



HILLINGDON
LONDON



Licensing Committee

Date: TUESDAY, 18 JANUARY
2011

Time: 10.00 AM

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

Councillors on the Committee:

Andrew Retter (Chairman)
Josephine Barrett (Vice-Chairman)
Lynne Allen
David Allam
Bruce Baker
Mike Bull
Judy Kelly
Peter Kemp
Janet Gardner
Carol Melvin

This agenda and associated reports can be made available in other languages, in Braille, large print or on audio tape on request. Please contact us for further information.

Published: Monday, 10 January 2011

Contact: Natasha Dogra
Tel: 01895 277 488
Fax: 01895 277 373
Email: ndogra@hillington.gov.uk

This Agenda is available online at:
<http://modgov.hillingdon.gov.uk/ieListDocuments.aspx?CId=257&MId=656&Ver=4>

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

- 1 Apologies for Absence
- 2 Declarations of Interest in matters coming before this meeting
- 3 To confirm that all items marked Part 1 will be considered in public and all items marked Part 2 will be considered in private.
- 4 To agree the minutes of the meeting held on 30 September 2010

Part 1 (Public)

- 5 Update from Prosecution of the De Burgh Arms
- 6 Update of Statement of Licensing Policy
- 7 Licensing Statistics Report

This page is intentionally left blank

Minutes

LICENSING COMMITTEE

30 September 2010

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



	<p>Committee Members Present: Councillors Andre Retter (Chairman), Josephine Barrett (Vice-Chairman, David Allam, Lynne Allen, Bruce Baker, Mike Bull, Janet Gardner, Peter Kemp and Carol Melvin</p> <p>LBH Officers Present: Natasha Dogra – Democratic Services Officer David Frost – Street Scene Locality Manager Sharon Garner – Licensing Service Andy Stubbs – Uxbridge Town Manager Beejal Soni – Legal Services Stephanie Waterford – Licensing Service.</p>	
1.	<p>APOLOGIES FOR ABSENCE (<i>Agenda Item 1</i>)</p> <p>Apologies had been received from Cllr Kelly.</p>	Action by
2.	<p>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING (<i>Agenda Item 2</i>)</p> <p>None.</p>	Action by
3.	<p>TO AGREE THE MINUTES OF 31 AUGUST 2010 (<i>Agenda Item 3</i>)</p> <p>The minutes of the meeting held on 31 August 2010 were agreed as an accurate record.</p>	Action by
4.	<p>TO AGREE THAT ALL ITEMS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND ANY ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE. (<i>Agenda Item 4</i>)</p> <p>It was agreed that all items on the agenda would be considered in public.</p>	Action by
5.	<p>VERBAL UPDATE ON CONTINENTAL MARKET FROM STREET SCENE (<i>Agenda Item 5</i>)</p> <p>At the last meeting of the Licensing Sub-Committee (16th September 2010), Members requested that officers give a verbal report concerning actions undertaken to the Licensing Committee</p> <p>Officers attended the location of the Continental Market during the afternoon 22nd September 2010 and carried out a pre survey of the Highway surface and street furniture.</p>	Action by

	<p>Officers attended and monitored the set up of the Continental Market; this was managed well and effectively. Street Scene Officers attended the Continental Market at various times during the trading days to ensure compliance to license terms and conditions, no breaches were observed.</p> <p>No complaints had been logged by the Customer Contact Centre regarding matters that required intervention by the Street Scene Enforcement Team in connection with the Market.</p> <p>On Saturday, Officers were on call and also attended the Market during the trading hours. The break down of the Market has also monitored by Officers, this went without incident.</p> <p>A further survey of the Highway surface and street furniture was conducted on Monday morning, some slight marks had been noted and this was being addressed by the Market organiser in connection with Officers.</p> <p>Shoppers were surveyed by Town Centre Management staff to find out their opinions of the continental market, the majority of the surveys being done in the vicinity of the market. 97% of respondents held the opinion that the market was either excellent or good. Two thirds of respondents did not know about the market before they came to the town, so it was a pleasant surprise for them. Fifty four percent of respondents made a purchase from the market, the most common spend being up to £10.</p> <p>Asked what they liked least, almost 70% of respondents said there was nothing to dislike, the market was good for the town, though roughly one fifth of people questioned said the market was expensive.</p> <p>When asked if Hillingdon Council should be encouraging similar markets in Uxbridge in the future, a resounding 93.9% of respondents said yes. If there are to be any similar markets, the most commonly expressed preference was for a monthly market, with bi-monthly or quarterly markets next preferred.</p> <p>Noted: The Committee noted the update from Officers.</p>	
6.	<p>REVIEW OF THE COUNCIL'S STATEMENT OF LICENSING POLICY <i>(Agenda Item 6)</i></p> <p>In January 2010, a working party was convened to carry out the second full review of the Council's Statement of Licensing Policy. The working party were of the opinion that the existing format of the current policy should be retained as it was concise and easy for Members, Officers and members of the public to use.</p> <p>It was agreed that some sections of the policy needed to be amended in order to include the recent changes to the legislation, such as the</p>	Action by

	<p>new mandatory conditions. In addition, some members of the working party suggested changes to reflect the current working practices between the 'Responsible Authorities'.</p> <p>The proposed changes were subsequently circulated to all members of the working party for consideration and approval. On finally achieving a consensus of opinion, the proposed changes/amendments were inserted into the current policy. The revised policy was submitted to the full licensing committee for consideration and approval on 22nd April 2010.</p> <p>A further working party meeting was convened on 1st September 2010 to discuss any observations, comments or proposals that were received. All observations, comments or proposals which were considered relevant have been inserted into the revised policy document.</p> <p>The revised policy now requires formal approval from the full Licensing Committee. Once approved, then approval will be sought from RESPOC on 16th November 2010, from Cabinet on 16th December 2010 and finally full Council on 13th January 2011.</p> <p>Agreed: The Committee noted the Statement of Licensing Policy review report.</p>	
7.	<p>AMENDMENT OF LICENSING HEARING PROTOCOL (<i>Agenda Item 7</i>)</p> <p>Councillors were made aware that Section 33 of the Policing and Crime Act 2009 has expanded the provisions of Section 13(3) to include councillors. This meant that all Councillors (including Councillors of the Licensing Committee) can now make representations in respect of the following licensing applications:</p> <ul style="list-style-type: none"> • New premises licence applications • Applications for a provisional premises licence • Applications to vary existing premises licence applications • Applications to vary existing club premises certificates • Applications for reviews of premises licences or club premises certificates. <p>It was therefore proposed to amend the relevant sections of the following policies to clarify that all Councillors may make relevant representations with regard to the abovementioned applications:</p> <ul style="list-style-type: none"> • Protocol for Making Representations and Sub-Committee Hearings • Sub-Committee Hearings Protocol for determining applications for Reviews of Premises Licences or Club Premises Certificates <p>At the same time it had been noted that the structure of the Protocol for Making Representations and Sub-Committee Hearings have confused</p>	Action by

	<p>members of the public and Councillors about when representations are to be made. This consequently affects the rights of individuals to address a Licensing Sub-Committee on a particular application. At the time of advertising an application, the Licensing Service issued information guidance on making representations. This information was repeated in the hearing protocol attached to a Notice of Hearing even though the time period for making representations has ended.</p> <p>Councillors were aware that at the time the notice of hearing is issued, the 28-day period for making representations has already ended. Only those persons who made relevant representations during the 28 day period may address the Sub-Committee on the relevant representations submitted.</p> <p>It was therefore proposed that the Protocol for Making Representations and Sub-Committee Hearings be renamed “Licensing Act 2003 Sub-Committee Hearing Procedure” and be further amended to delete the first section related to making representations. This will have the added benefit of ensuring that the various stages in an application process are properly laid on with information provided which is relevant to the stage of the application process.</p> <p>The proviso that representations must address the likely effect of the proposed premises on one or more of the licensing objectives remained a requirement.</p> <p>Agreed: The Committee agreed to approve an amendment to the Licensing Committee’s hearing protocols for applications and reviews of premises licences.</p>	
8.	<p>DRAFT SEX ESTABLISHMENT LICENSING POLICY (<i>Agenda Item 8</i>)</p> <p>The Licensing Service and Legal Services had been working a licensing policy and formulating procedures under the government’s new provisions to control sex establishments.</p> <p>The policy included guiding principles/objectives, appropriateness of the location of sex establishments, waivers, expectations of the applicant, objections, determination of applications, conditions, inspection/enforcement etc. The policy may be subject to change depending on the outcome of the full consultation.</p> <p>Agreed: The Committee agreed the draft Sex Establishment Licensing policy.</p>	Action by
9.	<p>INFORMING THE WIDER COMMUNITY OF LICENSE APPLICATIONS (<i>Agenda Item 9</i>)</p>	Action by

	<p>At the last meeting of the full licensing committee (30th August 2010), Members expressed their concern that residents were not always aware of licence applications in their area.</p> <p>The Committee requested that the Licensing Service investigate new methods of raising awareness of licence applications.</p> <p>Officers had arranged with the Street Scene Locality Team to include a link within the monthly Street Champion email bulletin which would lead directly to the 'current application' section of the website.</p> <p>The email bulletins currently reach approx 1800 Street Champions who can then inform residents in their area.</p> <p>Use of the borough notice boards for publicising applications was also being investigated.</p> <p>Noted: The Committee noted the update.</p>	
10.	<p>LICENSING STATISTICS (<i>Agenda Item 10</i>)</p> <p>Noted: The Committee noted the Licensing Statistics.</p>	Action by
<p>The meeting, which commenced at 10.00 am, closed at 11.55 am.</p>		

These are the minutes of the above meeting. For more information on any of the resolutions please contact Natasha Dogra on 01895 277 488. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.

This page is intentionally left blank

Update from Prosecution of the De Burgh Arms

Committee	Licensing Committee	
Officer Contact	Sharon Garner	01895 277230
Papers with report	None	
Ward(s) affected	Yiewsley	

SUMMARY

To update the Licensing Committee as to the result of the prosecution on 16th November 2010 for illegal lap dancing and striptease at the De Burgh Arms.

RECOMMENDATION

That the Licensing Committee note this report.

INFORMATION

- 1.1 In December 2009, Punch Taverns, being the premises licence holder for the De Burgh Arms, Station Approach, West Drayton, applied for a variation of the premises licence to allow the performance of dance for lap dancing and striptease. Following representations from the Metropolitan Police and members of the public, a hearing was held on the 26th January 2010 to determine the application. The Licensing Sub Committee refused the application.

In February 2010, the designated premises supervisor, Mr Mukhtiar Singh Sandhu, notified the Licensing Service and the Metropolitan Police Service of the lap dancing/striptease events that were being held over 12 dates between March 2010 and June 2010 using the authority under temporary event notices.

On 14th June 2010, the manager, Mr Richard (Ricky) Whallen, was informed that as the allocation of TEN's had been used, the lap dancing and striptease events must stop.

On 28th July 2010 following information received regarding allegations of lap dancing continuing in the rear function room of the De Burgh Arms, two Officers from the London Borough of Hillingdon attended the premises and witnessed four females carrying out lap dancing for members of the public.

On 29th July 2010, an inspection was carried out by Sharon Garner, the licensing officer responsible for the premises, who was informed by both Ricky the manager and Mrs Sandhu, the wife of the designated premises supervisor, that the rear function room had not been used for lap dancing/striptease since 12th June 2010 when the last TEN was used.

Further to 28th July 2010, information received from the Metropolitan Police states that on 9th August 2010 in the mid afternoon, striptease was witnessed being performed in the function room of the premises.

Due to the evidence that was gathered, a decision was made to prosecute Mr Sandhu

and Mr Whallen and a case file was passed to the Council's legal department.

- 1.2 On Tuesday 16th November 2010 both defendants attended Uxbridge Magistrates Court and pleaded guilty to allowing a licensable activity to be carried out without authorisation, contrary to section 136 of the Licensing Act 2003.
- 1.3 Mr Sandhu was fined a total of £1,500 in fines and costs. Mr Whallen was also fined a total of £1,500 in fines and costs and his personal licence was suspended for 2 months.

FINANCIAL IMPLICATIONS

2.0 None

Agenda Item 6

Update of Statement of Licensing Policy

Committee	Licensing Committee	
Officer Contact	Sharon Garner	01895 277230
Papers with report	None	
Ward(s) affected	All	

SUMMARY

Verbal update to the Licensing Committee regarding the progress of the review of the Statement of Licensing Policy.

RECOMMENDATION

That the Licensing Sub Committee note this update.

FINANCIAL IMPLICATIONS

None

This page is intentionally left blank

Period January 2010 to December 2010														
New premises licence applications by type and month														
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	
Clubs		1		1										2
Entertainment prems		1												1
Hotels														0
Off Licences	1	1	1	1	2		1	3	3	5	3	1		22
Pubs		1		1	1									3
Restaurants			1		1	2	1					2		7
Take Aways										2				2
Other				1	1									2
Totals	1	4	2	4	5	2	2	3	3	7	3	3		39
Variation and Minor Variation applications by type and month														
	Jan	Feb	Mar	Apr	May	Jun	Jul	Aug	Sep	Oct	Nov	Dec	Totals	
Clubs										2				2
Entertainment prems	1	1									1			3
Hotels	1	2									2			5
Off Licences		2							2	1				5
Pubs	1	1				1				1		1		5
Restaurants		1			1					2				4
Take Aways														0
Other														0
Totals	3	7	0	0	1	1	0	0	2	6	3	1		24

This page is intentionally left blank

A list of all premises licences that have been determined using delegated licensing officer powers from Oct 2010 to Jan 2011

Date Determined	Premises	Applicant	Licensable Activities	Operating Hours
02/10/10	World Duty Free, Terminal 4, Heathrow Airport	World Duty Free Ltd	Sale of Alcohol	0000-2400
Minor Variation	<i>Change of layout</i>			
06/10/10	Premier Inn, 15 Bath Road, Hounslow, TW6	Whitbread Group Plc	Sale of Alcohol	0000-2400 each day
Variation	<i>Variation of licensed plans</i>		Regulated Entertainment	
			Late Night Rereshment	
19/10/10	Londis, 1-3 Moorhall Road, Harefield	GP Retail Services	Sale of alcohol	0530-2300 each day
Variation	<i>Extension of hours</i>			
19/10/10	Fleur, 2-4 Northwood Road, Harefield	Ms H W Weston	Sale of alcohol	0000-2400 each day
New premises	<i>New premises licence - florist offering alcohol delivery</i>			
19/10/10	BHS, The Chimes Shopping Centre, High Street, Uxbridge	BHS Ltd	Sale of alcohol	0800-2300 each day
Variation	<i>Alteration to internal layout of the premises</i>			
19/10/10	Quality Foods (ex B&Q warehouse), 1-3 Uxbridge Road, Haye	Quality Foods Ltd	Sale of Alcohol	0800-2000 each day
New Premises	<i>New premises licence</i>			
22/10/10	Costcutter, 310 Kingshill Avenue, Hayes	Mr S Sabesan	Sale of Alcohol	0800-2300 Mon-Sat
New Premises	<i>New premises licence</i>			1000-2230 Sun
28/10/10	The Grapes Tandoori, Uxbridge Road, Hayes	Mr R Islam	Sale of Alcohol	1000-2400 each day
Minor Variation	<i>To add provision for 'off sales' for takeaways</i>		Regulated Entertainment	
			Late Night Refreshment	
05/11/10	4 U Food & Wine, 7 Halls Terrace, Uxbridge Road, Hillingdon	Mr Ramesh Kumar	Sale of Alcohol	0600-2400 Mon-Sat
New Premises	<i>New premises licence</i>			0600-2300 Sun
05/11/10	West End Fish & Chips, 6 New Pond Parade, Ruislip	Mr Amjad Khan	Late Night Refreshment	1100-2400 Mon-Sat
New Premises	<i>New premises licence</i>			1100-0130 Sun

A list of all premises licences that have been determined using delegated licensing officer powers from Oct 2010 to Jan 2011

11/11/10	The Red Cow, High Street, Yiewsley	Greene King Retailing L	Sale of alcohol	1100-0030 Mon-Sat
Minor Variation	<i>Alteration to internal layout - hours and activities unaffected</i>		Regulated Entertainment	1100-2330 Thu-Sat
			Lat Night Refreshment	
13/11/10	Charville Community Centre, Bury Avenue, Hayes	Club Committee	Sale of alcohol	0900-2400 each day
Minor Variation	<i>Alteration of internal layout</i>		Regulated Entertainment	
			Lat Night Refreshment	
13/11/10	Charville Social Club, Bury Avenue, Hayes	Club Committee	Sale of alcohol	0900-2400 each day
Minor Variation	<i>Alteration of internal layout</i>		Regulated Entertainment	
			Lat Night Refreshment	
19/11/10	Off Licence, 111 Victoria Road, Ruislip	Mr Anda & Mr Karai	Sale of alcohol	0800-2300 each day
New Premises	<i>New premises licence</i>			
17/11/10	Aksaia Food & Wine, 8 Northfield Parade, Hayes	Ganesharatnam Navakumaran	Sale of alcohol	0600-2400 each day
New Premises	<i>New premises licence</i>			
18/11/10	Palma Deli, 106 Field End Road, Pinner	Vanessa Ferreira	Sale of alcohol	0700-2230 each day
New Premises	<i>New premises licence</i>			
18/11/10	Village Tandoori, Uxbridge Road, Hayes	Village Tandoori (Uxbridge) Ltd	Sale of alcohol	1200-0300 each day
Variation	<i>Variation of licensed hours</i>		Regulated Entertainment	
			Late Night Refreshment	
18/11/10	Morrisons Supermarket, High Street, Yiewsley	Morrisons Supermarkets Ltd	Sale of alcohol	0600-2300 each day
Variation	<i>Variation of premises licence</i>			
26/11/10	Malli Newsagents, 5 Station Road, Cowley	Mr Ranjit Singh Baghri	Sale of alcohol	0600-2200 each day
New premises	<i>New premises licence</i>			
30/11/10	Kebab Trailer, De Burgh Arms Car Park, West Drayton	Mr Mohamed Zahir	Late Night Refreshment	1700-0200 Sun-Thur

A list of all premises licences that have been determined using delegated licensing officer powers from Oct 2010 to Jan 2011

New premises	<i>New premises (relocation from Wendy Fair Market)</i>			1700-0300 Fri-Sat
04/12/10	Odeon Cinema, The Chimes, High Street, Uxbridge	Odeon Cinemas Ltd	Sale of alcohol	0000-2400 each day
Minor variation	<i>Variation to include Imax Screen - Hours unaffected</i>		Regulated Entertainment	
			Late Night Refreshment	
06/12/10	E C Group, Swallowfield Way, Hayes	E C Group Ltd	Sale of alcohol	0900-1700 each day
New premises	<i>New premises for alcohol distribution centre</i>			
10/12/10	Brudesberg Keller, Unit 9 Peter James Business Park, Pump Lane	Brudesberg Keller Ltd	Sale of alcohol	1000-2400
New premises	<i>New premises licence</i>			
06/10/10	Premier Inn, 15 Bath Road, Hounslow, TW6	Whitbread Group Plc	Sale of Alcohol	0000-2400 each day
Minor Variation	<i>Variation of licensed plans</i>		Regulated Entertainment	
			Late Night Rereshment	
24/12/10	Discount Food & Wine, 10 Crescent Parade, Long Lane	Taranjit Singh Nagpal	Sale of alcohol	0600-2400
New premises	<i>New premises licence</i>			
04/01/11	Hillingdon Garden Centre, Pield Heath Road, Hillingdon	Taranjit Singh Nagpal	Sale of alcohol	0900-2100 each day
New premises	<i>New premises licence</i>		Regulated Entertainment	

This page is intentionally left blank

A list of Licensing Sub-Committee decisions from Oct 2010 to Jan 2011

Date Determined	Premises	Reason for Hearing	Decision
22 October 2010	Gagan Food & Wine, 9 North Hyde Road, Hayes	Representations received from Met Police, Cllr Dhillon and a petition organised by a local resident	Licence granted with conditions

This page is intentionally left blank

**TOTAL NUMBER OF PREMISES AND PERSONAL LICENCES GRANTED UNDER
OFFICER DELEGATED POWERS AND BY LICENSING SUB-COMMITTEES UP
TO 6th JANUARY 2011**

Premises Licences

Type of Licence	No. issued
Clubs	84
Entertainment Premises	54
Hotels	34
Off Licences	267
Public Houses	145
Restaurants	148
Take Aways	77
Other	20
Total	829

Personal Licences

Personal Licences	2044
-------------------	-------------

Temporary Event Notices (TENS)

Issued from January 2010 to December 2010	383
---	-----

This page is intentionally left blank