

Minutes

LICENSING SUB-COMMITTEE

14 March 2025

Meeting held at Committee Room 5 - Civic Centre



HILLINGDON
LONDON

	<p>Committee Members Present: Councillor Darran Davies Councillor Peter Smallwood OBE Councillor Scott Farley</p> <p>Officers Present: Mark Rose, Licensing Officer Chantelle McLeod, Legal Advisor Ryan Dell, Democratic Services Officer</p> <p>Also Present: Ms Anisha Sharma – applicant Mr Shemuel Sheikh – applicant’s representative Mr David Brough – Interested Party Councillor Janet Gardner – Interested Party</p>
96.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>None.</p>
97.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>
98.	<p>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items of business were in Part I and would be considered in public.</p>
99.	<p>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT (<i>Agenda Item 4</i>)</p> <p>None.</p>
100.	<p>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: MCDONALDS, 22/24 STATION ROAD, HAYES, UB3 4DA (<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>INTRODUCTION</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 Shoemiths 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@hillington.gov.uk. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

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