



HILLINGDON
LONDON



Licensing Sub-Committee

Date: FRIDAY, 17 SEPTEMBER 2021

Time: 10.00 AM

Venue: COMMITTEE ROOM 5 - CIVIC CENTRE, HIGH STREET, UXBRIDGE

Meeting Details: Members of the Public and Media are welcome to attend. This meeting may also be broadcast live. You can view the agenda at www.hillingdon.gov.uk or use a smart phone camera and scan the code below:



Cabinet Member hearing the petition(s):

Councillor Simon Arnold (Chairman)

Councillor Janet Gardner

Councillor Darran Davies

IMPORTANT INFORMATION

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

Wednesday 15 September 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: 02 September 2021

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Putting our residents first

Lloyd White
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London Borough of Hillingdon,
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Travel and parking

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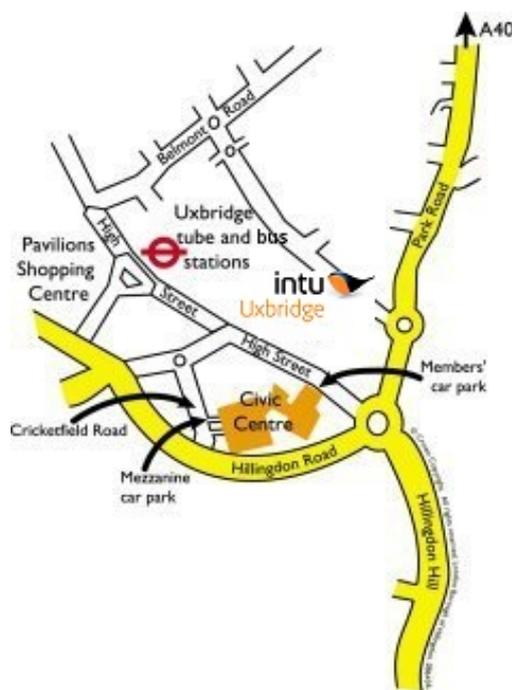
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Agenda

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	Ward	Pages
5	Application for the variation of a Premises Licence: Trimex Food & Wine, High Street, Harlington, UB3 5DU	Heathrow Villages	3 - 37

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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: Trimex Food & Wine

Committee	Licensing Sub-Committee
Officer Contact	Lois King - Principal Licensing Officer
Papers with report	Appendix 1 - Application to Vary a Premises Licence Appendix 2 - Current Premises Licence Appendix 3 - Representation from Interested Party Appendix 4 - Map of the area Appendix 5 - Photos
Ward name	Heathrow Villages

1.0 SUMMARY

To consider an application for a variation of a premises licence in respect of Trimex Food & Wine, 296, High Street, Harlington, UB3 5DU, with one representation received from an Interested Party.

2.0 RECOMMENDATION

The Licensing Sub Committee grant the application as applied for, and to attach appropriate conditions.

The Operating Schedule (Section 16) of the application (see **Appendix 1**) demonstrates the steps the applicant proposes to take in order to promote the Licensing Objectives.

3.0 APPLICATION

The application to vary the existing premises licence has been submitted by Personal Licence Courses UK, on behalf of the premises licence Holder – Mr Harpreet Singh Bhatia. A copy of the Application is attached as **Appendix 1**.

The application seeks to increase the times for the sale of alcohol by three hours, until 02:00 hours Monday to Sunday. The current licence permits the sale of alcohol until 23:00 hours.

3.1 Type of application applied for

Variation of Premises Licence.

3.2 Description of the premises

The premises is a convenience store and off licence situated in a small parade of shops. There are residential properties opposite the shop and flats above it. There is a pub, a betting shop, a cafe and a takeaway food premises in the same parade. There is an additional convenience store, takeaway food premises and a restaurant in an adjacent parade of shops. The shop sells groceries and confectionery products.

The current premises licence is attached as **Appendix 2**.

3.3 Licensable Activities Hours

	Current hours for the Sale of Alcohol	Proposed hours for the Sale of Alcohol
Monday	06:00 – 23:00	06:00 - 02:00
Tuesday	06:00 - 23:00	06:00 - 02:00
Wednesday	06:00 - 23:00	06:00 - 02:00
Thursday	06:00 - 23:00	06:00 - 02:00
Friday	06:00 - 23:00	06:00 - 02:00
Saturday	06:00 - 23:00	06:00 - 02:00
Sunday	06:00 - 23:00	06:00 - 02:00

4.0 **CONSULTATION**

4.1 Closing date for representations

23 August 2021

4.2 Public Notice published in local newspaper

04 August 2021 – Uxbridge Gazette

5.0 **REPRESENTATIONS**

5.1 One representation has been received.

Name and Address	Grounds for Representation	Appendix
Cllr Peter Money submitted on behalf of Sue Whitaker (Chair of Harlington Residents Association)	Prevention of Public Nuisance Prevention of Crime and Disorder	Appendix 3

6.0 **BACKGROUND INFORMATION**

6.1 Premises Licence Holder

The Premises Licence Holder is Mr Harpreet Singh Bhatia.

6.2 Designated Premises Supervisor

The Designated Premises Supervisor is Mr Harpreet Singh Bhatia. Mr Harpreet Singh Bhatia holds Personal Licence H03067 with the London Borough of Hounslow.

6.3 Members Enquiries

In September 2019, a Members Enquiry was received by the Licensing Department in relation to Trimex Food & Wine raising concerns that it was “*a congregating area for noisy people late at night drinking and behaving in an anti-social manner.*”

Officers from the Licensing Team visited the premises on the evening of Friday 04 October 2019. At the time of the visit no anti-social behaviour was witnessed around the premises. A compliance check revealed that all conditions were being complied with and the Licensing Objectives were being upheld.

No further Members Enquiries have been received in relation to this premises by the Licensing Team.

6.4 A map of the area is attached as **Appendix 4**.

6.5 Other relevant licensed premises nearby:

Premises	Authorised Activities	Authorised Timings
The Wheatsheaf, 286 High Street, Harlington	Provision of Regulated Entertainment (indoors only) for live music, recorded music and anything of a similar description Sale by retail of alcohol (on & off supplies)	Live music: 12:00 – 23:00 hours daily Recorded music: Monday to Saturday 10:00 – 00:00 hours except when the sale of alcohol is extended as in c) below, then to 01:00 hours the following day. On Sunday from 12.00 until 00.00 hours, except when the sale of alcohol is extended as below, then to 01.00 hours the following day. Sale of alcohol: 10.00 until 00.00 hours New Year’s Eve from 10.00 until 00.30 hours on 2 nd January In addition to the hours detailed above: From 10.00 until 01.00 hours the following day on the following days/dates: -

		<p>Friday, Saturday and Monday on Bank Holiday weekends</p> <p>25th January (Burns Night) 1st March (St David's Day) 17th March (St Patrick's Day) 23rd April (St George's Day) 30th November (St Andrew's Day) 24th December (Christmas Eve) 26th December (Boxing Day)</p> <p>On 12 occasions per calendar year, subject to providing the Licensing Service, the Council's Environmental Protection Unit and the Metropolitan Police Service 10 working days' notice, and then only on receiving a subsequent 'CONSENT' from the Council's Licensing Service, in respect of this agreement to the specified day and/or times applied for.</p>
<p>Harlington Tandoori, 316 – 318 High Street, Harlington</p>	<p>Sale by retail of alcohol (on & off supplies)</p> <p>Provision of recorded music (indoors only)</p> <p>Provision of live music (indoors only)</p> <p>Provision of late-night refreshment</p>	<p>Sale of alcohol:</p> <p>Monday to Saturday 10:00 until 00:00 hours Sunday 12:00 until 00:00 hours</p> <p>Non-standard timings: Authorised activities shall be extended by 2 hours on Christmas Eve, New Year's Eve, New Year's Day, Diwali, Easter Sunday, Eid and St Patricks Day</p> <p>Provision or Recorded Music and Provision of Live Music Monday to Saturday 10:00 until 00:00 hours Sunday 12:00 until 00:00 hours</p> <p>Non-standard timings: Authorised activities shall be extended by 2 hours on Christmas Eve, New Year's Eve, New Year's Day, Diwali, Easter Sunday, Eid and St Patricks Day</p> <p>Late night refreshment</p> <p>From 23:00 until 00:00 hours</p>

7.0 OFFICER'S OBSERVATIONS

7.1 Officer Visit

On 13 August 2021 at 19:19 hours, Licensing Officers visited the premises in order to check compliance with conditions attached to the Premises Licence, the promotion of the Licensing Objectives and to make observations in relation to the variation application. They met with the manager. There were no breaches detected and there were no adverse issues found which required any further follow up.

7.2 Photos of the premises are attached as **Appendix 5**.

7.3 Mediation

The Applicant's agent advised verbally that they would be contacting the Harlington Residents Association in order to discuss their concerns and advise on the steps that would be taken by the premises. However, it is not known whether this took place.

The agent advised verbally that the additional steps to be taken by the premises included:

- (a) Signage
- (b) Additional staff at the premises from 22:00 – 02:00 hours
- (c) Staff asking people congregating outside the premises to leave

7.3 Representations

The representation from the Harlington Residents Association, via Cllr Money, refers to concerns that the new hours will exacerbate an existing issue that the premises has with persons drinking and congregating outside, therefore undermining the Prevention of Crime and Disorder and the Prevention of Public Nuisance licensing objectives. The area is in close proximity to Heathrow Airport and as such residents feel that it has the potential to attract people outside of usual hours anyway without the addition of a premises selling alcohol until 02:00 hours. The residents feel that there would be a detrimental impact from the variation on those persons occupying the flats above the premises, the flats opposite the premises in Providence Court, in addition to those who reside in houses on Providence Lane and the High Street.

8.0 Relevant sections of S.182 Guidance

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

At paragraph 9.42 it states that "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 it states that "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 it states that "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 10.2 it states, "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."

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".

Imposed Conditions

At paragraph 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.

Hours of Trading

At paragraph 10.13 it states "The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement.

Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application"

At paragraph 10.14 it states "Where there are objections to an application to extend the hours during which licensable activities are to be carried on and the licensing authority determines that this would undermine the licensing objectives, it may reject the application or grant it with appropriate conditions and/or different hours from those requested".

At paragraph 10.15 it states "Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours".

Licensing Hours

At paragraph 14.51 it states "With regard to licensing hours, the Government acknowledges that different licensing approaches may be appropriate for the promotion of the licensing objectives in different areas.

The 2003 Act gives the licensing authority power to make decisions regarding licensed opening hours as part of the implementation of its licensing policy statement and licensing authorities are best placed to make such decisions based on their local knowledge and in consultation with other responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application".

At paragraph 14.52 it states "Statements of licensing policy should set out the licensing authority's approach regarding licensed opening hours and the strategy it considers appropriate for the promotion of the licensing objectives in its area.

The statement of licensing policy should emphasise the consideration which will be given to the individual merits of an application. The Government recognises that licensed premises

make an important contribution to our local communities and has given councils a range of tools to effectively manage the different pressures that licensed premises can bring. In determining appropriate strategies around licensed opening hours, licensing authorities cannot seek to restrict the activities of licensed premises where it is not appropriate for the promotion of the licensing objectives to do so".

The need for licensed premises

At paragraph 14.19 it states "There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy".

9.0 Relevant sections of the Licensing Policy

Licensing Objectives - The Prevention of Crime and Disorder

At paragraph 10.3 it states "Where a number of premises may be in close proximity it may be difficult to attribute the disorder to patrons of particular premises, however there is a duty on Premises Licence Holders or Club Management Committees to act responsibly to ensure their own customers do not contribute to crime and disorder whilst in their premises and in the vicinity of their premises".

At paragraph 10.4 it states "When addressing crime and disorder, the applicant should identify any particular issues that are likely to affect adversely the promotion of the crime and disorder objective. They should then include in the operating schedule how they will deal with those matters".

At paragraph 10.6 it states "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".

Licensing Objectives - The Prevention of Public Nuisance

At paragraph 12.1 it states "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. This may also include patrons outside a premises and the dispersal of customers. 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 12.6 it states, "If relevant representations are received from a Responsible Authority, Elected Members or interested parties, the application will be determined by a Licensing Sub-Committee".

At paragraph 12.7 it states “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”.

Licensing Objectives – The Protection of Children from Harm

At paragraph 13.5 it states “It is recognised that the Mandatory Conditions attached to premises licences where alcohol is sold/supplied must have in place an age verification scheme. The Licensing Authority would normally expect this scheme to include a challenge for photo identification to all persons who appear to be under the age of 25 years i.e. Challenge 25”.

At paragraph 13.7 it states “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 Protection of Children from Harm objective”.

At paragraph 13.11 it states “The Licensing Authority will expect that each operator dealing in the sale and supply of alcohol implements a proof of age policy in line with the Mandatory Licence conditions. The Authority expects premises licence holders to ensure that their staff are adequately trained and in every case where there is any doubt as to whether the customer is aged eighteen or over: ‘No ID-No sale’”.

Licensing Hours

At Paragraph 25.1 it states that "Prior to the introduction of the Licensing Act 2003, it was believed that fixed and artificially early closing times (established under the Licensing Act 1964) were one of the key causes of rapid binge drinking prior to closing times and one of the causes of disorder and disturbance when large number of customers were required to leave the premises simultaneously".

At Paragraph 25.2 it states that "The aim through promotion of the licensing objectives should be to reduce the potential for concentrations and achieve a slower dispersal of people from licensed premises through flexible opening times".

At Paragraph 25.3 it states that "Arbitrary restrictions that would undermine the principle of flexibility will therefore be avoided. The four licensing objectives will be paramount at all times and the Council will always consider the individual merits of each case".

At Paragraph 25.4 it states that "In accordance with guidance there is no fixed restriction on terminal hours for any particular areas of the borough. Such a restriction could cause the migration of patrons from one area to another and create the circumstances that the legislation is attempting to avoid. Each application will be dealt with on its merits. It is for the applicants to detail in their Operating Schedule exactly what times they intend to open and close the premises and what measures they will take to ensure that they do not cause nuisance or disturbance to their neighbours in the vicinity. The later the terminal hour applied for, the greater will be the need to address the issues of disturbance and nuisance".

At Paragraph 25.5 it states that "Shops, stores and supermarkets licensed to sell alcohol will normally be allowed to do so for the full duration of their trading hours. Restrictions may be

applied, for example where representations are made indicating the particular premises or patrons of the premises are linked to disorder and or disturbance".

Licence Conditions

At Paragraph 20.1 it states that "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 20.3 it states that "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 20.4 it states that "*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 premise 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

Members should note that each objective is of equal importance.

The Sub-Committee must ensure that all licensing decisions:

- Have a direct relationship 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
- Must not be subject to a blanket policy to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded.

The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and Responsible Authorities. This will be decided on a case to case basis. Following a hearing, the Sub-Committee must consider all relevant representations, and having taken into account the promotion of the licensing objectives, a decision can be taken to:-

- To grant the variation to the Premise Licence;
- To modify the Conditions of the Premises Licence – this includes altering or omitting any existing Conditions or adding any new Conditions;
- Rejection of the whole or part of the Application for Variation.

Conditions will not be necessary if they duplicate a current statutory requirement. The Licensing Authority may therefore only impose such conditions that are necessary to promote the Licensing Objectives arising out of the consideration of the representations.

If the Sub-Committee determines that it is necessary to modify the Conditions, or to refuse the whole/part of the Application for the Variation of the Premises License application, it must give reasons for its decision.

The Council, in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary section 149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to-

- eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;
- advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- foster good relations between persons who share a relevant protected characteristics and persons who do not share it.

Section 149 (7) of the Equality Act 2010 defines the relevant protected characteristics as age, disability, gender reassignment, race, sexual orientation, marriage and civil partnership, pregnancy and maternity, religion belief.

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

The Applicant, Interested Parties, and any Responsible Authorities and have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the Applicant was notified by the Licensing Authority of the decision to be appealed against.

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Hillingdon
Application to vary a premises licence
Licensing Act 2003

For help contact
licensing@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

You must enter a valid e-mail address

* 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.

Continued from previous page...

Address

* 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

Other telephone number

Include country code.

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.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Section 2 of 18

APPLICATION DETAILS

Continued from previous page...

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

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 Page 17

Continued from previous page...

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.

Proposed variation as follows:

Current Sale of alcohol by Retail Hours: Monday - Sunday: 06:00 - 23:00

Proposed extension of hours: Monday - Sunday: 06:00 - 02:00

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

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

Section 9 of 18

Continued from previous page...

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

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

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

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.

Continued from previous page...

WEDNESDAY

Start 06:00

End 02:00

Start

End

THURSDAY

Start 06:00

End 02:00

Start

End

FRIDAY

Start 06:00

End 02:00

Start

End

SATURDAY

Start 06:00

End 02:00

Start

End

SUNDAY

Start 06:00

End 02:00

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

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

None

Non-standard timings. Where the premises will be used for the supply of alcohol 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.

None

Continued from previous page...

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

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.

Continued from previous page...

None

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.

None

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

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

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

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.

1. Strict implementation of challenge 25 policy
2. CCTV to be installed and 31 days recoding system
3. All staff to be trained in responsible alcohol retailing

b) The prevention of crime and disorder

1. The premises shall install and maintain a comprehensive CCTV system which records 24 hours a day. All CCTV recordings shall be stored for a minimum period of 31 days and all recordings will be stamped with the correct date and time. Viewing of recordings shall be made available, subject to Data Protection legislation, immediately upon the request of Police or an authorised council officer.

2. That licensing activities are only carried out at the premises at times when the CCTV system is fully operational

Continued from previous page...

3. A staff member from the premises who is conversant with the operation of the CCTV system shall always be on the premises when the premises are open. This staff member must be able to provide a police or authorised council officer copies of recent CCTV images or data with the minimum of delay when requested.
4. An incident logbook will be maintained by the premises that details incidents of note that occur in the premises. This shall include refused sales, disorder, and ejections as a minimum. The logbook shall always be kept on the premises, for a minimum of 1 year from each entry, and be available for inspection, at all times the premises is open. Management shall regularly check the book to ensure all staff are using it.
5. All staff responsible for selling alcohol shall receive regular training in the Licensing Act 2003. Written records of this training shall be retained and made available for inspection to Police or Council Officers on request.
6. All alcohol shall be purchased from AWRS registered cash & carry and wholesalers.
7. Incident book shall be available on premises, shall be updated as and when needed.
8. All staff will have right to work in uk documents checked before being offered employment.

c) Public safety

1. Installation of appropriate safety equipment
2. Fire exit signs displayed
3. To comply with all current, fire, health and safety laws
4. CCTV working at all times

d) The prevention of public nuisance

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV

e) The protection of children from harm

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.
3. An refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to an Licensing Officer, Police or other responsible authority.
4. A challenge 25 proof of age scheme shall operate at the premises. Signage shall be displayed advising customers that the scheme is in place. All staff authorised to sell alcohol will be trained in the Challenge 25 scheme and this training will be documented to include the date the training was given, the name of the person who gave the training, the person who received the training and signatures by both trainer and trainee

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. 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 (£)

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

* Capacity

* Date / /
dd mm yyyy

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"/>
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 >](#)

LICENSING ACT 2003**Section 24**

HILLINGDON
LONDON

PREMISES LICENCE

Ref:

SG/173/LBH

Premises Licence Number:

LHIL 630/06

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: 4th December 2011**Part 1 – Premises Details**

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

Trimex Food and Wine
296 High Street

Post Town - Harlington

Postcode – UB3 5DU

Telephone number –

Where the licence is time limited, the dates -

N/A

Licensable activities authorised by the licence -

The sale of alcohol by retail

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

Between 06.00 hours and 23.00 hours each day

The opening hours of the premises -

Between 06.00 hours and 23.00 hours each day

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

OFF SUPPLIES ONLY

Part 2

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

Harpreet Singh Bhatia
296-298 High Street
Harlington
UB3 5DU

Registered number of holder, for example company number, charity number (where applicable) –
N/a 07985707

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

Harpreet Singh Bhatia,
40 Bulstrode Gardens
Hounslow
TW3 3AJ

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

H03067 – London Borough of Hounslow

Annex 1 – Mandatory Conditions

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 premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) 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 a holographic mark.

Annex 2– Conditions consistent with the operating Schedule

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 18.00 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 shall be in operation.

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

N/a

Annex 4 – Plans

Licensing Service registered no. 1178/08

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Representation Form from Interested Parties

(Please read notes on reverse before completing)

Your details (See notes 2 & 3);

Your Name	Peter Money on behalf of Sue Whitaker (chair of harlington residents association)
Your residential address	
Your email address	
Your phone number	
The name of the body or organisation you represent	Harlington Residents association

About the premises;

Name of the premises you are making a representation about	Trimex Food and Wine
Address of the premises you are making a representation about	296 High Street Harlington, UB35DU

The Licensing Objectives (See note 4);

Licensing Objective	Reasons for your representation and any supporting evidence
<p><i>Please tick;</i></p> <p><input type="checkbox"/> Prevention of Crime/Disorder</p> <p><input type="checkbox"/> Prevention of Public Nuisance</p> <p><input type="checkbox"/> Protection of Children From Harm</p> <p><input type="checkbox"/> Public Safety</p>	<p>Prevention of public nuisance & prevention of crime/ disorder</p>

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

<p>To not extend the Hours.</p>
--

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 ie. 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

Tel - 01895 277433

www.hillingdon.gov.uk/licensing

From: [Cllr Peter Money](#)
To: [Lois King](#)
Cc: [Cllr June Nelson](#); [Cllr Ali Milani](#)
Subject: Fwd: New premises licence application - Licensing Act 2003
Date: 23 August 2021 16:22:52

Hi

Please see below from the chair of the residents association.

The residents feel that this will be detrimental to the local residents. Trimex sits above 2 storeys of flats as well as houses on the Highstreet, flats opposite on Providence court and houses on providence lane.

There will be no benefit to the local area to extend the hours. As we are close to Heathrow Airport we do have the potential to attract many persons out of usual hours in any case.

Resident also mentioned that this place already attracts a lot of persons drinking and congregating directly outside of the shop and that this would exacerbate the situation.

regards

Peter

Begin forwarded message:

From:
Subject: Re: Fwd: New premises licence application - Licensing Act 2003
Date: 10 August 2021 at 14:08:07 BST
To: Cllr Peter Money

Cc: Cllr June Nelson , Cllr Ali Milani

Reply-To:

Good afternoon Peter

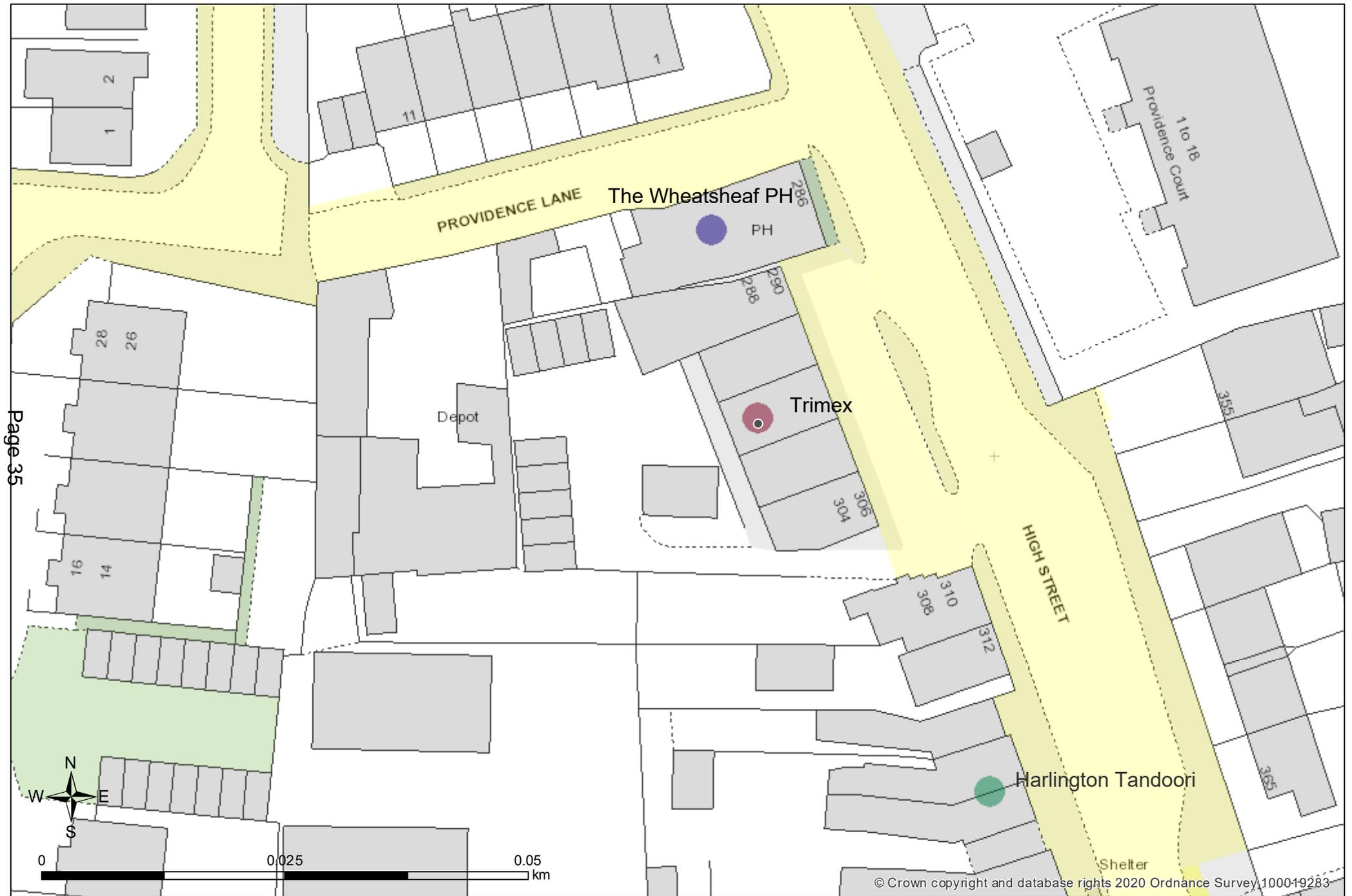
Its one of the shops along the high street isnt it my only comment would be I dont think we would want people outside the shop drinking at that time of the morning.

Personally 2am is way too late I feel, Providence Court opposite and the long suffering Providence Lane residents are both very near the shop. I dont know there present opening hours but I think thats too late in my humble opinion.

Kind regards

Sue Whitaker

Sent from AOL Mobile Mail



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