

Minutes

LICENSING SUB-COMMITTEE

14 March 2022

Meeting held at Committee Room 6 - Civic Centre, High Street, Uxbridge



HILLINGDON
LONDON

	<p>Committee Members Present: Councillors Simon Arnold (Chairman) Lynne Allen Darran Davies</p> <p>Witnesses Present:</p> <p>LBH Officers Present: Daniel Ferrer, Licensing Team Manager Lois King, Licensing Officer Chantelle McLeod, Legal Officer Liz Penny, Democratic Services Officer Adam Stitson</p> <p>Also Present:</p>
11.	APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)
12.	DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>) There were no declarations of interest.
13.	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 (<i>Agenda Item 3</i>) It was confirmed that all items of business were in Part I and would be considered in public.
14.	MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>) None.
15.	APPLICATION FOR THE GRANT OF A PREMISES LICENCE: SOUL CAFE, 111 HIGH STREET, RUISLIP, HA4 8JN (<i>Agenda Item 5</i>) INTRODUCTION Lois King, Licensing Officer, introduced the application, which sought a new premises licence for Soul Café, 111 High Street, Ruislip, HA4 8JN. The application requested authorisation for the sale of alcohol, regulated entertainment including live and

recorded music and dance performances, and late-night refreshment for the hours as set out in the report. The proposed opening hours were Sunday to Thursday from 0900 – 0030 hours and Friday to Saturday 0900 – 0230 hours.

The officer confirmed that four representations had been received; one from a local resident, one from Ward Councillor Philip Corthorne, one from the anti-social behaviour team and one from the Licensing Authority.

It was recommended that the Sub-Committee grant the application, though with due consideration of conditions and hours of operation.

THE APPLICANT

The applicant was represented by Mr Panchal of Personal Licensing Courses.

The applicant's representative proposed a slight reduction in the opening hours which the Sub-Committee noted. It was confirmed that the applicant, Mr Karl Taylor, already had a personal licence and was very familiar with the premises having previously run it as Jurassic Perk children's café. Members heard that the applicant had worked in hospitality since 1998 having previously owned a hospitality security company therefore was very experienced in the field.

Additional photos had been submitted prior to the meeting to demonstrate that a noise limiter and sound proofing to the walls and porch had been installed. It was confirmed that the noise limiter would be set at a level agreed with the Council. The Sub-Committee was advised that a dispersal policy and electronic ID checker would be in use at the premises and alcohol would only be served with food. It was confirmed that the applicant had a good understanding of the four licensing objectives and would ensure these were promoted at all times.

In answer to questions, the Sub-Committee was informed that reference to other premises in the local area was relevant, but it was important to consider the written evidence only and focus on the application in question. It was confirmed that the premises would not operate as a Club – jazz / soul music would be played and entrance would be restricted to those over 30. A strict dress code would be enforced and original artists from the 80s would perform live from time to time. It was believed that the venue would be very successful given that there was nothing similar in North-West London at present. The applicant had spoken to local residents and no problems in relation to anti-social behaviour were anticipated given the clientele and genre of music.

In response to further questions, Members heard that there were four large car parks in Ruislip hence it was anticipated that parking would not be a problem. Moreover, transport links were excellent with easy access to underground and overground stations. A small dance floor and stage would be in use at the premises and it was confirmed where these would be sited. In terms of security, SIA door supervisors would be employed and the applicant would oversee them. The applicant confirmed that he was happy to discuss and finalise with the Council matters relating to cut off entry times and the location of the noise limiter.

RESPONSIBLE AUTHORITIES

The Licensing Authority

Daniel Ferrer, Licensing Manager, addressed the Sub-Committee on behalf of the

Licensing authority, highlighting concerns regarding the four licensing objectives. It was confirmed that some concerns could be addressed by means of conditions; however, it was felt that the lateness of the proposed hours of activity could have a negative impact on residents and potentially encourage crime and disorder exacerbated by patrons under the influence of alcohol.

Noting that the applicant intended to both oversee the SIA door supervisors and act as Designated Premises Supervisor, it was suggested that a personal licence holder be appointed to authorise the sale of alcohol in Mr Taylor's absence. In relation to public safety confirmation of a final capacity figure would be helpful.

The Anti-Social Behaviour Team

Mr Adam Stitson, Anti-Social Behaviour Investigations Team Leader, addressed the Sub-Committee on behalf of the Anti-Social behaviour Team. Mr Stitson welcomed the addition of soundproofing at the premises but could not comment on its efficiency at present. It was noted that the addition of soundproofing did not automatically eliminate the possibility of statutory noise nuisance. The installation of a noise limiter was welcomed and the nature of the music to be played and proposed clientele were noted.

In relation to the Prevention of a Public Nuisance and given the proximity of the premises to nearby residents, the Anti-Social Behaviour Team suggested a condition in relation to the emptying of glass bottles into external receptacles – to take place only between the hours of 09:00 – 20:00. It was recommended that live music, performance of dance and recorded music cease at 12:30 on Fridays and Saturdays and 11:30 from Sunday to Thursday. Moreover, a condition relating to last entry hours was requested by the Anti-Social Behaviour Team – 22:30 from Sunday to Thursday and 23:30 on Fridays and Saturdays. Finally, hourly noise patrols during Regulated Entertainment and a record of noise patrols were requested.

INTERESTED PARTIES

A written representation was read out to the Sub-Committee on behalf of a local resident, Mr Mark Batson, who was unable to attend the hearing. The representation had been submitted on the grounds of the Prevention of a Public Nuisance. It was claimed that the commercial units for which the application had been made were not suitable to house businesses wishing to host late night entertainment. It was suggested that the application be revised to mirror the current terms of Kho Kho restaurant in Ruislip thereby ceasing entertainment at 11pm and restricting last entry to 10:30pm. Mr Batson also confirmed that he would be satisfied with the reduced entertainment hours, last entry times and other measures proposed by the Anti-Social Behaviour Team in their submission.

Councillor Philip Corthorne, Ward Councillor, addressed the Sub-Committee expressing his concern regarding the late hours suggested in the application and confirming his agreement with the measures proposed by officers.

DISCUSSION

In response to a question from the Sub-Committee, the applicant advised that he would not be satisfied with the reduced hours proposed by the Anti-Social Behaviour Team due to the costs involved in securing the artists to perform. The applicant affirmed his ability to manage the premises well ensuring numbers of people in the smoking area and noise at dispersal times were well controlled. It was confirmed that those drinking to excess would not be served or would be asked to leave.

Ward Councillor Philip Corthorne advised the Sub-Committee that only one local resident had approached him to express concern regarding the application.

CLOSING REMARKS

There were no further remarks from the Licensing officer, Ward Councillor or Representative of the Licensing Authority. The applicant was requested to make contact with the Anti-Social Behaviour Team after the meeting.

The applicant closed by stating that a last entry time of 23:00 on Fridays and Saturdays would be preferable.

COMMITTEE DELIBERATION

All parties were asked to leave the room while the Sub-Committee considered its decision.

All parties were invited back to the meeting for the Chairman to announce the decision of the Sub-Committee.

THE DECISION

The decision of the Sub-Committee is to **GRANT** the application for a new premises licence subject to the following conditions:

1. The opening hours Sunday to Thursday shall be between 0900 hours and 0030 hours with the sale of alcohol until 0000 hours. Regulated entertainment including, live music, recorded music and performance of dance shall be until 0000 hours. Late night refreshment shall be until 0000 hours. The opening hours Friday to Saturday shall be between 0900 hours to 0130 hours with the sale of alcohol until 0100 hours. Regulated entertainment including live and recorded music and performance of dance shall be until 0100 hours. Late night refreshment shall be until 0100 hours.
2. The supply of alcohol is served at a table, ancillary to a substantial meal by a waiter or waitress.

The Prevention of Crime and Disorder

3. The Designated Premises Supervisor (DPS), a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times.
4. A minimum of three SIA registered members of staff to be present at venue when high numbers of patrons are expected.
5. A CCTV system covering the interior and exterior of the premises will be installed to current Metropolitan Police/Home Office standards and shall be kept operational at all times.
 - a) It shall be capable of taking a head and shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.
 - b) At least one member of staff trained to operate the CCTV system and download images shall be on duty at all times. Footage shall be shown to the

police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours of the request.

6. Challenge 25 shall be operated as the proof of age policy.
7. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police and authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding conflict and responsible alcohol retailing.
8. An incident book shall be kept at the premises, and made available to the police or authorised council officers, which will record the following:
 - a) All crimes reported
 - b) Lost property
 - c) All ejections of customers
 - d) Any complaints received
 - e) Any incidents of disorder
 - f) Any seizure of drugs or offensive weapons
 - g) Any faults in the CCTV
 - h) Any refusal in the sale of alcohol
 - i) Any visit made by a relevant authority or emergency services
9. Notices will be prominently displayed by the entry/exit door and point of sale (as appropriate) advising customers:
 - a) That CCTV & challenge 25 are in operation;
 - b) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
 - c) Of the permitted hours for licensable activities & the opening times of the premises;
 - d) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.

Public Safety

10. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.
11. 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 Prevention of Public Nuisance

12. 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, this is to be approved by the Anti-Social Behaviour and Environmental Team.

13. Sound proofing by a qualified acoustics engineer to be installed so as to reduce noise emanating from the venue, this is to be approved by the Anti-Social Behaviour and Environmental Team.
14. A noise limiter shall be in use to ensure that any noise emanating from the speakers does not cause a nuisance to nearby residents, this is to be approved by the Anti-Social Behaviour and Environmental Team.
15. Windows and doors must be closed during regulated entertainment to prevent the transmission of noise.
16. Dispersal policy to be provided to and approved by the Anti-Social Behaviour and Environmental Team.
17. Waste management policy to be provided to and approved by the Anti-Social Behaviour and Environmental Team.
18. There shall be hourly noise patrols during regulated entertainment and a record kept of noise patrols.
19. There shall be no admittance or re-admittance to the premises after 2230 hours daily.
20. Delivery drivers and staff shall be instructed to respect the needs of local residents including:
 - a) entering and leaving their vehicles quietly and considerately at a designated area of the premises
 - b) not leaving their vehicle engines running
 - c) ensuring that any recorded music being played in their vehicle is kept to a low volume at the premises
 - d) parking their vehicles considerately
 - e) using any smoking area quietly when on a smoking break
 - f) leaving the premises quietly at the end of their shift
21. Relevant notices will be prominently displayed by the entry/exit door and point of sale (as appropriate).
22. No incoming deliveries or disposal of waste shall take place between 2000 hours and 0900 hours.
23. A contact number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

Right of Appeal:

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

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

abandoned.

The Sub-Committee advises as a comfort to residents and a warning to the licensee that the licence may be reviewed and could potentially be revoked if licence conditions are not adhered to and/or if the premises are managed in a manner which does not uphold the licensing objectives

You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.

The meeting, which commenced at 3.00 pm, closed at 4.55 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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