



HILLINGDON
LONDON

Licensing Committee

Date: TUESDAY, 14 JANUARY
2020

Time: 10.00 AM

Venue: COMMITTEE ROOM 6 -
CIVIC CENTRE, HIGH
STREET, UXBRIDGE

**Meeting
Details:** Members of the Public and
Media are welcome to attend
this meeting and observe the
public business discussed.

**To all Members of the
Committee:**

Roy Chamdal (Chairman)
Teji Barnes (Vice-Chairman)
Lynne Allen (Labour Lead)
Simon Arnold
Janet Gardner
Allan Kauffman
Eddie Lavery
Brian Stead
Carol Melvin
John Oswell

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phone camera and scan the code below:



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Putting our residents first

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

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Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To agree the minutes of the meeting held on 11 July 2019
- 4 To confirm that the items of business marked Part 1 will be considered in public and any items of business marked Part 2 in private

Part 1 - Members, Press and Public

- 5 Presentation on Licensing Case Studies: Mr Daniel Ferrer
- 6 Presentation from Responsible Authority: Trading Standards
- 7 Legislative and Industry Update (verbal)
- 8 Committee Forward Planner 1 - 2
- 9 Ratification of past Sub-Committee Minutes 3 - 62
- 10 Any items the Chairman agrees as urgent and relevant

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COMMITTEE FORWARD PLANNER 2019/20

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

RECOMMENDATION:

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

	Proposed Agenda / Reports	Lead Officer
<p>Tuesday 14 January 2020</p> <p>10am Committee Room 6</p>	<p>Presentations:</p> <ol style="list-style-type: none"> 1. Licensing Case Studies: Mr Daniel Ferrer 2. Responsible Authority: Trading Standards 	
	<p>Policies</p> <p>N/A</p>	
	<p>Informatives:</p> <ul style="list-style-type: none"> • Legislative and Industry Update 	NC/GE
	<p>Business Review:</p> <ul style="list-style-type: none"> • Meeting Forward Planner • Ratification of past Sub-Committee Minutes 	MB MB

Thursday 9 April 2020 10am Committee Room 6	Proposed Agenda / Reports	Lead Officer
	Presentation: TBC	
	Policies TBC	
	Informatives: <ul style="list-style-type: none"> • Legislative and Industry Update 	NC/GE
	Business Review: <ul style="list-style-type: none"> • Meeting Forward Planner • Ratification of past Sub-Committee Minutes 	MB MB

RATIFICATION OF PAST SUB-COMMITTEE MINUTES

Committee name	Licensing Committee
Officer reporting	Mark Braddock, Democratic Services
Papers with report	Draft Minutes of Licensing Sub-Committees
Relevant Wards	Various

HEADLINE

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

RECOMMENDATIONS

That the Committee, with the agreement of Members present at the following Sub-Committees that they are a correct record, ratify the minutes of the following meetings:

- 12 July 2019
- 30 July 2019, 10am
- 30 July 2019, 2pm
- 9 September 2019, 10am
- 9 September 2019, 2pm
- 12 September 2019
- 15 October 2019
- 5 December 2019
- 16 December 2019

SUPPORTING INFORMATION

Overleaf is a list of licensing sub-committee decisions since the last meeting for noting.

Also attached are the draft minutes from previous sub-committee meetings for procedural approval (ratification). The decisions from these meetings have already been made and decision notices issued.

All meetings during this time-frame were held in public.

At the end are any general matters arising from hearings for wider committee discussion.

Date of Meeting	Application or Matter Considered	Further information	Ward	Members Present	Sub-Committee Decision
12 July 2019	Application for a street trading licence: Street Trading Pitch, Skyport Drive, Harmondsworth	To determine an application seeking to renew a street trading licence for a further six months, to continue selling hot food and drink from a mobile food trailer. The Licensing Authority had concerns as, while the applicant had held a licence to sell hot food and drink from the site for a number of years, recent inspections had shown the trailer to be closed and the site unused. In addition, the facility was falling into a state of disrepair and was unsightly.	Heathrow Villages	Roy Chamdal (Chairman), Eddie Lavery, Lynne Allen	GRANTED for a period of 6 months
30 July 2019 10am	Application for the grant of a premises licence: Eastcote Karahi, 105 Field End Road, Eastcote	To determine an application seeking a new premises licence at Eastcote Karahi, Eastcote. Representations had been made by local residents regarding the noise and anti-social behaviour. It was noted that a previous licence at the premises had been surrendered, and although the applicant had made an effort to allay the concerns of local residents, it was recommended that the licence be granted with a reduction of the terminal hour for late night refreshment, the sale of alcohol, and opening hours.	Eastcote & East Ruislip	Roy Chamdal (Chairman), Simon Arnold, John Oswell	GRANTED licence with conditions

30 July 2019 2pm	Application to vary a premises licence: Aroma Lounge, 134 Field End Road, Eastcote, Middlesex, HA5 1RJ.	To determine an application for a variation of a premises licence in respect of Mahalaxmi Catering Limited T/A Aroma Lounge, 134 Field End Road, Eastcote, Middlesex, HA5 1RJ. Residents, as interested parties, that lived in close proximity of the premises had raised concerns in relation to the premises potential contributing to ongoing issues of anti-social behaviour and noise levels in the area.	Eastcote and East Ruislip	Roy Chamdal (Chairman), Teji Barnes, John Oswell	GRANTED licence with conditions
9 September 2019 10am	Application for the grant of a premises licence: Chaii Rooms, 219 Field End Road, Eastcote, Middlesex HA5 1QZ	To consider an application for a premises licence in respect of Chaii Rooms, Eastcote. There were residents that lived in close proximity of the premises and they had raised concerns in relation to the premises potential contributing to ongoing issues of anti-social behaviour and noise levels in the area. The premises also had a licence that had been suspended since 19 May 2015 due to a non-payment of annual fees.	Eastcote and East Ruislip	Roy Chamdal (Chairman), Brian Stead, Lynne Allen	GRANTED licence with conditions
9 September 2019 2pm	Application for a gaming machine permit: Botwell Inn, 25-29 Coldharbour Lane, Hayes	To determine a variation application for a gaming machine permit in respect of Botwell Inn, 25-29 Coldharbour Lane, Hayes UB3 3EB. The application was to increase the number gaming machines on site from 5, to 7, category C machines.	Botwell	Roy Chamdal (Chairman), Brian Stead, Lynne Allen	GRANTED

12 September 2019	Application for the grant of a premises licence – Simply Fresh, Boiler House, Old Vinyl Factory, Blyth Road, Hayes UB3 1HA	To determine an application for a premises licence in respect of Simply Fresh Travel Ltd, Simply Fresh in Hayes. Representations had been received from three residents but none from responsible authorities. These included concerns regarding anti-social behaviour relating to alcohol and drug abuse in the vicinity of the proposed new store and the late licensing hours which they believed would exacerbate the problems of street drinking and littering.	Botwell	Roy Chamdal (Chairman), Lynne Allen, Allan Kauffman	GRANTED licence with conditions
15 October 2019	Application for a new street trading licence: Emporium Food Centre, 9-15 Station Road, West Drayton	To determine an application seek a new street trading licence for a one-metre temporary street trading shop front licence for twelve months at the Emporium Food Centre, West Drayton. The application sought to display fruit and vegetable produce up to one metre to the front of the property, but local residents had contacted Ward Councillors to raise concerns about the premises, regarding unlicensed street trading, stock laying on pavement when deliveries were made to the premises and poor waste management arrangements.	West Drayton	Roy Chamdal (Chairman), Teji Barnes, Janet Gardner	REFUSED

5 December 2019	Application for a review of a premises licence: The Prince Of Wales, Sahara City on 1 Harlington Road, Hillingdon, UB8 3HX.	To determine an application for a review of a Premises Licence, in respect of The Prince of Wales, Hillingdon. The application to review the licence has been submitted by Licensing Authority acting as responsible authority under the Act and requested for the removal of the DPS, to modify the conditions on the existing licence and replace the existing plan with a new proposed plan. It was confirmed that the Licensing Authority has already received a change in designated premises supervisor (DPS) application on 29 November 2019. A number of representations from residents had been received in objection on the grounds of Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety from residents, the local Ward Councillor and Food, Health and Safety.	Brunel	Roy Chamdal (Chairman), Allan Kauffman, Janet Gardner	GRANTED licence with conditions
16 December 2019	Application for a Grant of a Premises Licence – Quillrise Ltd in respect of William Jolle, 53-55 Joel Street, Northwood Hills, HA6 1NZ	To determine an application for a Premises Licence in respect of William Jolle, Northwood Hills. Four representations had been received from local residents in respect of this application. Additional Conditions had been sought by the licensing authority to enable the four licensing objectives to be met by the applicants.	Northwood Hills	Roy Chamdal (Chairman), Janet Gardner, Teji Barnes	GRANTED licence with conditions

Matters arising from meetings for wider committee discussion / AOB:

- Member visits to licenced premises

Minutes

LICENSING SUB-COMMITTEE

12 July 2019



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

	<p>Committee Members Present: Councillors Lynne Allen Roy Chamdal Eddie Lavery</p> <p>LBH Officers Present: Neil Fraser, Democratic Services Officer Steven Dormer, Licensing Officer Kerrie Munro, Legal Advisor</p>
1.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>
2.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
3.	<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 all items would be determined in public.</p>
4.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>It was confirmed that an addendum had been circulated to all parties prior to the meeting.</p>
5.	<p>STREET TRADING PITCH, SKYPORT DRIVE, HARMONDSWORTH (<i>Agenda Item 5</i>)</p> <p>Introduction by the Licensing Officer</p> <p>Mr Steve Dormer - Licensing Officer, introduced the report and confirmed that the applicant was seeking to renew his street trading licence for a further six months, to continue selling hot food and drink from a mobile food trailer.</p> <p>However, the licensing authority had concerns as, while the applicant had held a licence to sell hot food and drink from the site for a number of years, recent inspections had shown the trailer to be closed and the site unused. In addition, the facility was falling into a state of disrepair and was unsightly.</p>

It was recommended that the application to renew the licence be refused, so that the site could be made available to a trader who would use it regularly.

Mr Dormer confirmed that a recent site visit had shown that the trailer had recently been removed.

The Sub-Committee sought clarification on when the facility had been closed. In response, Mr Dormer confirmed that an inspection by the Council's food safety team on 12 June 2018 had resulted in a zero rating and the temporary closure of the facility. The Council's Licensing team then attempted to visit the site on 26 September 2018, but the site was closed.

The food safety team then attempted to visit the site in December 2018, but as the facility was closed, no inspection took place. A further visit from the Council's Licensing team on 29 May 2019 showed the facility closed and the site apparently abandoned. During various observations of the site during daytime hours from May through to June 2019, the premises had been closed.

Mr Dormer confirmed that the applicant had held a licence since 2010, and no issues relating to trading had been witnessed or evidenced between 2010 and 2018.

Representation by the Applicant

The applicant, Mr Lakhani, asserted that the facility had been open without issue until June 2018 when, following the food safety inspection, it was closed for repairs. Food safety officers visited the site following completion of the repairs, and approved the site.

The site then re-opened on 30 September until 30 November 2018, when it was shut. The site then re-opened again for 7 days in February 2018, after which it was closed until the present date.

The Sub-Committee was advised that the reason for closure after November 2018 was due to health issues experienced by Mr Lakhani. In addition, his assistant (a family member) had also experienced issues which had prevented them from working. The applicant suggested that, prior to November, observed closures were on days when Mr Lakhani or his assistant were attending meetings, which included medical appointments.

The Discussion

All parties discussed the application.

The Sub-Committee was advised that, in anticipation of a licence renewal, Mr Lakhani had made a deposit on a new modern unit for the serving of food and drink. The old unit had therefore been removed, and Mr Lakhani had also employed two new assistants who were keen to begin work. Details concerning the new unit had been sent to Mr Dormer at the end of April/early May 2019.

The Sub-Committee and Licensing Officer agreed to receive a late tabled receipt detailing Mr Lakhani's deposit for the new unit, alongside a picture of the unit itself. The Sub-Committee noted that the receipt was handwritten, with no company logo, address, or VAT details. In response, Mr Lakhani advised that this was a second hand trailer bought via private sale.

Upon request for information on staffing, Mr Lakhani confirmed that the newly

appointed staff would be on site from 8am to 6pm, Monday – Saturday, were enthused at the prospect of working in the new trailer, and would give 100% effort. It was confirmed that Mr Lakhani would maintain an overview of the site and staff as Manager, alongside his son.

During discussion, it became apparent that neither Mr Lakhani, nor his son, (who had completed all previous licence applications), had been aware that the site could have remained in operation while the application for renewal of the licence was being considered. The site had therefore remained closed longer than expected.

Mr Lakhani advised that if his licence was renewed, the site could be in operation by 1 August 2019.

Closing Remarks

Mr Dormer confirmed that he had no further comments.

Mr Lakhani asserted that the business was important for the area and local customers, who required a place to eat.

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.

Reasoning

The Sub-Committee heard all the representations from the papers and the oral submissions at the hearing. The Sub-Committee discussed the law, the licensing objectives, licensing authority's policy and guidance. The below reflects the Sub-Committee's reasons for their final decision:

- The Sub-Committee had serious concerns to the long time periods the business has not been in operation and making use of the street trading licence as in line with the Council's street trading policy, such as 1.3;
- The Sub-Committee did not accept that the business could not have traded between April 2019 - to date, pending the application being decided;
- The Sub-Committee accepted that the Applicant had been struggling with health difficulties and personal issues;
- The Applicant's representations, including the deposit being made for the purchase of a new trailer, had indicated a commitment to the business trading on the pitch; and
- Therefore, the Sub-Committee was willing to give the Applicant further opportunity to demonstrate that he would be making use of the licence, and trading in accordance with the operation schedule.

Decision

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

The Sub-Committee decided, on a balance of probabilities, to renew the permanent street trading licence for a period of **6 months**.

Right of appeal

The applicant has a right to appeal against this decision. The applicant has the right to challenge the decision by judicial review.

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.

Such an appeal may be brought within 21 days of receipt of this Notice of Decision. A copy of the appeal should be sent to the Council's Licensing Service, 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.

ADDENDUM

The meeting, which commenced at 10.10 am, closed at 11.30 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250692. 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.

Minutes

LICENSING SUB-COMMITTEE

30 July 2019



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

	<p>Committee Members Present: Councillors Roy Chamdal (Chairman) Simon Arnold John Oswell</p> <p>LBH Officers Present: Mark McDermott, Licensing Officer Kerrie Munro, Legal Officer Luke Taylor, Democratic Services Officer</p> <p>Also Present: Mr Paul Faith, Interested Party Mr Naveen Sagar, Applicant Ms Caren Westhead, Interested Party</p>
6.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
7.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
8.	<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 agreed that all items were marked Part I and would therefore be considered in public.</p>
9.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
10.	<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: EASTCOTE KARAHİ, 105 FIELD END ROAD, EASTCOTE, HA5 1QG (<i>Agenda Item 5</i>)</p> <p>Introduction by the Licensing Officer</p> <p>Mr Mark McDermott, Licensing Officer at the London Borough of Hillingdon, introduced the report relating to an application for a new premises licence at Eastcote Karahi, 105 Field End Road, Eastcote, HA5 1QG, from Mr Naveen Sagar.</p>

The Sub-Committee was informed that the application submitted was for a licence to sell alcohol from 12:00 to 24:00 hours from Sunday to Thursday, and 12:00 to 01:00 on Friday and Saturday, and offer late night refreshments from 23:00 to 24:00 from Sunday to Thursday, and 23:00 to 01:00 on Friday and Saturday.

Mr McDermott noted that a previous licence at the premises had been surrendered, and although the applicant had made an effort to allay the concerns of local residents, it was recommended that the licence be granted with a reduction of the terminal hour for late night refreshment, the sale of alcohol, and opening hours, to midnight on Friday and Saturday.

Representation by the Applicant

Mr Naveen Sagar addressed the Committee and noted that the application was for a restaurant, and that he was conscious of the concerns of local residents, and had tried his utmost to satisfy these concerns, but this had to be balanced along with running a business.

Members heard that Mr Sagar did apply for a music element in his application, but has withdrawn this request following concerns from local residents, and while the application requested terminal hours at 01:00 on Fridays and Saturdays, Mr Sagar confirmed that he was willing to change this to 12:30.

The Committee was informed that the property previously ran as an Italian restaurant, and when purchased, the site was run down and in need of refurbishment. Mr Sagar noted that he had added soundproofing to the property, and installed silencers on the fan and canopy to ensure they were quieter and cause disturbances for local residents.

Mr Sagar stated that the proposed opening hours were consistent with neighbouring businesses, with most closing at 24:00 and the Ascott closing at 01:00 on Friday and Saturday. Furthermore, there was a high turnover of businesses in the area, and Mr Sagar had invested heavily in the premises, while also owning a licenced premises across the road, and requested some leeway to ensure he can run a successful business.

Responding to questioning from the Sub-Committee, Mr Sagar explained he had previously run an off-licence, and confirmed that he understood "Challenge 25" guidelines, and would implement this on his premises.

The Sub-Committee asked how the applicant would achieve the licensing objective of preventing public nuisance, particularly when customers leave the premises, and Mr Sagar noted that he would restrict activities outside the premises and make staff aware of the issues associated with customers making noise outside the premises late at night. Members were informed that, while it is difficult to control what people may do as they walk down the road outside the property, staff at the premises would be trained to control nuisance at the premises, signs would be placed on the doors asking customers to respect the neighbours and leave quietly, and staff would also offer friendly reminders of this.

Mr Sagar noted that the premises is not currently open, so any current concerns regarding the application were broader concerns that apply to the whole road, but if customers caused problems at the premises in the future, they could have their access restricted.

Representation by Interested Parties

Ms Caren Westhead addressed the Sub-Committee and noted concerns regarding the impact that the application would have on local residents. Ms Westhead noted that there had been many negative experiences with other restaurants in the area that close at 24:00, with customers or staff chatting in groups outside the premises until 01:30, cars collecting people, and noise from the kitchen.

Ms Westhead stated that she had not been consulted with despite living above the premises, and there were concerns about the noise from extractor fans and air conditioning units outside residents' windows. The Sub-Committee heard that most restaurants were closed before midnight, and that 24:00 should be an acceptable closing time for this premises too, as an extra 30 minutes opening time would not make a big difference to business.

The Chairman noted that some aspects of the application, such as fans and air conditioning units, were Planning concerns and the Licensing Sub-Committee was to make its decision based upon the Licensing objectives.

Ms Westhead expressed concern that another neighbouring premises closed at 24:00 but still had customers leaving and making noise at 24:30, while smokers also conversed outside the premises. Additionally, groups of people often purchased alcohol from the off-licence and then stood outside the neighbouring restaurant to drink this alcohol which created noise concerns for local residents.

Mr Paul Faith also addressed the Sub-Committee, and stated that he had no objections to the granting of the licence, but asked that the terminal hour be 23:00, as this was still lead to customers leaving at 23:30 following "drinking up time". Mr Faith stated the applicant did not speak to the objectors to find a solution, and the application would lead to noise nuisance which would affect many of the young families who live in the block, as they may not be able to sleep.

The Discussion

Responding to the Chairman, Mr McDermott confirmed that there had been no police reports, or recorded instances of anti-social behaviour, environmental health concerns or Members' Enquiries related to the premises.

The Sub-Committee asked Mr Sagar about access to the kitchen and bins, in relation to noise concerns, and were informed that there was a rear exit door from the kitchen, but this would remain closed from 19:00 onwards, as ventilation and fresh air systems had been installed to ensure the staff were comfortable in the kitchen. Waste would be stored inside the premises until the following day, and would only be taken out at sociable hours.

With regards to the noise generated by smokers and taxis, Mr Sagar confirmed that staff would be trained to speak to customers and ask them to keep noise to a minimum when smoking, and staff would also offer to arrange a taxi for diners leaving the premises, and would be happy to accommodate the customers inside the restaurant until their taxi arrived.

Mr Sagar noted that the concerns from residents did not related to his premises, and he did not speak with the objectors directly for fear of breaching protocol.

Responding to questioning from the Sub-Committee, Mr Sagar confirmed that any instances of nuisance would be recorded in any incident log, and management would also be made aware, and this would include any instances that arose from residents

making complaints. Mr Sagar also noted that he would give his own personal contact details to local residents as a direct contact for any concerns.

The Sub-Committee were informed by the applicant that the maximum number of covers in the restaurant was 90, but as it was a new business, it was not expecting this level of interest immediately. Mr Sagar also noted that the restaurant would operate a delivery service, but confirmed that he did not anticipate any deliveries after 23:00.

Closing Remarks

Mr Faith noted that there were other restaurants in the area, and customers may not leave the area quickly after their meal. Furthermore, if customers do leave the premises at the same time, it would be difficult for staff to deal with to keep noise nuisance to a minimum.

Ms Westhead stated that the capacity would exceed other local restaurants, and would lead to noise nuisance from customers and cars. The Sub-Committee heard that Ms Westhead wanted local businesses to succeed, but the impact of a licence with terminal hours of 24:30 was too much for local residents.

Mr Sagar noted that he had taken on-board the concerns of local residents, and would like to work with the neighbours to ensure these concerns were met. Mr Sagar commented that it was unfortunate that there were issues with other premises in the area, but he could not be held responsible for these restaurants, and would ensure that alcohol was only served with meals, and that customers were moved on at closing time. The Sub-Committee heard that Mr Sagar sought a family atmosphere at the premises, and any customers who were drunk or not in a fit state would not be serviced. The applicant confirmed he would prefer a terminal hour of 24:30, just in case it was needed for the new business, and asked the Sub-Committee to attach weight to the concessions he had already made to local residents in seeking the grant of the licence.

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 has considered all the relevant evidence made available to it and in doing so has taken into account the Licensing Objectives, Licensing Act 2003, Hillingdon's Licensing Policy, Paragraph 9.42 to 9.44, 10.10, 10.13, 10.15, 14.51 to 14.52, 22.1 to 21.5, 17.1-3 of the Guidance issued by the Secretary of State under Section 182 of the Act.

The decision of the Sub-Committee is to grant the application for a Premises Licence subject to the following conditions:

- 1. The Premises Licence shall be issued for the on sale alcohol consumption with table meals;**
- 2. The Premises opening hours, licensable activities and Late Night Refreshments will be Monday - Sunday between 12 noon to 12 midnight;**

- 3. No customers can re-enter the premises after 11:30 pm;**
- 4. The business external back doors shall be kept closed between 7pm and 9am, except for the immediate access and egress of persons;**
- 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. Any deliveries to the premises and emptying of glass goods shall take place between 9h00 and 18h00.**
- 7. 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.**
- 8. 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.

- 9. 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.**
- 10. The premises shall install a CCTV system prior to opening the premises for business.**
- 11. 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 in front of the business;**
- 12. The CCTV shall be capable of recording a clear facial identification of all persons entering the premises by the main entrance door;**
- 13. A CCTV monitor shall be provided at the bar which has the capability to show images of all the cameras for the information of staff;**
- 14. 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.**

15. **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.**
16. **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.**
17. **No sale of alcohol shall take place when the CCTV system is not fully in good working order;**
18. **Fire safety alarm system shall be installed;**
19. **Staff must be trained in respect of evacuation procedure;**
20. **All refuse shall be kept in waste containers;**
21. **No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises that gives rise to a nuisance;**
22. **Notices shall prominently displayed near the entrance and exit doors requesting patrons to respect the needs of local residents and leave the area quietly; and,**
23. **Staff shall monitor customers smoking outside the premises on a regular basis to ensure patrons do not cause a public nuisance.**

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 advises 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 are not adhered to and/or if the premises are managed in a manner which does 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.

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

The meeting, which commenced at 10.00 am, closed at 12.09 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Luke Taylor on 01895 250 693. 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.

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Minutes

LICENSING SUB-COMMITTEE

30 July 2019

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



	<p>Committee Members Present: Councillors Roy Chamdal (Chairman) Teji Barnes John Oswell</p> <p>LBH Officers Present: Steven Dormer, Licensing Officer Kerrie Munro - Legal Services Officer Anisha Teji- Democratic Services Officer</p> <p>Responsible Authorities: PC Dave Butler - Metropolitan Police Stephanie Waterford - Licensing Authority Representative Mark Oakley - Anti-Social Behaviour and Environment Team</p> <p>Also Present: Licence Holder - Mahalaxmi Catering Ltd Designated Premises Supervisor - Shiba Hari Tiwari Licence Holder's representative - Debbie Hough Bollard Councillor Becky Haggart (Ward Councillor for Eastcote and East Ruislip) – Interested Party Holly Cant and Emily Leather – Interested Parties John Bawden – Interested Party</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 the items of business marked Part I 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. **APPLICATION TO VARY A PREMISES LICENCE: AROMA LOUNGE** (*Agenda Item 5*)

Introduction by Licensing Officer

Steve Dormer, Licensing Officer at the London Borough of Hillingdon introduced the report and photographs relating to the application to vary a premises licence for Aroma Lounge, 134 Field End Road, Eastcote, Middlesex HA5 1RJ. A background and chronology of events was provided.

The premises had previously operated as a restaurant where patrons could only purchase alcohol as part of a table meal. The application before the Committee related to removing the restriction on alcohol being sold as part of a table meal, to increase the amount of permitted persons from 65 – 90, increase the hours of operation and to include the provisions of live music.

There were residents that lived in close proximity of the premises and they had raised concerns in relation to the premises potential contributing to ongoing issues of anti-social behaviour and noise levels in the area.

Since the initial application, the Licence Holder had reduced the licensable activities by one hour on Fridays and Saturdays and closing the premises by 1:30 am on Friday and Saturdays. The Licence Holder had also complied with the regulations in the application process.

A recommendation was made to grant the licence in accordance with the amendments by the Licence Holder and appropriate conditions to be added to satisfy the four licensing objectives.

Representation by the Licence Holder

The Licence Holder - Mahalaxmi Catering Ltd, Designated Premises Supervisor - Shiba Hari Tiwari and the Licence Holder's representative - Debbie Hough Bollard addressed the Committee.

The Licence Holder had successfully operated another premises in the same format in North Wembley. The premises in question had previously operated as an Indian restaurant, catering for the Asian community. The premises was also available for weddings and other party events. Further, the ceiling had been modified and sound proofed to avoid causing increased levels of noise to residents living above the premises.

An application had been made for the variation of an existing premises licence, which permitted the sale of alcohol from 10:00 – 24:00 Mon – Sat and 12:00 – 23:30 on Sundays.

A chronology of the application process was provided and it was highlighted that there was no evidence before the Committee to support the assertions of anti-social behaviour on Field End Road.

Each of the representations made by the responsible authorities and interested parties were explored by the Licence Holder's representative. It was submitted that the premises was unlikely to cause any issues due to the type of clientele that would be attracted, the reduced hours of operations, the reminder signs to keep noise to a minimum, disallowing customers to take drinks out with them, the area being regularly

monitored by staff and the fact that there would only be unamplified music during occasions such as weddings and parties. It was also submitted that the licensing hours had been reduced and the last food orders would be 22:30 Sunday to Thursday and 23:15 Friday to Saturday. Further, it was submitted that there was no need for door supervisors however this would be monitored and reassessed if it became necessary.

During Member clarifications, it was explained how access to the backside alley way would be provided. It was confirmed that there would be two points of smoking with no more than three to four people accessing this at any one time. It was estimated that wedding and parties would take place once or twice a fortnight but the service would only be provided to regular customers. There would be more staff available to monitor the higher number of people. Additional information about security was provided and, it was confirmed, that any incidents would be recorded in the incident log book with the Licence Holder's personal contact number being provided to residents in case there were any concerns.

Representations by Responsible Authorities

Licensing Authority

Stephanie Waterford spoke on behalf of the Hillingdon Licensing Team and provided clarification in relation to the timing of the representations, the pre consultation email and submitted that unamplified music could also cause disturbance to residents.

Measures had been put place as cited in the addendum and the Licence Holder had met with officers to provide further information on the business model and type of operations that would be carried out. It was submitted that the amendments to the application were welcomed and in keeping with the surrounding licenced premises.

A number of suitable measures had been promoted within the addendum however it was submitted that the Committee may consider that further measures be relevant. The Committee was also asked to consider all the representations made and the measures suggested in the addendum to form a basis for suitable conditions.

Anti-Social Behaviour and Environment Team

Mark Oakley on behalf of the Anti-Social Behaviour and Environment Team addressed the Committee. Concerns were raised in relation to the smoking at the front of the premises which could lead to an increase in noise level. The suggestion to allow patrons to smoke at the rear of the property were welcomed. Concerns were also raised in relation to the families living above the property as it was submitted that live music could sometimes be as loud as amplified music. The standard of sound proofing installation was questioned.

The number of occasions every month could change and it was submitted that there was ambiguity in this area. It was also submitted that 12:30 should be the closing time on Fridays and Saturdays and 11:30 on Sunday to Thursday. The 12:00 last entry was welcomed.

The Metropolitan Police

PC David Butler on behalf of the Metropolitan Police addressed the Sub-Committee and submitted that the original application did fall between the standards in a challenging area. However, after meeting with the Licence Holder, many concerns regarding the operating procedure had been allayed. The concerns in relation to anti-social behaviour in the area were noted, however the Police was satisfied with the new

suggested operating times. Support of the proposed application was provided with the suggested amended conditions.

There was no evidence of stats to present to the Committee.

Representations by Interested Parties

Councillor Becky Haggart - Ward Councillor for Eastcote and East Ruislip addressed the Committee and asked for the application to vary the premises licence to be refused. It was submitted that the premises would have a multi-cultural use and the hours of operation were too late. A number of other reasons against the application were provided:

- Due to the location of the premises, the amount of people within close proximity would increase and there was a chance that there would be a public nuisance crime. Eastcote was different from Wembley as it was a lot smaller and similar to a village.
- Although there were no anti-social behaviour statistics of evidence or Members Enquiries before the Committee, residents had made a number of complaints about anti-social behaviour in the area.
- Noise travelled far particularly in smaller areas.
- The Ward population in Eastcote and East Ruislip held the highest community of residents being over 75+.
- 90 people in such a small area would have a massive impact on residents in close vicinity of the premises.
- This type of request did not belong in Eastcote area.

Holly Cant and Emily Leather addressed the Committee and submitted that there were already issues with other premises in the area. However, as they closed at 11 pm, residents experienced that the noise only lasted a short while after. It was submitted that it was unfair for residents to deal with the potential consequences of that kind of licence in that area.

John Bowden addressed the Committee and reiterated the issues of anti-social behaviour and noise. It was submitted that if the application was granted, the issue would get worst. The measures discussed would not prevent the concerns raised although it was encouraging that weddings and parties would only be held occasionally.

Discussion

During the Licensing Sub-Committee's discussion, the following points were noted:

- Although the Licence Holder had checked whether the sound could be heard from outside and confirmed that it could not, an official acoustic report could be provided to the Committee and the Licensing Authority.
- Under the provisions of the Live Music Act any live entertainment, unamplified, was deregulated before 11 pm. After 11 pm it was regulated and therefore subject to conditions. Conditions could be imposed prior to 11pm but only where there was evidence of nuisance found.
- The position on smoking at the back was clarified and the issue of security.
- The Licence Holder explained how noise would be managed when patrons left the premises.
- It was clarified that amplified music would be played until no later than 11pm but this was only likely to be during occasions.

Closing submissions

In his closing submissions, Mr Bawden asked for residents to be put first as if the application was granted, it would result in increased noise levels and potential anti-social behaviour. The submissions were supported by Ms Cant.

Councillor Haggart submitted that the application kept changing and there were not enough conditions in place to manage the concerns raised.

There were no further submissions from the Metropolitan Police and Licensing Authority and the Licensing Officer. Mr Oakley reiterated that the premises in North Wembley was a different location and it was not fair to use that as a comparison as they were very different.

The Licence Holder's representative confirmed that the premises would still be used a restaurant and reiterated that there was no evidence to demonstrate how the premises would contribute to the concerns of anti-social behaviour. It was submitted that the Licence Holder should not be "*tarred with the same brush*" and asked for more to be done to address the issues in the area.

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 representations made available to it and in doing so has taken into account the Licensing Act 2003, the Guidance issued by the Secretary of State under Section 182 of that Act, in particular 9.42 to 9.44.....10.10.....10.13.....14.51-14.52.....14.19.....21.1-21.4....., the Hillingdon's Statement of Licensing Policy, the Licensing objectives and the Public Sector Equality Duty.

The Sub-Committee took into account its duty to take all steps necessary in order to determine the application in a manner which upholds the Licensing objectives.

The Licensing Sub-Committee decided on a balance of probabilities to grant the application to vary the premises licence subject to the additional conditions:

1. The entry admission number will increase from 65 to 90;
2. The operating hours for Friday and Saturday will be replaced to 12 noon to 1am;
3. The Licensable activities will be replaced to Friday and Saturday 12 noon to 24h30;
4. Last entry to the premise shall be 23:30hrs;
5. The Applicant must put in place controls and equipment within the premises to ensure the noise levels comply with legal limits.

Right of Appeal

The relevant Licence Holder for the variation of the premises license 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

The meeting, which commenced at 2.00 pm, closed at 5.20 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. 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.

Minutes

LICENSING SUB-COMMITTEE

9 September 2019

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



	<p>Committee Members Present: Councillors Roy Chamdal (Chairman) Brian Stead Lynne Allen</p> <p>LBH Officers Present: Mark McDermott - Licensing Officer Kerrie Munro - Legal Services Officer Anisha Teji- Democratic Services Officer</p> <p>Also Present: Ann Wright – Interested Party</p>
17.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
18.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interests.</p>
19.	<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 all items were marked as Part I, and would therefore be considered in public.</p>
20.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
21.	<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: CHAI ROOMS (<i>Agenda Item 5</i>)</p> <p>Introduction by Licensing Officer</p> <p>Mark McDermott, Licensing Officer at the London Borough of Hillingdon introduced the report and photographs relating to the application for a new premises licence for Chai Rooms, 219 Field End Road, Eastcote, Middlesex HA5 1QZ. A background and chronology of events was provided and the addendum was highlighted.</p> <p>An application was made to sell alcohol for consumption on the premises, for the</p>

provision of regulated entertainment and late night refreshments between the hours of 10:30 - midnight Sunday to Thursday and 10:30 – 01:00 hours on Friday and Saturday. It was clarified that although the application indicated music would take place both inside and outside the premises, this was an error. Music would only be played inside the premises.

There were residents that lived in close proximity of the premises and they had raised concerns in relation to the premises potential contributing to ongoing issues of anti-social behaviour and noise levels in the area.

The premises also had a licence that had been suspended since 19 May 2015 due to a non-payment of annual fees.

A recommendation was made to grant the licence but with a reduction of hours on Friday and Saturdays from 10:30 – midnight due to the close proximity of residential properties.

Representations by applicant and applicant's representative

The applicant – Mr Kaushal Jayeshkumar Shah and the applicant's representative – Mr Surendra Panchal addressed the Committee.

The Committee was informed that the applicant was not aware that a previous licence existed at the premises until after he had made a new application. It was accepted that the licence could have been transferred.

It was noted that the applicant had previously operated premises of a similar nature and had experience in this area. It was submitted that the applicant understood the four licensing objectives and further training would be provided to the applicant. Although the initial application stated that the music would be played inside and outside the premises, it was confirmed that background music would only be played inside the premises.

The applicant had met with responsible authorities regarding the application and no objections had been raised.

An amendment was made to the application with a suggested drinking up time of 12:00 and premises closure at 12:30. It was noted that there would only be dancing on occasions. It was further noted that if there were events until 01:00 two security guards would be employed.

Responding to Member clarification questions, it was confirmed that there would only be occasions approximately once a month and extra SIA trained security would be employed. It was also confirmed that the premises had a maximum capacity of 45 – 50 and there was a separate incident and refusal log book.

Representations by Interested Parties

Ann Wright addressed the Committee and submitted that there were already issues in the area with noise and anti-social behaviour. If this application were to be granted, this would add to the issues. Further, it was submitted that the level of noise and cooking smells would cause a nuisance to residents living near the premises. There was already a lot of police presence near Eastcote station due to anti-social activities and it was submitted that a bar with music would add to the attraction as a meeting place.

Responding to Member clarification questions, it was confirmed that any previous issues had been addressed directly with the landlord at the time. There had been no reports to the police or Council.

The Committee noted the written representations made by Mr Stephen Carroll.

Discussion

- It was confirmed that the Committee could only take into account noise levels not smell nuisance.
- The applicant had experience of running a premises of a similar nature, he was the owner of a restaurant/bar and had two and a half years' experience running the premises. There had been no major issue save for the disposal of cigarette butts. To resolve this issue, the applicant had put up notices and a cigarette disposal box so that that butts could be thrown in there.
- The premises had a capacity of 45-50 people.
- The smoking area would be at the front of the shop and the number of smokers going in and out of the premises would be managed by staff. It was unlikely that there would be more than five people smoking at the same time however, if there were, staff would be properly trained to ensure they could manage any issues.
- It was confirmed that that people would be served drinks with their food.
- It was explained that there would be no deliveries between 10:00 – 19:00.
- When questioned on how the applicant would ensure customers left the premises quietly, it was explained that there would be a minimum of five members of staff on the premises and there would be visible notices reminding customers of noise levels. It was explained that if customers made too much noise, they would be asked to leave the premises and the police would be called in serious circumstances. All incidents would be recorded in the incident log book.
- If neighbours raised issues about noise nuisance, the applicant would speak to them directly and record any incidents in the incident book.
- The back door purposes and layout of the back was explained to the Committee and it was suggested that drop off to the bin would only be twice a day. It was submitted by the applicant's representative that the drop off to the bin area could not be specified due to the need to comply with other food trading regulations.
- It was highlighted that the regular access through the back door, in particular to the bin area, could increase noise levels for residents.
- It was confirmed that last orders and last entry would be at 23:00 Friday to Saturday and 22:00 Sunday to Thursday.

Closing remarks

Mrs Wright emphasised the noise issue concerns and the impact on local residents.

There were no further submissions from the Licensing Officer.

The applicant's representative submitted that the applicant had two and half years' experience of running a similar premises. Although the applicant had suggested two drop off to the bins, it was submitted that this may be difficult due to comply with food regulations and standards. The applicant emphasised that the premises would be run as a normal bar/ restaurant and there would be no issues with noise.

The Committee was asked for the licence to be granted and informed that the applicant was happy to comply with any conditions.

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 has considered all the relevant evidence made available to it and in doing so has taken into account the Licensing Objectives, Licensing Act 2003,

Section 182 of the Act Paragraphs 9.42 to 9.44, 10.10, 10.13, 10.15, 14.19, 14.51 - 14.52;

Hillingdon's Licensing Policy,
22.1 - 21.5, 17.1-17.3 of the Guidance issued by the Secretary of State under

The decision of the Sub-Committee is to grant the application for a Premises Licence subject to the following conditions:

1. The Premises Licence shall be issued for the on sale alcohol consumption with table meals;
2. The Premises opening hours will be Sunday to Thursday hours 10:30 am .to 12 midnight, and Friday to Saturday hours 10:30 to 00:30 am;
3. The licensable activities will be Sunday to Thursday hours between 10:30 am to 23:30 pm; and Friday and Saturday hours 10:30 to 00:00 am;
4. No customers can re-enter the premises after on Sunday to Thursday 10 pm and Friday / Saturday 11pm;
5. The business external back doors shall be kept closed between 11pm and 8am, except for the immediate access and egress of persons;
6. The Licence holder must hire two SIA security staff when the will have Private Function, between hours of 22:00 hrs and closing hours;
7. There will be no more than 5 persons smoking at any one time outside the business premises. Staff shall monitor customers smoking outside the premises on a regular basis to ensure patrons do no cause a public nuisance;
8. 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;
9. Any deliveries to the premises and emptying of goods shall take place between 9h00 and 18h00;

10. 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.

11. An incident log shall be kept with records of:

- i.
 - 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.
- ii. 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;
- iii. 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;

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

- i. 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 in front of the business;
- ii. The CCTV shall be capable of recording a clear facial identification of all persons entering the premises by the main entrance door;
- iii. A CCTV monitor shall be provided at the bar which has the capability to show images of all the cameras for the information of staff;
- iv. 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;
- v. 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;
- vi. 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; and
- vii. No sale of alcohol shall take place when the CCTV system is not fully in good working order;

13. Fire safety alarm system shall be installed, and Staff must be trained in

respect of evacuation procedure;

15. All refuse shall be kept in waste containers;

14. No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises that gives rise to a nuisance;

15. Notices shall prominently displayed near the entrance and exit doors requesting patrons to respect the needs of local residents and leave the area quietly;

Right of Appeal

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.

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 advises 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 are not adhered to and/or if the premises are managed in a manner which does not uphold the licensing objectives.

The meeting, which commenced at 10.00 am, closed at 11.55 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. 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.

Minutes

LICENSING SUB-COMMITTEE

9 September 2019

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



	<p>Committee Members Present: Councillors Roy Chamdal (Chairman), Lynne Allen, Brian Stead</p> <p>LBH Officers Present: Steven Dormer (Licensing Officer), Kerrie Munro (Legal Advisor), Neil Fraser (Democratic Services Officer)</p>
22.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>
23.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
24.	<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 all items would be considered in public.</p>
25.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
26.	<p>LICENSED PREMISES GAMING MACHINE PERMIT VARIATION APPLICATION - BOTWELL INN, 25-29 COLDHARBOUR LANE, HAYES, UB3 3EB (<i>Agenda Item 5</i>)</p> <p><i>Introduction by Licensing Officer:</i></p> <p>Steven Dormer, Licensing Officer at London Borough of Hillingdon, introduced the report, photographs and addendum relating to a variation application for a gaming machine permit in respect of Botwell Inn, 25-29 Coldharbour Lane, Hayes UB3 3EB. The application was to increase the number gaming machines on site from 5 to 7 category C machines.</p> <p>The Sub-Committee was informed that the two proposed new machines were to be positioned in view of the bar staff. However, three of the existing machines on site were positioned in an area that was not viewable by bar staff, and concerns remained over the staff's ability to sufficiently supervise an increased number of machines.</p> <p>The Sub-Committee were reminded to have due consideration to the Licensing Act 2003 and Gambling Act 2005, the Relevant Code of Practice, guidance issued by the</p>

Commission, and Hillingdon's Licensing Authority Statement of Licensing Policy, as well as the licensing objectives for gambling purposes, which were:

- Preventing gambling from being a source of crime or disorder, being associated with crime or disorder or being used to support crime;
- Ensuring that gambling is conducted in a fair and open way; and
- Protecting children and other vulnerable persons from being harmed or exploited by gambling.

Members were advised that there was no intelligence to suggest that the use of gaming machines at the site was a source of organised crime, though there was currently a BetWatch scheme in the Hayes area which aimed to reduce antisocial behaviour and crime linked to betting premises. While the Botwell Inn was not a betting premises, the increased number of machines could have the potential to attract similar problems to those experienced by betting shops in the vicinity.

It was confirmed that the Botwell Inn was not part of the BetWatch scheme, as this was aimed at betting premises. The committee was advised that there were no records of Member Enquiries or antisocial behaviour related to the site.

Representation by Applicant/Licence Holder

The applicant advised that the request for an increased number of gaming machines was to meet demand due to increased patronage at the site following the redevelopment of the front and rear garden areas. However, the use of the machines was ancillary to the main trade, namely the provision of food and beverages.

The two proposed new machines would be sited in an area previously used for machines, but that was currently empty following an internal relocation of two of the existing five machines. Currently, all machines were situated in areas of good visibility for bar staff or floor staff and were monitored regularly. Staff numbers had been increased to meet the increased number of customers, and all staff members were trained on how to identify and deal with illegal behaviour within the pub.

Regarding the reference to BetWatch, the Sub-Committee was informed that the Botwell Inn was a member of PubWatch. The site maintained a strong challenge 21 policy, and all machines were labelled with age restriction notices.

Representation by Responsible Authorities

No responsible authorities were present.

Discussion

Members requested further detail on how the machines would be monitored and supervised moving forward. The applicant advised that the two new machines would be in direct view of bar staff. In addition, floor staff and managers were regularly moving in and out of the areas where machines were located, and would be constantly monitoring their usage.

Floor managers would manage customer behaviour, and this included issues with drunkenness as well as fraudulent behaviour relating to gaming machines, in line with the licensing objectives. Police often sent in mystery shoppers to test managers, and to the applicant's knowledge, there were no incidents of staff not adhering to the challenge 21 policy, or incidences of fraud on the machines. Risk assessments were

carried out regularly, and manager logbooks and an online incident reporting tool were used regularly. Staff would normally record an incident immediately, though policy was to allow for up to 48 hours for the logging of an incident. CCTV was present and had full coverage, including the areas where gaming machines were sited, and this was available to Police and the local authority upon request.

Regarding the number of machines, it was highlighted that the request amounted to a 40% uplift on the number of machines on site. The applicant was asked to address whether such an increase was warranted. The applicant advised that the machines were needed to meet demand for analogue machines, (of which there were currently none on site), to offer a broad variety of machines to meet customer preferences. The Sub-Committee was advised that if the application was successful, the applicant would not be seeking to further increase the number of machines in the future.

Members sought clarity on the number of customers using the pub, and the amount of staff employed to manage them. The applicant advised that the capacity of the site was approximately 550, with an average busy night seeing roughly 200 patrons on site at any given time. The number of staff on site would vary based on shift, with busier evening shifts employing more staff, up to a total of 9 front of house staff and 3 kitchen staff. The applicant advised that this number of staff was sufficient to properly manage the pub during its busy hours.

Closing Submissions

The Licensing Officer had nothing further to add.

The applicant advised that the current Designated Premises Supervisor had worked with seven machines at a premises previously, was responsible, and understood the requirements to meet the licensing objectives. The company itself took the licensing objectives and its responsibilities very seriously, and the locations for the machines were well suited for supervision by both bar staff and floor staff.

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 Sub-Committee gave due consideration to the evidence submitted both orally and in writing, giving particular weighting to procedures in place to ensure the Gambling Objectives would be met in full.

The Decision

The Sub-Committee considered all the relevant evidence made available to it and in doing so took into account the (s.153) Gambling Act 2005, Gambling Objectives, Gambling Commission Guidance, relevant Code of Practice, Licensing Objectives, Licensing Act 2003, Hillingdon's Gambling & Licensing

Policies.

The decision of the Sub-Committee was to grant the application for a Gaming Machine Variation from 5 to 7 category C machines.

The meeting, which commenced at 2.00 pm, closed at 3.26 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Neil Fraser on 01895 250692. 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.

Minutes

LICENSING SUB-COMMITTEE

12 September 2019

Meeting held at Civic Centre, High Street, Uxbridge



	<p>Committee Members Present: Councillors Roy Chamdal (Chairman) Lynne Allen Allan Kauffman</p> <p>LBH Officers Present: Steven Dormer, Licensing Officer Glen Egan, Legal Advisor Liz Penny, Democratic Services Officer</p> <p>Also Present: Councillor Janet Gardner, Interested Party Mr Chris Mitchener, Applicant's Representative</p>
27.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
28.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
29.	<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 all items of business were marked Part I and would be considered in Public.</p>
30.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
31.	<p>APPLICATION FOR A PREMISES LICENCE: SIMPLY FRESH (<i>Agenda Item 5</i>)</p> <p><i>Introduction by Licensing Officer:</i></p> <p>Steven Dormer, Licensing Officer at the London Borough of Hillingdon, introduced the report and photographs relating to an application for a premises licence in respect of Simply Fresh, Boiler House, Old Vinyl Factory, Blyth Road, Hayes UB3 1HA. The application was for a new premises licence for the sale of alcohol seven days a week from 07:00 to 23:00 hours.</p>

The Sub-Committee was informed that the application related to a modern convenience store which would sell both groceries and alcohol products. The planned store would not be a traditional off licence but would be similar to a supermarket in style; it was reported that there were already several Simply Fresh stores operating around the country. The Sub-Committee was reminded that the amended application sought permission to sell alcohol from 07:00 until 23:00 hours seven days a week rather than from 06:00 until midnight as had originally been requested. Members were advised that representations had been received from three residents but none from responsible authorities. There had been no other complaints or Members' Enquiries received. It was confirmed that the conditions and opening hours proposed satisfied the licensing objectives.

Representation by the Applicant's Representative

The applicant's representative addressed the Sub-Committee pointing out that the licensing hours had been reduced in the revised application and noting that only three residents had made a complaint about the application - no representations had been received from the police or from any other authorities. Members were informed that the store would be well-run in line with all relevant policies and guidelines.

It was confirmed that the new store would be operating as a fresh food store selling alcohol rather than as an off licence and the Sub-Committee heard that the selling of alcohol was not necessarily linked to street drinking. It was confirmed that steps would be taken to ensure that alcohol was not sold to underage individuals. Moreover, notices would be displayed at the premises requesting that customers left quietly at all times. Members were informed that all staff would be trained in the sale of alcohol and would be re-trained and re-tested at regular intervals. A refusals log would be kept, Challenge 25 procedures would be complied with and functioning CCTV systems would be in place within the store.

In response to questions from the Sub-Committee, the applicant's representative confirmed that alcohol would normally be displayed in a fixed area, with the option to create additional displays at other locations within the store on a seasonal basis. It was confirmed that the main display would be clearly visible from the till area and CCTV would cover other areas as required. The Sub-Committee was advised that circles on the plan in the agenda pack indicated where the CCTV cameras would be sited within the store; monitors would also be present and easily visible throughout.

The Sub-Committee requested further clarification regarding the prevention of public nuisance (page 20 of the pack). It was confirmed that staff would be trained to deal with a variety of situations which could arise, particularly in relation to confrontation. Said training came from external sources but would be delivered internally. The DPS would be responsible for overseeing all training within the store.

Representation by Responsible Authorities

No responsible authorities were present. However, Councillor Gardner was in attendance as an interested party representing those residents who had made representations. Councillor Gardner informed the Sub-Committee that she lived in Blyth Road hence was well acquainted with the challenges faced in the area. The Sub-Committee was advised that anti-social behaviour relating to alcohol and drug abuse was a significant problem in the vicinity of the proposed new store and residents were extremely concerned regarding the late licensing hours which they believed could exacerbate the problems of street drinking and littering. Residents were of the opinion that there were already a considerable number of premises selling alcohol in the area

hence the new store was surplus to requirements. Councillor Gardner requested that, should the Sub-Committee be minded to grant the application, the licensing hours be reduced from the proposed 07:00 - 23:00 hours to 08:00 - 20:00 hours thereby minimising the potential for a negative impact on the local area.

Discussion

Members requested further detail as to how Simply Fresh planned to communicate with local residents should any issues regarding the premises arise. It was confirmed that, to date, such a situation had not occurred; however, if it were to arise, a residents' forum would be arranged to enable local residents to voice their concerns. It was further confirmed that any complaints raised in store would be logged in the incident book.

The Sub-Committee requested further clarification regarding the prevention of public nuisance. Members heard that two members of staff would be on duty at all times, risk assessments would be completed and panic buttons would be installed which would directly link to a local security company. It was confirmed that a structure of support for staff would be available at all levels.

Members referred to the additional photographs provided by the applicant's representative prior to the meeting. It was confirmed that these were photos of a different store but were intended to give a good indication of the layout of the proposed new store. It was noted that the alcohol products would be displayed in a slightly raised area.

In response to Members' questions regarding the level of experience of the proposed store manager, the Sub-Committee heard that said manager had not yet been appointed.

Closing Submissions

The Licensing Officer had nothing further to add.

Councillor Gardner reiterated residents' concerns and requested that the licensing hours be reduced.

The applicant's representative advised Members that alcohol would only be permanently displayed within one area and disputed the claim that this would amount to 25% of the store. It was estimated that alcohol sales would represent only 12-18% of the gross sales of the shop. Members were referred to paragraph 9.43 on page 5 of the report pack which stated that 'the authority's determination should be evidence-based...' The Sub-Committee was reminded that no responsible authorities had made representations, all policies and guidelines had been adhered to in the application and any difficulties or problems would be addressed in the future should the need arise.

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

**THIS NOTICE CONFIRMS THE DECISION OF THE LICENSING SUB COMMITTEE
MADE AT A HEARING ON 12 SEPTEMBER 2019**

The Decision

The Sub-Committee has considered all the relevant evidence made available to it and in doing so has taken into account the Licensing Objectives, Licensing Act 2003, Hillingdon's Licensing Policy, Paragraph 7.4,7.6, 9.6, 9.7, 10.5 and 10.11;

Guidance issued by the Secretary of State under Section 182 of the Act, in particular paragraphs 9.42 to 9.44,10.8, and 14.19.

The decision of the Sub-Committee is to grant the application for a Premises Licence subject to the following conditions:

- 1. The Premises Licence shall be issued for the sale of alcohol to be consumed off the premises. The Premises opening hours, licensable activities Monday - Sunday 07:00-23:00.**
- 2 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.**
- 3. 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.**
- 4. 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.**
- 5. 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.**
- 6. 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.

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

- i. 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 in front the business;**
- ii. The CCTV shall be capable of recording a clear facial identification of all persons entering the premises by the main entrance door;**
- iii. 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;**
- iv. 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;**
- v. 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;**
- vi. No sale of alcohol shall take place when the CCTV system is not fully in good working order;**
- vii. No alcohol may be displayed within 2 metres of the front door and all alcohol must be placed within the line of sight of the cashier. Any obstructed displays of alcohol must be covered by CCTV.**

8. Fire safety alarm system shall be installed.

9. Staff must be trained in respect of evacuation procedure.

10. All refuse shall be kept in waste containers.

11. No noise shall emanate from the premises, nor vibration be transmitted through the structure of the premises that gives rise to a nuisance.

12. Notices shall prominently displayed near the exit requesting patrons to respect the needs of local residents and leave the area quietly.

Right of Appeal

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 Justices Clerk at the Uxbridge Magistrates Court. Such an appeal may be brought within 21 days of receipt of this Notice of Decision.

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 advises 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 are not adhered to and / or if the premises are managed in a manner which does not uphold the licensing objectives.

The meeting, which commenced at 10.00 am, closed at 10.54 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on 01895 250636. 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.

Minutes

LICENSING SUB-COMMITTEE

15 October 2019

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



	<p>Committee Members Present: Councillors Roy Chamdal Teji Barnes Janet Gardner</p> <p>Witnesses Present: David Holmes, Anti-Social Behaviour and Environment Officer</p> <p>LBH Officers Present: Steven Dormer, Licensing Officer Chantelle McLeod, Legal Advisor Luke Taylor, Democratic Services Officer</p> <p>Also Present: Mr Emrah Gencer, Applicant Mr Mirkan Senpalit, Assistant to Applicant</p>
32.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
33.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
34.	<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 agreed that all items were marked Part I and would therefore be considered in public.</p>
35.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
36.	<p>APPLICATION FOR A NEW STREET TRADING LICENCE - EMPORIUM FOOD CENTRE, 9-15 STATION ROAD, WEST DRAYTON, UB7 7BT (<i>Agenda Item 5</i>)</p> <p>Introduction by the Licensing Officer:</p> <p>Mr Steve Dormer, Licensing Officer at the London Borough of Hillingdon, introduced the report relating to an application for a one-metre Temporary Street Trading Shop</p>

Front Licence for 12 months at Emporium food Centre, 9-15 Station Road, West Drayton, UB7 7BT, from the applicant, Mr Emrah Gencer, and assistant, Mirkan Senpalit.

The Sub-Committee was informed that the application sought to display fruit and vegetable produce up to one metre to the front of the property, but local residents had contacted Ward Councillors to raise concerns about the premises, regarding unlicensed street trading, stock laying on pavement when deliveries were made to the premises and poor waste management arrangements.

A first premises visit by Mr Dormer noted that fire exits and gangways inside the building were blocked, there was a lack of suitable waste receptacles, and waste was being disposed of inadequately, as disposing them to the rear of Drayton Tandoori was not acceptable.

Mr Dormer commented that two penalty notices had previously been issued to the premises, and on a second visit to Emporium Food Centre, the premises was considered to be much tidier to the rear, but trading was still taking place despite no licence being issued.

Representation by the Applicant:

Mr Senpalit stated that Drayton Tandoori gave Emporium Food Centre permission to use the back of the shop to store rubbish, and this area was now tidy, as the bins that were used were now in the nearby car park.

The Sub-Committee were informed that Mr Gencer's landlord told the applicant that they could trade up to one metre outside the shop, and that the applicant was unaware they required a licence and could not trade, however, by this point the fruit and vegetables were now outside and it was not possible to store the goods within the store and continue to operate as a store.

Responding to the Chairman's questioning, the applicants confirmed that without a licence the business closed, and the fruit and vegetables were always outside the premises, both before and after the application for a street trading licence on 28 August 2019.

Representation by Interested Parties:

David Holmes, Anti-Social Behaviour and Environment Officer, stated that on a premises visit on 13 September 2019 the applicant was unable to provide the required documentation for street trading, but there were displays outside the premises that were obstructing the highway, there was waste on the road itself, and some waste was disposed in public bins, while other waste was stored behind Drayton Tandoori.

The Sub-Committee was informed that waste both inside and outside the premises were blocking the edge of fire exits, and while this had been tidied by the time a second visit took place, there was no way to leave the property at the rear of the building due to fencing, and the shop employed 15 employees.

Responding to questioning from Members, Mr Holmes confirmed that he had not seen a trade waste agreement, and that the fruit and vegetable outside the store was exceeding one metre on the public highway.

The Discussion

The Chairman stated that the application for a street trading licence was up to one metre, but in the application, it stated that the street trading would take place to a distance of 1.5m outside the premises. Responding to this questioning, the applicants stated that the pitch would be 1.5m.

Responding to questioning from the Sub-Committee, the applicants also noted that there was parking available for stock deliveries, and waste used to be collected two times a week on Wednesday and Saturdays. The Sub-Committee heard that the applicants were not aware this would be an issue as they had never applied for a licence before. Mr Gencer also noted that six times a week he would take waste in his own van to dispose of it where he lived, and there were now no boxes or waste at the back of the shop, and that recycling now takes place as well.

The applicant confirmed that there was now a waste contract in place, and that there is documentation to prove this, and that two penalty notices issued on 16 August and 13 September 2019 for street trading had been paid. The applicant stated that they did not know they required a licence to street trading.

The Chairman asked what the applicants were told when they were issued with the penalty notices, and the applicants confirmed that they were told they were not allowed to have fruit and vegetables outside if they did not have a licence.

Responding to questioning from the Sub-Committee, Mr Senpalit commented that the business had employed a further person on a full-time contract to keep the street clean. Councillors asked why the applicants continued to display the fruit and vegetables on the street when they were told they were not allowed to, and Mr Senpalit stated that the business would not be able to operate without the fruit and vegetables, and they did not have an option but to continue to store the goods on the street as there was not enough place to store it within the premises. Responding to the Chairman, Mr Senpalit confirmed that the applicants knew they should not have the goods store on the street but did so anyway.

The applicants noted that they applied for a one metre pitch as they applied for a street trading licence online and were only able to choose one metre or two metres, despite wanting a licence for a 1.5m pitch.

Mr Gencer and Mr Senpalit commented that they would not be able to afford to run the business if they were not granted a licence, and did not want it to look like they were not obeying the rules as it was not meant in that manner; the goods were only outside because they could not be stored inside. The applicants also noted that if they had known they needed a street trading licence, they would have applied for it earlier.

Closing Remarks:

Mr Holmes stated that the applicant must show they have documentation, such as waste disposal papers, but also needed to prove they were responsible and ensure health and safety regulations were followed and that they ceased to obstruct the public footpath outside the premises.

The applicant noted that they had waste agreements in place which had been agreed and seen by someone at the Council, and that fire exits had been checked by the fire department, while they were told that a second exit and the entrance to the store could be used as fire exits.

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 has considered all the relevant representations made available to it and in doing so has taken into account the London Local Authorities Act 1990 and the Council's Street Trading Policy. The Sub-Committee has paid particular attention to paragraphs 3.2, 9.1, 10.5 and 10.7 of the Street Trading Policy. The Licensing Sub-Committee has determined that it is necessary and proportionate to refuse a temporary Street Trading Shop Front Licence for Emporium Food Centre, 9-15 Station Road, West Drayton, UB7 7BT.

Reasons for Decision:

1. The applicant's repeated failure to trade without a valid street trading licence as demonstrated by two previous fixed penalty notices served on him leads the Sub-Committee to conclude that the applicant is unsuitable to hold a street trading licence pursuant to paragraphs 3.2, 9.1 and 10.5 (b) of the Council's Street Trading Policy. The relevant paragraphs in the Street Trading Policy are as follows:
 - a. Paragraph 3.2 allows the Council to assess the suitability of the applicant on a case-by-case basis and may have regard to any relevant enforcement history concerning the applicant.
 - b. Paragraph 9.1 states that where the Council receives an objection to an application, it will carefully consider whether that objection may influence the Council's discretionary decision making powers.
 - c. Paragraph 10.5 (b) sets out the discretionary ground for refusal being that the applicant is unsuitable to hold a licence.
2. The Sub-Committee noted that the applicant could not provide an explanation for the non-compliances other than the necessity to continue trading. The Sub-Committee were of the view that this flagrant disregard of the law demonstrates that the applicant is unsuitable to hold a licence.
3. The Sub-Committee were also concerned by the potential risk to the public with regard to suitable fire exits being blocked and the lack of a fire inspection certificate which does not accord with the public safety objective as set out in paragraph 10.7 (a) of the Street Trading Policy.

Right of Appeal

Any person aggrieved by the council's decision to refuse or revoke a temporary street trading licence does not have an automatic right of appeal, however, may instead apply for judicial review of such a decision.

You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.

	The meeting, which commenced at 10.00 am, closed at 10.48 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Luke Taylor on 01895 250 693. 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.

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Minutes

LICENSING SUB-COMMITTEE

5 December 2019

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



	<p>Committee Members Present: Councillors Roy Chamdal (Chairman) Janet Gardner Allan Kauffman</p> <p>LBH Officers Present: Jhini Mukherjee – Licensing Officer Chantelle McLeod – Legal Services Officer Anisha Teji – Democratic Services Officer</p> <p>Applicant for the Review: Daniel Ferrer – Licensing Authority</p> <p>Licence Holder and Representatives: Mr Abouzeid Ahmed – Licence Holder Mr Surendra Panchal – Licence Holder Representative Mr James Rankin – Licence Holder Representative</p> <p>Witnesses Present: Janet Davis and Errol Edghill Janice Hopper PC Dave Butler</p> <p>Interested Parties Present: Oliver Darius – Food, Health and Safety Team Tom Craig – Interested Party</p>
37.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
38.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
39.	<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 there were no Part II items and that all business would therefore be conducted in public.</p>

40. **MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT** (*Agenda Item 4*)

Two addendum bundles had been circulated to parties prior to the meeting.

41. **APPLICATION FOR A REVIEW OF A PREMISES LICENCE: THE PRINCE OF WALES** (*Agenda Item 5*)

Introduction by Licensing Officer

Jhini Mukherjee, Licensing Officer at the London Borough of Hillingdon introduced the report, addendums and photographs relating to the application for a review of a premises licence for the Prince of Wales PH T/A Sahara City on 1 Harlington Road, Hillingdon, UB8 3HX. A background and chronology of events was provided and the addendum was highlighted.

The review application submitted by the Licensing Authority requested for the removal of the DPS, to modify the conditions on the existing licence and replace the existing plan with the proposed plans as shown in the addendum. It was confirmed that the Licensing Authority has already received a change in designated premises supervisor (DPS) application on 29 November 2019.

A number of representations had been received in objection on the grounds of Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety from residents, the local Ward Councillor and Food, Health and Safety. These representations can be found in the agenda papers.

It was noted that the Licensing Officer had visited the premises on 17 October 2019 and displayed a blue notice on one of the doors of the premises which was prominently visible to passers-by. Appendix 8 demonstrated photographs of the dates and the times when the notice was not displayed.

Representations by Applicant for the review - Licensing Authority

Daniel Ferrer, Applicant for the review, addressed the Committee and noted that a review application had been submitted on 17 October 2019 under s51 of the Licensing Act 2003 under the grounds of Prevention of Crime and Disorder, Prevention of Public Nuisance and the Protection of Children from Harm. It was submitted that the Licence Holder had not upheld the licensing objectives, there had been a lack of engagement to engage with the Licensing Authority, with numerous warnings being ignored.

It was noted that the nature of the premises had fundamentally changed from a traditional pub and it was submitted that the current premises licence did not reflect the current operation. The review had been brought before the Committee to deter any future breaches of the licensing objectives and to formalise conditions that would regulate the current operation of the premises.

Details on how the three licensing objectives had been breached were summarised for the Committee. It was highlighted that a violent incident had occurred on 8 August 2019 and the operators of the premises had not called the police.

It was submitted that the popularity of the premises had led to a negative impact on local neighbouring properties causing noise, disturbance, parking issues and the occasional confrontation by patrons visiting the establishment. It was also submitted that the layout of the premises did not correspond with the current premises licence.

It was noted that the removal of the DPS had been resolved to some extent and it was recommended that the conditions, as detailed in the agenda pack, be added to the licence. The repaired CCTV and the installation of the sound limit was welcomed by the Applicant and Licensing Authority.

In response to Member clarifications, it was confirmed that there was no evidence of under aging drinking at the premises, save for the police statement indicating this. It was also noted that any planning matters issues raised in the addendum were separate from licensing matters and the layout was not accurately reflected in premises plans.

Representations by Responsible Authorities: Food, Health and Safety

Oliver Darius, representative from the Responsible Authority: Food, Health and Safety, addressed the Committee and submitted that the representations made were around the licensing objectives of Prevention of Crime and Disorder, Prevention of Public Nuisance and Public Safety. It was suspected that the Prince of Wales had been accommodating smoking since 2017, advice had been given from enforcement officers and visits to the premises had been undertaken. There had been a complaint in relation to food hygiene inspection and advice was provided regarding the use of parasols, the extent of cover and the proximity towards the boundaries of the premises.

Relevant parts of the Health Act were highlighted and further details regarding the smoking was provided to the Committee. To conclude, it was summarised that advice provided to the operators of Prince of Wales had been communicated, but this had not been taken into account particularly in relation to the layout of the back of the area and smoking in an enclosed place had still continued. No changes had been made as a result of the advice provided by the Food, Health and Safety team.

A site visit took place on 6 November 2019 and at the visit it was noted that the smoking shelters appeared to be very similar to a previous visit in 2018 and smoking continued in the substantially enclosed space.

In response to Member clarifications, it was noted that it was an offence to not take steps to stop smoking in a public place, the operation of shisha lounges accommodated in this way caused nuisance due to its noise being unabated by a lack of enclosure and the likelihood of smoke drifting from the premises across the boundaries and affecting neighbouring properties.

Representations from Interested Parties: Tom Craig (nominated on behalf of Deborah Craig)

Interested party Tom Craig (nominated on behalf of Deborah Craig) addressed the Committee and submitted that substantial noise coming from the back of the pub caused residents nuisance. The structure was not sound proofed, the loud music played was disruptive, and the amount of people leaving the premises at night time was also disruptive as various cars were moved causing traffic. As the bins had moved outside to the premises, there was a louder noise in the emptying of glass bottles and it was suggested that the bins should be put in the back.

In response to Member questions, it was confirmed that the interested party lived 50 – 60 metres away from the premises. It was noted that the playing of music was extremely loud not soundproofed and the time sheet log of noise disturbances was explored in detail.

Representations by Licence Holder and Licence Holder's representative

Mr James Rankin, Licence Holder's representative and Mr Abouzeid Ahmed, Licence Holder, addressed the Committee.

It was submitted that the blue notice was put up on 1 October 2019 on a side door of the premises and was brought down briefly due to cleaning purposes. The blue notices were then moved and placed in the front window of the premises. A photo from CCTV footage with the blue notice displaying the date and time was highlighted to the Committee.

In relation to 8 August 2019 incident, it was submitted that this was the only fight recorded in respect of the premises. A context of the incident was provided and it was submitted that in comparison to the previously run premises, this was an isolated incident. The Licence Holder was adamant that he had called the police in relation to the incident. There was one doorman at the venue and it was submitted that the suggestion that people had brought their own alcohol was unfair. All the evidence pointed to the statement of the police and it appeared that the young man had brought their own alcohol.

It was accepted that there was no CCTV on the premises at the time of the incident however it was highlighted that this had not been a condition at any time. Nevertheless, it was highlighted that the Licence Holder had CCTV at the premises, but it was not working at the time. Once it became apparent the CCTV system was not working, the Licence Holder instructed a company to install the CCTV and invoices of this was referred to in the addendum.

It was submitted that the Licence Holder had a number of improvements and works to the premises including a new building structure as a result of planning inspector outcome. It was submitted that there was no requirement for the Licence Holder to include the patio shelter in any plans put before the Committee, however accepted that the provision of hot food outside 11pm had been breached. As a result of the intervention from Council Officers, belly dancers had stopped in the outside area, the use of speakers had stopped and a condition on the timings for glass bottle disposals was welcomed.

It was noted that, save from Deborah Craig's representations, no other residents had made complaints regarding cooking smells for over two years. Despite this, the Licence Holder had had the kitchen/ kitchen extraction fan deep cleaned and degreased. Noise escape had been managed by the Licence Holder on 12 September 2019 and measures such as repositioning speakers and noise limiters to reduce the noise had been taken.

It was accepted that the premises was in a better condition than it had previously been in and the conditions put forward were accepted by the Licence Holder. It was noted that the application for the change of DPS had been made and was already in place.

In response to Member clarifications, it was noted that small bottles were not sold on the premises and the roller blinds had been removed from the structure on Thursday 28 November 2019. The size of the patio area and seating arrangements for the outside area were clarified for the Committee. The timings of the kitchen area were also clarified for the Committee.

The Committee was referred to the witness statements from a number of residents that supported the premises. It also heard from a number of witnesses including:

Witnesses: Janet Davis and ErRol Edghill

Both witnesses indicated that they had lived at the address for 11 years and explained the negative impacts of the previously run traditional pub. It was explained that there was constant police, live bands, racial abuse and it was a not nice venue towards neighbouring properties. Since the property has been taken over by the Licence Holder, the premises was much better run and noise was a minimum. The witnesses had noise reduction glass and there were no disturbances from loud music. The witnesses were asked to sign a petition against the application and they refused this as they did not see an issue with the premises.

Witness: Janice Hopper

The witness had lived near the premises for 22 years, there was some noise when bottles were disposed late at night but it was not unreasonable. When the noise became unreasonable, the witness had spoken to the Licence Holder and the matters had been addressed accordingly. The garden backed onto the premises and it was “not that bad”. It was a working premises, feedback was provided when issues arose and then the situation improved. The premises was now better run and it was a much better addition to the local area. There were also rarely troubles with parking.

Discussion

- PC Butler clarified that he was unable to speak on behalf of the police officer’s statement case.
- It was confirmed that if a person raised a call then that person would receive a CAD number.
- The Licence Holder confirmed the operating hours of schedule for the Committee.
- It was confirmed that door staff were present on a regular basis, two at the door and there was security managing the parking area.
- It was noted that small bottles had never been sold on the premises.
- The way the kitchen operated was explained to the Committee.
- The Licence Holder had a good relationship with the local community and was always willing to engage and resolve any issues. An incident log was also kept by the Licence Holder.
- An immediate application for a change of DPS was completed by the Licence Holder. The Licence Holder would still have some day to day role in managing the business.
- There were no other antisocial behaviour or reports about nuisance to put before the Committee.
- It was clarified that a Just Eat – takeaway service ran from the premises, however as this had just started this was not busy.
- It was confirmed that between 10 and 12 cars could park on the premises for customer parking and there was also an overspill car park.
- 75% of customers were local.

Closing remarks

There were no further submissions from the Licence Holder except to acknowledge the concessions made by the Applicant.

The Food Health and Safety representative emphasised that it was on the Licence Holder to confirm that they were complying with any statutory requirements.

There were no further submissions from any other parties.

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 has considered all the relevant evidence made available to it and in doing so has taken into account the:

- Licensing Objectives, Licensing Act 2003;
- Hillingdon's Licensing Policy, Paragraph 7.4, 7.6, 9.6, 9.7, 9.8, 10.5 and 10.11 and;
- Guidance issued by the Secretary of State under S.182 of the Licensing Act 2003 in particular paragraphs 9.42 to 9.44, 10.8, and 14.19.

The decision of the Sub-Committee is to modify the conditions of the licence to include all those recommended by the responsible authority.

Conditions:

1. Staff shall be trained in dealing with disorder and staff training records to be kept at the premises available for inspection by the Police and authorised officers of the Council.
2. In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:
 - a. The police (and, where appropriate, the London Ambulance Service) are called without delay;
 - b. The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
 - c. Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.
3. Toughened glasses/drinking vessels shall be used in external areas including the garden and smoking area.
4. On Friday and Saturday evenings, there shall be a minimum of 2 door supervisors on duty from 1900 hours until 30 minutes after closing.
5. There shall be a register of all door staff on duty; signed by the door staff, recording their SIA numbers, start and end time of working shift. This register shall be kept at the premises and available for inspection by the Police and authorised officers of the Council.
6. A record shall be kept detailing all refused sales of alcohol. The record should include date and time of the refused sale and the name of the member of staff who refused the sale. The record shall be made available to for inspection at the

premises by the Police and authorised officers of the Council at all times whilst the premises are open.

7. An Incident Log shall be kept at the premises, and made available on request to an authorised officer of the Council or the Police, which will record the following:
 - a) All crimes reported to the venue;
 - b) Any complaints received regarding crime disorder;
 - c) Any incidents of disorder;
 - d) Any refusal of the sale of alcohol;
 - e) Any visit by a relevant authority or emergency service
8. On Fridays and Saturdays, a Personal Licence holder shall be on the premises from 19.00 hours until the close of premises.
9. The premises shall install and maintain a comprehensive CCTV system covering the premises internally and externally. All entry and entry and exit points will also be covered enabling frontal identification of every person entering. The CCTV system shall continually record whilst the premises are open for licensable activities and during all times when customers remain on the premises. All recordings shall be stored for a minimum of 31 days with date and time stamping. Viewing of recordings shall be made available on request of Police or authorised officers throughout the entire 31 day period.
10. There shall be at least one member of staff on the premises during trading hours who is able to operate the CCTV system so that footage can be viewed and downloaded on request by the Police or authorised officers.
11. No sale of alcohol shall take place when the CCTV system is not fully in good working order.

Prevention of public nuisance

12. No Patrons shall be allowed to use the external garden area of the premises after 23.00 hours on Sunday to Thursday and 00.00 hours on Friday and Saturday.
13. There shall be no admittance or re-admittance to the premises after (22h00) except for Patrons permitted to temporarily leave the premises to smoke.
14. Patrons permitted to temporarily leave and then re-enter the premises to smoke after 22h00 shall be restricted to a designated smoking area defined as (the front of the premises) and limited to (5) persons at any one time.
15. Loudspeakers shall not be located within the external garden area of the premises.
16. No noise generated on the premises, or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
17. Notices shall prominently displayed near the entrance and exit doors requesting patrons to respect the needs of local residents and leave the area quietly.
18. A noise limiter shall be in use to ensure that noise from live performances do not

cause a nuisance to nearby residents.

19. Any deliveries to the premises and emptying of glass bottles shall take place between 12h00 and 17h00.

Prevention of Children from Harm

20. Staff shall be trained in responsible alcohol retailing. Staff training records shall be made available for inspection upon request by officers of a Responsible Authority.
21. A Challenge 25 scheme shall be operated at the premises. Only photographic ID shall be acceptable as proof of age (passport, photo driving licence, or PASS card).

Right of Appeal

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.

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 advises 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 are not adhered to and/or if the premises are managed in a manner which does not uphold the licensing objectives.

The meeting, which commenced at 10.00 am, closed at 1.50 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655. 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.

Minutes

LICENSING SUB-COMMITTEE

16 December 2019

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



	<p>Committee Members Present: Councillors Teji Barnes Roy Chamdal Janet Gardner</p> <p>LBH Officers Present: Steven Dormer, Licensing Officer Glen Egan, Office Managing Partner - Legal Services Liz Penny, Democratic Services Officer</p> <p>Also Present: Mr Terry O'Sullivan, Quillrise Ltd Mr Charlie Merrett, Quillrise Ltd</p>
42.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
43.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
44.	<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 all items of business were marked Part I and would be considered in Public.</p>
45.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
46.	<p>APPLICATION FOR A GRANT OF A PREMISES LICENCE - QUILLRISE LTD (<i>Agenda Item 5</i>)</p> <p>Introduction by the Licensing Officer:</p> <p>Mr Steve Dormer, Licensing Officer at the London Borough of Hillingdon, introduced the report and the addendum relating to an application for a Grant of a Premises Licence at the premises formerly known as The William Jolle Public House in Northwood Hills. The applicant was Quillrise Ltd.</p>

The Sub-Committee was informed that four representations had been received from local residents in respect of this application. Additional Conditions had been sought by the licensing authority to enable the four licensing objectives to be met by the applicants. Members were informed that the applicant had subsequently satisfied the licensing authority by agreeing and offering further conditions; the representation from the responsible authority had therefore been withdrawn. Copies of the conditions had been circulated to those present at the hearing.

Mr Dormer advised the Sub-Committee that the Licensing Officer's recommendation was to grant the licence consistent with the hours applied for by the applicant. Two additional conditions were recommended:-

- 1) Customers shall not be permitted to leave the building with open containers.
- 2) Music shall not be played during the wind down period.

Members were informed that, in July 2018, the Licensing Sub-Committee had granted a premises licence to Compliance Direct Ltd. The licence granted had allowed for the sale of alcohol up until 01.00 with half an hour drinking up time on Fridays and Saturdays. Said licence had recently been transferred to Quillrise Ltd and variation to the Designated Premises Supervisor had also been completed. The Licensing Sub-Committee was advised that the applicant could choose to operate this licence, in conjunction with the new licence being applied for, should the latter be granted.

Representation by the Applicant:

Mr Charlie Merrett spoke on behalf of the applicant stating that Quillrise Ltd had an excellent history having operated in 18 different authorities; they were currently operating in 8 authorities with 20 licences. Mr Merrett confirmed that Quillrise Ltd had never had a licence reviewed or revoked. The Sub-Committee was informed that the licence being applied for mirrored that of the Misty Moon public house in Northwood. It was confirmed that the hours being applied for were as detailed on pages 24 and 25 of the agenda pack.

It was confirmed that, as illustrated in the map set out in the addendum document, there would be one window and one door to the front of the premises. There were no windows to the side and no windows or doors to the rear. Visitors would access and leave the premises via the door to the front only. The Sub-Committee was advised that all four objectors lived in roads to the rear of the public house; this would mitigate any potential impact on them. It was reported that the conditions proposed were adequate to meet all the licensing objectives and Quillrise had a good management style. Councillors were informed that Quillrise had no knowledge of the existing licence when they submitted their own application. It was noted that the proposed opening hours (10.00 – 00.30 Monday to Saturday and midday to 00.30 on Sunday) were shorter than those already agreed under the terms of the existing licence. Quillrise were also requesting extended hours on specified days as set out on page 26 of the agenda pack.

In summary, Members were advised that all the required conditions in relation to the Prevention of Crime and Disorder would be met and the representation from the Licensing Authority had been withdrawn. Moreover, it was claimed that there was little or no link between the streets where the objectors lived and the premises in question.

Responding to the Chairman's questioning, the applicants confirmed that the doors to the front of the premises would be double doors. Live music would be played on Fridays and Saturdays in the area to the front of the cellar and kitchen. It was

confirmed that door staff would only be employed on those occasions when the usual opening hours were extended; on such occasions security staff would work from 21.00 until close. Members requested further clarification regarding the proposed extended hours. It was confirmed that the premises would not necessarily stay open later on all the days specified in the application. Councillors raised concerns regarding the request for extended hours on Bonfire Night. In response, the applicants agreed to remove this request from the application to assuage Members' concerns.

Representation by Interested Parties:

No interested parties were present at the hearing.

The Discussion

The Chairman requested further clarification regarding the Prevention of Public Nuisance. It was confirmed that persistent trouble makers would be barred from the premises in line with the PubWatch Scheme. Moreover, towards closing time, mineral water would be available for customers to mitigate the effects of alcohol consumption. Prominent signage would be displayed at the premises asking customers to respect local residents and vacate the premises quietly. Moreover, it was confirmed that there would be no deliveries before 09.00 or after 18.00 hours.

Responding to questioning from the Sub-Committee, the applicants confirmed that there would be a half hour wind down period at the premises to enable customers to disperse gradually. Any rowdy behaviour would be handled by management and all incidents would be recorded in a log book. With regards to taxis arriving late at night and disturbing local residents, the applicants confirmed that Uber drivers alert their customers via text rather than beeping to attract attention.

In respect of issues around drug taking, the applicant confirmed that any suspicious activity would be reported to management. Drugs would be confiscated and kept in a safe until the Police were able to collect them. The offenders would be told to leave the premises immediately.

The applicant, Mr Terry O'Sullivan, noted that he would be happy to share the office number and his personal mobile number with the objectors should they wish to meet him at a later stage.

Closing Remarks:

The Licensing Officer and the applicant confirmed that they had nothing further to add.

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 has considered all the relevant evidence made available to it and in doing so has taken into account:

- The Licensing Objectives, Licensing Act 2003;
- Hillingdon's Licensing Policy, particularly paragraphs 7.6, 9.1, 14.1, 17.1-17.3, 20.2, 21.1-21.4 and;
- Guidance issued by the Secretary of State under Section 182 of the Act in particular paragraphs 9.42 to 9.44, 10.4, 10.8, 10.10 and 14.19.

The decision of the Sub-Committee is 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 as follows: Monday - Saturday 10AM until 12 Midnight; Sunday 12 Noon until 12 Midnight.
 3. Non-standard timings are granted for New Years Eve from 08h00 until 08h00 the next day; and for Valentine's Day, St Patrick's Day, St Andrew's Day, St David's Day, St George's Day and Halloween until 1AM the next day.
 4. 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.
 5. There shall be no admittance or re-admittance to the premises after (2200 hours) except for Patrons permitted to temporarily leave the premises to smoke
 6. Any deliveries to the premises and emptying of glass goods shall take place between 09h00 and 18h00.
 7. 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.
 8. 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. Page 5 Appendix 7
9. 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.
 10. The premises shall install a CCTV system prior to opening the premises for

business.

11. 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.
12. The CCTV shall be capable of recording a clear facial identification of all persons entering the premises by the main entrance door.
13. 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.
14. 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.
15. 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.
16. 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.
17. No sale of alcohol shall take place when the CCTV system is not fully in good working order.
18. The Designated Premises Supervisor shall be an active member of the local Pubwatch Scheme.

In reaching its Decision the Sub Committee noted the co-operative stance of the Applicant and recommends that the Applicant considers whether they should employ security staff of Friday and Saturdays nights to secure the well-being of both staff and residents and thereby prevent potential crime and disorder.

As a reassurance to Residents and a warning to the Licence Holder, should the licensing objectives not be met a Licence Review may take place leading to the possible revocation of the premises licence.

Right of Appeal

Any person aggrieved by the Sub Committee's decision or by the imposition of any condition may appeal to the Uxbridge Magistrates Court within 21 days.

The meeting, which commenced at 10.00 am, closed at 11.15 am.

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

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