



HILLINGDON
LONDON



NOTICE OF HEARING

Licensing Sub-Committee

Date: TUESDAY, 21 MAY 2019

Time: 2.00 PM

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

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

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



Councillors on the Sub-Committee:

Roy Chamdal (Chairman)

Lynne Allen

Simon Arnold

IMPORTANT INFORMATION

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

Friday 17 May 2019

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

- 1) Whether you intend to attend or to be represented by someone at the hearing;
- 2) If you consider a hearing to be unnecessary and;
- 3) Whether to request that another person attends (other than your representative) as a witness

Published: Friday 3 May 2019

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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

CHAIRMAN'S ANNOUNCEMENTS

Hearing Protocol

- 1 Apologies for Absence
- 2 Declarations of interest in matters coming before this meeting
- 3 To confirm that the items of business marked Part I will be considered in Public and items marked Part II will be considered in Private
- 4 Matters that have been notified in advance or urgent

Part I - Members, Public and Press

	Title of Report / Address of application	Ward	Time	Page
5	Application for variation of a premises licence: The Black Bull, Victoria Road, Ruislip	South Ruislip	2PM (Briefing 1:45PM)	3 - 60

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Order of proceedings – application under the Licensing Act 2003

The Chairman of the Sub-Committee will open the hearing by introducing the Councillors, explaining the purpose of the proceedings and the general procedure. The Chairman will then check that there are no additions or alterations to the list of those appearing at the hearing.

Introduction by the Regulatory Services/Licensing Officer



The Applicant / Licence Holder



Responsible Authorities (if present)



Other Parties (residents etc...)



DISCUSSION LED BY THE SUB-COMMITTEE

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



Closing remarks from each party



Sub-Committee deliberates



Chairman announces the decision

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

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

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

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

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

The Sub-Committee will remain in the room to deliberate and make their decision, with only the Legal Advisor and the Clerk to the Sub-Committee remaining. All others present will be asked to leave the room. If the meeting is being broadcast, any filming will be stopped for this part.

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

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APPLICATION FOR VARIATION OF A PREMISES LICENCE: The Black Bull, Victoria Road, Ruislip

Committee	Licensing Sub-Committee
Officer Contact	Mark McDermott, Residents Services
Papers with report	Appendix 1 - Application to vary a premises licence Appendix 2 - Proposed Plans Appendix 3 - Current Premises Licence Appendix 4 - Current Plan Appendix 5 - Representations from Responsible Authorities Appendix 6 - Map of the area Appendix 7 - Photographs
Ward name	South Ruislip

1.0 SUMMARY

To consider an application for a variation of a premises licence in respect of **The Black Bull, Victoria Road, Ruislip HA4 0EF** with representations received from **three Responsible Authorities**.

2.0 RECOMMENDATION

To grant the variation with the imposition of the 3 conditions as requested by the Licensing Authority to ensure the licensing objectives are upheld:

- 1) **No customers shall be allowed to use any external area of the premises after 21.00 hours Sunday to Thursday and 22.00 hours Friday and Saturday except for customers permitted to use the area for smoking. No drinks shall be taken into the external area after these hours.**
- 2) **A minimum of 2 Door Supervisors shall be on duty at the premises between 21.00hours until 30 minutes after closing on Fridays, Saturdays and days where non-standard timings are permitted.**
- 3) **A noise limiter shall be installed to ensure that noise from live performances and DJ sets do not cause a nuisance to nearby residents.**

3.0 APPLICATION

The premises licence variation application has been submitted by Flint Bishop Solicitors on behalf of the licence holder Mr Austin Whelan. A copy of the application form is attached as **Appendix 1**. A copy of the variation plan is attached as **Appendix 2**.

The application has been submitted to

1. Amend the licensing plan in accordance with drawing number L01 dated February 2019.
2. Remove all existing Annex 2 conditions and replace with updated conditions.

3. Remove all existing non-standard timings and replace with new non-standard timings.

3.1 Type of application applied for

Variation of Premises Licence

3.2 Description of the premises

The premise is a detached Public House with a single bar, games and dining area. It is situated in a suburban residential area, with a car park to the front and left side. There is a patio and large beer garden to the right and rear of the premises bordering residential properties.

The current premises licence can be found at **Appendix 3**

The current approved plan of the premises can be seen at **Appendix 4**

3.3 Licensable Activities

<u>Activity</u>		<u>Proposed variation to existing licence</u>
Sale of alcohol	On and Off Supplies	none
Provision of Late Night Refreshment	indoors	none
Performance of live music	indoors	none
Playing of recorded music	indoors	none

3.4 Licensable Activity Hours

	<u>Current</u> hours for Alcohol	<u>Proposed</u> hours for Alcohol
Monday	11:00 to 00:00	No change
Tuesday	11:00 to 00:00	No change
Wednesday	11:00 to 00:00	No change
Thursday	11:00 to 00:00	No change
Friday	11:00 to 01:00	No change
Saturday	11:00 to 01:00	No change
Sunday	12:00 to 00:00	No change

	<u>Current additional non standard timings</u> hours for Alcohol	<u>Proposed non standard timings</u> hours for Alcohol
	<p>Between 11.00 hours and 00.00 hours on Sundays of any Bank Holiday weekend (including Easter), New Year's Day and Boxing Day</p> <p>Between 11.00 hours and 01.00 hours the following day on Christmas Eve</p> <p>Between 11.00 hours and 02.00 hours on New Year's Eve</p>	<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patricks Day, Bank Holiday Sundays, Christmas Eve and Boxing Day. • New Year's Eve - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

	<u>Current</u> hours for Regulated Entertainment	<u>Proposed</u> terminal hours for Regulated Entertainment
Monday	19:00 to 00:00	No change
Tuesday		
Wednesday	19:00 to 00:00	No change
Thursday		
Friday	19:00 to 01:00	No change
Saturday	19:00 to 01:00	No change
Sunday		

	<u>Current Additional non standard timings</u> current hours for Regulated Entertainment	<u>Proposed additional non standard timings</u> hours for Regulated Entertainment
		<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patricks Day, Bank Holiday Sundays, Christmas Eve and Boxing Day. • New Year's Eve - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

3.5 Opening Hours

	<u>Current</u> hours	<u>Proposed</u> terminal hours for premises licence
Monday	11:00 to 00:30	No change
Tuesday	11:00 to 00:30	No change
Wednesday	11:00 to 00:30	No change
Thursday	11:00 to 00:30	No change
Friday	11:00 to 01:30	No change
Saturday	11:00 to 01:30	No change
Sunday	12:00 to 00:00	No change

	<u>Current Additional non standard timings</u> hours for Regulated Entertainment	<u>Proposed additional non standard timings</u> hours for Regulated Entertainment
	<p>Between 11.00 hours and 00.30 hours on Sundays of any Bank Holiday weekend(including Easter), New Year's Day and Boxing Day.</p> <p>Between 11.00 hours and 01.30 hours the following day on Christmas Eve.</p> <p>Between 11.00 hours and 02.30 hours on New Year's Eve</p>	<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patricks Day, Bank Holiday Sundays, Christmas Eve and Boxing Day. • New Year's Eve - From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day.

3.6 Operating Schedule and Conditions

The variation seeks to remove all existing annex 2 conditions (see **Appendix 3**) and replace with the following proposed conditions:

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will 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 28 days with date and time stamping. Viewing of recordings shall be made available on request of Police or authorised officer throughout the entire 28 day period.
2. 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 trading standards at all times whilst the premises are open.

3. An incident log shall be maintained at the premises and details of all known incidents recorded within the log.
4. The need for door supervisors shall be assessed by way of a risk assessment carried out by the Designated Premises Supervisor and cognisance will be taken of any Police advice.
5. Where SIA registered door supervisors are used at the premises, a record must kept of their SIA registration number and the dates and times when they are on duty.
6. Notices shall be prominently displayed at all public exits and in the external requesting customers to respect the needs of local residents and leave the premises and area quietly.
7. No customers shall be allowed to use any external area of the premises after 23.00 on Sunday to Thursday and midnight on Friday and Saturday, except for customer permitted to temporarily leave the premises to smoke and no drinks shall be permitted to be taken into any external area after these times.
8. Children under the age of 18 must be accompanied by an adult over the age of 18 at all times whilst on the premises and must be off the premises by 23.00, unless attending a private function or on New Year's Eve.
9. A challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram.

4.0 CONSULTATION

4.1 Closing date for representations
18th April 2019

4.2 Public Notice published in local newspaper
27th March 2019 - Uxbridge Gazette

5.0 REPRESENTATIONS

5.1 There are three representations from the Responsible Authorities

Stephanie Waterford Licensing Authority	Prevention of Crime and Disorder Prevention of Public Nuisance	Appendix 5
Adam Stitson Enforcing Authority for Noise Nuisance	Prevention of Public Nuisance	Appendix 5
Police Licensing Officer PC David Butler Metropolitan Police	Prevention of Crime and Disorder	Appendix 5

6.0 BACKGROUND INFORMATION

6.1 Other licensed premises nearby.

There are not any other licensed Public Houses located in the immediate proximity.

6.2 There has been no recorded Members Enquires for this site.

7.0 OFFICER'S OBSERVATIONS

7.1 Observations

This is an application to vary the existing licence of an established Public House to allow for a refurbishment of the premises including the external garden. Changes to the internal area include the introduction of a raised area and reconfiguration of fixed seating. Initially part of the scheme was to introduce an additional outside bar but this was withdrawn and amended plans were submitted see **Appendix 2**. The application also seeks to remove all existing conditions and replace them with conditions listed at Part M on the application form and remove all existing non-standard timings and replace with new non-standard timings.

7.2 Relevant Representations

The relevant representations received mainly raise the following issues:

The Prevention of Crime and Disorder -

- Representations received from Responsible Authorities point out some historical problems with disorder and disturbance at the premises and the need to retain the existing door supervisor condition to combat this
- Representations received from Responsible Authorities refer to the lack of detail in the application to ascertain the proposed style of operation of the premises.

The Prevention of Public Nuisance -

- Representations received from Responsible Authorities refer to the introduction of new seating in the garden leading to a likely increase of patrons creates a potential for increase in nuisance given the closeness of private dwellings to the establishment. The exact extent of this can be seen on the attached map in **Appendix 6**.
- Representations from responsible authorities have concerns over removal of noise limiter condition will increase the likelihood of public nuisance.

8.0 Relevant sections of S.182 Guidance

The Guidance issued by the Secretary of State under S182 of the Licensing Act 2003 states:

The purpose of the Guidance

At paragraph 1.7, "This Guidance is provided to licensing authorities in relation to the carrying out of their functions under the 2003 Act. It also provides information to magistrates' courts hearing appeals against licensing decisions and has been made widely available for the benefit of those who run licensed premises, their legal advisers and the general public. It

is a key medium for promoting best practice, ensuring consistent application of licensing powers across England and Wales and for promoting fairness, equal treatment and proportionality."

Crime and disorder

At paragraph 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

At paragraph 2.2 In the exercise of their functions, licensing authorities should seek to cooperate with the Security Industry Authority ("SIA") as far as possible and consider adding relevant conditions to licences where appropriate. The SIA also plays an important role in preventing crime and disorder by ensuring that door supervisors are properly licensed and, in partnership with police and other agencies, that security companies are not being used as fronts for serious and organised criminal activity. This may include making specific enquiries or visiting premises through intelligence led operations in conjunction with the police, local authorities and other partner agencies. Similarly, the provision of requirements for door supervision may be appropriate to ensure that people who are drunk, drug dealers or people carrying firearms do not enter the premises and ensuring that the police are kept informed.

At paragraph 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

Public nuisance

At paragraph 2.15 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

At paragraph 2.16 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

At paragraph 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a

particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 16). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.

At paragraph 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when the powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

At paragraph 2.19 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance as customers enter and leave.

At paragraph 2.20 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

At paragraph 2.21 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area, or that, if they wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Determining actions that are appropriate for the promotion of the licensing objectives

At paragraph 9.42, "Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be."

At paragraph 9.43, "The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve."

At paragraph 9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

Proportionality

At paragraph 10.10 it states that "The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that a copy of any document checked as part of a right to work check is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives".

9.0 Relevant sections of the Licensing Policy

Prevention of a public nuisance

At paragraph 9.1 "Licensing Sub Committees will be mindful that licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises. When addressing public nuisance the applicant should identify any particular issues that are likely to affect adversely the promotion of the licensing objective to prevent public nuisance. They should then include in the operating schedule how they will deal with those matters. The concerns mainly relate to noise nuisance from within the premises or from the use of any outside areas, light pollution, smoke and noxious smells. Due regard will be given to the impact these may have and the Licensing Authority will expect operating schedules to satisfactorily address these issues."

At paragraph 9.3 "Applicants should give particular consideration to measures to reduce the occurrence of public nuisance associated with accommodating smokers outside the premises, following the introduction of smoke free areas in enclosed or substantially enclosed places."

At paragraph 9.7 "Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Prevention of Public Nuisance objective."

At paragraph 7.6, "Applications referred to the Licensing Sub-Committee where relevant objections have been received will be determined on the individual merit of each case. The Licensing Sub-Committee has the power to impose specific conditions when considered necessary in respect of the Crime and Disorder objective."

14.0 Representations

At paragraph 14.1, "This policy will not seek to exclude any rights enshrined in the Act or any other legislation for applicants or those making representations against applications. Each application and representation will be treated on its merits taking into account the legislation, the Guidance issued under section 182 of the Licensing Act 2003 and this policy."

At paragraph 14.2, " Representations can be made to the Council, as Licensing Authority, by a 'Responsible Authority' or by 'Interested Parties' which include bodies or individuals who live in the vicinity of such a premises, and residents association, trade associations and other businesses operating in the vicinity. Representations can be made concerning:-

- Applications for new premises licences or club premises certificates
- Applications to vary premises licences or club premises certificates
- Personal licence applications on criminal grounds (only by the Police)"

At paragraph 14.3, "Responsible Authorities are the public authorities specifically designated under the Licensing Act 2003 to be consulted on all licence applications and are also entitled to make representations."

At paragraph 14.10, "All valid representations will form part of a committee report that will become a public document. It will be given to the applicant, their agent, responsible authorities, other persons making representations and any other party requesting a copy as well as the Licensing Sub-committee 10 working days prior to the hearing. Anonymous representations will not be accepted."

Licence Conditions

At paragraph 17.1, " Conditions on premises licences and club certificates are determined by:

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

At paragraph 17.2, "Any conditions attached to licences following relevant representations will focus on matters within the control of the Premises Licence Holder or Club Management Committees. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity, as well as patrons of the licensed premises. They will not be used as a means of attempting to attach responsibility to Premises Licence

Holders or Club Management Committees for matters outside their reasonable control, such as anti-social behaviour once away from the premises or licensable activity".

At paragraph 17.3, "The Licensing Authority will not impose standard conditions upon every licence issued, however it may have regard to model conditions produced by the Government and/or the Institute of Licensing and it may choose to impose these in appropriate circumstances".

10.0 LEGAL CONSIDERATIONS

When considering licence variation applications the Sub-Committee is required carry out its functions with a view to promoting the licensing objectives. The licensing objectives are:

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

The Sub-Committee must ensure that all licensing decisions have:

- A direct relationship to the promotion to the promotion of one or more of the four licensing objectives;
- regard to the Council's statement of licensing policy;
- regard to the Secretary of State guidance; and
- not be made as a result of a blanket policy which is applied so rigidly that an exercise of discretion in each individual case is precluded

Applications must be considered with regard to the principles of fair process and the Human Rights Act 1998.

When considering an application for the variation of an existing Premises Licence, only the variation is subject to determination. An application to vary the premises licence concerns variation of the conditions attaching to the licence or of the authorised licensable activities.

The application to vary must be accompanied by the Premises Licence (unless that is impracticable when a statement explaining why must be provided).

The authority must make the variation as applied for, subject to the mandatory conditions, unless relevant representations are made, in which case a hearing must be held.

Where relevant representations are made, the Licensing Authority must hold a hearing to consider them, unless it is agreed that a hearing is unnecessary (s.35(3)(a)). The Licensing Authority must then take such of the following steps as it believes to be appropriate for the promotion of the licensing objectives:

- (a) modify the conditions of the licence or
- (b) reject the whole or part of the application (s.35(3)(b) and (4)).

When determining applications to vary an existing Premises Licence, the Sub-Committee must consider all relevant representations that are made before taking such steps (if any) as it considers necessary for the promotion of the licensing objectives. The steps that may be taken are as follows:

- grant the variation as applied for;

- modify the conditions of the licence (conditions are deemed to be modified if they are altered/omitted or new conditions are added); and
- reject whole or part of the application to vary the licence.

Any modification of conditions should be confined to those considered appropriate in respect of the particular variation sought.

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

In order for representations to be 'relevant' they must have been made by an interested party or a responsible authority (see the definitions in [section 13](#)) and they must relate to the likely effect on the promotion of the licensing objectives if the application were to be granted.

If the representations are made by an interested party there is a further requirement that the licensing authority does not consider them to be frivolous or vexatious. If it thinks they are, it must explain its decision to the person who made the representations.

The need for a hearing can be dispensed with by agreement of the authority, the applicant for the variation and all of the parties who have made relevant representations.

The authority must notify its decision to the applicant, the police and any person who has made relevant representations, and must give reasons for its decision.

A variation of a premises licence may impose different conditions on different parts of the premises, or impose different conditions in relation to different licensable activities.

S.182 guidance on attaching Conditions

10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

10.8 The licensing authority may not impose any conditions unless its discretion has been exercised following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. In order to promote the crime prevention licensing objective conditions may be included that are aimed at preventing illegal working in licensed premises. This provision also applies to minor variations

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I Austin Whelan

(Insert name(s) of applicant)

Being the premises licence holder, apply to vary a premises licence under S34 of the Licensing Act 2003 for the premises described in Part 1 below.

Premises Licence Number LBHIL 388/05
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Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description

The Black Bull Victoria Road

Post Town	Ruislip	Postcode	HA4 0EF
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Telephone number at premises	020 8841 0405
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Non-domestic rateable value of premises	
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Part 2 - Applicant Details

Daytime contact telephone number	
---	--

E-mail address (optional)	
----------------------------------	--

Current postal address if different from premises address	
--	--

Post Town		Postcode	
------------------	--	-----------------	--

Part 3 - Variation

Do you want the proposed variation to have effect as soon as possible? Yes No

If not do you want the variation to take effect from

Day	Month	Year
<input type="text"/>	<input type="text"/>	<input type="text"/>

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1) Yes No

Please describe briefly the nature of the proposed variation (please read guidance note 1)

The application proposes to:-

1. Amend the licensing plan in accordance with drawing number L01 dated February 2019. Please note that the amendments to the licensing plan should not take effect until such times as the works proposed have been completed and the Licensing Authority have been notified.
2. Remove all existing Annex 2 conditions and replace with updated conditions
3. Remove all existing non-standard timings and replace with new non-standard timings

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

N/A

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful

Provision of regulated entertainment

Please tick yes

- | | |
|--|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g)
(if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |
| <u>Provision of late night refreshment</u> (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| <u>Supply of alcohol</u> (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |

In all cases complete boxes K, L and M

A

Plays			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon				Please give further details here (please read guidance note 5)	
Tue					
Wed			State any seasonal variations for performing plays (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Both	<input type="checkbox"/>				
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

C

Indoor sporting events			<u>Please give further details</u> (please read guidance note 5)
Standard days and timings (please read guidance note 8)			
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 6)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 7)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
Standard days and timings (please read guidance note 8)				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 5)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 6)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 7)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 8)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	No Change	No Change	<u>Please give further details here</u> (please read guidance note 5) As existing	Both	<input type="checkbox"/>
Tue	No Change	No Change			
Wed	No Change	No Change	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Thur	No Change	No Change			
Fri	No Change	No Change	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7) <ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 		
Sat	No Change	No Change			
Sun	No Change	No Change			

F

Recorded music Standard days and timings (please read guidance note 8)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5) As existing		
Mon	No Change	No Change			
Tue	No Change	No Change			
Wed	No Change	No Change	<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Thur	No Change	No Change			
Fri	No Change	No Change	<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat	No Change	No Change	<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 		
Sun	No Change	No Change			

G

Performances of dance Standard days and timings (please read guidance note 8)			<u>Will the performance of dance take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	No Change	No Change	<u>Please give further details here</u> (please read guidance note 5) As existing		
Tue	No Change	No Change			
Wed	No Change	No Change	<u>State any seasonal variations for the performance of dance</u> (please read guidance note 6)		
Thur	No Change	No Change			
Fri	No Change	No Change	<u>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</u> (please read guidance note 7) <ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 		
Sat	No Change	No Change			
Sun	No Change	No Change			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 8)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u> As existing</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	No Change	No Change		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	No Change	No Change	<p><u>Please give further details here</u> (please read guidance note 5) As existing</p>		
Wed	No Change	No Change			
Thur	No Change	No Change	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 6)</p>		
Fri	No Change	No Change			
Sat	No Change	No Change	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 7)</p>		
Sun	No Change	No Change	<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 		

Late night refreshment Standard days and timings (please read guidance note 8)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	No Change	No Change	<u>Please give further details here</u> (please read guidance note 5) As existing	Both	<input type="checkbox"/>
Tue	No Change	No Change			
Wed	No Change	No Change		<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 6)	
Thur	No Change	No Change			
Fri	No Change	No Change	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 7) <ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 		
Sat	No Change	No Change			
Sun	No Change	No Change			

J

Supply of alcohol Standard days and timings (please read guidance note 8)			<u>Will the supply of alcohol be for consumption (Please tick box)</u> (please read guidance note 9)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 6)		
Mon	No Change	No Change			
Tue	No Change	No Change			
Wed	No Change	No Change			
Thur	No Change	No Change			
Fri	No Change	No Change			
Sat	No Change	No Change			
Sun	No Change	No Change			
			<u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
			<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 		

K

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 10)

NONE

L

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variations (please read guidance note 6)
Day	Start	Finish	
Mon	No Change	No Change	
Tue	No Change	No Change	
Wed	No Change	No Change	
Thur	No Change	No Change	
Fri	No Change	No Change	
Sat	No Change	No Change	
Sun	No Change	No Change	
Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)			
<ul style="list-style-type: none"> • An additional 1 hour to the terminal hour on New Year's Day, St Patrick's Day, Bank Holiday Sundays, Christmas Eve and Boxing Day • New Year's Eve – From the end of permitted hours on New Year's Eve to the start of permitted hours on New Year's Day 			

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

We seek to remove all existing conditions under Annex 2 of the Premises Licence as a number of these are now outdated and not fit for the style of operation and to replace with updated and proportionate conditions.

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

N/A

M- Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 11)

[The information provided in this box is solely for information only and not intended to be converted into conditions on the Premises Licence]

The Premises Licence Holder, Mr Austin Whelan, has a wealth of experience in the licensed trade and is a multi-site operator with several other premises in Croydon, Kingston, Cricklewood and Uxbridge. Mr Whelan takes his responsibilities under the Licensing Act 2003 very seriously.

The application proposes to amend the licensing plan in accordance with drawing L01 dated February 2019 which accompanies this application. The proposed changes to the internal layout consist of the addition of a raised area and reconfiguration of fixed seating. The proposal also includes a refurbishment of the external area including an existing outbuilding becoming an additional trade area and forming part of the licensed area. The proposed expenditure for the refurbishment is over £200,000. Please note that the amendments to the licensing plan should not take effect until such times as the works proposed have been completed and the Licensing Authority have been notified.

The application has also been submitted to update the Premises Licence conditions to ensure that they are suitable for the style of operation at the premises. We have taken the opportunity to replace the existing operating schedule, which is obsolete in parts, and offer proportionate conditions.

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system. All entry and exit points will 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 28 days with date and time stamping. Viewing of recordings shall be made available upon the request of Police or

authorised officer throughout the entire 28 day period.

2. A record shall be kept detailing all refused sales of alcohol. The record should include the 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 for inspection at the premises by the Police and Trading Standards at all times whilst the premises are open
3. An incident log shall be maintained at the premises and details of all known incidents recorded within the log.
4. The need for door supervisors shall be assessed by way of a risk assessment carried out by the Designated Premises Supervisor and cognisance will be taken of any Police advice
5. Where SIA registered door supervisors are used at the premises, a record must be kept of their SIA registration number and the dates and times when they are on duty

c) Public safety

Please see box a) above. We understand our obligations under existing legislation and take our responsibilities seriously.

d) The prevention of public nuisance

6. Notices shall be prominently displayed at all public exits and in the external area requesting customers to respect the needs of local residents and leave the premises and area quietly
7. No customers shall be allowed to use any external area of the premises after 23.00 on Sunday to Thursday and midnight on Friday and Saturday, except for customers permitted to temporarily leave the premises to smoke and no drinks shall be permitted to be taken into any external area after these times.

e) The protection of children from harm

8. Children under the age of 18 must be accompanied by an adult over the age of 18 at all times whilst on the premises and must be off the premises by 23.00, unless attending a private function or on New Year's Eve
9. A Challenge 21 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS hologram

Checklist:

Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation

- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT

Part 5 – Signatures (please read guidance note 12)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (See guidance note 13). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	21/03/2019
Capacity	Flint Bishop LLP – Solicitors for and on behalf of applicant

Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)	
George Domleo Flint Bishop LLP St. Michael's Court St. Michael's Lane Derby DE1 3HQ	
Telephone number (if any)	01332 340 211
If you would prefer us to correspond with you by e-mail your e-mail address (optional) george.domleo@flintbishop.co.uk	

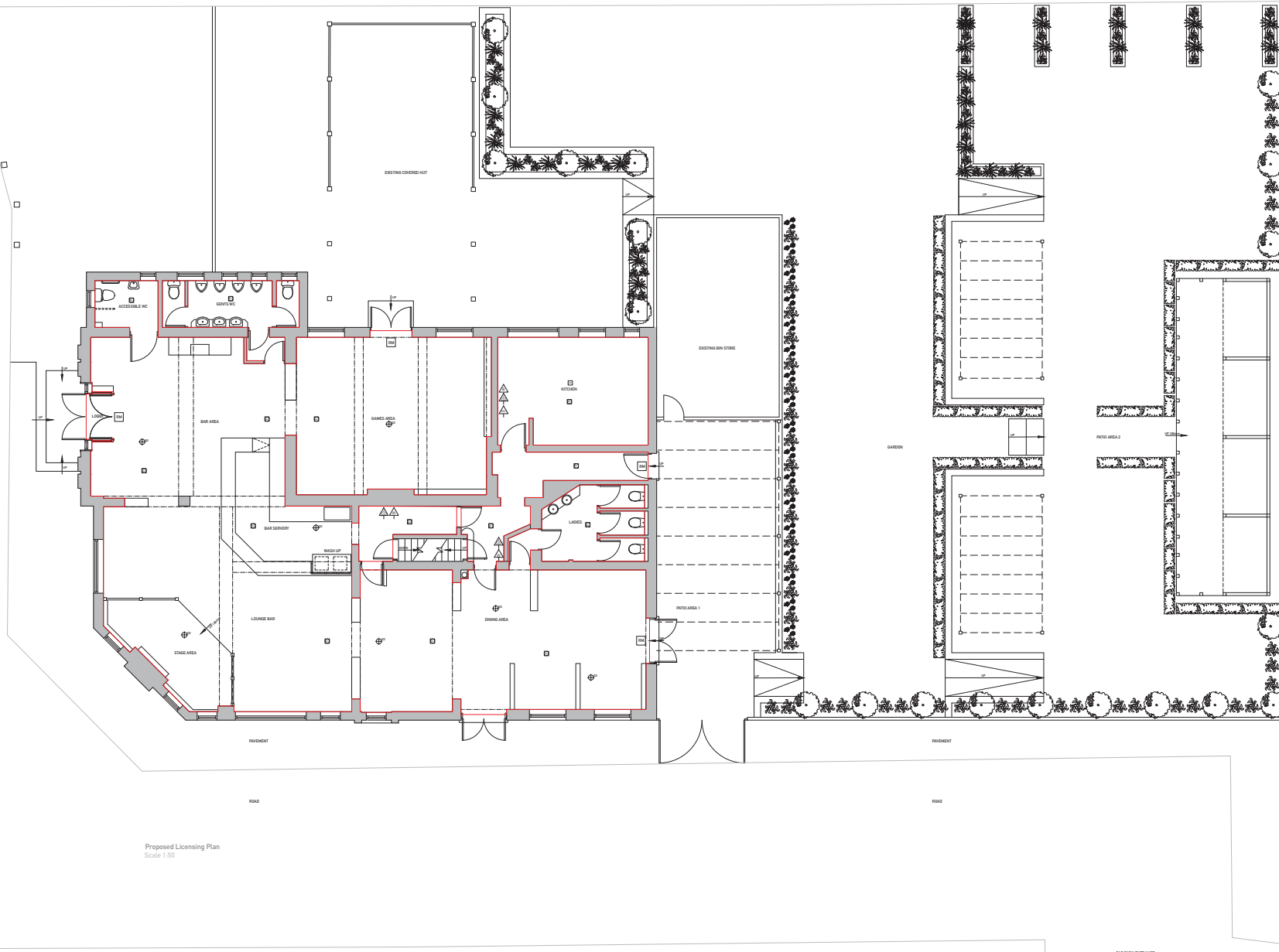
Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable for the late night levy
2. Describe the premises. For example, the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
 - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
 - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
 - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
 - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
 - Live music: no licence permission is required for:
 - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance

- on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
 - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
 - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
 5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
 6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
 7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
 8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
 9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from

- the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
 11. Please list here steps you will take to promote all four licensing objectives together.
 12. The application form must be signed.
 13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
 14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
 15. This is the address which we shall use to correspond with you about this application.
to correspond with you about this application.



Proposed Licensing Plan
Scale 1:50

FIRE ALARM AND SMOKE DETECTION SYSTEM	
FIRE ALARM TO BE DEVICES TO COMPLY WITH AS/NZS 1851:2014. (SEE PARAGRAPH 1.2.2.1 FOR DETAILS TO COMPLY WITH AS/NZS 1851:2014. SEE INDICATIVE LAYOUT PLAN.)	
	FIRE ALARM BREAK GLASS
	LANDLORD FIRE ALARM INTERFACE PANEL
	FIRE ALARM REPEATED PANEL
	FIRE ALARM PANEL (FIRE ALARM TO BE 5692201)
	DUAL OPTICAL AND HEAT MULTISENSOR AND VOICE
	DUAL OPTICAL AND HEAT MULTISENSOR AND VOICE AND STROBE
	DUAL OPTICAL AND HEAT MULTISENSOR IN CEILING/FLOOR VOID
	HEAT SENSOR AND STROBE AND VOICE
	9W-100 FULLY MAINTAINED FITTING (MAINS & BATTERY) INCLUDING HOUSING AND BATTERY NOTE: GLASS TYPE TO FRONT OF HOUSE
	EMERGENCY LIGHT FITTING RECESSED 9W-100 FULLY MAINTAINED FITTING (MAINS & BATTERY)
	EMERGENCY LIGHT FITTING SURFACE 9W-100 FULLY MAINTAINED FITTING (MAINS & BATTERY)
	SECURITY ALARM KEYPAD
	LAST MAN OUT SWITCH
	ANSUL FIRE SUPPRESSION SYSTEM
	RED LINE INDICATES LICENSED AREA
FIRE APPLIANCES	
	FIRE BLANKET IN CONTAINER
	CARBON DIOXIDE FIRE EXTINGUISHER
	9 LITRE WATER EXTINGUISHER
	WET CHEMICAL EXTINGUISHER
	FOAM FIRE EXTINGUISHER

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INTERIORS

www.ablankcanvasinteriors.co.uk
Unit 22, Endeavour Business Park, Church Hill Lane, Ringwood BH24 1DP 0142932000

Date: Feb 2019 Client: Austin Whelan
Drawn: AB Project: The Black Bull
Checked: + Victoria Road
Title: 1:50 @ A0 Route 10
Scale: 1:50 @ A0 HAM ODE
Drawing no: Proposed Licensing Plan

Rev: 000
A: 100 External Bar settings

Drawing no:

L01

The A

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LICENSING ACT 2003
Section 24



HILLINGDON
 LONDON

PREMISES LICENCE

Ref:

SD/LBH/MAU6748

Premises Licence Number:

LBHIL 388/05

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

Signature:

Date: 17th February 2017

Part 1 – Premises Details

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

The Black Bull
 Victoria Road

Post Town - Ruislip

Postcode – HA4 OEF

Telephone number –

Where the licence is time limited, the dates -

N/A

Licensable activities authorised by the licence –

The sale by retail of alcohol

The provision of regulated entertainment being:-

- performance of live music
- playing recorded music
- performance of dance and entertainment of a similar description

The provision of late night refreshment

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

The sale of alcohol by retail

Monday to Thursday between 11.00 hours and 00.00 hours

Friday and Saturday between 11.00 hours and 01.00 hours the following day

Sunday between 12.00 hours and 00.00 hours

In addition to the hours detailed above

Between 11.00 hours and 00.00 hours on Sundays of any Bank Holiday weekend (including Easter), New Year's Day and Boxing Day

Between 11.00 hours and 01.00 hours the following day on Christmas Eve

Between 11.00 hours and 02.00 hours on New Year's Eve

Regulated entertainment (indoors) as detailed on front page:-

Monday between 19.00 hours and 00.00 hours

Wednesday between 19.00 hours and 00.00 hours

Friday and Saturday between 19.00 hours and 01.00 hours the following day

Late night refreshment

From 23.00 hours to 30 minutes following the terminal time for the sale of alcohol detailed above.

The opening hours of the premises -

Monday to Thursday between 11.00 hours and 00.30 hours the following day

Friday and Saturday between 11.00 hours and 01.30 hours the following day

Sunday between 12.00 hours and 00.00 hours

Between 11.00 hours and 00.30 hours on Sundays of any Bank Holiday weekend (including Easter), New Year's Day and Boxing Day

Between 11.00 hours and 01.30 hours the following day on Christmas Eve

Between 11.00 hours and 02.30 hours on New Year's Eve

Where the licence authorises supplies of alcohol whether these are on and/or off supplies –

On and Off Supplies

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence -

Mr Austin Whelan
The Black Bull
Victoria Road
Ruislip
HA4 OEF

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

N/A

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol -

Gemma Watts
The Black Bull
Victoria Road
Ruislip
HA4 OEF

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

11/00225/LIPERS – London Borough of Croydon

Annex 1 – Mandatory Conditions**Mandatory Conditions - Alcohol**

1. No sale/supply of alcohol shall be made when there is no Designated Premises Supervisor in respect of the premises licence
2. No sale/supply of alcohol shall be made when the Designated Premises Supervisor does not hold a Personal Licence or when his/her Personal Licence is suspended.
3. Every sale/supply of alcohol under the premises licence shall be made, or authorised, by a person who holds a Personal Licence
4. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises—
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold

or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
5. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either—
- (a) a holographic mark, or
 - (b) an ultraviolet feature.
7. The responsible person must ensure that—
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml;
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.”

Mandatory Condition - Permitted Price

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979;

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
- (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-
- (i) the holder of the premises licence,
 - (ii) the designated premises supervisor (if any) in respect of such a licence, or
 - (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;
- (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
- (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.

Annex 2– Conditions consistent with the operating Schedule**General**

The Premises Licence Holder shall ensure that the following licence conditions are fully complied with.

The council's rules of management for public house annexed hereto shall be fully complied with.

The sale of alcohol shall be ancillary to the use of the premises for music and dancing and substantial refreshment.

The premises must be structurally adapted and bona-fide intended to be used for the purpose of providing for persons resorting to the premises for music and dancing and substantial refreshment to which the sale of alcohol is ancillary.

Public safety

The gate located across the external means of escape route from the patio/garden area shall be kept in the unlocked position whenever the public are upon the premises.

The room divider/folding partition shall be locked back in the open position whenever the premises are in use under this licence.

Prevention of public nuisance

The approved sound limitation equipment installed within the premises shall be checked and tested at regular intervals to ensure that it is in effective working order and will operate at the sound level specified by the Council's Environmental Protection Unit.

Prevention of crime and disorder

On each of the days Monday to Thursday the external patio area shall not be used for drinking after 23.00 hours

On each of the days Friday and Saturday the external patio area shall not be used for drinking after 00.00 hours

On Sundays the external patio area shall not be used for drinking after 22.30 hours

On Fridays and Saturdays, there shall be a minimum of two Door Supervisors employed at the premises. The Door Supervisors shall be on duty from 21.00 hours until 01.30 hours the following day.

On Fridays and Saturdays, the local 'staff alert' alarms located on both the alternative means of escape exit doors shall be in operation from 21.00 hours until 01.30 hours so that, if the doors are opened the alarms will sound. The alarms shall both be checked and tested at regular intervals to ensure that they are in effective working order.

Whenever the premises is used for the purpose of the licence, the CCTV system installed at the premises which shall be capable of recording the facial images of persons entering the public house via the main entrance/exit doors, shall be switched on and shall not be switched off until at least 30 minutes after the premises has closed.

The recorded CCTV images shall be stored in a secure location for a period of at least 28 days and shall be available for inspection on request by authorised officers of the Council and the Metropolitan Police Service.

Protection of children from harm

No children under the age of 18 shall be allowed on the premises after 21.00 hours

A proof of age scheme shall be in operation

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

Prominent, clear and legible notices shall be displayed at all exits on the premises requesting patrons to respect the needs of local residents and to leave the premise, including the car park, and the area quietly.

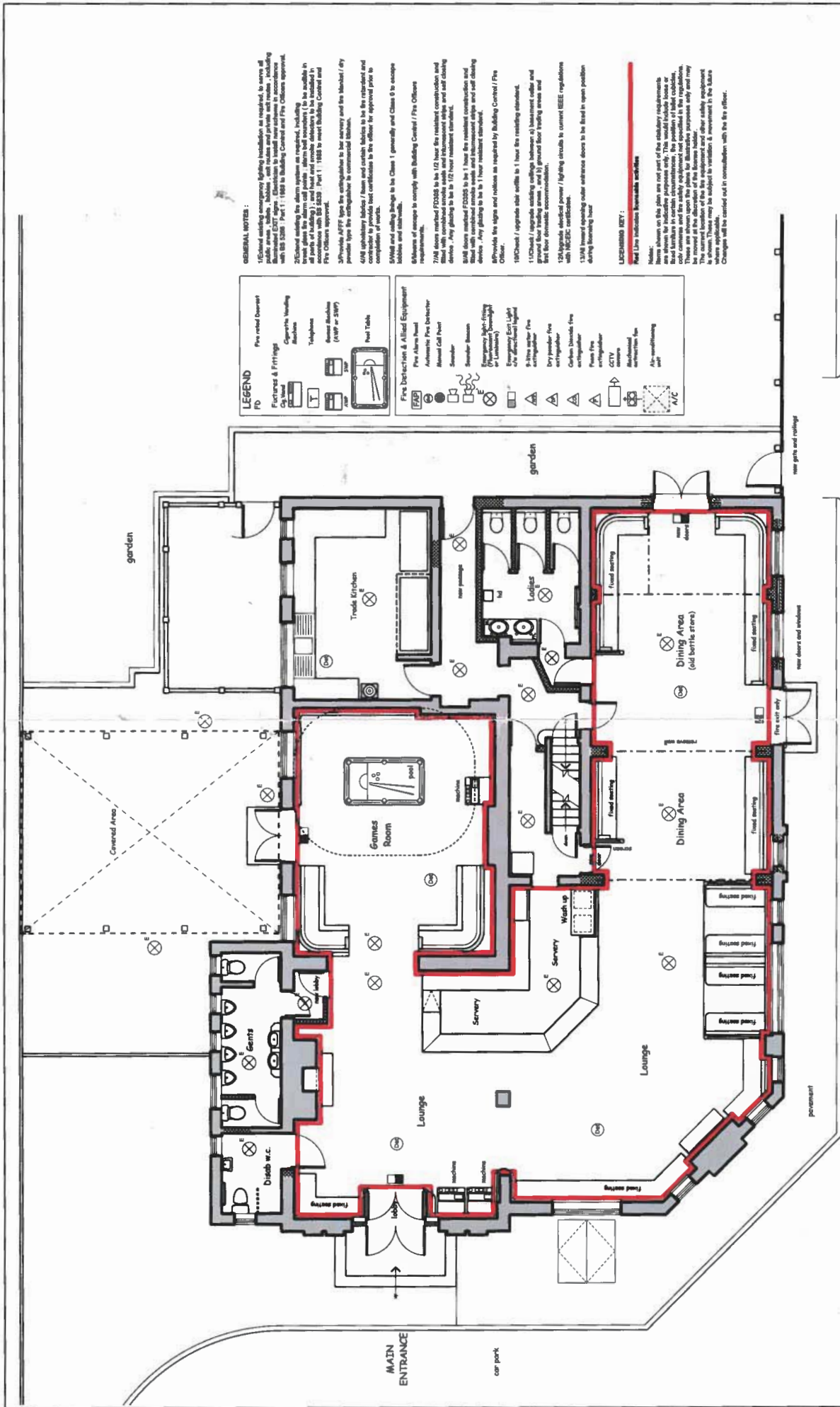
The two pairs of main entrance/exit doors to the main entrance/exit lobby shall be fitted with self-closing devices which shall cause the doors to become effectively self-closing within their frames. The installation and maintenance of the devices shall be to the satisfaction of the Council's Licensing Service.

Annex 4 – Plans

Plan 1559/13

Feb 2013. Drawing No 2269/12

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GENERAL NOTES:

- 1) Existing existing emergency lighting installation as required, to serve all areas of the building.
- 2) Existing existing fire alarm system to be replaced with a new system complying with BS 5268 Part 1: 1988 to Building Control and Fire Officers approval.
- 3) Existing existing fire alarm system as required, including break glass alarm call points, alarm bell (not essential) to be installed in accordance with BS 5268 Part 1: 1988 to meet Building Control and Fire Officers approval.
- 4) Provide AFFF type fire extinguisher to bar service and fire Marshal / fire tender type fire extinguisher to commercial kitchen.
- 5) All electrical wiring to be Class 1 generally and Class 0 for escape routes and corridors.
- 6) All electrical work to comply with Building Control / Fire Officers requirements.
- 7) All doors to be FD308 to be FD308 fire resistant construction and fitted with combined smoke seals and intumescent strips and self-closing devices. Any glazing to be to 1/2 hour treatment standard.
- 8) All doors to be FD308 to be 1/2 hour fire resistant construction and fitted with combined smoke seals and intumescent strips and self-closing devices. Any glazing to be to 1/2 hour treatment standard.
- 9) Provide fire signs and notices as required by Building Control / Fire Officers.
- 10) Check / upgrade stair wellings to 1 hour fire resisting standard.
- 11) Check / upgrade existing ceiling between (a) basement carpark and first floor trading areas, and (b) ground floor trading areas and first floor trading areas.
- 12) All fire alarm system / lighting circuits to current BS5839 regulations with MCDSC certification.
- 13) All fire alarm system / lighting circuits to be fitted in open position along boundary line.

LICENSING KEY:

Red lines indicate licensable activities.

Notes shown on this plan are not part of the statutory requirements as shown for indicative purposes only. This would include license or other conditions and fire safety equipment not provided in the regulations. These are shown upon the plans for illustrative purposes only and may vary from the actual requirements of the relevant legislation. The current location of the fire alarm and other safety equipment is shown. These may be subject to variation & movement in the future. Changes will be carried out in consultation with the fire officer.

LEGEND

- | | |
|--|---|
| | Fire-rated door |
| | Fire-rated window |
| | City wall |
| | Cigarette machine |
| | Telephone |
| | Bar service machine (AOP or SMT) |
| | Pool table |
| | Fire alarm panel |
| | Automatic fire detector |
| | Manual call point |
| | Sounder |
| | Smoke alarm |
| | Emergency light (LED or Luminaire) |
| | Emergency exit light (LED or Luminaire) |
| | 1/2 hour fire |
| | Dry powder fire |
| | Carbon dioxide fire |
| | Water fire |
| | Fire extinguisher |
| | CCTV camera |
| | Mechanical extract fan |
| | Air conditioning |
| | M/C |

PLAN No 1559/13 L&T.

<p>Job Title THE BLACK BULL Victoria Road South Ruislip, Middlesex, HA4 0EF</p>	<p>Drawing Title Proposed Ground Floor Layout</p>	<p>Drawing No. 2269 / 12</p>	<p>Revisions</p>
		<p>Scale 1:100</p>	<p>Date Feb 2013</p>
<p>Drawn by MW</p>	<p>Date Feb 2013</p>	<p>theideascompany Interior Design & Architecture</p> <p>Burley Hall, Cardigan Lane, Leeds, LS4 2LE, Tel: 0113 274 5577 Fax: 0113 274 6268</p>	

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HILLINGDON

LONDON

Mr Mark McDermott
Licensing Officer
Licensing Service

Reference; SW/19/LA03

Your Reference;

Date; 17th April 2019

Dear Sir,

**BLACK BULL, VICTORIA ROAD, SOUTH RUISLIP
THE LICENSING ACT 2003**

I am writing to you as the Officer duly authorised to make representations on behalf of the Licensing Authority, in regard to the premises licence variation application submitted for the above premises.

In making this representation, I have had regard to the current licence arrangements as well as the proposed operating schedule and proposed licence plans.

It is not entirely clear from the application how the applicant wishes to operate the premises and what considerations have been taken with regard to the impact on the local area. In fact, there are no references in the application indicating the style of premises which is being proposed i.e. dining/traditional pub/family style etc etc. Without knowing the type of offering intended by the applicant, it is challenging to assess the application.

For example, a day time family dining premises has a very different set of requirements to a wet led, late night drinking establishment.

This has been a challenging premises in the past and has created noise nuisance and disturbance from disorderly patrons to the local community, resulting in visits from the Police and Councils out of hours noise service. The current conditions on the premises reflect the type of controls currently required for this premises.

I am concerned that the conditions relating to Door Supervisors and the noise limiter have been removed and have not been replaced with adequate controls in the new operating schedule.

Licensing Service
Residents Services
T.01895 277232

swaterford@hillington.gov.uk

www.hillingdon.gov.uk

London Borough of Hillingdon,

3S/08, Civic Centre, High Street, Uxbridge, UB8 3PH

I note that the application includes proposals to redevelop the existing beer garden and provide fixed and movable seating for patrons. I have also noted that the original plans for an outdoor bar servery have now been removed and that the external structure will be retained for storage.

The introduction of this new seating will provide seating accommodation for somewhere over 150 patrons and I have concerns that this will undermine the public nuisance licensing objective creating noise and potential smoking nuisance to the residents which are on two sides of the garden.

I note that the current licence permits patrons to use the garden until 23.00 hours, however, I would summarise that the introduction of a vast amount of seating and improvement of the garden environment will entice patrons to remain outside longer than perhaps they would in the current garden. It is also not clear whether outdoor speakers are proposed for playing recorded music in the garden area and any timings for that activity.

I would recommend that the following form part of the Licence conditions in order to ensure that the licensing objectives are not undermined:

- 1) No customers shall be allowed to use any external area of the premises after 21.00 hours Sunday to Thursday and 22.00 hours Friday and Saturday except for customers permitted to use the area for smoking. No drinks shall be taken into the external area after these hours.
- 2) A minimum of 2 Door Supervisors shall be on duty at the premises between 21.00hours until 30 minutes after closing on Fridays, Saturdays and days where non-standard timings are permitted.
- 3) A noise limiter shall be installed to ensure that noise from live performances and DJ sets do not cause a nuisance to nearby residents.

I would therefore urge the Sub-Committee to consider these points when making their determination.

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

Stephanie Waterford
Licensing Service Manager
Licensing Authority Representative

Team Name	
MEMORANDUM	
From: Adam Stitson	To: Mark McDermott
Location: 3S/02 Ext: 6227	Licensing Officer, Licensing Service
My Ref:	
Your Ref:	Date: 16th April 2019

Dear Sir,

Re: Application to vary a Premises Licence- Licensing Act 2003

Address: The Black Bull, Victoria Road, Ruislip, HA4 0EF

I refer to the application to vary a Premises Licence under the Licensing Act 2003, relating to the above named premises.

The Anti Social Behaviour and Environment Team, in its capacity as a responsible authority, is making a representation to this application, in relation to the licensing objective Prevention Of Public Nuisance.

The grounds for this objection are:

1. The quantity of patrons using the proposed outside area, with the resultant increase in the possibility of noise nuisance for residents in neighbouring properties.
2. The times the area in question is operational, with the likelihood of noise nuisance increasing the later the hour.
3. The design of the area in question indicates a close proximity to residential properties, with again an increased likelihood of noise nuisance. The application makes a reference to acoustic fencing, but there is no indication as to where this would be situated or what material would be used to make such a provision effective.

When determining the application, the following conditions are recommended:

1. Times for use of the outdoor area are restricted to 21.00 Sunday to Thursday and 22.00 on Friday and Saturday nights.
2. Consideration is given to both the size and the layout of the area in question, as the proposed suggestion would greatly increase the capacity of the premises. It would also be suggested that a smaller scale would give the opportunity to adjust the layout of the site and

ensure a greater distance between the operational external area and the nearest residential area.

3. It would be constructive if a more in depth explanation of noise prevention measures be provided, both in terms of the previously mentioned acoustic fencing and security, re-entry of customers after a certain time and proposals of monitored and controlled dispersal at closing time.

I would therefore invite the Licensing Sub-Committee to consider this representation when making their decision regarding this application.

Yours faithfully,

Adam Stitson
ASB Team Leader
astitson@hillington.gov.uk



**METROPOLITAN
POLICE**

TOTAL POLICING

Date: 18th April 2019

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

**Uxbridge Police Station
1 Warwick Place
Uxbridge
Hillingdon
UB8 1PG**

**Telephone: 020 8246 1933
Mobile:
Email: Licensing-xh@met.pnn.police.uk**

**Your Ref – BLACK BULL, VICTORIA
ROAD, SOUTH RUISLIP**

Dear Sir/Ma'am,

Re; Black Bull - Variation Application.

The Metropolitan Police would like to make the following representations regarding this application in support of the licensing objectives and in particular, The Prevention of Crime and Disorder.

This application, I believe is unclear in its current form in relation to the activities that the applicant wishes to carry out after the proposed variation.

Historically, this is a venue that has suffered from a large number of violence with injury related offences, drug abuse and misuse within and outside the venue and has also suffered a large number of noise complaints resulting in a number of multi-agency operations.

I do believe that the applicant has worked hard to tackle these issues and this is reflected in the crime statistics interrogated for last two years. It would be a shame to undo the good work that has contributed to the reduction in crime over this period.

I feel that the proposed changes to the current licence, and in particular point 4 of the Prevention of Crime and Disorder within the application (The need for door supervisors shall be assessed by way of a risk assessment) would undermine that licensing objective and leave the venue in a vulnerable position, especially with the proposed increased footfall.

The current conditions on the premises licence were implemented to deal with the issues that the venue was experiencing and the removal of Door Supervision, by means of assessment only I feel would undermine The Prevention of Crime and disorder and impact on Public Safety.

I would expect more of a substantial explanation on how the applicant will be promoting the licensing objectives in the interest of the community that they will be serving and in relation to the proposed removal of door supervision and the removal of Noise monitoring and how they feel these proposals will continue to support the Licensing Objectives.

David Butler,
Police Licensing Officer, West Area BCU.

.....
***Police Licensing Enforcement Officer
Hillingdon Borough.***



Page 53

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