



HILLINGDON  
LONDON



# NOTICE OF HEARING

## Licensing Sub-Committee

**Date:** TUESDAY, 7 DECEMBER 2021

**Time:** 10.00 AM

**Venue:** VIRTUAL - LIVE ON THE COUNCIL'S YOUTUBE CHANNEL: HILLINGDON LONDON

**Meeting Details:** Members of the Public and Media are welcome to view the live broadcast.

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:

Alan Chapman (Chairman)

Colleen Sullivan

John Morse

### IMPORTANT INFORMATION

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

**Friday 03 December 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:** Monday, 22 November 2021

**Contact:** Democratic Services - 01895 250636 or 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>Page</b>
<b>5</b>	Application for a grant of a Premises Licence: Tokyo Fizz (Pink Hospitality Limited), 109 High Street, Ruislip, HA4 8JN	West Ruislip	10AM	3 - 40

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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 a grant of a Premises Licence: Tokyo Fizz (Pink Hospitality Limited), 109 High Street, Ruislip, HA4 8JN

<b>Committee</b>	Licensing Sub-Committee
<b>Officer Contact</b>	Steven Dormer, Licensing Officer 01895 277409
<b>Papers with report</b>	<b>Appendix 1</b> - Application Form <b>Appendix 2</b> - Officer recommendation <b>Appendix 3</b> - Representation <b>Appendix 4</b> – Map of the area <b>Appendix 5</b> – Photos of the premises
<b>Ward name</b>	West Ruislip

### 1.0 SUMMARY

To determine an application for a Premises Licence in respect of Tokyo Fizz (Pink Hospitality Limited) 109, High Street Ruislip, HA4 8JN. A copy of the application is included as **Appendix 1**.

### 2.0 RECOMMENDATION

See **Appendix 2**.

### 3.0 APPLICATION

The application for a premises licence has been applied for by Fiona Blackwell via Richard Morgan of Brick Mortar Solicitors.

The application is for the sale of alcohol between the hours of 1400 and 0000.

#### 3.1 Type of application applied for:

New Premises Licence.

#### 3.2 Proposed Designated Premises Supervisor:

Myles David Golding – Personal Licence issuing authority, London Borough of Brent.

#### 3.3 Description of the Premises:

The premises are located in a small retail unit on Ruislip High Street. The premises offers Japanese Sushi dining. A restaurant serving Japanese Sushi and alcoholic drinks.

#### 3.4 Licensable Activity

<u>Activity</u>		<u>Proposed for new licence</u>
Sale of alcohol	On the premises	✓

### 3.5 Proposed Licensable Activity & Opening Hours

	Sale of alcohol
<b>Monday</b>	1400 - 0000
<b>Tuesday</b>	1400 - 0000
<b>Wednesday</b>	1400 - 0000
<b>Thursday</b>	1400 - 0000
<b>Friday</b>	1400 - 0000
<b>Saturday</b>	1400 - 0000
<b>Sunday</b>	1400 - 0000

### 4.0 **CONSULTATION**

#### 4.1 Closing date for representations

**21<sup>st</sup> October 2021**

#### 4.2 Newspaper Advert

Published Uxbridge Gazette 6<sup>th</sup> October 2021.

### 5.0 **REPRESENTATIONS**

#### 5.1 One representation received

<b>Responsible Authority</b>	<b>Grounds for Representation</b>	<b>Appendix</b>
Daniel Ferrer (Responsible Authority for Licensing)	The prevention of crime and disorder  The prevention of public nuisance Public Safety  The protection from children from harm	<b>Appendix 3</b>



## 6.0 BACKGROUND INFORMATION

### 6.1 Other relevant licensed premises nearby

Premises	Activities Authorised	Times Authorised
Kho Kho,	<p><b>The sale of alcohol</b></p> <p><b>Late night refreshment</b></p> <p><b>Regulated Entertainment</b></p>	<p><b>The sale of alcohol</b>  <i>Sunday to Thursday between 1000 hours and 0000 hours</i>  <i>Friday and Saturday between 1000 hours and 0130 hours the following day</i></p> <p><b>Late night refreshment</b>  <i>Sunday to Thursday between 2300 hours and 0030 hours</i>  <i>Friday and Saturday between 2300 hours and 0200 hours the following day</i></p> <p><b>Regulated Entertainment</b>  <i>Sunday to Thursday between 2300 hours and 0000 hours</i>  <i>Friday and Saturday between 2300 hours and 0130 hours the following day</i></p>
Melisi Restaurant 129 High Street Ruislip HA4 8JY	<p><b>Sale by Retail of Alcohol</b></p> <p><b>Late Night Refreshment</b></p> <p><b>Regulated Entertainment (indoors only) - Recorded Music</b></p>	<p><b>Regulated Entertainment (Recorded Music) (Indoors Only): -</b>            0730 - 2330, Sunday to Thursday            0730 - 0000, Friday and Saturday</p> <p><b>The sale of alcohol by retail: -</b>            1130 - 2300, Sunday to Wednesday            1130 - 0000, Thursday            1130 - 0100, Friday and Saturday</p> <p><b>Late Night Refreshment: -</b>            2300 - 0000, Thursday            2300 - 0100, Friday and Saturday</p>
Smugglers Cove 153 High Street Ruislip HA4 8JY	<p><b>Sale by retail of alcohol</b></p> <p><b>Provision of regulated entertainment (Indoors)</b></p> <p><b>Performance of live music</b></p> <p><b>Playing recorded music</b></p> <p><b>Performance of dance and entertainment of a similar description</b></p>	<p><b>Live Music, Performances of dance, and entertainment of a similar description, Provision of facilities for making music, dancing and anything of a similar description:</b></p> <p>On Sundays between 1500 hours and 0000 hours            On Mondays, Tuesdays, Wednesday between 1800hours and 2300 hours            On Thursdays between 1800 hours and 0000 hours            On Fridays between 1800 hours and 0030 hours on the days following            On Saturdays between 1500 hours and 0100 hours on the days following</p> <p><b>Recorded Music</b></p>

		<p>On Sundays between 1200 hours and 00.00 hours  On Mondays, Tuesdays, Wednesday between 1100hours and 2330 hours  On Thursdays between 1100 hours and 0030 hours  On Fridays between 1100 hours and 0100 hours on the following day  On Saturdays between 1100 hours and 0130 hours on the following day</p> <p><b>The sale by retail of alcohol</b></p> <p>On Sundays between 1200 hours and 00.00 hours  On Mondays, Tuesdays and Wednesdays between 1100 hours and 2300 hours  On Thursdays between 1100 hours and 0000 hours  On Fridays between 1100 hours and 0030 hours on the days following  On Saturdays between 1100 hours and 0100 hours on the days following</p> <p><b>Late night refreshment</b></p> <p>On Thursdays between 2300 hours and 0000 hours  On Fridays between 2300 hours and 0100 hours on the days following  On Saturdays between 2300 hours and 0130 hours on the days following  On Sundays between 23.00 hours and 24.00 hours</p>
<p>Hop &amp; Vine  18 High Street  Ruislip  HA4 8JY</p>	<p><b>The sale by retail of alcohol</b></p>	<p>On Sunday, Monday, Tuesday, Wednesday and Thursday, between 11:00 and 22:00 hours.  On Friday and Saturday, between 11:00 and 23:00 hours</p>

6.2 Map of the area

See **Appendix 4.**

6.3 Photos of the premises

See **Appendix 5**

Photo 1 – Rickshaw on the pavement. Plus the interior of the premises from the pavement.

Photo 2 – The outside of the premises and the proximity of the residential dwellings above the premises.

#### 6.4 Visits made by Local Authority Licensing Officers

On Friday 10<sup>th</sup> September 2021 whilst carrying out visits in Ruislip it was apparent that the premises was open. Both Principal Licensing Officer Lois King and I observed that the premises was serving alcohol without a licence. It was also observed that a rickshaw advertising the presence of the business was placed on the sidewalk without permission from Hillingdon Council or the appropriate insurance. Under section 180 of the Licensing Act 2003 only Police Constables have the power of entry to investigate offences under the act. Lois King and I observed from the pavement the activities taken place inside.

### 7.0 OFFICER'S OBSERVATIONS

#### 7.1 Application Process.

The application was submitted on the 23<sup>rd</sup> August 2021. The application was not supported by a valid plan of the premises. On the 15<sup>th</sup> September 2021 the application was deemed valid and the consultation process commenced.

Visits was made by officers on Friday 17<sup>th</sup> September 2021 to check the statutory blue notice was being displayed at the premises. The blue notice was not displayed and the consultation process was restarted.

#### 7.2 Management of the premises

Contained in Daniel Ferrer's representation letter it gives a picture on how the premises has been managed in its brief history. A rickshaw advertising the presence of the business was placed on the public highway without consent from the local authority and proof of Public Liability Insurance. This covers the business in case of damage to street furniture or the highway.

'Fly-posting' is regulated by the Town and Country Planning (Control of Advertisements) Regulations 2007 SI/2007/783 (COA Regulations) which implement the statutory advertising controls contained in section 220 of the Town and Country Planning Act 1990 (TCPA). The Local Authority must give consent for an advertisement to be displayed, unless it is exempt from control or has deemed consent. The premises is neither exempt nor deemed to have consent.

Any advertisement displayed in contravention of the regulations is an offence. The maximum sentence is a level 4 fine (£2,500). The offence is summary only. Additional fines of £250 may be imposed for each day an offence continues after conviction. (s.224(3) TCPA 1990) To place such items on the public highway would require an application, no such application was made and no public liability insurance was in place as such, the Anti-Social Behaviour Officers issued a fixed penalty notice. This is subject to further action by the way of prosecution by the Anti Social Behaviour Tea. The fixed penalty notice has yet to be paid.

Hillingdon Council Food Health and Safety have awarded the premises with a '1' - Major improvement is necessary rating for Food Safety Standards. This further underlines the issues with management of the premises.

Compliance with other primary legislation and regulations relevant to the business demonstrates a lack of confidence in management.

Mr Ferrer's representation letter has concerns over Mr Golding's ability to uphold the licensing objectives. There is potential for poor management of a licence premises to cause disorder to residents. The licensing objectives are there to ensure that no negative consequences are experienced by residents. Mr Ferrer has demonstrated these concerns in his representation

## **8.0 RELEVANT SECTIONS of the s.182 GUIDANCE and HILLINGDON'S LICENSING POLICY**

**At paragraph 8.48 it states:** "All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached Revised Guidance issued under section 182 of the Licensing Act 2003 I 57 to premises licences with the minimum of fuss."

**At paragraph 9.38 it states:** "In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to: Revised Guidance issued under section 182 of the Licensing Act 2003

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy."

## **9.0 Relevant Sections of the Hillingdon Licensing Policy**

**At paragraph 2.5 it states:** "In respect of all licensing functions and determination of any licensing policy, the

Council has a duty to promote the four licensing objectives:

- The prevention of crime and disorder;
- The protection of children from harm;
- The prevention of public nuisance;
- Public safety."

**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. 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 12.7 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"

## **10.0 LEGAL CONSIDERATIONS**

10.1 When considering an application for a grant of a new Premises Licence, the Sub-Committee shall carry out its functions with a view to taking steps it considers appropriate for promoting the licensing objectives. The licensing objectives are:

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

- 10.2 Members should note that each objective is of equal importance. There are no other licencing objectives and the four objectives are paramount considerations at all times.
- 10.3 An application for a new premises licence may be made pursuant to s.16 and s.17 of the Act, and with regard to the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005/42 and the licensing Act 2003 (Fees) Regulations 2005/79.
- 10.4 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
- 10.5 Where relevant representations are made, the Licensing Authority must hold a hearing to determine the application, unless all are agreed that such a hearing is unnecessary s.18(3)(a) Licencing Act 2003.
- 10.6 Relevant representations are those that relate to the effect of the granting of the application on the promotion of the licensing objectives made by an interested party or responsible authority that have not been withdrawn and are not, in the opinion of the relevant licencing authority, frivolous or vexatious s.18(7) Licensing Act 2003.
- 10.7 The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live within the vicinity of the premises. All applications will be decided on a case by case basis.
- 10.8 Following a hearing, the Sub-Committee must consider all relevant representations, and having taken into account the promotion of the licensing objectives, under s.18(3)(b) and (4) Licensing Act 2003, a decision can be taken:-
- i. To grant the licence, subject to the mandatory conditions and conditions consistent with the operating schedule;
  - ii. To impose additional relevant conditions to such an extent as is considered necessary for the promotion of the licensing objectives;
  - iii. To exclude any of the licensable activities to which the application relates;
  - iv. To amend the times for all or some of the licensable activities;
  - v. To refuse to specify a person in the licence as the premises supervisor;
  - vi. To reject the application.
- 10.9 Conditions will not be necessary if they duplicate a current statutory requirement. The licencing Authority may therefore only impose such conditions that are necessary to promote the licensing objectives arising out of the consideration of the representations.
- 10.10 If the Sub-Committee determines that it is necessary to modify the conditions, or to refuse the application for a Premises Licence application, it must give reasons for its decision.
- 10.11 The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under s.149 of the Equality Act 2010. In summary s.149 provides that a Public Authority must, in the exercise of its functions, have due regard to the need to:
- i. Eliminate discrimination harassment, victimisation and any other conduct that is prohibited by or under this Act;

- ii. Advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- iii. Foster good relations between persons who share relevant protected characteristics and persons who do not.

10.12 Section 149(7) of the Equality Act 2010 defines nine relevant protected characteristics these are:

- i. age
- ii. gender reassignment
- iii. being married or in a civil partnership
- iv. being pregnant or on maternity leave
- v. disability
- vi. race including colour, nationality, ethnic or national origin
- vii. religion or belief
- viii. sex
- ix. sexual orientation

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

10.14 Interested parties, Responsible Authorities and the Applicant have the right to appeal the decision of the Licensing 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.



**Hillingdon**  
**Application for a premises licence**  
**Licensing Act 2003**

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

\* required information

**Section 1 of 21**

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 you would prefer not to be contacted by telephone

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is your 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 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.

**Registered Address**

Address registered with Companies House.

Building number or name Street District City or town County or administrative area Postcode Country **Section 2 of 21****PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

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 **Further Details**Telephone number Non-domestic rateable value of premises (£)



**Section 3 of 21****APPLICATION DETAILS**

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

**Confirm The Following**

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

**Section 4 of 21****NON INDIVIDUAL APPLICANTS**

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

**Non Individual Applicant's Name**

Name

**Details**

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

*Continued from previous page...*

Company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  Documents that demonstrate entitlement to work in the UK

**Section 5 of 21****OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
dd mm yyyy

Provide a general description of 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.

**Continued from previous page...**

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

**Section 6 of 21****PROVISION OF PLAYS**

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes  No

**Section 7 of 21****PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**Section 8 of 21****PROVISION OF INDOOR SPORTING EVENTS**

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes  No

**Section 9 of 21****PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes  No

**Section 10 of 21****PROVISION OF LIVE MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes  No

**Section 11 of 21****PROVISION OF RECORDED MUSIC**

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes  No

**Section 12 of 21****PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

**Section 13 of 21**

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

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

- Yes
- No

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes
- No

**Section 15 of 21**

**SUPPLY OF ALCOHOL**

Will you be selling or supplying alcohol?

- Yes
- No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

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

*Continued from previous page...*

SUNDAY

Start End 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.

On the premises

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

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

Bank holidays, Christmas Eve, New Year Eve

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**First name Family name 

Date of birth  /  /   
 dd      mm      yyyy

*Continued from previous page...***Enter the contact's address**

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text"/>
Personal Licence number (if known)	<input type="text" value="20693"/>
Issuing licensing authority (if known)	<input type="text" value="The London Borough of Brent"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21****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

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

There is no risk to exist any of restricted activities for children within the premises.

**Section 17 of 21****HOURS PREMISES ARE OPEN TO THE PUBLIC****Standard Days And Timings**

MONDAY

Start End Start End 

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

*Continued from previous page...*

TUESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="12:00"/>	End	<input type="text" value="00:00"/>
Start	<input type="text"/>	End	<input type="text"/>

State any seasonal variations

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

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

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

**Section 18 of 21**

**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)

**Continued from previous page...**

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

Personal Licence holder on the premises at all times, Designated Premises Supervisor nominated; sufficient number of staff on the premises to cover longer hours & busy times when entertainment is provided; regular training of staff.

## b) The prevention of crime and disorder

Sufficient number of door supervisors (if required); plastic cups & bottles used externally; regular glass collections; request photographic identification to control underage drinking; garden furniture secured to a fixed object; taxi booking service provided; CCTV in place; UV lights in toilets

## c) Public safety

Annual gas safety check; ring main electrical check (once every 5 years); PAT testing (portable electrical appliance testing); annual safety checks for lifting equipment; up to date health & safety policy & risk assessments; asbestos survey of premises; employers & public liability insurance in place; sufficient lighting internally & externally; regular fire checks & servicing of fire detection & extinguishing equipment; emergency procedures in place; designated smoking/non-smoking areas; good housekeeping procedures in place; use lobbied entrances if available.

## d) The prevention of public nuisance

Noise is likely to be the main nuisance. Here are some examples of measures that can be taken to control nuisance noise: Keep doors & windows closed, have noise restriction's on equipment, restrict the hours of outside entertainment, have speakers facing away from residential areas, have signage in place asking people to leave quietly, make regular sound checks inside & outside of the premises, position speakers away from external walls, ensure the entertainers are aware of any noise restrictions placed on them prior to commencement.

## e) The protection of children from harm

No children allowed on the premises! Restrict areas where children allowed, no children to go into the bar area, restrict hours when children are allowed on the premises,

**Section 19 of 21****NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK**



*Continued from previous page...*

**Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

**Continued from previous page...**

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

**Continued from previous page...**

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

**Section 20 of 21****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 21 of 21****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, refer to the 'Fees for Applications' webpage: <http://www.hillingdon.gov.uk/media.jsp?mediaid=22879&filetype=pdf>

\* Fee amount (£)

100.00

**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

Fiona Margaret Blackwell

\* Capacity

Director

\* Date

23	/	08	/	2021
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/apply-1> to upload this file and continue with your application.

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

*Continued from previous page...*

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

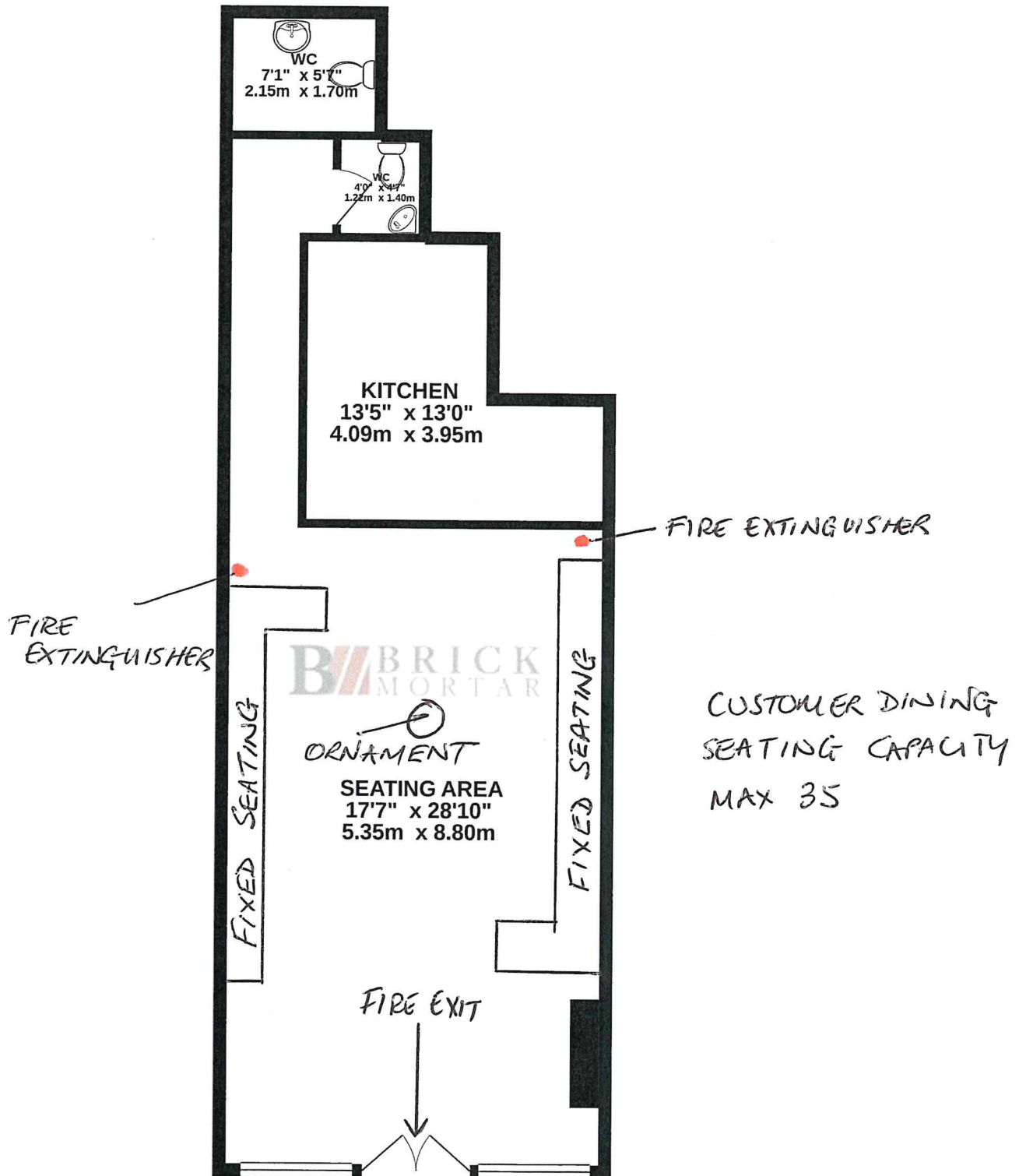
**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

**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"/>

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GROUND FLOOR  
779 sq.ft. (72.4 sq.m.) approx.



HIGH STREET, RUISLIP, HA4 8JN

TOTAL FLOOR AREA : 779 sq.ft. (72.4 sq.m.) approx.

Whilst every attempt has been made to ensure the accuracy of the floorplan contained here, measurements of doors, windows, rooms and any other items are approximate and no responsibility is taken for any error, omission or mis-statement. This plan is for illustrative purposes only and should be used as such by any prospective purchaser. The services, systems and appliances shown have not been tested and no guarantee as to their operability or efficiency can be given.

Made with Metropix ©2021

**Consent of individual to being specified as premises supervisor**

I **Myles David Golding**

---

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

*(type* Being designated as DPS

---

*application]*

by

Pink Hospitality Ltd

*(name of applicants* " " " " " " " " " " "

relating to a premises licence *(number of existing licence, if any)*

for 109 High Street, HA4 8JN, London.

and any premises licence to be granted or varied in respect of this application made by Myles David Golding, concerning the supply of alcohol at 109 High Street, HA4 8JN, London.

I also, confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

20693

*[insert personal licence number, if any]*

Personal licence issuing authority

The London Borough of Brent

*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed

---

Name (please print) Myles David Golding

Date 23-08-2021



**Officer's recommendation:**

The committee refuse the specified Designated Premises Supervisor Mr Myles Golding onto the licence.

The business shall seek to work with an independent consultant that specialises in brining these types of business into compliance.

The following conditions are added to the licence:

1. Last entry to the premises shall be 22:30 daily
2. A personal licence holder will be present on the premises at all times licensable activity is taking place
3. There will be a challenge 25 policy operating at the premises. Challenge 25 means that the holder of the premises licence shall ensure that every individual, who visually appears to be under 25 years of age and is seeking to purchase or be supplied with alcohol at the premises or from the premises, shall produce identification proving that individual to be 18 years of age or older. The form of identification shall contain their photograph, date of birth and a holographic mark.
4. If the person seeking entry is unable to produce acceptable means of identification, no entry to the premises and no sale or supply of alcohol will be made to or for that person.
5. Challenge 25 posters and requests to patrons to leave the premises silently shall be displayed in prominent positions at the premises.
6. Staff will be trained regarding appropriate precautions to prevent the sale of alcohol to persons under the age of 18. The signs and symptoms of intoxicated persons and the refusal of sale due to intoxication. Records will be kept of such training which must be signed and dated by the members of staff who has provided and received that training.
7. All staff will receive refresher training every year as a minimum and records are to be kept of this refresher training which should be signed and dated by members of staff who has provided and received that training.
8. All training records will be made immediately available for inspection by the Metropolitan Police Services and any responsible authority upon request.
9. Training records will be kept for a minimum of two years. Training records will be held on the premises and available for inspection.

10. A daily incident log shall be maintained at the premises and signed at the end of each day by the duty manager. The daily incident log shall be made available upon request to an authorised council officer and / or the Police. The daily incident will record at a minimum the following :
  - A. All crimes reported to the venue
  - B. All ejections of patrons
  - C. Any complaints
  - D. Any incidents of disorder
  - E. Seizure of drugs or weapons
  - F. Any faults in the CCTV system or searching equipment or scanning equipment
  - G. Any refusal of a sale of alcohol
  - H. Any visit by a relevant authority or emergency service
11. The Premises Licence Holder shall ensure that the refusals logs is checked, signed and dated on a weekly basis by himself or an authorised employee acting in place of the Designated Premises Supervisor.
12. The record of refusals will be retained for a minimum of two years.
13. The CCTV system on the premises shall be maintained in good working order, covering all public areas of the premises, including all entry and exit points, the immediate street environment, the till area and any area where alcohol is stored. The CCTV will enable facial identification of all persons whose image is captured in any light condition.
14. No sale of alcohol shall take place when the CCTV system is not fully in good working order
15. The CCTV cameras should continually record while the premises are open to the public and recording shall be kept while the premises are open to the public and recording shall be kept available and unedited for a minimum of 31 days.
16. A staff member who is conversant with the operation of the CCTV system shall be present on the premises at all times when they are open to the public and must be able to produce/download/burn CCTV images upon request by a police officer or any authorised officer of the London Borough of Hillingdon. Any footage must be in a format that can be played back on standard personal computer or standard DVD player.

17. An incident log shall be maintained to record all instances when the CCTV is not fully in good working order. The log will record the date the malfunction was noted, the date repair work was requested and the date that the repair work was carried out.

The Licensing Sub – Committee exercise statutory powers laid out in section 182 statutory guidance.

**9.37** As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

**9.38** In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

**9.39** The licensing authority should give its decision within five working days of the conclusion of the hearing (or immediately in certain specified cases) and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

**9.40** Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

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HILLINGDON  
LONDON

Mr Steven Dormer  
Licensing Officer  
The Licensing Service  
London Borough of Hillingdon  
Civic Centre  
High Street  
Uxbridge  
UB8 1UW

Date: 20<sup>th</sup> October 2021

Dear Mr. Dormer

**LICENSING ACT 2003**  
**PINK HOSPITALITY LTD, (TOKYO FIZZ), 109 HIGH STREET, RUISLIP HA4 8JN**

I am writing to you as the Officer duly authorised to make representations on behalf of the Licensing Authority, in relation to the application for a new premises licence submitted by Pink Hospitality Limited.

The application proposes for the sale of alcohol from 14:00 hours to 00:00 Monday to Sunday.

The Licensing Authority wishes to make a representation against this application based on the following licensing objectives:

- The prevention of crime and disorder**
- The prevention of public nuisance**
- Public Safety**
- The protection from children from harm**

Firstly, at Section 5 of their application, the applicant describes the premises as a “Sushi & Champagne bar”. Looking at their full operating schedule and the plans, it is unclear whether the premises will be a restaurant or predominantly a vertical drinking premises. The plans make reference to “Fixed Seating” and “Customer Dining”. Therefore, the Licensing Authority would expect restaurant conditions to be placed on the operating schedule if indeed the premises will be more food led. We would suggest the following conditions to be attached to the licence for these type of premises:

1. The supply of alcohol at the premises shall only be to a person seated taking a table meal there and for consumption by such a person as ancillary to their meal.
2. The supply of alcohol shall be by waiter or waitress service only.

We note that the applicant has not applied for late night refreshment.

It may be that the applicant proposes for the premises to change in operation later in the evening so as to become a more vertical drinking premises. If this is the case we would have the following points to raise.

### **The prevention of crime and disorder**

In their operating schedule, Section 18(b), of their application, the applicant makes reference to having "CCTV in place". However, we feel that this does not go far enough in promoting this licensing objective and would advise that appropriate wording for CCTV conditions to be attached to the premises licence. In addition, we would also expect a good operator operating as a bar restaurant to keep an incident log book and record certain situations so that the relevant authorities can have confidence that Management are taking the appropriate action. We would suggest the following conditions:

3. A CCTV system shall be maintained in good working order and shall record at all times the premises are open and recordings shall be kept for 31 days and be provided to authorised officers of the council and police on request.
4. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises is open.
5. An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It will record the following: (a) all crimes reported to the venue (b) any complaints received concerning crime and disorder (c) any incidents of disorder (d) any faults in the CCTV system, (e) any refusal of the sale of alcohol (f) any visit by a relevant authority or emergency service.

### **The prevention of public nuisance**

It should be noted that the applicant has not applied for the provision of live music, recorded music or the performance of dance. However, their operating schedule makes reference to "entertainment" and indeed Section 18(c) gives us examples of measures they will take to control noise nuisance. If entertainment is proposed during licensable hours and outside the Live Music Act exemptions, we would ask for the following conditions to be considered so residents are not adversely affected.

6. A noise limiter must be fitted to the musical amplification system so as to ensure that no noise nuisance is caused to local residents or businesses.
7. No noise generated on the premises, or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.
8. A written dispersal policy shall be kept at the premises and the licence holder shall ensure that all staff members are trained and briefed in implementing this policy.

### **Public Safety**

In Section 18(b) the applicant states, "Sufficient number of door supervisors (if required)". However, we feel that specific times as to when SIA staff shall start and finish should be clarified. For example, an appropriate condition may read,

9. A minimum of 2 SIA licensed door supervisors shall be on duty at the premises on Friday and Saturday from ..... hours and .....hours

In addition, consideration should also be given to escape routes for customers and staff, such as:

10. The means of escape provided for the premises shall be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

**The protection of children from harm**

Although it will be a mandatory condition of their licence for the applicant to have an Age Verification Policy, we would expect a responsible operator of a bar type premises to have additional safe guards to their measures stated in Section18(e) and we would suggest the following condition:

11. A Challenge 25 proof of age scheme shall be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

**Recent History**

The Council has had to engage with Management at the premises in relation to certain compliance issues. Firstly, on 10<sup>th</sup> September 2021 Licensing Officers visited the premises and found the premises serving alcohol without the authorisation of the premises licence being in place. As a result, on 14<sup>th</sup> September 2021 a meeting was held with Licensing, Police Licensing, Mr. Myles Golding and his business partner to discuss concerns regarding unlicensed activity. Management responded by stating that they would operate 'Bring Your Own', cover up/remove the alcohol on site and submit Temporary Event Notices where they intended to sell alcohol.

In addition, the premises received a Fixed Penalty Notice on 29<sup>th</sup> September 2021 from the Council's Environmental Enforcement Team for wilful obstruction of the Highway contrary to the Highways Act 1980. This FPN concerned an Advertising rickshaw that had been placed on the public highway outside the premises. Mr. Myles Golding had previously been warned by Officers before the issuing of this FPN.

These incidents raise some concerns for us in relation to the confidence we have in Management upholding the licensing objectives in the future if a premises licence were to be granted. Mr. Golding is the proposed named DPS for this application and the Director of Pink Hospitality Limited.

I am happy to attend a hearing, if required, to verbally deliver my representation and also to answer any queries from the Licensing Sub-Committee.

If you have any queries regarding this matter, then please feel free to contact me.

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Photo 1



Photo 2

