



HILLINGDON  
LONDON



# NOTICE OF HEARING

## Virtual Licensing Sub-Committee

<b>Date:</b>	<b>WEDNESDAY, 10 FEBRUARY 2021</b>
<b>Time:</b>	<b>2.00 PM</b>
<b>Venue:</b>	<b>VIRTUAL - LIVE ON THE COUNCIL'S YOUTUBE CHANNEL: HILLINGDON LONDON</b>
<b>Meeting Details:</b>	Members of the Public and Media are welcome to watch proceedings on the Council's YouTube channel

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



### Councillors on the Sub-Committee:

Simon Arnold, (Chairman)  
Colleen Sullivan  
Janet Gardner

### IMPORTANT INFORMATION

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

**Monday 08 February 2021**

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:** Tuesday, 26 January 2021

**Contact:** Democratic Services

**Tel:** 01895 250636

**Email:** [democratic@hillington.gov.uk](mailto:democratic@hillington.gov.uk)

**Putting our residents first**

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

# 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

	<b>Title of Report / Address of application</b>	<b>Ward</b>	<b>Time</b>	<b>Pages</b>
<b>5</b>	Application for the variation of a Premises Licence: The White Hart, 158 High Street, Harlington, UB3 5DP	Heathrow Villages	Join Time: 1.45pm Start Time: 2.00pm	3 - 48



This page is intentionally left blank

## 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.

This page is intentionally left blank

## Application for the variation of a premises licence: The White Hart, Harlington

Committee	Licensing Sub-Committee
Officer Contact	Mark McDermott, Licensing Officer
Papers with report	<b>Appendix 1</b> - Application to Vary a Premises Licence <b>Appendix 2</b> - Current Premises Licence <b>Appendix 3</b> - Current Plan <b>Appendix 4</b> - Representations from Interested Party <b>Appendix 5</b> - Map of the area <b>Appendix 6</b> - Photographs <b>Appendix 7</b> - Anti Social Behaviour & Environment Team check.
Ward name	Heathrow Villages

### 1.0 SUMMARY

To consider an Application for a Variation of a Premises Licence in respect of The White Hart, 158 High Street, Harlington UB3 5DP with one representation received from an Interested Party.

### 2.0 RECOMMENDATION

To grant the variation with an amendment to the Applicant's proffered condition and the addition of a further condition as follows (in bold and underlined):

Management and staff will exercise vigilance and regularly monitor customers using the rear external area **and ensure patrons do not cause a public nuisance.**

**Notices shall be prominently displayed at all external areas, requesting patrons to respect the needs of local residents.**

### 3.0 APPLICATION

'The Application to Vary the existing Premises Licence, has been submitted by Poppleston Allen Solicitors, on behalf of the Licence Holder – Fuller Smith & Turner plc. A copy of the Application Form is attached as **Appendix 1**.

The Application has been submitted to vary the Premises Licence to amend a condition under **Annex 2** on the licence, relating to the garden area and add a condition regarding monitoring the outside area. The Applicant states:

1. We therefore seek to amend a condition at Annex 2 'Prevention of Public Nuisance' to read as follows: 'The rear garden shall cease trading at 22.30 hours.' (currently 21.00).
2. To add the following condition: 'Management and staff will exercise vigilance and regularly monitor customers using the rear external area.'

For the avoidance of doubt all Licensable Activities, Permitted Hours, Opening Hours and other conditions will remain as existing'

### 3.1 Type of Application Applied For

Variation of Premises Licence

### 3.2 Description of the premises

The Premise is a detached Pub/bar/restaurant with external areas. It is situated in a residential area, with a car park. There is a front patio area and beer garden at the rear of the premises bordering residential properties.

The current premises licence can be found at **Appendix 2**.

The current Approved Plan of the Premises can be seen at **Appendix 3**.

### 3.4 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

### 3.5 Licensable Activity Hours

	<u>Current hours for Alcohol</u>	<u>Proposed hours for Alcohol</u>
<b>Monday</b>	10:00 to 00:00	No change
<b>Tuesday</b>	10:00 to 00:00	No change
<b>Wednesday</b>	10:00 to 00:00	No change
<b>Thursday</b>	10:00 to 01:00	No change
<b>Friday</b>	10:00 to 01:00	No change
<b>Saturday</b>	10:00 to 01:00	No change
<b>Sunday</b>	10:00 to 00:00	No change

	<u>Current additional non-standard timings hours for Alcohol</u>	<u>Proposed non-standard timings hours for Alcohol</u>
	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.	No change

	<u>Current hours for Regulated Entertainment</u>	<u>Proposed terminal hours for Regulated Entertainment</u>
<b>Monday</b>	23:00 to 00:00	No change
<b>Tuesday</b>	23:00 to 00:00	No change
<b>Wednesday</b>	23:00 to 00:00	No change
<b>Thursday</b>	23:00 to 01:00	No change
<b>Friday</b>	23:00 to 01:00	No change
<b>Saturday</b>	23:00 to 01:00	No change
<b>Sunday</b>	23:00 to 00:00	No change

	<u>Current Additional non-standard timings hours for Regulated Entertainment</u>	<u>Proposed additional non-standard timings hours for Regulated Entertainment</u>
	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.  An additional hour to the terminal time on the commencement of British Summer Time	No change

The provision of recorded music is not time restricted

### 3.6 Opening Hours

	<u>Current</u> hours	<u>Proposed</u> terminal hours for premises licence
<b>Monday</b>	06:00 to 00:30	No change
<b>Tuesday</b>	06:00 to 00:30	No change
<b>Wednesday</b>	06:00 to 00:30	No change
<b>Thursday</b>	06:00 to 01:30	No change
<b>Friday</b>	06:00 to 01:30	No change
<b>Saturday</b>	06:00 to 01:30	No change
<b>Sunday</b>	06:00 to 01:30	No change

	<u>Current Additional non-standard timings</u> for Opening Hours	<u>Proposed additional non-standard timings</u> hours for Opening Hours
	New Year's Eve from 06.00 until 10.00 on New Year's Day.  An additional hour to the terminal time on the commencement of British Summer Time	No Change

### 3.7 Operating Schedule and Conditions

#### **The Prevention of Public Nuisance**

The rear garden shall cease trading at 21.00 hours.

The front patio shall cease trading at 23.00 hours.

The approved sound limitation equipment shall be maintained in effective working order.

#### **Protection of Children from Harm**

A proof of age scheme shall be in operation.

## 4.0 **CONSULTATION**

### 4.1 Closing date for representations

14<sup>th</sup> January 2021

4.2 Public Notice published in local newspaper  
6<sup>th</sup> January 2021 - Uxbridge Gazette

## 5.0 REPRESENTATIONS

5.1 There is one representation from an Interested Party

Mr Stephen Kennedy <b>Local Resident</b>	Prevention of Public Nuisance	<b>Appendix 4</b>
---	-------------------------------	-------------------

## 6.0 BACKGROUND INFORMATION

6.1 Other licensed premises nearby.

The Pheasant Inn & Restaurant Heathrow (0.5 miles away).  
The Wheatsheaf (0.3 miles away).

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

6.3 Anti-Social Behaviour & Environment Team check can be found at **Appendix 7**.

## 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 an extension of hours for the use of the beer garden at the rear of the premises from 21.00 to 22.30. The garden area is not shown on the deposited Plan but as detailed in the s.182 guidance below (8.35), the sales of alcohol are by way of off sales.

I have checked with the Anti-Social Behaviour & Environment Team and an issue was reported in 2.18 that can be found at **Appendix 7**, but consider the issue immaterial and not relevant to this Application.

7.3 Relevant Representations

The relevant representation received mainly raise the following issues:

The Prevention of Public Nuisance -

- A Representations received from a local resident refers to potential for an increase in nuisance given the closeness of private dwellings to the establishment during the proposed extended hours. The exact extent of this can be seen on the attached map in **Appendix 6**. The resident also explains that there has been dialogue over the years regarding noise nuisance from the garden area with the Licensee and it is disappointing that the applicant did not pre consult ahead of submitting the variation.

## 8.0 Relevant sections of S.182 Guidance

The Guidance issued by the Secretary of State under s.182 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."

### **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.

### **Beer gardens or other outdoor spaces**

**At paragraph 8.35** Applicants will want to consider whether they might want to use a garden or other outdoor space as a location from which alcohol will be consumed. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract.

In scenarios where drink orders are taken by a member of staff in the garden or outdoor space and the member of staff then collects the drinks from the licensed premises and returns to deliver them to the customer this would be treated as an off-sale and any conditions that relate to off-sales would apply.

**At paragraph 8.36** In such cases it will be not necessary to include the garden or other outdoor space on the plan as part of the area covered by the premises licence. However, it will be necessary for the applicant to include the garden or other outdoor space on the plan as part of the area covered by the premises licence if the intention is to provide a service whereby drinks are available for sale and consumption directly from that area (i.e. the provision of on-sales). This would apply in the case of an outdoor bar or a service whereby a member of staff who is in the garden or outdoor space carries with them drinks that are available for sale (without the need for the staff member to return to the licensed premises to collect them).

**At paragraph 8.37** If the beer garden or other outdoor area is to be used for the consumption of off-sales only, there is no requirement to show it on the plan of the premises, but the prescribed application form requires the applicant to provide a description of where the place is and its proximity to the premises.

### **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

The Licensing hearing is governed by the Licensing Act 2003 (Hearings) Regulations. These provide that hearings should be held in public unless the Licensing Authority considers that the public interest in excluding the public outweighs the public interest in the hearing taking place in public.

If a Member of the Sub-Committee has a conflict of interest on the Application being determined, they should not have any involvement in the decision making on the Application.

When considering an application to vary a Premises Licence, 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

Where relevant representations are made, the Licensing Authority must hold a hearing to consider them, unless it is agreed that a hearing is unnecessary. 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 Applicant/their Agent, and all persons who have made representations must be informed of the date, time and location of the hearing and their right to attend and be represented.

At the hearing any Interested Party who have made representations are entitled to address the Sub Committee and to ask questions of another party, with the consent of the Sub Committee.

The Sub-Committee must consider all relevant representations made in writing and orally, before taking such steps (if any) to promotion of the Licensing Objectives, when determining the Application.

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;
- Have regard to the Council's statement of Licensing Policy;
- Have 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, it is only the proposed variation that is subject to determination. Any modification of conditions should be confined to those considered appropriate in respect of the particular variation sought.

The Licensing Officer report will provide 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.

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.

### Section 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.



**Hillingdon**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[applicationsprocessingteam@hillington.gov.uk](mailto:applicationsprocessingteam@hillington.gov.uk)  
 Telephone: 01895 558170

\* required information

### Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

Yes  No

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

### Applicant Details

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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

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

### Applicant Business

Is the applicant's business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

Legal status

**Continued from previous page...**

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- An agent that is a business or organisation, including a sole trader  
 A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

**Agent Business**

Is your business registered in the UK with Companies House?  Yes  No

Note: completing the Applicant Business section is optional in this form.

Is your business registered outside the UK?  Yes  No

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

**Continued from previous page...**

Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Section 2 of 18**

**APPLICATION DETAILS**

**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.**

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

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

- Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

**Continued from previous page...**Non-domestic rateable  
value of premises (£)**Section 3 of 18****VARIATION**

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

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes  No

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 to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

**Describe Briefly The Nature Of The Proposed Variation**

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 for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

To vary the premises licence to amend a condition under Annex 2 relating to the rear garden and add a condition regarding monitoring the outside area.

The current condition was offered by Fuller's in 2005 and was not requested by a Responsible Authority or imposed at a hearing. Particularly in the current climate but also afterwards a change from 9pm to 10:30pm allows customers greater opportunity to be outside, but is still a reasonable 'cut off' in promoting the licensing objectives.

1. We therefore seek to amend the condition under Annex 2 'Prevention of Public Nuisance' to read as follows:  
• The rear garden shall cease trading at 22:30 hours (currently The rear garden shall cease trading at 21:00 hours).

2. To add the following condition:-  
Management and staff will exercise vigilance and regularly monitor customers using the rear external area.

All licensable activities, permitted hours, opening hours and other conditions to remain as existing.

**Section 4 of 18****PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes  No

**Section 5 of 18**

<i>Continued from previous page...</i>
<b>PROVISION OF FILMS</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide films be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 6 of 18</b>
<b>PROVISION OF INDOOR SPORTING EVENTS</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 7 of 18</b>
<b>PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 8 of 18</b>
<b>PROVISION OF LIVE MUSIC</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide live music be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 9 of 18</b>
<b>PROVISION OF RECORDED MUSIC</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide recorded music be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 10 of 18</b>
<b>PROVISION OF PERFORMANCES OF DANCE</b>
<a href="#">See guidance on regulated entertainment</a>
Will the schedule to provide performances of dance be subject to change if this application to vary is successful?
<input type="radio"/> Yes <input checked="" type="radio"/> No
<b>Section 11 of 18</b>
<b>PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE</b>
<a href="#">See guidance on regulated entertainment</a>

*Continued from previous page...*

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes  No

### Section 12 of 18

#### PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes  No

### Section 13 of 18

#### SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes  No

### Section 14 of 18

#### ADULT ENTERTAINMENT

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

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

None

### Section 15 of 18

#### HOURS PREMISES ARE OPEN TO THE PUBLIC

##### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

**Continued from previous page...**

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

SATURDAY

Start  End

Start  End

SUNDAY

Start  End

Start  End

State any seasonal variations.

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

No change - as existing

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

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

No change - as existing

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

None removed - one amended.

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

**Continued from previous page...**

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

Licence submitted with refused minor variation application.

### Section 16 of 18

#### LICENSING OBJECTIVES

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

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

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

Management and staff will exercise vigilance and regularly monitor customers using the rear external area.

We have considered the proposed impact of the variation and do not consider that there will be any adverse effect on the promotion of the licensing objectives. No further steps will be necessary to promote the licensing objectives and the existing measures will continue.

b) The prevention of crime and disorder

See box a) above

c) Public safety

See box a) above

d) The prevention of public nuisance

See box a) above

e) The protection of children from harm

See box a) above

### Section 17 of 18

#### NOTES ON REGULATED ENTERTAINMENT

**Continued from previous page...**

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:
  - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
  - o 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.
  - o 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.
  - o 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.
  - o 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:
  - o 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.
  - o 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.
  - o 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.

**Continued from previous page...**

- 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:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o 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;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o 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.

**Section 18 of 18****PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card. Premises' licence fees are determined by the non-domestic rateable value of the premises. To find out a premises' non-domestic rateable value, go to the Valuation Office Agency website at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm).

For full details of our fees, refer to the licensing webpage: <http://www.hillingdon.gov.uk/licensing> and follow the 'Fees for all applications' link on the right-hand side of the page.

\* Fee amount (£)

315.00

**DECLARATION**

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

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

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

\* Full name

Popleston Allen Solicitors

\* Capacity

Solicitors for and on behalf of the applicant

\* Date

17 / 12 / 2020

dd

mm

yyyy

Add another signatory

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

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

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

**IT IS AN OFFENCE, 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.**

**OFFICE USE ONLY**

Applicant reference number	<input type="text" value="VC/P15200/7166"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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

This page is intentionally left blank

**LICENSING ACT 2003**  
**Section 24**



**HILLINGDON**  
 LONDON

**PREMISES LICENCE**

Ref:

LBHIL/MAU/6269/SD

Premises Licence Number:

LBHIL 408/05

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

Signature:

Date: 29<sup>th</sup> July 2020

**Part 1 – Premises Details**

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

The White Hart  
 158 High Street

Post Town - Harlington

Postcode – UB3 5DP

Telephone number – 020 8759 9608

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 (indoors) being:-

- performance of live music
- playing recorded music

The provision of late night refreshment (indoors)

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

**The sale of alcohol by retail and provision of regulated entertainment:-**

Monday to Wednesday between 10.00 hours and 00.00 hours

Thursday to Sunday between 10.00 hours and 01.00 hours the following day

New Year's Eve from 10.00 hours until 10.00 hours on New Year's Day

**Late night refreshment:-**

Monday to Wednesday between 23.00 hours and 00.00 hours

Thursday to Sunday between 23.00 and 01.00 the following day

New Year's Eve from 10.00 hours until 10.00 hours on New Year's Day

An additional hour to the terminal time on the commencement of British Summer Time

The provision of recorded music is not time restricted

The opening hours of the premises -

Monday to Wednesday between 06:00 and 00.30 the following day

Thursday to Sunday between 06:00 and 01.30 the following day

New Year's Eve from 06:00 until 10.00 on New Year's Day

An additional hour to the terminal time on the commencement of British Summer Time

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 -

Fuller Smith & Turner plc  
Pier House  
96-93 Strand on the Green  
Chiswick  
London  
W4 3NN

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

00241882

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

Chamith Ratnayaka Mudiyanseleage  
The White Hart  
158 High Street  
Harlington  
UB3 5DP

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

- London Borough of Richmond upon Thames

## Annex 1 – Mandatory Conditions

### Mandatory Conditions

#### All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3. (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).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (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 licences 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.

6. The responsible person shall 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; and

- (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.

### **Minimum Drinks Pricing**

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.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to

the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

### **If the Premises Licence allows Exhibition of Films**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

### **If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

(a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or

(b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

(a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or

(b) in respect of premises in relation to:

(i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or

(ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

(a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and

(b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

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

#### **General**

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

#### **Prevention of public nuisance**

The rear garden shall cease trading at 21.00 hours.

The front patio shall cease trading at 23.00 hours.

The approved sound limitation equipment shall be maintained in effective working order.

#### **Protection of children from harm**

A proof of age scheme shall be in operation.

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

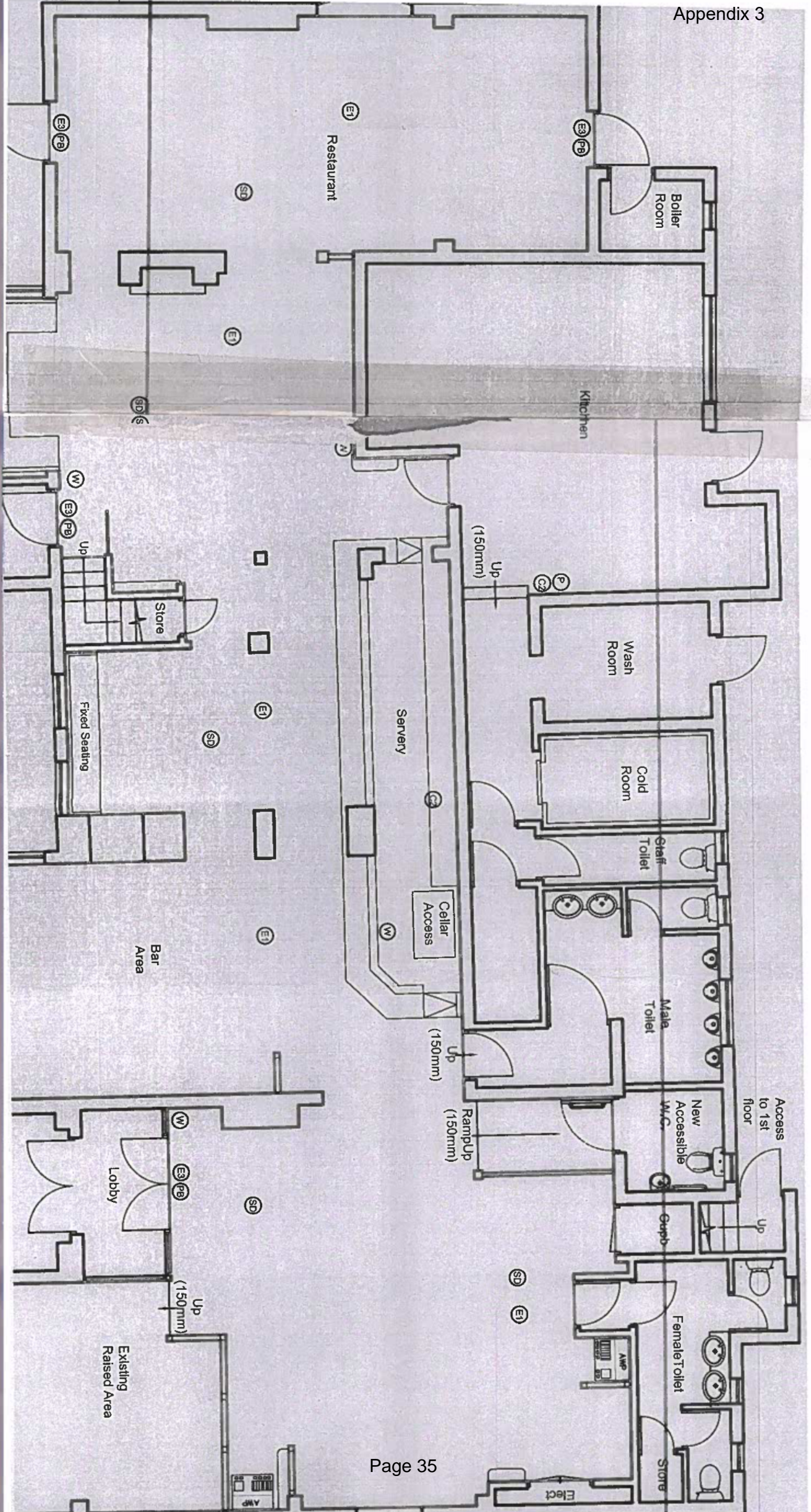
N/A

### **Annex 4 – Plans**

**Arc Design Associates drawing number 1463/L02**

**Licensing Service registered plan number 1192/09**

This page is intentionally left blank



This page is intentionally left blank

### Representation Form from Interested Parties

(Please read notes on reverse before completing)

#### Your details (See notes 2 & 3):

Your Name	Mr Steven Kennedy
Your residential address	162 High Street Harlington Hayes UB3 5DP
Your email address	
Your phone number	
The name of the body or organisation you represent	Owner of neighbouring property

#### About the premises;

Name of the premises you are making a representation about	White Hart Pub
Address of the premises you are making a representation about	158 High Street Harlington Hayes Middlesex

#### The Licensing Objectives (See note 4):

Licensing Objective	Reasons for your representation and any supporting evidence
Please tick;	
<input type="checkbox"/> Prevention of Crime/Disorder	
<input checked="" type="checkbox"/> Prevention of Public Nuisance	The current opening times for use of the rear garden and closing at 21.00PM was established after constant mismanagement of the garden some years ago. Many complaints were made to the various landlords that have been in charge of the pub over the last 26 years. The garden changed use from a landlord's private garden to one that would be used by clients around 20 years ago (without consultation). This garden was then extremely large and engulfed the entire side and length of our property and Public Nuisance was experienced from the pub front and rear garden. We wanted to be reasonable neighbours and after discussions with Fullers area manager a compromised time of 21.00pm was agreed between us. Fullers did not have a Policy on dealing with neighbours issues then and I doubt they have one now.
<input type="checkbox"/> Protection of Children From Harm	We do use and enjoy visiting the pub and the current landlord is a decent person but in our experience it is very difficult to manage noise levels, of large groups of people, in particular in the summer when we get nice days and evenings.
<input type="checkbox"/> Public Safety	We have cooperated with the pub on several occasions over the years by agreeing to live bands and larger events. We don't even mind exceeding of the 21.00pm time limit if it's a quiet couple of people but this has been abused in the past by previous landlords. We can tolerate the current use but any extension would be unreasonable and unbearable, obviously in normal times we also have airport noise and High Street traffic.

Formatted: Font: 10 pt

Formatted: Font: 10 pt

Formatted: Font: 10 pt

Formatted: Font: 10 pt

Formatted: Font: 10 pt

Formatted: Font: 10 pt

Formatted: Font: 10 pt

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

Keep the licence as it is.
----------------------------

Signed:

Date: .....20/12/2020

## Notes:

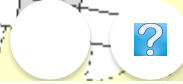
- 1) All representations must be submitted before the conclusion of the 28 day consultation period. This will be advertised on the public notices and also on the Councils website.
- 2) Persons who may make representation include: persons who reside near to the premises to which the application relates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

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

[licensing@hillingdon.gov.uk](mailto:licensing@hillingdon.gov.uk)

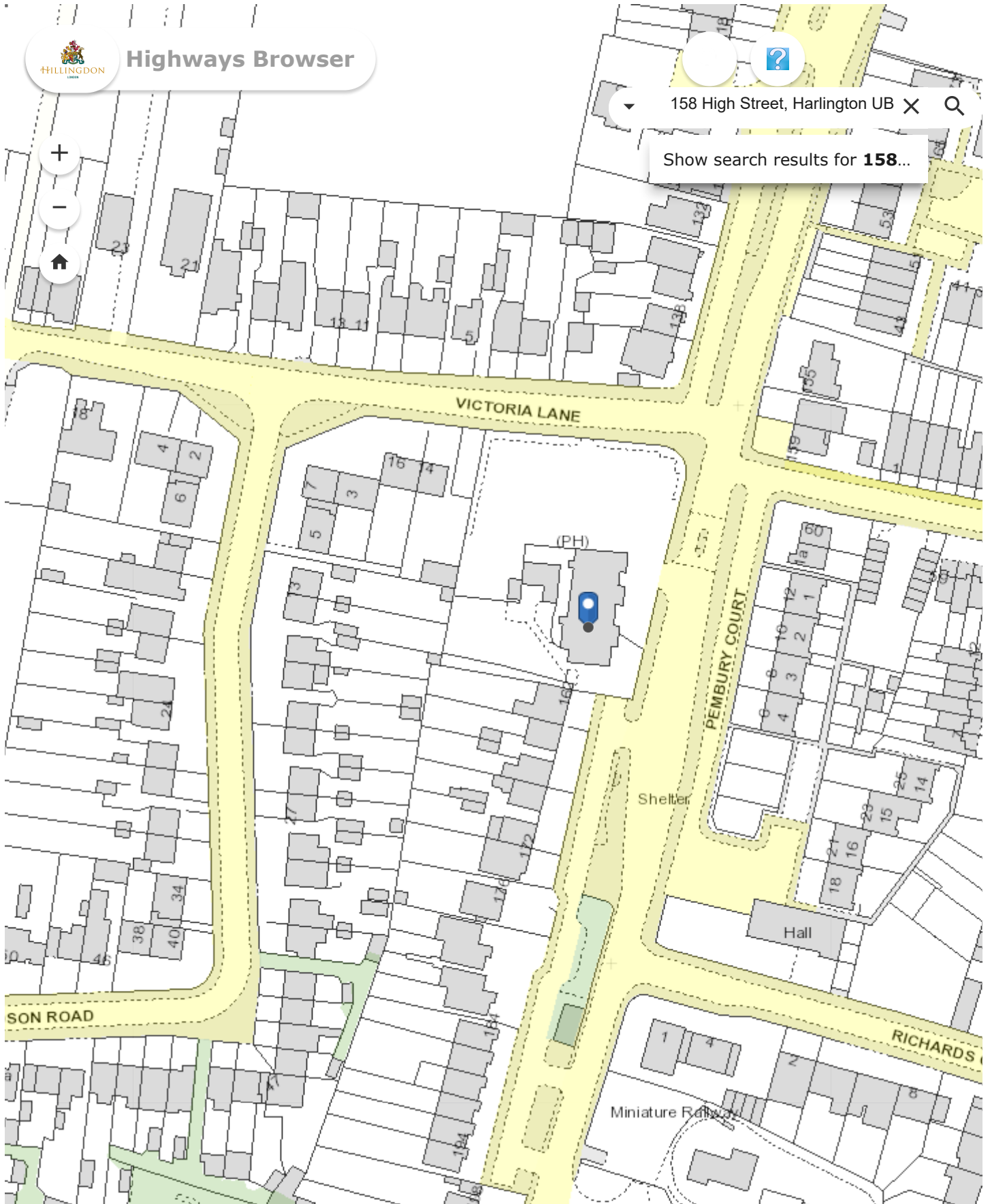


# Highways Browser



158 High Street, Harlington UB X

Show search results for **158...**



508768 177911 Meters



This page is intentionally left blank



Appendix 6









This page is intentionally left blank

**From:** Adam Stitson <AStitson@Hillingdon.Gov.UK>  
**Sent:** Wednesday, January 13, 2021 9:09 AM  
**To:** Nathan Welch <NWelch@Hillingdon.Gov.UK>; licensing <licensing@hillington.gov.uk>  
**Subject:** Re: Vary Premises Licence - White Hart, Harlington

All, below is the most recent report received regarding these premises. It dates from 2018 and the landlord of the pub was spoken with about an alleged car rally that took place there.

Nothing since then.

ID	6962921
Description	(ASBIANTI) ASBIT Community and Neighbourhood Nuisance
Type	Service Request
Assigned To	NDang
Product	ASBIT Community and Neighbourhood Nuisance
Status	Closed
Priority	Within 10 days
Source	
Tags	
Tracking Code	
Recall	
Reminder	<input type="checkbox"/>

---

#### Details

Ticket Time	
Session Start Time	
Caller Type	General Public
Source	Telephone
Reference ID	
Date Received	
Account Type	
Security Level	
DPA Status	

---

#### Resolution Codes

Resolution 1	Contact Centre
Resolution 2	
Resolution 3	
Resolution 4	

---

## Customer Information

ID 281808  
 Customer White Hart High Street Harlington UB3 5DP

---

## Contact Information

Contact:  
 Phone:  
 Fax:  
 Company:  
 Title:  
 Dept:  
 Email:  
 Address:  
 134 High Street  
 Hayes  
 Middlesex  
 UB3 5DW

---

## Notes

\*\*\*\* Entered By: ZSagadhi @ 2018-09-27 14:23:17 \*\*\*\*

\*\*\*\* Entered By: ZSagadhi @ 2018-09-27 14:31:11 \*\*\*\*

Caller states that the white hart pub located a few doors down from a property has a "car rally" last Wednesday of every month. Yesterday there was a car that crashed into a GP surgery's wall and caused significant damage - the car subsequently sped off and the reporter states he sped down the road "like a bat out of hell". Reporter is worried as people are coming out of the pub and racing around the local area. She is scared someone will get "hurt or killed" and wants action or she will go to the chief executive and local paper if nothing is done. She has requested a call back on Tel: from an ASBET officer. Reporter states that the pub has been "approved by the council to let them organise this monthly car race". Reporter has made the police aware of this incident and they have advised her to contact LBH.

\*\*\*\* Entered By: NDang @ 2018-10-02 12:49:09 \*\*\*\*

Spoke to the manager who states the landlord has spoken with the organisers and has asked them to stop parking on the pubs grounds. The landlord is aware and does not want this to effect his license.

I have called reporter however there was no answer

Will close job as police are aware and will monitor the situation

NFA

---

\* All date and time values are in Universal Coordinated Time (UTC).

---

From the File menu, select Send and Page By Email to send this information.