



HILLINGDON
LONDON



NOTICE OF HEARING

Licensing Sub-Committee

Date: TUESDAY, 07 MAY 2024

Time: 2.00 PM

Venue: COMMITTEE ROOM 6 - CIVIC CENTRE, HIGH STREET, UXBRIDGE UB8 1UW

Meeting Details: Members of the Public and Media are welcome to attend. This meeting may also be broadcast live.

If this is a public hearing, the agenda is available online at www.hillingdon.gov.uk or you can use a smart phone camera and scan the code below:



Councillors on the Sub-Committee:

Councillor Roy Chamdal (Chair)

Councillor Kuldeep Lakhmana

Councillor Becky Haggar

IMPORTANT INFORMATION

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

Wednesday 01 May 2024

If you don't notify you may lose your right to speak at the hearing. When notifying you must confirm:

1. If you intend to attend the hearing;
2. Whether you wish to be assisted or represented by another person;
3. If you wish to request that another person appears at the hearing (other than your representative) as a witness;
4. Whether you wish to consent to the application being determined without your presence
5. Any special needs you may require.

Published: Friday 19 April 2024

Contact: Ryan Dell

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Putting our residents first

Lloyd White
Head of Democratic Services
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www.hillingdon.gov.uk

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Agenda

CHAIRMAN'S ANNOUNCEMENTS

Hearing Protocol

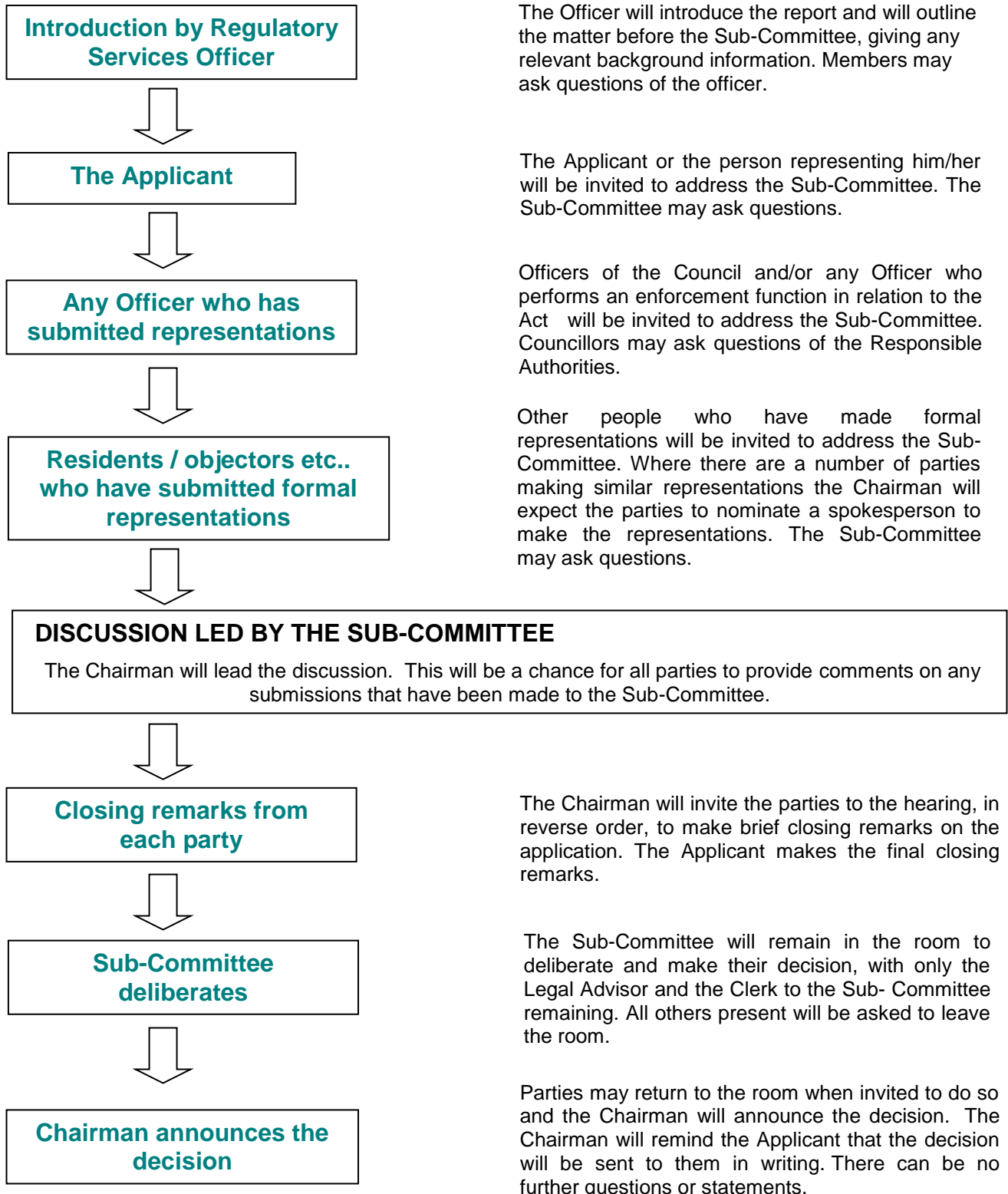
- 1 Apologies for Absence
- 2 Declarations of interest in matters coming before this meeting
- 3 To confirm that the items of business marked Part I will be considered in Public and items marked Part II will be considered in Private
- 4 Matters that have been notified in advance or urgent

Part I - Members, Public and Press

	Title of Report / Address of application	Ward	Time	Page
5	Application for a Street Trading Renewal - Sarin Express	Heathrow Villages	2:00 pm	3 - 76

Order of proceedings – Street Trading Hearings

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.



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Agenda Item 5

Application for a renewal of a Temporary Street Trading Licence

Committee	Licensing Sub-Committee
Officer Contact	Jhini Mukherjee, Regulatory Services
Papers with report	Appendix 1 - Application form Appendix 2 - Site map and photos Appendix 3 – Street Trading Policy Appendix 4 - Objection from Christine Taylor Appendix 5 - Objection from James McAlpine Appendix 6 - Objection from Sue Whitaker Appendix 7 - Objection from Peter Charalambous Appendix 8 - Objection from Vishal Mistry Appendix 9 - Antisocial Behaviour Team Information Appendix 10 - Members Enquiry Information Appendix 11 - Minutes from the hearing held on 29 th April 2022 Appendix 12 – Collation of complaints from previous years Appendix 13 – Premises licence Appendix 14 – Waste Contract with LB of Hillingdon
Ward name	Heathrow Villages

1.0 SUMMARY

A renewal application has been received for a Temporary Street Trading Licence for a 2.0 metre shop front display outside Sarin Express located at 212 High St, Harlington, Hayes UB3 5DS. The applicant seeks to renew the licence to display fruits & vegetables, other household products charcoal and water outside the shop. The application has attracted five objections from local residents.

A copy of the application form is attached as **Appendix 1**

A site map with the front and side elevation of the shop is attached as **Appendix 2**

2.0 RECOMMENDATION

2.1 To consider the representations received and to determine whether the applicant is in breach of any of the mandatory or discretionary grounds of the Council's Street Trading Policy under paragraphs 10.3 and 10.5 respectively. Should the Sub-Committee be minded to grant the licence for 6 months, they may consider additional conditions as they deem appropriate under paragraph 10.7 of the Council's Street Trading Policy. The Council's current Street Trading Policy is appended as **Appendix 3**.

3.0 APPLICATION

3.1 Name of applicant
Mr Manpal Singh

3.2 Type of application applied for
Renewal of a Temporary Street Trading licence for a maximum period of 6 months.

3.3 Shop front details

The application is for a shop front display projecting 2.0 metre from the shop front. The area will be used to display fruit & vegetables, other household products charcoal and water outside the shop.

4.0 CONSULTATION

4.1 Closing date for objections

25th March 2024

4.2 The relevant consultees were notified of the application on 8th March 2024. The consultees were:

- Highways
- Anti-Social Behaviour Investigations team
- Heathrow Villages Ward Councillors

5.0 RESPONSES TO THE CONSULTATION

5.1 5 objections were received from residents and those are attached as **Appendices 4 to 8**.

5.2 No objections have been received from our Highways Team who are our primary advisors in matters relating to unimpeded pedestrian access and emergency routes for applications pertaining to shop-front licences.

6.0 FURTHER INFORMATION

6.1 Following receipt of the objections, the Anti-Social Behaviour Team were contacted to provide information held by them on their system. They have provided records of visits which are attached as **Appendix 9**.

6.2 The Members Enquiries Team were also contacted to provide information held on their systems in relation to this premises. A list of Members Enquiries is attached as **Appendix 10**.

6.3 A previous hearing was held for Sarin Express for renewal of its shop-front trading area in April 2022. 3 of the 5 complainants are the same as last time. Minutes from the hearing held on 29th April 2022 is appended as **Appendix 11** for your reference.

6.4 Sarin Express attracts objections from repeat complainants every six months when a renewal application is submitted by the applicant. I have collated a few of those complaints here from previous years as **Appendix 12**. The premises is one of the most inspected off-licences on our list based on the complaints we receive. However, we have not yet identified any breaches in relation to its Street Trading Licence conditions from the multiple unannounced visits which have been carried out at the shop in the recent past.

6.5 Sarin Express is an off-licence and holds a premises licence under Licensing Act 2003 which I have appended here as **Appendix 13**. The licensable hours and closing hours of the premises are until midnight and so when it stays open beyond 23.00 hours, it is operating within its legally permissible hours. This is however separate to its Street Trading licence which is only until 23.00 hours and therefore the goods should not be displayed outside the shop beyond this time.

6.6 Notwithstanding the conservation nature of the area, there are no planning restrictions for the location of an off-licence or for that matter a shop-front display in that parade of shops. The London Local Authorities Act 1990 and the Council's Street Trading Policy also do not have any special provisions for conservation areas whereby applicants are barred from obtaining street trading licences.

- 6.7 The Applicant has a waste contract set up with London Borough of Hillingdon where waste is collected weekly. This is appended as **Appendix 14**. There are several other shops along that parade and it is possible that the litter problem is a cumulative result of waste management issues of multiple businesses and without robust evidence it is hard to attribute it to one particular shop.

7.0 LEGAL COMMENTS

- 7.1 When considering an application for either the grant, renewal, revocation or variation of a permanent Street Trading Licence the Council will have regard to Part III of the London Local Authorities Act 1990 (as amended) ("the 1990 Act) and Hillingdon's Street Trading Policy.
- 7.2 The granting of a temporary street trading licence is discretionary and the 1990 Act does not set specific criteria for determining temporary applications. Determination of applications must therefore be in accordance with the Council's published Street Trading Policy (the "Policy"). Decisions must be in accordance with the policy unless there are strong reasons for departing from it.
- 7.3 The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties these include:
- The trader or proposed trader in an application for the grant, renewal or variation of a licence
 - Any applicant for the variation or revocation of a licence
 - Any person who has made representations about an application for either the grant, renewal, revocation or variation of a licence
- 7.4 Upon considering and hearing the parties' representations the Sub-Committee can decide to:
- i. Grant the licence
 - ii. Refuse to grant the licence
 - iii. Grant the licence for a shorter period as determined by the Sub-Committee
 - iv. Grant the licence in full as per the application or with further conditions
- 7.5 If a mandatory ground is established, the application for renewal must be refused.
- 7.6 If discretionary grounds for refusal do exist, the Sub-Committee may still decide to award a licence, but this could be for a shorter period than required, or to allow trading only in certain commodities.
- 7.7 Standard conditions will be attached to every street trading licence. Where relevant, the Licensing Sub-Committee may attach specific trading conditions to a street trading licence.
- 7.8 If a licence is due to expire and the Council has not determined the renewal application, the trader may be allowed to continue trading during the interim period. This will usually be allowed save for circumstances where the trader has been subject to enforcement action or other reasons where the Council may not wish for the licence to continue during this period.
- 7.9 In considering applications for the grant or renewal of a street trading licence the following factors specified in the Policy should be considered:
- **Paragraph 1.3 of the Policy states:**

"The Council is keen to create a thriving street trading environment which is sensitive to the needs of traders and residents and one which promotes consumer choice and enhances the trading and business opportunities in the borough."
 - **Paragraph 2.1 of the Policy states:**

"Traders should be aware that this policy relates only to street trading activities and it is the responsibility of the trader to ensure that they are compliant with other legislation. Traders should consider whether their activities are likely to require authorisation and/or compliance with other regulatory regimes. For example; Planning, Building Control, Food Safety, Health & Safety, Control of Waste, Highway Obstruction, Trading Standards, Late Night Refreshment/Entertainment/Alcohol Licensing etc."

- **Paragraph 6.6 of the Policy states:**

"Shop front display applications

The Council may authorise shop front displays in the area directly outside a shop. The applicant will usually make an application in whole metres from the boundary of the shop frontage, however in some circumstances, it may be appropriate to issue licences for a portion of a metre. This will be dependent upon the availability of space and level of footfall in the surrounding area."

- **Paragraph 10.5 of the Policy states:**

"The discretionary grounds for refusal are:

- a) There are enough street traders in the area offering the same or similar goods to those of the applicant.*
- b) The applicant is unsuitable to hold a licence.*
- c) The applicant has previously demonstrated misconduct or unscrupulous behaviour whilst being the holder of a street trading licence.*
- d) The applicant has failed to comply with the terms or failed to pay a fee of a street trading licence.*
- e) The applicant has failed to propose suitable measures for the storage of perishable items when street trading is not taking place.*
- f) The applicant of a shop front licence is proposing to sell goods or offer services which are not sold or offered for sale within that shop.*
- g) The applicant is not the owner/occupier of a shop outside which a shop front trading licence is sought."*

- **Paragraph 10.7 of the Policy states:**

" The Council may also have regard to the other following factors when considering the impact on the local area of the proposed trading activity. This may result in additional conditions being imposed upon any licence granted.

- a) **Public Safety** – whether the street trading activity represents, or is likely to represent, a substantial risk to members of the public from the point of view of obstruction of the highway for emergency vehicles, or otherwise, a fire hazard, unhygienic conditions or other danger that can be reasonably foreseen, that may occur when a trader is using the site.*
- b) **Prevention of Crime and Disorder** – whether the street trading activity represents, or is likely to represent, a substantial risk to public order. This is potentially more of an issue for traders wishing to operate as part of the night-time economy.*
- c) **Prevention of public nuisance or environmental damage** – whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance or environmental issues. Examples include; damage to street surfaces; noise; litter; refuse; vermin; fumes/odours etc.*

d) **Appearance of trading area** – *Whether the street trading area is properly constructed and presented and enhances the aesthetic street scene of an area. Guidance will be given to applicants regarding the standard expected by the Council.*

e) **Needs of the area** – *amongst other things, the Council will consider the demand for the articles for sale, and the geographical location of the proposed site. "*

- **Paragraph 10.8 of the Policy states:**

"Where grounds for refusal do exist, the Council may still award a licence but this could be a modification from what was originally applied for. For example, it may be appropriate to reduce the days/times of trading activity, to reduce the size of the proposed trading area or add conditions."

7.10 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:

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

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

- age
- gender reassignment
- being married or in a civil partnership
- being pregnant or on maternity leave
- disability
- race including colour, nationality, ethnic or national origin
- religion or belief
- sex
- sexual orientation

7.12 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.

7.13 Any person aggrieved by the Council's decision to refuse or revoke a permanent street trading licence may lodge an appeal to the Magistrates Court within 21 days of receipt of the written decision notice following the outcome of the Sub-Committee.

7.14 There is no right of appeal against a decision to refuse a temporary street trading licence notwithstanding statutory rights to seek Judicial Review proceedings.

7.15 All decision notices will contain full details of the appeal rights including how to lodge an appeal.

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Street Trading Licence

Reference	LBH1709394637061
Are you applying for a new licence, or a renewal of your existing licence?	renewal
Please select the type of licence you are applying for:	shop
Trading name of premises	Sarin Express
Size of shop front licensed area	2
What duration of licence do you want?	6month
Premises Address	
Previous licence number (eg 017972)	027952
House name	Manpal
House number	212
Address 1	High Street
Address 2	Hayes
Address 3	Hayes
Postcode	UB3 5DS
Contact number at premises	██████████
Applicant's details	
Title	Mr
First name	Manpal
Last name	Singh
House number	██████████
Street	██████
Town	██████
Postcode	██████
Date of birth	██████████
Please confirm that you are aged 17 or over	Yes
Place of birth	██████████
Mobile number	██████████
Email	██████████████████
Number of assistant(s)	1
Assistant 1 details	
Title	Mrs
First name	PUPENDER
Last name	KAUR
House number	██████████
Street	██████████
Town	██████████

Postcode	██████
Please upload proof of address	c9feba45-a08d-4eaa-9cc5-8f99752dd495.jpeg
Hours of trade	
Monday	Open
From / To	07:00 / 11:00
Tuesday	Open
From / To	07:00 / 11:00
Wednesday	Open
From / To	07:00 / 11:00
Thursday	Open
From / To	07:00 / 11:00
Friday	Open
From / To	07:00 / 11:00
Saturday	Open
From / To	07:00 / 11:00
Sunday	Open
From / To	07:00 / 11:00
Articles/commodities/services for sale	Furit & vegetables, household products , charcoal , water
Supporting documents	
Please upload a copy of your photo id (passport, driving licence, etc)	image.jpg
Please upload proof of your home address	image.jpg
Please upload a plan/map of the proposed licensed area	9DF30B3F-5AE3-4984-B39A-C5CB2A1D20F9.jpeg
Please upload evidence of public liability insurance to £2million	IMG_1872.png
Please upload passport size photos of yourself and your assistants	IMG_1400.jpeg
Payment	
Payment Amount (£)	£417.50
Transaction ID	CTRHNTQTXD3F
Declaration	
I understand that I must display a notice of application in the window of the application premises for 21 days	Yes
I understand that if I do not comply with all requirements, my application will be rejected	Yes
I declare that the information given in this application is true and complete in every respect	Yes
Dated	02/03/2024





SARIN Express



ECC Security

Mini

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BARBECUE

BBQ

BIG K Instant Light Charcoal 4 PACK

BIG K Lumpwood Barbecue

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HILLINGDON

LONDON

Street Trading Policy
The London Local Authorities Act 1990
(As amended)

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1. Introduction and intention

- 1.1 Local Authorities may regulate street trading activities and apply local controls in their area. For the purposes of controlling street trading in the London Borough of Hillingdon, the Council has previously adopted the relevant provisions of the 'London Local Authorities Act (as amended)'.
- 1.2 This policy is intended to provide a framework for the Council to administer and regulate street trading to ensure a consistent approach is taken. It also serves as a reference for licence holders, relevant stakeholders and enforcement officers as to the Councils intended vision and approach to street trading activities.
- 1.3 The Council is keen to create a thriving street trading environment which is sensitive to the needs of traders and residents and one which promotes consumer choice and enhances the trading and business opportunities in the borough.
- 1.4 In regulating street trading activities, the Council aims to reduce the administrative burdens on applicants and licence holders by reducing administrative burdens from the application process and also creating a clear and transparent guide for traders.
- 1.5 The Council will not deviate from this policy unless there is an unavoidable reason to do so.
- 1.6 In the development of this policy, the Council has consulted with licence holders, partner agencies and other stakeholders
- 1.7 Street trading activities are regulated by Part 3 of the London Local Authorities Act 1990 (as amended) which provides Local Authorities in London with an authorisation process to control the following activities;
 - Street Trading Pitches
 - Tables and Chairs on the Highway
 - Shop Front Displays
- 1.8 The Council has powers to designate a street as a 'licence street' and can prescribe the types of commodities or services which will be authorised by a licence.
- 1.9 Licences may be granted to persons aged seventeen or over and last for up to three years or a shorter period as determined by the Council.

2. Other Legislative Considerations

- 2.1 Traders should be aware that this policy relates only to street trading activities and it is the responsibility of the trader to ensure that they are compliant with other legislation. Traders should consider whether their activities are likely to require authorisation and/or compliance with other regulatory regimes. For example; Planning, Building Control, Food Safety, Health & Safety, Control of Waste, Highway Obstruction, Trading Standards, Late Night Refreshment/Entertainment/Alcohol Licensing etc.

3. Eligibility and Suitability Criteria for Applicants

- 3.1 Applicants wishing to be granted a street trading licence may apply to the Council provided that they are aged seventeen or older.
- 3.2 The Council will assess the suitability of the applicant on a case by case basis and may have regard to any relevant enforcement history concerning the applicant and/or the location of the proposed street trading.

4. Types of Authorisation

4.1 *Permanent licences*

A permanent licence will usually be issued to applicants for pitch, shop front and tables and chairs licences and will be valid for one year. In some circumstances, the Council may decide to issue a temporary licence to a new trader, or to a trader renewing a licence where there have been issues with enforcement.

4.2 *Temporary Licences*

Temporary licences will be issued to applicants for pitch licences where the trade is only proposed for one day to six months, or where the trading activity is part of an event or promotion. Temporary Licences will also be available to applicants of pitch, shop front or tables and chairs licences who may wish to trade seasonally or for short periods of time. For example; where a business is going to be sold and a licence is only required for a short time; a seasonal extension to accommodate trade at specific times of the year.

5. Fees

- 5.1 Street Trading licence fees will be set and reviewed from time to time by the Council and any changes to those fees will be advertised in accordance with the provisions of the London Local Authorities Act 1990 (as amended).
- 5.2 The fees are licence fees and are only applicable to licences granted. The Council respectfully requests that payment is made at the time of application

and where a licence is refused for any reason, a full refund will be given to the applicant.

- 5.3 Where a licence is revoked for reasons beyond the licence holders control, for example, where the highway has been redeveloped and there is no longer sufficient space for the trading activity to take place or where the Council has introduced a ban on certain commodities that were previously licensed, the Council will offer a partial refund of the licence fee. This will be calculated on pro-rata basis in whole months.
- 5.4 Where a licence has been revoked for reasons within the control of the licence holder, the Council will not issue a refund of the street trading licence fee.

6. Application Requirements

- 6.1 The Council will require the following submissions to be made in respect of applications, in line with the legislation;
- a) Full name, home address and date of birth of applicants;
 - b) The location of the proposed street trading activity including the days and times;
 - c) The description of goods and/or services offered for sale;
 - d) Proof of permission to trade from the landowner or a statement from the applicant if he is the landowner;
 - e) One passport style photograph of the applicant;
 - f) Proof of public liability insurance (minimum £2million).
- 6.2 In addition to those legislative requirements, the Council will also seek the following information from the applicant;
- a) Details of any installations needed to carry out the street trading activity for example, a vehicle, shop front display units, tables and chairs;
 - b) The names and addresses of the applicants nominated assistants;
 - c) The name and address of a person nominated for succession of the licence.
- 6.3 Unless there is a specific need to do so, the Council will not routinely require any further submissions from applicants.
- 6.4 Specific licence types will require the applicant to supply the Council with specific information. Most of this will be contained within the application form. Some examples of what information the Council will be seeking are outlined below;

6.5 Pitch applications

The Council will require details of the vehicle or stall set up being proposed. There will be an opportunity to give this information within the application form however, it may also be appropriate for the applicant to provide photographs or site plans of the proposed installations.

6.6 Shop front display applications

The Council may authorise shop front displays in the area directly outside a shop. The applicant will usually make an application in whole metres from the boundary of the shop frontage, however in some circumstances, it may be appropriate to issue licences for a portion of a metre. This will be dependent upon the availability of space and level of footfall in the surrounding area.

6.7 Tables and chairs applications

Licences for tables and chairs will contain a standard condition requiring the licence holder to create a temporary barrier around the trading area. The applicant may be asked to provide full details of the barriers and the tables and chairs, this may include photographs. Details of the type of furniture to be placed on the highway should also be included in the application form.

6.8 In addition to the above, for applications for shop front and / or tables and chairs licences, consultation and advertisement will take the form of a "Notice of Application" which must be placed in the window of the relevant premises – so that it can be easily seen from outside. The notice will be at least A4 in size and must be in place and easily visible from the outside throughout the consultation period.

7. Special Provisions for Community/Charity Trading Licences

7.1 Community/Charity trading licences will be issued to organisations that are not carrying out trading activity for the purpose of making a profit on an occasional or temporary basis. Whilst the activity may be legally regarded as Street Trading activity, the overall purpose may be non commercial and the Council may apply a 'light touch' to the application process.

7.2 The Council will consider individual applications for Community/Charity trading licences on a case by case basis and acceptance will be assessed in the following circumstances:

- fundraising activities,
- promotion of charity or other local cause,
- promotion of community services.

7.3 The licences will be applied for in the same way as Temporary Street Trading Licences.

7.4 The Council may also consider the grant of a waiver or reduction of the licence fee where requested.

8. Consultation

8.1 Upon receipt and acceptance of an application, the Council will carry out a consultation with the relevant Ward Councillors, the Council's Highways Service, the Council's Enforcement Officers and any trade representative i.e. Chamber of Commerce or Town Centre Management. The Council's Food Safety team will be consulted where the application is proposing to trade in food items. Applications will also be displayed on the Council's website.

8.2 The purpose of the consultation is to seek assurances that the applicants proposals satisfy the requirements of the legislation and that they are suitable to be licensed. Through the consultation process, certain discretionary grounds for refusal or modification of applications may be identified.

8.3 For Permanent and Temporary Street Trading Licences, the consultation period will last for twenty one consecutive days starting with the day after the application has been received.

8.4 For Community/Charity Trading Licences, the consultation will be for a minimum of five consecutive days starting with the day after the application was received.

9. Assessing consultation feedback and objections

9.1 Where the Council receives feedback or an objection to an application consultation, it will carefully consider whether that feedback/objection may influence the Councils discretionary decision making powers.

9.2 The Council will not consider any feedback or objections where they are; frivolous, vexatious or repetitious. Such objections are considered not 'relevant'.

10. Decision Making

10.1 The Council has powers to consider a wide range of matters on which to refuse street trading licences. Any decisions made upon these grounds will be evidenced and justified after careful investigation into any responses received to the consultation process. The Council's decision making powers are split between mandatory and discretionary grounds for refusal.

10.2 Certain grounds for refusal may also present themselves through the application process. Where these grounds are identified, the applicant will be offered the opportunity to amend the application before it is determined.

10.3 The mandatory grounds for refusal are:

- a) The applicant is under the age of seventeen.
- b) The proposed trading location is not within a designated licence street.
- c) The applicant is proposing to sell goods or services which the Council has resolved to ban.
- d) There is not enough physical space within the proposed trading location and any trading activity would have an adverse impact on the surrounding area by causing obstructions to persons or vehicles using the street.
- e) The applicant has made an application to trade in a location which does not satisfy the definition of a 'street' for the purposes of the legislation.

10.4 The determination of applications where no relevant adverse feedback has been received during the consultation period, will be determined by Officers delegated for the purpose, and may be changed from time to time as appropriate.

10.5 The discretionary grounds for refusal are:

- a) There are enough street traders in the area offering the same or similar goods to those of the applicant.
- b) The applicant is unsuitable to hold a licence.
- c) The applicant has previously demonstrated misconduct or unscrupulous behaviour whilst being the holder of a street trading licence.
- d) The applicant has failed to comply with the terms or failed to pay a fee of a street trading licence.
- e) The applicant has failed to propose suitable measures for the storage of perishable items when street trading is not taking place.
- f) The applicant of a shop front licence is proposing to sell goods or offer services which are not sold or offered for sale within that shop.
- g) The applicant is not the owner/occupier of a shop outside which a shop front trading licence is sought.

10.6 Where relevant adverse feedback has been received within the consultation period and discretionary grounds for refusal have been identified, the Council's Licensing Sub-Committee will be tasked with making determinations. Where applications are heard by the Licensing Sub-Committee, the Sub-Committee may exercise its discretion on accepting late objections if they are relevant and where there are demonstrable mitigating circumstances for being submitted outside the consultation period.

10.7 The Council may also have regard to the other following factors when considering the impact on the local area of the proposed trading activity. This may result in additional conditions being imposed upon any licence granted.

- a) Public Safety – whether the street trading activity represents, or is likely to represent, a substantial risk to members of the public from the point of view of obstruction of the highway for emergency vehicles, or otherwise, a fire hazard, unhygienic conditions or other danger that can be reasonably foreseen, that may occur when a trader is using the site.
- b) Prevention of Crime and Disorder – whether the street trading activity represents, or is likely to represent, a substantial risk to public order. This is potentially more of an issue for traders wishing to operate as part of the night time economy.
- c) Prevention of public nuisance or environmental damage – whether the street trading activity represents, or is likely to represent, a substantial risk of nuisance or environmental issues. Examples include; damage to street surfaces; noise; litter; refuse; vermin; fumes/odours etc.
- d) Appearance of trading area – Whether the street trading area is properly constructed and presented and enhances the aesthetic street scene of an area. Guidance will be given to applicants regarding the standard expected by the Council.
- e) Needs of the area – amongst other things, the Council will consider the demand for the articles for sale, and the geographical location of the proposed site.

10.8 Where grounds for refusal do exist, the Council may still award a licence but this could be a modification from what was originally applied for. For example, it may be appropriate to reduce the days/times of trading activity, to reduce the size of the proposed trading area or add conditions.

10.9 In accordance with the EU (Provision of Services) Regulations, tacit consent will apply to street trading licence applications if no grounds for refusal are identified through the consultation process within twenty eight days following receipt of a valid application. In all cases where a Licensing Sub-Committee hearing is required, the applicant will be notified.

11. Hearings

11.1 Where the Licensing Sub-Committee is to consider grounds for refusal of a licence application, Officers will aim to convene a hearing within twenty working days following the end of the consultation period or as soon as reasonably practicable.

- 11.2 Where a street trading licence is being considered for revocation, the Council is required to afford the licence holder an opportunity to address the Licensing Sub-Committee. The Council will give at least twenty one days notice of any revocation proceedings being brought against the trader.
- 11.3 The Licensing Sub-Committee constituted for the purpose of determining street trading licences shall be made up from Members of the Licensing Committee as constituted under the Licensing Act 2003.
- 11.4 Applicants will normally be notified of the decision on the day of the hearing and can expect a written decision within five working days of the decision.
- 11.5 In certain circumstances, the Licensing Sub-Committee may defer their decision or they may adjourn a hearing. This will be dependent upon the severity and complexity of the case before them and it may be appropriate to gather additional information to aid the decision making process.

12. Appeals

- 12.1 Any person aggrieved by the Council's decision to refuse or revoke a street trading licence may lodge an appeal to the Magistrates Court within twenty one days of receipt of the written decision notice following the outcome of the Licensing Sub-Committee.
- 12.2 All decision notices will contain full details of the appeal rights including how to lodge an appeal. Applicants for temporary licences do not have any appeal rights, notwithstanding statutory rights to seek Judicial Review proceedings.

13. Conditions and Standards for Licence Holders

- 13.1 The council expects all licence holders to carry out their trading activities in accordance with the conditions imposed upon it.
- 13.2 When the Council issues a street trading licence, it shall include the following:
 - a) The trading address to which the licence relates;
 - b) The full name of the licence holder and any named assistants;
 - c) The size and location of the licensed trading area;
 - d) The commodities/services authorised by the licence;
 - e) A photograph of the licence holder;
 - f) Any non-standard conditions relating to the licence;
- 13.3 In addition to the above information, the Council will also impose standard conditions on all street trading licences. Standard conditions will be reviewed from time to time. The standard conditions can be found at Appendix 3.

- 13.4 The Council expects all licence holders to maintain their trading area in a proper manner and to ensure that any trading/display equipment is of a good quality and tidy appearance. The Council will provide traders and applicants with examples of the standards expected and will offer assistance and advice to traders and applicants on how to improve the look and quality of their trading/display equipment.
- 13.5 The intention of the Council is to create a vibrant and thriving shopping environment for residents and also add to the aesthetics of a shopping area.
14. Special Provisions for certain geographical locations
- 14.1 From time to time, the Council may consider imposing certain trading restrictions in certain geographical locations. For example, it may be appropriate to standardise trading times or maximum trading areas within very busy areas with a high concentration of traders. The Council may also determine to grant only Temporary Licences in a geographical area.
- 14.2 The Council will consider this action as part town centre regeneration or as part of other town centre incentives.
- 14.3 Details of these special provisions are detailed in Appendix 4
- 14.4 Where the Council is minded to impose new restrictions, it will consult with those traders affected to ensure transparency in the process.
15. Delineation
- 15.1 Where the Council issues a licence, it may be appropriate to define the trading area by delineating with studs or similar.
- 15.2 The Council will consider the following factors when deciding to delineate in certain areas:
- a) Whether there is a need to define the trading area to assist traders in keeping within their licensed trading area
 - b) Where licence holders of pitch licences, and the Council's enforcement officers, need to easily identify a specified trading area.
 - c) Where there is a high concentration of traders in a particular area and trading boundaries need to be defined
- 15.3 Delineation will be considered in consultation with the Council's Highways Service to ensure the appropriate materials are used. The cost for delineating trading areas will be borne by the Council.

16. Duration of Licences

16.1 The Council has powers to issue permanent licences for up to three years and temporary licences for up to six months.

16.2 The Council will normally issue permanent licences for one year. Temporary licences are issued for periods from one day to six months.

17. Offences

17.1 S's 34 & 38 of The Act outline the offences which include;

- a) Failure to comply with the street trading terms and conditions
- b) Making a false statement in connection with an application
- c) Obstruction of an authorised officer of the Council
- d) Failure to produce a valid street trading licence

18. Enforcement and review action

18.1 The decision to use enforcement action will be taken on a case by case basis and, to ensure consistency of approach, in accordance with the Residents Services Enforcement Policy which may be applicable. The action taken, which may be immediate, will be proportionate to the seriousness and nature of the non-compliance.

18.2 Factors that will be taken into consideration include, but are not limited to:

- a. The risk that the non-compliance poses to the safety, health or welfare of the public at large or to individuals;
- b. Evidence suggests that there was pre-meditation in the commission of an alleged offence;
- c. The alleged offence involved a failure to comply in full or in part with the requirements of this policy and / or the terms of the street trading licence;
- d. There is a history of previous warnings or the commission of similar offences;
- e. Aggravated circumstances such as obstruction of an officer or negative conduct;
- f. If the alleged offence, though not serious itself, is widespread in the area where it is committed;
- g. The gravity of an alleged offence, taken together with the seriousness of any actual or potential harm;
- h. There has been a repetition of a breach that was subject to a formal caution or issue of a Fixed Penalty Notice;

- i. False information has deliberately been supplied and/or intention to deceive.
- 18.3 The Council may take the following types of enforcement action (in no particular order):
 - a) Verbal/written warnings – e.g. a contravention and / or where Officer contact has not resolved the contravention;
 - b) Simple cautions;
 - c) Licence revocation e.g. where fees go unpaid, a breach of a licence condition; conduct of the licence holder etc.
 - d) Fixed Penalty Notices;
 - e) Prosecution.
- 18.4 Where grounds for revocation have been identified, the case will be considered by a Licensing Sub-Committee in the form of a licence review hearing.
- 18.5 Any decision to prosecute will be taken as a last resort and such a decision will be made in accordance with the Residents Services enforcement policy and the Code for Crown Prosecutors. Council enforcement officers will carry out their enforcement-related work with due regard to the Enforcement Concordat. Information concerning non-compliance may be shared with other enforcement agencies. Any such action will only be undertaken in the public interest and in compliance with the Data Protection Act 1998.
- 18.6 Officers will regularly inspect street trading areas to ensure compliance with the licence terms and conditions i.e. the trader is only trading in the licensed pitch area. In addition, all complaints of unlicensed street trading will be investigated.

19. Renewals

- 19.1 When a permanent street trading licence is due to expire, the Council will notify the licence holder three months in advance of this date and invite a renewal application.
- 19.2 Renewal applications must be submitted to the Council at least two months prior to the date of expiry.
- 19.3 Licence holders can expect to provide the same information as would be required for a new licence, however, if nothing has changed since the licence was granted, the Council may resolve not to require certain documentation i.e. photograph of the applicant, landowners permission etc.
- 19.4 In addition to the above, for applications for the renewal of shop front and / or tables and chairs licences, consultation and advertisement will take the form

of a “Notice of Application” which must be placed in the window of the relevant premises – so that it can be easily seen from outside. The notice will be at least A4 in size and must be in place and easily visible from the outside throughout the consultation period.

- 19.5 Renewal applications are also subject to the same consultation requirements as new applications and the Council may identify grounds for refusal during that process.
- 19.6 Where discretionary grounds for refusal have been identified, the application will be determined by the Licensing Sub-Committee; a hearing will be arranged as soon as reasonably practicable.
- 19.7 If a licence is due to expire and the Council has not determined the renewal application, the trader may be allowed to continue trading during the interim period. This will usually be allowed save for circumstances where the trader has been subject to enforcement action or other reasons where the Council may not wish for the licence to continue during this period.
- 19.8 Each case will be considered on its own merits and on a case by case basis.

20. Variations

- 20.1 Whilst not specifically addressed in the street trading legislation, the Council will allow traders to apply for variations to their licences within the duration of the licence. Variations may include, but not limited to; the size of the trading area; the authorised trading times; the authorised commodities; the conditions imposed upon the licence.
- 20.2 Variations must be applied for, using the appropriate form and will be subject to the same consultation process as for new and renewal applications.
- 20.3 A processing fee will be charged and should accompany the application. Where a variation is sought for an increase in a shop front display area, the fee for any additional metres will be charged as well as the processing fee.
- 20.4 Where the variation is administrative, e.g change of licence holder's address; change of assistant's details, a lesser processing fee will be charged.
- 20.5 Where grounds to revoke a licence have been identified, the Council may, instead, choose to vary the licence by imposing additional conditions or making restrictions on the licensed area or times. Any such variations will be imposed by the Licensing Sub-Committee when considering a case for forced revocation/variation.

21. Succession

- 21.1 The legislation allows 'Succession rights' which allow the licensed trader to nominate a relative whom he desires the licence be granted to under the following circumstances;
- a) When the licence holder dies;
 - b) When the licence holder retires, having reached the normal age for retirement;
 - c) When the licence holder advises the Council that owing to ill health, he is unable to continue to operate the licence.
- 21.2 The Council will consider the circumstance of the individual trader when assessing succession rights. Officers can provide advice on these rights and it is advised that the trader seeks their own independent legal advice on the matters involved before any assumptions about the entitlement can be made.
- 21.3 Holders of temporary licences are not entitled to succession rights.

22. Lapsing of Street Trading Licences

- 22.1 A Street trading licence will automatically lapse where permission to trade from the landowner ceases.
- 22.2 Where the Council is the owner of the land upon which the street trading activity is taking place, the Council may withdraw permission to trade where there are exceptional circumstances to justify a decision for example, street works and or/redesign of a street where it would no longer be possible to maintain the trading area.

23. Designation of Licence Streets

- 23.1 If the Council considers that street trading should be allowed or licensed in any area, it may pass a resolution designating any further street or part of a street as a licence street under Section 24 of the Act. In deciding if a street or site should be designated for street trading, the following may be considered;
- a. The presence of any existing or planned street furniture;
 - b. The proximity and nature of any road junctions and pedestrian crossing points;
 - c. The number of street trading sites already licensed in the vicinity;
 - d. Whether the proposed site for designation would impact on accessibility for members of the public i.e. pedestrians, pushchairs, wheelchairs etc.
 - e. Whether the safety of the public will be put at increased risk;

- f. Whether the proposed site will leave the recommended clearance of two metres clear passage between the trading area and the edge of the kerb or footway;
- g. Whether there will be a negative impact on the character or appearance of the area.

23.2 For designation, there is a consultation period of twenty eight days, when the Council consults with the Police, Highways Authority, existing licence holders in the affected area, and any other relevant body. The Council may also pass a resolution to rescind or vary the designation of a licence street, and must consult on any intentions to do so in a notice published in a local paper. After publishing the consultation notice, the Council will consider any representations received, before making a decision.

23.3 A street does not have to be designated as a licence street for street trading purposes where a temporary street trading licence is issued.

23.4 For traders wishing to trade on a street which is not designated, the Council is open to considering new locations where designation has not previously been made. In these circumstances, the trader will be required to submit full plans of their proposals to the Council for consideration.

23.5 Designation of new streets will not normally be considered for streets with parking restrictions and/or a speed limit of 40mph or more.

23.6 A list of current licence streets found in Appendix 1

24. Exemptions

24.1 The Council recognises that certain trading activities do not constitute street trading and are therefore exempt from the licensing regime. The following exemptions are outlined in the legislation:

- a) A person trading as a 'Pedlar' under the authority of a pedlars certificate granted under the Pedlars Act 1871, provided that the trading is only carried out 'house to house';
- b) Trading as part of a street market – these are licensed by the Council under a separate statutory regime;
- c) Trading in a trunk road picnic area;
- d) Trading as a news vendor;
- e) Trading by a rounds man delivering milk and/or other perishable goods;
- f) Charity collections;
- g) The selling or offering for sale goods or services on private land adjacent to a shop provided that the trade forms part of the normal business of that shop. For example; a fruit/vegetable display outside a grocers shop or tables and chairs for diners outside a café.

25. Commodities

- 25.1 Applications for street trading licences must be made in accordance with the Council's approved list of commodities and banned commodities (Included as Appendix 2). The Council will consider commodities that are not on the approved list at its own discretion.
- 25.2 The Council may amend this list in order to ensure fair trading opportunities to all traders in the relevant area. The Council may, from time to time, ban certain commodities in certain areas where there is a need to do so. If the Authority amends the list of banned commodities, a twenty one day consultation with traders will be held in the affected area prior to a decision being made.

26. Motor Vehicles

- 26.1 It is an offence for traders to expose or offer for sale any motor vehicle on a public street.
- 26.2 Where motor vehicles for sale are displayed on a street, this will be determined as an improper use of the highway for which the seller of the vehicle may be subject to legal action and the vehicle seized.
- 26.3 Persons operating motor vehicle trading activity from their residential address may only do so if they have planning permission for the trading activity and do not display their vehicles on the public highway.

27. Ice Cream Traders

- 27.1 Ice cream trading means the selling, exposing or offering for sale from a vehicle, goods which consist mainly of ice cream, frozen confectionery or other similar items.
- 27.2 Itinerant ice cream traders are defined as traders from a vehicle who go from place to place remaining in a particular location for no more than fifteen minutes and who do not return to the same location or the same street on the same day.
- 27.3 Ice cream traders may not trade from a designated licence street, or in areas where such trade has been prohibited by the Council.
- 27.4 Where the Council is considering the prohibition of ice cream trading in certain locations, it will pass a resolution under S37 of the Act.
- 27.5 A current list of prohibited locations can be found in APPENDIX 5.

Appendix 1

List of Designated Licence Streets

Pursuant to Section 24(10) of the London Local Authorities Act 1990 (as amended) the following streets are designated as “licence streets” for the purposes of street trading.

Shop front displays and tables and chairs only;

Bakers Road, Uxbridge	Lansbury Drive, Hayes
Barra Hall Circus, Hayes	Laurel Lane, West Drayton
Belmont Road, Uxbridge	Long Lane 1-12, Ickenham
Betam Road	Long Lane 305-321, Hillingdon
Botwell Lane, Hayes	Long Lane 370-396, Hillingdon
Bourne Avenue, Gloucester Parade, Hayes	Long Lane, Crescent Parade, Hillingdon
Byron Way, West Drayton	Long Drive, South Ruislip
Cocks Yard, Uxbridge	Manor Way, Ruislip Manor
Coldharbour Lane, Hayes	Maxwell Road, Northwood
Coleridge Way, West Drayton	Moorfield Road, Cowley
Cowley Road 100-118, Uxbridge	Moorhall Road, Harefield
Cowley Road 18-20, Uxbridge	Mulberry Crescent, West Drayton
Dawley Road 1-19, Hayes	North Hyde Road 141-171, Hayes
Dawley Road, Dawley Parade, Hayes	Old Stockley Road
East Lane, Hayes	Park Way, Ruislip Manor
Eastcote High Road, Black Horse Parade, Eastcote	Park Lane, Harefield
Falling Lane, Yiewsley	Pembroke Road, Ruislip Manor
Field End Road, Eastcote	Pield Heath Road, Cowley
Field End Road 702-724, South Ruislip	Pinner Road, Northwood
Green Lane, Northwood	Pinner Road, Northwood Hills
Harlington Road 305-315, Hillingdon	Pump Lane, Hayes
Harmondsworth Road, West Drayton	Redmead Road, Hayes
Harlington Road 305-315, Hayes	Rickmansworth Road, Harefield
Harvil Road, Harefield	Romney Road, Romney Parade, Hayes
Hayes By-Pass (The Parkway)	Royal Lane, Yiewsley
Hercies Road, Hillingdon	Ryefield Avenue, Hillingdon
High Road 28-34, Cowley	Salisbury Road, Eastcote
High Road 81-97, Ickenham	Sipson Road, West Drayton
High Road, Ickenham	Station Approach, South Ruislip
High Street, Cowley	Station Road, West Drayton
High Street, Dellfield Parade, Cowley	Station Road, Cowley
High Street, Harefield	Station Road, Hayes (<i>NOT pedestrianised</i>)
High Street, Harlington	Station Road Hayes, <i>pedestrianised area between Pump Lane and Crown Close;</i>
High Street, The Parade, Cowley	St Dunstons Road, Hayes
High Street, Uxbridge	Sutton Court Road, Hillingdon
High Street, Uxbridge – <i>pedestrianised area between Vine Street and Belmont Road.</i>	Swakeleys Road 1-31, Ickenham
High Street, Ruislip	Swan Road 58-66 and 81, West Drayton
High Street, Yiewsley	The Green 1-16, West Drayton
High Street 110-118, Northwood	Victoria Road, South Ruislip
High Street 2-88, Northwood	Victoria Road, Ruislip Manor
Hillingdon Hill, Hillingdon	Victoria Road 439-445 and 490, South Ruislip
Horton Road, Yiewsley	Violet Avenue 53-65, Yiewsley
Howletts Lane, Ruislip	West Drayton Road 177-183, Yiewsley
Ickenham Road, Station Parade, West Ruislip	West End Road, Ruislip Gardens
Ickenham Road, Ruislip	Whitby Road 143-163 and 208-218, South Ruislip
Joel Street, Northwood Hills	Windmill Hill, Ruislip Manor
Kingshill Avenue, Hayes	Uxbridge Road 1172-1380, Hayes End

Appendix 1 (cont)

Uxbridge Road 124-152, Hayes Uxbridge Road 641-693, Hayes Uxbridge Road 759-849, Hayes End Uxbridge Road, Blenheim Parade, Hillingdon Uxbridge Road, Byron Parade, Hillingdon Uxbridge Road, Crescent Parade, Hillingdon Uxbridge Road, Heathside Parade, Hillingdon Uxbridge Road, Marlborough Parade, Hillingdon	Uxbridge Road, Westbourne Parade, Hillingdon Uxbridge Road, Whiteleys Parade, Hillingdon Vine Street, Uxbridge Welbeck Avenue, Yeading Willow Tree Lane, Hayes Windsor Street, Uxbridge Yeading Lane, Yeading
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Pitch traders only

Hayes Bypass (The Parkway) High Street, Uxbridge High Street, Uxbridge – <i>pedestrianised area between Vine Street and Belmont Road.</i> Moorhall Road, Harefield Pasadena Close, Hayes Pump Lane (Eastern End)	Rickmansworth Road, Harefield Old Stockley Road, West Drayton Silverdale Road, Hayes Skyport Drive, Springfield Road, Hayes Swallowfield Way, Hayes
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Appendix 2

Commodities

Category	Commodity
Clothing	<ul style="list-style-type: none"> • Women's clothing • Gents clothing • Children's clothing • Baby wear • Sportswear • Clothing accessories i.e. hats scarves, ties, belts etc • Underwear/Nightwear • Footwear/slippers • Other items (must be specified)
Flowers	<ul style="list-style-type: none"> • Cut flowers and plants • Uncut flowers and plants • Artificial flowers • Flower accessories i.e. pots, food, hanging baskets etc. • Seasonal i.e. Christmas Trees, Holly, Mistletoe etc • Other items (must be specified)
Fruit & Vegetables	<ul style="list-style-type: none"> • Raw fruit/vegetables • Other items (must be specified)
Food	<ul style="list-style-type: none"> • Pre-packed groceries • Dried fruit, seeds, pulses, beans etc • Cheese and dairy • Meat/fish • Bread/cakes • Deli food i.e. olives, pickles, nuts etc • Confectionary • Other items (must be specified)
Household goods	<ul style="list-style-type: none"> • Cleaning products • Laundry products • Cleaning utensils • Plastic storage and accessories e.g. crates, boxes etc • Light bulbs • Other items (must be specified)
Toiletries & Cosmetics	<ul style="list-style-type: none"> • Toiletries • Hair products • Make-up • Perfume • Other items (must be specified)
Kitchen/Dining	<ul style="list-style-type: none"> • Cookware • Serve ware • Glassware • Table wear • Other items (must be specified)
Soft furnishings	<ul style="list-style-type: none"> • Cushions & throws • Bedding • Curtains & blinds • Rugs & mats • Dining linen • Other items (must be specified)

Appendix 2 (Cont)

Electrical & Audio/Visual	<ul style="list-style-type: none"> • Audio/amplification equipment • Visual/display equipment • Computer hardware and accessories • Games consoles • Musical Instruments • Cameras • Electrical accessories • Other items (must be specified)
Travel Accessories	<ul style="list-style-type: none"> • Luggage • Sports bags • Handbags • Other items (must be specified)
Jewellery and accessories	<ul style="list-style-type: none"> • Costume jewellery • Precious jewellery • Hair accessories • Sunglasses • Watches • Other items (must be specified)
Stationery	<ul style="list-style-type: none"> • Office supplies • Paper • Greetings cards • Wrapping supplies/gift bags • Other items (must be specified)
Toys	<ul style="list-style-type: none"> • Children's toys • Outdoor games and toys • Baby/nursery equipment • Other items (must be specified)
Tools, DIY & Gardening	<ul style="list-style-type: none"> • Tools • Garden tools • DIY supplies • Other items (must be specified)
Furniture	<ul style="list-style-type: none"> • Furniture including antiques • Other items (must be specified)
Sports equipment	<ul style="list-style-type: none"> • Exercise equipment • Track & Field • Golf • Sports equipment • Other items (must be specified)
Pet supplies	<ul style="list-style-type: none"> • Pet food • Pet beds • Pet cages/hutches/tanks/carriers • Grooming and care supplies • Other items (must be specified)
Arts & Crafts (original handmade goods)	<ul style="list-style-type: none"> • Art • Sculpture • Craft items • Handmade textiles • Other items (must be specified)
Textiles	<ul style="list-style-type: none"> • Fabric • Haberdashery • Yarn/Wool • Knitting/Sewing supplies • Other items (must be specified)
Miscellaneous	<ul style="list-style-type: none"> • Other items not in any category above (must be specified by the applicant)

Appendix 2 (Cont)

Banned Commodities

Commodity	Ward/Area of ban
Continuous or regular street trading of food (e.g. Mobile food traders)	Uxbridge Town Centre

Appendix 3

Terms and Conditions for all Street Trading Licences & Market Licences

1. PITCH SIZE

The licensed area must be within the dimensions specified on the licence, or any relevant pitch limits marked out on the ground by the Council. An awning may be permitted to extend 30 cm (12 inches) at the front of the trading area, but no articles are to be suspended from the awning beyond the permitted trading area.

2. COMMODITIES / ITEMS TO BE TRADED OR SOLD

Only those commodities or groups of specified on the licence may be sold from the licensed street trading pitch.

3. ADVERTISEMENTS

No advertisement shall be displayed on the licensed trading area for goods, commodities or services other than those licensed for sale or provided on that licensed trading area.

4. DAYS AND TIMES OF TRADING OR BUSINESS

Trading may only take place on the days and during the times specified on the licence. The Council shall advise traders of any extension of trading times for specified trading periods when and as relevant.

5. TRADING ALONGSIDE PERMANENT BUSINESSES

Licence times shall be the same as trading times applicable to shops in the vicinity of the licensed street trading pitch. However, traders may trade only during the times stated on the licence.

6. REFUSE OR WASTE

It is the trader's responsibility to ensure that all litter and waste generated by their licensed activity is collected for recycling or disposal, in ways that are compliant with legislation. This can mean storage in suitable bins or containers within the licensed area until collection can take place by a registered carrier of waste. To prevent blockages, odours or nuisance to others, road gullies or surface water drains may not be used for the disposal of food based liquid wastes or other noxious substances.

7. STREET CLEANLINESS

The trader must keep the immediate licensed area and the area within 5 metres in any direction from the licensed area, free of any wastes or spillages resulting from the trading activity, throughout the trading day. When trading is finished or upon leaving the site the trader/market operator must leave it in a clean condition.

8. DISPLAY OF LICENCE

The licence must be shown at all times, in a prominent position, so that it can be easily read.

9. SAFETY OF EQUIPMENT

Electrical equipment should be tested by a competent person at intervals recommended by the competent person. Records should be kept of all inspections and tests together with any defects and/or remedial works, so as to demonstrate compliance.

10. USING A MAINS VOLTAGE ELECTRICAL SUPPLY

Traders using a mains electrical supply must have consent from the Council before seeking installation from an electricity supplier. Where relevant, the trader and the electricity supplier will be required to provide the Council with certification for the safety of the electricity supply.

11. INTERFERENCE WITH ELECTRICAL SUPPLIES

A trader will be subject to suspension of a licence if they tamper with, or use an electricity supply belonging to the Council without a prior arrangement to do so. A trader causing damage to any Council installation or equipment will be required to pay the full cost of any repair or replacement.

12. PITCH EQUIPMENT, OR TRADING STALLS

Pitch equipment or stalls should be easily and quickly assembled and removed. The Council reserves the right to inspect for stability and safety and to ensure that they are fit for purpose. Any obviously dangerous item must be made safe or immediately removed on request by the Council. It is the trader's responsibility to ensure that items and structures are put up and taken down safely, are properly designed, well sited and in a good, clean condition.

13. GENERAL CONDUCT

Any trader and/or any assistants employed by them shall conduct themselves in a decent manner and ensure that all members of the community are fairly treated and shown courtesy and respect. Trading activities should not give rise to noise inappropriate to the area, or cause other nuisance.

14. PRODUCTION OF LICENCES ON REQUEST

All licensed traders shall produce their licence when requested to do so by an authorised officer the Council or a police officer.

15. NOTIFICATION OF LOCATION FOR STORAGE OF FOOD COMMODITIES, PITCH EQUIPMENT, OR TRADING STALLS etc.

Traders in foodstuffs must notify the Council in writing of any change of address or addresses at which the pitch equipment stalls etc (the "receptacles") and any commodities are stored. Such notice must be given within 7 days of the change. Checks may be made to confirm details and suitability.

16. EMPLOYMENT OF CHILDREN

A licensed trader shall not employ any person under the age of 17 years in any capacity in the course of his trade or business.

17. PORTABLE GENERATORS

Generators shall be positioned so that they do not present problems for other street users or traders. Generators shall be checked and certified for safety and shall be erected in a secure location and barriered to prevent interference by members of the public.

18. ASSISTANCE TO COUNCIL OFFICERS

A trader shall give immediate assistance to Council officers when requested to do so. In dealing with an emergency, this might mean moving a stall or equipment away from the area, quickly.

19. GAS CYLINDERS

The use of gas cylinders is permitted only where;

- traders have checked the valves and hoses of gas cylinders for defects before bringing them into the licensed market place, and;
- the cylinders are in safe working order

Appendix 4

Special Provisions

Conditions Specific to Tables & Chairs Licences

In addition to the conditions relating to all street trading licences, these conditions apply specifically to “Tables and Chairs” licences.

1. The grant of a tables and chairs trading licence does not give any approval or consent which may be needed under any other legislation other than under the Act(s).
2. A copy of the tables and chairs licence must to be displayed in the window of the licensed premises. The copy licence is to be displayed so as to be clearly visible and legible from the street.
3. Only those commodities sold in the relevant shop premises can be served under the tables and chairs licence.
4. Only those services provided within the relevant shop premises can be provided in the licensed area where a licence permits tables and chairs to be placed on the street.
5. Temporary barriers of an approved type must be in place around the trading area during licensed hours and the same must be removed outside of the hours permitted by the licence
6. A tables and chairs licence is not transferable.

Conditions Specific to Shop Front Licences

In addition to the conditions relating to all street trading and market licences, these conditions apply specifically to “Shop Front” licences only

1. A copy of the shop front trading licence must to be displayed in the window of the premises outside which trading is permitted. The copy licence is to be displayed so as to be clearly visible and legible from the street.
2. Monetary exchange or payment cannot be made in the licensed street trading pitch.
3. The dimensions of a licensed street trading pitch shall be such that a minimum of 2m clear of any obstruction shall be maintained on the Public Highway for the safe pass, re-pass and free flow of pedestrian and vehicular traffic.
4. No equipment, stall, container, or display or tables(s) or chair(s) shall at any time be permitted to obstruct an entrance or exit to any adjacent premises or to any part of the building to which the licence applies that is under separate occupation.
5. A shop front trading licence is not transferable.
6. Only those commodities sold in shop premises can be displayed outside premises provided they are not excluded items as defined in these regulations.
7. Only that equipment, stall, container, or display or tables(s) or chair(s) and containers which is suitable and fit for purpose and approved by the Council shall be used by the licence holder and assistants for shop front trading or ancillary to shop front trading.
8. The following items may not form part of the commodities displayed under a shop front licence:
 - a. Alcoholic beverages, tobacco and tobacco products;
 - b. Lottery tickets, phone cards, raffles, tombola and/or other games of chance;
 - c. Medicines, drugs and other prescribed substances
 - d. Cooked or uncooked meat or fish of any kind
 - e. New and used cars and motorcycles
 - f. Pets and livestock
 - g. Containers of Liquid Petroleum Gas (LPG) including any which are fully or partly discharged or emptied;
 - h. Explosives, including fireworks;
 - i. Goods considered by the Council to pose a Health and Safety risk to the public. i.e cooking.
9. Items that are likely to cause damage the street or street furniture may not be used.
10. An awning may be permitted to extend up to a maximum of 30 cm (12 inches) at the front of the licensed shop front pitch but no articles are to be suspended from the awning beyond the permitted area. Additionally, the placement of the awning must permit safe pass and re-pass by pedestrian traffic.

Appendix 5

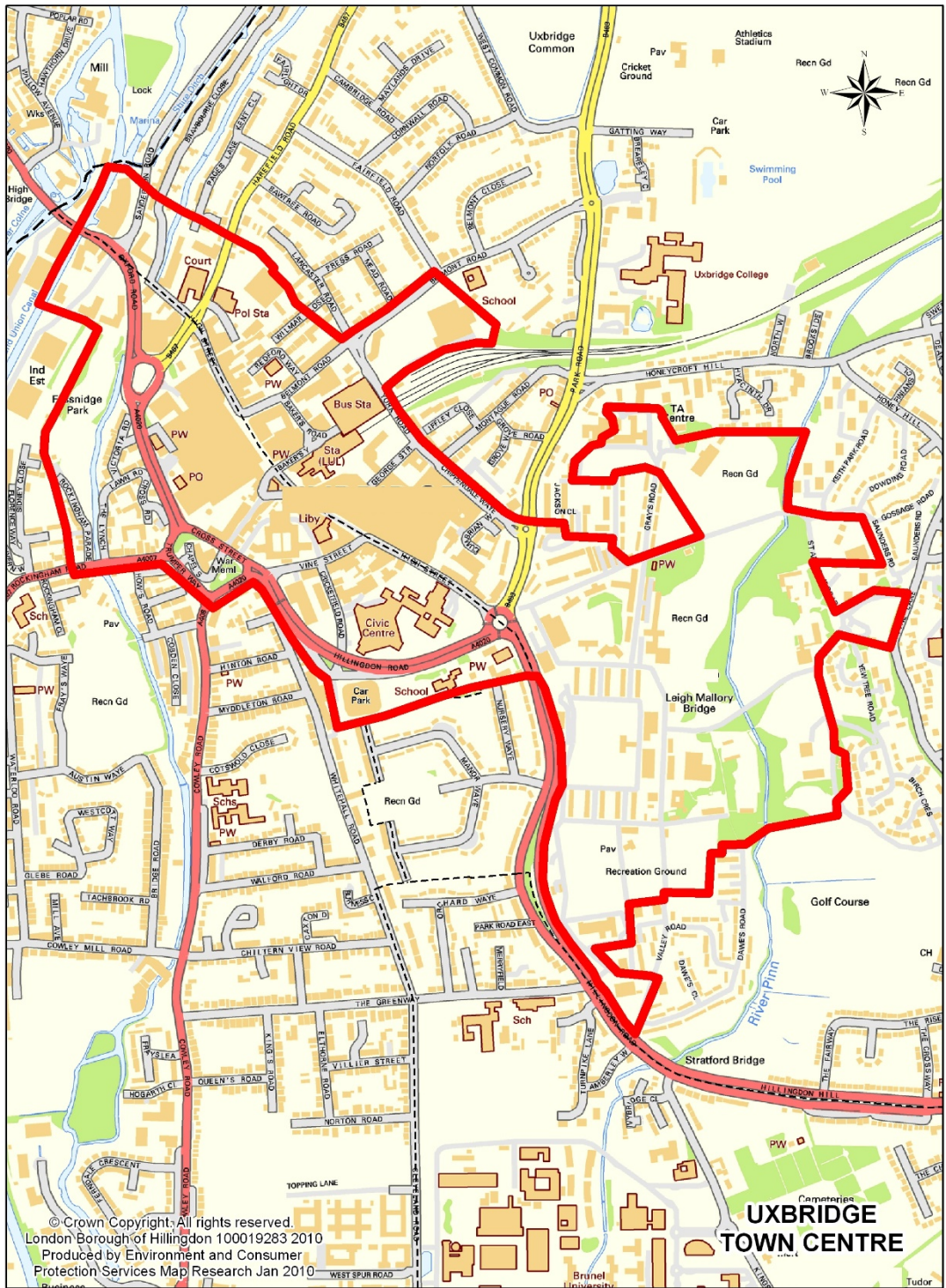
Prohibition of mobile or “itinerant” ice cream trading

1. Any street or part of streets or side streets within 65 metres of any exit used by children from the following premises:
 - (i) Primary schools
 - (ii) Under 5 centres
 - (iii) Day nurseries
 - (iv) Secondary schools
 - (v) Any other similar premises

2. Any street or side street falling within the Uxbridge Town Centre. The Uxbridge Town centre falls within the area bordered in red on the map below.

3. All streets, part of streets and side streets falling within major retail areas in
 - (i) Eastcote
 - (ii) Harefield
 - (iii) Harlington
 - (iv) Hayes
 - (v) Hillingdon Circus Area
 - (vi) Ickenham
 - (vii) Northwood
 - (viii) Northwood Hills
 - (ix) Ruislip
 - (x) Ruislip Manor
 - (xi) South Ruislip
 - (xii) Uxbridge
 - (xiii) Uxbridge Road Hayes
 - (xiv) Yiewsley and West Drayton

Area of Uxbridge town centre



Appendix 6

Definitions of Street Trading

'Street Trading' is defined in the legislation as

- a) the selling or the exposure or offering for sale, any article (including living things); and*
- b) the purchasing or offering to purchase any ticket; and*
- c) the supplying or offering to supply any service*

in a street for gain or reward

'Street' is defined in the legislation as;

- a) any road or footway;*
- b) any other area, not being within permanently enclosed premises, within 7 metres of any road or footway to which the public obtain access without payment*
 - i. whether or not they need the consent of the owner or occupier and*
 - ii. if they do, whether or not they have obtained it*
- c) any part of such road, footway or area;*
- d) any part of housing development provided or maintained by a local authority under Part II of the Housing Act 1985.*

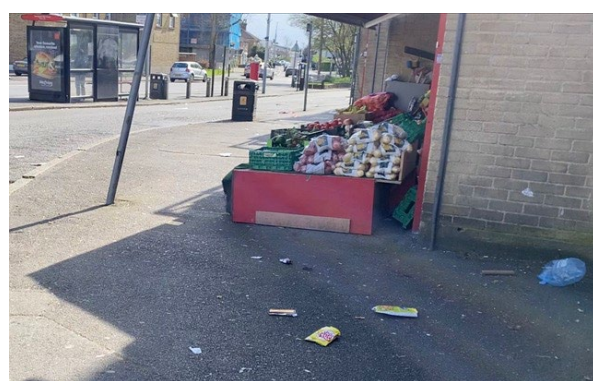
From:
To: [licensing](#)
Subject: Objection to the Renewal of Street Trading License for Sarin Express, High Street, Harlington **Date:** 25 March 2024 23:58:10
Attachments: [Image 25-03-2024 at 23.35.jpeg](#)
[Image 25-03-2024 at 23.34.jpeg](#)
[Image 25-03-2024 at 23.33 \(1\).jpeg](#)
[Image 25-03-2024 at 23.32.jpeg](#)
[IMG 2944.jpeg](#)

I understand that the Street Trading License for Sarin Express, 212 High Street, Harlingen UB3 5DS is up for renewal and I wish to object.

Littering and unkempt nature of the displays:

The pictures below illustrate my complaints. (Larger versions can be provided) They were taken last Saturday afternoon (12pm approx) 23 March 2024.

1. Shows the shop front to the left, with the nearest bin in the foreground. It appears to be full of bags of waste and I understand from residents that they have seen shop waste being deposited in it.
2. Close up of the bin.
3. The unkempt, haphazard display of items on the makeshift arrangement of boxes and crates.
4. Picture as above but showing the prominent position of the shop and the litter, including bags, blowing around the High Street from this shop.
5. View of the shop from the bus stop, where there is another bin. Note that the bin by the bus stop is empty.





Hygiene

I have been unable to read the report linked to the Hygiene rating of 1 with “Major Improvement Necessary”. Residents continue to make comments regarding food displayed on the street.

Conservation Area

The shops set the tone of High Street the Sarin Express display gives the impression of an area that is rundown and not a place to buy goods. This affects all the other retailers.

Regards
Christine Taylor
Harlington Resident
[REDACTED]

From: [Redacted]
To: [licensing](#)
Subject: Sarin Express 212 High Street Hayes UB3 5DS Licence renewal
Date: 22 March 2024 16:29:20

You don't often get email from [Redacted] [Learn why this is important](#)

Dear Sir/Madam

We have not objected to Sarin Express having a licence before but we now find it is about time that we have to speak up and the licence being revoked from now and the future ,the licence should never have been approved in the beginning of when products were being sold outside of the premises and they were fined many times for doing this before the licence was granted. This is in the conservation area in Harlington and no other shops have merchandise for sale outside on the pavement why should they have a licence! ,its not only the goods being the problem the canopy is now stretched out with poles holding it up as the further canopy comes out the lower it gets, when it's raining it is extended further as it is on the 2 metre mark and over.

This leave's a small gap between the canopy and the pole with the sign on this is the one leaning over now ,the push chairs and prams struggle to get through the gap and there is a lot of traffic on this parade with pedestrians .

A member of the public told us the other day that he had hit his head on the canopy and nearly knocked him out and his head was bleeding !.

As there is fruit and vegetables and other goods for sale the perished goods are placed in the bin for the collection men please speak to Les the road sweeper for this area he is fed up with it all as well as the bin smells.

At night after they have finished trading all the trestles are left outside this also cannot be correct practice !

The closing times on Friday and Saturday are 12am your times of trading according to your records are incorrect this is on your attachment

In a whole how can this be a good practice with the council permitting a new licence now or in the future.

We look forward to your decision .

Kind Regards,
James McAlpine.

[Redacted signature block]



Virus-free [Redacted]

From: [REDACTED]
To: [licensing](#)
Subject: Sarins High street Harlington Street trading licence.
Date: 14 March 2024 16:36:48

Good Afternoon

I strongly oppose the renewal of the street trading licence for Sarins High Street Harlington.

The back of the shop is a disgusting mess and I have countless times reported this fact. They dispose of rotten fruit they display in the tiny High Street where they are situated in the public litter bins instead of disposing of it in the proper manner.

They look completely out of character in the Conservation area they are situated in and this should never have been granted to start with.

Kind regards

Sue Whitaker

From: [REDACTED]
To: [licensing](#)
Subject: Sarin Express 212 High Street Harlington Hayes.
Date: 22 March 2024 16:57:00

You don't often get email from [REDACTED] [Learn why this is important](#)

Dear Sir/Madam,

I am pleased to see that this licence for the above premises is up for consultation for renewal, I wish strongly that this licence is not renewed, the tables and boxes that make up this extended display now encroaches so far onto the pavement making passing in front of the shop very difficult especially when pedestrians are coming the other way, this is very dangerous when William Bird school comes out after 3pm, the over head canopy is so far out anyone over 5ft 10inch will hit their head.

Apart from being an eyesore, this is a conservation area and really should be in line with all the other businesses. I note their trading time should have them close at 11pm, as I live opposite at 299 High Street Harlington, I can confirm that this shop on a Friday and Saturday does not close until well after midnight selling alcohol making life as a long term resident of Harlington sometimes impossible due to the drinking after hours on the green and about the village, The owners of this establishment regularly fill the litter bin outside the shop with rotten food waste, this can be confirmed with your Street cleaning operative as he has to empty this bin on a daily basis. The prevalence of rats has increased dramatically in the area.

The boxes in which the vegetables display and all the brooms, footballs, barbecue trays etc. are on are left out all night, this for the partially sighted is also very dangerous. All in all, for a conservation area that we are in this really is totally unacceptable.

Many thanks for letting me rant and making my views aired.

Yours sincerely

P.charalambous

[REDACTED]

From: [REDACTED]
To: [licensing](#)
Subject: Objection to Renewal of Shop Front Pitch for Sarins, Harlington High Street
Date: 24 March 2024 22:12:59

Dear Licensing Service,

I am writing to formally object to the renewal of the shop front pitch for Sarins located in Harlington. As a resident and member of the community, I am deeply concerned about the impact this establishment has on our local environment and the overall well-being of our neighbourhood. Harlington, being a conservation area, requires careful consideration and preservation efforts to maintain its unique character and charm.

Firstly, I would like to draw attention to the Conservation Appraisal published on the Hillingdon website, which emphasizes the importance of increasing public awareness and involvement in the preservation and enhancement of our area. It is evident that Sarins fails to meet these criteria and does not contribute positively to the enhancement of our community for the following reasons:
Congestion and Disorganization: Sarins' excessive stocking practices and lack of adequate space within the store create congestion and inconvenience for customers. The aisles are often blocked by stacked items, impeding the free flow of pedestrian traffic.

Environmental Negligence: The improper disposal of packaging waste and out-of-date products both within and outside the premises of Sarins contributes to littering and detracts from the aesthetic appeal of our neighbourhood.

Witnessing staff discarding organic waste in public bins nearby is both unsightly and environmentally irresponsible.

Contribution to Antisocial Behavior: Sarins' extended trading hours exacerbate issues of antisocial behaviour in the vicinity, attracting undesirable elements such as drunks, drug users, and shoplifters. This not only poses a threat to public safety but also adds to pollution and negligence through improper waste disposal.

Resource Misallocation: The resources required to address the issues stemming from Sarins' operations, including increased policing and street cleaning efforts, divert attention and resources away from other areas of Harlington that may be in greater need.

Given these concerns, I urge the permits department to reevaluate the suitability of granting Sarins permission for a shop front pitch in our conservation area. Their business practices and disregard for the local environment are incompatible with the goals of enhancing our community. I believe that relocating such businesses to more suitable locations, like busy high streets such as Hayes, would be more appropriate.

As a member of the residents' association, I seek your support in ensuring that our local area is preserved and improved, rather than being subjected to the negative impacts of irresponsible businesses. I trust that you will give due consideration to this objection and take necessary action to address these issues effectively.

Thank you for your attention to this matter.

Sincerely,

Vishal
[REDACTED]

Fw: Enquiry on visits made to Sarin Express - 212 High St, Harlington, Hayes UB3 5DS
- URGENT

[REDACTED]
Tue 4/16/2024 1:13 PM

[REDACTED]
Jhini

Please see information below.

[REDACTED]
Service Manager
Street Scene Enforcement Team

[REDACTED]
From: [REDACTED]
Sent: 16 April 2024 13:12
To: [REDACTED]
Subject: RE: Enquiry on visits made to Sarin Express - 212 High St, Harlington, Hayes UB3 5DS -
URGENT

Hi [REDACTED]

Please see below visits

15/11/2021 section 34 issued - no further action taken

17/11/2021 DOC carried out- no further action

19/03/2022 DOC carried out, FPN issued for contravention of trading licence. FPN paid.

23/02/2023 DOC carried out. Section 34 issued- no further action taken.

06/12/2023 DOC carried out. Section 34 issued. No further action taken.

Kind regards

[REDACTED] | Environmental Supervisor
APCOA PARKING (UK) Limited
Residents Services
Civic Centre (2E08) High Street
Uxbridge, Middlesex UB8 1UW

-----Original Message-----

From: [REDACTED]
Sent: Tuesday, April 16, 2024 12:15 PM
To: [REDACTED]
Subject: Fw: Enquiry on visits made to Sarin Express - 212 High St, Harlington, Hayes UB3 5DS - URGENT

[EXTERNAL EMAIL: Unless you know the content is safe, do not click links or open attachments]

[REDACTED]
Can I have any information as requested below?

[REDACTED]
Service Manager
Street Scene Enforcement Team

[REDACTED]
From: Jhini Mukherjee [REDACTED]
Sent: 16 April 2024 12:11
To: [REDACTED]
Cc: [REDACTED]
Subject: Enquiry on visits made to Sarin Express - 212 High St, Harlington, Hayes UB3 5DS

Afternoon [REDACTED]

I wonder if you could help me please with a street trading application for renewal which has been referred to the Licensing Sub-Committee for a hearing.

Would it please be possible to provide me with the information on your records about the records of the visits which were carried out and the observations made on those visits to Sarin Express, 212 High St, Harlington, Hayes UB3 5DS. Thanks.

Regards,

Jhini Mukherjee

Licensing Service

3S/08

Hillingdon Council



[cid:f164b275-bfc8-4552-939c-a9ce8ea05f2e]

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[https://gbr01.safelinks.protection.outlook.com/?](https://gbr01.safelinks.protection.outlook.com/?url=http%3A%2F%2Fwww.apcoa.co.uk%2F&data=05%7C02%7Cjmukherjee%40hillington.gov.uk%7C56ac58a0ab1148d43f9108dc5e0ea0b5%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C638488664112363593%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&data=9u8yB4CVO5gVZoXzsDkk%2F%2BmlBQSArsh65X8S9Q21agE%3D&reserved=0)

[url=http%3A%2F%2Fwww.apcoa.co.uk%2F&data=05%7C02%7Cjmukherjee%40hillington.gov.uk%7C56ac58a0ab1148d43f9108dc5e0ea0b5%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C638488664112363593%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&data=9u8yB4CVO5gVZoXzsDkk%2F%2BmlBQSArsh65X8S9Q21agE%3D&reserved=0](http%3A%2F%2Fwww.apcoa.co.uk%2F&data=05%7C02%7Cjmukherjee%40hillington.gov.uk%7C56ac58a0ab1148d43f9108dc5e0ea0b5%7Caaacb679c38148fbb320f9d581ee948f%7C0%7C0%7C638488664112363593%7CUnknown%7CTWFpbGZsb3d8eyJWljoimC4wLjAwMDAiLCJQIjoiV2luMzliLCJBTiI6IjEhaWwiLCJXVCi6Mn0%3D%7C0%7C%7C%7C&data=9u8yB4CVO5gVZoXzsDkk%2F%2BmlBQSArsh65X8S9Q21agE%3D&reserved=0) Cybercrime Alert Remember, emails can be scammed. For payments to APCOA, we will never notify you of a change to our bank details by email. If you receive an email to this effect, please contact us immediately (do not use any contact details provided in the email to do this) and do not make any payment to the account stated. For payments to you, if you wish to notify APCOA of a change of your own bank details to those originally provided by you, please note that we will not accept these by email without additional documentation and confirmation being provided.

Appendix 10

Members' Enquiry submitted

March 2024

Councillor June Nelson

“The business in Harlington High Street notable Sarine shop is leaving plastic and boxed lying around the outside of the shops causing littering especially when the wind blow this then caused a lot of littering can every shops be written to explaining their accountability of waste disposal.”

This is a Members' Enquiry that was logged relating to the matter, following a search of the Council's new Members' Enquiry/ Service Request Portal system.



Minutes

LICENSING SUB-COMMITTEE

29 April 2022

Meeting held at Council Chamber - Civic Centre, High Street, Uxbridge

	<p>Committee Members Present: Councillors Simon Arnold (Chairman) Lynne Allen Darran Davies</p> <p>LBH Officers Present: Mark McDermott, Licensing Officer Glen Egan, Legal Advisor Anisha Teji, Democratic Services Officer</p> <p>Interested Parties: Councillor June Nelson, Objector</p> <p>Applicant and Applicant's representative: Applicant – Mr Manpal Singh Applicant's representative- Mr Panchal</p>
21.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>
22.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING <i>(Agenda Item 2)</i></p> <p>Councillor Simon Arnold declared a non-pecuniary interest as he had been in communication with one of the objectors regarding another matter.</p>
23.	<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 would be heard in Part I.</p>
24.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
25.	<p>APPLICATION FOR A RENEWAL OF A TEMPORARY STREET TRADING LICENCE <i>(Agenda Item 5)</i></p> <p>Introduction by Regulatory Services Officer</p> <p>Mark McDermott, Regulatory Services Officer at the London Borough of Hillingdon,</p>

introduced the report and photographs relating to the application for a renewal of a temporary street trading licence for Sarin Express, 212 High St, Harlington, Hayes UB35DS. A background and chronology of events was provided.

A renewal application was made for a temporary street trading licence for a 1.5 metre shop front display outside Sarin Express. The applicant sought to renew the licence to display fruit and vegetables with the addition of household goods outside the shop. The application had received objections from a Ward Councillor and four residents.

A recommendation was made to consider the representations received and the discretionary grounds for refusal and, should the Committee be minded to grant the licence, limiting the licence to a period of six months with any conditions deemed appropriate.

During Member clarification questions, it was noted that the land behind the shop was not owned by the applicant and the fly tipping photographs were not directly linked to the application. It was also clarified that the Council had no established rules for the material requirements of boxes. A six-month licence was recommended to encourage the applicant to organise his affairs and prove compliance with the licence.

Representations by Applicant and Applicant's representative

The Applicant – Mr Manpal Singh and the Applicant's representative- Mr Panchal addressed the Committee.

As a background to the application, the Committee was informed that the Applicant had been in the shop for six years and paid for a 2-meter licence. The Applicant had complied with the Council's requirements and was willing to comply with a six-month licence and any conditions.

In response to Member questions, it was confirmed that the fruit and vegetable shop front display brought in 30- 40% of trade.

Representations by Objectors

Cllr June Nelson addressed the Committee and submitted that she was in total support with the residents regarding the renewal of a street trading (shop front) licence. The shop was in a conservation area and this issue had been ongoing since the pandemic. There had been numerous complaints from residents that restricted pedestrian access which had been communicated to the Council. There had also been toilets rolls on the shop front display and allegations of threatening behaviour. It was reported that when the Council had previously issued fixed penalty notices, the applicant then made changes however reverted to his original position. The Committee was asked not to grant the licence so that the high street could have safe pedestrian access.

Discussion

- Further clarification was sought on the photographs and the degree the shop front came out. It was explained how far the shop front previously came out although this had been amended following the fixed penalty notice and the granting of the licence.
- Questions were raised about why the Anti Social Behaviour Team were not present and, for the purposes of the hearing, it was clarified that only objectors were present.

- In terms of the fixed penalty notices issues and three complaints, it was explained that the Applicant was unaware that he needed a licence to display fruit and veg on the shop front. When the notice was issued he made an application and the complied with the licence.
- Trade with fruit and veg had increased.
- The fixed penalty notice was issued as there was charcoal on display. However, this was a miscommunication as the charcoal had not been removed due to a late start. Procedures had now been put in place and only fruit and veg were available and on display.
- There was no objection to the business as it served the community, there was just a need to be mindful of pedestrian safety.
- It was confirmed that the lottery stand was no longer on display.
- The Applicant wanted to comply with conditions and work with the community to resolve any issues raised.

Closing remarks

In closing submissions, Councillor Nelson emphasised the need to comply with any conditions and no threatening behaviour.

There were no further submissions from the Regulatory Authority.

In closing, the Applicant's representative submitted that there would be compliance with any conditions and the Applicant was keen to work with the Regulatory Authority and community.

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 Sub-Committee has considered all the relevant representations made available to it and in doing so has taken into account the London Local Authorities Act 1990 and the Council's Street Trading Policy. The Sub-Committee has paid particular attention to paragraphs 3.2, 4.2, 6.6, 9.1, 10.1, 10.5, 10.7 and 13.1 of the Street Trading Policy.

The Licensing Sub-Committee has determined that it is necessary and proportionate to **grant a** temporary Street Trading Shop Front Licence for Sarin Express, 212 High Street, Harlington, Hayes, UB3 5DS for a 6 month period.

In making this decision the Sub Committee disregarded photographs of fly tipping in the vicinity as this was not attributable to the premises.

In addition to the standard conditions attached to all street trading licences and shop front licences (see Appendix 3 of Hillingdon's Street Trading Policy) the licensee shall also abide by the following additional condition:

- 1) The licensed area must be within the dimensions approved by the Council and marked out on the ground by the Council.

Reasons for Decision

In reaching this decision the Sub Committee has taken into account the fact that 2 fixed penalty notices have been served by the Council but found there to be no other evidence of anti-social behaviour that was attributable to the premises.

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

The Applicant 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 4.03 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji 01895277655 or ateji@hillington.gov.uk on 01895277655 or ateji@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.

Fw: Sarin Express Harlington

licensing [REDACTED]

Wed 20/07/2022 10:19 AM

To: [REDACTED]

Licensing Service

3S/08

Hillingdon Council

[REDACTED]



From: [REDACTED]

Sent: 20 July 2022 10:11

To: licensing <licensing@hillingdon.gov.uk>

Subject: Fw: Sarin Express Harlington

Good morning,

Please see email below,

Can you assist with this enquiry? If not can you please point us in the right direction

Kind regards,

[REDACTED]

Customer Service Advisor
Customer Contact Centre
Central Services
2W/08 Civic Centre
London Borough of Hillingdon
Tel No: 01895 556000

From: [REDACTED]

Sent: 15 July 2022 1:07 AM

To: [REDACTED]

Subject: Sarin Express Harlington

This shop was granted a new 6-month license to put assorted goods outside their shop, including toilet brushes and pre-prepared fruit, up to 1. Page 57

committee that they never exceed that limit and do not obstruct the pavement. These are just a sample of photos. I have further pictures taken since the licence was granted that I will submit to the Licensing committee in due course. In the meantime this dumping of sacks is dangerous for pedestrians.

You will see the shop's proximity to the clothes bank featured in my previous complaint. This is a conservation area but that appears to be meaningless. The Licensing Committee were not interested in how every rule ignored will mean another broken.

Note too that the shop now uses its wall for posters to advertise products - this product is a film. On the other side of the road the disused pub has been plastered with identical promotional material (some now removed as the film stopped showing in cinemas weeks or even months ago. I have many photos covering the period.

Why is this shop allowed to flout rules and still be granted licences?





Sent from my iPhone

Re: Sarins: licensing...Harlington High St.

licensing <licensing@hillington.gov.uk>

Wed 22/03/2023 9:04 AM

Dear [REDACTED]

Thank you for your email regarding Sarin Express. I have copied in the officer who has dealt with complaints previously regards this premises.

Mr [REDACTED] will carry out an investigation and respond with the outcome.

Any questions then please direct them to Mr [REDACTED]

[REDACTED]
Licensing Officer
3 South
Hillingdon Council

[REDACTED]
Licensing Service
London Borough of Hillingdon
3S/08 Civic Centre
High Street
Uxbridge UB8 1UW



From: [REDACTED]
Sent: 21 March 2023 07:28
To: licensing <licensing@hillington.gov.uk>
[REDACTED]
Subject: Sarins: licensing...Harlington High St.

You don't often get email from [REDACTED]. [Learn why this is important](#)

I would like the following taken into consideration: May I suggest that the new CCTV unit could help in establishing some visual facts, the shop seems to be in constant need of cleaning, they sell what appears to be BRIC-A-BRAC that is often looks to exceed their 2m zone.

It is often seen to be holding a "al-fresco" alcohol drinking place outside the shop which has been reported.(late night).

Looking inside the shop...its far too small for the amount of stock they carry, I wonder if a health/safety team is aware, also there is a threat of vermin in such a confined area both front and back.

I feel sure if there's a constant monitoring of the area (as the council suggest) finding any anomalies should not be a problem!

Finally, why do all the food shops have a alcohol licence?
Kind Regards.

██████████

Sent from [Mail](#) for Windows

Fwd: Renewal of Street Trading Licence Application - Sarin Express 212 High St, Harlington, Hayes, UB3 5DS

licensing <licensing@hillingdon.gov.uk>

Fri 28/04/2023 4:28 PM

[REDACTED]
Hi [REDACTED] and [REDACTED]

Response here from complainant regarding Sarins.

Thanks

[REDACTED]
Sent from Samsung Mobile on O2
Sent from [Outlook for Android](#)

From: [REDACTED]
Sent: Friday, April 28, 2023 5:04:47 PM
To: licensing <licensing@hillingdon.gov.uk>
Cc: [REDACTED]
Subject: Re: Renewal of Street Trading Licence Application - Sarin Express 212 High St, Harlington, Hayes, UB3 5DS

Good afternoon [REDACTED]

I appreciate your swift response and I am glad it was mentioned re Sarins the overcrowding and appearance outside are important to the people who live in Harlington. It's in a conservation area.

I am glad you mentioned the Red Lion, its been empty for so long and left to rot and decay by the owner who came at our request to one of our monthly residents meeting and the less I say about him the better.

The back of the parade I have discussed with our local councillors at length also it just looks awful.

I would welcome any comments re future visits to our area I know your overstretched so it's much appreciated.

Kind regards

[REDACTED]
[Sent from AOL on Android](#)

On Fri, 28 Apr 2023 at 10:59, licensing <licensing@hillingdon.gov.uk> wrote:

Good morning [REDACTED]

Thank you for your recent correspondence regarding the renewal application for a Street Trading Licence at the above premises.

On Monday 24th April a holistic enforcement intervention was carried out by the London Borough of Hillingdon's Licensing, Food, Health and Safety, Anti Social Behaviour and Environmental Enforcement Teams on Harlington High Street. All businesses were visited as a part of this, as well as the roads to the rear of the parade and surrounding spaces.

From these visits a number of issues have been discovered, including concerns about the former Red Lion pub building, fly tipping behind the parade and some non-compliance with several of the off-licences. It would not be pertinent to discuss the actions currently being undertaken to resolve these in detail at this stage, however I assure you that the relevant Teams are taking the appropriate actions to bring all the businesses along the High Street into compliance.

I understand that you have raised particular concerns surrounding Sarin Express Newsagents, in particular with regards to their Street Trading Licence. Prior to the 24th, monitoring visits have been carried out, and on each occasion no breaches of the licence conditions were detected. I am pleased to report to you that on the 24th, there were also no breaches with regards to the Street Trading Licence, and the Food, Health and Safety Officers also found no breaches of food legislation.

As such, the threshold to bring the application for a renewal to a Licensing Sub-committee has not been met. The conditions set out by the previous Sub-committee are being adhered to, and as such it would not be appropriate to bring this before them again. Therefore, the renewal application has been determined and a licence for Street Trading for 6 months will be issued to Sarin Express, subject to the conditions agreed.

Although outside the scope of the Licensing regime, advice has been given to the business owner regarding improving the appearance of his displays and limiting overcrowding. The Council will continue to monitor the situation to provide support and guidance to all businesses in the area to maintain compliance.

I understand that this may not be the outcome you had desired, but please rest assured that the Council is working to resolve the other concerns identified as a whole.

Re-visits to the premises identified as being non-compliant have been scheduled, and I will write to you with my findings once these have taken place.

If you have any questions, please do not hesitate to contact me.

Kind regards



Licensing Service
London Borough of Hillingdon
3S/08 Civic Centre
High Street
Uxbridge UB8 1UW





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Re: Sarins, Harlington Permit

licensing <licensing@hillington.gov.uk>

Tue 04/04/2023 1:29 PM

Dear [REDACTED]

Thank you for your response. The complaint is being investigated and a formal response will be sent in due course.

[REDACTED]
Licensing Officer
3 South
Hillingdon Council
tel: internal: 7409
[REDACTED]

Licensing Service
London Borough of Hillingdon
3S/08 Civic Centre
High Street
Uxbridge UB8 1UW
[REDACTED]



[REDACTED]
Sent: 04 April 2023 10:28
To: licensing <licensing@hillington.gov.uk>
Subject: Sarins, Harlington Permit

You don't often get email from [REDACTED] [Learn why this is important](#)

Good Morning

I hope I have not left this late. I called today and left a voice message for your attention.

I kindly request, the renewal of Sarin Express. 212 High Street, Harlington. UB3 5DS, not be extended/granted for the following reasons.

- Late opening hours and selling of Alcohol. The business caters to random individuals who then take their beverages and make a huge mess at the local village Green.
- Upon consulting with residents at Counsellor-held meetings, Harlington has been advised as a Conservation area, and the question of why the permit was granted in the first place remains.
- No other shops in the local parade have anything outside, and the items sold, which are on display outside are an eyesore.
- The inside of the shop is a hazard as he has so much stock, it is placed on the floor and is a trip hazard to customers.
- Raw food skins and small labels get blown around and gather outside the shop pavement.
- The owner and staff have no care for the local environment and do not dispose of stock packaging. I have witnessed a member of staff kicking scraps away from the shop. Large cardboard packaging with ring indentations (Canned items) and banding straps are found on the pavement, left to be picked up by the street cleaner. I have provided a picture attached to this email of, the eye sore which is the extended pavement display and the rubbish.

The Village has deteriorated and recently was mentioned in The Sun, as an area where people wish to leave. Our counsellors have also raised this issue with Hillingdon Council, but I am not privy to what they have submitted.

This business contributes to the above, and the shop front needs to be put back to match all the other shops on the parade. No other shop in the Village has anything outside, I request you please consider the points I have mentioned above.

I look forward to your response.

Warmest Regards

Vishal
[REDACTED]

From: [REDACTED]
Sent: 20 March 2023 06:56
To: [REDACTED]

Subject: Fw: Weekly Street Trading Consultation List template (6).docx

Good morning

Please see below re Street trading Consultation licencing for Sarins.

Kind regards
[REDACTED]

----- Forwarded message -----

From: [REDACTED]
Cc:
Sent: Mon, 20 Mar 2023 at 6:53
Subject: Re: Weekly Street Trading Consultation List template (6).docx
Lovely June many thanks

Kind regards

[REDACTED]

Sent from the all-new AOL app for Android

On Mon, 20 Mar 2023 at 6:40 [REDACTED]
<[REDACTED]> wrote:

Sent from the all-new AOL app for Android

----- Forwarded message -----

From: "Cllr June Nelson" <JNelson@Hillingdon.Gov.UK>
To: [REDACTED]
Cc:
Sent: Mon, 20 Mar 2023 at 1:20
Subject: Re: Weekly Street Trading Consultation List template (6).docx

Heathrow Villages	Renewal	Sarin Express. 212 High Street, Harlington. UB3 5DS	Shop Front – 2 metres		Monday – Sunday 07:00 – 23:00

Hi [REDACTED]
I've copy and paste the extract for easy reference .

Kind regards.
June

If you have any comments to make in respect of an application, please email licensing@hillingdon.gov.uk by the response date shown. Alternatively, please call 01895 27(7433) to discuss with a Licensing Officer.

From: Cllr June Nelson
Sent: 17 March 2023 18:12
To: [REDACTED]
Subject: Weekly Street Trading Consultation List template (6).docx

Hi [REDACTED]
I am sharing the consultation list of street trading licence coming up for renewal Please find attached the list for week ending 17/03/2023

Details of how you can make comments regarding the application are listed at the end of the list.

Regards

[REDACTED]

Licensing Service
London Borough of Hillingdon
3S/08 Civic Centre
High Street
Uxbridge UB8 1UW
tel: internal: 7433
[REDACTED]

Kind regards.
June

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HILLINGDON
LONDON

LICENSING ACT 2003
Section 24

PREMISES LICENCE

Ref:

MAU/021067/JM

Premises Licence Number:

LBHIL/021067

This Premises Licence has been issued by [REDACTED] on behalf of the Licensing Authority, London Borough of Hillingdon, Civic Centre, High Street, Uxbridge, UB8 1UW

Signature:

[REDACTED]

Date 03 April 2017

Part 1 – Premises Details

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

Sarin Express
212 High Street
Harlington

Post Town - Hayes

Postcode - UB3 5DS

Telephone number -

Where the licence is time limited, the dates -

N/A

Licensable activities authorised by the licence -

Sale by retail of alcohol

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

From 07:00 hours until 00:00 hours everyday

The opening hours of the premises -

From 07:00 hours until 00:00 hours everyday

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

Off Supplies Only

Part 2

Name, (registered) address, telephone number and e-mail (where relevant) of holder of Premises Licence -
Sarin Express
212 High Street
Harlington
Hayes
UB3 5DS

Registered number of holder, for example company number, charity number (where applicable) -

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

Suvinder Singh Sarin

[REDACTED]

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

PERS3626 - London Borough of Hillingdon

Annex 1 – Mandatory Conditions

ALCOHOL

1. No sale / supply of alcohol shall be made when there is no Designated Premises Supervisor in respect of the Premises Licence.
2. No sale / supply of alcohol shall be made when the Designated Premises Supervisor does not hold a Personal Licence or when his / her Personal Licence is suspended.
3. Every sale / supply of alcohol under the Premises Licence shall be made, or authorised by a person who holds a Personal Licence.
4. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

BELOW COST SALES

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1—

(a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979(6);

(b) “permitted price” is the price found by applying the formula—

$$P = D + (D \times V)$$

where—

- (i) P is the permitted price,
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence-

- (i) the holder of the premises licence,
- (ii) the designated premises supervisor (if any) in respect of such a licence, or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994(7).

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

Annex 2– Conditions consistent with the operating Schedule

- 1.** The counter shall be a minimum distance of one meter from the floor and at least 60 cm wide. Access behind the counter shall be via a door bolted from the inside. The floor behind the counter shall be raised 10cm above normal floor level.
- 2.** All alcohol products shall be stored in direct line of sight from the cashier's position and not obscured by other displays or shelving. If any part of the display is obstructed then this must be covered by CCTV
- 3.** Products with an abv above 35% shall be stored behind the counter.
- 4.** The till shall be placed under the counter or if on the counter it shall be fixed into position so that it cannot be easily moved.
- 5.** No alcohol products shall be displayed within 2 meters of the door
- 6.** The CCTV system shall be kept in good working order. One camera should be in a position to record all transaction at the counter, another the area where the alcohol is displayed and a third to record all head and shoulders of persons entering the store. A forth the area immediately outside the entrance door to the premises.
- 7.** Images from the CCTV system shall be capable of retention for 30 days, and be made available to police on request or as soon as practicable.
- 8.** If the CCTV system should at any stage fail to operate and record properly then the police licensing officer and the local authority should be notified and the defect should be rectified as soon as possible.
- 9.** A monitor showing one or more of the CCTV images shall be positioned so that it is visible by customers and staff at the till area.
- 10.** There shall be two adult staff members on the premises between 7pm and up until the close of business each day.

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

N/A

Licensing Services Registered Plan Number: 1868/17

Sarin express

[REDACTED]

Wed 4/17/2024 3:41 PM

To:Jhini Mukherjee [REDACTED]

You don't often get email from [REDACTED]. [Learn why this is important](#)

I am using my own bin and I I have a contract with council recycle bin has been more than four years

And also I am using my own bin for Fruit and vegetable is spoiled so I put in my own bin. I don't use the public bins.



London Borough of Hillingdon
Corporate Debtors (IS/06)
Civic Centre, High Street,
Uxbridge, UB8 1UW

VAT Reg: GB 222 4308 07

INVOICE

Page 1 of 1

SARIN EXPRESS
212 HIGH STREET
HARLINGTON
MIDDX
UB3 5DS

INVOICE NUMBER: [REDACTED]
INVOICE DATE: 01-Apr-2024
CUSTOMER REF: [REDACTED]

Page 1 of 1 PLEASE PAY THIS INVOICE PROMPTLY,
SEE OVERLEAF FOR PAYMENT
INSTRUCTIONS

DETAILS	NET	VAT	VAT AMT	GROSS
TRADE REFUSE SERVICE AT THE ABOVE ADDRESS, COLLECTION OF TRADE REFUSE AND HIRE OF CONTAINER(S). From Date 01-APR-24 To Date 30-JUN-24	354.90	0	0.00	354.90
	354.90		0.00	354.90

TOTAL AMOUNT DUE

354.90

From ACC

*PAID on
10/04/24*