

Minutes

LICENSING SUB-COMMITTEE

26 August 2022

Meeting held at Committee Room 5, Civic Centre, Uxbridge,
UB8 1UW



	<p>Committee Members Present: Councillor Roy Chamdal (Chairman) Councillor Colleen Sullivan Councillor Barry Nelson-West</p> <p>LBH Officers Present: David Reed, Licensing Officer Chantelle McLeod, Legal Officer Steve Clarke, Democratic Services Officer</p> <p>Licence Holder's Representatives: Kuljit Kaur, Applicant Surendra Panchal, Agent</p>
36.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Reeta Chamdal with Councillor Colleen Sullivan substituting.</p>
37.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
38.	<p>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>)</p> <p>It was confirmed that all items were in Part 1 and would be considered in Public.</p>
39.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
40.	<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: THE FONE & VAPE OFF LICENCE, 21 STATION ROAD, HAYES, UB3 4BD (<i>Agenda Item 5</i>)</p> <p>INTRODUCTION</p> <p>David Reed, Licensing Officer, introduced the application for the grant of a premises licence for The Fone & Vape Off Licence, 21 Station Road, Hayes, UB3 4BD to sell alcohol Monday through to Sunday from 08:00 to 23:00. Three representations objecting to the application had been received, all of which were received from local</p>

residents and attempts at mediation had failed. The officer highlighted that no representations had been received from the responsible authorities and invited the Sub-Committee to determine the application.

THE APPLICANT

Surendra Panchal, the Applicant's Agent, addressed the Sub-Committee highlighting that the officer's report noted that the applicant did not hold a Personal Licence at the time of the agenda publication; the Sub-Committee were informed that the applicant had now obtained a Personal Licence. The Sub-Committee heard that the Applicant was familiar with the core licensing objectives and had taken on board the concerns raised by those who had submitted representations; further to this, the Applicant would be taking measures to ensure that the licensing objectives were upheld including a staff training manual, incident log book and a refusal of sale log; additionally, a poster would be prominently displayed asking customers to leave quietly and respect neighbours. The Applicant's Agent also emphasised that some of the matters raised in the representations related to the need for a business of this type in this location, it was highlighted that business need was not a matter for the Licensing Sub-Committee to determine.

DISCUSSION

Members queried the prospective staff arrangements and asked whether the Designated Premises Supervisor (DPS) would be on site at all times that alcohol was to be sold. By way of confirmation, the Applicant informed the Sub-Committee that the business would be family run by herself, as the DPS, and her husband, with two additional members of staff; the DPS would conduct one shift each day and be present most of the time that alcohol was to be sold, however it was confirmed that they would not be present at all times. It was confirmed that all staff would be trained appropriately by the DPS, with training facilitated by an external specialist to adhere to necessary regulations and would administer the 'Challenge 25' policy; a training logbook would also be kept. The DPS went on to clarify the 'Challenge 25' policy and explained that they would not be selling alcohol to customers who were intoxicated; the Applicant had worked in the trade for two years and had developed a sound knowledge in understanding when patrons were inebriated.

On the matter of CCTV, the Applicant confirmed that no alcohol would be sold if the CCTV system was not fully operational.

The Sub-Committee queried the Applicant's target customer base highlighting that they were intending to sell a number of age restricted products, to which the Applicant explained that any alcohol or nicotine products, including vapes, were not to be sold to customers under the age of 18 and if no proof of age was supplied then the transaction would not take place. The Applicant went on to clarify that their customer base would be the local community and they would only purchase stock from VAT registered suppliers.

CLOSING REMARKS

The Applicant addressed the Sub-Committee explaining that their experience working for similar businesses in recent years had equipped them with the knowledge needed to be a dutiful business owner and that they were well aware of their responsibility to the public. There were no further closing remarks.

THE DECISION

After deliberations in private session, the decision of the Sub-Committee was to **GRANT** the application for a new premises licence, subject to the below conditions. The Sub-Committee's reasons for this decision would be published in the written Decision Notice.

Conditions

The Prevention of Crime and Disorder

- 1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from the council.**
- 2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.**
- 3. The CCTV system shall display on any recordings, the correct date and time of the recording.**
- 4. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.**
- 5. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the internal area and servery counter.**
- 6. In the event that there is a failure in the CCTV system there shall be no sale of alcohol until system has been restored as per Home Office Guidance standards.**
- 7. A suitable intruder alarm complete with panic button shall be fitted and maintained.**
- 8. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of the council or the Police, which will record the following:**
 - i. all crimes reported to the venue**
 - ii. all ejections of patrons**
 - iii. any complaints received**
 - iv. any incidents of disorder**
 - v. all seizures of drugs or offensive weapons**
 - vi. any faults in the CCTV system**
 - vii. any refusal of the sale of alcohol**
 - viii. any visit by a relevant authority or emergency service**
- 9. Staff training must be documented and based on legislation and operating procedures. All training shall be signed and dated, and a copy of such records will be available for inspection by Police and local authority enforcement officers.**

10. All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

Public Safety

11. Installation of appropriate safety equipment.

12. Fire exit signs displayed.

13. CCTV working at all times.

The Prevention of Public Nuisance

14. 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.

15. Strict policy in place to tell all staff not to serve alcohol to drunks at all.

16. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV.

17. There shall be no incoming deliveries or disposal of waste between 2000 hours and 0800 hours.

The Protection of Children from Harm

18. 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 or age restricted items. Signs to this effect will be displayed at the premises. Challenge 25 posters will be displayed where alcohol is sold.

19. 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. A refusal book shall be kept at the premises and updated as and when required and made available for inspection on request to a Licensing Officer, Police or other responsible authority.

20. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.

21. 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.

22. A sign stating "No proof of age - No sale" shall be displayed at the point of sale.

	<p>Right of Appeal</p> <p>If you are a represented party to this application, and are aggrieved by the decision of the Sub-committee to grant the application or a condition, you may appeal to the Justice Clerk under section 181 and schedule 5 of the Licensing Act 2003 as amended to Uxbridge Magistrates' Court, The Court House, Harefield Road, Uxbridge, UB8 1PQ, within twenty-one days of the date of notification of the decision.</p> <p>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.</p>
	<p>The meeting, which commenced at 1.00 pm, closed at 1.44 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - 01895 250636 or email: democratic@hillington.gov.uk 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.