

Minutes

LICENSING SUB-COMMITTEE

24 July 2018

Meeting held at Committee Room 5 - Civic Centre, High Street,
Uxbridge



HILLINGDON
LONDON

	<p>Committee Members Present: Councillor Roy Chamdal, Chairman Councillor Lynne Allen Roy Chamdal (Chairman) Brian Stead</p> <p>LBH Officers Present: Steven Dormer, Licensing Officer Liz Penny, Democratic Services Officer Beejal Soni, Legal Advisor</p> <p>Respondents Present: Shankar P Sivashankar, applicant's agent</p> <p>Responsible Authorities Present: Stephanie Waterford, Licensing Service</p> <p>Also Present: Mr Sean Walker, Lead Petitioner</p>
11.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
12.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
13.	<p>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 (<i>Agenda Item 3</i>)</p> <p>It was confirmed that this was a Part I meeting therefore all the items of business would be considered in public.</p>
14.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
15.	<p>APPLICATION FOR GRANT OF A PREMISES LICENCE - WILLIAMS JOLLE, NORTHWOOD HILLS (<i>Agenda Item 5</i>)</p> <p><i>Introduction by Licensing Officer:</i></p>

Steve Dormer, Licensing Officer, introduced the application which was for a New Premises Licence in respect of William Jolle PH, 53 Joel Street, Northwood Hills. Members were informed that a petition from local residents objecting on the grounds of public nuisance had been received containing 66 signatures. The application was originally for sale of alcohol, late night refreshment, performance of dance and provision of recorded music. However, following the intervention of the police, the request for regulated entertainment (performance of dance) had been removed and, subject to additional conditions detailed, the police were now satisfied with the application. The pub was to be marketed as 'gastro style' and the proposed opening hours had been amended slightly.

Members were advised that the licence being sought by the applicant was of a similar nature to that held by Sahib's, 22 Joel Street, Northwood Hills.

Members requested clarification on a number of points. One of the conditions stated that 'The venue should consider the use of door supervisors during busier periods at other times during the week'. Members enquired as to the definition of 'busier periods'. It was confirmed that door supervisors were no longer a necessity as the original application had now been amended. It was also confirmed that the hours shown in Appendix 2 of the report were the adjusted hours as agreed with the Metropolitan Police and included half an hour 'drinking up' time.

Representation by the Applicant's Agent:

Mr Sivashankar, agent, addressed the Sub-Committee and commented that the original application had been very different and had been amended significantly to meet the requirements of the Police (detailed in Appendix 3 of the report); said changes included a reduction in opening hours. Members were requested to note that an additional half an hour had been included in the application for the sale of late night non-alcoholic refreshments.

Councillors were informed that the intention was to employ door supervisors as required depending on booking levels. The CCTV conditions requested by the Police had been agreed and the applicant wished to provide local residents with a traditional style pub. With regards to the issue of waste disposal, it was confirmed that the agent / applicant would be happy to include an additional condition limiting the emptying of bottles to an agreed timeframe.

Members enquired as to whether food would be served at the premises and were advised that it would. It was confirmed that 'performance of dance' no longer formed part of the application; however, Temporary Events Notices might be applied for on an ad hoc basis for special events. There would be no gambling machines on the premises. Members were also informed that all security staff employed would be SIA (Security Industry Authority) registered.

With regards to public safety, Councillors were advised that all staff would undertake training related to health & safety, food hygiene etc. Members requested clarification regarding the timing of said training. It was confirmed that staff would be fully trained within the first two months of their employment. All new staff would be supervised by a more experienced staff member.

Members sought clarification regarding the use of the terrace / smoking area and were advised that this would be in use for drinking until 23:00; thereafter it would be a smoking area only. Bar staff and door supervisors (if present) would manage this. It

was also confirmed that the capacity of the pub was expected to be approximately 50; if numbers exceeded 80, door supervisors would be in attendance. Members enquired whether this approach would be workable since a large group of people could come in at any time unexpectedly and security staff would not necessarily be readily available to attend. Mr Sivashankar suggested that a condition be added to the application stipulating that two security staff be employed on Friday and Saturday evenings from 23:00 until close of business.

Members asked whether a taxi arrangement was in place. The agent anticipated that most customers would use a phone app; however, a facility to call taxis could be made available if necessary. The agent also confirmed that an incident log would be in use on the premises and local residents could contact staff with any comments or concerns. Members were advised that the contact details of the pub could be circulated to local residents via a flyer; it was considered good practice to engage with local residents.

Members expressed concern regarding the timing of deliveries. It was confirmed that these would be between the hours of 08:00 and 18:00 only; this information was not detailed on the application.

Members were informed that opening hours on Christmas Eve and Boxing Day would be in line with Friday / Saturday hours, whereas on New Year's Eve the pub would stay open until 08:00 hours.

The Sub-Committee commented that the suggested Challenge 25 policy was preferable to Challenge 21. An incident log would need to be kept to record all refusals of entry, occasions when the CCTV was not working, antisocial behaviour etc. Members agreed that the CCTV arrangements should meet the conditions suggested by the Police and CCTV cameras should record for 31 days.

Representation by the Interested Parties:

The lead petitioner spoke in objection to the application and expressed concern regarding potential noise issues and anti-social behaviour. Members were advised that there were already significant problems in the Northwood Hills area, particularly relating to drug dealing, gangs and associated anti-social behaviour. Councillors were handed copies of a Metropolitan Police leaflet which had been circulated to residents requesting their assistance in addressing the issues of anti-social behaviour in the area.

Concern was also expressed regarding the lack of door supervisors on the premises; the original application had stated that security staff would be employed from 20:30 hours. Further concern was expressed regarding issues of noise when parties and discos were taking place on the premises and it was suggested that closing times be amended to midnight on Fridays and Saturdays and 23:00 on Sundays - Thursdays. Residents were in favour of a traditional pub rather than a gastro style pub.

Members asked whether residents' concerns had been raised with the Council. They were informed that Ward Councillors had been appraised and Councillor Bianco had attended a Northwood Hills Residents' Association meeting. It was suggested that, in future, residents report all incidents to the Council to ensure a complete record was kept.

Discussion:

When questioned, Mr Sivashankar did not think the content of the Police's letter to residents was of relevance to the application under consideration as he believed the pub's client base was older and would not be perpetrators of anti-social behaviour or drug-dealing. Members were informed that the agent had requested that the condition relating to last entry be removed but this request had not been agreed to by the Police.

The Licensing Officer confirmed that no issues of anti-social behaviour or problems relating to drugs in the area had been officially reported to the Council.

The petitioner suggested that anti-social behaviour and drug-related activities were not restricted to young people exclusively and pub-users could potentially be involved. The Sub-Committee was asked to be considerate of petitioners' requests and concerns and ensure any licensing agreement be in keeping with that of a traditional pub.

Committee Deliberation:

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

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

THE DECISION

The Sub-Committee considered all the relevant evidence made available to it and in doing so took into account the Licensing Act 2003 objective to prevent public nuisance and crime and disorder, Paragraph 8.47 of the Guidance issued by the Secretary of State under Section 182 of the Act.

The decision of the Sub-Committee was to grant the application subject to the following conditions:

- 1. The Premises Licence shall be issued for the on and off sale of alcohol and the provision of late night refreshment;**
- 2. The Premises timings are the timings included on Appendix 2 of the Agenda report;**
- 3. Non standard timings are granted for New Years Eve from 08h00 until 08h00 the next day.**
- 4. On a Friday and Saturday evening, there shall be at least 2 door supervisor present on the premises between 22h00 and close of premises.**
- 5. There will be a Challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from**

the premises, shall produce identification proving that individual to be 18 years of age or older. The form of identification shall contain their photograph, date of birth and a holographic mark.

6. The terrace area shall operate exclusively as a smoking area daily from 23h00 until the close of premises.
7. Any deliveries to the premises and emptying of glass goods shall take place between 10h00 and 18h00.
8. Staff will be trained regarding appropriate steps to uphold the licensing objectives within 2 months of beginning employment. Records will be kept of such training which must be signed and dated by the members of staff who have provided and received that training.
9. An incident log shall be kept with records of:
 - a. all refusals of sale of alcohol;
 - b. any complaints regarding crime, disorder and nuisance;
 - c. any authorisations to staff for the sale of alcohol;
 - d. any visit from the Local Authority;
 - e. All instances when the CCTV is not fully in working order.

The Premises Licence Holder shall ensure that the incident log is checked, signed and dated on a weekly basis by himself or an authorised employee acting in place of the Designated Premises Supervisor.

10. The incident log will be held and maintained at the premises and will be available for immediate inspection immediately upon request of the Metropolitan Police Services and/or any Responsible Authority.

11. The premises shall install a CCTV system prior to opening the premises for business.

12. The CCTV system shall be maintained in good working order, covering all public areas of the licensed premises, including all public entry and exit points, the street environment, the bar area and the external terrace.

13. The CCTV shall be capable of recording a clear facial identification of all persons entering the premises by the main entrance door;

14. A CCTV monitor shall be provided at the bar which has the capability to show images of all the cameras for the information of bar staff.

15. The CCTV cameras shall continually record while the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days.

16. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or any authorised officer of the London Borough of Hillingdon. . Any footage must be in a format that can be played back on a standard personal computer or standard DVD player.

17. An incident log shall be maintained to record all instances when the CCTV is not fully in good working order. The log will record the date the malfunction was noted, the date repair work was requested and the date that the repair work was carried out.

18. No sale of alcohol shall take place when the CCTV system is not fully in good working order.

RIGHT OF APPEAL

No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.

The Sub-Committee advised as a comfort to residents and a warning to the licensee that the licence may be reviewed and could potentially be revoked if licence conditions were not adhered to and/or if the premises were managed in a manner which did not uphold the licensing objectives

The relevant applicant for the premises licence or any other person who made relevant representations to the application may appeal against the Council's decision to the Justice Clerk at the Uxbridge Magistrates Court. Such an appeal may be brought within 21 days of receipt of this Notice of Decision.

The Decision Notice will be deemed to have been received one day after the date on the accompanying letter, which will be posted by 1st class mail.

The meeting, which commenced at 2.04 pm, closed at 4.14 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny Liz Penny on 01895 250185. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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