



HILLINGDON  
LONDON

# Licensing Committee

**Date:** WEDNESDAY 8 OCTOBER  
2025

**Time:** 10.00 AM

**Venue:** COMMITTEE ROOM 5 -  
CIVIC CENTRE

**Meeting  
Details:** The public and press are welcome  
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## To all Members of the Committee:

Darran Davies, (Chair)  
Peter Smallwood (Vice-Chair)  
Colleen Sullivan  
Reeta Chamdal,  
Shehryar Ahmad-Wallana  
Kelly Martin  
Scott Farley  
Janet Gardner  
Kuldeep Lakhmana  
Barry Nelson-West

**Published:**  
Tuesday 30 September 2025

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Putting our residents first

Lloyd White  
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# Agenda

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To agree the minutes from the meeting on 9 October 2024 1 - 4
- 4 To agree the minutes from the meeting on 8 May 2025 5 - 6
- 5 To confirm that the items of business marked Part 1 will be considered in public and that the items of business marked Part 2 in private

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- 6 Presentation from Animal Licensing & Animal Welfare At the meeting
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## Minutes

**Licensing Committee**  
**Wednesday, 9 October 2024**  
**Meeting held at Committee Room 5 - Civic Centre**



### **Members Present:**

Councillors Becky Haggar (Chair)  
Reeta Chamdal  
Shehryar Ahmad-Wallana  
Peter Smallwood  
Kelly Martin  
Janet Gardner  
Kuldeep Lakhmana  
Barry Nelson-West

### **Apologies:**

Darran Davies and Scott Farley

### **Officers Present:**

Anisha Teji, Democratic Services  
Daniel Ferrer, Licensing Services  
Chantelle McLeod, Legal Services  
Lois King, Licensing Standards

### **Also Present**

Kira Gibson, Uxbridge BID  
Mike Crane, Uxbridge BID

## **18. APOLOGIES FOR ABSENCE**

Apologies for absence were received from Councillor Darran Davies and Councillor Scott Farley.

## **19. DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING**

There were no declarations of interest.

## **20. TO AGREE THE MINUTES OF THE LICENSING COMMITTEE MEETING ON 31 JANUARY 2024**

**RESOLVED:** That the Committee agreed the minutes of the Licensing Committee meeting on 31 January 2024.

## **21. TO AGREE THE MINUTES FROM THE MEETING ON 9 MAY 2024**

**RESOLVED:** That the Committee agreed the minutes of the Licensing Committee meeting on 9 May 2024.

**22. TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART 1 WILL BE CONSIDERED IN PUBLIC AND THAT THE ITEMS OF BUSINESS MARKED PART 2 IN PRIVATE**

It was confirmed that items marked public and private would be heard as set out on the agenda.

**23. PRESENTATION FROM UXBRIDGE BID - APPLYING FOR LICENCES**

The Committee received a presentation from UXBRIDGE BID which detailed the history of team, their purpose and different activities and projects undertaken.

Members heard that the function was business-led and community-minded, with a focus on improving the local area. It was noted that there were 341 BIDs across the country, representing over 135,000 businesses and generating significant income for reinvestment in local areas. The Committee then heard about the history of the BID in Uxbridge, which was established after an 18-month consultation period and a successful ballot in 2017. The BID aimed to make Uxbridge a better place to live, work and socialise. The BID operated on a five-year cycle, with the most recent ballot in 2022 resulting in a 97% vote in favour of continuing the BID.

The three main themes of the BID were highlighted namely a safer Uxbridge, a happier and more vibrant Uxbridge and a greener Uxbridge. Businesses within the town centre with a rateable value of more than £15,000 were required to pay a levy, which funded the BID's projects. Over the past two years, the BID had generated over £985,000 in income, which had been allocated to various projects.

The Committee heard about the different the marketing and events organised by the BID. There had been several successful events, including the Love Summer Festival, Pirate Fest, the Queen's Jubilee celebrations, and various themed days such as Valentine's Day, Easter Dino Day, and International Women's Day were highlighted to Members. The importance of community involvement and the positive impact of the BID's projects on the local area was emphasised.

Members expressed gratitude and appreciation for the efforts made in Uxbridge, highlighting the positive changes and the community's engagement.

In response to questions about publicising events, it was noted that various channels were used for promotion including social media, leaflets, posters and word of mouth.

Members raised concerns about domestic violence during the festive season and suggested increasing awareness and providing information on appropriate contacts. It was acknowledged that working closely with local organisations and using social channels to spread awareness was significant.

The Committee enquired about the Uxbridge BID's experience in making licensing and trading licences applications to the Council. It was reported that there was a positive working relationship, and the team had been very helpful with assisting in all types of queries. The challenges of ensuring compliance with licensing regulations

and the frustration when other organisations that did not follow the proper processes was explained to Members.

Uxbridge BID was thanked for their attendance and insightful presentation.

**RESOLVED: That the Committee noted the presentation.**

## **24. LEGISLATIVE AND INDUSTRY UPDATE**

**RESOLVED: That the Committee noted the Legislative and Industry Update.**

## **25. STATEMENT OF GAMBLING POLICY CONSULTATION**

The Licensing Team Manager introduced the report on the Statement of Gambling Policy Consultation.

The Committee noted that the Gambling Act 2005 regulated gambling in the UK, covering physical premises and online gambling. In accordance with the Gambling Act the Licensing Authority was required to review its statement of licensing policy every three years. The last review was in 2022 and the next implementation was due in early 2025. The formal consultation started on 12 September 2024 and will close on 25 October 2024.

Members heard that there were no significant changes in primary legislation, but updates in codes of practice and guidance. Minor amendments included sentence structure, terminology and updating responsible authorities' contacts.

Five new areas had been added: representations, direct marketing, duty to protect (Martin's Law), Think 25 and appeals.

It was reported that legal and corporate finance departments had made no objections and stakeholders like Gambling Aware and Lotteries Council had provided feedback with no adverse comments. The review aimed to strengthen the policy by addressing gaps and incorporating feedback. The final policy would be presented to Cabinet in due course.

The Committee acknowledged the changes and their impact. The importance of sharing information with residents and associations to ensure they were well-informed was emphasised.

Concerns were raised about online gambling and its prevention, noting the shift from physical premises to online platforms. Officers noted that the Gambling Commission was the main regulator for online gambling, but work was being done to establish closer links and providing information on their website. Members emphasised the focus on vulnerable people and the importance of safeguarding them.

The Committee stressed the importance of resident representation and encouraged them to come forward as part of the consultation.

**RESOLVED: That the Committee considered the revisions to the Statement of Gambling Policy.**

## **26. COMMITTEE FORWARD PLANNER**

The Committee noted the Forward Planner as set out in the agenda.

Members considered that it would be interesting to hear from industry professionals and their experiences with applications. It was noted that Member training session had been arranged for 28 November 2024.

**RESOLVED: That the Committee noted the Forward Planner.**

## **27. RATIFICATION OF SUB COMMITTEE MINUTES**

*That these reports and matters in Part 2 be declared as exempt from publication as they may involve the disclosure of information in accordance with Section 100(A) and paragraphs 1,2, 5 & 7 of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains information relating to an individual, information likely to reveal the identity of an individual, information in respect of which a claim to legal professional privilege could be maintained in legal proceedings and information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime and that the public interest in withholding the information outweighs the public interest in disclosing it.*

Members were updated on recent Licensing Sub- Committee decisions since the last meeting and ratified the minutes of the recent sub – committees hearing.

**RESOLVED: That the Committee ratified the minutes of the meetings listed in the report.**



## Minutes

### LICENSING COMMITTEE

8 May 2025

Meeting held at Council Chamber - Civic Centre,  
High Street, Uxbridge UB8 1UW



	<b>Committee Members Present:</b> Councillors Darran Davies (Chair), Reeta Chamdal, Kelly Martin, Scott Farley, Janet Gardner, Kuldeep Lakhmana, Barry Nelson-West and Peter Smallwood (Vice-Chair)
28.	<b>APOLOGIES FOR ABSENCE</b> ( <i>Agenda Item 1</i> )  Apologies for absence were received from Councillor Ahmad-Wallana.
29.	<b>ELECTION OF CHAIR</b> ( <i>Agenda Item 2</i> )  <b>RESOLVED:</b> That Councillor Davies be elected as Chair of the Licensing Committee for the 2025/2026 Municipal Year.
30.	<b>ELECTION OF VICE-CHAIR</b> ( <i>Agenda Item 3</i> )  <b>RESOLVED:</b> That Councillor Smallwood be elected as Vice-Chair of the Licensing Committee for the 2025/2026 Municipal Year.
	The meeting, which commenced at 8.55 pm, closed at 9.05 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655 or [ateji@hillington.gov.uk](mailto:ateji@hillington.gov.uk).

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## STATEMENT OF LICENSING POLICY CONSULTATION

<b>Committee name</b>	Licensing Committee
<b>Officer reporting</b>	Daniel Ferrer, Licensing Manager
<b>Papers with report</b>	Overview of proposed policy changes - Appendix A Draft Statement of Gambling Policy - Appendix B
<b>Ward</b>	All

### HEADLINES

This report is to consult with and invite comments from the Committee on the updated draft Statement of Licensing Policy.

This Policy is deemed as 'Policy Framework' under the Council's constitution and so requires full approval by full Council.

### RECOMMENDATION:

**That the Committee considers the revisions to the Statement of Licensing Policy and offers comments to be considered by Cabinet at the end of the consultation period.**

### SUPPORTING INFORMATION

The Council is required to review its Statement of Licensing Policy at regular intervals to ensure it is carrying out licensing functions in accordance with current legislation. During this review, consideration has been given to how changes might improve the way in which services are being delivered, to make them more efficient and customer friendly.

A draft Policy has been produced which now needs to be consulted upon, prior to final consideration by Cabinet or adoption by full Council. An overview document listing the proposed changes is attached at Appendix A. The draft policy can be found at Appendix B. An Equalities Impact Assessment will also be undertaken.

The Licensing Act 2003 regulates sales of alcohol, regulated entertainment and late-night refreshment. The Council is required by Section 5 of the Licensing Act 2003 to review the Statement of Licensing Policy every five years. Hillingdon's current policy was adopted by Full Council in January 2021 and is therefore due for review, and subsequent approval by January 2026, before it expires.

In the intervening time, there have been only minor changes to legislation and guidance and, as such, there are very few changes proposed to this policy. The changes proposed in the revised policy are mainly administrative and to aid clarity. No substantive change of Council policy is

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proposed. Where changes are required to reflect changes to the relevant legislation and guidance, these have been incorporated into the revised policy. The proposed changes are listed in Appendix A and within the updated Policy in Appendix B in track changes, but in summary they relate to:

- Amendments to relevant dates, Team names and original typographical errors and statistics.
- New paragraphs and sections added, such as Environmental Best Practice, Agent of Change Principle, Counter Terrorism, Spiking, 'Ask For Angela' and Pavement Licensing.
- Further details and clarity being provided in existing sections relating to Integration with other Strategies, Representations, Planning, Remote & Internet sales and Protection of Children from Harm.
- Amendments and updates to legislation, technical standards and examples of measures detailed in Appendices.

**The proposed timetable for policy implementation is set out below:**

18 <sup>th</sup> September 2025	Draft Policy to Cabinet for consultation
22 <sup>nd</sup> September 2025	Consultation period started
October 2025 (TBC)	Residents' Services Select Committee
8 <sup>th</sup> October 2025	Licensing Committee
3 <sup>rd</sup> November 2025	Consultation period ended
18 <sup>th</sup> December 2025	Final draft policy to Cabinet post-consultation to recommend
22 <sup>nd</sup> January 2026	Statement of Licensing Policy considered and, if agreed, adopted at Full Council, subject to Cabinet recommendation

### **Implications on related Council policies**

A role of the Committee is to make recommendations on service changes and improvements to the Cabinet who are responsible for the Council's policy and direction.

The proposed Statement of Licensing Policy is a policy framework document under the Council's Constitution. As such, Cabinet is required to approve them in draft form with a timetable to include a period of formal consultation (minimum 6 weeks), to include the Licensing Committee and the Residents' Services Select Committee. Cabinet will then consider the responses of the consultation before deciding whether or not to recommend them to full Council for adoption.

### **RESIDENT BENEFIT**

The regular review and adoption of the Statement of Licensing Policy ensures that the licensing

framework are up to date and effective in ensuring a safe and regulated environment for users of licensed premises. It will also ensure that there are methods for robust enforcement and review of problem licensed premises.

## **FINANCIAL IMPLICATIONS**

It is important that the Committee considers cost effective proposals that benefit resident taxpayers in relation to this review, which would ultimately be determined by Cabinet as part of the Council's broader budget planning process.

Corporate Finance has reviewed the report and confirms that there are no direct financial implications associated with the recommendations in this report.

## **LEGAL IMPLICATIONS**

Legal Services confirm that the main points from the relevant legal framework are already included in the body of the report. Section 5 of the Licensing Act 2003 requires the Council to determine its policy with respect to the exercise of its licensing functions and publish a statement of that policy every 5 years.

Section 5 also outlines the requirement to consult before determining its policy for a 5-year period, listing mandatory consultees. In addition to these statutory requirements, the consultation must fulfil established public law principles on consultation, namely fairness and adequacy, which are mainly defined by the 4 *Gunning* principles:

- (a) Consultations must occur while proposals are still at a formative stage
- (b) Sufficient information needs to be supplied to consultees to give the consultation 'intelligent consideration'
- (c) There needs to be an adequate time for the consultees to consider the proposal and respond
- (d) Conscientious consideration must be given to the consultation responses before decisions are made

The Council must also be mindful of its public sector equality duty under section 149 of the Equality Act 2010. To this end, this report states that an equalities impact assessment will be carried out. Furthermore, there is reference within the draft statement of policy itself (at Appendix B) to the public sector equality duty.

Following the consultation, there will be a further Cabinet report submitted. More legal comments will be provided at that stage with reference to the outcome of the consultation and the recommended action arising therefrom.

## **BACKGROUND PAPERS**

Current Statement of Licensing Policy:

<https://www.hillingdon.gov.uk/alcohol-premises-licence>

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Revised Section 182 of the Licensing Act 2003 (February 2025):

<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2023-accessible-version>

Fact and Statistics about Hillingdon:

[Facts and statistics about the borough of Hillingdon - Hillingdon Council](#)

Hillingdon Population stats from Total population, January 2025:

[Hillingdon Population \(2025\) - Total Population](#)

Case study from Manchester relating to use of licensing conditions (Counter Terrorism, April 2023):

<https://www.local.gov.uk/case-studies/manchester-city-council-security-and-licensing>

Home Office Guidance, Spiking Fact Sheet (December 2023):

<https://www.gov.uk/government/publications/spiking-factsheet/spiking-factsheet>

Metropolitan Police Website information – ‘Ask For Angela’:

<https://www.met.police.uk/police-forces/metropolitan-police/areas/about-us/about-the-met/campaigns/ask-for-angela/>

Safer Sounds Partnership – Welfare & Vulnerability Engagement information:

<https://www.saferounds.org.uk/a4a-resources>

## APPENDICES

- An overview document detailing the proposed changes is attached at **Appendix A**.
- The draft Statement of Gambling Policy attached at **Appendix B**

## APPENDIX A - OVERVIEW OF PROPOSED POLICY CHANGES

### Draft Statement of Licensing Policy

The Council is required by the Licensing Act 2003 to review the Statement of Licensing Policy every five years. The current policy was last formally reviewed in January 2021 and therefore requires updating and adopting in January 2026.

In the intervening time, there have been only minor changes to legislation and as such there are very few changes proposed to this policy.

The current policy works well and acts as a valuable framework for ensuring the principles of the legislation are upheld.

Policy amendments are shown at Appendix B (the draft revised policy) in **bold**, underlined and ~~strikethrough~~ text.

- Front page – Effective dates amended.
- Front page, point 5, “and avoidance of duplication” deleted to shorten.
- Front page, point 6, capital “I” for “initiatives”.
- Pages 1 & 2 – Content pages updated and renumbered.
- New para 1.1 added providing some facts and statistics about Hillingdon.
- Para 1.4, updated to read “900” premises authorisations and “5200” personal licences.
- Para 2.2, updated so that the Licensing Act 2003 will be referred to as “the 2003 Act” and the Authority to be referred to as “The Licensing Authority”. This has been amended throughout the whole draft Policy to provide consistency.
- Para 2.4, amended date of updated guidance to read, “27<sup>th</sup> February 2025”.
- List at para 3.1 – Environmental Protection Team added and Home Office put on last bullet point to correct original list
- Title of section 5.0, shortened to now read “Integration of Strategies”.
- New para 5.2 to provide more details regarding integration with other strategies
- New para 5.7, further details and clarity on Planning matters.
- New para 5.8 added regarding the ‘Agent of Change’ principle.
- New section 7 and para 7.1 detailing Environmental Best Practice.
- New para 9.5 added regarding Immigration and entitlement to work.
- New Counter Terrorism section added at new section 11 following Martyn’s Law.
- New para 12.14 added regarding Spiking.
- New para 12.15 added regarding “Ask For Angela” initiative
- Para 13.3 included to make reference to Appendix C – measures for Public Safety
- Para’s 14.2 & 14.4 amended for grammar.
- New para 15.1 added detailing types of harm to children.
- New para 15.2 added detailing measures for addressing protection of children from harm.
- New para 15.3 added to include recommended initiatives regarding children.

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- Amended para 15.7 updated in relation to adult entertainment in licenced premises.
- Para 15.14 amended for grammar
- New para 15.17 added regarding collaboration with partners.
- New para 18.8 added in relation to “off” sales and pavement licences.
- Para 19.10 amended to provide clarity on representations.
- New para 19.13 added to clarify position for borderline representations.
- Para 26.1 – further detail regarding Internet & Remote sales to specify location and dispatch.
- Para 26.2 – amended to provide example of measures regarding Internet & Remote sales.
- Para 26.3 – amended to highlight robust age verification checks and staff training for Internet & Remote sales.
- New para 26.4 added to take into consideration applicants who use third party vendors such as Uber Eats, Deliveroo.
- Appendix A – Amended heading to read Table of ‘Delegations’.
- Appendix C – Out of date technical standards deleted and alternatives added.
- Appendix D – Publications list updated.
- Appendix E – “Limitations” replaced with “Restrictions” in line with Government guidance.
- Appendix F – Contact details for Responsible Authorities updated.
- Appendix H added showing a plan of the Borough and the make-up of Wards.

Page, paragraph numbers and formatting will be updated on the final policy document.





# HILLINGDON

## LONDON

### Statement of Licensing Policy The Licensing Act 2003

Effective – January 2026 to January 2031

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## **1. Introduction & Background**

- 1.1. **Hillingdon is the second largest of London's 33 Boroughs. More than half of Hillingdon's 42 square miles is made up of countryside, including canals, rivers, parks and woodland. It shares its borders with Hertfordshire, Buckinghamshire, Hounslow, Ealing, and Harrow. In addition to Heathrow Airport, Hillingdon is also home to the RAF airport at RAF Northolt.**
- 1.2. **As of 2025, the London Borough of Hillingdon has an approximate population of 304,800 residents. The Borough is made up of a total of 21 Wards which is shown in Appendix H of this Policy.**
- 1.3. The London Borough of Hillingdon is the Licensing Authority under the Licensing Act 2003 and is responsible for the administration and enforcement of the provisions relating to:
  - Alcohol sales/supplies
  - Regulated Entertainment
  - Late Night Refreshment
- 1.4. The London Borough of Hillingdon currently has approximately **900** premises authorisations in force and **5200** personal licences held by individuals.

## **2. Policy Statement**

- 2.1. The Licensing Authority exercises a range of responsibilities, including helping to develop a thriving food, drink and entertainment economy whilst safeguarding the local community against issues which may arise from licensed premises.
- 2.2. The London Borough of Hillingdon is required by Section 5 of the Licensing Act 2003 ("the 2003 Act") to determine and publish a statement of licensing policy at least once every five years. The Licensing Policy will provide the Licensing Authority with the fundamental principles in respect of carrying out its licensing functions.
- 2.3. The Policy is also intended to inform applicants, residents and other stakeholders about the way in which the Licensing Authority will make decisions and the operating standards expected from licensed premises in accordance with the licensing objectives.
- 2.4. In determining its policy, the Council will take into account the Secretary of State's Guidance issued under Section 182 of the Licensing Act 2003 (last updated on **27<sup>th</sup> February 2025** ).
- 2.5. In respect of all licensing functions and determination of any licensing policy, the Council has a duty to promote the four licensing objectives:

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

Each objective is of equal importance.

- 2.6. Determining and publishing a statement of its policy is a licensing function and so the Licensing Authority must have regard to the Guidance issued under Section 182 of the 2003 Act. The Licensing Authority may depart from this policy if the individual circumstances of any case merit such a decision in the interests of the promotion of the licensing objectives. However, if this is done then the Licensing Authority shall give full reasons for departing from its policy.

### 3. Consultation

- 3.1. In reviewing the Council's Statement of Licensing Policy, the Council sought observations and comments from the following persons, organisations and groups and their comments have been incorporated into this policy where relevant:

- Chief Officer of Police for Hillingdon
- London Fire Brigade
- Chief Planning Officer
- Hillingdon Safeguarding Children Board
- Health and Safety Executive and Hillingdon's Health and Safety Enforcement Team
- Public Health
- Trading Standards
- Enforcing Authority for Public Nuisance (**Environmental Protection Team**)
- Bodies representing holders of current authorisations
- Resident's Associations
- Ward Members
- Hillingdon's Anti-Social Behaviour Investigations Team
- Transport for London (TfL)
- The London boroughs of Hounslow, Harrow, Ealing
- The borough councils of South Bucks, Three Rivers, Spelthorne, Slough
- Hillingdon Arts Council
- Individuals who have requested a copy of the draft policy
- Home Office - Immigration

#### **4. General Principles and the Role of the Licensing Authority**

- 4.1. The role of the Licensing Authority is to ensure control of the licensable activities at licensed premises, qualifying clubs, temporary events and the conduct of the personnel involved with the licensable activities as required under the 2003 Act.
- 4.2. Conditions attached to the Premises Licences and Club Premises Certificates granted by the Licensing Authority will relate to the licensing objectives and matters over which the Premises Licence Holder or Club Management Committees have direct control.
- 4.3. The focus will be on the licensed premises and the activities in the vicinity of those premises. Those activities, on licensed premises, that have a direct impact on members of the public living, working or engaged in normal activities in the area, fall within the scope of the licensing regime.
- 4.4. Anti-social behaviour of patrons in and around a licensed premises and disturbance or nuisance which can be proved to be emanating from particular premises will be a consideration for the Licensing Authority in its enforcement and decision-making role.

#### **5. Integration of Strategies**

- 5.1. Many people and organisations are involved with, or affected by, the ways in which licensed premises are operated. Most are involved, directly or indirectly, in the promotion of the licensing objectives, particularly those relating to the prevention of crime and disorder and public nuisance. Amongst the various stakeholders there will be a wide range of strategies that relate to, or are influenced by, the exercise of the Council's licensing function.
- 5.2. **The Licensing Authority recognises that this Policy does not operate in isolation. The Licensing Authority will seek to integrate its approach with a range of local strategies and initiatives that support the promotion of the licensing objectives and the wider public interest.**

**These include, but are not limited to:**

- **Uxbridge Town Centre Vision – [detailing a long term plan for more opportunities for local residents and businesses and to ensure Uxbridge continues to thrive.](#)**
- **Public Spaces Protection Order 2025, May 2025 (PSPO) – addressing anti-social behaviour in designated areas.**
- **Public Health Strategies – reducing alcohol-related harm and promoting community wellbeing.**

- **Community Safety and Policing Strategies – tackling crime, disorder, and safeguarding concerns.**
- **Local Planning and Regeneration Frameworks – ensuring consistency between licensing and land use planning.**
- **Youth and Vulnerability Strategies – protecting children and vulnerable adults from harm.**

**The Licensing Authority will work collaboratively with responsible authorities, local partnerships, and community stakeholders to ensure that licensing decisions contribute positively to these wider aims.**

- 5.3. The Licensing Authority recognises the need to avoid, so far as possible, duplication with other regulatory regimes. Some regulations, however, do not cover the unique circumstances of some licensable activities. The Licensing Authority will consider attaching conditions to Premises Licences and Club Premises Certificates where: these are appropriate, reasonable and proportionate for the promotion of the licensing objectives; these are not already provided for in any other legislation; these are not contained within the applicant's operating schedule; and if there are relevant representations
- 5.4. The Licensing Committee will be prepared to accept reports from other relevant departments of the Council regarding the state of the borough. These reports may include contributions from those responsible for the promotion of tourism, cultural development, planning, transport, reduction of crime or anti-social behaviour, community safety, social, and health and community development. This should enable the various agencies or departments with their own strategies, aims and objectives to keep the Licensing Committee aware of the wider picture in pursuance of the licensing objectives.
- 5.5. Planning and public nuisance legislation carry the highest risk of duplication within the Licensing regime. While licence conditions should not duplicate other statutory provisions, licensing authorities and licensees should be mindful of requirements and responsibilities placed on them by other legislation. Relevant legislation may include the following:
  - The Gambling Act 2005
  - The Environmental Protection Act 1990
  - The Noise Act 1996
  - The Clean Neighbourhoods and Environmental Act 2005
  - The Regulatory Reform (Fire Safety) Order 2005
  - The Health and Safety at Work etc. Act 1974
  - The Equality Act 2010
  - The Immigration Act 2016
  - Regulators' Code under the Legislative and Regulatory Reform Act 2006

## *Planning*

5.6. The licensing function is and should remain distinct from the Planning process. It will be for the planning process to determine land/building use decisions and the marketplace to determine need for particular types of premises/activities. Licensing decisions will be made with regard to the furtherance of the Licensing Objectives with regard to the particular use sought. However, it is strongly recommended that applicants ensure that:

- The proposed licensable activities do not contravene planning legislation; and
- The hours sought are within the limits authorised by any planning permission.

5.7. **Whilst licensing and planning functions are distinct and operate under separate legislative frameworks, licensing committees are not bound by decisions made by planning committees, and vice versa. Nevertheless, in accordance with Government guidance and best practice, the Licensing Authority will seek to engage in constructive dialogue with planning counterparts. This collaborative approach aims to promote consistency in decision-making, particularly in relation to the design of licensed premises and operating hours.**

5.8. **The Licensing Authority recognises the ‘Agent of Change’ principle.**

**This principle places the responsibility for mitigating the impact of new development on the party introducing the change. For instance, if a residential development is proposed near an existing licensed premises (such as a late-night entertainment premises), it is the responsibility of the developer — not the venue — to ensure that appropriate noise mitigation measures are in place.**

**The Licensing Authority will work closely with the Council’s Planning, Environmental Protection and Anti-Social Behaviour Teams to ensure a joined-up approach to managing noise and other potential conflicts between new developments and existing licensed premises.**

**Applicants for new developments near licensed premises are encouraged to engage early with both planning and licensing authorities to address potential impacts.**

**The Licensing Authority recognises that this principle helps protect the cultural and economic value of established venues while ensuring that new developments are appropriately designed to coexist with their surroundings.**

### *Enforcing Authority for Public Nuisance*

- 5.9. The Environmental Protection Unit is charged with enforcing regulations relating to Public Nuisance and is also a responsible authority for Public Nuisance matters under the 2003 Act.
- 5.10. It is accepted that the Licensing Authority will often work hand in hand with the Environmental Protection Unit where nuisance related issues occur at licensed premises. Whilst the Licensing Authority has a duty to uphold the prevention of public nuisance, it should be recognised that this duty will not replace the Licensing Authority's responsibilities under other legislation.

## **6. Partnership Working and Initiatives**

- 6.1. The Licensing Authority encourages work between the Licensing Authority, relevant authorities such as Police, Environmental Health, and Trading Standards, and the licence holder themselves in order to solve licensing problems and to promote the licensing objectives.
- 6.2. Groups representing licence holders are encouraged to participate in their local crime and disorder reduction partnerships, such as Pubwatch schemes.
- 6.3. The Licensing Authority has a duty to work with all partners in order to deliver the promotion of the licensing objectives.

### *Business Improvement Districts*

- 6.4. The Licensing Authority support and encourage further developments for Business Improvement Districts (BIDs) where partnership arrangements and joint responsibility are formed with local businesses and stakeholders. BIDs can play an important and positive role in discussing and tackling local issues and they have the ability to put forward appropriate schemes that are of benefit to the community.

More information on BIDs can be found at:

<https://www.gov.uk/government/publications/business-improvement-districts-guidance-and-best-practice>

### *Best Bar None*

- 6.5. The Licensing Authority recognise the value of the Best Bar None Scheme in improving standards in the Evening and Night Time Economy. For example, they reduce alcohol related crime and disorder, build positive relationships between the licensed trade, police and local authorities and responsible owners are recognised and able to share good practice with others. Furthermore, they promote the town or city as a safe and vibrant city to go at night and show a willingness to address alcohol related crime and anti-social behaviour through the promotion of good practice and education.



More information on Best Bar None can be found at:

<https://bbnuk.com>

### *Purple Flag*

- 6.6. The Licensing Authority acknowledge that that Purple Flag status, an accreditation recognising a well managed night time economy, can bring real benefits which include:

- A raised profile and an improved public image for the location
- A wider patronage, increased expenditure
- Lower crime and anti-social behaviour
- A more successful mixed use economy in the longer term

More information on Purple Flag can be found at:

<https://www.atcm.org/purple-flag>

## **7. Environmental Best Practice**

- 7.1. **The Licensing Authority recognises the importance of promoting environmental sustainability and encourages licence holders and applicants to adopt environmentally responsible practices. These may include but are not limited to:**

- **Reducing single-use plastics, especially in drinkware and packaging**
- **Managing waste responsibly such as implementing recycling and waste separation schemes**
- **Minimising energy and water consumption**
- **Sourcing products locally and sustainably**
- **Carrying out food waste reduction measures**

## **8. Equality Duty**

- 8.1. The Licensing Authority have a public sector equality duty in relation to the following protected characteristics:

- Age
- Disability
- Sex
- Gender reassignment
- Sexual orientation
- Pregnancy and maternity
- Race
- Religion or belief

- 8.2. Under Section 149 of the Equality Act 2010 a Public Authority must, in the exercise of its functions, have due regard to the need to:-
- (a) eliminate discrimination, harassment, victimisation and any other conduct that is prohibited under the 2010 Act
  - (b) advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it
  - (c) foster good relations between persons who share a relevant protected characteristic and persons who do not share it
- 8.3. The Licensing Authority has considered the Equality and Diversity issues that may arise from the Policy. The Licensing Authority considers that this policy does not raise any concerns with regards to equality and diversity.

## **9. Immigration Act**

- 9.1. Following the implementation of the Immigration Act 2016, the Licensing Authority will ensure that the “Entitlement to Work” test is checked and scrutinised for Personal Licence Holders and individual Premises Licence Holders where the Premises Licence permits the sale of alcohol or late night refreshment.
- 9.2. Where an individual holding a Premises Licence within the Borough ceases to be entitled to work in the United Kingdom on or after 6<sup>th</sup> April 2017, the Premises Licence lapses immediately and will lapse completely unless transferred or an Interim Authority is lodged within 28 days of when the individual’s right to work ended.
- 9.3. A Personal Licence issued by the Licensing Authority will lapse when an individual is no longer entitled to work in the United Kingdom on or after 6<sup>th</sup> April 2017.
- 9.4. The Licensing Authority will work closely with the Home Office Immigration Enforcement (HIOE) as a Responsible Authority. The Licensing Authority will advise the HIOE where applicants have committed immigration offences and furthermore provide the HIOE assistance when entering and carrying out their enforcement duties at licensed premises within the Borough.
- 9.5. **From 1<sup>st</sup> July 2021, EEA citizens and their family members are required to demonstrate lawful immigration status in the UK in order to prove their right to work. An EEA passport or national identity card alone is no longer sufficient as these documents confirm nationality but not immigration status. The Licensing Authority shall ensure that applicants provide appropriate evidence of their right to work in the UK, in line with Home Office requirements applicable to all foreign nationals.**

**The Licensing Authority shall treat all applicants in the same way during the application process and shall not discriminate against anyone. The Licensing Authority shall ensure that the process will be carried out in a fair, transparent and consistent way.**

## **10. Modern Day Slavery**

10.1. The Licensing Authority acknowledges the implementation of the Modern Day Slavery Act 2015 and will therefore fully take on their responsibilities and statutory duties under the 2015 Act

10.2. This Licensing Authority recognises the role it can play in proactively preventing modern slavery, which includes consideration of:-

- Identification and referral of victims during inspections and visits
- Reporting and referring for investigation via the National Crime Agency's national referral mechanism any of its licence holders or managers of premises as a cause for concern
- Assisting partners with community safety services and disruption activities.

## **11. Counter-Terrorism**

11.1. **Applicants for premises licences are encouraged to consider:**

- **Undertaking a terrorism threat risk assessment to ensure that any security related concerns are identified and, appropriate reasonable and proportionate steps are taken to reduce any risks from a terrorist attack, and**
- **Undertaking an ACT security plan, including completion of a preparedness plan, information sharing and training.**

11.2. **More relevant information and advice regarding counter-terrorism measures can be found on the Protect UK Website:**

[www.protectuk.police.uk](http://www.protectuk.police.uk)

## **12. Licensing Objectives - The Prevention of Crime and Disorder**

12.1. Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment, can be a source of crime and disorder. The Licensing Authority will expect operating schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business. Applicants are recommended to seek advice from the Police Licensing Officer and Licensing Authority Officers prior to making any application as early advice can alleviate representations being made once an application is

- submitted. Full contact details for both are contained within the Responsible Authorities contact in Appendix F.
- 12.2. Applicants should, where appropriate, take account of local planning and transport policies, and tourism, cultural and crime prevention strategies, when preparing their operating plans and schedules.
  - 12.3. Where a number of premises may be in close proximity it may be difficult to attribute the disorder to patrons of particular premises, however there is a duty on Premises Licence Holders or Club Management Committees to act responsibly to ensure their own customers do not contribute to crime and disorder whilst in their premises and in the vicinity of their premises.
  - 12.4. When addressing crime and disorder, the applicant should identify any particular issues that are likely to affect adversely the promotion of the crime and disorder objective. They should then include in the operating schedule how they will deal with those matters.
  - 12.5. Operating schedules should then show how they will address the issues identified. Further guidance on these measures is contained in Appendix B.
  - 12.6. Applications referred to the Licensing Sub-Committee where relevant representations have been received will be determined on the individual merit of each case. The Licensing Sub-Committee has the power to impose specific conditions when considered appropriate in respect of the Crime and Disorder objective.
  - 12.7. The Council's Licensing Officers will work closely with the Metropolitan Police Service to ensure licence conditions are met, matters relating to crime and disorder are resolved, and that licensed premises are being operated according to the requirements of the 2003 Act.
  - 12.8. Following the grant of a premises licence, the Metropolitan Police Service, Elected Members and/or interested parties such as local residents and Ward Councillors can apply to the Licensing Authority for a review of the licence if they consider that the Prevention of Crime and Disorder objective has not been met and is relevant.
  - 12.9. When making decisions about an application the Licensing Sub-Committee will have regard to the Borough's Crime Prevention Strategy and any conditions attached to licences or certificates will so far as possible reflect local crime prevention strategies
  - 12.10. High risk or poorly managed premises will be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.
  - 12.11. In the interest of public order and the prevention of terrorism, the Licensing Authority would expect that for significant events, a

comprehensive risk assessment is undertaken by premises licence holders to ensure that crime and disorder and public safety matters are identified and addressed. Accordingly, for premises that wish to stage promotions, or events (see examples set out in Appendix B), the Licensing Authority recommends those applicants address the Risk Assessment and debrief processes in their operating schedule.

12.12. The Licensing Authority strongly encourages applicants to carry out a detailed and thorough risk assessment when carrying out promotions or events. Where the risk assessment identifies significant risks for an event or promotion then the Licensing Authority would normally expect the applicant to consult with the Police and the Licensing Authority.

12.13. Personal Licence applicants will have to meet specific standards with regard to their suitability. There are a number of obligations on Personal Licence Holders, including those who are named as Designated Premises Supervisors, the breach of which could mean appearing before the Magistrates Court.

12.14. **Spiking — whether through the addition of drugs or alcohol to a person's drink or through other means — is a serious criminal offence and poses significant risks to public safety. The Licensing Authority expect relevant licensed premises such as late-night venues to take proactive steps to prevent and respond to incidents of spiking. These may include:**

- **Staff training to identify signs of spiking and respond appropriately**
- **Clear signage informing patrons about the risks of spiking and encouraging vigilance**
- **Availability of drink covers or testing kits, where appropriate**
- **Robust incident reporting procedures, including liaison with police and local safeguarding teams**
- **Safe spaces or welfare areas for individuals who may be vulnerable or affected**

**Where appropriate and proportionate the Licensing Authority may consider imposing specific conditions to ensure the licensing objectives are being fully promoted.**

12.15. **The Licensing Authority supports initiatives such as “Ask For Angela” and similar schemes as part of its commitment to promoting the licensing objectives.**

**“Ask for Angela” is a nationally recognised safeguarding initiative that enables individuals who feel unsafe, vulnerable, or threatened in licensed premises to discreetly seek help. By approaching staff and asking for “Angela,” trained personnel are alerted to provide assistance. This support may include: escorting the individual to a safe space, contacting venue security or emergency services,**

reuniting them with friends or family and/or arranging safe transport home.

The Licensing Authority encourages relevant licences premises to:

- Display “Ask For Angela” posters prominently
- Ensure staff receive Welfare and Vulnerability Engagement (WAVE) training
- Include the scheme in their operating schedules
- Maintain clear procedures for recording and responding to safeguarding concerns
- The Licensing Authority may consider the adoption of the “Ask for Angela” scheme as a condition of licence where appropriate and proportionate, particularly for venues operating late at night.

### **13. Licensing Objectives - Public Safety**

- 13.1. The 2003 Act covers a range of premises and activities, including cinemas, concert halls, theatres, nightclubs, public houses, cafes/restaurants and fast food outlets/takeaways. Each of these types of premises present a mixture of risks to public safety, with many common to most premises and others unique to specific operations. It is essential that premises are constructed or adapted and operated so as to acknowledge and safeguard occupants against these risks.
- 13.2. The Licensing Authority will expect operating schedules to satisfactorily address these issues and applicants are advised to seek advice from the Borough’s Licensing Officers and the London Fire Brigade (contact details can be found in Appendix F) before preparing their plans and schedules. Where an applicant identifies an issue relating to public safety (including fire safety) that is not covered by existing legislation, the applicant should identify in their operating schedule the steps that they will take to ensure public safety. Where representations are received and upheld at a hearing, the Licensing Authority will consider attaching conditions to licences and permissions to promote safety.
- 13.3. Appendix C provides a list of examples of measures to promote Public Safety.
- 13.4. If relevant representations are received from a Responsible Authority, Elected Members or interested parties the application will be determined by a Licensing Sub-Committee.
- 13.5. Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Public Safety objective.

- 13.6. Following the grant of a premises licence, the London Fire and Emergency Planning Authority, Elected Members and/or the Enforcing Authority within the meaning given by section 18 of the Health and Safety at Work etc. Act 1974 and/or interested parties such as local residents and businesses can apply to the Licensing Authority for a review of the licence if they consider that the Public Safety objective has not been met.
- 13.7. The Licensing Authority's Licensing Officers will conduct inspections of licensed premises to ensure that the approved safety standards are being maintained and that licence conditions are being complied with.
- 13.8. High risk or poorly managed premises will therefore be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.
- 13.9. The Council's Licensing Officers, Fire Safety Officers and Health & Safety Officers will work closely together to resolve matters relating to public safety in licensed premises.

#### **14. Licensing Objectives - The Prevention of Public Nuisance**

- 14.1. Licensing Sub-Committees will be mindful that licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises. When addressing public nuisance, the applicant should identify any particular issues that are likely to affect adversely the promotion of the licensing objective to prevent public nuisance. They should then include in the operating schedule how they will deal with those matters. The concerns mainly relate to noise nuisance from within the premises or from the use of any outside areas, light pollution, smoke and noxious smells. This may also include patrons outside a premises and the dispersal of customers. Due regard will be given to the impact these may have and the Licensing Authority will expect operating schedules to satisfactorily address these issues.
- 14.2. Appendix D provides a list of examples of relevant issues relating to public nuisance and considerations to be made to prevent such nuisance occurring.
- 14.3. Applicants should give particular consideration to measures to reduce the occurrence of public nuisance associated with accommodating smokers outside the premises following the introduction of smoke free areas in enclosed or substantially enclosed places.
- 14.4. In relation to smoking outside licensed premises, it is expected that:

- Suitable receptacles for customers will be provided and maintained to dispose of cigarette litter in areas used, or likely to be used, for smoking
  - Licensees will take all reasonable steps to discourage smoking on the public highway close to residential premises, particularly after 10pm. This could include measures such as a ban on customers taking drinks outside on to the public highway, the use of door supervisors, or imposing a time after which re-admissions to the premises will not be permitted
  - Garden areas are to be cleared at a reasonable time where not doing so could cause nuisance to neighbouring residents.
  - Appropriate signage is to be displayed prominently at the premises
- 14.5. Where an application includes provision of a smoking shelter then the Licensing Authority expects the shelter to be situated as far as possible from neighbouring residential premises.
- 14.6. If relevant representations are received from a Responsible Authority, Elected Members or interested parties, the application will be determined by a Licensing Sub-Committee.
- 14.7. Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Prevention of Public Nuisance objective.
- 14.8. Following the grant of a premises licence, the Council's Environmental Protection Unit, Elected Members and/or interested parties such as local residents and businesses can apply to the Licensing Authority for review of the licence if they consider that the Prevention of Public Nuisance objective has not been met.
- 14.9. The Licensing Authority's Licensing Officers will conduct inspections of licensed premises to ensure that the conditions relating to the prevention of public nuisance are being complied with.
- 14.10. High risk or poorly managed premises will therefore be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.
- 14.11. The Council's Licensing Officers and Environmental Protection Officers will work closely with the Council's Anti-Social Behaviour Investigations Team, requesting monitoring visits of specific premises and receiving feedback regarding the witnessing of statutory noise and public nuisance or the breach of licence conditions.



## **15. Licensing Objectives - The Protection of Children from Harm**

- 15.1. The Licensing Authority is committed to ensuring that licensed premises operate in a manner that safeguards children from harm. This includes physical, psychological, and moral harm, and extends to concerns such as underage drinking, exposure to adult content, and child sexual exploitation.**
- 15.2. The Licensing Authority believes that it is completely unacceptable to sell alcohol to children. Applicants should demonstrate how they will promote this objective in their operating schedules. Measures may include: Challenge 25 or similar age verification policies, staff training on safeguarding and identifying vulnerable children, restrictions on access to certain areas or times and clear signage and supervision arrangements. Other considerations can be found in Appendix E of this Policy.**
- 15.3. The Licensing Authority strongly encourages participation in safeguarding initiatives such as: 'Ask for Angela', WAVE (Welfare and Vulnerability Engagement) training and reporting and recording concerns to the police or Safeguarding Teams.**
- 15.4. The range of 'licensed premises' under the 2003 Act is very broad. It includes pubs, cinemas, theatres, restaurants, off licences etc.
- 15.5. Under the 2003 Act, unaccompanied children under the age of 16 are not allowed on premises such as public houses which are used exclusively or primarily for the supply of alcohol for consumption on the premises.
- 15.6. This restriction does not apply to premises such as restaurants and bowling alleys etc. where the supply of alcohol is not the principal use of the premises. However, unaccompanied children under the age of sixteen are not permitted in such premises between the hours of midnight and 5 a.m. Admission of children will always be at the discretion of those managing the premises unless specifically prohibited by way of licence conditions.
- 15.7. Where applicants are proposing adult entertainment, they must make it clear in their operating schedule about the details of the activity or event and times so that it can be determined when it is not appropriate for children to enter the premises. Applicant should consider the proximity of their premises to schools and youth clubs and ensure that any advertising is not displayed at a time where children are likely to be close by.. Applicants are advised to contact the Safeguarding Children and Quality Assurance team or the Licensing Team directly to seek advice prior to submitting their application.**
- 15.8. It is recognised that the Mandatory Conditions attached to premises licences where alcohol is sold/supplied must have in place an age

verification scheme. The Licensing Authority would normally expect this scheme to include a challenge for photo identification to all persons who appear to be under the age of 25 years, i.e. 'Challenge 25'.

- 15.9. If relevant representations are received from a Responsible Authority, Elected Members or interested parties the application will be determined by a Licensing Sub-Committee.
- 15.10. Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Protection of Children from Harm objective.
- 15.11. Following the grant of a premises licence, the Council's Safeguarding Children and Quality Assurance team, Elected Members and/or interested parties such as local residents and businesses can apply to the Licensing Authority for a review of the licence if they consider that the Protection of Children from Harm objective has not been met.
- 15.12. The Licensing Authority's Licensing Officers will conduct inspections of licensed premises to ensure that the conditions relating to the protection of children from harm are being complied with.
- 15.13. High risk or poorly managed premises will therefore be subject to a higher frequency of inspections than low risk and well managed premises. Some of these inspections will be unannounced and conducted whilst the premises are in use for the purpose of the licence.
- 15.14. The Licensing Authority will expect that each operator dealing in the sale and supply of alcohol implements a proof of age policy in line with the Mandatory Licence conditions. The Licensing Authority expects premises licence holders to ensure that their staff are adequately trained and in every case where there is any doubt as to whether the customer is aged eighteen or over operate on a 'No ID, No sale' basis.
- 15.15. It is expected that all refusals of alcohol shall be recorded by the operator in a Refusal or Incident Log. This Log should be made available for inspection to a Police Officer or authorised officer from the Local Authority when requested.
- 15.16. Trading Standards Officers and Police Officers will carry out test purchases of alcohol using young volunteers. Where sales are made, enforcement action will be taken against all responsible persons.
- 15.17. The Licensing Authority shall maintain close contact with the police, trading standards and [Youth Justice](#) Teams concerning any unlawful sales at premises and reports of consumption of alcohol by minors.

### *Children's access to cinemas*

- 15.18. The Licensing Authority accepts that the British Board of Film Classification (BBFC) is the recognised authority in categorising films. It therefore accepts the BBFC classifications with respect of children's films. The Licensing Authority will expect applicants to include in their operating schedules arrangements for restricting children from viewing age-restricted films classified according to BBFC recommendations.

### *Children and Regulated Entertainment*

- 15.19. There are many kinds of regulated entertainment which are specifically arranged for children, such as plays, concerts, and film shows, some of which may be school based. When it is proposed to present an entertainment specifically for children, then additional safety measures may need to be considered. The Council's Licensing Officers and the Safeguarding Children and Quality Assurance team are able to offer advice and guidance in respect of such presentations and organisers of such events are encouraged to seek such advice.

## **16. Public Health & Licensing**

- 16.1. The Director of Public Health in Hillingdon is a responsible authority under the 2003 Act and may make representations in respect of premise licence applications and club premise certificates and may also apply to review premise licences and certificates.
- 16.2. Public Health may hold useful information which may be used by them to make representations in their own right or to support representations by other responsible authorities. These representations can potentially be made on the grounds of all four licensing objectives.
- 16.3. A range of public health issues may relate directly to one or more of the Licensing Objectives; for example, violent assaults, cases of alcohol poisoning at licensed premises, or issues with loud noise emanating from premises.
- 16.4. Public Health may record data where intoxication of patrons at specific premises has led to accidents and injuries from violence, including those resulting in attendances at emergency departments and the use of ambulance services. Some of these incidents will be reported to the police, but many will not. This information can be relevant to the public safety, public nuisance and crime and disorder objectives.
- 16.5. The Licensing Authority recognises the potential for Public Health to participate in the licensing process in relation to the protection of children from harm. This objective concerns the physical safety of children and also their moral and psychological wellbeing. Public Health may present evidence relating to under 18s alcohol-related emergency department

attendance, hospital admissions and underage sales of alcohol linked to a specific premises and their practices.

- 16.6. The Licensing Authority will work with the Director of Public Health and their staff in order to identify and utilise relevant public health data within the licensing process. In addition, the Licensing Authority will support the NHS and alcohol charities to raise awareness of the dangers of excess consumption of alcohol.

## **17. Licensing Committee**

- 17.1. A Licensing Committee consisting of at least ten, but not more than fifteen Councillors, has been appointed. The Licensing Committee will be kept informed by way of reports from officers on a wide range of matters which may impact on their role.
- 17.2. The 2003 Act dictates that uncontested applications shall be granted and that such applications should be dealt with by specific officers who have been so delegated by the Licensing Authority.
- 17.3. Whenever relevant representations have been received from Responsible Authorities, Elected Members and/or Interested Parties in respect of an application, that application will be referred to a Licensing Sub-Committee for determination.
- 17.4. Although the Licensing Authority welcomes views from all members of the community, Government guidance states that the Council as the Licensing Authority should be aware that the views of vocal minorities should not be allowed to predominate over the general interests of the community that the Licensing Committee represents.

## **18. Authorisations and Applications**

- 18.1. There are a number of authorisations relating to:

- Sale/Supply of alcohol
- Regulated entertainment
- Late Night Refreshment

These are:

### *Premises Licences*

- 18.2. Any person aged eighteen years or over who is carrying on, or who proposes to carry on, a business that involves the use of premises for licensable activities may apply for a premises licence either on a permanent basis or for a time-limited period. 'A person' in this context includes a business or partnership.

- 18.3. A premises licence lasts indefinitely and may be transferred or varied at any time.
- 18.4. The premises licence application form and operating schedule should be completed clearly and concisely to reflect the exact nature of the business and how the four licensing objectives will be addressed. All sections of the application form must be completed. Guidance as to what type of information should be included in the operating schedule is given in the Appendices to this Policy.
- 18.5. Applications which are incomplete or illegible will be returned to the applicant with an explanation for the return. Reasons may include incomplete or missing forms, incomplete Operating Schedule, the absence of the fee, and/or absence of required plans or insufficient information detailed on the plans (as required under Section 23 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005), or for personal licences, also the absence of certificates or photographs.
- 18.6. Applicants are advised to seek advice from the Council's Licensing Officers and the Responsible Authorities concerning the licensing requirements for premises and/or licensable activities being applied for prior to completing their operating schedule. Large or unusual events need particular consideration and applicants are advised to consult the Council's Licensing Officers for guidance and to submit applications as far in advance as possible. When required, the Council's Licensing Officers will provide all applicants with advice and guidance in respect of completing their application forms and, in particular, how they should address each one of the four licensing objectives in their operating schedules.
- 18.7. Notwithstanding 18.6 above, it is the applicant's responsibility to complete the application to a satisfactory standard and they should seek professional legal advice as necessary.
- 18.8. **From 31<sup>st</sup> March 2025, the Licensing Authority will generally treat applications to add "off sales" to "on sales" premises licences as a minor variation application, in particular where the licence holder took advantage of the Business & Planning Act 2020 provision and there has been no adverse impact on the licensing objectives.**

**The Licensing Authority recognises the importance of outdoor hospitality in supporting local businesses and enhancing the vibrancy of public spaces. Pavement licences governed by the permanent regime introduced under the Business & Planning Act 2020 are separate from premises licence under the 2003 Act but may interact where alcohol is served outdoors. Licence holders must ensure that the use of outdoor space does not undermine the licensing objectives. The Licensing Authority shall ensure that there is co-ordination and consistency between pavement and premises licensing where applicable.**

### *Members Clubs*

- 18.9. Some activities carried out by clubs need to be licensed under the 2003 Act but generally members clubs are treated differently to proprietary clubs and commercial premises. A club is an organisation where members have joined together for a particular reason, i.e. social, sporting or political, and have combined to buy alcohol in bulk as members of the organisation for supply to members. In order to apply for a Club Premises Certificate, the club needs to be a 'Qualifying Club'.
- 18.10. Where there is doubt about the eligibility for a club premises certificate, the Licensing Authority will seek assurances and evidence from applicants that they are a qualifying club for the purposes of the 2003 Act. Such evidence may include membership records, minutes of committee meetings, etc.

### *Temporary Event Notices*

- 18.11. Anyone may give the Licensing Authority a Temporary Event Notice (TEN). This procedure allows people to hold an event involving licensable activities without having to apply for a Premises Licence or Club Premises Certificate.
- 18.12. The 2003 Act provides a system for the temporary carrying on of any licensable activity outside of the terms of a premises licence or club premises certificate. Under this system no authorisation as such is required from the licensing authority. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the "premises user") gives notice to the Licensing Authority of the event.

### *Personal Licences*

- 18.13. To sell alcohol in licensed premises at least one person needs to hold a 'Personal Licence' which has been granted by the Licensing Authority where they live. This requirement does not apply to 'qualifying clubs'.
- 18.14. In some premises there may be more than one person holding a 'Personal Licence' and it is important that one person is named as being in control, this person is called the 'Designated Premises Supervisor'. The Designated Premises Supervisor is the key person who will usually be responsible for the day-to-day management of the premises.
- 18.15. There is one exemption from the need for a personal licence holder and 'Designated Premise Supervisor' in line with the mandatory requirements of the 2003 Act, sections 19(2) and 19(3). That is in the case where a community premises (church, community halls, and village halls, etc.) has applied for and been granted an application to disapply these mandatory conditions.
- 18.16. In determining applications for personal licences, the Licensing Authority will have regard to the guidelines issued by the Secretary of State under section 182 of the 2003 Act and any secondary legislation. The promotion

of the four licensing objectives applies to the consideration of applications for personal licences equally as it does to applications for premises licences.

## **19. Representations**

- 19.1. This policy will not seek to exclude any rights enshrined in the 2003 Act or any other legislation for applicants or those making representations against applications. Each application and representation will be treated on its merits taking into account the legislation, the Guidance issued under section 182 of the 2003 Act and this policy.
- 19.2. Representations can be made to the Council, as Licensing Authority, by a 'Responsible Authority' or by 'Interested Parties', which include individuals such as residents or bodies such as a residents association, trade associations and other businesses operating. Representations can be made concerning:-
- Applications for new premises licences or club premises certificates
  - Applications to vary premises licences or club premises certificates
  - Personal licence applications on criminal grounds (only by the Police)
- 19.3. Responsible Authorities are the public authorities specifically designated under the 2003 Act to be consulted on all licence applications and are also entitled to make representations. A full list of Responsible Authorities is at Appendix F.
- 19.4. The Licensing Authority expect other responsible authorities, where they have concerns, to raise representations that fall within their remit. For instance, where there are concerns of crime and disorder, then the police should submit a representation.
- 19.5. The Licensing Authority is not generally expected to act as a responsible authority on behalf of other parties such as residents. However, there may be times where the Licensing Authority may feel it is appropriate to do so. For instance, this may be where the relevant responsible authority have failed to take action and the Licensing Authority is aware of relevant grounds to make a representation.
- 19.6. Where the Licensing Authority does act as a responsible authority and wishes to submit a representation, they may do so by assessing the application, visiting the premises if they feel it is appropriate to do so and looking at the potential impact the application will have on the Licensing objectives. In addition, the Licensing Authority shall check the history of the premises, assess the level of confidence it has with management and the compliance with conditions of the licence.

- 19.7. Each responsible authority has equal standing and may act independently without waiting for representations from any other responsible authority.
- 19.8. In cases where the Licensing Authority is also acting as responsible authority, the Licensing Authority will ensure a separation of responsibilities within the authority to ensure procedural fairness and eliminate conflicts of interest. For example, the Licensing Authority will distinguish between the licensing case officer and the officer nominated to act as the responsible authority by allocating clear and distinct functions.
- 19.9. The 2003 Act 2003 also permits Elected Members to make representations on their own behalf as well as on behalf of their constituents. Members of the public who are making representations may also request that their Ward Councillor speaks on their behalf at public hearings to determine applications.
- 19.10. Representations about an application must be made in writing to the Council's Licensing Team within the statutory time limits. **The representation must be relevant to the application and not vexatious or frivolous.**
- 19.11. Written representations include letters and emails. Representations received after the end of the public consultation period cannot legally be accepted and will not be considered by the Licensing Authority.
- 19.12. Representations must contain:
- (a) The name, full address & post code, of the person making them;
  - (b) The reasons for their representation;
  - (c) Which of the four Licensing Objectives the representation relates to, i.e. crime and disorder; public nuisance; public safety; and/or protection of children from harm.

Representations which do not meet this requirement may be rejected as being irrelevant or frivolous or vexatious.

- 19.13. **For borderline cases, the Licensing Authority shall give the benefit of doubt to the person making the representation.**
- 19.14. Representations based on 'Need' for licensed premises concerns the commercial demand for another pub, restaurant, off licence or hotel. This is not a matter for the Licensing Authority in discharging its licensing functions. 'Need' is a matter for planning committees and for the market. Representations made on the basis of need are likely to be rejected.
- 19.15. All valid representations will form part of a committee report that will become a public document. It will be given to the applicant, their agent, responsible authorities, other persons making representations and any other party requesting a copy as well as the Licensing Sub-committee 10



working days prior to the hearing. Anonymous representations will not be accepted.

19.16. Petitions may be submitted as (or as part of) a representation but may not be as informative as individual correspondence and as such may be given less weight when considered by a Licensing Sub-Committee.

19.17. Petitions will only be accepted if on each sheet it clearly shows:

- The name and address of the application site,
- Reasons for the representation, and
- Which of the four Licensing Objectives are relevant.

19.18. Each petitioner must give their name and full address including post code.

19.19. Failure to comply with any of the above requirements could lead to the petition being rejected as a representation.

19.20. The Licensing Authority follows the guidance of the Secretary of State concerning the judgments of representation as being irrelevant, vexatious and frivolous. A representation would be 'irrelevant' if it does not relate to the application or to the promotion of the licensing objectives in the context of the application.

19.21. In considering whether or not a representation is 'vexatious or frivolous' the Licensing Authority must determine whether any ordinary and reasonable person would consider the matter to be vexatious or frivolous. Vexation may arise where, for example, there is a dispute between rival businesses. Frivolous representations would be categorised by a lack of seriousness.

19.22. Where a representation is found to be irrelevant, vexatious or frivolous, the person making it will be informed and that representation will be disregarded.

## **20. The Role of the Ward Councillor**

20.1. Ward Councillors play an important role in the local community. They can make representations in writing and speak at the hearing on behalf of an interested party such as a local resident or local business if specifically requested to do so. They can also make representations as an interested party in their own right (see Annex A with regard to Councillors making representations).

20.2. Ward Councillors may apply for a review of a licence if problems are brought to their attention which justify intervention and relate to the licensing objectives.

- 20.3. Ward Councillors are informed of all new applications and any application to vary a licence in their ward. Individual Councillors may publicise an application locally in addition to the statutory publication and advertising carried out by the applicant.
- 20.4. Local residents and businesses may wish to contact their local ward Councillors in respect of a licence application. Details on how to contact Ward Councillors may be obtained from the Council's website.
- 20.5. Ward Councillors may attend hearings of Licensing Sub-Committees considering applications and speak on behalf of local residents and businesses, but only if:
- They have made a personal representation;
  - They have made a representation on behalf of local residents or businesses as 'community advocates'; or
  - They have been nominated by (an objector) who cannot attend the hearing or prefers to be represented at the hearing.

*Note: Where a Ward Councillor makes representations upon an application within their ward in writing to the Head of Administrative, Technical and Business Services within the appropriate statutory period of consultation for the application, and this representation has been forwarded to the Licensing Authority, that application shall then be scheduled to be heard by the Licensing Sub-Committee for determination. The Ward Councillor must include in their representations the reasons why they wish the application to be determined by the Sub-Committee and how the application adversely affects the licensing objectives [policy clarification added by full Council on 7 September 2017].*

- 20.6. If a Councillor as a Member of the Licensing Sub-Committee has been involved in campaigning about a particular application, they should declare any such interest and not take part in any Licensing Sub-Committee hearing considering that application. This does not apply to a Ward Councillor attending a hearing in their capacity following representations, as an interested party or an advocate in support or against a particular application.

## **21. Decision Making and Licensing Hearings**

- 21.1. Applications for premises licences, club premises certificates, interim authorities, provisional statements, variation of designated premises supervisors and personal licences that do not attract representations will be granted under delegated authority and any conditions, apart from mandatory conditions, will reflect and be consistent with the applicant's operating schedule.
- 21.2. The Licensing Authority and other Responsible Authorities, where appropriate, may choose to mediate with the applicant and other parties

with a view to alleviate concerns from the application and discuss potential conditions or further measures so that agreement may be reached and there is no longer a need to go to a formal hearing.

- 21.3. The Licensing Authority will form Sub-Committees consisting of three elected members led by one Chairman.
- 21.4. The full Licensing Committee will sit when it is considered appropriate to comply with any requirements of the 2003 Act or accompanying Regulations.
- 21.5. A Licensing Sub-Committee will sit to hear all applications for premises licences, club premises certificates, interim authorities, provisional statements, designated premises supervisors and personal licences which have attracted relevant representations from either a 'responsible authority' or 'other person'. A full scheme of delegations can be found at Appendix A.
- 21.6. A Licensing Sub-Committee will also sit to hear cases where the police and/or the Council's Noise and Nuisance officers have opposed a Temporary Event Notice on the basis that, should the event go ahead, one or more of the licensing objectives would not be promoted.
- 21.7. Members will, at all times, comply with the Council's Member Code of Conduct which should set out the standards that Members must observe.
- 21.8. Licensing Sub-Committee hearings will be broadcasted live on Hillingdon Council's YouTube Channel. Parties attending hearings will be made aware that the Council will film and record proceedings for both official record and resident digital engagement in democracy.
- 21.9. It is important for the Licensing Authority and its Committee to ensure that there is no unforeseen biasness in its decision-making.
- 21.10. The rules of natural justice will apply. For example, a party must know the case against them; anyone affected by a decision has a right to be heard; and no one should be a judge in his own cause.
- 21.11. All the parties will be given a full and fair hearing, which shall be conducted in an open, transparent and accountable manner.
- 21.12. Applications will be considered on the basis of whether they promote the four licensing objectives. Each application will be considered on its own merits and, whilst consistency is important, similar applications may be decided in different ways.
- 21.13. Any decisions made by the Licensing Sub-Committee will be announced verbally at the end of the hearing where possible, and a Decision Notice will be sent in writing to the applicant and any person who has made a valid representation within five working days.

## **22. Licence Conditions**

22.1. Conditions on premises licences and club certificates are determined by:

- The measures put forward on the Operating Schedule
- Mandatory conditions within the 2003 Act (current list included at Appendix G)
- Measures decided at a hearing by the Licensing Sub-Committee

22.2. Conditions attached to licences by the Licensing Authority that have been proposed by the applicant in their operating schedule should be consistent with the steps set out in the operating schedule. This means that the effect of these conditions should be substantially the same as that intended by the terms of the operating schedule.

22.3. Any conditions attached to licences following relevant representations will focus on matters within the control of the Premises Licence Holder or Club Management Committees. They will address matters which have a direct impact on those living, working or engaged in normal activities in the vicinity, as well as patrons of the licensed premises.

They will not be used as a means of attempting to attach responsibility to Premises Licence Holders or Club Management Committees for matters outside their reasonable control, such as anti-social behaviour once away from the premises or licensable activity.

Conditions imposed by the Licensing Authority shall be appropriate, reasonable, and proportionate and should be determined on a case-by-case basis.

22.4. The Licensing Authority will not impose standard conditions upon every licence issued; however, it may have regard to model conditions produced by the Government and/or the Institute of Licensing and it may choose to impose these in appropriate circumstances.

## **23. Enforcement**

23.1. The Licensing Authority expects all licence holders to adhere to conditions attached to their premises licence and to fully promote the licensing objectives. This is also expected from holders of Club Premises Certificates, users of Temporary Event Notices and Personal Licence holders of the Borough.

23.2. Authorised officers of the Council will carry out both proactive risk rated inspections and reactive inspections to investigate complaints and referrals to ensure compliance.

23.3. The Licensing Authority shall focus on agreed problem and high-risk premises which require greater attention, while providing a lighter touch for low-risk premises or those that are well run. This should ensure that

the Council resources are used efficiently and effectively. Factors to be taken into account when determining whether a premises is considered high risk or not include: history of compliance from proactive licensing inspections, history of complaints, information or referrals from Responsible Authorities and confidence in management at the premises.

- 23.4. The Licensing authority reminds operators of licensed premises that it is incumbent on them to provide appropriate training for their staff to ensure the promotion of the licensing objectives. For example, this includes training in relation to age verification and the prohibition of the sale and supply to intoxicated persons.
- 23.5. It is a criminal offence under section 136 of the 2003 Act to carry on any of the licensable activities other than in accordance with a licence or other authorisation under the 2003 Act. **It is also an offence for a person to knowingly carry out this unauthorised licensable activity.** The fine for this offence is unlimited. The local authority, the Police and other authorised persons under the Act have powers to take action in relation to premises carrying on unauthorised activities.
- 23.6. Any enforcement action taken in relation to the duties of this Licensing Authority under the 2003 Act will comply with the London Borough of Hillingdon Council's current 'Prosecutions and Sanctions Policy'.
- 23.7. The Council also supports the 'Hampton Principles' of avoiding duplication when carrying out inspections and will endeavour to carry out its inspections of licensed premises in accordance with those principles.
- 23.8. Enforcement Officers will also comply with 'The Code for Crown Prosecutors' published by the Crown Prosecution Service which can be accessed at:  
<https://www.cps.gov.uk/publication/code-crown-prosecutors>
- 23.9. The Licensing Authority's Officers may carry out joint enforcement inspections with Metropolitan Police officers and other authorised officers of the Responsible Authorities.

## **24. Reviews**

- 24.1. At any stage following the grant of a premises licence or a club premises certificate, an application for a review application can be submitted to the Licensing Authority by a Responsible Authority, any Elected Member or an Interested Party in connection with any of the four licensing objectives.
- 24.2. The Council, as Licensing Authority, will reject an application for review where it considers that the complaint is:
  - Not relevant to any of the Licensing Objectives
  - Vexatious, frivolous or repetitious

- 24.3. The Licensing Authority will be prepared to facilitate mediation between the licensee and those who may be intending to review the licence, depending upon the severity of the individual circumstances.
- 24.4. It is recommended that applications for review of premises licences are not made until at least six months after the grant of a licence in order to allow time for evidence to be gathered on the grounds for review.
- 24.5. Premises subject to review must display a statutory notice so that it is visible to passers-by, stating the ground for review and advising those who wish to make a representation to write to the Licensing Authority.
- 24.6. The Licensing Authority will also publish similar notices on the Council's website.
- 24.7. The Violent Crime Reduction Act 2006 gives the police power to review a premises licence with immediate effect where a senior police officer considers there is the risk of serious crime or disorder at the premises. This is known as an 'expedited review'.
- 24.8. Where an 'expedited review' has been applied for by the Police, the Licensing Authority will convene a Licensing Sub-Committee, who will consider any interim immediate steps that may include modifying the licence conditions, suspending the licence or removing the designated premises supervisor (DPS). Interim steps will be imposed by the Licensing Sub-Committee within two working days from receipt of the application. There is no requirement for a formal hearing to be held in order to take interim steps. Therefore, the relevant Sub-Committee members can communicate by telephone or other remote means in order to reach a decision. A written record should always be produced as soon as possible after a decision is reached.
- 24.9. The Licensing Sub-Committee may impose interim steps without consulting with the licence holder; however, every effort will be made to contact the licence holder and inform him of the review. If interim steps are imposed, the Licensing Authority shall immediately notify the licence holder and the police. The licence holder is entitled to make representations at this stage and a hearing will be held to facilitate this. The Licensing Authority must hold a full review of the premises licence and determine the review within 28 days after the day of receipt of the chief officer's application.

## **25. Cumulative Effect**

- 25.1. Whilst the London Borough of Hillingdon does not have a concentration of licensed premises as found in central London boroughs, it nevertheless has a relatively large number of pubs and restaurants in Town Centre areas. Most of these Town Centre areas are also home to

many residents. However, the Council, as the Licensing Authority, does not propose, at this stage, to set quotas for particular types of licences.

- 25.2. Applications will be considered on their individual merit thus ensuring that the characteristics of the many different types of licensable activity are fully considered. If crime and disorder or general disturbance/nuisance do prove to be linked to the concentration of customers of licensed premises in any particular areas, then the Licensing Authority will consider introducing controls over the issue of new licences through a 'Special Policy' (to limit the number of licensed premises).
- 25.3. It would first be necessary to establish that, because of the number and density of licensed premises selling alcohol in a particular area, there are exceptional problems of nuisance, disturbance and or disorder outside or away from those licensed premises as a result of their combined effect. Where particular premises are identified as being responsible for the problems it may be possible to take specific measures against those individual Premises Licence Holders or Club Management Committees following relevant representations.
- 25.4. Where there is public disorder from a minority of people who display anti-social behaviour away from licensed premises, there are other measures available to the Police Authority to address such issues.
- 25.5. Before deciding whether to adopt a Special Policy (to limit the number of licensed premises), the Council as the Licensing Authority must be sure that the imposition of individual conditions to particular premises would not solve the problem. The Council as the Licensing Authority has a duty under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder. It must be sure it has met its obligations under the Crime and Disorder Act 1998 and in terms of its promotion of the licensing objectives under the 2003 Act.
- 25.6. If objector representations are made as to the cumulative effect of a new application and hence the need for a Special Policy (to limit the number of licensed premises), the onus will be on the objector to provide the evidence that the additional premises would produce the impact claimed.
- 25.7. If a Special Policy (to limit the number of licensed premises) is introduced it will be reviewed regularly to assess whether or not it is still needed.

## **26. Mobile, Remote and Internet Sales**

- 26.1. The Licensing Authority may receive applications for the sale of alcohol where payment is not necessarily taken at the same place where alcohol is appropriated to the contract. This situation occurs when sales are made online, by telephone, or mail order. The sale of alcohol is to be treated as taking place where the alcohol is appropriated to the contract. It will be the premises at this location which need to be licensed. **The**

**applicant must specify the location where alcohol is stored and dispatched.**

26.2. In these cases, the Licensing Authority will ensure that the subsequent premises licence will be subject to appropriate conditions. **These may include but are not limited to:**

- **Times of day during which alcohol may be sold**
- **Age verification procedures for online and remote sales**
- **Secure storage and dispatch protocols**
- **Restrictions on delivery times to prevent public nuisance**
- **Measures to prevent proxy purchasing and underage access**

26.3. Operators who run premises providing 'alcohol delivery services' should advise the Licensing Authority that they are operating such a service in their operating schedule. This ensures that the Licensing Authority can properly consider what conditions are appropriate to attach to the applicant's premises licence. **The delivery process must include robust age verification checks at the point of delivery. Delivery personnel should be trained to refuse delivery if age verification fails.**

26.4. **Operators who use third-party platforms (e.g. Uber Eats and Deliveroo apps) remain responsible for ensuring compliance with licensing conditions. The Licensing Authority may require evidence of contractual arrangements and compliance protocols with third-party vendors.**

26.5. Premises with an existing premises licence, which choose to operate such a service in addition to their existing licensable activities, should contact their Licensing Authority for its view on whether this form of alcohol sale is already permitted or whether an application to vary the licence will be required.

26.6. The Licensing Authority may also receive applications for mobile, remote, and internet sales for late night refreshment such as fast food orders. Applicants should be mindful of the impact of such applications on the licensing objectives particularly the prevention of public nuisance. For instance, there may be concerns of vehicles or noise created by waiting vehicles or drivers outside the premises for pick up. Applicants should put in place appropriate measures and address these issues in their operating schedule.

## **27. Licensing Hours**

27.1. Prior to the introduction of the 2003 Act, it was believed that fixed and artificially early closing times (established under the Licensing Act 1964) were one of the key causes of rapid binge drinking prior to closing times



and one of the causes of disorder and disturbance when large number of customers were required to leave the premises simultaneously.

- 27.2. The aim through promotion of the licensing objectives should be to reduce the potential for concentrations and achieve a slower dispersal of people from licensed premises through flexible opening times.
- 27.3. Arbitrary restrictions that would undermine the principle of flexibility will therefore be avoided. The four licensing objectives will be paramount at all times and the Council will always consider the individual merits of each case.
- 27.4. In accordance with guidance there is no fixed restriction on terminal hours for any particular areas of the borough. Such a restriction could cause the migration of patrons from one area to another and create the circumstances that the legislation is attempting to avoid. Each application will be dealt with on its merits. It is for the applicants to detail in their Operating Schedule exactly what times they intend to open and close the premises and what measures they will take to ensure that they do not cause nuisance or disturbance to their neighbours in the vicinity. The later the terminal hour applied for, the greater will be the need to address the issues of disturbance and nuisance.
- 27.5. Shops, stores and supermarkets licensed to sell alcohol will normally be allowed to do so for the full duration of their trading hours. Restrictions may be applied, for example where representations are made indicating the particular premises or patrons of the premises are linked to disorder and or disturbance.

## **28. Exemptions**

- 28.1. There are a number of circumstances where entertainment related activities are exempt from regulation. These activities are specifically addressed in detail in the Section 182 Guidance. In summary, these are:
  - Live Music
  - Recorded Music
  - Plays
  - Performances of Dance
  - Indoor Sport
  - Any entertainment provided by a local authority, school or hospital
  - Community exhibitions of film
- 28.2. The exemption for entertainment is subject to certain conditions relating to the timings of the entertainment and maximum audience numbers, i.e. between the hours of 08:00 and 23:00 and for audiences of no more than 500 people.

- 28.3. In licensed premises, where the exemptions apply, any conditions relating to entertainment would be suspended between the hours of 08:00 and 23:00. However, the Licensing Authority is empowered to lift the suspension of licence conditions upon a licence review where there are demonstrable effects on one or more of the licensing objectives.
- 28.4. It should be noted that any dance performances of an adult nature, involving nudity, are still regulated under the Local Government (Miscellaneous Provisions) Act 1982 and separate permission would apply.

## APPENDIX A – TABLE OF DELEGATIONS

<b>MATTER TO BE DEALT WITH</b>	<b>SUB-COMMITTEE</b>	<b>OFFICERS</b>
Application for a personal licence	If a Police objection made	If no objection made
Application for personal licence, with unspent convictions	If a Police objection made	If no objection made
Application for premises licence/club premises certificate	If a relevant representation made	If no representation made
Application for provisional statement	If a relevant representation made	If no representation made
Application to vary premises licence/club premises certificate	If a relevant representation made	If no representation made
Application to vary designated premises supervisor	If a Police objection made	All other cases
Request to be removed as designated premises supervisor		All cases
Application for transfer of premises licence	If a Police objection made	All other cases
Application for Interim Authorities	If a Police objection made	All other cases
Application to review premises licence/club premises certificate	All cases	
Decision on whether a representation/objection is irrelevant, frivolous, vexatious, etc.		All cases
Decision to object when local authority is a consultee and not the lead authority	All cases	
Determination of an objection to a Temporary Event Notice	All cases	
Revocation of Personal Licence where convictions come to light after grant	All cases	
Determination of application by Community Premises to include alternative licence condition	If a Police objection made	All other cases
Decision whether to consult other responsible authorities on minor variation applications		All cases
Determination of minor variation applications		All cases

## APPENDIX B – PREVENTION OF CRIME AND DISORDER

### **Examples of measures**

Examples of measures to prevent crime and disorder which applicants are encouraged to give when completing their Operating Schedules:

- Use of crime prevention notices – For use in circumstances where it would be helpful to warn customers of prevalence of crime which may target them, for instance, to warn of pickpockets or bag snatchers
- Publicising details of the premises operation – Display details of the premises opening, closing times and permitted times for licensable activities
- Installing CCTV – The presence of CCTV cameras can be an important means of deterring crime both inside and outside of the premises. It can also help to provide valuable evidence in the event that an incident does occur. CCTV should be maintained in good working order and used at all times with a thirty-one-day library of recordings maintained at all times. In addition, a staff member who is able to operate the CCTV system shall be on the premises at all times when the premises is open. The staff member shall be able to provide the Police or authorised officer copies of recent CCTV images or data with minimum delay when requested.
- An incident log shall be kept at the premises and made available on request to a Police Officer or an authorised officer. The following should be recorded in the log:
  - (a) all crimes reported to the venue
  - (b) all ejections of patrons
  - (c) any complaints received concerning crime and disorder
  - (d) any incidents of disorder
  - (e) all seizures of drugs or offensive weapons
  - (f) any faults in the CCTV system, searching equipment or scanning equipment
  - (g) any refusal of the sale of alcohol
  - (h) any visit by a relevant authority or emergency service
- Removing low-cost high strength alcohol from offer – To help reduce street crime and violence and anti-social behaviour from public drunkenness
- Developing a drugs policy in conjunction with the police – Establish a clear written anti-drugs policy and publicise this to customers
- Preventing counterfeit products, such as alcohol, tobacco, DVDs, CDs and other goods from being offered for sale upon the premises

- Exercising control over the removal of open drink containers – To prevent the use of containers as weapons in the street
- Using plastic containers and toughened glass – Consideration should be given to the use of safer alternatives to glass which would inflict less severe injuries if used as weapons. Note: That any glass alternatives used for measuring draft beer and cider must be lawful for trade use under weights and measures legislation.
- Introducing bottle bans – Decant drinks into glasses before being handed across a bar
- Providing seating for customers – sufficient to ensure that the majority of customers do not have to stand
- Ensuring good availability of soft drinks and food
- Employing an appropriate number of SIA registered door supervisors – Valuable for maintaining orderly behaviour in queues; searching and excluding those suspected of carrying offensive weapons, or illegal drugs; keeping out banned individuals; or controlling admissions and departures
- Making personal searches by door supervisors a condition of entry – Including the provision of signage and female SIA for personal searches conducted on female customers and performers
- Providing door supervisors with search wands / search arches – Maintained in good working order and used on all occasions
- Providing a drugs and weapons box – Kept under the direct control of premises management with all seized drugs and weapons to be handed over to the police in accordance with the police code of practice
- Installing ID scanning and recording equipment – Requiring all patrons to provide ID and agree to being recorded. Provide notices to this effect in conjunction
- Establishing a last admissions policy – For both admissions and readmissions. Publicise this at the premises
- Establishing a dispersals policy – Helping to reduce the potential for disturbance to local residents
- Co-operating with the police and Council on venue hire agreements – Providing good notice (at least one month) of all internal and external promoters engaged at the premises, and also complying with requests from the police not to engage a specific promoter where this is recommended by the police for crime and disorder

- Specifying that there shall be a personal licence holder on duty on the premises at all times when the sale of alcohol can take place

Premises Licence Holders and representatives from Clubs are expected to participate in Pub Watch, Club Watch, Business Watch and Radio Link and similar schemes.

## **Dispersal**

The Licensing Authority considers the orderly dispersal of customers from licensed premises to be an important factor in promoting the licensing objectives. In considering any application for the grant or variation of a licence, serious consideration will be given to the dispersal arrangements from the premises and the effect that granting the licence might have on the dispersal arrangements of other licensed premises in the area. The Licensing Authority will pay particular attention to an application which may delay orderly dispersal or is likely to encourage people to remain in the vicinity.

## **Drugs**

The Licensing Authority recognises that drug misuse is not something that is relevant to all licensed premises however it is committed to the reduction and eradication where possible of drugs from licensed premises as part of its role in promoting the Crime and Disorder licensing objective.

If relevant representations are received to following an application for the grant or variation of a licence, special conditions may be imposed to support the prevention of the sale, supply and consumption of drugs.

In premises where drugs misuse is problematic and where the Police or others apply for a 'Review' of the licence, the Licensing Authority will consider this as being very serious and will give appropriate consideration to the full range of options available including the suspension and revocation of the licence. The Licensing Authority recognise that each case is individual and will be decided on the facts and its specific merits.

## **Nightclubs and other similar venues**

Nightclubs and other similar venues should, when completing their operating schedule, consider including reference to the use of risk assessments for the different types of music and DJs/MC's or similar that they propose to use.

In addition, if it is proposed, on occasions, to stage significant events or promotions, then applicants should also consider when completing their

operating schedule, submitting a separate risk assessment for each individual event or promotion followed by the submission of a subsequent 'de-brief' report.

## APPENDIX C – PUBLIC SAFETY

### **Examples of measures**

Examples of measures to promote Public Safety may include:

- The setting of a safe capacity limit – This is important in order to prevent overcrowding
- Escape routes to be clear, unobstructed, well maintained, immediately available and clearly identified in accordance with the plans provided
- The approved arrangements at the premises, including the means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment shall at all times be maintained in good condition and full working order
- Appropriate measures to ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway

### **Publications to consider**

Publications which applicants should consider when preparing their operating schedules include:-

- British Standard 9999 - Code of Practice for Fire Safety in the Design, Management and Use of Buildings
- Regulatory Reform (Fire Safety) Order 2005, sections 14(2)(a)-(h)
- British Standard 7671 - Requirements for Electrical Installations (IET Wiring Regulations)
- British Standard 5266 - Code of Practice for emergency lighting systems
- British Standard 5839 - Fire Detection and Alarm Systems for Buildings
- Purple Guide - A guide to health, safety and welfare at large events: <http://www.thepurpleguide.co.uk/>
- Managing Crowds Safely: HSG154 (ISBN 0-7176-1834-X)
- ‘Managing Risk & Risk Assessment at Work’ - HSE’s online guidance: [www.hse.gov.uk/simple-health-safety/risk/more-detail-on-managing-risk.htm](http://www.hse.gov.uk/simple-health-safety/risk/more-detail-on-managing-risk.htm)



- The Guide to Safety at Sports Grounds (Green Guide) published by HMSO (ISBN 0-11-341072-7)

## APPENDIX D – PREVENTION OF PUBLIC NUISANCE

### **Relevant issues**

Relevant issues might include:

- Preventing noise and vibration escaping from the premises, including music, noise from plant and patrons
- Preventing disturbance by patrons arriving at, gathering outside of, being admitted or re-admitted to or departing from the premises, particularly, but not exclusively, between 11pm and 7am
- Preventing vehicle queues forming outside of the premises, or, where some form of queuing is necessary, the steps to prevent disturbance or obstruction
- Ensuring clear up operations conducted by staff do not cause a nuisance and that staff leave the premises quietly
- Addressing arrangements made for parking by patrons
- Considering whether there is sufficient public transport provision and where licensed taxis or private hire vehicles are likely and any arrangements made to prevent disturbance to local residents
- Controlling disturbance that may be caused by the use of gardens / terraces / external and other open-air areas including the highway, particularly in relation to smoking and the passage of patrons between internal and external areas
- Preventing nuisance from the positioning and operation of plant and machinery such as kitchen extraction systems, ventilation plant, condensers
- Restricting delivery and collection times (for waste, equipment and consumables) to between 8am and 8pm
- Limiting any nuisance or glare caused by the positioning of external lighting, including security lighting
- Preventing odour or pests from refuse storage and waste disposal and the accumulation of litter and smokers' waste in the vicinity of the premises
- The need for regular patrols of the boundary of the premises and/or at the nearest residential to ensure nuisance impacts are not being experienced by neighbours.

## **Management controls**

Management controls should be considered for:

- The numbers of persons using any licensed external area at any one time
- The hours of operation of any licensed external area, requiring patrons to return back into the premises at a specific time. In residential areas, this is particularly important.
- The numbers of smokers allowed outside of the premises at any one time
- The taking of drinks outside of the premises when patrons step outside to smoke. This can be assisted by providing a 'drinks safe' area for patrons who temporarily leave the premises
- Queues of patrons awaiting admission and how these are arranged
- The areas within which patrons may congregate outside of the premises, restricting them, for instance, to the curtilage or footprint of the premises
- The times within which live music and/or amplified sound may be played in any external area or marquees or relayed by external speakers (where permitted under the terms of the licence)
- The times within which barbecues or other cooking facilities may be provided within any external area
- Terminal hour for last admissions and readmissions to the premises
- The supervision of patrons using any external area so as to prevent nuisance and disturbance
- Arrangements made with local cab companies calling for customers, requiring that they call within the premises for their customers without sounding their horn in the street
- The reduction of music levels within the premises 30 minutes before closing so as to reduce levels of excitement among patrons upon leaving
- The display of notices at exit points asking patrons to 'please leave quietly' and be mindful of local neighbours when leaving the premises
- The supervision of patrons outside of the premises to ensure quick dispersal from the immediate area upon closing time

- The clearance of any litter created by the operation of the premises
- The hours during which external activities such as the handling and removal of waste or musical equipment or the delivery of goods
- Restricting the use of artificial lighting outside of the premises so as to reduce the potential for light nuisance
- Applicants are advised to seek advice from the Council's Environmental Health Officers (contact details can be found in Appendix F) before preparing their plans and operating schedules. Where representations are received and upheld at a hearing the Licensing Authority will consider attaching conditions to licences and permissions to prevent public nuisance.

### **Publications to consider**

Publications which should be considered when preparing operating schedules include:

- British Standard 4142:2014+A1:2019 - Methods for rating and assessing industrial and commercial sound
- London Borough of Hillingdon Supplementary Planning Document on Noise

## APPENDIX E – PROTECTION OF CHILDREN FROM HARM

### **Possible restrictions**

The Licensing Authority will consider any of the following options when dealing with a licence application where limiting the access of children is considered necessary to prevent harm to children:

- **Restrictions** on the hours when children may be present.
- **Restrictions** on the presence of children under certain ages when particular specified activities are taking place.
- **Restrictions** on the parts of premises to which children might be given access.
- **Restrictions** on ages below eighteen.
- Requirements for an accompanying adult.
- Full exclusion of people under eighteen from the premises when any licensable activities are taking place.

### **Examples of premises that will raise concern**

The following are examples of premises that will raise concern:

- Where entertainment or services of an adult or sexual nature are commonly provided.
- Where there have been convictions of the current staff at the premises for serving alcohol to minors or with a reputation for underage drinking.
- A known association with drug taking or drug dealing.
- Where there is a strong element of gambling on the premises.
- Where the supply of alcohol for consumption on the premises is the exclusive or primary purpose of the services provided at the premises.

## APPENDIX F - CONTACTS FOR RESPONSIBLE AUTHORITIES

<p><u>Licensing Authority</u></p> <p><b>Licensing Service</b> London Borough of Hillingdon Civic Centre 4W/01 High Street Uxbridge UB8 1UW</p> <p><a href="mailto:licensing@hillington.gov.uk">licensing@hillington.gov.uk</a></p>	<p><u>Chief officer of police</u></p> <p><b>Police Licensing Dept, Hillingdon Police Enforcement</b> Uxbridge Police Station 1 Warwick Place Uxbridge UB8 1PG</p> <p><a href="mailto:xh@met.pnn.police.uk">xh@met.pnn.police.uk</a></p>
<p><u>Fire and rescue authority</u></p> <p><b>Fire Safety Regulation: North West Area 1 London Fire Brigade</b> 169 Union Street London SE1 0LL</p> <p><a href="mailto:FSR-AdminSupport@london-fire.gov.uk">FSR-AdminSupport@london-fire.gov.uk</a></p>	<p><u>Child protection / safeguarding body</u></p> <p><b>Service Manager - Safeguarding Children and Quality Assurance Social Services</b> London Borough of Hillingdon Civic Centre 4S/07 Uxbridge UB8 1UW</p> <p><a href="mailto:safeguardingchildrenadmin@hillington.gov.uk">safeguardingchildrenadmin@hillington.gov.uk</a></p>
<p><u>Enforcing Authority for the Health and Safety at Work Act 1974 (for premises not enforced by the Local Authority)</u></p> <p><b>Health &amp; Safety Executive</b> Rose Court 2 Southwark Bridge London SE1 9HS</p> <p><a href="http://www.hse.gov.uk">www.hse.gov.uk</a></p>	<p><u>Enforcing Authority for the Health and Safety at Work Act 1974 (for premises enforced by the Local Authority)</u></p> <p><b>Food, Health &amp; Safety Team</b> London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p><a href="mailto:environmentalhealthCP@hillington.gov.uk">environmentalhealthCP@hillington.gov.uk</a></p>
<p><u>Local Weights and Measures Authority</u></p> <p><b>Divisional Trading Standards Officer Trading Standards Service</b> London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p>	<p><u>Local Authority responsible for Environmental Pollution</u></p> <p><b>Environmental Protection Unit</b> London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p><a href="mailto:asbinvestigations@hillington.gov.uk">asbinvestigations@hillington.gov.uk</a></p>

<a href="mailto:tradingstandards@hillingdon.gov.uk">tradingstandards@hillingdon.gov.uk</a>	
<p><u>Local Planning Authority</u></p> <p><b>Head of Planning</b>  London Borough of Hillingdon  Civic Centre  Uxbridge  UB8 1UW</p> <p><a href="mailto:planning@hillingdon.gov.uk">planning@hillingdon.gov.uk</a></p>	<p><u>Local Public Health Authority</u></p> <p><b>Public Health</b>  London Borough of Hillingdon  Civic Centre  Uxbridge  UB8 1UW</p> <p><a href="mailto:publichealth@hillingdon.gov.uk">publichealth@hillingdon.gov.uk</a></p>
<p><i>Canal &amp; River Trust (in relation to a vessel)</i></p> <p><b>London Waterways</b>  Canal &amp; River Trust  Docklands Office  420 Manchester Road  London  E14 9ST</p> <p><a href="mailto:enquiries.london@canalrivertrust.org.uk">enquiries.london@canalrivertrust.org.uk</a></p>	<p><u>Secretary of State</u></p> <p><b>Home Office (Immigration Enforcement)  Alcohol Licensing Team</b>  Lunar House  40 Wellesley Road  Croydon  CR9 2BY</p> <p><a href="mailto:IE.licensing.applications@homeoffice.gov.uk">IE.licensing.applications@homeoffice.gov.uk</a></p>

## **APPENDIX G - CURRENT MANDATORY CONDITIONS UNDER THE LICENSING ACT 2003**

### **All Premises Licences authorising supply of alcohol**

1. No supply of alcohol may be made under the Premises Licence –
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or their Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made or authorised by a person who holds a Personal Licence.
3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.  
(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises —
  - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—
    - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
    - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
  - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.



5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.  
 (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.  
 (3) 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 either—  
 (a) a holographic mark, or  
 (b) an ultraviolet feature.
6. The responsible person shall ensure that—  
 (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—  
     (i) beer or cider: ½ pint;  
     (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and  
     (iii) still wine in a glass: 125 ml; and  
 (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and  
 (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

### **Minimum Drinks Pricing**

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.

### **If the Premises Licence allows Exhibition of Films**

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
3. Where—
  - (a) The film classification body is not specified in the licence, or
  - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
 admission of children must be restricted in accordance with any recommendation made by that licensing authority.
4. In this section, “children” means any person aged under 18; and “film classification body” means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c.39) (authority to determine suitability of video works for classification).

**If the Premises Licence has conditions in respect of Door Supervision  
(except theatres, cinemas, bingo halls and casinos)**

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:
  - (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
  - (b) be entitled to carry out that activity by virtue of section 4 of the Act.
2. But nothing in subsection (1) requires such a condition to be imposed:
  - (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
  - (b) in respect of premises in relation to:
    - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
    - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).
3. For the purposes of this section:
  - (a) “security activity” means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act), and
  - (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that Schedule.

## APPENDIX H - MAP OF LONDON BOROUGH OF HILLINGDON



## **ANNEX A - WARD COUNCILLOR REPRESENTATIONS**

Clarification added by full Council on 7 September 2017 with respect to ward councillors making representations:

Where a Ward Councillor makes representations upon an application within their ward, in writing, to the Head of Administrative, Licensing, Technical and Business Services within the appropriate statutory period of consultation for the application, **and this representation has been forwarded to the Licensing Authority** that application shall then be scheduled to be heard by the Licensing Sub-Committee for determination. The Ward Councillor must include in their representations the reasons why they wish the application to be determined by the Sub-Committee **and how the application adversely affects the licensing objectives.**

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## LEGISLATIVE & INDUSTRY UPDATE - OCTOBER 2025

<b>Committee</b>	Licensing Committee
<b>Officer</b>	Legal Services
<b>Wards</b>	All

### HEADLINES

This report advises the Licensing Committee of the recent legislative, case law and industry updates under the functions within its remit.

### RECOMMENDATION

**That the Licensing Committee notes the report.**

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### Licensing Act 2003

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#### **Update to Statutory Guidance under Section 182 of the Licensing Act 2003**

Statutory Guidance under Section 182 of the Licensing Act 2003 was updated on 27 February 2025. The guidance, issued by the Home Office, provides direction to licensing authorities in England and Wales and must be considered when exercising licensing functions.

#### **Key Changes**

##### **Clarification on Off-Sales**

During the COVID-19 pandemic, the government passed regulations allowing licensed premises to sell alcohol for takeaway, delivery and to drink in pavement areas, without making a formal application to vary their premises licence, this lapsed on 31 March 2025.

The Statutory Guidance update reinforces the continued application of the Business and Planning Act 2020 provisions, allowing premises licensed for on-sales to also make off-sales (e.g., takeaway, delivery, or adjacent pavement consumption) without requiring a licence variation (see paragraph 8.65).

##### **Spiking Awareness**

New provisions encourage licensing authorities to consider spiking prevention measures when reviewing applications or imposing conditions. Operators are advised to implement staff training, incident reporting protocols, and customer safety initiatives to address drink and needle spiking risks (see paragraphs 2.7 and 10.10).

##### **Reinforcement of Licensing Objectives**

The update reaffirms the importance of the four statutory licensing objectives: prevention of crime and disorder, public safety, prevention of public nuisance, and protection of children from harm. Licensing authorities must continue to have regard to these objectives when making decisions.

#### **Licensing Taskforce**

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The Licensing Taskforce was established in April 2025 and involved a joint initiative which took place between government, industry, police, and local authorities, to review the Licensing Act 2003 and address long-standing concerns about inconsistency, complexity, and barriers to growth in the licensing industry.

The initiative concluded in May 2025, issuing a report with 10 priority recommendations, most of which were accepted by the government (in late July 2025), subject to consultation and further development.

No definitive date has been set since for implementation of these recommendation, further work and public consultation will be required before any changes are introduced. The government's intention is to proceed with the necessary work to implement the accepted recommendations in addition to considering potential changes to the Section 182 guidance.

Some of the key recommendations were:

### **A National Licensing Policy Framework (NLPF)**

The aim of introducing an NLPF is to improve consistency and transparency across local authorities. Whilst an NPLF will provide national direction it would also be careful to preserve local discretion. If introduced, its implementation is expected that to reduce disputes and judicial reviews.

### **Licence “Amnesty”**

One-time opportunity to modernise and remove outdated conditions from existing licences.

### **Longer Licensing Terms for Pavement Areas**

Intended to give businesses greater certainty and support long-term planning.

### **Temporary Event Notice (TEN) Reforms**

Review of current limits to allow greater flexibility for operators. Proposed increase to 25 TENs covering 30 days per premises.

### **Strengthening the “Agent of Change” Principle**

Ensures new developments near existing venues bear responsibility for mitigating noise and disruption, aligning licensing with planning law. The reforms will make it easier to convert disused shops into hospitality venues, and protect long-standing pubs, clubs, and music venues from noise complaints by new developments.

### **Hospitality and Night-Time Economy Zones**

Support for designated zones to promote economic growth and cultural activity. Includes fast-tracked permissions for alfresco dining, street parties, and extended hours.

### **Removal of Hard-Copy Advertising Requirements**

Proposal to eliminate the need for local newspaper notices for alcohol licence applications.



## **Devolving licensing powers to The Greater London Authority (GLA)**

The GLA is actively advocating for devolved licensing powers to unify and modernise the fragmented licensing system across London boroughs. This initiative is part of a broader strategy to support the capital's hospitality, culture, and night-time economy, which contributes over £40 billion annually to the UK economy. The GLA's proposal and the pilot programme are designed to be London-wide in scope, with the potential to affect all boroughs, including Hillingdon, depending on future rollout and collaboration.

The GLA's August 2025 report outlines several systemic issues with the existing borough-led licensing regime:

- **Fragmentation:** Each borough operates its own licensing policies, leading to inconsistency and confusion for businesses.
- **Inequality:** The system disproportionately affects SMEs and operators from protected characteristic groups due to uneven enforcement and procedural complexity.
- **Lack of Evidence-Based Decision-Making:** Licensing decisions are not always grounded in consistent data or economic impact assessments.
- **Barriers to Growth:** Businesses cite licensing as a major obstacle to later opening hours, al fresco dining, and cultural programming.

### **The GLA proposes a strategic licensing framework:**

- Set city-wide standards and guidance.
- Ensure consistency in decision-making.
- Promote economic development and cultural vibrancy.

### **GLA Licensing Reform – Pilot Scheme**

The pilot scheme for strategic licensing powers for the Mayor of London is currently being devised by the Government and the Greater London Authority (GLA) following an announcement in April 2025. While a start date for the pilot hasn't been specified, the scheme aims to give greater clarity and consistency to businesses by devolving new strategic licensing powers to the GLA, which could grant the Mayor of London "call-in" powers to review and potentially overturn borough-level licensing decisions in strategic nightlife zones.

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## **Industry News & Updates**

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### **Sentencing Bill**

On 3 September 2025 the government introduced the Sentencing Bill to Parliament, unveiling a series of criminal justice reforms that could have significant implications for local licensing enforcement, particularly in relation to pub bans and alcohol-related offences.

The Sentencing Bill complements wider government efforts to improve public safety through licensing reform. Recent consultations have explored measures such as restricting the sale of high-caffeine energy drinks to children and tightening controls on late-night venues. Together, these initiatives reflect a growing emphasis on preventative regulation and community-level intervention.

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## **Gambling Act 2005**

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The Gambling Commission circulates a regular bulletin for licensing authorities outlining changes in legislation and any enforcement action taken. The latest bulletin can be found here: [September LA Bulletin](#)

### **The Gambling Levy Regulations 2025**

The Gambling Levy Regulations 2025 came into force on 6 April 2025 introducing a mandatory statutory levy on licensed gambling operators in the UK. The reform shifts the funding model for research, prevention, and treatment of gambling-related harm from voluntary contributions to a required annual payment based on an operator's revenue. All licensed gambling operators are subject to the levy, with first payments due by 1 October 2025.

#### **Key details include:**

- Remote (online) operators: 1.1% of Gross Gambling Yield (GGY)
- Land-based casinos and betting shops: 0.5%
- Bingo halls and adult gaming centres: 0.2%
- Family entertainment centres and niche providers: 0.1%
- Society lotteries and external lottery managers: 0.1%
- Operators owing less than £10 in levy are exempt

The levy is expected to raise £90–100 million annually, distributed as follows: 50% for NHS treatment services, 30% for prevention initiatives, and 20% for research into gambling harms.

### **The Gambling Act 2005 (Operating Licence Conditions) (Amendment) Regulations 2025**

The Gambling Act 2005 (Operating Licence Conditions) (Amendment) Regulations 2025 introduced stake limits for online slot games.

Stake limits are age-dependent:

- £5 per spin for players aged 25 and over (effective 9 April 2025)
- £2 per spin for players aged 18–24 (effective 21 May 2025)

These limits apply exclusively to online slot games and are now mandatory conditions for Remote Casino Operating Licences. Operators must ensure compliance across all platforms.

### **Local Authority Coalition on Gambling Licensing Reform (2025)**

The coalition of 40 local authorities is a cross-party group of UK councils and local leaders campaigning to give local governments more power to regulate high-street betting and gambling. The coalition, which includes members from across England, gained momentum in 2025 by formally urging the government to make critical changes to gambling legislation.

The coalition seeks to empower councils with greater control over gambling premises to better protect community welfare and address local concerns. Licensing authorities currently have limited power to refuse licenses, a policy that critics describe as "aim to permit." The coalition wants the power to refuse licenses based on clear evidence of potential community harm.

## Key Demands Supported by Hillingdon

Hillingdon Council supports the coalition's six-point reform plan, which includes:

- Placing all gambling premises within a single planning use class to enable local control.
- Requiring councils to consider health and social impacts when determining licence applications.
- Introducing a statutory levy on gambling operators to fund treatment, education, and research.
- Implementing stricter controls on gambling advertising and promotions.
- Aligning licensing decisions with local public health data.
- Enhancing transparency and accountability in gambling regulation.

## Implications for Local Policy

If the proposed reforms are enacted, Hillingdon Council may gain powers to:

- Reject new gambling licence applications based on public health and community welfare.
- Limit clustering of gambling venues in vulnerable areas such as Hayes Town Centre.
- Enforce local restrictions on gambling advertising and promotions.
- Integrate public health data into licensing decisions and policy reviews.

## Council Motion – September 2025

On 11<sup>th</sup> September 2025, Hillingdon Council unanimously passed a motion to join the coalition. The motion was introduced by Councillor Peter Curling, Leader of the Hayes Independent Party Group, in response to public concern over the proliferation of betting shops in Hayes Town Centre. Councillor Eddie Lavery, stated: *"This is not a call for a full ban... but a request to the government to step up and make changes to legislation that will give councils the power to decide what's best for their residents."*

Hillingdon's involvement in the coalition reflects its commitment to safeguarding residents and promoting responsible gambling regulation. The council will continue to monitor legislative developments and contribute to national discussions on reforming the Gambling Act 2005.

## **Gambling Act 2005 (Monetary Limits for Lotteries) Bill**

The Bill seeks to remove monetary limits on the proceeds from lottery operating licences under the Gambling Act 2005, specifically targeting charity lotteries. It aims to allow unlimited fundraising through licensed charity lotteries.

## Key Provisions

- Clause 1: Removes the £5 million per draw and £50 million per calendar year cap on ticket sales for charity lotteries.
- Clause 2: Requires the Gambling Commission to amend conditions on existing lottery operating licences to reflect the removal of the cap.

- Clause 3: Grants the Secretary of State power to make consequential amendments to other legislation via statutory instrument.
- Clause 4: Applies to England, Wales, and Scotland. Commencement date to be set by regulation.

### **Rationale and Expected Impact**

The Bill addresses the limitations imposed on charity lotteries that restrict their fundraising potential. Removing these caps is expected to unlock an estimated £175 million in additional charitable funding over five years. It simplifies operations for large charity lotteries that currently use multiple trusts to circumvent caps. Importantly, the Bill does not increase prize limits, which remain at £25,000 or 10% of proceeds, capped at £500,000.

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### **Schedule 3 of the Local Government (Miscellaneous Provisions) Act 1982 in respect of Sex Establishment Licences**

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No further legislative changes/notable cases/industry updates.

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### **Scrap Metal Dealers Act 2013**

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No further legislative changes/notable cases/industry updates.

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### **Street Trading – London Local Authorities Act 1990**

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No further legislative changes/notable cases/industry updates.

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## LICENSING COMMITTEE FORWARD PLANNER 2025/26

<b>Committee name</b>	Licensing Committee
<b>Officer reporting</b>	Democratic Services
<b>Ward</b>	All

### HEADLINES

This standard report provides an opportunity for the Committee to schedule topical presentations, comment on key policy issues and receive general information and updates relevant to the discharge of their regulatory duties via the licensing sub-committee.

### RECOMMENDATIONS:

**That the Committee note the Forward Planner and suggest any alterations to, or additional items, as set out.**

<b>8 October 2025</b>  10am Committee Room 5	Proposed Agenda / Reports	Lead Officer
	<b>Presentation:</b>  Presentation from Animal Licensing & Animal Welfare	Daniel Ferrer
	<b>Reports</b>  Statement of Licensing Policy (POLICY FRAMEWORK)	Daniel Ferrer
	<b>Informatives:</b>  Legislative and Industry Update	Chantelle McCleod
	<b>Business Review:</b>  <ul style="list-style-type: none"> <li>- Meeting Forward Planner</li> <li>- Recent Licensing sub-committee decisions and ratification of past sub-committee Minutes</li> </ul>	Dem Services

<b>Thursday 9 April 2026</b>  10am Committee Room 5  <b>Report deadline:</b> 30 March 2026  <b>Agenda issued:</b> 1 April 2026	Proposed Agenda / Reports	Lead Officer
	<b>Presentation:</b>  TBC	Daniel Ferrer
	<b>Reports</b>  TBC	TBC
	<b>Informatives:</b>  Legislative and Industry Update	Chantelle McCleod
	<b>Business Review:</b>  <ul style="list-style-type: none"> <li>- Meeting Forward Planner</li> <li>- Recent Licensing sub-committee decisions and ratification of past sub-committee Minutes</li> </ul>	Dem Services

### Implications on related Council policies

This planner supports the application of and review of relevant licensing and regulatory policies to the decision-making Cabinet / Council, as well as informative matters to support sound decision-making at the Licensing Sub-Committee.

### Financial Implications

None.

### Legal Implications

None.

### BACKGROUND PAPERS

NIL

## RATIFICATION OF PAST SUB-COMMITTEE MINUTES

<b>Committee name</b>	Licensing Committee
<b>Officer reporting</b>	Democratic Services
<b>Papers with report</b>	Draft Minutes of Licensing Sub-Committees
<b>Relevant Wards</b>	Various

### HEADLINE

This report updates Members on Licensing Sub-Committee decisions since the last meeting and seeks ratification of the draft minutes of the sub-committees.

### RECOMMENDATION

**That the Committee, with the agreement of any Members present at the following Sub-Committees that they are a correct record, ratify the minutes of the following meetings:**

Meeting	Application/review	Decision
21 October 2024	Application For The Grant Of A Premises Licence: Daman Food & Wine, 6 Dawley Parade, Dawley Road, Hayes UB3 1EA	Granted subject to conditions
22 November 2024	Application For The Grant Of A New Temporary Street Trading Licence: Europa Furniture, 77 Victoria Road, Ruislip HA4 9BH	Granted
9 January 2025	Application To Review The Premises Licence For Khaneja Food & Booze, 1-2 The Arcade, 276-277 High Street, Uxbridge UB8 1LQ	Suspend licence and impose further conditions on the operating schedule
24 January 2025	Application For The Grant Of A Premises Licence: Mandala Restaurant And Lounge, Carter House, Colham Mill Road, West Drayton, UB77AE	Granted subject to conditions
26 February 2025	Application For The Grant Of A Premises Licence: H & H, News & Wine, 6-10, High Street, Harefield UB9 6BU	Granted subject to conditions
14 March 2025	Application For The Grant Of A Premises Licence: Mcdonalds, 22/24 Station Road, Hayes, UB3 4DA	Grant subject to conditions
16 April 2025	Application For The Grant Of A Premises Licence: S&K News, 64 Byron Way, West Drayton, UB79JD	Grant subject to conditions

21 May (meeting adjourned from 24 April 2025)	Resumed Hearing: Application For The Variation Of A Premises Licence: Prince Of Wales, 1 Harlington Road, Hillingdon, UB8 3HX	Grant subject to conditions
14 August 2025	Application For The Grant Of A New Premises Licence For Pepe's Piri Piri, 3 Byron Parade, Uxbridge Road, Uxbridge	Grant subject to conditions

## **SUPPORTING INFORMATION**

Attached are the draft minutes from previous sub-committee meetings for procedural approval (ratification). The decisions from these meetings have already been made and decision notices issued.



## Minutes

### LICENSING SUB-COMMITTEE

21 October 2024



Meeting held at Committee Room 6 - Civic Centre,  
High Street, Uxbridge UB8 1UW

	<p><b>Committee Members Present:</b> Councillors Janet Gardner, Becky Haggard (Chair) and Reeta Chamdal</p> <p><b>Also Present:</b> Pito Singh Chopra, Applicant Surendra Panchal, Applicant's representative</p> <p><b>LBH Officers Present:</b> Austen Young, Licensing Officer Anisha Teji, Democratic Services Gurnam Bains, Legal Adviser</p>
71.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Darren Davies with Councillor Reeta Chamdal substituting.</p>
72.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
73.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items would be heard in Part I.</p>
74.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
75.	<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: DAMAN FOOD &amp; WINE, 6 DAWLEY PARADE, DAWLEY ROAD, HAYES UB3 1EA</b> (<i>Agenda Item 5</i>)</p> <p><b>Introduction by Licensing Officer</b></p> <p>Austen Young, Licensing Officer at the London Borough of Hillingdon, introduced the report and photographs for a new Premises Licence application in respect of Daman Food &amp; Wine, 6 Dawley Parade, Dawley Road, Hayes, UB3 1EA. A background and chronology of events was provided.</p> <p>A new premises licence application had been made to authorise the sale of alcohol for</p>

consumption off the premises. The opening times would be Monday to Sunday from 07:00 hours to 00:00hours.

The Sub-Committee was informed that the representations in Appendix 2 had been withdrawn.

Members were asked to consider the representations in Appendix 3. The representation raised concerns about the impact of the premises on the neighbourhood, existing traffic, noise and anti-social behaviour issues in the area (including a local car park). Although the objector had been notified of the hearing and was not in attendance, the Sub-Committee was reminded that there was no requirement for attendance and Members were able to proceed in their absence.

The Sub-Committee was advised that there had been no representations from Ward Councillors and Responsible Authorities. There had also been no Members Enquiries submitted.

The Sub- Committee was asked to consider the application and the representations made to decide an appropriate action that would uphold the promotion of the licensing objectives.

### **Representations by Applicant and Applicant's representative**

The Applicant – Mr Pito Singh Chopra and the Applicant's representative – Mr Surendra Panchal addressed the Committee.

As a background to the application, the Sub - Committee heard that the Applicant had experience of running these types of businesses and understood the four Licensing Objectives. The Applicant had obtained a personal licence approximately 18 months ago and this would be a family run business. It was noted that there was now only one objection and contact had been made with the objector to discuss any concerns.

The Sub- Committee was informed that the Applicant agreed to the conditions that had been proposed by the Licensing Authority.

The Sub - Committee was advised that the Applicant would comply with the Licensing Objectives by ensuring that a training manual and an incident logbook were maintained, posters were placed in appropriate places and made visible, and CCTV was provided.

In response to Member questions, the Applicant highlighted their understanding of the Licensing Objectives, highlighting the Challenge 25 Policy and the need for CCTV to ensure public safety. It was also confirmed that there would be three members of staff employed and they would be over 18.

### **Representations by Interested Parties**

The objector was not in attendance. The Chair read their submission for the record and it was noted by the Sub- Committee.

### **Discussion**

During the discussion with the Sub Committee and all parties the following points were

noted:

- The Applicant and Applicant's representative explained their understanding of the licensing principles noting the Challenge 25 policy, the fire escape and fire exit to ensure public safety and the importance of CCTV for the promotion of crime and disorder.
- Although questions asked to the Applicant may have been answered better with an interpreter present, the Legal Representative advised the Sub-Committee to consider the representations made by the Applicant's Representative.
- Contact had been made with the objectors to the application. The Applicant had explained how robustly the Licensing Objectives would be followed which had resulted in one objection being withdrawn.
- It was noted that the previous shop owner had left due to the lease expiring.
- After 6pm there would be two members of staff on the premises and the Applicant was happy for this to be conditioned.
- There would be a total of 16 cameras including two cameras at the front of the premises and one in the back.
- The Applicant would complete a conflict management course to help public nuisance around noise and manage potential conflicts with people who were drinking inappropriately. The Public Spaces Protection Order would also help to prevent public nuisance.
- Concerns were raised regarding the ability to be able to identify proxy sales with limited staff and it was suggested using CCTV to monitor and prevent such sales.
- The Applicant understood the significance of proxy sales and how to manage these types of sales. This would also be provided in the training course provided by the Applicant's representatives. Further there had been open communications with local shops to share information and ensure collaborative working.

### **Closing remarks**

In closing submissions, the Applicant's representative confirmed, upon questioning from the Licensing Officer, that the refusals log was not limited to only recorded refusals to sell alcohol to children but included any refusal, such as concerns about proxy sales. The Licensing Officer also advised that the Public Spaces Protection Order for being caught with an open container of alcohol was borough-wide and included any public space but not private land.

There were no further submissions from the Applicant.

### **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 took account of all representations made by all interested parties, both verbal and written. In addition, the Sub-Committee welcomed the conditions offered by the Applicant and their willingness to commit to the licencing objectives at all times.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under S.182 of the Licensing Act 2003

The decision of the Sub-Committee is to **GRANT** the application for a new premises licence for the sale of alcohol off the premises between the hours of 07:00 hours and 00:00 hours subject to the following conditions:

### **General**

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

### **The Prevention of Crime and Disorder**

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from the council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. The CCTV system shall display on any recordings, the correct date and time of the recording.
4. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
5. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the internal area and servery counter.
6. A suitable intruder alarm complete with panic button shall be fitted and maintained.
7. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of the council or the Police, which will record the following:
  - (a) all crimes reported to the venue

- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

8. Staff training must be documented and based on legislation and operating procedures. All training shall be signed and dated, and a copy of such records will be available for inspection by Police and local authority enforcement officers.
9. All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

### **Public Safety**

1. Installation of appropriate safety equipment.
2. Fire exit signs displayed.
3. CCTV working at all times

### **The Prevention of Public Nuisance**

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV
4. At least 2 staff members to be on premises after 6pm during working hours.
5. The Applicant and staff members to attend a conflict management course within 28 days.

### **The Protection of Children from Harm**

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents, including passport, photo-card driving license or proof of age card bearing the PASS hologram.
3. A refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to a Licensing Officer, Police or other

responsible authority.

4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.
5. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.

### **Reasons**

The Sub-Committee recognise that this is a new application for a premises licence for an off licence with the sale of alcohol subsidiary to the business. Whilst the Sub-Committee were addressed about the occurrence of public nuisance and crime and disorder, it noted that there were no representations or evidence submitted from any of the responsible authorities or members enquiries logged by councillors in respect of this application.

Whilst the Sub-Committee are sympathetic to issues raised by the interested party particularly concerning the volume of licensed premises in close proximity, there is currently no cumulative impact policy/special policy in place. The Sub-Committee were not provided with any tangible evidence relating to the impact this particular premises would create in addition to the current licensed premises in the vicinity. As such, the Sub-Committee determined that the conditions agreed by the applicant together with slightly modified conditions would serve to sufficiently uphold the licensing objectives.

The Sub-Committee recognises the need for businesses to continue trading however, this must not be at the expense of local residents. Local businesses are reminded about their obligations to adhere to regulations to ensure the licensing objectives are being promoted at all times.

### **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 would 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 advised 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 were not adhered to and/or if the premises were managed in a manner which did not uphold the licensing objectives

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

The meeting, which commenced at 10.00 am, closed at 11.19 am.

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These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - email: [ateji@hillingdon.gov.uk](mailto:ateji@hillingdon.gov.uk) or 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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## Minutes

### LICENSING SUB-COMMITTEE

22 November 2024

Meeting held at Committee Room 6 - Civic Centre, High Street,  
Uxbridge UB8 1UW



	<p><b>Committee Members Present:</b> Councillors Becky Haggar (Chair) Barry Nelson-West</p> <p><b>LBH Officers Present:</b> Chantelle McLeod, Legal Officer Liz Penny, Democratic Services Officer Austen Young, Licensing Officer</p> <p><b>Also Present:</b> Ward Councillor Susan O'Brien, Interested Party Mr Mohammed Naseri, Applicant</p>
76.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Shehryar Ahmad- Wallana.</p>
77.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
78.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were marked Part I and would be considered in public.</p>
79.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
80.	<p><b>APPLICATION FOR THE GRANT OF A NEW TEMPORARY STREET TRADING LICENCE: EUROPA FURNITURE, 77 VICTORIA ROAD, RUISLIP HA4 9BH</b> (<i>Agenda Item 5</i>)</p> <p><b>Introduction by Licensing Officer</b></p> <p>Austen Young, Licensing Officer at the London Borough of Hillingdon, introduced the report. The Sub-Committee was requested to consider an application for a new Temporary Street Trading Shop Front licence in respect of Europa Furniture, 77 Victoria Road, Ruislip, HA4 9BH. It was noted that the application was for a Shop Front Display rather than a Street Trading Pitch as indicated in error at paragraph 1.0 on</p>

page 3 of the agenda pack. It was confirmed that the applicant wished to display items such as mattresses, single divan boxes, runners, chests of drawers, and coat stands outside the premises.

The Sub-Committee was informed that two representations had been received highlighting concerns in respect of the application: one from Ward Cllr Susan O'Brien and the other from the Council's Street Scene Enforcement Team (SSET). It was confirmed that SSET could not attend the meeting but had provided a written summary of their comments which would be read out by Democratic Services for the consideration of the Panel.

The Sub-Committee heard that attempts had been made to reach an agreement, but this had not been possible hence the need for the matter to be considered by the Licensing Sub-Committee.

It was confirmed that the Street Trading Policy outlined possible grounds for refusing an application and factors to consider when determining an application. It was noted that no mandatory reasons for refusal had been identified.

The Sub-Committee was invited to determine the application accordingly.

In response to questions from Members, the Licensing Officer confirmed that the proposed trading hours of the premises were 09:00 – 20:00 hours Monday to Sunday. Outside of these hours the pavement would be kept clear.

The Chair noted that she had visited the premises and had spoken to the assistant – Mr Naser Mohammed. She confirmed that the goods displayed within the shop were a good representation of those the applicant proposed to display outside.

In response to further questions from the Sub-Committee, it was confirmed that the applicant had applied for a Temporary Street Trading Shop Front Licence which could be granted for a maximum period of 6 months. The proposed trading area was to extend 2 metres from the front of the premises

### **Representations by the Applicant**

The Applicant – Mr Mohammed Mudasir Naseri – addressed the Sub-Committee. Members were advised that Mr Naseri had been operating his business in Ruislip Manor for approximately 4 months. It had been a very challenging time as the area was not very busy hence his business was only just breaking even.

The Sub-Committee heard that Mr Naseri had applied for a street trading licence to enable him to display his goods to the front of the shop and had hoped that this would attract more customers. He referenced the objection raised in relation to the display of mattresses which it was alleged could resemble fly-tipping. In response to this, Mr Naseri informed the Committee that he only planned to display 2 or 3 mattresses to the front of the premises; these would be appropriately wrapped and presented in an orderly manner.

Mr Naseri informed the Sub-Committee Members that the photos submitted to the Council showing fly-tipping in the rear alley bore no relation to his premises; the fly-tipped objects in the photos were items not sold by Europa Furniture.

Mr Naseri noted that objections had been raised by only two parties and there were no

mandatory grounds for refusal.

In response to questions raised by Members, it was confirmed that only 2 or 3 mattresses would be on display; these would be single mattresses measuring 90cm x 190 cm and would all be price-tagged and arranged in an orderly manner. Members enquired whether any other items would be displayed. Mr Naseri confirmed that he also planned to display a chest of drawers, wrapped coat stand and doormats. He advised the Committee that a layout plan had been submitted to the Licensing Officer.

In response to further questions from Members, it was confirmed that an assistant also worked at the premises hence someone would be present at all times to ensure the items outside the shop were not vandalised and were back inside the shop by 20:00 hours. It was noted that the pavement to the front of the premises was 6m in depth and the planned display area was 2m.

### **Representations by Interested Parties**

Representatives of the Street Scene Enforcement Team had submitted an objection but were not in attendance. The Democratic Services Officer read out their written submission for the consideration of the Sub-Committee. Key points highlighted included:

- The Street Scene Enforcement Team (SSET) had no objections to the business's activities provided that the items were pre-wrapped, labelled, and did not obstruct the highway.
- They acknowledged the issue of fly-tipping in the area but stated that refusing the application on this basis was not justified since the business was selling items and there was no evidence that they had been responsible for any fly-tipping.

Ward Councillor Susan O'Brien had also submitted a representation. She was in attendance and addressed the Sub-Committee. Key points highlighted included:

- Councillor O'Brien noted her concerns regarding the appearance of the parade of shops in Victoria Road, Ruislip Manor and felt that the proposed display of items outside the premises would be detrimental to the appearance of the business district.
- She noted that the parade was busy with a large number of shops. Other traders in the area who sold similar items to the applicant did not feel the need to display items on the pavement. Those that did hold shop front street trading licences in the vicinity (as set out on page 6 of the agenda pack) were mainly selling flowers or small household goods or were not located on the main parade.
- Councillor O'Brien informed the Sub-Committee that she had discussed the matter with businesses, residents and the Chamber of Commerce. She believed that displaying mattresses on Victoria Road in the centre of the parade would be detrimental to the street scene and would contribute to the improper disposal of household items.
- Ward Councillor O'Brien referenced the discretionary grounds for refusal as set out at point 10.5 a) on page 26 of the agenda pack noting that there were already two other large street traders in the area offering the same of similar goods to those of the applicant.
- With regards to Public Safety, as referenced at point 10.7 on page 27 of the agenda pack, Councillor O'Brien observed that the proposed items for display

were heavy and raised concerns that there was the potential for them to fall and injure a passing pedestrian.

- In respect of the Prevention of Public Nuisance, Councillor O'Brien raised concerns around perception and aesthetics noting that, at present, the section of Victoria Road in question was open and clear hence the proposed display would present a significant change to the street scene. The Sub-Committee heard that there had been a spate of fly-tipping outside charity shops in the area and it was possible that the proposed display would encourage more fly-tipping on Victoria Road. Councillor O'Brien regretted that Mr Naseri's business had been struggling but suggested that the location was not best suited to this type of business.

Councillor Barry Nelson-West acknowledged that the larger businesses referred to (Dreams and Bedtime) did not display items outside their premises but observed that they both had large windows therefore did not need to do so.

### **Discussion**

During the discussion with the Sub-Committee and all parties present, a number of further points were raised.

At the request of Members, the Licensing Officer confirmed that no petitions or Members' Enquiries had been received in respect of the application.

Members asked the applicant to explain why he felt it would be beneficial to display mattresses outside his premises given that other retailers selling similar products did not feel the need to do so. Mr Naseri advised the Sub-Committee that Dreams and Bedtime were large established franchises. Moreover, both businesses had large display windows to the front and limited room on the pavements outside to display goods. Mr Naseri noted that he was only applying for a temporary licence to assist in establishing his business and raise awareness of the products for sale.

In the interest of public safety, Members sought further clarification regarding the proposed layout of the display area and enquired how the items would be safely secured. In response, the applicant confirmed that he did not intend to use the entirety of the 2m area applied for. The mattresses would be laid on a divan bed base and it would not be possible for them to fall. The coat stands had heavy bases and would therefore be stable. Members sought further reassurance to address their concerns regarding public safety and were informed that the mattresses would be tied to the divan base and the coat stands would be sited on suitable areas of pavement so they could not fall.

In response to further questions from Members it was confirmed that Europa Furniture had been in operation for approximately 4 months. The Sub-Committee heard that the applicant had considerable retail experience having been involved with a similar business for 15 years.

Members enquired whether the applicant would be willing to exclude mattresses from the proposed shop front display. The applicant advised that most of his business was generated through the sale of mattresses and beds hence he would not be willing to do so.

Mr Naseri informed the Sub-Committee that he would be willing to reduce the proposed hours of display to 09:00 – 18:00 rather than 09:00 – 20:00 and modify the display to

include only one mattress. He would also agree to reduce the display area to 1.5 m rather than the requested 2m.

The Licensing Officer confirmed that he had received a layout plan from the applicant which had shown the measurements of the area but had not demonstrated how the goods would be displayed. It was noted that the windows either side of the door measured 1.85m and a single mattress was 1.9m long which could present a problem.

### **Closing remarks**

In closing submissions, Ward Councillor O'Brien confirmed that she still had concerns noting that the proposal to display a divan bed and mattress perpendicular to the front of the premises was not ideal.

The applicant confirmed that the bed would have to be positioned longways as it would not fit along the front of the window. He reiterated that he would be willing to decrease the hours of display to Monday to Sunday from 09:00 to 18:00 hours and had agreed to display only one mattress. Mr Naseri stated that his business had not been successful thus far and, if the application were not granted, he may have to consider selling up or changing the nature of his business.

The Licensing Officer affirmed that the depth of the pavement at the application site was 6m. He confirmed that any method of securing the goods on display would have to be temporary – it would not be possible to drill into the highway.

### **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 10.7 and 10.8 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 to Europa Furniture, 77 Victoria Road, Ruislip HA4 9BH for a 6-month period.

In making this decision the Sub Committee has determined that it was appropriate to grant the temporary street trading shop front licence to operate between the hours of 9am and 8pm with a maximum area of 2 metres.

In determining the application, the Sub-Committee had regard to the following factors:

### **Public Safety**

The Sub-Committee were concerned about the potential risk to public safety with regard to disabled/partially sighted pedestrians should mattresses, a single divan box

	<p>or coat stands be displayed on the pavement at the shop front. The Sub-Committee were not provided with enough information regarding the plan and layout of the goods to be displayed or the specific details as to how they would be secured to prevent risk of injury. There were also concerns that the placing of divan box on the highway could be a potential fire hazard.</p> <p><b>Appearance of the Trading Area</b></p> <p>The Sub-Committee were not persuaded that the display of mattresses, a single divan box or coat stands would enhance the aesthetics of the area, given that there are no other businesses which display such items in the immediate vicinity.</p> <p>The Sub-Committee listened to the concerns regarding fly-tipping in the area however, did not place any weight on these concerns in light of the service road not being accessible to the applicant and no direct evidence being attributable to the business being the cause of the fly-tipping.</p> <p>As such, the Sub-Committee felt it appropriate to add one further condition to the standard conditions attached to all street trading licences and shop front licences (see Appendix 3 of Hillingdon's Street Trading Policy) namely:</p> <p>1) The following articles/commodities are not to be displayed for sale;</p> <ul style="list-style-type: none"> <li>• Mattresses</li> <li>• Single divan boxes</li> <li>• Coat stands</li> </ul> <p><b>Appeal</b></p> <p>Any person aggrieved by the council's decision to refuse or revoke a temporary street trading licence does not have an automatic right of appeal however may instead apply for judicial review of such a decision.</p> <p>You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.</p>
	<p>The meeting, which commenced at 10.05 am, closed at 11.55 am.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - email: [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.gov.uk) on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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

## Minutes

### LICENSING SUB-COMMITTEE

9 January 2025



Meeting held at Committee Room 5 - Civic Centre

	<p><b>Committee Members Present:</b> Councillors Becky Haggart OBE, Kelly Martin and Kuldeep Lakhmana</p> <p><b>Responsible Authorities:</b> Martin King, Trading Standards &amp; Proceeds of Crime Manager Jack Foote, Trainee Trading Standards Officer PC Penny Brown, Metropolitan Police PC Dave Butler, Metropolitan Police Jhini Mukherjee, Licensing Authority</p> <p><b>Also Present:</b> Mr Tamandeep Khaneja, Licence Holder</p> <p><b>LBH Officers Present:</b> Chantelle McLeod, Deputy Principal Lawyer Anisha Teji, Senior Democratic Services Officer Daniel Ferrer, Licensing Team Manager</p>
81.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies.</p>
82.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
83.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all agenda items would be considered in private.</p>
84.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>It was confirmed that this meeting would be recorded for minutes purposes.</p>
85.	<p><b>APPLICATION TO REVIEW THE PREMISES LICENCE FOR KHANEJA FOOD &amp; BOOZE, 1-2 THE ARCADE, 276-277 HIGH STREET, UXBRIDGE UB8 1LQ</b> (<i>Agenda Item 5</i>)</p> <p>The Licensing Sub-Committee reviewed the premises licence for Khaneja Food &amp; Booze and had regard to all the documentation and submissions made by the</p>

	<p>attending parties.</p> <p><b>RESOLVED: That the Committee decided to:</b></p> <ul style="list-style-type: none"> <li>• <b>Suspend the licence for a period not exceeding two months</b></li> <li>• <b>Impose three further conditions on the operating schedule</b></li> </ul> <p><b>Additional Conditions to be added to Annex 3 of the Licence:</b></p> <p><b>In addition to the mandatory conditions (listed in Annex 1) and conditions consistent with the operating schedule (listed in Annex 2), the Premises Licence Holder shall also comply with three further additional conditions:</b></p> <p><b>1) All staff members engaged, or to be engaged, in selling alcohol on the premises shall receive full training pertinent to the Licensing Act, specifically in regard to age-restricted sales, and the refusal of sales to persons believed to be under the influence of alcohol or drugs.</b></p> <p><b>2) All such training is to be fully documented and signed by not only the employee but the person delivering the training. Training records shall be kept at the premises and made available upon request to either Police Officers or an authorised officer of the London Borough of Hillingdon.</b></p> <p><b>3) The licence holder/designated premises supervisor must complete refresher training pertinent to the Licensing Act 2003 within 1 month of the date of this decision notice.</b></p> <p><i>This item was declared as exempt from publication as it involves the disclosure of information in accordance with Section 100(A) and <b>paragraph 7</b> of Part 1 of Schedule 12 (A) to the Local Government Act 1972 (as amended), in that the report contains <b>information relating to any action taken or to be taken in connection with the prevention, investigation or prosecution of crime</b> and that the public interest in withholding the information outweighs the public interest in disclosing it.</i></p>
	<p>The meeting, which commenced at 10.00 am, closed at 12.45 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on [ateji@hillington.gov.uk](mailto:ateji@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.



STRICTLY NOT FOR PUBLICATION

Exempt information by virtue of paragraph(s) 7 of Part 1 of Schedule 12A  
of the Local Government Act 1972 (as amended).

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## Minutes

### LICENSING SUB-COMMITTEE

24 January 2025

Meeting held at Committee Room 5 - Civic Centre



	<p><b>Committee Members Present:</b> Councillors Becky Haggart OBE, Darren Davies and Kuldeep Lakhmana</p> <p><b>Responsible Authorities:</b> PC Penny Brown, Metropolitan Police PC Dave Butler, Metropolitan Police Daniel Ferrer, Licensing Authority</p> <p><b>Also Present:</b> Andzelika Szylle - Applicant Nick Semper - Applicant's representative Chris Lucan – Applicant representative</p> <p><b>LBH Officers Present:</b> Gurnam Bains, Legal Officer Anisha Teji, Senior Democratic Services Officer Mark Rose, Licensing Officer</p>
86.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>None.</p>
87.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>It was confirmed that there were no declarations of interest.</p>
88.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items would be heard in Part I.</p>
89.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>The Sub - Committee received late information an hour prior to the hearing and decided not to accept it due to its lateness as all parties would need time to consider the information received.</p>
90.	<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: MANDALA RESTAURANT AND LOUNGE, CARTER HOUSE, COLHAM MILL ROAD, WEST DRAYTON, UB77AE</b> (<i>Agenda Item 5</i>)</p>

## **INTRODUCTION**

Mark Rose, Licensing Officer at the London Borough of Hillingdon, introduced the report and photographs relating to the application for the grant of a new premises licence in respect of Mandala Restaurant and Lounge, West Drayton. The application had attracted representations from the local MP, Ward Councillors, residents, the Licensing Authority and the Metropolitan Police. No objections were received from the planning or fire and rescue authority.

An application was made for:

- the sale of alcohol for on-sales from Monday to Thursday (11am-11pm) and from Friday to Sunday (11am-1am)
- late night refreshments on Friday, Saturday, and Sunday from 11am to 1am
- extension to 2am for special occasions such as Valentine's Day, Christmas Eve, New Year's Eve, bank holidays and Sundays before bank holidays

The proposed opening hours were Monday to Thursday from 11am to 11pm and Friday to Sunday from 11am to 1am.

A background of chronology of events was provided to the Committee. It was noted that the application was submitted on 1 December 2024 and a site visit was undertaken on 19 December 2024 to confirm that the blue notice was on display. Although the premises did not have a licence, it was granted four temporary event notices (TENS) in December for a total of 21 days. No complaints or call-outs were received during the times the TENS were in place.

The Sub- Committee was invited to determine the application, considering all submissions both verbal and written.

## **APPLICANT**

On behalf of the Applicant Andzelika Szylle, the Applicant's representative, Nick Semper addressed the Sub - Committee.

It was reported that the premises primarily focused on food and fine dining, with the intention to sell alcohol mostly during dining hours. The ground floor included a bar, waiting area and lounge designed to provide a relaxing environment for customers, whilst the first floor had a restaurant with a seating capacity of 47.

The Applicant was a responsible operator with over 10 years of experience in hospitality, including seven years as a manager. The Applicant had never come to the attention of any responsible authorities and employed six staff members, which would increase to 12 when fully operational. Alcohol was sold on-site throughout December under various TENs without any issues.

A comprehensive and detailed operating schedule had been proposed to ensure that the Licensing Objectives were robustly promoted and not undermined. There was no history of crime, disorder or public nuisance at these premises. The application was for the on-sale of alcohol and late-night refreshment, with no live or recorded music or other forms of regular entertainment. It was submitted that the hours were not excessive and nearby premises had similar licences.

The Applicant's representative emphasised that each application must be judged on its own facts and merits, with the burden on the Applicant to show that the proposed operation would promote the Licensing Objectives. It was noted that the objections had been received from the Licensing Authority, Ward Councillors and local residents.

The Applicant's representative addressed various concerns raised by local residents, including noise and parking. It was highlighted that the premises' previous use had no bearing on the current application and that the new operation was a food-led establishment with significant investment in refurbishment.

The Applicant informed the Committee that the restaurant was designed for local residents, particularly those from Middle Eastern and European backgrounds. The restaurant featured a lounge and shisha area, catering to the preferences of the local community. The owners had invested significantly in creating a beautiful design and emphasised that the establishment was not a nightclub, despite its appearance with many lights. The premises did not sell alcohol and had made provisions for disabled access, including ramps and accessible toilets.

During Member clarification questions it was noted that the parking bays outside the restaurant would be monitored by front-of-house staff and yellow cones would be placed to prevent unauthorised parking. The premises would rent seven additional parking spaces from another premises nearby. It was also noted that the last entry into the building was 30 minutes before closing and no service would be provided in the last 30 minutes.

In response to Member questions around security, it was explained that there were plans to employ SIA door staff and there would be up to 12 members of staff to manage various operations, including parking, table service and bookings. There was no live entertainment application for the premises. Although the current DPS was new to the role they had prior experience managing restaurants and selling alcohol and were aware of the Licensing Objectives, including safety, preventing nuisance and protecting children. The premises could accommodate 110 customers and had a total of 12 parking spaces

## **RESPONSIBLE AUTHORITIES**

### *LICENSING AUTHORITY*

Daniel Ferrer introduced himself on behalf of the Licensing Authority as a Responsible Authority.

The Licensing Authority raised a representation based on assessment of the application and a visit to the premises on 18 December 2024. Objections to the application were raised on the grounds of the prevention of crime and disorder and the prevention of public nuisance.

It was submitted that there were gaps in the application relating to the food service, compliance with the Health and Safety Act and the role of SIA staff in preventing crime and disorder. It was further submitted that there was a lack of specific details relating to a dispersal policy and procedures for the end of the night which may cause potential disturbances from the outside area impacting local neighbours.

During Member clarification questions, it was confirmed that the site visit was

undertaken at 15:30 in the afternoon on 18 December 2024. TENs were automatically granted and were consulted on by the Metropolitan Police and the Environmental Protection Team. It was confirmed that a meeting had been arranged between the Licensing Authority and Applicant/ Applicant's representative to discuss potential concerns. The importance of assessing each case on its own merits was emphasised.

### ***METROPOLITAN POLICE***

PC Penny Brown and PC Dave Butler addressed the Sub - Committee on behalf of the Metropolitan Police acting as a Responsible Authority.

The Metropolitan Police's priority was to ensure that the conditions and hours were appropriate and proportionate to the business in addition to being robust enough to uphold the Licensing Objectives. A background of the application was provided. The proposed conditions had been discussed with the Applicant's representative and a further condition had been agreed in addition to the conditions proposed in the agenda. It was noted that the proposed conditions related to the venue's capacity limit of 110, a written dispersal policy, no admittance or readmittance within 30 minutes of the final hour and no glass or glass bottles to be taken from the premises.

Members were informed that the premises had applied for longer hours but were not using them to the full extent during the December period, with the venue closing before 11:00 p.m. and last orders at 10:30 p.m. There were no complaints or reports of crime and disorder during this period. Concerns were raised around vertical drinking and the restaurant aspect, suggesting that further limiting the number of people in certain areas or at certain times could be considered.

The importance of clear conditions was emphasised for the Applicant to follow.

During Member clarification questions, it was noted that the premises' capacity was set at 110, although a suggestion was made to limit it to 100 to prevent it from becoming more of a bar or nightclub environment. The enforcement of the capacity limit would be managed by the Applicant through table bookings, ensuring they did not exceed the limit. The Applicant agreed to adjust the Sunday operating hours from 1:00 to 12:00, acknowledging that late hours on Sunday might be problematic as it led into a working day.

### **OTHER PARTIES**

*Alison Roper - Chair of Residents Association*

The Chair of the Residents Association, Alison Roper addressed the Committee and clarified that most residents did not oppose the premises serving alcohol.

Concerns were raised regarding parking including blocked pavements and fire exits. It was submitted that parking was not fit for purpose and the blocked the fire exit posed a safety risk. One parking space directly covered the pavement, forcing pedestrians to use the road at a blind spot. There were also constant issues with parking on double yellow lines, and residents had to ask patrons to move their cars. The ten parking spaces were in an alleyway directly opposite the premises, which could be challenging to navigate.

Concerns were also raised about the premises staying open until 1:00 or 2:00 am on

weekends, which was seen as inappropriate for a residential area causing public nuisance and noise disturbance. Issues were raised about the premises' compliance with health and safety regulations, including fire safety and accessibility. In the residents' view, it was not clear whether this premises would be operating a restaurant or a nightclub with residents noting that the advertising suggested more of a nightclub environment.

It was suggested that the premises should close at 11:00 pm on weekdays and Sundays, and at midnight on Fridays and Saturdays. It was also emphasised that the premises should focus on being more a restaurant, with appropriate advertising and a clear food menu.

*Jan Sweeting - Ward Councillor for West Drayton*

Councillor Jan Sweeting, Ward Councillor for West Drayton, was present and addressed the Sub-Committee highlighting the concerns the premises had had on the local community, particularly in terms of noise and public nuisance.

The Sub – Committee was informed that the restaurant's licence application was submitted very late, causing a temporary licence arrangement which the Council and Metropolitan Police could not object. There had been numerous complaints from residents about noise and public nuisance. The restaurant had been a public nuisance during its construction and continued to be so with vehicles blocking pavements and generating excessive noise.

It was submitted that the extended opening hours of the restaurant were seen as a potential magnet for disorder and disturbance in nearby roads where there was already a history of anti-social behaviour. Residents had expressed concerns about the potential for increased crime and disorder due to the restaurant's late hours.

Concerns were also noted in relation to evacuation procedures and toilet facilities which was not wheelchair friendly.

During Member clarification questions it was noted that there were parking management schemes in place throughout the Garden City Estate, impacting a number of near by roads. Each road had its own arrangements, except for one which was managed by the another operator.

A recommendation was made not to approve the application until all the issues mentioned were addressed.

*Janet Duncan – Local Resident*

Janet Duncan addressed the Sub - Committee and raised unease about the premises and its impact on the neighbourhood. There were concerns about the narrow pavement, which was just wide enough for a buggy or wheelchair and the Committee was asked to ensure that the accurate number of car parking spaces was noted.

*Alan Clark – Local Resident*

Alan Clark informed the Sub – Committee that he had visited the premises for dinner and described it as beautifully decorated. There were however safety and hygiene concerns raised. The resident noted the absence of essential fire safety equipment,

such as fire alarm panels, fire exit signs and firefighting equipment. They also observed potential fire hazards including plastic decorations and propane gas heating units. Additionally, the resident pointed out the lack of hygiene certificates, proper cooking area screens and disabled access facilities. The need for the building to meet category L2 fire safety regulations was highlighted, and it was requested that a re - inspection be carried out by local authorities.

*Thomas Arunhammer - Local Resident*

Mr Arunhammer lived opposite the premises and raised objections based on noise, which he described as an ongoing nightmare for over two years impacting his sleep patterns negatively. The Applicant's assertion that they had tried to engage with the neighbourhood was contested. It was submitted that the residents were never informed about building procedures, schedules or noise levels, and had to endure a generator running late into the night without prior notice. Blocked parking, difficulty accessing driveways, and being sworn at by people when asking them to move their vehicles, lead the resident to consider moving if the licensing hours were extended.

## **DISCUSSION**

The below key points were noted during the discussion stage of the hearing.

- The Applicant was asked about their engagement with local residents, and it was clarified that invitations were sent via social media and posters, not leaflets
- There were no reports of antisocial behaviour or noise complaints during the TENS period. However, there was a discussion about a noise complaint relating to a birthday party at the venue. The Applicant confirmed that the music was due to singing happy birthday at a 75th birthday party.
- The Applicant was questioned about parking availability and the impact of removing parking spaces. It was suggested that removing parking spaces might not reduce traffic.
- There was a query about whether the premises served a full menu or just snacks during the TENS period and the Applicant clarified that they were working on the menu during the soft opening.
- Concerns were raised about the accessibility of disabled toilet facilities. The Applicant explained that they had installed a ramp to improve access.
- There was discussion regarding a serious police incident, but it was clarified that the venue was closed at the time of the incident. The Metropolitan Police also confirmed that there was no information to share with the Sub-Committee in respect of the incident.
- The Applicant confirmed that they would consider a parking strategy and delivery management plan.
- The Applicant clarified the seating plan and location of tables for the Sub-Committee.
- It was confirmed that staff, consisting of six members, were trained by a professional company in health and safety. The Sub - Committee emphasised the importance of having a second person available to manage the premises in the absence of the primary manager.
- There was agreement on several conditions to be implemented, including a 30-minute drinking-up time, providing a fire risk assessment, ensuring public safety, and restricting the garden area's usage.
- The topic of table service was addressed, with the Sub-Committee recommending that all alcoholic beverages be served to seated customers to prevent vertical



drinking.

- The Sub-Committee also discussed the impact of amplified music on residents, agreeing that background music to set ambiance was acceptable, but loud music or karaoke would not be permitted.
- It was noted that the garden area would be open up to 10:00 in the evening and the timing was emphasised to ensure that the garden area did not cause disturbances at night.

In respect of the noise complaint mentioned, following further investigation, the Licensing Officer clarified the Environmental Protection Team Manager received a letter about alleged complaints and visited the premises between 11:00 and 1:30 pm. Officers picked up the complaint on Saturday and wrote the letter immediately after speaking with the complainant about the allegation. The details of the allegation were not specified however when officers arrived a few minutes before 11:00 pm, music was being played at a level unlikely to cause public or statutory nuisance, although it was audible outside. The music ceased as officers entered at 11:00 pm. The letter served was regarding an allegation of nuisance from music.

### **CLOSING REMARKS**

The Metropolitan Police emphasised the importance of ensuring that the conditions and hours of operation were appropriate and proportionate to the business while being robust enough to uphold licensing objectives, particularly focusing on the prevention of crime and disorder. The conditions submitted by the Applicant in the operating schedule, agreed conditions in the appendix, the verbal agreement on 30-minute drinking-up time, reducing the terminal time for alcohol sales by 30 minutes and reduction of licensable activities were welcomed.

The Licensing Authority submitted that there were still concerns in relation to the Licensing Objectives, dispersal and food arrangements and SIA door staff monitoring, preventing public nuisance, and crime disorder.

Ward Councillor, Councillor Sweeting, highlighted that the restaurant was located at the entrance to a large estate with many vulnerable residents, and its garden area is within 2 meters of a family house, raising safety and noise concerns. It was submitted that the proposal to operate the restaurant until 1:00 am was problematic due to its proximity to family housing and existing parking issues.

Local Resident, Janet Duncan noted that this was a helpful discussion and welcomed the change to the operating hours.

The Applicant wished to highlight to the Sub-Committee's that parking and planning was not relevant. It was highlighted that Mandala Restaurant and Lounge was a restaurant, not a nightclub or pub, and they had had any incidents of drunk people leaving their premises. The Applicant did not have any live music or DJs and would abide by the conditions.

### **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.

## **CONSIDERATIONS**

The Sub-Committee listened to all representations made and considered the Responsible Authorities' recommendations. In addition, the Sub-Committee welcomed the conditions offered by the Applicant and their willingness to commit to the licencing objectives at all times.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under S.182 of the Licensing Act 2003

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

The opening hours between Sunday and Thursday shall be between 11:00 hours and 23:00 hours with the sale of alcohol until 23:00 hours. The opening hours on Fridays and Saturdays shall be between 11:00 hours and 01:00 hours with the provision of the sale of alcohol until 12:30 hours. The premises must also comply with the following conditions:

1. The maximum number of persons accommodated at any one time within the premises shall not exceed 110 (the maximum capacity set by the Fire Risk Assessment, or other capacity limit ever revised by the Fire & Rescue Service).
2. No patrons shall be admitted or re-admitted to the premises within 30 minutes of the applicable terminal hour except for patrons permitted to leave temporarily the premises to smoke.
3. No more than 5 customers shall be permitted to smoke outside the Premises at any one time from 21:00 hours daily.
4. The Premises Licence Holder shall ensure that all customers smoking outside the Premises are managed in such a way as to minimise disturbance and obstruction of the highway.
4. Customers temporarily permitted to leave the premises, e.g. to smoke, shall not be permitted to take drinks with them.
5. The Premises Licence Holder shall ensure that any customers queuing for entry to the Premises are managed in such a way as to minimise disturbance and obstruction of the highway.
6. The Premises Licence Holder shall develop, implement, and maintain a written Dispersal Policy for the Premises. A copy of the Policy shall be kept at the premises and made available to Responsible Authority Officers on request. Said Dispersal Policy to be prepared immediately and be made available for inspection upon request by the

Council. The Dispersal Policy to be reviewed annually.

7. No waste or recycling, including glass bottles, shall be removed from the Premises, nor placed externally between 20:00 and 09:00 the day following.

8. The bar areas must be regularly cleared of empty bottles and glasses.

### **The Prevention of Crime and Disorder**

9. All alcohol shall be purchased from AWRS registered cash & carry and wholesalers.

10. All staff will have right to work in UK documents checked before being offered employment.

11. Any staff directly involved in selling alcohol must be authorised to do so in writing by the DPS. A record of the authorisation for each member of staff will be kept on the premises and made available for inspection by police and relevant authorities upon request.

12. The Premises Licence Holder must employ SIA Licensed Door Supervisors who are to be on premises on Fridays, Saturdays and Bank Holidays (including New Years Eve and Christmas Eve) from 21:00.

13. A log of all SIA Door Supervisors employed at the Premises containing clock in times and dates shall be kept on premises and made available for inspection by police and relevant authorities upon request. It will include: Name of SIA, SIA badge number, Time they start and finish.

14. The Designated Premises Supervisor (DPS), a personal licence holder or trained member of staff nominated in writing by the DPS shall be on duty at all times.

15. A CCTV system covering the interior and exterior of the premises will be installed to current Metropolitan Police/Home Office standards and shall be kept operational at all times.

a) It shall be capable of taking a head and shoulders shot of persons entering the premises, of recording images to an evidential standard in any light and be capable of storing images for a minimum of 31 days.

b) At least one member of staff trained to operate the CCTV system and download images shall be on duty at all times. Footage shall be shown to the police and screenshots provided to them on request. Copies of downloaded images shall be provided to the police on a USB stick, CD or other acceptable means as soon as possible and in any case within 24 hours the request.

16. Challenge 25 shall be operated as the proof of age policy.

17. All staff who work at the till will be trained for their role on induction and be given refresher training every six months. Written training records will be kept for each staff member and be produced to police and authorised council officers on request. Training will include identifying persons under 25, making a challenge, acceptable proof of age and checking it, making and recording a refusal, avoiding conflict and responsible alcohol retailing.

18. An incident book shall be kept at the premises, and made available to the police or

authorised council officers, which will record the following:

- a) All crimes reported
- b) Lost property
- c) All ejections of customers
- d) Any complaints received
- e) Any incidents of disorder
- f) Any seizure of drugs or offensive weapons
- g) Any faults in the CCTV
- h) Any refusal in the sale of alcohol
- i) Any visit made by a relevant authority or emergency services

19. Notices will be prominently displayed by the entry/exit door and point of sale (as appropriate) advising customers:

- a) That CCTV & challenge 25 are in operation;
- b) Advising customers of the provisions of the licensing act regarding underage & proxy sales;
- c) Of the permitted hours for licensable activities & the opening times of the premises;
- d) To respect residents, leave quietly, not to loiter outside the premises or in the vicinity and to dispose of litter legally.

20. Any alcoholic beverages must be served by waiters to seated customers.

### **Protection of Children from Harm**

21. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.

22. All staff be trained in 'Ask for Angela' and the DPS to be a member of the local pub watch scheme.

23. The only acceptable ID will be those with photographic identification documents; including passport, photo-card, driving license or proof of age card bearing the PASS hologram.

### **Public Safety**

24. A fire risk assessment and emergency plan will be prepared and regularly reviewed. All staff will receive appropriate fire safety training and refresher training.

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

### **The Prevention of Public Nuisance**

26. No noise generated on the premises, or equipment, shall emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance. This is to be approved by the Anti-Social Behaviour and Environmental Team.

27. Sound proofing by a qualified acoustics engineer to be installed so as to reduce

noise emanating from the venue, this is to be approved by the Anti-Social Behaviour and Environmental Team.

28. After 23:00 music be limited to background music only.

29. Windows and doors must be closed to prevent the transmission of noise.

30. Delivery drivers and staff shall be instructed to respect the needs of local residents including:

- a) entering and leaving their vehicles quietly and considerately at a designated area of the premises
- b) not leaving their vehicle engines running
- c) ensuring that any recorded music being played in their vehicle is kept to a low volume at the premises
- d) parking their vehicles considerately
- e) using any smoking area quietly when on a smoking break
- f) leaving the premises quietly at the end of their shift

31. A delivery management plan to be implemented immediately.

32. No incoming deliveries shall take place between 2000 hours and 0900 hours.

33. A contact number for the premises shall be made available if required upon request to the police, any other responsible authority or any local resident to express any concerns caused by the operation of the premises. Any complaints and the outcome will be recorded in the incident book.

34. No drinking alcohol outside after 22:30 hours.

35. The bar area be limited to 10 patrons at any one time

36. A parking management plan be implemented be implemented immediately.

### **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.

This decision Notice will be circulated to all parties within 5 working days.

	The meeting, which commenced at 10.00 am, closed at 2.15 pm.

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on 01895 277655 or [ateji@hillington.gov.uk](mailto:ateji@hillington.gov.uk). Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

## Minutes

### LICENSING SUB-COMMITTEE

26 February 2025

Meeting held at Committee Room 5 - Civic Centre



	<p><b>Committee Members Present:</b> Councillor Darran Davies (Chair) Councillor Kelly Martin</p> <p><b>LBH Officers Present:</b> Daniel Ferrer, Licensing Team Manager Chantelle McLeod, Legal Advisor Liz Penny, Democratic Services Officer</p> <p><b>Also Present:</b>  Mr and Mrs Mehta - Applicants Mr Charles Merrett - Applicants' Representative Ms Harleen Kaur – Interested Party</p>
91.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
92.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
93.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were in Part I and would be considered in public.</p>
94.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
95.	<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: H &amp; H, NEWS &amp; WINE, 6-10, HIGH STREET, HAREFIELD UB9 6BU</b> (<i>Agenda Item 5</i>)</p> <p>With the agreement of the Chair and the Legal Advisor, a revised plan of the premises was submitted for the consideration of the Committee.</p> <p>At the request of Democratic Services, a nomination for Chair was moved and seconded. It was agreed that Councillor Darran Davies would chair the meeting.</p>

## **INTRODUCTION**

Daniel Ferrer, Licensing Team Manager, presented the application which sought approval for the granting of a new Premises Licence in respect of H & H News & Wine, 6-10 High Street, Harefield UB9 6BU. It was noted that the Application Form and Plan were appended as Appendix 1 to the report. The application had attracted two representations both from local businesses – Costcutter and Harefield Wine. Members heard that there had been no representations received from Ward Councillors or from any of the Responsible Authorities.

In response to questions from Members, it was confirmed that no representations had been received from the responsible authorities including ASBET and the Police.

## **APPLICANT**

The applicants, Mr and Mrs Mehta, were in attendance and were represented by Charles Merrett Counsel. Members were informed that the applicants were already successfully running two premises; one in Rickmansworth which had been in operation for nine years and one in St Albans which had been in operation for one year. It was confirmed that no complaints had been received in respect of either of these businesses which were both licensed to sell alcohol for consumption off site.

The Sub-Committee heard that, were the licence to be granted, the premises in question would operate as a SPAR shop. An amended plan had been submitted. CCTV would be in operation at the premises both internally and externally. It was confirmed that four staff members would be employed – two on a part-time basis and two on a full-time basis. Two staff members were personal licence holders. A number of conditions had been proposed as set out in paragraph 2.6 of the officer's report.

The applicant's representative noted that no Members' Enquiries had been submitted, or complaints raised by responsible authorities in respect of the application. Members were advised that the applicants had an excellent track record. It was noted that the representations received had been submitted by other businesses in the area and Members heard that all the concerns raised would be addressed by way of the conditions proposed in the application.

In response to their requests for clarification, the Sub-Committee was informed that the alcohol counter would be located at a considerable distance from the entrance and exit to prevent theft. Two or three staff members would also be present at all times to act as a deterrent.

Members sought further clarification regarding engagement with local residents. It was confirmed that the applicants had lived and worked in the area for some 20 years hence were well acquainted with the local community.

In response to further questions from Members in respect of the avoidance of crime and disorder, the Sub-Committee heard that 16-18 CCTV cameras would be in place at the premises. A minimum of two staff would be employed at any one time for security purposes and a Licence Holder would always be on site. The premises was situated on a busy road but no additional noise nuisance emanating from the premises was envisaged.



## **INTERESTED PARTIES**

An interested party, Ms Harleen Kaur, was in attendance and addressed the Sub-Committee Members in objection to the application. Ms Kaur stated that the High Street was generally quiet after 20:00-21:00 hours. With regard to the Prevention of Crime and Disorder, Ms Kaur ascertained that there was already a considerable amount of crime in the area. It was reported that people sometimes became inebriated and attempted to steal from the local shops. An additional shop in the area selling alcohol would exacerbate the situation and lead to an increase in antisocial behaviour.

In respect of Public Safety, Ms Kaur expressed concern that some young people in the area drank too much and vaped which was bad for their health. Ms Kaur reported that she refused to serve those who were underage or were already inebriated but was concerned that the new premises would fail to do this. Ms Kaur advised Members that many local people did not want the proposed premises to open and had signed a petition which had not been accepted by the Council.

In response to requests for clarification, Councillors were advised that the number of people who were refused alcohol would vary. It was confirmed that alcohol would never be sold to those who were underage or who were already inebriated. Ms Kaur expressed concern that H&H News and Wine would not uphold this standard and noted the presence of a school nearby to the premises. Members noted that hypothetical scenarios could not be taken into consideration when making a decision.

## **DISCUSSION**

Charles Merrett Counsel noted that H&H News and Wine had included conditions in their application to confirm that they would not serve alcohol to anyone underage or inebriated.

In respect of the petition referenced by the interested party, the Licensing Team Manager highlighted that two petitions had been submitted to the Licensing Team. The first had been rejected as it had failed to meet the requirements of the petition scheme. The second petition, which had been subsequently submitted by the same interested party, had also been rejected on 28 January 2025 for similar reasons. No further petitions had been received.

## **CLOSING REMARKS**

The Licensing Team Manager and the applicant had nothing further to add.

The Interested Party requested the addition of further conditions were the application to be granted.

Councillors emphasised the importance of adherence to the licensing objectives in order to uphold public safety and maintain law and order. It was suggested that it would be helpful for the local businesses to work together to safeguard the local community.

## **COMMITTEE DELIBERATION**

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

**The decision of the Sub-Committee was subsequently broadcast on the**

**Council's Youtube Channel: *Hillingdon London*.**

### **The Decision**

**The Sub-Committee listened to all representations made both oral and written. In addition, the Sub-Committee welcomed the conditions offered by the Licensing Authority and agreed by the Applicant and their willingness to commit to the licensing objectives at all times.**

**The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:**

- Licensing Objectives, Licensing Act 2003**
- Hillingdon's Licensing Policy**
- Guidance issued by the Secretary of State under s.182 of the Licensing Act 2003**

**The decision of the Sub-Committee is to GRANT the application for the supply of alcohol for consumption off the premises Sunday to Monday between 0700 hours and 2300 hours. The operating hours of the business shall also be between 0700 hours and 2300 hours. The new premises licence will be subject to the conditions as set out in their application.**

### **REASONS**

**The Sub-Committee recognise that this is a new application for a premises licence for the sale of alcohol off the premises ancillary to the business which is a convenience store selling a variety of goods.**

**Apart from the representations from the two interested parties objecting to the application, the Sub-Committee note that there have been no further objections particularly from residents, Responsible Authorities nor members' enquiries logged by councillors in respect of this application.**

**The applicants in their submissions demonstrated sound experience and understanding of the licensing objectives, noting that the applicants also currently run two other licenced premises without issue.**

**The sub-committee also considered the representations made by the interested parties and noted the concerns raised by Ms Kaur in relation to the prevention of crime in the area. Having listened to Ms Kaur's representations regarding increased drinking, anti-social behaviour and underage sale of alcohol and vapes to children by other local licenced premises, the sub-committee were not persuaded that these issues could be directly attributed to the applicant's premises without tangible evidence and in absence of any representations from responsible authorities or members enquiries.**

**Having considered all the information put before it, the Sub-Committee were satisfied on balance that the Applicant would comply with the licensing objectives.**

### **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**

	<p>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.</p> <p>No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.</p> <p>The 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.</p> <p>You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.</p>
	<p>The meeting, which commenced at 10.00 am, closed at 11.08 am.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Liz Penny on [epenny@hillingdon.gov.uk](mailto:epenny@hillingdon.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.**

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## Minutes

### LICENSING SUB-COMMITTEE

14 March 2025

Meeting held at Committee Room 5 - Civic Centre



	<p><b>Committee Members Present:</b> Councillor Darran Davies Councillor Peter Smallwood OBE Councillor Scott Farley</p> <p><b>Officers Present:</b> Mark Rose, Licensing Officer Chantelle McLeod, Legal Advisor Ryan Dell, Democratic Services Officer</p> <p><b>Also Present:</b> Ms Anisha Sharma – applicant Mr Shemuel Sheikh – applicant's representative Mr David Brough – Interested Party Councillor Janet Gardner – Interested Party</p>
96.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>None.</p>
97.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
98.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were in Part I and would be considered in public.</p>
99.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
100.	<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: MCDONALDS, 22/24 STATION ROAD, HAYES, UB3 4DA</b> (<i>Agenda Item 5</i>)</p> <p>At the request of Democratic Services, a nomination for Chair was moved and seconded. It was agreed that Councillor Darran Davies would Chair the meeting.</p> <p><b>INTRODUCTION</b></p> <p>Officers introduced the application for a late-night refreshment license for McDonalds,</p>

22-24 Station Road, Hayes, UB3 4DA. The application had been submitted by Ms Elaine Rayner (agent) from Shoesmiths LLP on behalf of Rocket Restaurants Limited based at McDonalds, Iron Bridge, Uxbridge Road, UB1 3EG.

The application related to late night refreshment seven days a week, Monday to Sunday 23:00 until 00:00, without seasonal variations. This would allow for the selling of hot food and drink for consumption on and off the premises for one additional hour. The proposed opening hours were 06:00 to 00:00 throughout the week.

The application stated that what was in place already was robust and as far as reasonably practicable, secured the promotion of the licencing objectives. The application confirmed the use of CCTV, StaffSafe training, partnership working policies and litter patrols.

The application was submitted on 17 January 2025. The application was processed and sent out for consultation on 20 January. The application was advertised in an issue of the Uxbridge Gazette on 22 January. Officers attended the venue on 28 January and took a photo of the Blue Notice on display at the restaurant in full view of passersby. The last date for representations was set as 14 February. During the consultation period, officers received objections from one Ward Councillor and one from the Hayes Town Ward Safer Neighbourhood Panel.

The addendum highlighted proposed conditions agreed between the Licensing Authority and the agent, Ms Rayner.

The Committee were invited to determine the application.

Members asked and officers clarified that only one Ward Councillor had submitted a representation, and no objections had been received aside from the two stated.

## **APPLICANT**

Mr Shemuel Sheikh, the applicant's representative, noted that the application followed what had already been granted under planning permission in terms of operating hours.

The Licensing Authority had no objection to the application and there was an agreed list of proposed conditions. There were also no objections received from the police as a responsible authority or from nearby residents, and it was confirmed that no one currently lived above the premises. It was highlighted that the two objections that had been received were primarily of speculation as opposed to evidence. It was further highlighted that there was a review mechanism in place should any future issues arise. There was no evidence of anti-social behaviour and lots of nearby premises had similar operating hours.

The application listed measures currently in place to meet the licensing objectives and these included training of all employees; the StaffSafe system which allowed an external operator to dial into to control any potential situations of antisocial behaviour through the Tannoy system and to log into CCTV and alert the authorities; litter picks in the general area which extended not just to McDonalds litter but any general litter. The restaurant had self-closing doors to restrict noise levels and there were signs to keep noise down. There were 'bin it' logos on packaging.

The applicant, Ms Sharma, owned other restaurants and so was experienced in this area. Ms Sharma had also expressed an intention to join the Hillingdon Safer

Neighbourhood Board to take any concerns into account and make sure the restaurant was responding accordingly.

Members asked about the other restaurants owned by the applicant. Iron Bridge was the applicant's first restaurant and where the head office was. The applicant also owned Southall Broadway which although classed as a drive-through, the majority of the business done was through footfall and so similar to Hayes. The applicant was due to acquire Ealing Broadway in the very near future, which was another high street restaurant. It was clarified that the restaurant in Southall Broadway was set back from the road. The restaurant in Ealing Broadway was also on a parade and so was pedestrian access only.

Members asked about the distinction between planning and licensing. Officers confirmed that planning and licensing were two separate regimes and so Members had to focus on licensing, irrespective of the position with planning.

Members referred to the addendum, and asked how litter picks were monitored and maintained. The applicant noted that in a restaurant that operated at these hours, they tended to have three shifts per day (morning, midday and evening). At each of these shifts, the applicant was personally communicated to by the shift manager about what happened on the shift, from service times to waste. The applicant frequently asked for pictures of what had taken place.

Members noted the applicant's willingness to join the Hillingdon Safer Neighbourhood Board and suggested joining the Hayes Town Ward Safer Neighbourhood Panel instead.

Members referred to gatherings and antisocial behaviour outside the premises and asked about dispersal plans. The applicant noted that since they had taken over the restaurant in March 2024, instances of anti-social behaviour had reduced. The applicant had changed the schedule of door supervisors so that people would not know when they were coming. The applicant had changed the music played at the restaurant from chart music to classical music. They had also introduced face painting and photos and a managed dressed up as an animal at weekends. Staff were encouraged to be out in the lobby and not just behind the counter.

Members asked about the plan for online takeaway services and if there would be a cut off time for these. The applicant noted that they would like to have this available until 00:00. The restaurant had limited powers over where delivery drivers parked, but they did have a designated area within the restaurant where they waited. Discussions were had frequently with these drivers to make sure they understood what was expected of them when they were in the restaurant.

Members asked how many delivery drivers had been banned from stores. The applicant noted that one had been banned. The applicant also noted that they had frequent conversations with delivery drivers and that building relationships was important. If a relationship was not working, there were mechanisms in place to escalate this.

Members asked how many delivery drivers may be inside the store at any one time. The applicant noted that there would be about five on average.

Members asked about dispersal from the pavement outside the store. The applicant noted that while there was limited remit outside of the store, they were happy to have

conversations with people and put up signs to ask people not to congregate outside.

## **INTERESTED PARTIES**

### Councillor Gardner

Councillor Gardner noted that McDonalds was a place to meet up to sell drugs. The alleyway next door was used as a urinal by delivery drivers. On the occasion of the previous Ward Surgery there were 16 motorbikes parked on the street. A lot of the delivery drivers were rude.

It was acknowledged that there were no residents living directly above the premises but there were residents living close by. It was a surprise that the police had not submitted an objection as there had been a lot of trouble in the vicinity including knives being seized. There was concern for the residents.

Litter was a concern. Litter was not kept only to the immediate vicinity. Being open for an extra hour was just waiting for trouble.

It was noted that the objection was submitted on behalf of all three Ward Councillors.

Members asked which of the licensing objectives were of most concern. Councillor Gardner noted prevention of public nuisance and prevention of crime and disorder.

Members asked if any comments had been received from residents in the immediate vicinity. Councillor Gardner noted that there had been lots of complaints from residents about the delivery drivers playing loud music and being rude to them. Members asked if it was certain that these drivers were going to McDonalds, and it was noted that this was not 100% certain.

Members asked and officers clarified that, aside from the two representations noted, no others had been received.

### Mr Brough

Mr Brough noted that the Hayes Town Safer Neighbourhood Panel was made up of representatives of residents, places of work, and local business. This application had been raised at their previous meeting, where it was unanimously agreed among 19 attendees to submit an objection.

There were no objections to McDonalds itself, but the objection was more on the grounds of the impact on the locality and the safety of young people. McDonalds was distinctive as it was very popular with young people and had the highest number of home delivery drivers of any other place in Hayes.

Mr Brough had witnessed staff clearing litter from the front of the premises, but delivery drivers often stood in the alleyway, which was not cleared.

There was an issue with the number of motorbikes outside, and there were at least 12 every day. On one occasion Mr Brough took a photo showing 14 motorbikes outside. The motorbikes were taking up spaces meant for shoppers.

The restaurant had become a focal point for groups to gather in front of, in the alleyway and behind the restaurant. People had been found with knives. It was suggested that the police may not have submitted an objection because these incidents did not happen regularly but did occur every so often.



It was suggested that the best way to deal with these concerns would be to have door supervisors present at all times, in the name of prevention of crime.

The issue of litter could be covered by the proposed conditions, and it was hoped that these would include the alleyway. It was acknowledged that the alleyway was privately owned.

It was acknowledged that not all of the drivers were linked to McDonalds, but McDonalds had the largest number of deliveries in Hayes.

Members asked and it was clarified that the purpose of this Sub-Committee was to consider granting a license for one additional hour, not to review the existing licence.

Members noted that the alleyway was private land.

Members noted a previous occasion of police standing outside the premises and asked if this was before or after the applicant had taken over the premises in March 2024. This was unknown.

Members asked if there were any particular issues between 23:00 and 00:00. It was noted that having more people circulating in the town would add to existing issues. People had noted not wanting to go through the town at nighttime.

It was reiterated that this location was a place for young people to congregate.

## **DISCUSSION**

The applicant's representative clarified that the point made about previous planning permission was to note that noise was a material planning consideration that had been taken into account in granting planning permission.

On delivery drivers and people congregating in the town, there was limited influence that the applicant could have on this. Signage may encourage people to wait inside the store.

It was noted that a number of other establishments were open until and past midnight. This included Chiiwala (open until 00:00); Rooster's Spot (open until 03:00); Love Desserts (open until 03:00); Botwell Inn (open until 01:00); and Royal Chicken (open until 02:00).

Issues with the alleyway, and litter in the alleyway, were not within control of the applicant as it was privately owned.

There were no objections from the police, and there were mechanisms to review the licence in future.

Having door supervisors at differing times was already working and was a more proportionate response than employing them at all times.

Members asked how many hours door supervisors were used for currently. The applicant advised that it was currently around 10 hours.

Members asked how many of the other local food-based businesses currently had door

staff at any time in the day, and particularly after 23:00. Officers noted that there would not be a distinction on this between sit-down or takeaway restaurants. Of the local licenced premises, four had late-night refreshment. Two of these were public houses and two were restaurants. Of these four, only one had SIA.

It was noted that there appeared to be good feeling between parties to resolve issues.

Members noted that being open for an extra hour would lead to more litter. Members noted that the proposed conditions referred to a map to be developed of litter pick areas. The applicant noted that they typically cleared litter from the alleyway as well as the front of the store. Wider litter picks tended to be arranged on an ad hoc basis.

Members asked about external litter bins. The applicant noted that they did not own the land to the front of the store and do did not have responsibility for this.

Members asked about arrangements for waste collection and stock deliveries. The applicant noted that the current delivery plan had been in place since before they took over the store. It had not changed and would not change.

Members asked about adding lighting to the outside of the building along the alleyway. It was noted that there was a gate that used to be locked, but discussions could be had on this.

The StaffSafe system was confirmed to be in use.

If was suggested that Ward Councillors could make this a priority at the next Ward Panel.

Members suggested keeping a record of complaints about delivery drivers and any actions taken. The applicant noted that they kept a record and would be happy to share the information.

It was clarified that at the back of the store there was a fire door to a small, enclosed space where bins were located. There was a car park and two separate car garages.

### **CLOSING REMARKS**

Mr Brough noted that the gate to the alleyway had been previously vandalised and so was not lockable. Mr Brough was pleased to hear that staff cleared the alleyway but noted that this had not been done recently. Mr Brough noted that he had the contact details for the landowner. Door supervisors at all times would reassure the public.

The applicant's representative noted that there had been helpful discussions on the alleyway. It was reiterated that the current system of door supervisors at changing times was working effectively. It was also reiterated that there was a mechanism for the licence to be reviewed at a later stage.

### **COMMITTEE DELIBERATION**

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

The decision of the Sub-Committee was subsequently broadcast on the Council's YouTube Channel: *Hillingdon London*.

## THE DECISION

The Sub-Committee listened to all representations made both oral and written. The Sub-Committee welcomed the conditions offered and agreed by the parties in addition to the applicant's willingness to work proactively with the local community.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under s.182 of the Licensing Act 2003

The decision of the Sub-Committee is to **GRANT** the application for the provision of Late-Night Refreshment Sunday to Monday between 2300 hours and 0000 hours. The operating hours of the business shall be between 0600 hours and 0000 hours. The new premises licence will be subject to the conditions as set out as follows:

### General

- 1) Staff shall receive training in relation to conflict resolution and anti-social behaviour reduction. Training records shall be made available for inspection upon request the Police or authorised council officer.

### The Prevention of Crime and Disorder

- 2) The premises shall install and maintain a comprehensive CCTV system. The CCTV shall continually record whilst the premises is open for licensable activities. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Viewing of recordings shall be made available immediately upon request of Police or authorised council officer throughout the entire 31-day period.
- 3) Signage to be displayed at the premises advising customers that CCTV is in operation at the site.
- 4) A staff member from the premises who is conversant with the operation of the CCTV system shall be available during licensable hours. This staff member must be able to provide the Police or authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- 5) An incident log shall be kept at the premises and made available on request to an authorised officer of the Council or the Police. It will record the following:
  - (a) all crimes reported to the venue
  - (b) any complaints received concerning crime and disorder
  - (c) any incidents of disorder
  - (d) any faults in the CCTV system
  - (e) any visit by a relevant authority or emergency service

### Public Safety

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

### **The Prevention of Public Nuisance**

- 7) There shall be a minimum of 4 litter picks per day within the immediate vicinity of the premises. A map of the litter pick areas to include the front of McDonalds, shall be maintained, updated and shared with an authorised officer of the Council.
- 8) Restaurant doors shall be self-closing. Self-closing doors at the premises shall be maintained in effective working order to limit noise both when ordering food and leaving the area.
- 9) Prominent, clear notices shall be displayed at the premises, including the entrance and exit, requesting customers to respect the needs of local residents and to leave the premises and local area quietly.
- 10) Delivery drivers shall be instructed to respect the needs of local residents including;
  - (a) remaining inside the premises whilst waiting to collect orders for delivery entering and leaving their vehicles quietly and considerately
  - (b) not leaving their vehicle engines running
  - (c) ensuring that no recorded music is being played from the vehicle whilst waiting at the premises
  - (d) parking their vehicles considerately
- 11) An incident log shall be kept at the premises and made available upon request to an authorised officer of the Council or the Police recording any incidents involving delivery drivers.
- 12) The premises shall install security lighting on the side of the premises adjacent to the alley way.

### **Protection from Children from Harm**

- 13) Staff shall receive safeguarding training and training records shall be made available for inspection upon request by the Police or authorised Council Officer.

### **REASONS**

The Sub-Committee recognise that this is a new application for the grant of provision of late-night refreshment between the hours 2300 hours until 0000 hours, extending their operating hours by an additional hour.

Apart from the representations from the two interested parties objecting to the application, the Sub-Committee note that there have been no further objections directly from residents, Responsible Authorities nor members' enquiries logged by councillors in respect of this application.

The sub-committed determined that the applicant in their submissions demonstrated sound experience and understanding of the licensing objectives, noting that the applicant also currently runs two other McDonalds restaurants located at Iron Bridge, Southall, a drive thru operating 24 hours a day and Southall Broadway, operating until 1am. This application represents a third restaurant for the applicant with a soon to be fourth in Ealing Broadway which is currently operating 24 hours a day.

The sub-committee took into account the management techniques employed by the

applicant since taking over the premises in March 2024 including the employment of security staff (initially every day) a change of background music to classical music and the deployment of shift staff within the lobby. These tactics appeared to have reduced anti-social behaviour at the premises and changed the overall tone of the restaurant.

In relation to third-party delivery drivers, the sub-committee listened to the concerns raised by the interested parties relating to the potential public nuisance posed by delivery drivers attending the restaurant. The sub-committee consider that the applicant already has sufficient measures in place to manage delivery drivers attending the restaurant and welcomed the applicant's willingness to encourage delivery drivers to wait inside the premises in a designated area to the right of the restaurant during the later hours to avoid potential noise nuisance. The sub-committee were also pleased to hear that the applicant was willing to have a system in place whereby issues concerning delivery drivers could be escalated and recorded in an incident log.

The sub-committee also listened carefully to the representations made by the interested parties particularly in relation to the prevention of crime and public nuisance in the Hayes Town area. The interested parties submitted that Hayes Town suffered particularly with anti-social behaviour, with the restaurant becoming a focal point for groups to congregate. It was also suggested that the restaurant was linked to the sale of drugs with knives being seized in the area close to the restaurant and that the alleyway adjacent to the restaurant was experiencing an increase of litter and also being used as a urinal by delivery drivers.

Whilst the sub-committee were disappointed to learn about the issues blighting the area of Hayes Town, they were of the view that the concerns raised were speculative and therefore were not persuaded that these issues could be directly attributed to the applicant's premises in light of other licenced premises in the area and in absence of tangible evidence or representations from responsible authorities or members enquiries.

In addition, the sub-committee considered that the land at the rear of the premises and the alley way was on private land and therefore the applicant was limited in terms of the action it could take to promote the licensing objectives however, increased litter picking around the vicinity of the premises and the installation of security lighting on the applicant's building lighting the alleyway area could be effective measures to help combat public nuisance.

It was suggested that the restaurant employ S.I.A security staff on a full-time basis so as to minimise the risk of anti-social behaviour, the sub-committee however determine that this would be a disproportionate measure in light of the current mechanisms in place to promote the prevention of crime and disorder whereby security staff are employed on sporadic days.

The sub-committee were of the view that the applicant's intention to join the Hayes Town Hillingdon Safer Neighbourhood Board was a positive step in the right direction and encouraged open dialogue with the owners of the private land with view to working collaboratively to promote the licensing objectives going forward.

Having considered all the information put before it, the sub-committee were satisfied that on balance that the Applicant would comply with the licensing objectives.

### **Right of Appeal**

	<p>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.</p> <p>No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.</p> <p>The 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.</p> <p>You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.</p>
	<p>The meeting, which commenced at 10.00 am, closed at 12.35 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Ryan Dell at [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.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.**

## Minutes

### LICENSING SUB-COMMITTEE

16 April 2025



Meeting held at Committee Room 5 - Civic Centre

	<p><b>Committee Members Present:</b> Councillors Becky Haggart OBE, Peter Smallwood OBE and Kuldeep Lakhmana</p> <p><b>Also Present:</b> Theesan Kanthasamy - Applicant Nira Suresh from Arka Licensing – Applicant representative Mr Rajinder Chopra – Interested Party Mr Panchal – Interested Party representative</p> <p><b>LBH Officers Present:</b> Chantelle McLeod, Legal Officer Anisha Teji, Senior Democratic Services Officer Mark Rose, Licensing Officer</p>
101.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>None.</p>
102.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>It was confirmed that there were no declarations of interest.</p>
103.	<p><b>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</b> (<i>Agenda Item 4</i>)</p> <p>It was confirmed that all items would be heard in Part I.</p>
104.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 5</i>)</p> <p>None.</p>
105.	<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: S&amp;K NEWS, 64 BYRON WAY, WEST DRAYTON, UB79JD</b> (<i>Agenda Item 6</i>)</p> <p><b>INTRODUCTION</b></p> <p>Mark Rose, Licensing Officer at the London Borough of Hillingdon, introduced the report and photographs relating to the application for the grant of a new premises licence in respect of S&amp;K News, 64 Byron Way, West Drayton. An application was made for the sale of alcohol from Monday to Sunday 06:00 hours to 23:00 hours. (7 days a week). The opening hours sought were from Monday to Sunday from 06:00 – 23:00 hours 7 days a week.</p>

A background of chronology of events was provided to the Committee. The application was submitted on 19 February 2025, with consultations lasting until 19 March 2025. During this period, an objection was raised from a local business owner concerned about potential crime increases and a petition submitted in support of the concerns was excluded from consideration due to non-compliance with Council legislation.

It was reported that the Metropolitan Police had confirmed that crime reference numbers mentioned in the report did not relate to the Applicant's premises. During a premises visit the Licensing team found no issues on the premises and the Applicant could provide further information if needed.

The Sub-Committee was invited to determine the application, considering all submissions both verbal and written.

### **APPLICANT**

On behalf of Theesan Kanthasamy, the Applicant, Nira Suresh from Arka Licensing the Applicant's representative, addressed the Sub-Committee.

The Applicant informed the Committee that the premises had been operating for a long time as a local community convenience store. The Applicant had been working in the licensing industry for over 15 years and was aware of Licensing Objectives. The Applicant had developed an operating schedule and implemented CCTV, was aware of the Challenge 25 policy and used an incident recording book. It was a family run business and there would be a sign placed to prevent public nuisance. It was emphasised that there were no objections from any members of the public and responsible authorities. Although there had been a representation from a local business, it was submitted having another alcohol selling premises could be considered as offering a choice of products and services to the local community. In relation to crime, the Applicant had been running the shop for four months without any issues and it was submitted that there was no reason why this premises could not open as requested.

During Member clarification questions it was noted that the Applicant had been in the premises for a year and had over 15 years prior experience. The percentage of the shop that would be selling alcohol would be approximately 25% of the floor space and alcohol would be displayed on the side of the premises.

In response to Member questions around CCTV, it was explained that the CCTV had a recording period for 31 days. Any underage sales that were declined were noted in the logbook but there had not been many entries.

### **OTHER PARTIES**

Mr Rajinder Chopra – Interested Party represented by Mr Surendra Panchal

Mr Panchal on behalf Mr Chopra addressed the Committee and opposed the application. It was submitted that if the licence was granted this would impact a family dependent business. It was questioned whether there was a requirement for this business and whether the Applicant was familiar with the Licensing Objectives. It was noted that the Applicant was new to the area and Mr Chopra had been there 17 years. The premises was previously run as a newspaper business, and it was questioned whether there was a need for another alcohol selling premises.



During Member clarification questions, it was confirmed that Mr Chopra had been in business since 2008 and each shop on the parade sold specific products. Mr Chopra's shop sold alcohol and the premises in question was a newsagent as per previous restrictions on premises. There had been incidents of theft and physical violence in the shop. Members expressed sympathy in relation to the previous incidents and competition matters raised however, it was noted that the competition matters were not relevant to Licensing Objectives. It was acknowledged that in the licensing guidance, competition was acceptable however, the Sub-Committee needed to be sure that the four Licensing Objectives would be upheld.

## **DISCUSSION**

The below key points were noted during the discussion stage of the hearing.

- The Sub-Committee asked about the Licensing Objectives and how these would be promoted. The Applicant explained that there needed to be a protection of children and public safety. This would be done by asking for ID, implementing Challenge 25 and logging any refusals in the refusal book. Any issues would be reported to law enforcement agencies.
- It was noted that staff were trained to help police to see CCTV if there were any issues and there was panic button on the premises.
- There was discussion regarding the shop operating times and possible seasonal variation and it was clarified that this application was from 06:00 – 23:00. It was highlighted that no responsible authorities had put forward any concerns or representations and there were other premises in the area that closed later.
- It was clarified that the opening and closing time for the premises would be 06:00 – 23:00 if the application was granted.
- The Legal Adviser advised the Sub-Committee that a decision needed to be made based on both verbal and written representations considered today.
- Members requested the Applicant's understanding of the licensing objectives. The Applicant explained that protection of children, public safety, crime and disorder and stop public nuisance. It was emphasised that there had been no issues with the Applicant's experience.

## **CLOSING REMARKS**

There were no closing remarks from the Licensing Officer.

Mr Panchal acknowledged the Applicant was nervous however, concerns remained that if the shop sold alcohol from 06:00 there would be an impact on the local community. Although the licensing guidance made it clear that competition was vital, it was noted that previous measures had been placed to restrict competition and the situation had now changed.

There were no closing remarks from the Applicant.

## **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 Chair to announce the decision of the Sub-Committee.

## **CONSIDERATIONS**

### **THE DECISION**

The Sub-Committee listened to all representations made both oral and written.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under s.182 of the Licensing Act 2003

The decision of the Sub-Committee is to GRANT the application for the supply of alcohol for consumption off the premises Sunday to Monday between 0600 hours and 2300 hours. The operating hours of the business shall also be between 0600 hours and 2300 hours. The new premises licence will be subject to the conditions as set out in their application.

### **REASONS**

The Sub-Committee recognise that this is a new application for a premises licence for the sale of alcohol off the premises ancillary to the business which is a newsagent selling a variety of goods.

Apart from the representations from the one interested party objecting to the application, the Sub-Committee note that there have been no further objections particularly from residents, Responsible Authorities nor members' enquiries logged by councillors in respect of this application.

The Sub-Committee heard representations from the interested party who had been operating his business for last 17 years. The interested party outlined his concerns about the potential damaging effect the grant of an alcohol licence to a new premises could have on his business due to the low footfall within the area. The Sub-Committee were of the view that commercial damage caused by competition from new licensed premises was not a relevant representation to be considered, in keeping with paragraph 9.4 of the s.182 Guidance.

Having considered the interested party's representations regarding the possibility of an increase of crime public nuisance, alcohol related disorder, underage sale and antisocial behaviour the sub-committee were not persuaded that these issues could be directly attributed to the applicant's premises without tangible evidence and in absence of any representations from responsible authorities or members enquiries. In addition, the crime reference reports raised by the interested party were confirmed by the police licensing team to relate to the interested party's premises rather than the applicant's premises.

The applicant was asked to demonstrate his knowledge of the four licensing objectives and whilst he was not in his verbal submission able to recite them in full, the Sub-Committee were satisfied that he had a broad understanding of them and what was expected of him to promote them given his 15-year experience in other licensed

	<p>premises. The Sub-Committee also noted that the premises has run for the last 4 months without issue.</p> <p>Having considered all the information put before it, the Sub-Committee were satisfied on balance that the Applicant would comply with the licensing objectives.</p> <p><b>RIGHT OF APPEAL</b></p> <p>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.</p> <p>No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.</p> <p>The 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</p> <p>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.</p> <p>This decision Notice will be circulated to all parties within 5 working days.</p>
	<p>The meeting, which commenced at 10.00 am, closed at 11.28 am.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji [ateji@hillingdon.gov.uk](mailto:ateji@hillingdon.gov.uk) or 01895 277655 on . Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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## Minutes

### LICENSING SUB-COMMITTEE

21 May 2025

Meeting held at Committee Room 6 - Civic Centre, High Street,  
Uxbridge UB8 1UW



	<p><b>Committee Members Present:</b> Councillors Darran Davies Barry Nelson-West Peter Smallwood</p> <p><b>LBH Officers Present:</b> Chantelle McLeod, Legal Officer Liz Penny, Democratic Services Officer</p> <p><b>Also Present:</b> Sheikh Sheraz Ahmed – Applicant Chris Lucan, The Licensing Guys – Applicant’s Representative Nick Semper, The Licensing Guys – Applicant’s Representative Mohamed Hassan, Premises DPS</p>
1.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>There were no apologies for absence.</p>
2.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>There were no declarations of interest.</p>
3.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were in Part I and would be considered in public.</p>
4.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
5.	<p><b>RESUMED HEARING: APPLICATION FOR THE VARIATION OF A PREMISES LICENCE: PRINCE OF WALES, 1 HARLINGTON ROAD, HILLINGDON, UB8 3HX</b> (<i>Agenda Item 5</i>)</p> <p><b>INTRODUCTION</b></p> <p>Lois King, Senior Licensing Officer at the London Borough of Hillingdon, introduced the report relating to the application to vary the premises licence for the Prince of Wales, 1 Harlington Road, Uxbridge, UB8 3HX. It was confirmed that an application had been</p>

made to extend the hours of licensable activities as detailed at paragraph 3.3 of the agenda pack. The conditions being offered by the applicant were set out in a separate operating schedule which was attached as Appendix 2 to the report.

It was noted that, whilst the operating schedule submitted with the application had included a significant number of conditions from the current premises licence which could be found in Appendix 3 on page 45 of the report, there had been several omissions, mainly in relation to conditions designed to uphold the prevention of public nuisance. These were highlighted in paragraph 3.6 on page seven of the report. It was confirmed that, on the 26th of March 2025, the applicant's agent had advised that there was an error in the wording of two of the conditions in the operating schedule submitted with the application in February 2025. These had been highlighted in paragraph 3.7 on page seven of the report, along with the advice that was given. It was confirmed that the application before the Sub-Committee was the one which had been submitted in February 2025 complete with the errors.

It was reported that two representations had been received from interested parties, namely Ward Councillors Ekta Gohil and Roy Chamdal.

The Sub-Committee was invited to determine the application, considering all submissions both verbal and written.

## **APPLICANT**

The applicant's representatives from The Licensing Guys, addressed the Sub-Committee on behalf of the applicant.

It was noted that the premises was a pub and Mediterranean restaurant with shisha smoking in the garden, offering food, entertainment, and belly dancing. The application sought to extend licensable activities and the closing time by an hour, with dance performances both indoors and outdoors until 23:00. The variation was considered modest in scope.

It was confirmed that the reason for the additional hours was to remain competitive with nearby establishments like the Red Lion Hotel and The Vine. A comprehensive operating schedule with 51 conditions had been proposed to ensure the licensing objectives were promoted and not undermined. The premises had been operating under new management for two years, and the application should be judged on its own merits.

It was noted that the burden was on the applicant to demonstrate that the proposed operations would promote the licensing objectives. Opposing representatives were required to provide evidence that the premises would undermine these objectives. Section 182 guidance mandated that determinations be evidence-based.

The Sub-Committee heard that there was no empirical evidence of disorder, noise complaints, or other concerns involving the premises or the applicant. The Police, Environmental Protection Team, Trading Standards, Children's Services, Public Health, Planning, Environment, and Highways departments had raised no objections. Moreover, it was noted that historic issues were irrelevant to the current application.

Concerns about noise and parking had been addressed with a proposed dispersal policy. A statement from a nearby neighbour supported the current management and described the noise as not excessive. The hearing focused on whether the variation

would undermine or promote the licensing objectives, with a mechanism for addressing future problems provided by a premises licence review.

Fear and speculation were deemed inadmissible, as determinations were required to be evidence-based. There was no history of problems with the premises, and the proposed conditions were considered sufficient to address potential issues.

During Member clarification questions regarding crime and disorder, it was noted that there had been only one incident recorded in the locality every fortnight which was well below average. It was explained that crime and anti-social behaviour (ASB) data were geolocated, and the relevant data had been gathered for the cul-de-sac opposite the premises in question. Over the preceding six months, a comprehensive list of incidents at that specific location had been compiled. The report also included a breakdown of incidents at that location and a broader overview of crime across the Hillingdon Borough Command Unit (BCU), demonstrating that the Borough was not considered high in crime. It was confirmed that the primary purpose of the document was to illustrate that the location in question was comparatively free of incidents. During the tenure of the current manager, the applicant was unaware of any incidents or issues related to the premises which the police or any responsible authority had been required to address.

## **INTERESTED PARTIES**

Ward Councillor Roy Chamdal had submitted a representation in objection to the application and was in attendance to address the Sub-Committee.

Councillor Chamdal noted that he represented local residents living near the premises and described the situation as reminiscent of previous concerns. After canvassing the neighbourhood, he reported a 60/40 split in opinion, with the majority expressing dissatisfaction with the proposal due to disturbances caused by late operating hours, particularly on weekdays. These disturbances affected families with young children and individuals working night shifts, primarily due to noise, bright lighting, and a lack of available parking on Harlington Road.

Councillor Chamdal acknowledged that the proposed hours were a reduction from those in a previous application but maintained that they remained excessive, especially during the week. While some neighbours adjacent to the premises did not consider it a nuisance, others living only a few houses away strongly disagreed, citing the impact on their children and daily routines.

Despite these concerns, it was recognised that the establishment was a valued local business offering quality food and Councillor Chamdal expressed a desire for its continued operation. However, he emphasised that residents living in close proximity experienced the consequences of its operations daily. Moreover, he questioned whether the pursuit of business profit should come at the expense of community well-being and advocated for responsible business practices and neighbourly conduct.

Councillor Chamdal raised concerns about the potential for increased disturbances if licensing hours were extended, referencing past issues during similar periods. It was felt that such changes could attract problematic crowds, as had occurred previously. Staggered closing times among local establishments were suggested to prevent large groups dispersing simultaneously, which could exacerbate public nuisance.

The Sub-Committee was encouraged to consider the broader impact of the proposed

licensing variation on the local community.

During Member clarification questions, Councillor Chamdal expressed his objections on behalf of local residents, asserting that the proposed licensing hours were excessive and unnecessary. He opposed any extension of weekday hours, noting that the premises were situated in a residential area rather than a town centre or entertainment district, and questioned the type of clientele that extended hours might attract. The impact of late-night noise on residents was highlighted, particularly those seeking rest during the week.

Councillor Chamdal observed that the noise nuisance stemmed from both the premises and patrons congregating outside, particularly when leaving in taxis. He cited specific instances where noise had been audible at nearby residences during weekends and reiterated that the combination of music and late-night activity had a detrimental effect on the local community.

## **DISCUSSION**

The below key points were noted during the discussion stage of the hearing.

- The DPS would be the main point of contact for residents and was present at the premises most days. He was in touch with most of the local residents and invited them to the premises once a month to discuss any issues.
- The Director of the premises had an office approximately half a mile away and regularly visited the premises hence he was also available if residents had any issues they wished to discuss.
- It was confirmed that the resident in support of the application – Ms Jan Hopper – was an independent witness.
- A number of Temporary Event Notices (TENs) had been in place at the premises and, to the knowledge of the applicant, no issues had been reported or complaints received.
- As explained in the report, the Licensing Officer had received an email from the previous agent notifying them of an error, but it had arrived with only two days remaining in the consultation period. The advice to the agent had been to restart the consultation as the proposed changes were considered material. It had been considered fair and reasonable to restart the consultation to allow all responsible authorities and interested parties to assess the changes. The alternative would have been to proceed with the application as it stood and for the applicant to later submit a variation to change the two conditions.

## **CLOSING REMARKS**

There were no closing remarks from the Licensing Officer. The Ward Councillor reiterated his desire for a favourable outcome for residents.

The applicant's representative clarified that the premises themselves had not committed any offences; rather, any failures to uphold licensing objectives were personal. He emphasised that the applicants had no record of failing to promote licensing objectives. Noise complaints appeared to stem from garden activities rather than indoor operations, where ambient noise levels were low, and TVs were set to display a fireplace after 23:00.

The team had visited the nearest neighbour again that morning and noted a tall hedge that blocked visibility and likely sound. They suggested that any noise concerns should



be directed to the environmental health and noise nuisance team.

It was claimed that staggered closing hours would reduce street congestion, and it was noted that the premises operated primarily as a restaurant. Past temporary event notices had resulted in no complaints. Licensing guidance requiring decisions to be evidence-based and proportionate was cited.

The dispersal policy was read aloud, detailing how security staff would manage patrons' exit to minimise disruption. It was noted that no responsible authorities had raised objections, and any concerns were speculative. The applicant's representative requested approval of the licence variation, supported by 51 conditions, including those addressing public nuisance and a detailed dispersal policy.

### **COMMITTEE DELIBERATION**

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

The decision of the Licensing Sub-Committee was announced on the Council's YouTube Channel: Hillingdon London.

### **THE DECISION**

The Sub-Committee listened to all representations made both oral and written. In addition, the Sub-Committee welcomed the extra conditions together with the dispersal policy offered by the by the Applicant and their willingness to commit to the licensing objectives at all times.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under s.182 of the Licensing Act 2003

The decision of the Sub-Committee is to **GRANT** the application as follows:

Recorded Music (indoors and outdoors), Late Night Refreshment (on & off premises) and the Sale of Alcohol (on & off premises) Sunday to Thursday shall be between 1000 hours and 0000 hours and on Friday's and Saturdays shall be between 1000 hours and 0100 hours.

Live music (indoors and outdoors) 7 days a week shall be between 1000 hours and 2300 hours.

Performance of dance (indoors) Sunday to Thursday shall be between 1000 hours and 0000 hours and (outdoors) shall be between 1000 hours and 2300 hours.

Performance of dance (indoors) Friday's and Saturdays shall be between 1000 hours and 0100 hours and (outdoors) shall be between 1000 hours and 2300 hours.

The operating hours of the business shall be between Sunday to Thursday between 1000 hours and 0000 hours and on Friday's and Saturdays between 1000 hours and 0130 hours.

The new premises licence will be subject to the 51 conditions (two of which have been revised) as set out in their application together with the approved dispersal policy.

Condition 17 has been revised as follows:

“All patrons entering the premises from 21:00 hours on Fridays, Saturdays and UK Bank Holidays shall be required to have their identity verified via the ID scanner machine”

Condition 34 has been revised as follows:

“No patrons shall be permitted to use the external area of the premises after 00:00 hours between Sunday to Thursday and 01:00 hours on a Friday and Saturday”

## **REASONS**

The Sub-Committee considered all submissions made by the applicant and their representatives in addition to the submissions made by the interested parties.

The Sub-Committee reflected on the points outlined by the ward councillors in relation to issues raised by residents in their respective wards particularly in relation to noise nuisance however, determined that many of the points raised were speculative in nature and could not be substantiated with any tangible evidence. The Sub-Committee noted the absence of any representations made by the responsible authorities who are the appropriate bodies designated to provide expert and insightful information concerning any given application.

In relation to noise nuisance, the Sub-Committee took into consideration that during the Christmas and New Year period of 2024 the premises had the benefit of two Temporary Events Notices (TENs). Both events extended licensable activities, including regulated entertainment until 0200 hours and appeared to have run without incident apart from the New Year event receiving an anonymous complaint to the noise team. Whilst there had also been a noise complaint submitted at 4.30pm on 8th March 2025, the complaint was not witnessed by the noise team nor was the out of hours team required to attend the premises during this time.

The Sub-Committee noted that there had been improvements in the running of the premises since new management had taken control of the business.

Having listened carefully to the submissions by the applicant, the Sub-Committee were confident that the proposed operating schedule, robust conditions and added dispersal policy would serve to promote the licensing objectives and mitigate any potential issues that may arise in the future.

Having considered the late submission by the applicant to reduce the terminal hour by half an hour, the Sub-Committee welcomed this proposal and felt that this adjustment struck a fair balance and acceptable outcome going forward.

Based on all the information put before it, the Sub-Committee were satisfied that the Applicant would comply with the licensing objectives.

## **Right of Appeal**

	<p>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.</p> <p>No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.</p> <p>The 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.</p> <p>You will be deemed to have received this decision letter, two days after the date on the accompanying letter, which will be posted by 1st class mail.</p>
	<p>The meeting, which commenced at 10.00 am, closed at 12:11 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - email: [democratic@hillingdon.gov.uk](mailto:democratic@hillingdon.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.**

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## Minutes

### LICENSING SUB-COMMITTEE

14 August 2025

Meeting held at Committee Room 6 - Civic Centre,  
High Street, Uxbridge UB8 1UW



	<p><b>Committee Members Present:</b> Councillors Peter Smallwood, Shehryar Ahmad-Wallana and Kuldeep Lakhmana</p> <p><b>Also Present:</b> Mr Rahim Rashid - Applicant Mr Sadiq Gardia – Applicant</p> <p><b>Responsible Authorities:</b> Mr Simon Boniface – Environmental Protection Team</p> <p><b>LBH Officers Present:</b> Salleh Jobbi, Legal Advisor Anisha Teji, Senior Democratic Services Officer Lois King, Principal Licensing Officer</p>
6.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>None.</p>
7.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>It was confirmed that there were no declarations of interest.</p>
8.	<p><b>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</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items would be heard in Part I.</p>
9.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
10.	<p><b>APPLICATION FOR THE GRANT OF A NEW PREMISES LICENCE FOR PEPE'S PIRI PIRI, 3 BYRON PARADE, UXBRIDGE ROAD, UXBRIDGE</b> (<i>Agenda Item 5</i>)</p> <p><b>INTRODUCTION</b></p> <p>Lois King, Licensing Officer at the London Borough of Hillingdon, introduced the report and photographs relating to the application for the grant of a new premises licence in respect of Pepe's Piri Piri, 3 Byron Parade, Uxbridge Road, Uxbridge, UB10 0LZ. An application was made for the provision of late-night refreshment Monday to Sunday</p>

from 23.00 hours to 03:00 hours both indoors and outdoors. The opening times sought were Monday to Sunday from 11:00 to 03:00 hours.

A background of chronology of events was provided to the Committee. Three representations had been received, one from the Environmental Protection Team as a Responsible Authority and two from Interested Parties.

Concerns were raised regarding public nuisance caused by noise and odour, litter, safety of delivery drivers and anti-social behaviour. Mediation was attempted and an offer to amend the operating hours was made by the Applicant. However, this offer was rejected by one of the interested parties, and no response was received from the other party who had objected to the application.

The Sub-Committee was invited to determine the application, considering all submissions both verbal and written.

### **APPLICANT**

Mr Rahim Rashid and Mr Sadiq Gardia, the Applicants, addressed the Sub-Committee.

The Sub-Committee was informed that when an application for the late-night licence was made, neighbouring premises were reviewed to determine typical operating hours. It was observed that several nearby establishments, including those serving alcohol and offering shisha, were permitted to operate until 2:00 - 4:00 in the morning.

Efforts were made to minimise environmental impact by investing £30,000 in ESP systems designed to reduce noise and odour. Additional measures were implemented, such as private waste storage and improved cleanliness around the premises, which were believed to have reduced local disruption.

A total of £450,000 was spent on the shop, and although it was acknowledged that financial investment alone should not justify extended hours, the enhancements made were intended to support the application. It was noted that many neighbouring businesses did not have similar ESP systems.

The Applicant's engagement with the Environment Protection Team was limited, as the feedback received was perceived to be subjective. Objective data was submitted and a willingness to renegotiate operating hours was expressed. It was suggested that nearby building works may have affected the noise report and a revised assessment was offered if required.

During Member questions, the Applicant was asked whether professional advice and objections from officers and residents would be taken into consideration. A willingness to work with the Council and mitigate concerns was affirmed. It was stated that objective data had been submitted where possible, and that efforts had been made to reduce environmental impact, including the installation of ESP systems and waste management improvements.

In response to clarifications about the noise report, the Applicant confirmed that a revised noise report could be provided if needed and the Applicant agreed to accept conditions on the licence if granted. It was emphasised that the intention was to collaborate with the Council and support the community.

The effectiveness of the ESP systems in minimising smoke and odour was explained and technical specifications were submitted as part of the addendum bundle.

Measures to prevent public nuisance were outlined, including streamlining food preparation to reduce rider waiting times and directing delivery activity to the front of the premises. It was submitted that residents above the premises were also customers and that concerns had been addressed directly when raised. A process for recording and resolving complaints was described.

The Applicant acknowledged the Council's authority to review or revoke the licence if future issues arose and reiterated their commitment to working constructively. Examples were given of past engagement with neighbours to resolve misunderstandings. A flexible approach to operating hours was offered, with earlier closing times proposed for quieter nights.

## **RESPONSIBLE AUTHORITIES**

*Mr Simon Boniface – Environmental Protection Team*

An objection was raised regarding the premises due to concerns about its kitchen extraction system, which was considered unusual. A site visit was undertaken by the Environmental Protection team officers to inspect the premises, assess its layout and evaluate its proximity to residential properties. During the visit, excessive daytime noise was observed from the kitchen extract system which was found to terminate below residential windows. Smoke and odour were detected and lingered in the courtyard area.

The Applicant was spoken to directly and the impacts were shown to them. Advice was given on mitigating the issues and further information was requested. Details were subsequently submitted to the Licensing Authority, not directly to the Environment Protection Team.

It was submitted that there were concerns regarding public nuisance due to both noise and odour. The cooking method, involving an open grill, was identified as a contributing factor. Concerns were expressed about the difficulty of mitigating the harm, particularly regarding odour and it was suggested that extending operating hours beyond 23:00 would exacerbate the impact during sensitive times.

During Member questions, the Sub-Committee was informed that although no complaints had been received from residents, complaints typically arose after prolonged exposure. Clarification was also provided regarding the technical aspects of the extract fan.

Members heard that noise and odour assessments were carried out subjectively, as no formal standards existed for nuisance. It was noted that the Applicant's noise report appeared to rely on a higher background noise level, which may have led to an underestimation of the overall impact. The current noise levels were assessed as being notably above what is typically considered acceptable.

Concerns about patrons and delivery motorcycles were noted as secondary and potentially manageable through conditions.

## **INTERESTED PARTIES**

Neither Mr Ritesh Pankhania nor Ms Doreen Ellis were in attendance. The Licensing Sub- Committee noted the representations in the hearing and addendum bundle.

## **DISCUSSION**

The below key points were noted during the discussion stage of the hearing.

- Concerns were acknowledged regarding a local resident's experience with a nearby venue, which was not attributed to the Applicant but considered relevant context.
- It was suggested that mitigation measures be implemented, including signage encouraging respectful behaviour and active management of noise disturbances.
- Suggestions from the Sub-Committee were welcomed by the Applicant, and a willingness to align with licensing objectives was expressed.
- The Applicant's investment in ESP systems was recognised and it was noted that the system exceeded best practice standards.
- Concerns were raised about the effectiveness of the system due to low-level discharge into a courtyard, which was considered a significant nuisance risk.
- It was explained that further mitigation might not have been feasible due to the cooking method and extraction limitations.
- The Applicant was reminded that the hearing focused solely on their premises and not others in the area.
- A willingness to adjust the system's capacity was confirmed by the Applicant.

## **CLOSING REMARKS**

There were no closing remarks.

## **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 Chair to announce the decision of the Sub-Committee.

## **CONSIDERATIONS**

The Sub-Committee listened to all representations made and considered the Responsible Authorities' recommendations. In addition, the Sub-Committee welcomed the conditions offered by the Applicant and his willingness to commit to work with the responsible authorities to uphold the licencing objectives at all times.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under S.182 of the Licensing Act 2003



## THE DECISION

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

The Applicant has agreed:

- a. That the opening hours between Sunday to Wednesday shall be between 11:00 hours and 02:00 hours;
- b. That the opening hours between Thursday to Saturday shall be between 11:00 hours and 03:00 hours; and
- c. To carry out a new noise assessment report which must be submitted to the Licensing Authority no later than six months from the date of this decision.

The premises must also comply with the following conditions:

1. Have a clear dispersal policy that must be made available to authorised council officers on request.
2. An incident book shall be kept at the premises and made available to authorised council officers on request which will record any noise complaints received and any incidents of disorder.

## REASONS

The Sub-Committee recognise that this is a new application for a premises licence for the provision of late-night refreshment Monday to Sunday from 23.00 hours to 03:00 hours and the Applicant's willingness to work with the Licensing Authority to address the issues raised by the objectors.

Apart from the objection of one Responsible Authority (The Environmental Protection Team) and the two interested parties to the application, the Sub-Committee note that there have been no further objections particularly from residents, other Responsible Authorities nor members' enquiries logged by councillors in respect of this application.

The applicant has expressed his willingness to work with the Licensing Authority to deal with the issues raised in the objections. He has agreed to conditions to reduce the opening hours and do a new noise assessment report, to address the concerns raised by the Environmental Protection Team, as the measurements in the one submitted were high due to ongoing building works when it was carried out.

Having considered all the information put before it, the Sub-Committee were satisfied on balance that the Applicant would comply with the licensing objectives.

## 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.

	<p>No decision made by the Council will have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.</p> <p>The 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</p> <p>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.</p> <p>This decision notice will be circulated to all parties within 5 working days.</p>
	<p>The meeting, which commenced at 2.00 pm, closed at 3.51 pm.</p>

These are the minutes of the above meeting. For more information on any of the resolutions please contact Anisha Teji on Ateji@hilligndon.gov.uk or 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.