



HILLINGDON
LONDON



Notice of Hearing

Licensing Sub-Committee

C

Councillors on the Sub-Committee:

Andrew Retter (Chairman)
David Allam
Elizabeth Kemp

Date: FRIDAY, 13 NOVEMBER
2009

Time: 2.00 PM

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

**Meeting
Details:** Members of the Public and
Press are welcome to attend
this meeting

Important Information

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

Wednesday 11 November 2009

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

- 1) Whether you intend to attend or to be represented by someone at the hearing;
- 2) If you consider a hearing to be unnecessary and;
- 3) Whether to request that another person attends (other than your representative) as a witness

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Published: Thursday, 29 October 2009

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This Agenda is available online at:

<http://modgov.hillingdon.gov.uk/ieListMeetings.aspx?CId=260&Year=2009>

Lloyd White
Head of Democratic Services
London Borough of Hillingdon,
3E/05, Civic Centre, High Street, Uxbridge, UB8 1UW
www.hillingdon.gov.uk



INVESTOR IN PEOPLE

Useful information

Bus routes 427, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away. Limited parking is available at the Civic Centre. For details on availability and how to book a parking space, please contact Democratic Services

Please enter from the Council's main reception where you will be directed to the Committee Room. An Induction Loop System is available for use in the various meeting rooms. Please contact us for further information.

Please switch off any mobile telephones and BlackBerries™ before the meeting. Any recording of the meeting is not allowed, either using electronic, mobile or visual devices.

If there is a FIRE in the building the alarm will sound continuously. If there is a BOMB ALERT the alarm sounds intermittently. Please make your way to the nearest FIRE EXIT.



Agenda

hearing protocol applications - inc Time limits

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To confirm that the items marked Part 1 will be considered in Public and the items marked Part 2 will be considered in Private
- 4 Consideration of the report from the Council's Licensing officer

Part 1 (Public)

The Great Barn, Bury Street, Ruislip

	Title of Report / Address of application	Ward	Time	Page
	The Great Barn Bury Street Ruislip HA4 7SU Included is a report of the Council's Licensing officer. You are strongly advised to attend the briefing beforehand and to read the attached protocol explaining the procedures.	Eastcote and East Ruislip	1.50pm briefing 2.00pm start of hearing	

- 5 Any items transferred from Part 1
- 6 Any other business in Part 2
- 7 Appendices

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Licensing Act 2003

Protocol for making representations and sub-committee hearings

This protocol outlines the procedures that will be followed:

- When making representations
- On receiving the Notice of the Hearing
- Before, during and after the hearing

Full details of the regulations surrounding sub-committee hearings are available for download on the Department of Culture, Media and Sport's website by [clicking here](#).

It is important that you carefully read these procedures before you make a representations to an application or wish to attend and be heard at a Licensing sub-committee hearing

1. Making representations

Am I eligible to make a representation?

Representations and objections to an application can only be made by parties or authorities entitled to do so under Government legislation – the Licensing Act 2003. The parties or authorities that can make representations are set out below:

An **interested party** which would be anyone who is directly affected by activity at the licensed premises in question, such as:

- A person living in the vicinity of the premises
- A body representing persons living in the vicinity of the premises, e.g. a Residents Association.
- A person involved in a business in the vicinity
- A body representing persons involved in such business e.g. Trade Association.

A **responsible authority**, which are namely:

- Metropolitan Police Service
- The London Fire & Emergency Planning Authority
- Hillingdon Council's Planning & Transportation and Environment & Consumer Protection Services
- Health and Safety bodies
- Bodies relating to the protection of children from harm, e.g. Area Child Protection Committee

What happens if nobody makes any representations?

It is important to note that under the terms of the Licensing Act 2003 the Licensing Service must grant all new premises licence applications and variation applications if no relevant representations are received either from interested parties or responsible authorities.

When do I make a representation?

Any interested party or responsible authority may make written representations about an application. Generally these must be made at any time up to and including 28 consecutive days after the day on which the application was received.

You should make your representations **within the time limit specified** in the notice put up at the premises or contained in the newspaper advertisement relating to the particular application. **Representations received after the time limit cannot be accepted.** Time limits are given in the attached Appendix (part 1)

Contact Information:

To make representations or related queries please contact:

Hillingdon Licensing Service

Tel: (01895) 277433

Email: licensing@hillington.gov.uk

Fax: (01895) 250011

Write to: 4W/01 Civic Centre, High Street, Uxbridge, Middlesex, UB8 1UW

What information should I provide in the representation?

When making your representation you must give details for the reasons for objection. Representations will only be relevant if they relate to the four licensing objectives:

- (1) The Prevention of Crime and Disorder;**
- (2) Public Safety;**
- (3) The Prevention of Public Nuisance; and**
- (4) The Protection of Children from Harm.**

For more information about the Licensing Objectives please read Hillingdon's Licensing Policy carefully as this document outlines the issues the Licensing Service will consider in respect of applications that have received relevant representations. You can get a copy of the Licensing policy by [clicking here](#) or contacting the Licensing Service by telephoning (01895) 277433.

Representations should fully explain the nature of the points made, reflect the Licensing Objectives outlined above provide in detail any evidence relied upon to back up those points. Concerns or fears about what might happen if the licence is granted cannot be taken into account unless they relate to the Licensing Objectives.

What format should the representation take?

All representations must be given in writing. However, the Hillingdon Licensing Service agrees to accept relevant representations, with accompanying evidence, by email to allow compliance with the time limits, but where this is done, the full name and postal address should given in the email and **representations must be immediately confirmed in writing afterwards.**

Can we send in a petition?

Yes, petitions can be submitted in accordance with the same rules that apply for representations. Petitions should outline their purpose and potential signatories should note that a copy will be supplied by the Hillingdon Licensing Service to the applicant. Each person signing the petition should print their full name and address. Petitioners should all live within the 'vicinity' of the premises in question.

The Licensing Act 2003 regulations do not allow for petitions to be presented, without notice, to the sub-committee hearing.

Can the Licensing Service reject a representation?

Representations can be rejected if they are received after the time limits set, anonymous or in the opinion of the Licensing Service they are found to be vexatious, frivolous or repetitive and the writer will be notified of this decision. The Hillingdon Licensing Service may also seek to mediate between the parties to see if agreement can be reached without the need for a licensing hearing.

Where do I send the representation?

Please send your representation to the Hillingdon Licensing Service at the address given at the top of Section 1 of this protocol. If sent elsewhere, it may not be received in time to be allowed. Members of the sub-committees should not be approached with any representations as this may prejudice the application.

What if there are a number of similar representations?

It is possible that there may be a number of similar representations, which if all heard would make the hearing unmanageable. At the procedural briefing, held just before the hearing starts, the Hillingdon Licensing Service will ask that you agree a spokesman to speak on behalf of related representations.

What happens next?

A copy of all relevant representations will be provided, in full, to the applicant. Relevant representations will then be considered as part of the business at a Licensing sub-committee hearing along with the application. The papers for the sub-committee hearing, including relevant representations, will be available to the press and public as part of the Notice of Hearing.

Where an application is to be decided at a sub-committee hearing, applicants and those who have made relevant written representations in connection with the application, will be invited to attend and will have speaking rights.

2. On receiving the Notice of Hearing

What is the Notice of Hearing?

The Licensing Sub-committee hearing will normally be held within the period of 20 working days from when the consultation period ends. The Hillingdon Licensing Service will give appropriate notice of the hearing, which depends upon the type of application to be considered. Exact timings are attached in the Appendix (parts 2&3).

A Notice of the Hearing will be sent to all parties accompanied by:

- Date, time and location of the actual hearing and a procedural briefing to be held beforehand;
- This procedure note, the report from the Council's Licensing Officer with relevant representations attached;
- Confirmation that a party may be assisted / represented by a person who does not have to be legally qualified;
- Confirmation that a party to the hearing may address the authority, give further information on a point on which the authority requires clarification and, if considered by the authority to be required, question another party to the hearing;
- The consequences of not attending or being represented at a hearing (which normally will be that the hearing will proceed in the party's absence); and
- A note of any particular points on which the Hillingdon Licensing Service wants clarification.

What do I do when I receive the Notice of Hearing?

On receipt of the Notice of Hearing, all parties must inform the Clerk to the Committee – **normally no later than 2 working days before the hearing*** – whether they:

- Intend to attend or to be represented at the hearing;
- Consider a hearing to be unnecessary; and
- Wish to request that another person appear at the hearing (other than their representative) as a witness. If such a request is made, it should be accompanied by details of the name of that person and a full description of the points about which that person may be able to assist the hearing.

*In the Appendix (part 4), full details are given of the deadline by which you should give your notice. All objectors and applicants are also reminded of their right to have a legal representative at the hearing.

If a party does not notify the above to the Clerk to the Committee before the relevant deadline they will not be entitled to speaking rights at the hearing.

IT IS IMPORTANT THAT YOU REPLY TO THE NOTICE

Contact Information:

To give notice or any queries relating to the hearing please contact:

Clerk to the Committee

Tel: 01895 277655

Email: nwilliams@hillingdon.gov.uk

Write to: Clerk to the Committee, Cabinet Office, 3E/05, Civic Centre, Uxbridge, UB8 1UW

If I want to withdraw my representations - how do I do this?

Any party may withdraw their representations by contacting the Clerk to the Committee by phone, letter or email, providing they give notice no later than 24 hours before the hearing. If, during hearing, any party wishes to withdraw their representations they may do so orally by informing the Chairman.

What happens if I cannot attend the sub-committee hearing?

If you have made a representation and are unable to attend the sub-committee hearing, the sub-committee will only hear and consider any evidence and arguments put forward by or on behalf of the applicant and other parties present in relation to the written objections received. The sub-committee will take into account, in considering the importance to be attached to the objection, that the objector was not available to be questioned about their statements.

Can you accommodate any special needs I may have?

Yes, if any person, who intends to be present at the hearing, has any special needs, (for example in connection with access, hearing, language or vision) this should be brought to the attention of the Clerk to the Committee prior to the hearing in order that appropriate provision may be made.

Can the date of the hearing be changed?

Unfortunately, the Hillingdon Licensing Service cannot be flexible in the dates for hearings as the Licensing Act 2003 sets a strict legal deadline by which hearings must be heard.

3. Before the Hearing

You will have been notified of the date and time of the Licensing Sub-committee hearing. The hearings will normally take place at the Civic Centre, High Street, Uxbridge in one of the Committee Rooms.

How do I get to the Civic Centre?

Parking may be available via the entrance to the Civic Centre in the High Street by contacting the Clerk to the Committee in advance. Parking is also available in the nearby Chimes Shopping Centre Car Park. Bus routes 207, U1, U3, U4 and U7 all stop at the Civic Centre. Uxbridge underground station, with the Piccadilly and Metropolitan lines, is a short walk away.

Please enter from the main reception where you will be directed to the relevant Committee Room. Please switch off your mobile phone when entering the room and note that Hillingdon Council operates a no-smoking policy in its offices.

Will the hearing be in public?

There may be other members of the public and press that attend the hearing to observe the proceedings, but they will not be allowed to speak. At any hearing, the applicant may attend in person or, if the application or objection is made by an organisation or corporate body, a duly authorised representative may be present, who is able to speak on their behalf can do so.

The hearing will take place in public. However, in exceptional circumstances, when the sub-committee considers that it is in the public interest, it may exclude the public from all or any part of a hearing. Hearings will normally take place during the day.

I have some new evidence - may I present it?

The sub-committee **will not** normally allow the production of new written evidence not previously submitted as relevant representations by any party. In the case where the sub-committee does allow new evidence, all other parties must give their consent before it is heard.

If new material is permitted, the hearing may need to be adjourned to allow time to consider it and for other parties to respond to it. Accordingly, any application to have new material considered should demonstrate exceptional reasons for its admission. It is, therefore important for parties to ensure that all evidence is submitted in writing as soon as possible and in accordance with the relevant timescales.

Will I be briefed on procedure before the hearing?

Yes, in the notice of hearing, you will have been asked to attend a procedural briefing before the hearing starts. All parties will be asked to attend this briefing so that the Council's Licensing Officer or Legal Advisor can outline the procedures to be followed at the hearing.

What if there are a number of objectors present?

At the briefing, in the event of a large number of representations, the Licensing Officer or Legal Advisor will ask that a spokesman is agreed amongst those present who have similar representations.

Who are the people on the Licensing sub-committee?

Three elected councillors of the London Borough of Hillingdon sit on a Licensing sub-committee and it is only they who can determine the application. Its minimum membership is two. Councillors who sit on the sub-committees have been trained in the new Licensing regulations and have experience of determining applications of various kinds.

One of the Councillors will be the Chairman of the hearing and it will be he/she who will call interested parties and responsible authorities to speak and ensure time limits are adhered to as set out in the procedures.

Other people who will be present along with the Councillors include:

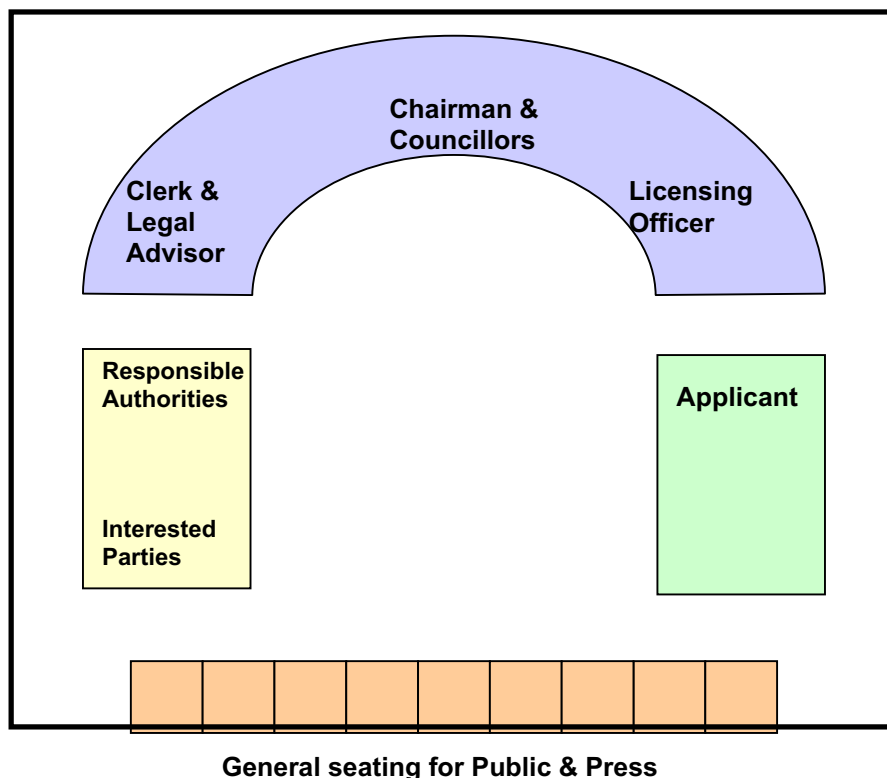
- The **Council's Licensing Officer** who will introduce the Officer report and outline his/her role.
- A **Legal Adviser** whose role is to assist the Committee with legal advice and to ensure that a fair and balanced hearing takes place.
- A **Clerk to the Committee** whose role is to summarise and record decisions on individual cases and to provide help and assistance to members of the public attending such meetings.

4. During the Hearing

The procedure at the sub-committee hearing will, in general, be based on those used in a court of law. Although the strict rules of evidence will not apply, they will be observed to a great extent, because this is the best way of hearing the evidence from all parties. The hearing will take the form of a discussion led by the sub-committee councillors. The sub-committee will seek clarification on the issues from the parties as it considers appropriate.

Where shall I sit at the hearing?

Once you have attended the procedural briefing, you will be directed into the relevant Committee Room. The set up of the room for those involved will generally be as shown below:



In general, how will the hearing be conducted?

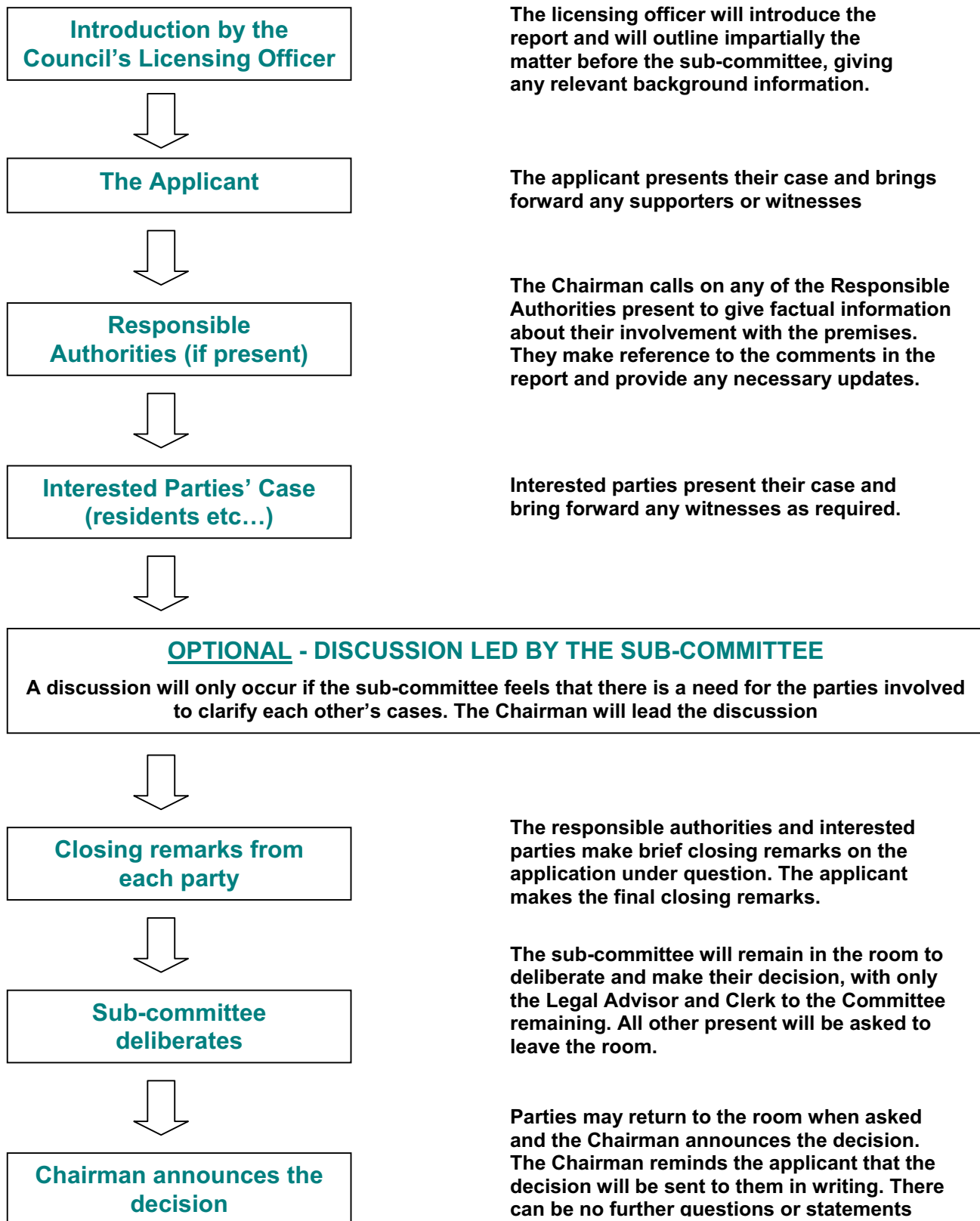
The procedure to be followed at the hearing will normally be as shown in the flow chart below, although all procedural matters will be subject to the discretion of the Chairman. All persons present will be requested to identify themselves and to give the reason for their presence. The sub-committee may consider any request from a party for another person to appear at the hearing as their representative.

It is important to note that cross-examination will not normally be permitted. Evidence, discussion and address must be relevant to the four licensing objectives. Repetition should also be avoided. The sub-committee will seek to prevent irrelevant and repetitive matters.

If, during its deliberations, the sub-committee considers that it is necessary for any person present at the hearing to provide further information or clarification on a particular point the hearing may be reconvened to deal with that issue. The sub-committee can also ask for procedural, technical or legal matter from officers present at any time during the proceedings.

What is the order of proceedings?

The Chairman of the sub-committee will open the hearing by introducing the Councillors explaining the purpose of the proceedings and the general procedure. The Chairman will then check that there are no additions or alterations to the list of those appearing at the hearing, which will have been prepared in advance by the Clerk to the Committee and will then outline the procedure that will be followed for the remainder of the hearing. The procedure is as follows:



Can a Councillor sit on a sub-committee if the application is in their ward?

Councillors who sit on a sub-committee are advised to take steps to minimise their involvement in any application prior to its consideration by the sub-committee so that decisions are seen to be reached at the hearing impartially and with an open mind. Councillors should not appear to be acting both as an advocate on behalf of their residents and as an adjudicator on an application.

If a Councillor on the sub-committee has already taken a view on an application in advance of the hearing, they should not be present for the hearing of the application and should leave the meeting room for that item. They should also not visit any premises under consideration prior to the hearing. In any cases of doubt, the Councillor should not sit on the sub-committee for a particular application. In this instance, a substitute Councillor may need to be found from the main Licensing committee of the Council or the hearing may continue as long as two of the three Councillors are still present.

The agenda papers will show which ward each Councillor sits for and the reports from the Council's Licensing Officer will detail which ward the application is in.

Can a ward Councillor make a representation and or speak at a hearing?

If a ward Councillor, who does not sit on the sub-committee, wishes to make a formal objection to an application they may only do so if they make a written relevant representation as would apply to an Interested Party and in the same way as any other member of the public using the procedures outlined in this protocol. If the ward Councillor believes they have a personal or prejudicial interest in the application, they may still submit a relevant representation.

Ward Councillors, who do not sit on the sub-committee, may also speak at a sub-committee hearing in support or against an application, for example on behalf of their constituents without notice. They may also speak as an advocate or witness on behalf of the applicant or an Interested Party, even if they believe they have a personal or prejudicial interest. However, for the purposes of transparency, at the hearing, the ward Councillor should disclose what their personal or prejudicial interest is and whether they have been in contact with the applicant, agent, Interested Party or responsible authority beforehand or have visited the premises concerned.

Ward Councillors making either a written relevant representation or wish to speak at a hearing should not communicate about the application before the hearing with any Councillors who sit on the sub-committee. This is so the sub-committee makes their decision with an open mind.

What power does the Chairman have to control the meeting?

Under the Licensing act 2003, the Chairman may require any person attending the hearing who is behaving in a disruptive manner to leave the hearing and may refuse to permit that person to return or may permit the person to return only on such conditions as he or she may specify.

How will the sub-committee make its final decision?

Once the sub-committee has heard from officers and the parties to the hearing and has had answers to its questions, the sub-committee will usually withdraw to make its decision on the application. The sub-committee must disregard any information given or evidence produced by

a party or witness, which is not relevant to the application, representations or notice or the promotion of the licensing objectives.

Members of the sub-committee have a duty to behave impartially, not to predetermine the issue and not to discuss matters with press or residents. In making its decision the sub-committee must state in respect of premises licences why refusal or attachment of conditions is necessary in order to promote a particular licensing objective, and in respect of all other applications the reasons why applications are refused or revoked, taking into account the evidence presented by all parties during the hearing.

5. After the Hearing

When will we get formal notice of the decision?

The Chairman will normally announce the Sub-committee's decision in public at the end of the hearing and the reasons for the sub-committee's decision. This decision will then be communicated in writing to the parties as soon as possible after the hearing.

The Council's Legal Advisor will send applicants a decision letter shortly after the meeting outlining the decision and any conditions that are attached to the application. In addition, a letter will be sent to all those who made relevant written representations in connection with the application. This will confirm the decision made; any conditions attached to an approval or the reasons for refusal. Details of the respective appeal rights will also be sent with this notice.

The minutes of the meeting will be made available on the Council's website at:
www.hillingdon.gov.uk

Can we appeal against the decision?

Following the decision, the applicant or any person who has made a relevant representation in respect of a particular application can appeal to the Magistrates Court.

How can I find out about other applications in my area?

Applicants for new premises licences and club premises certificates; applications for provisional statements and applications for variations of existing premises licences or club premises certificates must display a notice on the premises and advertise the application in a local newspaper.

All applications once they are lodged will be available for viewing on Hillingdon Council's website at www.hillingdon.gov.uk and in the Civic Centre Offices by appointment with the Licensing Service during working hours.

Appendix

1. Time limits for an interested party or a responsible authority to make representations

	Provision	Period of time within which representations must be made.
1.	(a) in the case of a review of a premises licence following a closure order	At any time up to and including seven days starting on the day after the day on which the authority received the notice under section 165(4) in relation to the closure order and any extension to it
2.	(b) In any other case for a premises licence / club certificate applications.	At any time during a period of 28 consecutive days starting on the day after the day on which the application to which it relates was given to the authority by the applicant.
3.	Chief officer of Police giving an objection notice in regard to a personal licence application.	Within 14 days beginning with the day he received notice under subsection (2)
4.	Chief officer of Police giving an objection notice in regard to an e application to vary licence to specify individual as premises supervisor	Within 14 days beginning with the day he is notified of the application under subsection (4)
5.	Chief officer of Police giving a counter notice in regard to a temporary event or an interim authority notice	No later than 48 hours after the chief officer of police is given a copy of the notice.

2. Period within which hearings should be held

	Provision under which hearing is held.	Period of time within which hearing must be commenced.
1.	Section 18(3)(a) (determination of application for premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c).
2.	Section 31(3)(a) (determination of application for a provisional statement).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 30.
3.	Section 35(3)(a) (determination of application to vary premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 17(5)(c) by virtue of section 34(5).
4.	Section 39(3)(a) (determination of application to vary premises licence to specify individual as premises supervisor).	20 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 37(5).
5.	Section 44(5)(a) (determination of application for transfer of premises licence).	20 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 42(6).
6.	Section 48(3)(a) (cancellation of interim authority notice following police objection).	5 working days beginning with the day after the end of the period within which a chief officer of police may give notice under section 48(2).

Appendix

	Provision under which hearing is held.	Period of time within which hearing must be commenced.
7.	Section 52(2) (determination of application for review of premises licence).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 51(3)(c).
8.	Section 72(3)(a) (determination of application for club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c).
9.	Section 85(3) (determination of application to vary club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 71(6)(c) by virtue of section 84(4).
10.	Section 88(2) (determination of application for review of club premises certificate).	20 working days beginning with the day after the end of the period during which representations may be made as prescribed under section 87(3)(c).
11.	Section 105(2)(a) (counter notice following police objection to temporary event notice).	7 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under section 104(2).
12.	Section 120(7)(a) (determination of application for grant of personal licence).	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 120(5).
13.	Section 121(6)(a) (determination of application for the renewal of personal licence).	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 121(3).
14.	Section 124(4)(a) (convictions coming to light after grant or renewal of personal licence).	20 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under section 124(3).
15.	Section 167(5)(a) (review of premises licence following closure order).	10 working days beginning with the day after the day the relevant licensing authority receives the notice given under section 165(4).
16.	Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence).	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 3(2) or (3) of Schedule 8.
17.	Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate).	10 working days beginning with the day after the end of the period within which a chief officer of police may give a notice under paragraph 15(2) or (3) of Schedule 8.
18.	Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of a justices' licence for grant of personal licence).	10 working days beginning with the day after the end of the period within which the chief officer of police may give a notice under paragraph 25(2) of Schedule 8.

3. Hearing Notice Periods

	Provision under which hearing is held.	Notice of hearing shall be given
1.	Section 48(3)(a) (cancellation of interim authority notice following police objection),	No later than two working days before the day or the first day on which the hearing is to be held.
2.	Section 105(2)(a) (counter notice following police objection to temporary event notice).	No later than two working days before the day or the first day on which the hearing is to be held
3.	Section 167(5)(a) (review of premises licence following closure order)	No later than five working days before the day or the first day on which the hearing is to be held
4.	Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)	No later than five working days before the day or the first day on which the hearing is to be held
5.	Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)	No later than five working days before the day or the first day on which the hearing is to be held
6.	Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence)	No later than five working days before the day or the first day on which the hearing is to be held

4. Action period following receipt of notice of hearing

Provision under which hearing is held.	Notice by a party shall be given
Section 48(3)(a) (cancellation of interim authority notice following police objection),	No later than one working day before the day or the first day on which the hearing is to be held.
Section 105(2)(a) (counter notice following police objection to temporary event notice)).	No later than one working day before the day or the first day on which the hearing is to be held.
Section 167(5)(a) (review of premises licence following closure order)	No later than two working days before the day or the first day on which the hearing is to be held.
Paragraph 4(3)(a) of Schedule 8 (determination of application for conversion of existing licence)	No later than two working days before the day or the first day on which the hearing is to be held.
Paragraph 16(3)(a) of Schedule 8 (determination of application for conversion of existing club certificate)	No later than two working days before the day or the first day on which the hearing is to be held.

Appendix

Provision under which hearing is held.	Notice by a party shall be given
Paragraph 26(3)(a) of Schedule 8 (determination of application by holder of justices' licence for grant of personal licence)	No later than two working days before the day or the first day on which the hearing is to be held.
In any other case	No later than five working days before the day or the first day on which the hearing is to be held.
A party who wishes to withdraw any representations they have made may do so	(a) by giving notice to the authority no later than 24 hours before the day or the first day on which the hearing is to be held; or (b) orally at the hearing

APPLICATION FOR A PREMISES LICENCE

Committee	Licensing Sub –Committee C
Officer Contact	Linda Etherington 01895 556799
Papers with report	<ul style="list-style-type: none">• Appendix 1 – copy of application form• Appendix 2 – letters and petitions from local residents• Appendix 3 – list of responsible authorities• Appendix 4 – memo from Environmental Protection Unit• Appendix 5 – letter from Metropolitan Police• Appendix 6– photographs of the premises• Appendix 7– map of the area
Ward(s) affected	Eastcote and East Ruislip

SUMMARY

To consider representations from local residents, Ruislip Residents Association, the Metropolitan Police Service and *the Council's Environmental Protection Unit* in respect of an application for a premises licence for the **sale of alcohol by retail and regulated entertainment for The Great Barn, Bury Street, Ruislip.**

RECOMMENDATION

That the Licensing Sub-Committee determine the application.

INFORMATION

- 1.1 An application for a premises licence for the sale of alcohol and regulated entertainment for the Great Barn, Bury Street, Ruislip was submitted by the Head of Arts Service on behalf of the London Borough of Hillingdon on 25th September 2009.

Details of application are listed below:

Regulated entertainment from 09.00 to 24.00 each day
The sale of alcohol by retail from 10.00 to 24.00 each day

Regulated entertainment applied for is:-

Plays

Films

Live music

Recorded music

Performances of dance

And anything of a similar description

Provision of facilities for making music and dancing

Note: The application form is attached to this report as **Appendix 1**.

- 1.2 The application was advertised in accordance with the standard procedures required by the Licensing Act 2003.

Following the advertisement of the application 10 letters from local residents, two petitions with a total of 88 signatures and a letter from Ruislip Residents Association were received making representation against the application, addressing the licensing objectives and in particular, Prevention of crime and disorder and Prevention of public nuisance. The letters are attached to this report as **Appendix 2**.

- 1.3 In accordance with the legislation, the applicant sent copies of the application to the following 'Responsible Authorities, attached as **Appendix 3**:

- The Metropolitan Police Service
- London Fire & Emergency Planning Authority
- Child Protection Service, LBH
- Commercial Premises Service, LBH
- Environmental Protection Unit, LBH
- Trading Standards Service, LBH
- Planning Service, LBH

Representations were received from the Council's Environmental Protection Unit and The Metropolitan Police Service (letters are attached as Appendix 4 and 5).

- 1.4 The period for consultation and the making of representations in respect of this application expired on 23 October 2009.

- 1.5 The following conditions have been offered by the applicant in the operating schedule and will be imposed as conditions on any premises licence granted:-

Prevention of Crime and Disorder

- Over-consumption of alcohol shall be prohibited.
- Stewards shall be employed to ensure order throughout events with a minimum of one steward instructed to monitor the exterior of the premises.
- The installed CCTV system(internal and external) shall be maintained in effective working order.

Public Safety

- The maximum number of persons accommodated at any one time whilst the premises is in use for the purpose of the licence shall not exceed 350.
- All private functions shall be monitored by trained LBH staff.

Prevention of Public Nuisance

- Only sound limited systems approved by the council's Environmental Protection Unit officers shall be used for the amplification of music provided at social functions.

- LBH Stewards shall remain on site after functions to ensure that guests leave the site in a prompt and orderly fashion.
- Smoking shall only be allowed in the Eastern Courtyard.
- Loading of catering equipment into vehicles in the Western court yard shall be finished no later than 23.00 hours.
- Residents' driveways on Bury Street shall be coned on market days to control over parking (including a passing space to allow buses to pass).

Protection of Children from Harm

- The Think 21 scheme shall be in operation
- All staff shall be required to have enhanced CRB checks
- Stewards shall be present at all events and a minimum of one steward will be stationed outside to ensure that order is maintained, to ensure security and respect of children and families when alcohol may be taken outside the building.
- No adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children shall be provided

General Information

- 1.6 The premises is a Grade II listed barn located on the Manor Farm Complex in Bury Street, Ruislip (**See photographs at Appendix 6**).

FINANCIAL IMPLICATIONS

- 2.1 Members should be aware that the Environment and Consumer Protection does not have a budget provision for costs, should the applicant be successful in appealing to the Court(s) against a decision of the Council. In the event that a Court was to uphold an appeal, officers would need to identify how the costs would be funded before action could be taken in order to comply with Council financial policy.

LEGAL IMPLICATIONS

Principles for making the determination

- 3.1 The general principle is that applications for Premises Licence applications must be granted unless relevant representations are received. This is subject to the proviso that the applicant has complied with regulations in advertising and submitting the application.
- 3.2 Relevant representations are those which:-
- Are about the effect of the granting of the application on the promotion of the licensing objectives
 - Are made by an interested party or responsible authority
 - Have not been withdrawn
 - Are not, in the opinion of the relevant licensing authority, frivolous or vexatious.

The four licensing objectives are :

- a. The prevention of crime and disorder;**
- b. Public safety;**
- c. The prevention of nuisance; and**
- d. The protection of children from harm.**

Members should note that each objective is of equal importance. There are no other licensing objectives, and the four objectives are paramount considerations at all times.

- 3.3 The Licensing Sub-Committee must also consider the London Borough of Hillingdon's Licensing policy when deciding whether or not to grant the application. The terms of the Statement of Licensing Policy are highly persuasive, but not binding, on the Licensing Sub-Committee. The Licensing Sub-Committee may depart from the guidance contained in the Statement of Licensing Policy if it considers there are clear and convincing reasons to do so.

Where there is a conflict between the Licensing Act 2003 and the Statement of Licensing Policy, the Licensing Act must prevail.

- 3.4 Members are required to have regard to the DCMS Guidance in carrying out the functions of licensing authority. However, guidance does not cover every possible situation, so long as the guidance has been properly and carefully understood, members may depart from it if they have reason to do so. Full reasons must be given if this is the case
- 3.5 When relevant representations are received then the Sub-Committee must have regard to them. Representations based on commercial reasons or need are not in themselves relevant representations. For example, a representation from a bar owner that the grant of a premises licence to another bar will take customers away from his/her premises is not a relevant representation, nor is a representation from a local resident that another off licence in the parade of local shops is not needed.
- 3.6 The Licensing Sub-Committee can attach a "weight" to any relevant representations, such factors that could influence the "weight" to be placed on a representation could

include:-

- Whether the representation can be clearly related to any one of the four licensing objectives;
- Whether the representation concerns matters over which the applicant is able to exercise control;
- Whether the representation is based on “hearsay” evidence;
- Whether the representation is supported by firm evidence;
- Whether the person making the representation has attended the hearing in person.

3.7 Having considered all relevant representations, and having taken into account the promotion of the licensing objectives, a decision can be taken:-

- To grant the licence, subject to the mandatory conditions and conditions consistent with the operating schedule;
- To impose additional relevant conditions to such an extent as is considered necessary for the promotion of the licensing objectives;
- To exclude any of the licensable activities to which the application relates
- To amend the times for all or some of the licensable activities;
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application

Conditions

3.8 Conditions will not be necessary if they duplicate a current statutory requirement.

Members are also referred to the DCMS guidance on conditions, specifically section 7, and Annexes D, E, F and G.

The Statutory Guidance states that only necessary, proportionate and enforceable conditions, which promote one or more of the licensing objectives, should be attached to the licence if it is granted (paragraph 10.11).

The Licensing Authority may therefore only impose such conditions as are necessary to promote the licensing objectives arising out of the consideration of the representations (paragraph 10.11), and should avoid straying into undisputed areas (paragraph 9.24).

Statutory Guidance also states that the pool of conditions that are supplied by the Secretary of State should not be applied universally irrespective of particular circumstances, but may be used as examples that can be tailored to suit individual premises and particular situations.

Reasons

3.9 If the Sub-Committee determines that it is necessary to modify the conditions, or to refuse the application for a Premises Licence application, it must give reasons for its decision.

The Role of the Licensing Sub-Committee

- 3.10 Sub-Committee members will note that, in relation to this application, the Council has multiple roles. Council officers from various departments have been asked to consider the application from the perspective of the Council as authority responsible respectively for environmental health, trading standards, health and safety and as the planning authority.

Members should note that the Licensing Sub-Committee is meeting on this occasion solely to **perform the role of licensing authority**. The Sub-Committee sits in quasi-judicial capacity, and must act impartially. It must offer a fair and unbiased hearing of the application. In this case, Members should disregard the Council's broader policy objectives and role as statutory authority in other contexts. Members must direct themselves to making a determination solely based upon the Licensing Law, Guidance and the Council's Statement of Licensing Policy.

As a quasi-judicial body the Licensing Sub-Committee is required to consider the application on its merits. The Sub-Committee must take into account only relevant factors, and ignore irrelevant factors. The decision must be based on evidence, that is to say material, which tends logically to show the existence or non-existence of relevant facts, the occurrence of which would be relevant.

The Licensing Sub-Committee must give fair consideration to the contentions of all persons entitled to make representations to them.

The Licensing Sub-Committee is entitled to consider events outside of the premises if they are relevant, i.e. are properly attributable to the premises being open. The proprietors do not have to be personally responsible for the incidents for the same to be relevant. However, if such events are not properly attributable to the premises being open, then the evidence is not relevant and should be excluded. Guidance is that the licensing authority will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public, living, working or engaged in normal activity in the area concerned.

The Sub-Committee can only consider matters within the application that have been raised through representations from interested parties and responsible authorities. Interested parties must live in the vicinity of the premises. This will be decided on a case to case basis.

Under the Human Rights Act 1998, the Sub-Committee needs to consider the balance between the rights of the applicant and those making representations to the application when making their decision. The Sub-Committee has a duty under section 17 Crime and Disorder Act 1998 when making its decision to do all it can to prevent crime and disorder in the Borough.

Interested Parties, Responsible Authorities and the applicant have the right to appeal the decision of the Sub-Committee to the Magistrates' Court within a period of 21 days beginning with the day on which the applicant was notified by the licensing authority of the decision to be appealed against.

List of Representations

	Prevention of Crime & Disorder	Public Safety	Prevention of Public Nuisance	Protection of Children from Harm
Petition organiser - Mr G Goode, MBE	X		X	
Petition organisers Mr & Mrs Platts			X	
Mr I John - Ruislip Residents Association	X	X	X	X
Mrs & Mrs Simpson	X		x	
Mr & Mrs Hogg	X	X	X	X
Mr P J Andrews	X		x	
Mr & Mrs K Murray	X		X	
Ms D Johnson	X		X	
Ms M Conway	X		X	
Mr & Mrs Platts	X		X	
Mr C Crowley	X		X	
Mrs A Schubert	X		X	
Mr Schubert	X		X	
Environmental Protection Unit			x	
Metropolitan Police Service	X		X	

BACKGROUND PAPERS

- Appendix 1 – copy of application form
- Appendix 2 – letters and petitions from local residents
- Appendix 3 – list of responsible authorities
- Appendix 4 – memo from Environmental Protection Unit
- Appendix 5 – letter from Metropolitan Police Service

- Appendix 6– photographs of the premises.
- Appendix 7– map of the area

BACKGROUND DOCUMENTS

The Licensing Act 2003

Guidance under Section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy

**Application for a premises licence to be granted
under the Licensing Act 2003**

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We The Head of the Arts Service, London Borough of Hillingdon,
(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
The Great Barn, Manor Farm Slte Bury Street			
Post town	Ruislip	Post code	HA4 7SU

Telephone number at premises (if any)	01895 678800
Non-domestic rateable value of premises	£7400

Part 2 - Applicant Details

Please state whether you are applying for a premises licence as
Please tick yes

- a) an individual or individuals * please complete section (A)
- b) a person other than an individual *
 - i. as a limited company please complete section (B)
 - ii. as a partnership please complete section (B)
 - iii. as an unincorporated association or please complete section (B)
 - iv. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)

- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of police of a police force in England and Wales please complete section (B)

* If you are applying as a person described in (a) or (b) please confirm:

- Please tick yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
 - I am making the application pursuant to a
 - statutory function or
 - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	
Current postal address if different from premises address					
Post Town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

<input type="checkbox"/> Mr	<input type="checkbox"/> Mrs	<input type="checkbox"/> Miss	<input type="checkbox"/> Ms	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

Current postal address if different from premises address			
Post Town		Postcode	
Daytime contact telephone number			
E-mail address (optional)			

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

Name The Head of Arts (Kris Holliday) on behalf of the London Borough of Hillingdon
Address Civic Centre High Street Uxbridge UB1 1UW
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.) Local Authority
Telephone number (if any) 01895 250111
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
0	1	112009

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year

Please give a general description of the premises (please read guidance note1)
The Great Barn is a Grade II listed tythe barn, rectangular in shape with one internal space approx 50m by 20m, situated on the Manor Farm Site, a 22 acre LBH owned Arts, Culture and heritage site in Ruislip.

The Great Barn was refurbished in 2008 to extend the facilities available on site. It has an internal kitchen/prep room and has been equipped with upgraded toilet facilities and lighting to facilitate theatrical and community use, concerts and social functions.

Also fitted was a range of internal and external night vision CCTV cameras which record and can be monitored locally, in addition the Great Barn is covered by 3 PTZ cameras monitored by CCTV control at the Civic Centre in Uxbridge.

If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input checked="" type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input checked="" type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input checked="" type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input checked="" type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	09:00	24:00	Please give further details here (please read guidance note 3) Due to the nature of the building (listed; no modifications to the structure may be made) extensive set construction is unlikely and stages and productions in the Barn will be compact.		
Tue	09:00	24:00			
Wed	09:00	24:00	State any seasonal variations for performing plays (please read guidance note 4) There is likely to be a small increase in Theatrical usage during early summer but due to the mixed regime of use of the building, plays will not have long runs generating repeated attendance over more than a week.		
Thur	09:00	24:00			
Fri	09:00	24:00	Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5) The times listed cover all usage possibilities. Due to the proximity of neighbouring properties the standard finish times for productions will be around 22:00 hrs. The times listed are intended to give flexibility for occasional use e.g carol services at christmas etc. .		
Sat	09:00	24:00			
Sun	09:00	24:00			

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	
			Indoors	<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Films are most likely to be shown as part of Arts Service programming or part of the Heritage offer on site. Stewarding during exhibition of films will be at the same level and follow the same procedures as at social functions.	
Mon	09:00	24:00		
Tue	09:00	24:00		
Wed	09:00	24:00		
Thur	09:00	24:00		
Fri	09:00	24:00		
Sat	09:00	24:00		
			State any seasonal variations for the exhibition of films (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5) The times listed cover all usage possibilities. Due to the proximity of neighbouring properties the standard finish times for films will be around 22:00 hrs.	
Sun	09:00	24:00		

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			
Thur			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Live music will be performed inside the building and will be i.e fully supervised by stewards and with minimal use of amplified music / using a system approved by the EPU. Opening of doors will be kept to a minimum by stewards. Smoking will be confined to Eastern Courtyard to reduce noise adjacent to Bury Street.		
Mon	09:00	24:00			
Tue	09:00	24:00	State any seasonal variations for the performance of live music (please read guidance note 4)		
Wed	09:00	24:00			
Thur	09:00	24:00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Fri	09:00	24:00			
Sat	09:00	24:00			
Sun	09:00	24:00			

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<p><u>Please give further details here</u> (please read guidance note 3) Playing of recorded music at Social functions will take place exclusively using equipment fitted with sound limiting devices with the approval of the Environmental Protection Unit. At Arts, Theatrical, Heritage and Cultural events recorded (often background) music may be played. The above approved, or less powerful equipment will be used. Opening of doors will be kept to a minimum by stewards. Smoking will be confined to Eastern Courtyard to reduce noise adjacent to Bury Street.</p> <p><u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)</p> <p><u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00			
Thur	09:00	24:00			
Fri	09:00	24:00			
Sat	09:00	24:00			
Sun	09:00	24:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3) Dance will take place inside the building and will be treated in the same way as theatrical and cultural use of the building I.E fully supervised by stewards and with minimal use of amplified music / using a system approved by the EPU. Opening of doors will be kept to a minimum by stewards. Smoking will be confined to Eastern Courtyard to reduce noise adjacent to Bury Street.		
Mon	09:00	24:00			
Tue	24:00	24:00	State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed	24:00	24:00			
Thur	24:00	24:00	Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	24:00	24:00			
Sat	24:00	24:00			
Sun	24:00	24:00			

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u> Other entertainment of a similar description may be programmed in the context of Arts service programming, however, all supervisory protocols applying to music and disturbance will be adhered to.</p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input checked="" type="checkbox"/>
Mon	09:00	24:00		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	09:00	24:00	<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed	09:00	24:00			
Thur	09:00	24:00	<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri	09:00	24:00			
Sat	09:00	24:00	<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun	09:00	24:00			

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> There will be no fixed facilities for making music although a piano may be sited in the building from time to time during concerts or Education Programmes.	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
			Outdoors <input type="checkbox"/>	
			Both <input type="checkbox"/>	
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Any use of such facilities will be undertaken with respect for neighbours and will be governed by the same principles RE: stewarding as other event types.	
Mon	09:00	24:00		
Tue	09:00	24:00	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Wed	09:00	24:00		
Thur	09:00	24:00	<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Fri	09:00	24:00		
Sat	09:00	24:00		
Sun	09:00	24:00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u> There will be no fixed facilities for making dancing although a piano may be sited in the building from time to time during concerts or Education Programmes.		
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) Any use of such facilities will be undertaken with respect for neighbours and will be governed by the same principles RE: stewarding as other event types.		
Mon	09:00	24:00			
Tue	09:00	24:00			
Wed	09:00	24:00			
Thur	09:00	24:00			
Fri	09:00	24:00			
Sat	09:00	24:00			
Sun	09:00	24:00	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)		
			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4) In summer months during events where alcohol may be taken outside a minimum of one LBH steward will be stationed outside the Barn at all times to ensure security in public areas and respect of licensing objectives. Stewards will remain on site after events to ensure that all attendees leave promptly in a respectful and orderly manner. In line with council policy CCTV footage will be used to prosecute any member of the public committing an illegal act during or after a function. Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) N/A		
Mon	10:00	24:00			
Tue	10:00	24:00			
Wed	10:00	24:00			
Thur	10:00	24:00			
Fri	10:00	24:00			
Sat	10:00	24:00			
Sun	10:00	24:00			

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name Martin Zouch	
Address 48 Lyndhurst Gardens Pinner Middlesex	
Postcode	HA5 3XG
Personal Licence number (if known)	
Issuing licensing authority (if known)	

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

No adult entertainment will take place on the premises. LBH Stewards will be present at all events where alcohol is present to ensure respect of think 21 principles and to ensure that children are not exposed to public disorder. Steward will be stationed outside the Barn to ensure security and respect of children and families at all times when alcohol is being served or supplied and there is a possibility that alcohol will be taken outside the building.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	08:00	24:00	
Tue	08:00	24:00	
Wed	08:00	24:00	
Thur	08:00	24:00	
Fri	08:00	24:00	
Sat	08:00	24:00	
Sun	08:00	24:00	

P Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

The Barn is a valuable asset located on a successful site with a record of successful private hire in respect of licencing objectives. The same procedures; detailed hire documents covering the conditions of hire and irestrictions on the building, supervision during the hire by trained CRB checked LNH staff, are in use.

In addition, due to the open nature of the Barn Stewards will be posted to specific areas to ensure that public activity is supervised in all areas of the building and courtyards. Stewards are trained and authorised to suspend or cancel an event if Public Safety is at risk or the conditions set out in this Operating Schedule and Hire Documents are breached or at risk of being breached. In the event that a steward does need to take action fully monitored CCTV coverage is available to ensure appropriate police / emergency service response.

b) The prevention of crime and disorder

Site policy RE: consumption of alcohol is in line with licensing therefore over provision of alcohol is prohibited; this is overseen by Stewards who also have a duty to ensure order throughout an event. To ensure that this coverage is internal and external a minimum of one steward will be stationed outside the building at all times during events where guests are outside. CCTV including infa red is present inside and out, augmented by coverage from three remotely monitored PTZ cameras. This system acts as a deterrent to crime, facillitates evidence gathering and allows greater supervision of events.

c) Public safety

The building is used at below its maximum capacity (350 max whist safe max limit is 400), guest numbers are further restricted when tables are in place. The building can be safely evacuated in less than two minutes at all times. Fire extinguishers and break glass points are placed throughout the building and all private hires are supervised by trained LBH staff. Overall fire risk in the building is low due to the nature of its construction and the non-flammable floor. Risk assessment including slips trips and falls, fire safety and electrical safety are carried out before public admission to events. CCTV including infa red is present inside and out, augmented by coverage from three remotely monitored PTZ cameras. This system acts as a deterrent to crime, facillitates evidence gathering and allows greater supervision of events.

d) The prevention of public nuisance

Only EPU approved, sound limited systems will be used for the amplification of music at social functions, LBH Stewards will remain outside at all times during summer events to ensure that guests do not cause nuisance, Stewards wil remain on site after functions to ensure that guests leave the site in a prompt and orderly fashion, Smoking will only be allowed in the Eastern Courtyard to minimise noise nuisance on Bury Street, Loading of catering equipment into vehicles in the Western courtyard will be finished no later than 23:00 hrs, residents driveways on Bury Street are coned out during markets to controll overparking (including a passing space to allow busses to pass), CCTV monitored from the Civic gives 24hr coverage of the site and allows a direct response and evidence gathering in areas not surveyed by stewards.

e) The protection of children from harm

Think 21 in force at all events where alcohol is served, all staff (including stewards) pass enhanced CRB checks, stewards will be present at all times doors to the building are open and minimum one steward will be stationed outside to ensure order is maintained during daytime functions when passing children might see alcohol being consumed on the premises. No adult entertainment will take place on the premises. LBH Stewards will be present at all events where alcohol is present to ensure that children are not exposed to public disorder. Steward will be stationed outside the Barn to ensure security and respect of children and families at all times when alcohol is being supplied and there is a possibility that alcohol will be taken outside the building including at events such as markets where small quantities of alcohol are sold for consumption off the premises.

Please tick yes

- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant’s solicitor or other duly authorised agent (See guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

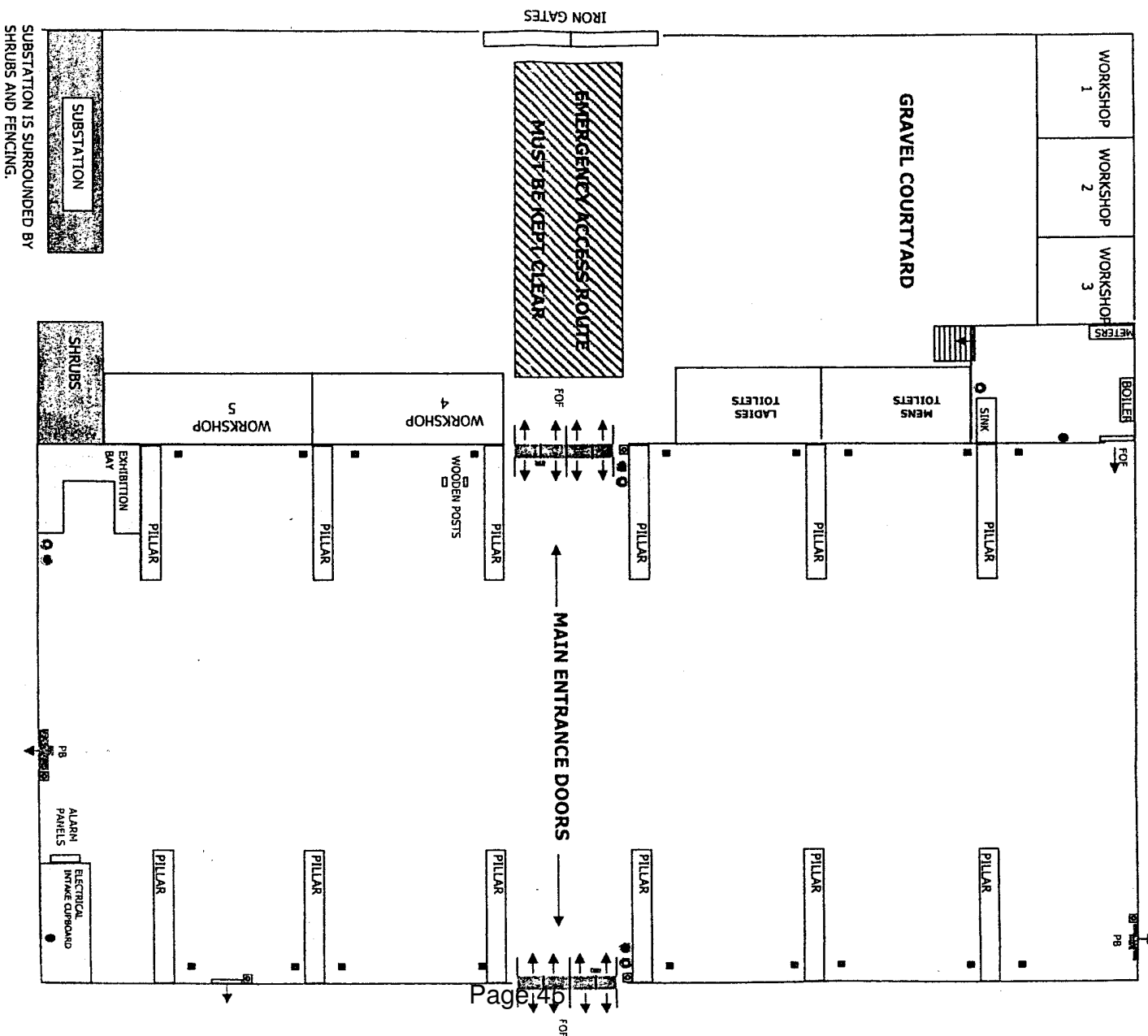
Signature	K. Cunningham AP. KRIS HOLLIDAY
Date	18 TH SEPTEMBER 2009
Capacity	ACTING HEAD OF ARTS

For joint applications signature of 2nd applicant or 2nd applicant’s solicitor or other authorised agent. (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

- = FIRE EXIT
- = WATER FIRE EXTINGUISHER
- = FOAM FIRE EXTINGUISHER
- = CO2 FIRE EXTINGUISHER
- = FLOOR SOCKETS 13 AMP
- = MCB BOARD
- = RUNNING MAN SIGN
- = PUSH GLASS
- PB = PANIC BAR
- FOF = FREE OF FITTING

Scale 1:100



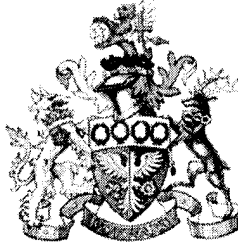
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RESPONSIBLE AUTHORITIES FOR GRANT, VARIATION OF A PREMISES LICENCE OR CLUB PREMISES CERTIFICATE WITHIN THE LONDON BOROUGH OF HILLINGDON

The applicant must send the original application to the Licensing Service and a complete copy of the application including the form, operating schedule and plan in the prescribed form to each responsible authority as follows:-

<p>The Licensing Service London Borough of Hillingdon Civic Centre 3S/09 High Street Uxbridge UB8 1UW</p> <p><i>Licensing Authority</i></p>	<p>Chief Officer of Police c/o Northwood Police Station Murray Road Northwood HA6 2YW Attn Sgt I Meens</p> <p><i>Hillingdon Police Enforcement</i> *for all areas except Heathrow</p>
<p>Chief Officer of Police c/o Inspector Robert Harrison ACIT Heathrow Police Station East Ramp Hounslow TW6 2DJ</p> <p><i>Heathrow Police Enforcement</i> *for Heathrow area <u>only</u></p>	<p>Fire Safety Regulation: North West Area 1 London Fire Brigade 169 Union Street London Se1 0LL Attn: North West Area Team</p> <p><i>Hillingdon Fire Authority</i></p>
<p>Service Manager- Safeguarding Children and Quality Assurance 4S/07 Social Services London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p><i>A body involved in the Protection of Children from Harm</i></p>	<p>Food, Health and Safety Team London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p><i>Enforcing Authority for the Health and Safety at Work Act 1974</i></p>
<p>Trading Standards Service London Borough of Hillingdon Civic Centre Uxbridge UB8 1UW Attn Divisional Trading Standards Officer</p> <p>Enforcing Authority under the Weights and Measures Act 1985</p>	<p>Environmental Protection Unit London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p>Enforcing Authority for matters relating to Environmental Pollution and Public Nuisance</p>
<p>Head of Planning London Borough Of Hillingdon Civic Centre Uxbridge UB8 1UW</p> <p><i>The Planning Authority</i></p>	

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MEMORANDUM

From: Paul Connor
Environmental Health Officer
Environmental Protection Unit

To: Linda Etherington
Licensing Officer
Licensing Services

Location: 3S/02 **Ext:** 6874

My Ref: WK200913543

Your Ref:

Date: 21st October 2009

**Re: APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003
THE GREAT BARN, MANOR FARM SITE, BURY STREET, RUISLIP, HA4 7SU.**

I refer to the application dated the 18th September and received by the Environmental Protection Unit (EPU) on the 21st September 2009.

I have checked EPU's complaint records and can confirm that the following complaints of alleged statutory noise nuisance have been received regarding events with amplified music;

- 27th June 2009; 4 complaints regarding a social hire (wedding reception)
- 23rd July 2009; 1 complaint regarding a social hire (folk concert)
- 12th September 2009; 4 complaints regarding a social hire (wedding reception)
- 19th September 2009; 2 complaints regarding a social hire (wedding reception)

Where complaints were made at the time of events, officers of the Borough's Noise Team Service have not to date witnessed noise nuisance from resident's properties.

I was asked by Matthew Mountain, Site and Operations Manager for the Manor Farm site to monitor the event held on the 27th June and subsequently on the 29th August 2009.

The wedding reception held on Saturday 29th August 2009 benefited from an in-house sound system brought in for demonstration purposes, designed to achieve a reduced sound level by directing sound at the dancefloor area only. In addition, stewards were placed on the doors at the main entrance and in observance of the courtyard area at all times.

(Continued)



These measures resulted in significant improvements when compared to the event held on the 27th June 2009. The noise limiting device installed will allow EPU to require adjustments as necessary.

EPU wishes to make a representation on the grounds of the prevention of public nuisance licensing objective. This representation will be withdrawn subject to the applicant's agreement that the requirements set out below are applied to any licence granted.

I have met with Mr Mountain and discussed the following conditions to apply to all social hire events comprising musical entertainment whether amplified or non-amplified;

In-house speaker system to be used at all times for the provision of amplified music
An in-house speaker system linked to a limiting device shall be installed and used to play all amplified music at social events at the premises. The speaker system and limiting device shall only be used subject to approval by the Environmental Protection Unit.

Entrance doors

The entrance doors shall remain closed at all times during the playing of live or recorded music other than for access and egress.

Fire door to northern boundary footpath adjacent to Number 38 Bury Street

The fire door to the northern boundary footpath adjacent to Number 38 Bury Street shall remain closed under the observation of a steward during social hires until such time as an alarm has been fitted.

Loading of catering equipment and chairs into vehicles at the end of social hire functions

The loading into vehicles of any catering equipment and any furniture brought on to the premises shall be completed no later than 23:00 hours.

Staff to remain on site until all guests have been cleared after events

Duty Officers supervising functions will clear guests from site after the end of hires and will remain on site to supervise until all guests have left, to prevent public nuisance.

Lastly, EPU will consider a review of any licence granted should this be necessary on the grounds of the prevention of public nuisance.

P. Connor

Appendix 5


TERRITORIAL POLICING

Working together for a safer London

22nd October 2009

Mr Norman Stanley
Licensing Office
Civic Centre
Uxbridge

Northwood Police
2, Murray Road
Northwood
HA6 2YN

Your Ref

Dear Mr Stanley

Re: Premises licence application: The Great Barn, Ruellip

On behalf of the Commissioner of Police I wish to make a representation to the application for the grant of a premises licence at the above venue.

Our representation is in support of the licensing objectives. The Prevention of Crime and Disorder, and Nuisance.

The police identify that this is an unusual application where the full extent and style of the usage of the building is not clearly identified in the application. I have spoken to the applicant and noted that the application albeit vague is to support the venue in its promotion of a mainly cultural site and that bookings outside of this will be selective, other premises in the borough where the borough hold licences have generally been well run.

Police have concerns over the term stewards being used and have contacted the Security Industry Authority with regard as to whether such actions constitute duties that require a Door Supervisors licence and how this may affect their employ and this application. Further I raised the issue of allowing drinking in the grassed courtyard with the applicant in relation to the boroughs alcohol consumption designated public place order and also the bar being run by non site staff (contractors or hirers) and this as a supervision factor.

The term nuisance is considered under the act to incorporate noise if that noise has such, or is likely to have such an annoying effect on local residents. Nuisance through noise is often complained about to the police. This takes the form of amplified musical noise from a given building but most commonly by noise nuisance caused by a licensed premise when their patrons are mainly leaving a premise following the end of proceedings and more recently by patrons using the outside areas for smoking.

Amplified music has been addressed in the application under part F where it is stated that the Environmental Protection Unit will fix the levels and I am given to understand that this level is one whereby no music etc will be audible inside the perimeter of any neighbouring private residence but this level is still not positively agreed between parties.

It must be said that the police feel that the size and accommodation numbers of this building will have a notable effect on some local residents. It is impossible to guarantee the behaviour of any patron using or leaving an establishment. We do see disorder and inconsiderate behaviour at some private and commercial functions across the borough including birthday parties and the like.

Although noise nuisance is by policy the remit of the local authority, the noise caused by revellers often results in disturbance calls to the police especially when the hour is late and the revellers particularly loud or their actions prolonged.

The application is for all activities to end at midnight, both sales of alcohol and music. Experience shows that following the termination of a large function, particularly when the parties are friends and family that dispersion of the patrons in good weather will take some time when parties say their farewells etc.

Some premises having an idea of the time they wish to see the site evacuated end the entertainment earlier to allow this practice to take place more so within the building and not in the adjoining streets. Whilst car parking is generally catered for within nearby local public car parks many patrons will no doubt take advantage of off street parking to be nearer the site.

Ian Meens

Ian Meens

Licensing Sergeant, Hillingdon Borough

Phone: 0208 246 1933

Metphone: 41933

Mobile: 07785 226483

□ Fax: 0208 246 1990

□ E-mail: ian.meens@met.police.uk

**Mail: Sergeant Ian Meens,
Licensing
Northwood police Station
2 Murray Road
Northwood
Middx
HA6 2YW**

Interior of Great Barn



Courtyard at rear of Great Barn



Front view of the Great Barn from Bury Street



Licensing Sub-Committee C Meeting – 13th November 2009

Part 1 – Members, Public and Press

Properties adjacent to Great Barn in Bury Street

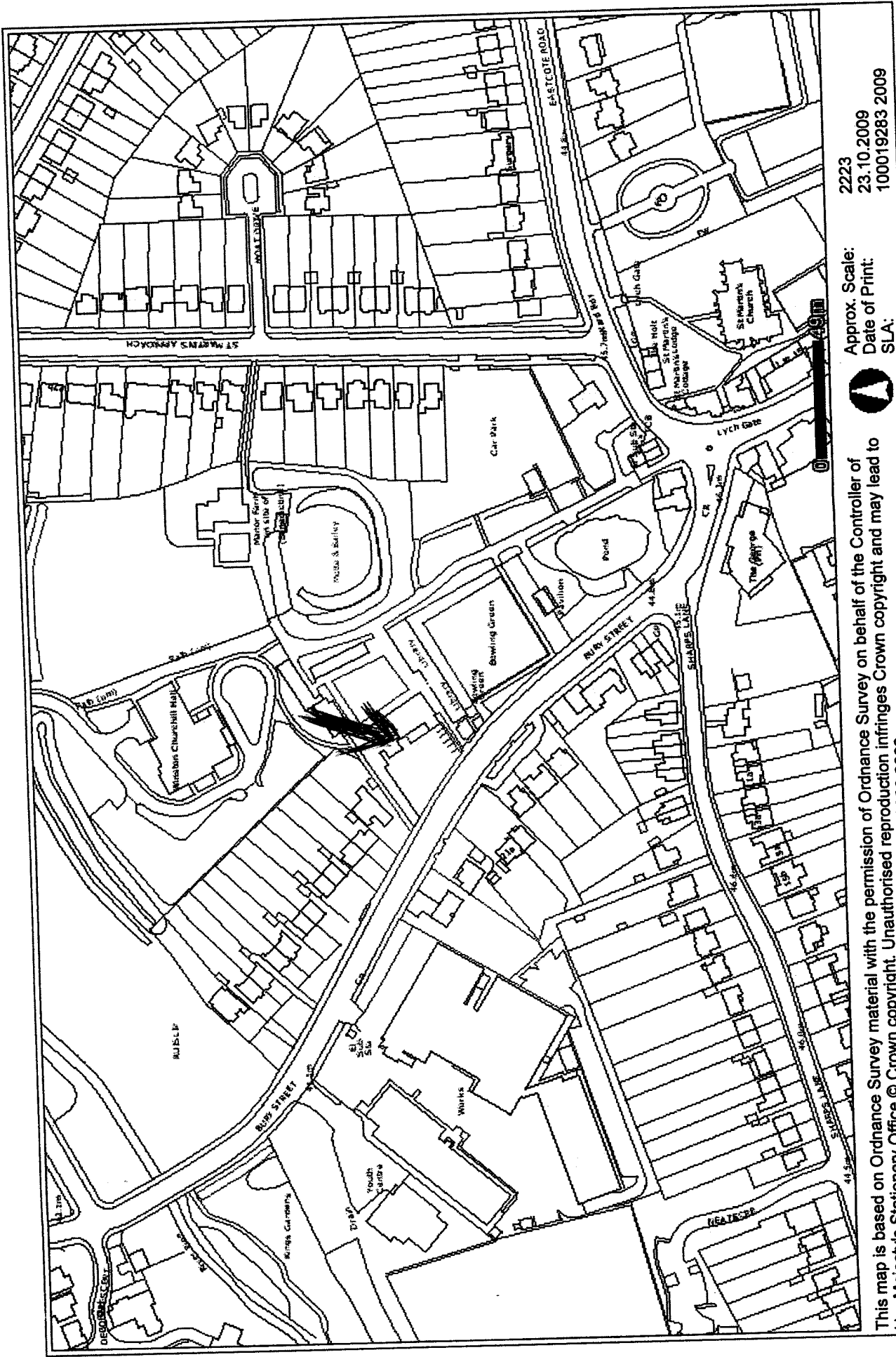


Great Barn viewed from Bury Street

Licensing Sub-Committee C Meeting – 13th November 2009

Part 1 – Members, Public and Press

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