



HILLINGDON
LONDON



NOTICE OF HEARING

Licensing Sub-Committee

Date: THURSDAY, 8 NOVEMBER 2018

Time: 10.00 AM

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

Meeting Details: Members of the Public and Media are welcome to attend. This meeting may also be broadcast live.

If this is a public hearing, the agenda is available online at www.hillingdon.gov.uk or you can use a smart phone camera and scan the code below:



Councillors on the Sub-Committee:

Roy Chamdal (Chairman)

Lynne Allen

Teji Barnes

IMPORTANT INFORMATION

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

Monday 5 November 2018

If you don't notify you may lose your right to speak at the hearing. When notifying you must confirm:

1. If you intend to attend the hearing;
2. Whether you wish to be assisted or represented by another person;
3. If you wish to request that another person appears at the hearing (other than your representative) as a witness;
4. Whether you wish to consent to the application being determined without your presence
5. Any special needs you may require.

Published: Wednesday, 24 October 2018

Contact: Luke Taylor

Tel: 01895 250 693

Email: ltaylor3@hillington.gov.uk

Putting our residents first

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
Phase II, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk

Useful information for residents and visitors

Watching & recording this meeting (if a public meeting only)

If this meeting is to be held in Public (Part 1) you can watch it on the Council's YouTube channel, live or archived after the meeting. Residents and the media are also welcome to attend in person, and if they wish, report on the public part of the meeting. Any individual or organisation may record or film proceedings as long as it does not disrupt proceedings.

It is recommended to give advance notice of filming to ensure any particular requirements can be met. The Council will provide seating areas for residents/public, high speed WiFi access to all attending and an area for the media to report. The officer shown on the front of this agenda should be contacted for further information and will be available to assist.

When present in the room, silent mode should be enabled for all mobile devices.

Travel and parking

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book parking space, please contact Democratic Services. Please enter from the Council's main reception where you will be directed to the Committee Room.

Accessibility

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

Emergency procedures

If there is a FIRE, you will hear a continuous alarm EXIT and assemble on the Civic Centre forecourt. Fire Marshal or Security Officer. In the event of a SECURITY INCIDENT, follow instructions issued via the tannoy, a Fire Marshal or a Security Officer. Those unable to evacuate using the stairs, should make their way to the signed refuge locations.

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Those attending should be aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.



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	Application for a Temporary Street Trading Licence - Telephone Boxes outside 163 High Street, Junction with Baker's Yard, Uxbridge, UB8 1JZ	Uxbridge North (on boundary line with Uxbridge South)	10:00am	13 - 56

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HILLINGDON LONDON

**Street Trading Hearing Protocol
Approved by the Licensing Committee
17 October 2017**

This protocol outlines the procedures that will be followed in relation to hearings held under the London Local Authorities Act 1990 to consider the grant or renewal or variation or revocation of a Street Trading Licence

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1. Introduction

- 1.1 Part III of The London Local Authorities Act 1990 (hereinafter referred to as "the Act") provide that a Council shall determine for itself the procedure to be followed at a hearing.
- 1.2 These procedures set out the way in which the Licensing Authority (hereinafter referred to as "the Authority") will conduct hearings under the Act for the grant or renewal or revocation or variation of a permanent or temporary Street Trading Licence.

2. Timescales

- 2.1 Any trader who applies for a grant or renewal or variation of a street trading licence shall receive at least 21 calendar days' notice:
 - 2.1.1 that representations have been received against his/her street trading application; and.
 - 2.1.2 That the application will be determined by a Licensing Sub-Committee;
- 2.2 Where an application to revoke a street trading licence is received, the trader shall receive at least 21 calendar days' notice :
 - 2.2.1 Specifying the name of the authority applying for the revocation; and;
 - 2.2.2 Confirming that the application to revoke the licence will be determined by a Licensing Sub-Committee.

2 Timescales for Notice of Hearing to be given

- 2.2 The Authority shall give Notice of Hearing no later than 21 calendar days before the first day on which the hearing is to be held.
- 2.3 Where a hearing will take more than one day, the Authority must arrange for the hearing to take place on consecutive days.

3 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:
 - The Trader or proposed trader in an application for the grant, renewal or variation of a licence;

- Any applicant for the variation or revocation of a licence issued under Part III of the London Local Authorities Act 1990;
- Any person who has made representations about an application for the grant or renewal or variation or revocation of a licence.

4 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 for the grant or renewal or variation or revocation of a licence includes:

- The procedure to be followed at the hearing;
- The method and time limit by which a party may inform the Sub-Committee of their intention to attend and/or to be assisted or represented by any person whether legally qualified or not;
- The right to question any other party;
- The right to address the Authority;
- The method and time limit by which a party may call witnesses to give evidence at the hearing
- The consequences if a party does not attend or is not represented at the hearing;

5.2 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.

5.3 The Authority's Licensing Officer will prepare a report for the consideration by the Committee. This will be sent to the Trader with the Notice of Hearing.

5.4 The report prepared by the Authority's Licensing Officer will contain details of any objections received related to an application for the grant or renewal or variation or revocation of a street trading licence. The report will also provide the grounds upon which the decision of the Sub-Committee will be based.

2. Notice of Reply

6.1 On receipt of the Notice of Hearing, all parties must inform the Authority no later than 48 hours before the date of the hearing whether they:

- Intend to attend or be represented at the hearing;
- 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 Each party should send the Notice of Reply to the Democratic Services Department, London Borough of Hillingdon, Civic Centre, Uxbridge, Middlesex, UB8 1UW. The Notice of Reply will specify the deadline for sending it back to the Council.

3. 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.

3.1 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.

3.2 If the Authority holds the hearing in the absence of a party, it will consider at the hearing the application, the representation or notice previously submitted by the party.

3.3 If the Authority adjourns the hearing to a specified date it must forthwith notify the parties of the date, time and place to which the hearing has been adjourned.

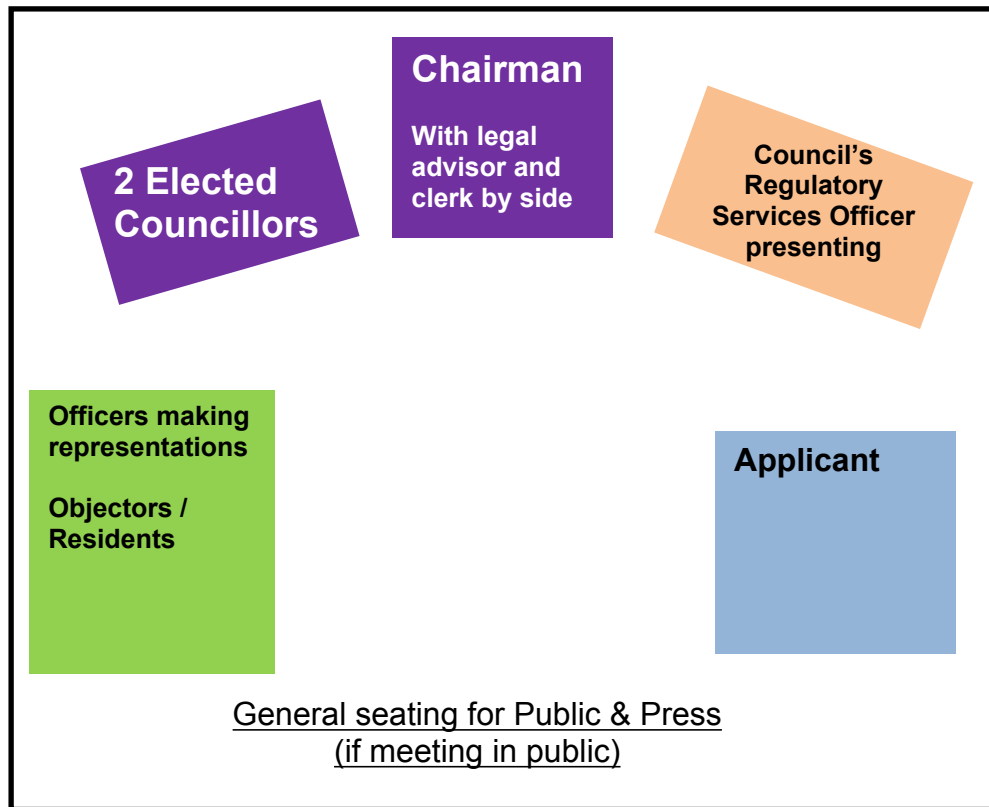
4. Procedure at the hearing

4.1 Composition of Sub-Committee

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

4.3 A Sub-Committee hearing will not proceed unless at least two members of the Sub-Committee are present and able to form a properly constituted Sub-Committee.

4.4 The general room layout for the hearing will be as outlined below



The meeting may, if held in public, be broadcast live by the Council. Both audio and video of those speaking will therefore be recorded and available publicly online.

4.5 The usual order of proceedings will be as set out below, but may vary depending on the nature of the hearing:

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 Regulatory Services Officer

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

The Applicant

The Applicant or the person representing him/her will be invited to address the Sub-Committee. The Sub-Committee may ask questions.

Any Officer who has submitted representations

Officers of the Council and/or any Officer who performs an enforcement function in relation to the Act will be invited to address the Sub-Committee. Councillors may ask questions of the Responsible Authorities.

Residents / objectors etc.. who have submitted formal representations

Other people who have made formal representations 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. The Sub-Committee may ask questions.

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

The Chairman will invite the parties to the hearing, in reverse order, to make brief closing remarks on the application. The Applicant makes the final closing remarks.

Sub-Committee deliberates

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.

Chairman announces the decision

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

- 4.6 All parties to the Sub-Committee hearing or their representative may address the Sub-Committee when invited by the Chairman to do so.
- 4.7 Sub-Committee may allow the parties to question any other party (if permission is given) and to address the relevant 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.
- 4.8 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.
- 4.9 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.
- 4.10 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.
- 4.11 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.
- 4.12 A hearing under the 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.
 - (c) The Sub-Committee may exclude the public from all or part of a hearing where it is satisfied that there is a need to protect as far as possible, the commercial or other legitimate interests of a party to the hearing.

4.13 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.

4.14 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.

4.15 In order to ensure fairness to the Parties and/or in the interests of the proper consideration of the matter in question, the Sub-Committee may waive, vary or modify any part or the whole of these rules in any particular case.

4.16 The Chairman of the Sub-Committee has the power to extend time where it is appropriate to do so in the interests of the determination of the case.

5. Determination of the application and time limits

5.1 The Sub-Committee will endeavour to make its determination and provide a summary of the reasons for its decision at the conclusion of the hearing. A written decision notice shall be provided to all parties to the hearing within 5 working days of the last day of the hearing.

9.2 Where the Sub-Committee has not made a decision immediately following the conclusion of the hearing, the Sub-Committee will make its decision within 5 working days of the last day of the hearing. The Authority will notify the parties to the hearing of the decision in writing as soon as reasonably practicable after the decision has been made.

6. 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.

7. Irregularities

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

- 7.1 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.
- 7.2 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.

8. Notices

- 12.1 Any notices under these regulations will be given in writing. Such a notice may be sent electronically, providing:
2. It can be accessed by the recipient in a legible form;
 3. It is capable of being reproduced as a document for future reference;
 4. The recipient has agreed in advance to receive it in such form;
 5. A copy is sent in documentary form forthwith to the recipient.

9. Appeals.

- 9.1 Either those that have made an application or those who have made representations on an application will have the right to appeal the Authorities decision to the Magistrates' Court.
- 9.2 An appeal must be commenced within twenty one days of receipt of the written decision notice following the outcome of the Sub-Committee hearing.
- 9.3 Appeals may only be submitted in relation to permanent street trading licences. There is no appeal process for applications for temporary street trading licences.
- 9.4 The 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 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.

14.3 The address and contact details for Democratic Services are:

Democratic Services
London Borough of Hillingdon
Phase Two, Council Chambers
Civic Centre
Uxbridge
UB8 1UW

Telephone: 01895 250470
Email: democratic@hillingdon.gov.uk

14.4 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

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APPLICATION FOR A TEMPORARY STREET TRADING LICENCE

Committee	Licensing Sub-Committee
Officer Contact	Jhini Mukherjee, Licensing Service 01895 277433
Papers with report	Appendix 1 - Application Form with plans submitted on 18 September 2018 Appendix 2 - Location map and photos Appendix 3 - Objection from Cllr Keith Burrows, dated 28 September 2018 Appendix 4 - Objection from Cllr David Yarrow, dated 20 September 2018 Appendix 5(1) - Application for planning permission for change of use of the telephone kiosks Appendix 5(2) - Planning Permission for retail purposes Appendix 6 - Deed of Lease, dated 01 August 2018
Ward name	Uxbridge North ward (on the boundary line with Uxbridge South)

1.0 SUMMARY

An application has been received for a new street trading licence for trading from a one metre pitch in front of two redundant red telephone kiosks. These are located on the footway outside 163 High Street, Junction with Baker's Yard, Uxbridge, UB8 1JZ

The application has attracted two objections. One from Councillor Keith Burrows and the other from Councillor David Yarrow.

2.0 RECOMMENDATION

2.1 That the Licensing Sub-Committee grant the licence as applied for having regard to Section 25(5) of The London Local Authorities Act 1990 and the Council's adopted Street Trading Policy.

3.0 APPLICATION

3.1 Name of applicant
Mrs Fatima Inam-UI-Haq

Name of assistant
Mr Umer Shahzad

3.2 Type of application applied for
Application for a new temporary pitch licence.

3.3 Pitch licence details
The application is for a pitch projecting one metre from the edge of the two telephone kiosks. The area will be used to display a selection of non-alcoholic drinks, confectionaries and cigarettes and tobacco products.

3.4 A site map and photos of the local area are attached as **Appendix 2**

4.0 CONSULTATION

4.1 Closing date for objections
10 October 2018

4.2 The relevant consultees were notified of the application on 19 September 2018. The consultees were:

- Highways
- Anti Social Behaviour and Environment team
- Ward Councillors

5.0 Responses to the consultation

5.1 We have received two objections relating to this application. One is from Councillor Keith Burrows and the other from Councillor David Yarrow.

The objections are appended in **Appendices 3**, and **4** respectively.

5.2 No objection was received from the Highways Service or the Anti Social Behaviour and Environment Team.

6.0 FURTHER INFORMATION

6.1 The rise of the mobile phone and a decline in payphone usage has resulted in a drastic reduction in the number of phone boxes across the UK and the redundant kiosks are now increasingly being put to inventive uses, from miniature art galleries to pint-sized pubs, shops, flower stalls, etc. The red telephone box which is so quintessentially British and was once a common sight across the land has been repurposed for the 21st century.

6.2 A planning permission was granted to Thinking Outside the Box, a charitable trust, on 5 October 2015, for change of use of the three redundant telephone kiosks on the footway outside 163 High Street Uxbridge to three A1 retail units. The application for planning permission for change of use and the subsequent Planning Permission for retail purposes is attached as **Appendix 5(1)** and **Appendix 5(2)** respectively.

6.3 Thinking Outside the Box, in association with the Red Kiosk Company, are redefining the usage of these telephone boxes across UK to suit modern day needs and requirements and in the process have leased out two of these boxes on the footway outside 163 High Street Uxbridge to the applicant, Fatima Inam-UI-Haq of Original Warrior Ltd, on 1 August 2018. A copy of the Deed of Lease is attached as **Appendix 6**.

6.4 The applicant first came to our attention when she made attempts to start trading from these premises earlier in the year without the correct street trading permissions in place. Subsequently, she was issued with fixed penalty notices and advised to obtain a street trading licence prior to commencement of further trading activities. She was also strongly advised to modify the fixtures, fittings and equipment that was being used so that she was fully compliant with the Grade 2 listing restrictions.

6.5 This is a fresh application with revised plans and this valid Street Trading Application was considered by us only after the unresolved matters relating to Planning were determined. We also understand that the Councils Heritage and Conservation Team accept the revised fixtures, fittings and equipment proposed.

6.6 The applicant has made a valid street trading application for a pitch and has provided us with all the requisite details of the proposed installations in the plans submitted with the application form. A copy of the application form and plans is attached as **Appendix 1**.

7.0 LEGAL COMMENTS

7.1 The granting of a temporary street trading licence under the London Local Authorities Act 1990 is discretionary and the Act does not set specific criteria for determining temporary applications. Determination of applications must therefore be in accordance with the Council's published Street Trading Policy (the "Policy"). Decisions must be in accordance with the policy unless there are strong reasons for departing from it.

7.2 The mandatory grounds for refusal under the Policy are:

- a) The applicant is under the age of seventeen.
- b) The proposed trading location is not within a designated licence street.
- c) The applicant is proposing to sell goods or services which the Council has resolved to ban.
- d) There is not enough physical space within the proposed trading location and any trading activity would have an adverse impact on the surrounding area by causing obstructions to persons or vehicles using the street.
- e) The applicant has made an application to trade in a location which does not satisfy the definition of a 'street' for the purposes of the legislation.

7.3 In accordance with the Policy, suitability will be assessed on a case-by-case basis, and information about an applicant's enforcement history with the Council may be referred to.

7.4 In considering applications for the grant or renewal of a street trading license, the following factors specified in the Policy should be considered:

- Paragraph 1.3 of the Policy states: *The Council is keen to create a thriving street trading environment which is sensitive to the needs of traders and residents and one which promotes consumer choice and enhances the trading and business opportunities in the borough.*
- Paragraph 1.4 of the Policy states: *In regulating street trading activities, the Council aims to reduce the administrative burdens on applicants and licence holders by reducing administrative burdens from the application process and also creating a clear and transparent guide for traders.*
- Paragraph 2.1 of the Policy states: *Traders should be aware that this policy relates only to street trading activities and it is the responsibility of the trader to ensure that they are compliant with other legislation. Traders should consider whether their activities are likely to require authorisation and/or compliance with other regulatory regimes. For example; Planning, Building Control, Food Safety, Health & Safety, Control of Waste, Highway*

Obstruction, Trading Standards, Late Night Refreshment / Entertainment / Alcohol Licensing etc.

- Paragraph 3.2 of the Policy states: *The Council will assess the suitability of the applicant on a case by case basis and may have regard to any relevant enforcement history concerning the applicant and/or the location of the proposed street trading.*
- Paragraph 9.1 of the Policy states: *Where the Council receives feedback or an objection to an application consultation, it will carefully consider whether that feedback / objection may influence the Councils discretionary decision making powers.*

- Paragraph 10.5 of the Policy states:

"The discretionary grounds for refusal are:

- a) There are enough street traders in the area offering the same or similar goods to those of the applicant.*
- b) The applicant is unsuitable to hold a licence.*
- c) The applicant has previously demonstrated misconduct or unscrupulous behaviour whilst being the holder of a street trading licence.*
- d) The applicant has failed to comply with the terms or failed to pay a fee of a street trading licence.*
- e) The applicant has failed to propose suitable measures for the storage of perishable items when street trading is not taking place.*
- f) The applicant of a shop front licence is proposing to sell goods or offer services which are not sold or offered for sale within that shop.*
- g) The applicant is not the owner/occupier of a shop outside which a shop front trading licence is sought."*

- Paragraph 10.7 of the Policy states:

"The Council may also have regard to the other following factors when considering the impact on the local area of the proposed trading activity. This may result in additional conditions being imposed upon any licence granted.

- a) Public Safety – whether the street trading activity represents, or is likely to represent, a substantial risk to members of the public from the point of view of obstruction of the highway for emergency vehicles, or otherwise, a fire hazard, unhygienic conditions or other danger that can be reasonably foreseen, that may occur when a trader is using the site.*
- b) Prevention of Crime and Disorder – whether the street trading activity represents, or is likely to represent, a substantial risk to public order. This is potentially more of an issue for traders wishing to operate as part of the night time economy.*
- c) Prevention of public nuisance or environmental damage – whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance or environmental issues. Examples include; damage to street surfaces; noise; litter; refuse; vermin; fumes/odours etc.*

d) *Appearance of trading area – Whether the street trading area is properly constructed and presented and enhances the aesthetic street scene of an area. Guidance will be given to applicants regarding the standard expected by the Council."*

e) *Needs of the area - amongst other things, the Council will consider the demand for the articles for sale, and the geographical location of the proposed site.*

7.5 If discretionary grounds for refusal do exist, the Sub-Committee may still decide to award a licence – but this could be for a shorter period than required, or to allow trading only in certain commodities.

7.6 Standard conditions will be attached to every street trading licence. Where relevant, the Licensing Sub-Committee may attach specific trading conditions to a street trading licence.

7.7 There is no right of appeal against a decision to refuse a temporary street trading licence.

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HILLINGDON
LONDON

18 SEP 2018

Application for a Street Trading Licence
Pursuant to the London Local Authorities Act 1990 (as amended)

Important Notes:

1. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
2. You may wish to keep a copy of the completed form for your records
3. Incomplete applications will not be processed and returned to the applicant

Section 1. – Premises details

1.A Address/location of premises;

Trading Name of Premises ORIGINAL WARRIOR LTD.

Address 2 RED KIOSK, 230 UXBRIDGE O/S 163 HIGH STREET JET BAKERS YARD, UXBRIDGE

..... Post Code UB8 1JZ

Contact number at premises

1.B Please tick the type of licence you are applying for;

- Shop Front
- Tables & Chairs
- Pitch

1.C Please tick whether your application is for a new licence or to renew your existing licence;

- New Licence application
- Renewal application

1.D Information relating to Shop Front applications only;

Size of shop front licensed area; 1 Metre 2 Metres 3 Metres

1.E Information relating to Tables & Chairs applications only;

How many Tables & Chairs will you be placing in the licensed area?

1.F Information relating to Pitch applications only;

Please provide details of the size and location of the proposed pitch ONE MTR

FRONT OF TWO RED KIOSK

Section 2. – About the Applicant & Assistants

2.A Applicants details;

Title MRS First Name/s FATIMA

Surname/s INAM - UL - HAQ

Address

.....

..... Post Code ..

Date of Birth (D/M/Y) Place of birth ...

Mobile number email .

2.B Assistant 1 Details;

Title First Name/s UMER

Surname/s SHAHZ AD

Address

.....

..... Post Code .

2.C Assistant 2 Details;

Title First Name/s

Surname/s

Address

.....

..... Post Code

Section 3. – Details of trading

3.A Hours of trade;

Please give the days and times during which street trading activities will take place;

Monday	8:00	to	20:00	Friday	8:00	to	20:00
Tuesday	8:00	to	20:00	Saturday	8:00	to	20:00
Wednesday	8:00	to	20:00	Sunday	8:00	to	20:00
Thursday	8:00	to	20:00				

3.B Articles/Commodities/Services for sale;

SOFT DRINKS FIZZY DRINKS,
CONFECTIONERIES, CIGARETTES

Section 4. Checklist & Declaration

4.A Checklist

Please tick;

- I have enclosed a copy of my Photo ID (Passport, Driving Licence etc)
- I have enclosed proof of home address for myself and the assistants
- I have enclosed the licence fee (Please refer to fee schedule)
- I have enclosed a plan/map of the proposed licensed area
- I have enclosed evidence of public liability insurance to £2million
- I have enclosed passport size photos of myself and the assistants
- I understand that I must display a notice of application in the window of the application premises for 21 days
- I understand that if I do not comply with the above requirements, my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE NOT EXCEEDING £20,000, FOR ANY PERSON TO MAKE A FALSE STATEMENT WHICH HE KNOWS TO BE FALSE IN ANY MATERIAL RESPECT, OR WHICH HE DOES NOT BELIEVE TO BE TRUE IN CONNECTION WITH AN APPLICATION FOR THE GRANT, VARIATION, RENEWAL OR TRANSFER OF A STREET TRADING LICENCE.

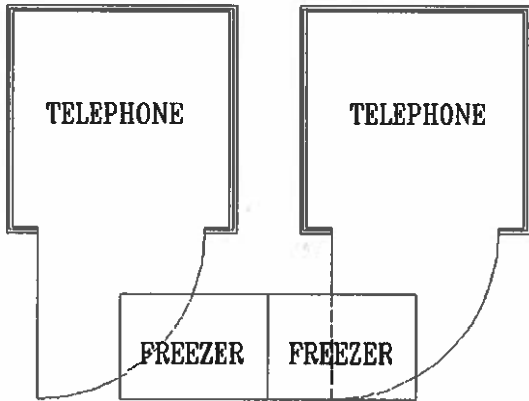
Applicant

I FATIMA INAM UL HAQ (insert name) declare that the information given in this application is true and complete in every respect.

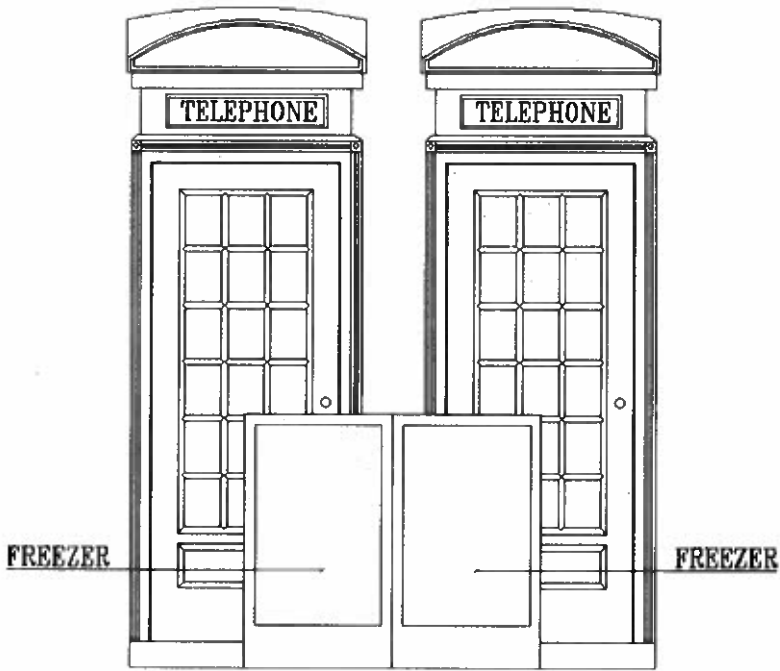
Signature; Date; 29/8/18

Please send your application and its enclosures to;

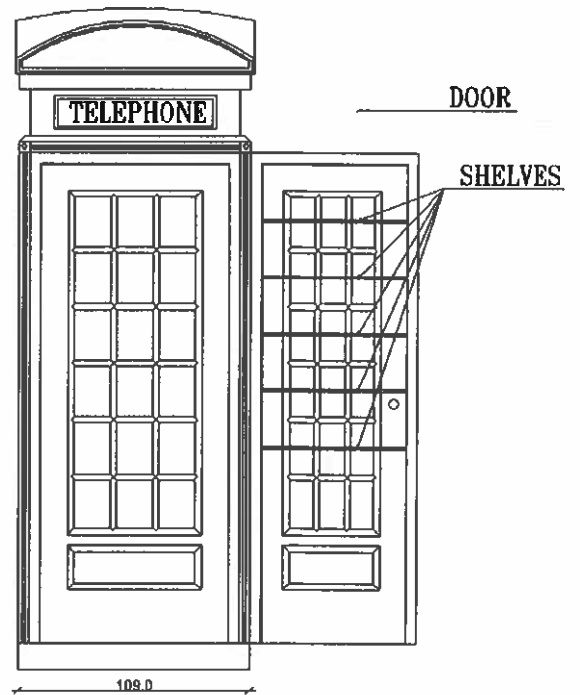
**The Licensing Service
London Borough of Hillingdon
Civic Centre
High Street
Uxbridge
UB8 1UW**



PLAN



FRONT ELEVATION



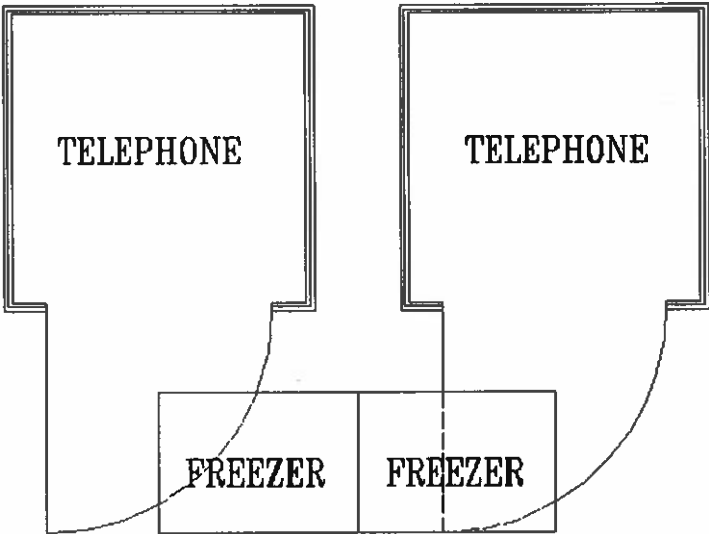
SIDE ELEVATION

RED KIOSK Drawing Specification :

230 Uxbridge O/S 163 High Street Jct Bakers Yard, Uxbridge UB8 1JZ. UB8 1JZ

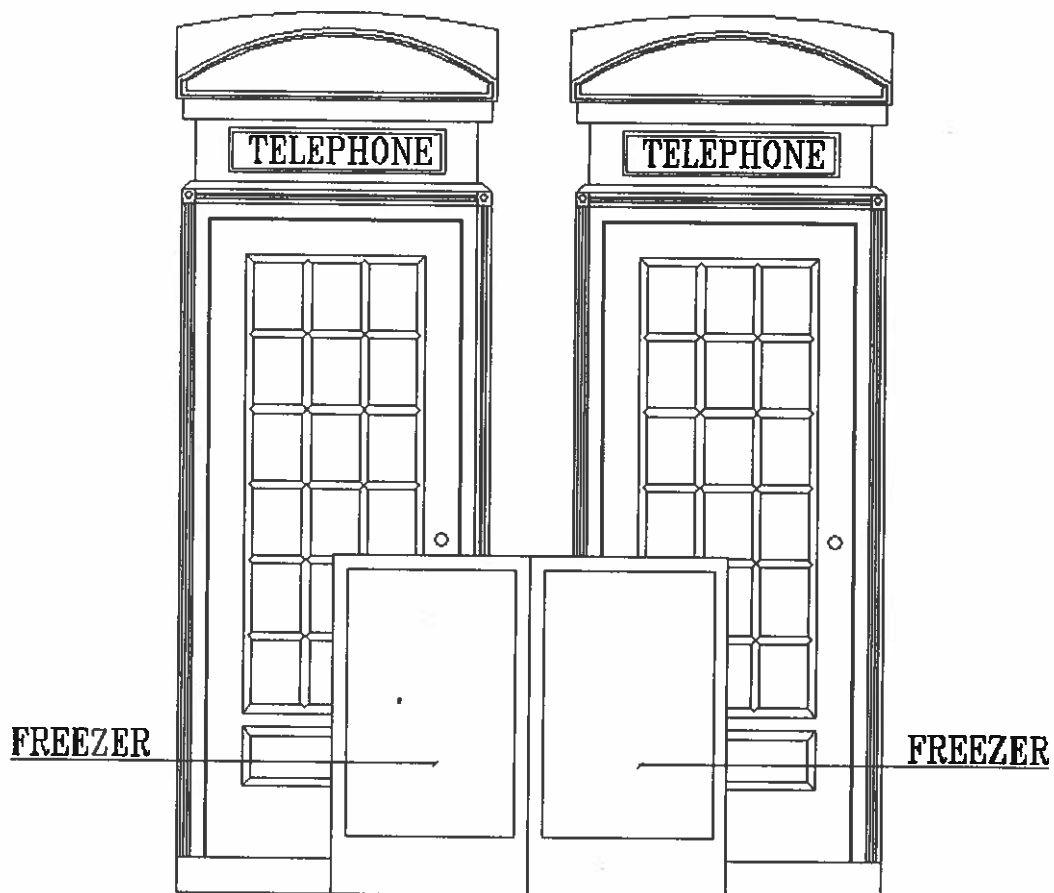
Specification:

1:- Doors



The above plan shows two open doors during the hours of trade which takes 3ft of pitch space to keep them open, the plan also shows two freezers have been placed in between two doors to keep our drinks, chocolates etc.

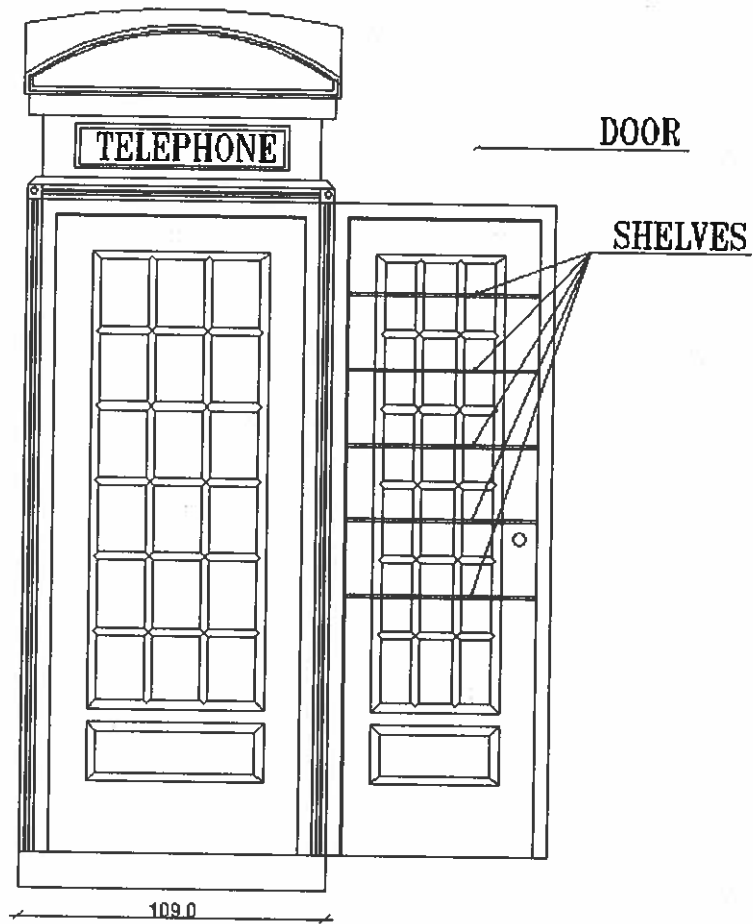
2:- Red Kiosk



FRONT ELEVATION

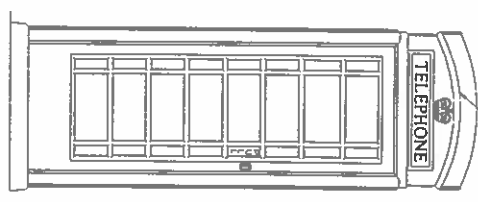
The second drawing shows 2 x Red Kiosk and freezer placed in the middle.

3:- Side Plan

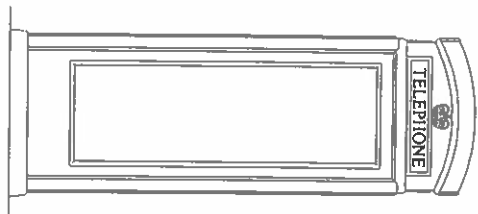


The third Drawing shows the kiosk door which is open during the hours and also shows the shelves hanged with the door.

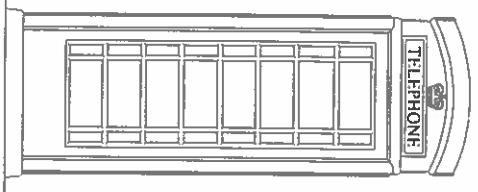
external appearance unaltered



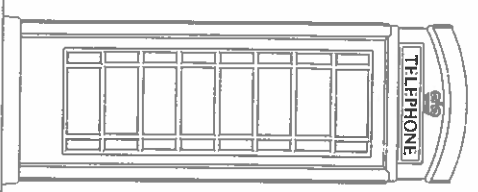
Proposed Front Elevation @ 1 : 20



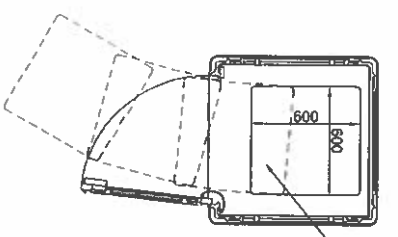
Proposed Rear Elevation @ 1 : 20



Proposed Side Elevation 1 @ 1 : 20

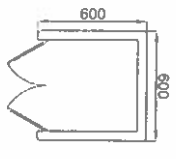
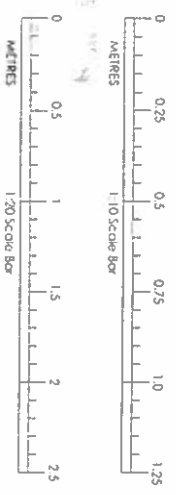


Proposed Side Elevation 2 @ 1 : 20

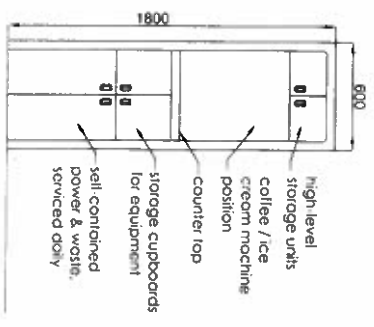


modular unit rolled into position on in-built rollers with no fixings to existing phone box shell

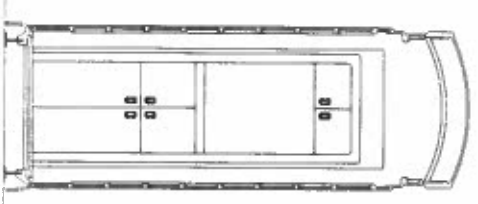
Proposed Plan Showing Door Open & Access for Modular Unit @ 1 : 20



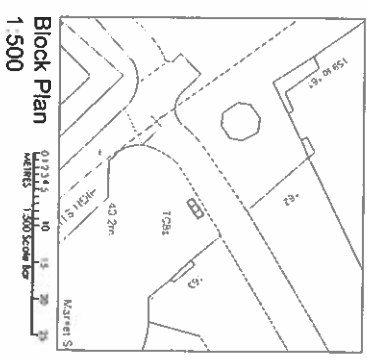
Typical Proposed Kiosk Plan @ 1 : 20



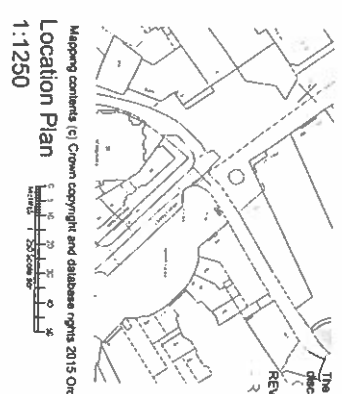
Typical Proposed Elevation of Modular Unit @ 1 : 20



Typical Proposed Section A-A @ 1 : 20



Block Plan 1 : 500



Location Plan 1 : 1250

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This drawing is copyright and may not be copied or reproduced without the written consent of this practice. The contractor is responsible for setting out and must check all levels and dimensions prior to work being put in hand. This drawing should not be scaled. Only written dimensions are to be taken in respect of this project. The Architect is to be immediately notified of any suspected omissions or discrepancies.

REV	DATE	COMMENT	REV BY
1		RIDGE	



M B DESIGN AND BUILD LTD
 CHARTERED ARCHITECTS AND PLANNING CONSULTANTS
 Suite 18, Innovation Centre
 Brighton East Sussex, BN1 5SB
 Telephone: 01273 622911
 www.mbleps.co.uk

CLIENT: THINKING OUTSIDE THE BOX

CHANGE OF USE TO 3NO. A1 RETAIL UNITS IN 3NO. REDUNDANT TELEPHONE BOXES

@ OUTSIDE 163 HIGH STREET, UXBRIDGE, UB8 1JZ

PROPOSED PLANS, ELEVATIONS, SECTIONS & DETAILS AND PROPOSED BLOCK & LOCATION PLANS - K6 KIOSK

SCALE	DATE	DRAWN
1:20, 1:500	Aug 2015	FMS
1:250 @ A2		

job no: 9232-44-1 drawing no: PL01



Page 27

View of the market square with the 3 telephone kiosks outside 163 High Street, Uxbridge



Close-up view of the 3 telephone kiosks which have been granted planning permission for A1 retail use



Side-view of the telephone kiosks



Close-up view of the 2 telephone kiosks leased out to the applicant for street trading purposes







Appendix 3 - Objection from Cllr Keith Burrows, dated 28 September 2018

Applications Processing Team <applicationsprocessingteam@hillingdon.gov.uk>

Re: New Street Trading pitch application - Original Warrior Ltd/Red Phone boxes

1 message

Cllr Keith Burrows <kburrows@hillingdon.gov.uk>

28 September 2018 at 15:59

To: "licensing ." <licensing@hillingdon.gov.uk>

Cc: Applications Processing Team <applicationsprocessingteam@hillingdon.gov.uk>, Wayne Greenshields <wgreenshield@hillingdon.gov.uk>, Adam Stitson <astitson@hillingdon.gov.uk>, Nathan Welch <nwelch@hillingdon.gov.uk>, Joanne Howells <JHOWELLS@hillingdon.gov.uk>, Cllr Judith Cooper <jcooper@hillingdon.gov.uk>, Cllr Farhad Choubedar <fchoubedar@hillingdon.gov.uk>, Cllr Martin Goddard <mgoddard@hillingdon.gov.uk>, Cllr Raymond Graham <rgraham@hillingdon.gov.uk>, Cllr David Yarrow <dyarrow@hillingdon.gov.uk>, Michael Crane <mike@uxbridgebid.com>

Dear Jhini

Thank you for the update on this matter however I still oppose the licence.

Kind regards

Cllr Keith Burrows

Sent from my iPhone

On 28 Sep 2018, at 15:56, licensing . <licensing@hillingdon.gov.uk> wrote:

Dear Councillors,

Thank you for your e-mails.

Though the two phone boxes have been out of use for some time, the leases have now been assigned for both along with planning permission for retail purposes. As both of these are Grade 2 listed buildings, they cannot be removed.

The leaseholder made attempts to start trading from these premises earlier in the year without the correct street trading permissions in place. Subsequently, he was issued with fixed penalty notices and advised to obtain a street trading licence prior to commencement of further trading activities. He was also strongly advised to modify the fixtures, fittings and equipment that was being used so that he was fully compliant with the Grade 2 listing restrictions.

This is a fresh application with revised plans as attached in the original consultation e-mail. We also understand that the Councils Heritage and Conservation Team are happier with the revised fixtures, fittings and equipment proposed.

Furthermore, there is currently only one other retailer selling similar products in the vicinity of the telephone boxes and as such we think that there is a market for this and it has not yet reached a saturation level where restrictions on the commodities can be imposed

Any specific issues in relation to the protection of the heritage of these boxes will be dealt with by the Council's Conservation Team.

Please let me know if I can be of any further assistance here.

Kind regards,

Jhini



Jhini Mukherjee

Licensing Service

London Borough of Hillingdon
Civic Centre
High Street
Uxbridge UB8 1UW
01895 277433
licensing@hillingsdon.gov.uk

□

On 27 September 2018 at 18:13, Cllr Keith Burrows <kburrows@hillingsdon.gov.uk> wrote:

Dear team

I totally agree with councillor Yarrow and I oppose this application. If the phone boxes are no longer required remove them and open up the high street for all those who come to Uxbridge.

I feel the sale of such items from this location is not conducive with the look of the high street either.

Kind regards

Cllr Keith Burrows

Sent from my iPhone

On 19 Sep 2018, at 11:17, Applications Processing Team <applicationsprocessingteam@hillingsdon.gov.uk> wrote:

Dear All

We have received the following new Street Trading pitch application:

Original Warrior Limited/Mrs Fatima Inam-UI-Haq
Pitch: Red Phone boxes, outside [163 High Street, Uxbridge](#)
Opening/closing times: Monday - Sunday, 8am - 8pm
Goods on display: soft drinks, fizzy drinks, confectionery, cigarettes

Please submit any objections or comments by 10th October 2018.

Regards
Kerry

**Applications Processing Team
London Borough of Hillingdon
Residents Services
Civic Centre, 3N/04
High Street, Uxbridge
UB8 1UW**

**Please note our new number is
Tel. 01895 558 311**

Please Note:

We aim to respond to all queries within 72 hours.

Applications will be looked at within 5 working days and subsequently determined within the time limits specified on our website.

<PLANS.pdf>

Appendix 4 - Objection from Cllr David Yarrow, dated 20 September 2018

Applications Processing Team <applicationsprocessingteam@hillington.gov.uk>

Re: New Street Trading pitch application - Original Warrior Ltd/Red Phone boxes

1 message

Cllr David Yarrow <dyarrow@hillington.gov.uk>

20 September 2018 at 10:18

To: Applications Processing Team <applicationsprocessingteam@hillington.gov.uk>

Cc: Wayne Greenshields <wgreenshield@hillington.gov.uk>, Adam Stitson <astitson@hillington.gov.uk>, Nathan Welch <nwelch@hillington.gov.uk>, Joanne Howells <JHOWELLS@hillington.gov.uk>, Cllr Keith Burrows <kburrows@hillington.gov.uk>, Cllr Judith Cooper <jcooper@hillington.gov.uk>, Cllr Farhad Choubedar <fchoubedar@hillington.gov.uk>, Cllr Martin Goddard <mgoddard@hillington.gov.uk>, Cllr Raymond Graham <rgraham@hillington.gov.uk>, Michael Crane <mike@uxbridgebid.com>, "licensing ." <licensing@hillington.gov.uk>

Totally opposed to this application. If the phone boxes are not in use they should be removed. The boxes have been tampered with and doors have had special locks fitted by the applicant. This is not what the new look high street needs.

Regards

David

Cllr. David Yarrow

On Wed, 19 Sep 2018 11:18 Applications Processing Team, <applicationsprocessingteam@hillington.gov.uk> wrote:

Dear All

We have received the following new Street Trading pitch application:

Original Warrior Limited/Mrs Fatima Inam-UI-Haq

Pitch: Red Phone boxes, outside [163 High Street, Uxbridge](#)

Opening/closing times: Monday - Sunday, 8am - 8pm

Goods on display: soft drinks, fizzy drinks, confectionery, cigarettes

Please submit any objections or comments by 10th October 2018.

Regards

Kerry

Applications Processing Team
London Borough of Hillingdon
Residents Services
Civic Centre, 3N/04
High Street, Uxbridge
UB8 1UW

Please note our new number is
Tel. 01895 558 311

Please Note:

We aim to respond to all queries within 72 hours.

Applications will be looked at within 5 working days and subsequently determined within the time limits specified on our website.

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Appendix 5(1) - application for planning permission for change of use of the telephone kiosks



HILLINGDON
LONDON

London Borough of Hillingdon, Planning & Community Services, 3N Civic Centre, High Street, Uxbridge, Middlesex UB8 1UW
Tel: 01895 250230 Web: www.hillingdon.gov.uk

Application for Planning Permission and listed building consent for alterations, extension or demolition of a listed building.

Town and Country Planning Act 1990

Planning (Listed Buildings and Conservation Areas) Act 1990

Publication of applications on planning authority websites.

Please note that the information provided on this application form and in supporting documents may be published on the Authority's website. If you require any further clarification, please contact the Authority's planning department.

1. Applicant Name, Address and Contact Details

Title: First name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Country Code:

National Number:

Extension Number:

Telephone number:

Mobile number:

Fax number:

Email address:

Are you an agent acting on behalf of the applicant? Yes No

2. Agent Name, Address and Contact Details

Title: First Name: Surname:

Company name:

Street address:

Town/City:

County:

Country:

Postcode:

Country Code:

National Number:

Extension Number:

Telephone number:

Mobile number:

Fax number:

Email address:

3. Description of Proposed Works

Please describe details of the proposed development or works including details of proposals to alter, extend or demolish the listed building(s):

Has the development or work(s) already started? Yes No

4. Site Address Details

Full postal address of the site (including full postcode where available)

Description:

House:	<input type="text"/>	Suffix:	<input type="text"/>
House name:	2no. BT telephone boxes o/s		
Street address:	163 High Street		
Town/City:	Uxbridge		
County:	Hillingdon		
Postcode:	UB8 1JZ		

Description of location or a grid reference
(must be completed if postcode is not known):

Easting:	505572
Northing:	184147

5. Pre-application Advice

Has assistance or prior advice been sought from the local authority about this application?

Yes No

6. Pedestrian and Vehicle Access, Roads and Rights of Way

Is a new or altered vehicle access proposed to or from the public highway?

Yes No

Is a new or altered pedestrian access proposed to or from the public highway?

Yes No

Are there any new public roads to be provided within the site?

Yes No

Are there any new public rights of way to be provided within or adjacent to the site?

Yes No

Do the proposals require any diversions/extinguishments and/or creation of rights of way?

Yes No

7. Waste Storage and Collection

Do the plans incorporate areas to store and aid the collection of waste?

Yes No

If Yes, please provide details:

Self-contained waste storage in the unit

Have arrangements been made for the separate storage and collection of recyclable waste?

Yes No

If Yes, please provide details:

Self-contained waste storage in the unit

8. Authority Employee/Member

With respect to the Authority, I am:

- (a) a member of staff
- (b) an elected member
- (c) related to a member of staff
- (d) related to an elected member

Do any of these statements apply to you?

Yes No

9. Demolition

Does the proposal include total or partial demolition of a listed building?

Yes No

10. Listed building alterations

- Do the proposed works include alterations to a listed building? Yes No
- If Yes, will there be works to the interior of the building? Yes No
- Will there be works to the exterior of the building? Yes No
- Will there be works to any structure or object fixed to the property (or buildings within its curtilage) internally or externally? Yes No
- Will there be stripping out of any internal wall, ceiling or floor finishes (e.g. plaster, floorboards)? Yes No

If the answer to any of these questions is Yes, please provide plans, drawings and photographs sufficient to identify the location, extent and character of the items to be removed, and the proposal for their replacement, including any new means of structural support, and state references for the plan(s)/drawing(s).

State references for these plan(s)/drawing(s):

11. Listed Building Grading

- If known, what is the grading of the listed building (as stated in the list of Buildings of Special Architectural or Historical Interest)? Don't know Grade I Grade II* Grade II
- Is it an ecclesiastical building? Don't know Yes No

12. Immunity from Listing

Has a Certificate of Immunity from listing been sought in respect of this building? Yes No

13. Vehicle Parking

Please provide information on the existing and proposed number of on-site parking spaces:

Type of vehicle	Existing number of spaces	Total proposed (including spaces retained)	Difference in spaces
Cars	0	0	0
Light goods vehicles/public carrier vehicles	0	0	0
Motorcycles	0	0	0
Disability spaces	0	0	0
Cycle spaces	0	0	0
Other (e.g. Bus)	0	0	0
Short description of Other			

14. Materials

Please provide a description of existing and proposed materials and finishes to be used in the build (demolition excluded):

External walls - add description

Description of *existing* materials and finishes:

BT red phonebox paint

Description of *proposed* materials and finishes:

BT red phonebox paint

Vehicle access and hard standing - add description

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Lighting - add description

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

Others - add description

Other

Description of *existing* materials and finishes:

Description of *proposed* materials and finishes:

14. Materials (continued)

Are you supplying additional information on submitted drawings or plans?

Yes No

If Yes, please state plan(s)/drawing(s) references:

15. Foul Sewage

Please state how foul sewage is to be disposed of:

Mains sewer

Package treatment plant

Unknown

Septic tank

Cess pit

Other

n/a

Are you proposing to connect to the existing drainage system?

Yes No Unknown

16. Assessment of Flood Risk

Is the site within an area at risk of flooding? (Refer to the Environment Agency's Flood Map showing flood zones 2 and 3 and consult Environment Agency standing advice and your local planning authority requirements for information as necessary.)

Yes No

If Yes, you will need to submit an appropriate flood risk assessment to consider the risk to the proposed site.

Is your proposal within 20 metres of a watercourse (e.g. river, stream or beck)?

Yes No

Will the proposal increase the flood risk elsewhere?

Yes No

How will surface water be disposed of?

Sustainable drainage system

Main sewer

Pond/lake

Soakaway

Existing watercourse

17. Biodiversity and Geological Conservation

To assist in answering the following questions refer to the guidance notes for further information on when there is a reasonable likelihood that any important biodiversity or geological conservation features may be present or nearby and whether they are likely to be affected by your proposals.

Having referred to the guidance notes, is there a reasonable likelihood of the following being affected adversely or conserved and enhanced within the application site, OR on land adjacent to or near the application site:

a) Protected and priority species

Yes, on the development site

Yes, on land adjacent to or near the proposed development

No

b) Designated sites, important habitats or other biodiversity features

Yes, on the development site

Yes, on land adjacent to or near the proposed development

No

c) Features of geological conservation importance

Yes, on the development site

Yes, on land adjacent to or near the proposed development

No

18. Existing Use

Please describe the current use of the site:

BT phonebox, redundant

Is the site currently vacant?

Yes No

If Yes, please describe the last use of the site:

BT phonebox

When did this use end (if known) (DD/MM/YYYY)?

Does the proposal involve any of the following?

If yes, you will need to submit an appropriate contamination assessment with your application.

Land which is known to be contaminated?

Yes No

Land where contamination is suspected for all or part of the site?

Yes No

A proposed use that would be particularly vulnerable to the presence of contamination?

Yes No

19. Trees and Hedges

Are there trees or hedges on the proposed development site? Yes No

And/or: Are there trees or hedges on land adjacent to the proposed development site that could influence the development or might be important as part of the local landscape character? Yes No

If Yes to either or both of the above, you may need to provide a full Tree Survey, at the discretion of your local planning authority. If a Tree Survey is required, this and the accompanying plan should be submitted alongside your application. Your local planning authority should make clear on its website what the survey should contain, in accordance with the current 'BS5837: Trees in relation to design, demolition and construction - Recommendations'.

20. Trade Effluent

Does the proposal involve the need to dispose of trade effluents or waste? Yes No

21. Residential Units

Does your proposal include the gain or loss of residential units? Yes No

22. All Types of Development: Non-residential Floorspace

Does your proposal involve the loss, gain or change of use of non-residential floorspace? Yes No

Use class/type of use	Existing gross internal floorspace (square metres)	Gross internal floorspace to be lost by change of use or demolition (square metres)	Total gross new internal floorspace proposed (including changes of use) (square metres)	Net additional gross internal floorspace following development (square metres)
A1 Shops Net Tradable Area	0.0	0.0	1.6	1.6
A2 Financial and professional services	0.0	0.0	0.0	0.0
A3 Restaurants and cafes	0.0	0.0	0.0	0.0
A4 Drinking establishments	0.0	0.0	0.0	0.0
A5 Hot food takeaways	0.0	0.0	0.0	0.0
B1 (a) Office (other than A2)	0.0	0.0	0.0	0.0
B1 (b) Research and development	0.0	0.0	0.0	0.0
B1 (c) Light industrial	0.0	0.0	0.0	0.0
B2 General industrial	0.0	0.0	0.0	0.0
B8 Storage or distribution	0.0	0.0	0.0	0.0
C1 Hotels and halls of residence	0.0	0.0	0.0	0.0
C2 Residential institutions	0.0	0.0	0.0	0.0
D1 Non-residential institutions	0.0	0.0	0.0	0.0
D2 Assembly and leisure	0.0	0.0	0.0	0.0
Other Please Specify	1.6	0.0	0.0	0.0
Total	1.6	0.0	1.6	1.6

For hotels, residential institutions and hostels, please additionally indicate the loss or gain of rooms:

Use Class	Types of use	Existing rooms to be lost by change of use or demolition	Total rooms proposed (including changes of use)	Net additional rooms

23. Employment

If known, please complete the following information regarding employees:

	Full-time	Part-time	Equivalent number of full-time
Existing employees	0	0	0
Proposed employees	2	2	0

24. Hours of Opening

If known, please state the hours of opening (e.g. 15:30) for each non-residential use proposed:

Use	Monday to Friday		Saturday		Sunday and Bank Holidays		Not Known
	Start Time	End Time	Start Time	End Time	Start Time	End Time	
A1	08:00:00	18:00:00	08:00:00	19:00:00	09:00:00	18:00:00	<input type="checkbox"/>

25. Site Area

What is the site area?

01.60

sq.metres

26. Industrial or Commercial Processes and Machinery

Please describe the activities and processes which would be carried out on the site and the end products including plant, ventilation or air conditioning. Please include the type of machinery which may be installed on site:

n/a

Is the proposal for a waste management development?

Yes No

27. Hazardous Substances

Is any hazardous waste involved in the proposal?

Yes No

28. Site Visit

Can the site be seen from a public road, public footpath, bridleway or other public land?

Yes No

If the planning authority needs to make an appointment to carry out a site visit, whom should they contact? (Please select only one)

The agent The applicant Other person

29. Certificates (Certificate B)

Certificate Of Ownership - Certificate B

Certificates under Article 14 – Town and Country Planning (Development Management Procedure) (England) Order 2015 & Regulation 6 - Planning (Listed Buildings and Conservation Areas) Regulations 1990

I certify/ The applicant certifies that I have/the applicant has given the requisite notice to everyone else (as listed below) who, on the day 21 days before the date of this application, was the owner (*owner is a person with a freehold interest or leasehold interest with at least 7 years left to run*) and/or agricultural tenant ("*agricultural tenant*" has the meaning given in section 65(8) of the Town and Country Planning Act 1990) of any part of the land or building to which this application relates.

29. Certificates (Certificate B - continued)

Owner/Agricultural Tenant	Date notice served
Name: Rod Goodwin Number: <input type="text"/> Suffix: <input type="text"/> House name: <input type="text"/> Street: BT Payhones (Adopt), 4th Floor, Monument TE, 11-13 Great Tower Street Locality: <input type="text"/> Town: London Postcode: EC3R 5AQ	<input type="text" value="04/10/2015"/>
Name: <input type="text"/> Number: <input type="text"/> Suffix: <input type="text"/> House name: <input type="text"/> Street: <input type="text"/> Locality: <input type="text"/> Town: <input type="text"/> Postcode: <input type="text"/>	<input type="text"/>
Name: <input type="text"/> Number: <input type="text"/> Suffix: <input type="text"/> House name: <input type="text"/> Street: <input type="text"/> Locality: <input type="text"/> Town: <input type="text"/> Postcode: <input type="text"/>	<input type="text"/>
Name: <input type="text"/> Number: <input type="text"/> Suffix: <input type="text"/> House name: <input type="text"/> Street: <input type="text"/> Locality: <input type="text"/> Town: <input type="text"/> Postcode: <input type="text"/>	<input type="text"/>
Name: <input type="text"/> Number: <input type="text"/> Suffix: <input type="text"/> House name: <input type="text"/> Street: <input type="text"/> Locality: <input type="text"/> Town: <input type="text"/> Postcode: <input type="text"/>	<input type="text"/>
Title: Mr <input type="text"/> First name: Miles <input type="text"/> Surname: Broe <input type="text"/> Person role: Agent <input type="text"/> Declaration date: 04/10/2015 <input type="text"/> <input checked="" type="checkbox"/> Declaration made	

30. Declaration

I/we hereby apply for planning permission/consent as described in this form and the accompanying plans/drawings and additional information. I/we confirm that, to the best of my/our knowledge, any facts stated are true and accurate and any opinions given are the genuine opinions of the person(s) giving them.

Date

This page is intentionally left blank



Mr Miles Broe
Sussex Innovation Centre, Suite 18
Science Park Square
Falmer
Brighton BN1 9SB

Application Ref: 4740/APP/2015/3683

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

The Council of the London Borough of Hillingdon as the Local Planning Authority within the meaning of the above Act and associated Orders **GRANTS** permission for the following:-

Description of development:

Change of use of 3 redundant telephone kiosks to 3 A1 retail units

Location of development: Footway Outside 163 High Street Uxbridge

Date of application: 05 October 2015

Plan Numbers: See attached Schedule of plans

Permission is subject to the condition(s) listed on the attached schedule:-

Head of Planning and Enforcement

Date: 10 March 2016

- NOTES:
- (i) Please also see the informatives included in the Schedule of Conditions.
 - (ii) Should you wish to appeal against any of the conditions please read the attached sheet which explains the procedure.
 - (iii) This decision does not convey any approval or consent which may be required under any by-laws, building regulations or under any Act other than the Town and Country Planning Act 1990 (as amended).

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

GRANT OF PLANNING PERMISSION

Application Ref: 4740/APP/2015/3683

SCHEDULE OF CONDITIONS

- 1 The development hereby permitted shall be begun before the expiration of three years from the date of this permission.

REASON

To comply with Section 91 of the Town and Country Planning Act 1990.

- 2 The development hereby permitted shall not be carried out except in complete accordance with the details shown on the submitted plans, numbers [PL01 and EX01] and shall thereafter be retained/maintained for as long as the development remains in existence.

REASON

To ensure the development complies with the provisions Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012) and the London Plan (2015).

- 3 Samples of all paints to be used for the external surfaces of the telephone boxes, shall be submitted to and approved in writing by the Local Planning Authority before the relevant part of the work is begun.

REASON

To safeguard the special architectural and/or historic interest of the building in accordance with Policy BE8 Hillingdon Local Plan: Part Two Saved UDP Policies (November 2012)

INFORMATIVES:

- 1 The decision to GRANT planning permission has been taken having regard to all relevant planning legislation, regulations, guidance, circulars and Council policies, including The Human Rights Act (1998) (HRA 1998) which makes it unlawful for the Council to act incompatibly with Convention rights, specifically Article 6 (right to a fair hearing); Article 8 (right to respect for private and family life); Article 1 of the First Protocol (protection of property) and Article 14 (prohibition of discrimination).
- 2 The decision to GRANT planning permission has been taken having regard to the policies and proposals in the Hillingdon Unitary Development Plan Saved Policies (September 2007) as incorporated into the Hillingdon Local Plan (2012) set out below, including Supplementary Planning Guidance, and to all relevant material considerations, including the London Plan (2015) and national guidance.

Part 1 Policies:

PT1.BE1 (2012) Built Environment

PT1.HE1 (2012) Heritage

Part 2 Policies

AM7 Consideration of traffic generated by proposed developments.

AM8 Priority consideration to pedestrians in the design and implementation of road construction and traffic management schemes

SCHEDULE OF CONDITIONS

BE10	Proposals detrimental to the setting of a listed building
BE12	Proposals for alternative use (to original historic use) of statutorily listed buildings
BE13	New development must harmonise with the existing street scene.
BE4	New development within or on the fringes of conservation areas
BE8	Planning applications for alteration or extension of listed buildings
NPPF	National Planning Policy Framework

- 3 . On this decision notice policies from the Councils Local Plan: Part 1 - Strategic Policies appear first, then relevant saved policies (referred to as policies from the Hillingdon Unitary Development Plan - Saved Policies September 2007), the London Plan Policies (2015). On the 8th November 2012 Hillingdon's Full Council agreed the adoption of the Councils Local Plan: Part 1 - Strategic Policies. Appendix 5 of this explains which saved policies from the old Unitary Development (which was subject to a direction from Secretary of State in September 2007 agreeing that the policies were 'saved') still apply for development control decisions.

END OF SCHEDULE

Address:

Residents Services
London Borough of Hillingdon
3 North Civic Centre, High Street, Uxbridge UB8 1UW
Tel: 01895 250230
www.hillingdon.gov.uk

GRANT OF PLANNING PERMISSION

Application Ref.No.: 4740/APP/2015/3683

SCHEDULE OF PLANS

M B Design and Build Ltd Design and Access/Heritage Statement Reference 9232-44.1/MB/FB - received 04 Oct 2015

PL01 - received 04 Oct 2015

EX01 - received 04 Oct 2015

RIGHTS OF APPLICANTS AGGRIEVED BY DECISION OF LOCAL PLANNING AUTHORITY

TOWN AND COUNTRY PLANNING ACT 1990 (AS AMENDED)

If you are aggrieved by the decision of your local planning authority to refuse permission for the proposed development or to grant it subject to conditions, then you can appeal to the office of the First Secretary of State under Section 78 of the Town and Country Planning Act 1990.

If you want to appeal, then you must do so within six months of the date of this notice, using a form which you can get from the Planning Inspectorate at Customer Support Unit, Room 3/15 Eagle Wing, Temple Quay House, 2 The Square, Temple Quay, Bristol, BS1 6PN (Tel 0117 372 8424) Appeal forms can be downloaded from the Planning Inspectorate's website at <http://.Planning-inspectorate.gov.uk>

The Secretary of State can allow a longer period for giving notice of an appeal, but he will not normally be prepared to use this power unless there are special circumstances, which excuse the delay in giving notice of an appeal.

The Secretary of State need not consider an appeal if it seems to him that the local planning authority could not have granted planning permission for the proposed development or could not have granted it without the conditions imposed, having regard to the statutory requirements, to the provisions of any development order and to any directions given under a development order.

In practice, the Secretary of State does not refuse to consider appeals solely because the local planning authority based their decision on a direction given by him.

Purchase Notices.

If either the local planning authority or the officer of the First Secretary of State refuses permission to develop land or grants it subject to conditions, the owner may claim that he can neither put the land to a reasonably beneficial use by carrying out of any development which has been or would be permitted.

In these circumstances, the owner may serve a purchase notice on the Council (District Council, London Borough Council or Common Council of the City of London) in whose area the land is situated. This notice will require the Council to purchase his interest in the land in accordance with the provisions of Part VI of the Town and Country Planning Act 1990.

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1/08/2018 Dated

RED KIOSK COMPANY LIMITED

And

(ORIGINAL WARRIOR LTD)

LEASE OF 2 X RED KIOSK AT

230 Uxbridge O/S 163 High Street Jct Bakers Yard, Uxbridge UB8 1JZ. UB8 1JZ

This lease is dated

1/08/2018

PARTIES

RED KIOSK COMPANY LIMITED incorporated and registered in England and Wales with company number 08987705 whose registered office is at Sussex Innovation Centre Science Park Square Falmer Brighton BN1 9SB (Landlord)

INAM-UL-HAQ, Fatima Original Warrior Ltd 78 Clements Road, Eastham, London, England, E6 2DF Registration Number 11483284 (Tenant)

1.1 Definitions and Interpretations

In this agreement, except where the context otherwise requires, the following terms shall have the following meanings.

Access Areas: Such roads and paths and other means of access as are used in order to gain access to the Kiosk for the Permitted Use.

Annual Rent: rent at the rate of £7,200 per annum for 2 Kiosks plus vat subject to review in accordance with the Lease. 1st rental payment due on 11th of January 2019 as continuing from initial move in date 1st of June 2018

Insurance Rent: The aggregate in each year of the gross cost of the premium before any discount or commission for the insurance of:-

- (a) the Kiosk for its full reinstatement cost, site clearance, professional and statutory fees and incidental expenses and costs of any work which may be required under any law and VAT in respect of all those costs, fees and expenses;
- (b) loss of Annual Rent of the property for 1 year; and
- (c) any insurance premium tax payable on the above.

Insured Risks: Fire, explosion, lightning, earthquake, storm, flood, bursting and overflowing of water tanks, apparatus or pipes, impact by aircraft and articles dropped from them, impact by vehicles, riot, civil commotion and any other risks against which the Landlord decides to insure from time to time.

Insured Risk: Any one of the Insured Risks.

Interest Rate: 4% per annum above the base rate from time to time of HSBC Bank Plc.

Kiosk: The telephone kiosk located at, Uxbridge O/S 163 High Street Jct Bakers Yard, Uxbridge UB8 1JZ. UB8 1JZ and for the avoidance of doubt it is the kiosk only which is included but not the land upon which it is situated.

LTA 1954: Landlord and Tenant Act 1954.

Permitted Use: A1

Permitted Hours: 0800 - 2000

- 1.14 A reference to **writing** or **written** includes fax and e-mail.
- 1.15 Unless the context otherwise requires, a reference to one gender shall include a reference to the other genders.
- 1.16 Unless the context otherwise requires, words in the singular shall include the plural and in the plural shall include the singular.

2. **GRANT of Lease**

- 2.1 The Landlord lets the Kiosk to the Tenant for the Term.
- 2.2 The Lease is made with the Tenant paying as rent to the Landlord, the Rent and any VAT, the Insurance Rent, any interest payable under this lease and all other sums due under this lease

3. **ANCILLARY RIGHTS**

- 3.1 The Landlord grants the Tenant the following rights (the **Rights**) to use in common with the Landlord and any other person authorised by the Landlord:

- (a) the right to use the Access Areas for the purpose of access to and from from the Kiosk;
- (b) the right to use or connect in to any Service Media serving the Kiosk.

- 3.2 In relation to the Right mentioned in clause 3.1(b) the Landlord may, at its discretion, re-route or replace any such Service Media and that Right shall then apply in relation to the Service Media as re-routed or replaced.

- 3.3 The Tenant shall not:

- (a) Use the Kiosk otherwise than for the Permitted Use
- (b) Assign underlet charge part with the possession of or otherwise dispose of the Kiosk or any part of it or any interest in it;
- (c) Share occupation of the Kiosk or any part of it
- (d) Make any alteration or addition to the Kiosk
- (e) Cause any nuisance or annoyance to the Landlord or to the owners or occupiers of any neighbouring premises

- 3.4 ; The Tenant shall keep the Kiosk clean and tidy and make good any damage caused in accordance with all relevant laws.

4. **RIGHTS EXCEPTED AND RESERVED**

- 4.1 The following rights are excepted and reserved from this lease to the Landlord (the **Reservations**):

- (a) the right to enter the Kiosk for any purpose at any reasonable time without notice.
- (b) the right to display advertising for such products as the Landlord in its discretion shall decide on the side of the Kiosk which is not glazed.

- 4.2 The Reservations may be exercised by the Landlord and by anyone else who is or becomes entitled to exercise them and by anyone authorised by the Landlord.

6. INSURANCE

6.1 The Landlord shall keep the Kiosk insured against loss or damage from the Insured Risks, provided that such insurance is available in the market on reasonable terms acceptable to the Landlord. The Landlord shall inform the Tenant of relevant terms of its insurance policy.

6.2 The Tenant shall pay to the Landlord on demand:-

6.3 (a) The Insurance Rent; and

6.4 (b) Any amount deducted or disallowed by the insurers pursuant to any excess provisions in the insurance policy.

6.5 If the Landlord insures the Kiosk together with any other land or kiosks, the amount of the Insurance Rent shall be a fair proportion of the total for the Kiosk plus any of the other kiosks or land.

6.6 If the Kiosk is damaged or destroyed by a risk against which the Landlord has insured so as to make the Kiosk unfit for occupation and use, and the Landlord has not repaired the Kiosk so as to make the Kiosk fit for occupation and use within six months of it having been damaged or destroyed, then the Landlord may determine this lease by giving notice to the Tenant.

6.7 If the Kiosk is damaged or destroyed by a risk against which the Landlord has insured so as to make the Kiosk unfit for occupation and use, then provided that:

(a) the Landlord's insurance policy has not been invalidated in whole or part by any act or omission of the Tenant or any person at the Kiosk with the actual or implied authority of the Tenant; and

(b) the Landlord has not repaired the Kiosk so as to make the Kiosk fit for occupation and use within six months of it having been damaged or destroyed,

the Tenant may terminate this lease by giving notice to the Landlord.

6.8 In any case where the Tenant is able to terminate this lease pursuant to this clause then payment of the Annual Rent (or a fair proportion of it according to the nature and extent of the damage) shall be suspended until the Kiosk has been repaired so as to make the Kiosk fit for occupation and use or, if earlier, this lease is terminated.

6.9 If this lease is terminated pursuant to this clause, then the termination shall be without prejudice to any right or remedy of the Landlord in respect of any previous breach of the tenants covenants of this lease.

6.10 Nothing in this clause shall oblige the Landlord to repair the Kiosk.

7. SERVICES

7.1 The Landlord shall use its reasonable endeavours to provide to the Kiosk a sufficient supply of electricity to enable the Tenant to carry out the Permitted Use. (or any other service

7.2 The Tenant shall instruct CSG Utilities Limited 8 Bradley Street, Manchester M1 1EH 0161 300 9691 to install a Mains Cold Water Supply if required by the Tenant. A quote

LANDLORD & TENANT ACT 1954

- 21.3 The parties confirm that:
- 21.4 the Landlord served a notice on the Tenant, as required by section 38A(3)(a) of the LTA 1954, applying to the tenancy created by this lease, before this lease was entered into;
- 21.5 the Tenant Original Warrior Ltd who was duly authorised by the Tenant to do so made a statutory declaration dated [] in accordance with the requirements of section 38A(3)(b) of the LTA 1954; and
- 21.6 there is no agreement for lease to which this lease gives effect.
- 21.7
- 21.8 The parties agree that the provisions of sections 24 to 28 of the LTA 1954 are excluded in relation to the tenancy created by this lease.
- 21.9
- 21.10 A person who is not a party to this lease shall not have any rights under the Contracts (Rights of Third Parties) Act 1999 to enforce any term of this lease.

This document has been executed as a deed and is delivered and takes effect on the date stated at the beginning of it.

Signed as a Deed by The
Landlord
acting by one Director In

the presence of: Signature

of witness: Name of

witness: Address of

witness:

signed as a Deed by the said
Tenant acting by one Director In the
presence of:-

[]

Signature of witness:

Name of witness: Address

of witness: