increase of noise, disturbance and nuisance for local residents.</p> <p>The location of this retail unit exacerbates the potential negative impact on the lives and well-being of local residents, as it is located directly beneath apartments in the inner section of the development.</p>

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

Reject the application to serve alcohol and curtail late night opening.

Signed: ...



Date:

29/07/2016

Notes:

- 1) All representations must be submitted before the conclusion of the 28 day consultation period. This will be advertised on the public notices and also on the Councils website.
- 2) Persons who may make representation include; persons who reside near to the premises to which the application relates and who are likely to be affected by licensable activities; residents associations who are representing residents who reside near to the application premises; Ward Councillors representing their constituents; any person who lives or works in the area and has concerns about the application premises.
- 3) Please note that representations cannot be anonymous. Copies of all representations will be published in any Committee papers and will be sent to all persons involved with the hearing including the applicant. If you have concerns about the use of your information and would like to discuss this further, please contact one of our Licensing Officers for a discussion, on the contact details below.
- 4) In order to be considered 'relevant', the representation must relate to one or more of the 'Licensing Objectives'. These objectives are;
 - a) Prevention of Crime/Disorder - This relates to any criminal activity, disorder or anti-social behaviour related to the application premises.
 - b) Prevention of Public Nuisance - This relates to noise nuisance and vibration, litter, noxious smells, light pollution.
 - c) Protection of Children from harm - This relates to the protection of children whilst on the application premises.
 - d) Public Safety - This relates to the physical condition of the premises and the safety features provided for members of the public such as; fire safety, health & safety.
- 5) Upon submitting a representation, it is expected that you will attend the Licensing Sub-Committee hearing to deliver your representation verbally and answer any queries that the Committee may have. If you are unable to attend, your written representation will be considered.
- 6) You may wish to suggest an outcome to the Licensing Sub-Committee ie. grant the application with extra conditions; grant the application with fewer hours/activities; reject the application. Please note that the Licensing Sub-Committee will only make reasonable and proportionate decisions based upon the evidence they are presented with, and in line with the laws and regulations governing Licensing Hearings.
- 7) You may continue on separate sheets of paper if necessary and you may also attach any evidence which supports your representation.
- 8) Please submit all completed forms to:

**The Licensing Officer
Regulatory Services
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge, UB8 1UW**

licensing@hillingdon.gov.uk

Tel - 01895 277433
www.hillingdon.gov.uk/licensing

Richard Smith <[REDACTED]>

9 Aug (7
days
ago)

to me [REDACTED]

414 Vantage Building
Station Approach
HAYES
UB3 4FA

9 August 2016

Licensing Service
Hillingdon Council
Civic Centre
High Street
UXBRIDGE
UB8 1UW

Dear Ian

**OBJECTION FOR A PREMISES LICENCE FOR SALE OF ALCOHOL AND
LATE NIGHT REFRESHMENTS**

**HEVAL SEVHAT, THE VILLAGE CAFÉ, UNITS 5 & 6 CARDINAL
BUILDING, HIGH POINT VILLAGE, STATION APPROACH, HAYES, UB3
4FE**

The Café is in a residential development and is situated in the middle of the estate. The café is directly below a residential building and adjacent to another residential building. Access to the café is via a walkway underneath one of these residential buildings. Because of the design of the buildings the acoustics are such that any noise is amplified and echoes around the buildings.

My specific objections to the granting of the licence are:

1. Takeaway – potentially leads to very high footfall and therefore additional noise
2. Outside seating – customers of the café will engage in normal conversation and that conversation will echo and amplify thus causing annoyance and disruption
3. Opening times until 2300 Sunday – Wednesday and 2400 Thursday to Saturday means that the noise will prevent sleep

4. Alcohol until 2230 Sunday – Thursday and 2300 Friday and Saturday means that the noise will be worse since people will be more relaxed and unaware of the volume of noise they are making

5. Section 18 & 19 – the steps listed are

- o inadequate to deal with the licencing objectives because the sign is not visible to guests of the cafe
- o misleading and inaccurate. The patrols by Ballymore are across the whole development and intermittent so it is unlikely that the security patrol will walk in front of the café more than once per evening.

6. High Point Village is a quiet residential development where to date noise has not been an issue. The café will change the nature of the development.

7. There is already much anti-social behaviour in the neighbourhood, so the café will attract such behaviour. The council has designated the area in front of the development as an area where anti-social behaviour should not take place and yet vagrants are living in the streets and recently there has been criminal activity just outside the estate.

Please can you also speak to the community police team who are well aware of the anti-social behaviour and crime in the area. The police will also confirm that the concierge team cannot provide the security required for this café.

In conclusion, granting the licence will lead to considerable nuisance to me and other residents, inability to sleep at reasonable times and the inability to quietly enjoy my flat.

The action which I propose to reduce the harm which the current application will cause is:

1. no outside seating
2. closing at 2300hrs Thursday to Saturday
3. stop selling alcohol at 2200hrs

Yours faithfully

9 Aug (7
days
ago)

Daniele Ria

to me

Dear Ian,

I am Daniele Ria, owner of 214 Vantage Building at High Point Village, Hayes. I am writing to let you know that I am against selling alcohol at the new cafe .

My flat is opposite the cafe and I have a small child. The anti social behavior in this part of town is increasing and police are struggling to deal with drug dealers opposite us.

As you might know we only have a pub nearby and I feel that a cafe selling alcohol will just increase the noise and the anti social behaviour which is already high in Hayes & Harlington.

I have no problem to have a cafe here but without any alcohol.

Best wishes

9 Aug (7
days
ago)

[REDACTED]
[REDACTED]
to me, [REDACTED]

Dear Ian,

I am writing to object to the proposed Alcohol licence for the Village cafe.

I am a resident of the cardinal building directly above the cafe. The noise at night is already unbearable and we have difficulty getting to sleep. We have to keep the windows open due to severe overheating in the flats which is a common problem throughout the development.

The whole place is like an echo chamber and noise is amplified. We already suffer from problems every night next to the canal where gangs gather and play loud music all night which can be heard very loudly.

This licence would increase the noise and disruption for us

Thanks
[REDACTED]

[REDACTED]

sean ceney

10 Aug
(6 days
ago)

to me

Dear Ian,

Thank you for taking the time to speak with me yesterday and listen to my concerns with the alcohol licence for The Village Cafe in The development of High point village, Hayes.

I am aware that the licence has been requested from 7am till 11pm Mon-Thurs & 7am till 12midnight on Fri & Sat. Also on special occasions they could have a further hour to operate, potentially bringing the closing time to 1am. I believe this isn't a "cafe" as the name suggests. Due to these request made by the owner I believe this to be a bar which will capitalise on summer drinking outside of the "cafe" due to the tiny capacity inside. Also potentially winter too with heaters. You mentioned to me That the owner mentioned a covered outside space, this is true it's a locked gate with access point to the rest of the development. If they plan to us this space for the cafe too then they do plan on outside drinking come rain or shine as this is double the size of their inside space.

After previously living in a development with a similar bar I'd like to see a time restriction on the outside consumption of alcohol. I live only 3 floors directly above the cafe/bar & I feel these opening times are too late to operate in such a tightly compacted residential building with 8 stories of residential apartments either side of the open square which becomes a HUGE echo chamber at the best of times. I calculated about 100 apartments will be affected by late night drinking, a lot of who are unaware that this cafe/bar will be operating with such times. There are a lot of parents with children too who I'm also sure are not aware of this bar opening and I feel the owner should make this more clear now rather than to run into problems later. The A4 page is too small to see from the entrance of the development.

I would like to see the times of alcohol consumed changed to reflect the residential area & the type of people we want to attract to the square we share with the business. I would propose;

INDOOR - Consumption of alcohol to be limited to 11am-11pm Monday-Sunday with no option to extend by one hour as a "cafe" doesn't need this.

OUTDOOR - I was really like to see that the consumption of alcohol outside the cafe limited to 11am-10pm Monday - Sunday to allow residents only living a few metres away to get some much deserved rest in their own homes.

I am however happy to see a local business man open a place near by over a big chain. What does concern me is the level of noise this could potential generate for the residents living so close to this cafe.

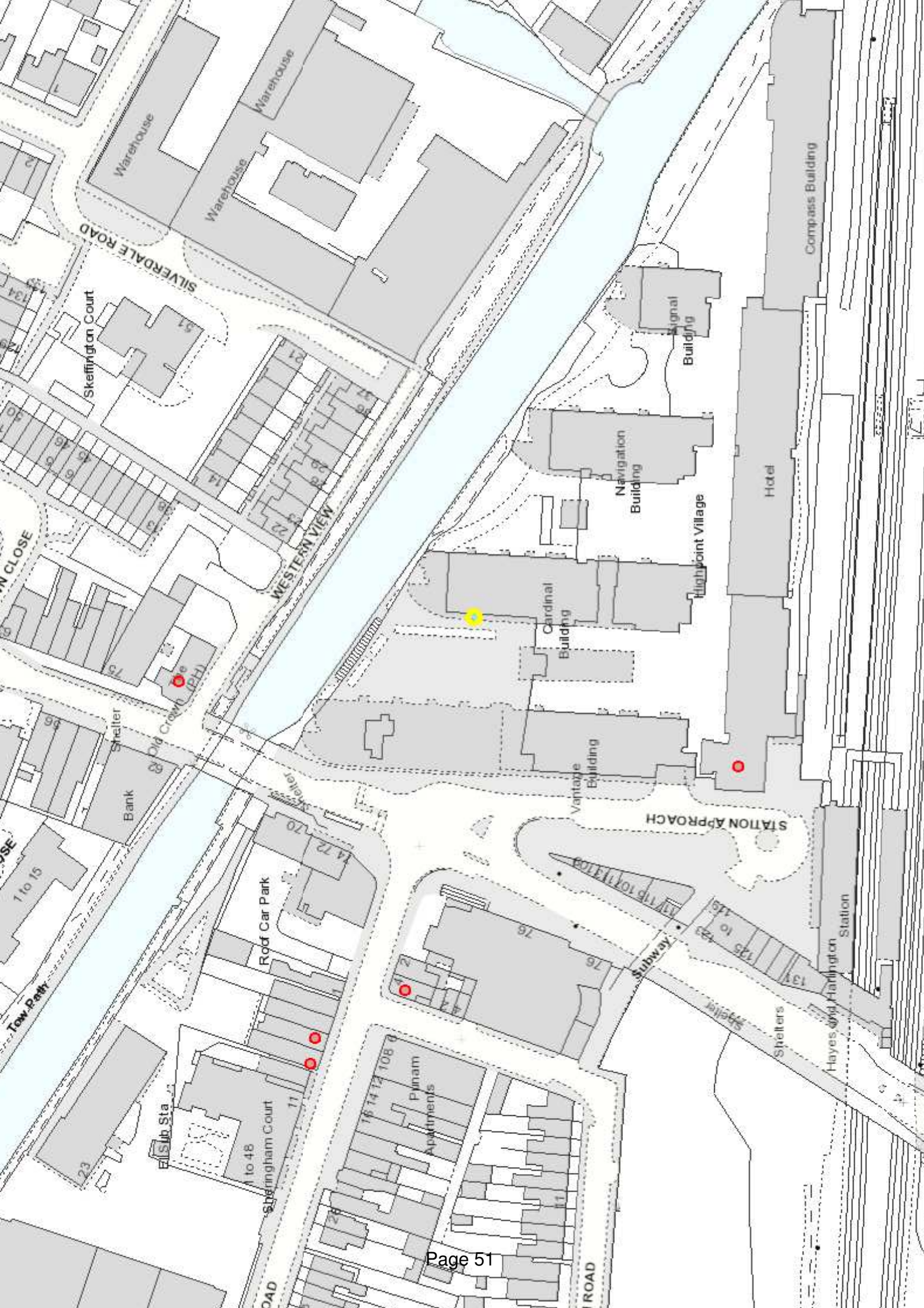
Please keep me up to date with any information.

305 Cardinal Building,
Station Approach,
Hayes,
UB3 4FD.

Kind regards,

Sean Ceney

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Appendix 5

Index of photographs

1. From Station Approach towards Village Cafe (blue covered windows)
2. Village cafe showing apartments above.
3. View from outside Village cafe looking back towards Station Approach.
4. From courtyard towards main entrance of the Point West development with Village cafe featured on the left.
5. Wider angle photograph of courtyard from canal side of Point West Development.
6. View of Village cafe with tables.
7. View of Village cafe side view with tables
8. Emergency exit side of cafe.
9. Stud delineation on square to show fire vehicle path

Photo 1



Photo 2





Photo 3

Photo 4



Photo 5



Photo 6



Photo 7





Photo 8



Photo 9