

## Minutes

### LICENSING SUB-COMMITTEE

17 September 2021

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



	<p><b>Committee Members Present:</b> Councillors Simon Arnold (Chairman) Darran Davies Janet Gardner</p> <p><b>LBH Officers Present:</b> Lois King, Licensing Officer Chantelle McLeod, Legal Officer Steve Clarke, Democratic Services Officer</p> <p><b>Also Present:</b> Mr Harpreet Singh Bhatia, the Licence Holder Mr Moeen Singh, Operating Manager of the Premises Mr Leo Charalambides, the Licence Holder's Representative</p>
26.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
27.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
28.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were marked Part I and would be considered in public.</p>
29.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
30.	<p><b>APPLICATION FOR THE VARIATION OF A PREMISES LICENCE: TRIMEX FOOD &amp; WINE, HIGH STREET, HARLINGTON, UB3 5DU</b> (<i>Agenda Item 5</i>)</p> <p><b>INTRODUCTION</b></p> <p>Lois King, Licensing Officer, introduced the contested application for the variation of a Premises Licence in respect of Trimex Food and Wine, 296 High Street, Harlington, UB3 5DU.</p>

Members were informed that the application sought to increase the times at which the sale of alcohol was permissible by three hours daily with the proposed hours for the sale of alcohol being 0600 hours to 0200 hours Monday to Sunday. The current licence permitted the sale of alcohol from 0600 hours to 2300 hours Monday to Sunday. The Licensing Officer highlighted the reasons for which the Licence Holder had applied for the extended hours in that, given the premises' proximity to Heathrow Airport and associated hotels, the extended hours would be beneficial to them.

The Sub-Committee were informed that one representation had been received regarding a potential increase in public nuisance from Councillor Peter Money, Ward Councillor for Heathrow Villages, on behalf of the Harlington Residents' Association. It was highlighted that no representations had been received from the Metropolitan Police, the Council's Anti-Social Behaviour and Environment Team or any Responsible Authorities. It was understood that the Licence Holder had spoken with Councillor Money about the proposed hours, however the Residents' Association wished to maintain their representation.

The Licensing Officer recommended that the Sub-Committee grant the variation with appropriate conditions to uphold the licensing objectives as detailed in their report.

### **THE APPLICANT**

The Licence Holder's Legal Representative, Mr Leo Charlambides of Counsel, addressed the Sub-Committee and highlighted the fact that although all relevant responsible authorities were consulted with, none had submitted representations or raised any concerns with the application to vary the premises licence. This was important as they were deemed to be experts in their respective fields. Regarding visits to the premises undertaken by the licensing authority, it was noted that visits in September 2019 and August 2021 had found no issues or reasons for concern.

With regard to the representation received from the Ward Councillor, on behalf of the Residents' Association, the difference between hard evidence and unsubstantiated concerns was noted, with the representation deemed to be more of an unsubstantiated concern based on unfounded fears. The Ward Councillor's representation noted additional concerns regarding a potential nuisance to the occupiers in the apartments above the shop; it was highlighted that the apartments were owned by the licence holder and no complaints had been received from the occupiers with regard to the business activities of the premises below.

Members' attention was drawn to the operating schedule outlined on pages 22 and 23 of the agenda, this was highlighted as a demonstration of the Licence Holder operating a responsible business premises. The lack of representations from responsible authorities indicated that the current operating schedule was seen as up to standard.

Members questioned how the Licence Holder would ensure that customers would not hang around outside the shop drinking. The Sub-Committee were informed that the premises had a rota of four core staff members, two of which would be on the premises at all times; the outside area was also well lit and covered by CCTV. As the business did not want people loitering outside of the premises, particularly late at night, there were two clearly visible posters in place informing customers that alcohol consumption was not allowed in the surrounding vicinity of the shop. An image of the posters was then circulated to all present at the hearing.

It was highlighted that, should the application be granted, the shop would be open later

than the nearby pub and patrons may well come to the shop to purchase more alcohol. The Licence Holder's Representative noted that, if the presence of people loitering outside became a problem, the premises would look into having an individual monitor the shop door at certain hours.

## **INTERESTED PARTIES**

In the absence of the Ward Councillor who had submitted representations objecting to the application, the Democratic Services Officer read aloud the representation for the Sub-Committee's consideration.

## **DISCUSSION**

By way of clarification, it was noted that the four dedicated core members of staff could be supplemented by additional family members who could assist in the day to day running of the shop should it be required. It was also confirmed that no female members of staff would work alone late at night. Further questions were asked regarding the capacity of four members of staff in running the shop from 0600 hours to 0200 hours seven days a week and expected footfall during later hours, it was highlighted that issues such as staffing and demand were commercial factors and not within the Sub-Committee's remit to scrutinise.

## **CLOSING REMARKS**

There were no further submissions or remarks from any of the parties present.

## **THE DECISION**

The decision of the Sub-Committee was to GRANT the application to vary the premises licence until 0100 hours as opposed to 0200 hours subject to the following conditions:

- 1) The Licence Holder shall ensure that the following licence conditions are fully complied with.

### **Prevention of crime and disorder**

- 2) The premises shall be protected by a CCTV system with a minimum of two cameras. A camera should be positioned to capture all persons entering or leaving the store. Another camera should be positioned to capture transactions at the counter. Additional cameras must be considered where necessary.
- 3) Any CCTV recordings must be retained for a minimum of 30 days and comply with the guidelines laid out in the Data Protection Act 1998 and Human Rights Act 1998.
- 4) Small, high value non-food items, Champagne and wines of a similar value and spirits should be displayed behind the counter.
- 5) The premises should be staffed by a minimum of two persons after 1800 hours.

## **Public Safety**

- 6) Staff shall be trained in evacuation procedures.
- 7) The installed audible alarm system shall be maintained in effective working order.

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

- 8) A proof of age scheme must be in operation.

#### **REASONS**

The Sub-Committee carefully considered the representations from the applicant, noting the representation of the ward councillor on behalf of the residents' association and the closing times of other licenced premises within the local vicinity. As such, it was felt that a closing time of 0100 hours was more appropriate to uphold the licensing objectives.

#### **RIGHT OF APPEAL**

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

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

The meeting, which commenced at 10.00 am, closed at 10.53 am.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Steve Clarke - [sclarke2@hillington.gov.uk](mailto:sclarke2@hillington.gov.uk) - on 01895 250636. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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