



HILLINGDON

LONDON

Meeting:	Licensing Sub-Committee	
Date:	23 March 2017	Time: 2.00pm
Place:	Committee Room 5	

ADDENDUM SHEET

Item: 1	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
On page 6, paragraph 7 of the report, under Observations, in support of the last line of the paragraph, attached herewith is the Metropolitan Police crime mapping data showing that the premises is not located in a hotspot area for antisocial behaviour.	See attached (Appendix 6)

Item:2	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
On page 26, Appendix 2(a) of the report, we have the plan which was originally submitted with the new premises licence application. Since an additional condition of the night-pay window was included following the submission of the application, the applicant was requested to submit an updated plan showing the position of the night-pay window and the positions of the CCTV cameras.	The applicant has submitted another plan, see attached (Appendix 7) but does not wish the newly submitted plan identifying the location of the cameras to form part of the licence.

Item:3	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
The condition on the 'primary use' of the premises now agreed upon is as follows: <ul style="list-style-type: none">• The licence holder will monitor the primary use of the premises and if transaction data demonstrates that the premises are excluded premises pursuant	There was initially a representation from the licensing authority acting as the responsible authority relating to s.176 of the Act. During the mediation process, the

<p>to s.176 of the Licensing Act 2003 the sale of alcohol will cease until such time as the data demonstrates that the premises are not so excluded. The data will show how customers use the premises comparing the number of fuel only transactions with non-fuel transactions. Such data will be maintained on a 6 monthly basis and will be available on request to the police and the licensing authority. This condition will fall away in the event that s.176 is repealed.</p> <p>This condition will form part of the operating schedule along with the conditions mentioned in Appendix 1, page 11 of the report.</p>	<p>point of contention was how the applicant would measure the 'transaction data' in order to monitor the 'primary use' of the premises.</p> <p>However, last evening, the licensing authority acting as the responsible authority agreed with the applicant's solicitor on this particular condition and has since withdrawn its representation.</p> <p>E-mail from the applicant's solicitor confirming this is appended as (Appendix 8)</p>
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Item: 4	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
<p>The amendments made by the applicant's solicitor on the conditions on the operating schedule during the mediation process are as follows:</p> <ol style="list-style-type: none"> 1. CCTV images to be retained for 31 days (amended from 14 days) 2. There shall be no self-service of spirits except for spirit mixtures 3. All alcohol products shall be displayed in direct line of sight from the cashier's position and not obscured by other displays or shelving or shall be in the view of a CCTV camera. 4. No alcohol products shall be displayed within two (2) metres of the entrance door. <p>Since these conditions were agreed upon at a later stage, all the conditions on the operating schedule could not be listed together in the report. These conditions will form part of the operating schedule along with the condition already mentioned in Item 3 (above) of the Addendum and the conditions already mentioned in Appendix 1, page 11 of the report.</p>	<p>The conditions I requested as a licensing officer during the mediation process are listed below. This was as a proactive measure in order to narrow down the potential of any possible issues arising during the hearing should the Committee on hearing the evidence decide that any of these are necessary under the licensing objectives.</p> <p><u>CCTV Condition:</u></p> <p>A CCTV system (of quality and coverage to be first approved by the relevant licensing authority) shall:</p> <ol style="list-style-type: none"> 1. be installed and maintained in effective working order whenever the Premises are in use for the purposes of the licence and all CCTV; 2. the images shall be stored in a secure location for a minimum period of thirty (31) days; 3. the images shall be available for inspection on request by authorised officers of the licensing authority and the Metropolitan Police Service;

4. the precise positions of the CCTV cameras are to be agreed in writing, subject to compliance with data protection legislation, with the licensing authority; and
5. the approved CCTV system shall display the correct time and date of the recording.

Entrance Door and Night Time Transactions Condition:

1. The entrance door to the Premises shall be closed to all customers between the hours of 23:00 and 05:00 every day;
2. all transactions with customers between the hours of 23:00 and 05:00 must be via a night pay window; and
3. the specification of such night pay window shall be agreed in writing with the relevant Responsible Authorities.

Storage of Alcohol Condition:

1. All alcohol above 35% ABV shall be stored behind the counter;
2. all alcohol products shall be displayed in direct line of sight from the cashier's position and not obscured by other displays or shelving or shall be in the view a CCTV camera;
3. the till shall be placed under the counter or if on the counter it shall be fixed into position so that it cannot easily be moved; and
4. no alcohol products shall be displayed within two (2) metres of the entrance door.

Item:5	Location:
<i>Amendments/Additional Information:</i>	<i>Officer Comments:</i>
In addressing concerns of non-residents' parking in neighbouring Flag Walk-	The distance between the proposed service station entrance and the nearest point to park cars in Flag Walk is approximately 55 meters. Please see attached plan measuring the distance between the two (Appendix 9). We have also been informed that there will be 5 customer parking spaces and 1 staff parking space in the forecourt.

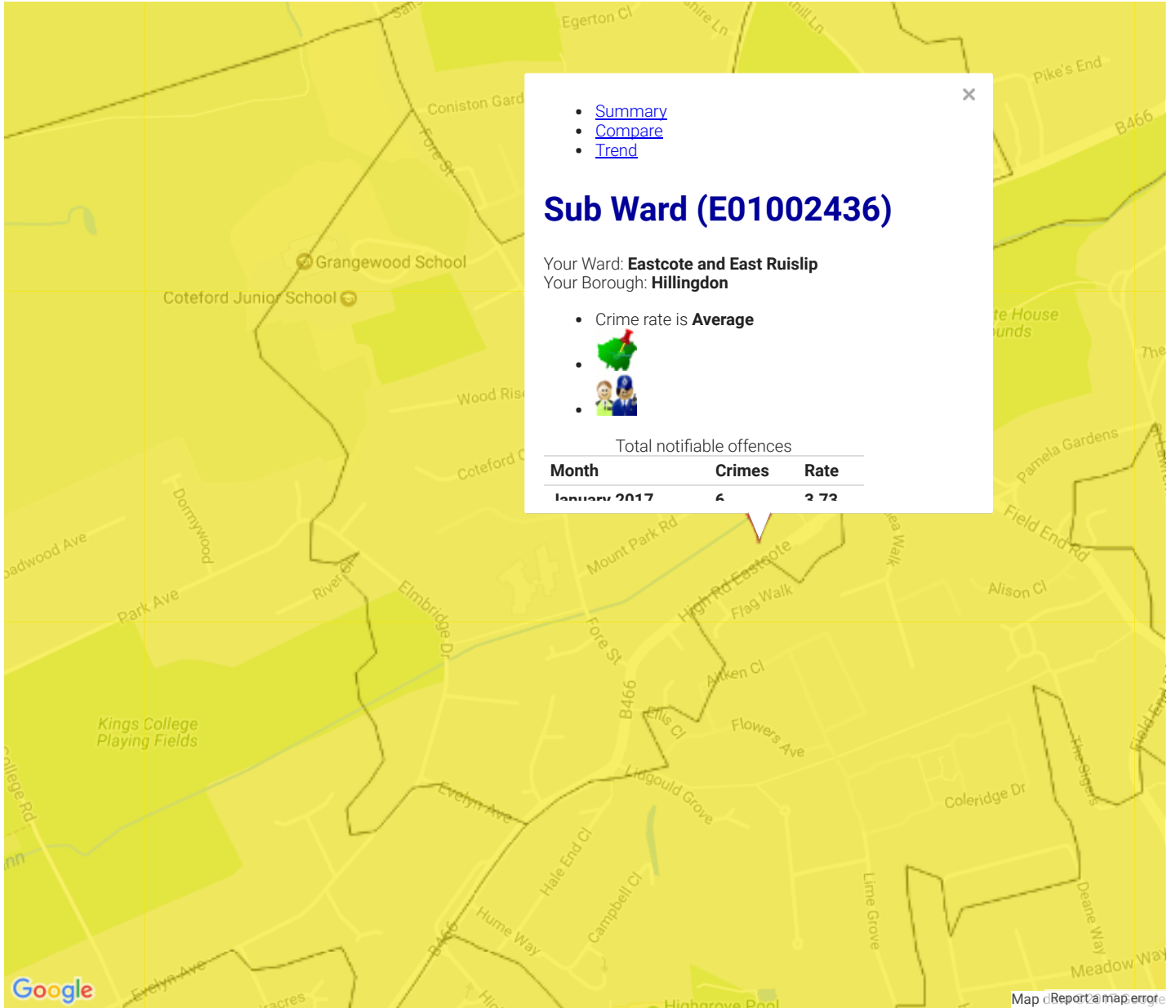


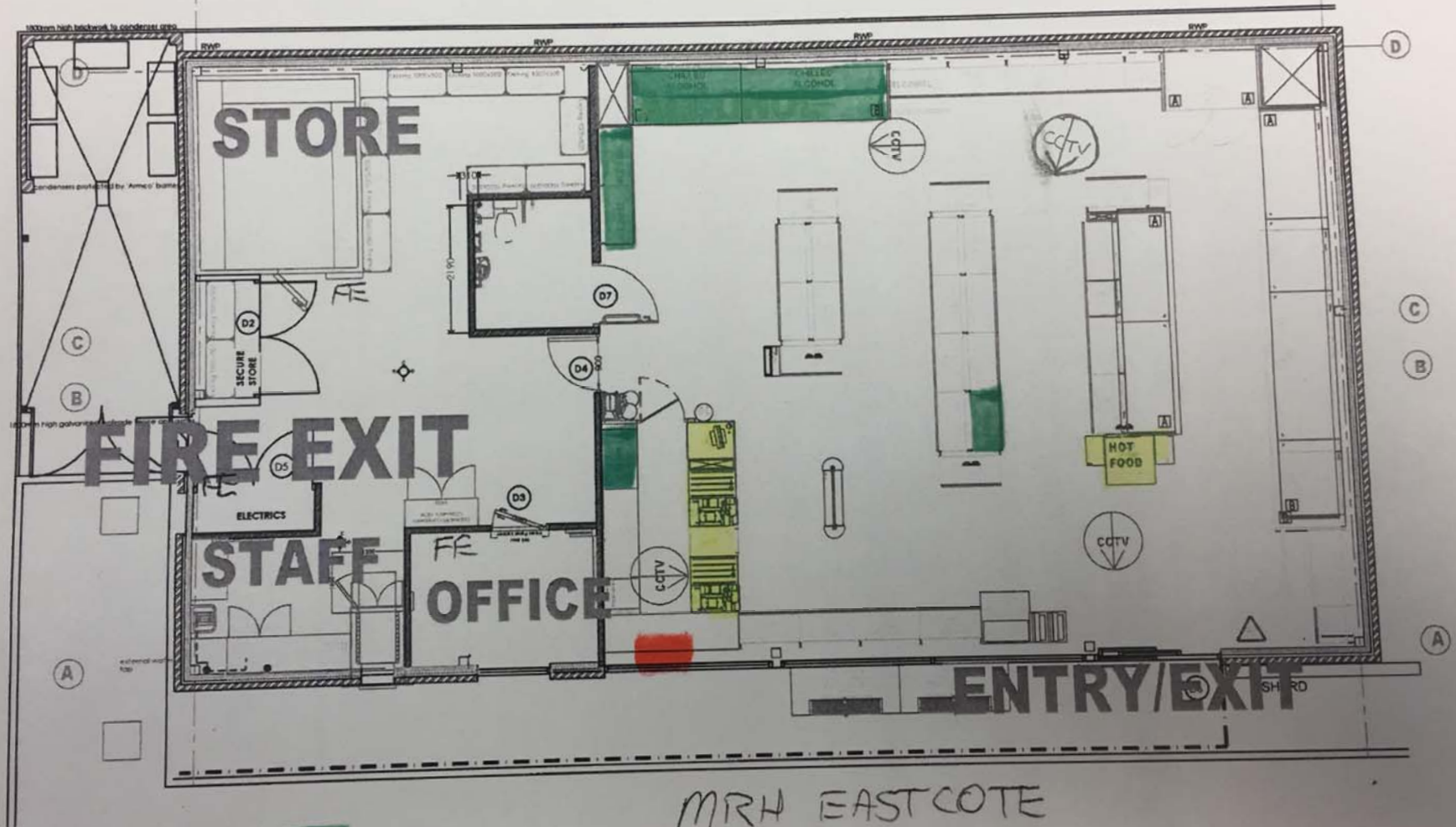
TOTAL POLICING

Metropolitan Police Crime Mapping

Total Notifiable Offences

High Above average Average Below average Low or no crime





ALCOHOL

HOT FOOD

FE = FIRE EXTINGUISHER

NIGHT PAY

MIRH EASTCOTE
STORE LAYOUT
SCALE 1:100
SHOP SIZE 122m²



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Licensing Sub-Committee 23 March 2017 - Addendum

Robert Botkai <rbotkai@wslaw.co.uk>

22 March 2017 at 16:16

To: Neil Fraser <nfraser@hillington.gov.uk>

Cc: Elaine Finlay <efinlay@wslaw.co.uk>, "imeens@hillington.gov.uk" <imeens@hillington.gov.uk>, "Jhini Mukherjee (jmukherjee@hillington.gov.uk)" <jmukherjee@hillington.gov.uk>

Neil

I have now agreed the following condition with Ian Meens:

- The licence holder will monitor the primary use of the premises and if transaction data demonstrates that the premises are excluded premises pursuant to S.176 of the Licensing Act 2003 the sale of alcohol will cease until such time as the data demonstrates that the premises are not so excluded. The data will show how customers use the premises comparing the number of fuel only transactions with non-fuel transactions. Such data will be maintained on a 6 monthly basis and will be available on request to the police and the licensing authority. This condition will fall away in the event that s.176 is repealed.

On this basis the Licensing Authority representation will be withdrawn.

Please ensure that a copy of this condition is printed for the Committee.

Kind regards

Robert

From: Neil Fraser [mailto:nfraser@hillington.gov.uk]

Sent: 22 March 2017 15:45

To: Robert Botkai

Subject: Re: Licensing Sub-Committee 23 March 2017 - Addendum

Good afternoon Mr Botkai,

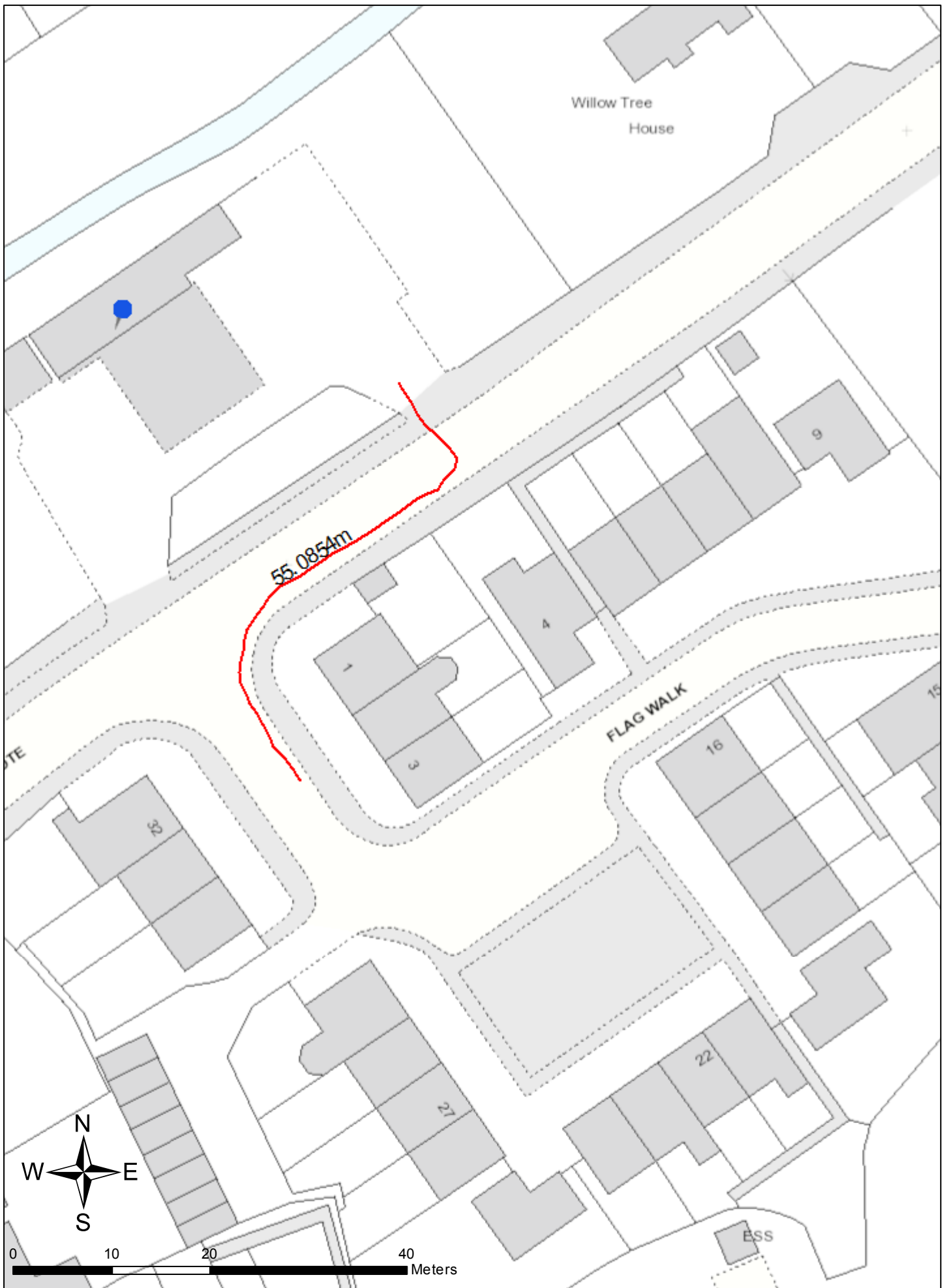
I have put your comments to the Licensing officer. She has informed me that the first suggested condition, relating to sales between the hours of 2300 and 0500, is present in Appendix 1 of the main report. I have been informed that your second suggested condition, regarding the monitoring of the primary use of the premises, was not agreed, and that this was communicated to you previously.

The remaining three conditions are set out in the addendum.

With kind regards,

Neil

[Quoted text hidden]



Map Notes