

# Application for a grant of a Premises Licence: Quillrise Ltd, 53-55 The Broadway, Joel Street, Northwood Hills.

<b>Committee</b>	Licensing Sub-Committee
<b>Officer Contact</b>	Steven Dormer, Licensing Officer 01895 277409
<b>Papers with report</b>	<b>Appendix 1</b> - Application Form <b>Appendix 2</b> - Officers Recommendation <b>Appendix 3</b> - Representations – Responsible Authority <b>Appendix 4</b> - Representations – Interested parties <b>Appendix 5</b> - Previous Licence Held <b>Appendix 6</b> - Map of the area <b>Appendix 7</b> - Licence Granted by Sub Committee July 2018
<b>Ward name</b>	Northwood Hills

## 1.0 SUMMARY

To determine an application for a Premises Licence in respect of William Jolle, 53 - 55 Joel Street, Northwood Hills, HA6 1NZ. This follows representations from local residents. A copy of the application is included as **Appendix 1**.

## 2.0 RECOMMENDATION

As **Appendix 2**.

## 3.0 APPLICATION

The application for a premises licence has been applied for by Quillrise Ltd, 4<sup>th</sup> Floor, 4 Tabernacle Street, London, EC2A 4LU.

The application is for Quillrise Ltd, 53 - 55 The Broadway, Northwood Hills, HA6 1NZ. Quillrise Ltd has applied for Sale of Alcohol, Late Night Refreshment, Recorded Music and Live Music.

### 3.1 Type of application applied for

New Premises Licence.

### 3.2 Description of the Premises

The premise is a single storey premises. It is near Northwood Hills Underground Station on Joel Street Northwood Hills. Situated close to the premises is a plethora of shops, restaurants and fast food outlets.

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### 3.3 Licensable Activity

<u>Activity</u>		<u>Proposed for new licence</u>
Recorded Music & Live Music	On the premises	✓
Late night refreshment	On the premises	✓
Supply of alcohol	On and off the premises	✓

### 3.4 Proposed Licensable Activity & Opening Hours

	Regulated Entertainment	Sale of alcohol	Late night refreshment	Opening Hours
<b>Monday</b>	10:00 - 00:00	10:00 - 00:00	23:00 - 00:00	<b>10:00 - 00:30</b>
<b>Tuesday</b>	10:00 - 00:00	10:00 - 00:00	23:00 - 00:00	<b>10:00 - 00:30</b>
<b>Wednesday</b>	10:00 - 00:00	10:00 - 00:00	23:00 - 00:00	<b>10:00 - 00:30</b>
<b>Thursday</b>	10:00 - 00:00	10:00 - 00:00	23:00 - 00:00	<b>10:00 - 00:30</b>
<b>Friday</b>	10:00 - 00:00	10:00 - 00:00	23:00 - 00:00	<b>10:00 - 00:30</b>
<b>Saturday</b>	10:00 - 00:00	10:00 - 00:00	23:00 - 00:00	<b>10:00 - 00:30</b>
<b>Sunday</b>	12:00 - 00:00	12:00 - 00:00	23:00 - 00:00	<b>12:00 - 00:30</b>

## 4.0 **CONSULTATION**

### 4.1 Closing date for representations 22<sup>nd</sup> November 2019

## 5.0 **REPRESENTATIONS**

### 5.1 Responsible Authorities

Lois King Principal Licensing Officer for Hillingdon Council has provided a letter in respect of the application at **Appendix 3**.

### 5.2 There have been no representations from Ward Councillors.

### 5.3 Four local residents have submitted representations including Northwood Hills Resident Association at **Appendix 4**.

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## 6.0 BACKGROUND INFORMATION

6.1 The premises previously held a premises licence between 2005 and 2017. The licence holder during this period was JD Wetherspoon. A copy of the previous licence is attached as **Appendix 5**.

6.2 Other licensed premises nearby

Name of premises	Alcohol	Reg Ent	Late Night Refreshment	Opening Hours
Namaste Lounge 66 Joel Street	✓	✓	✓	07:00 - 00:00 Sunday - Thursday 07:00 - 02:00 Fridays - Saturdays
Domino's Pizza 47 Joel Street			✓	23:00 to 23:30 Monday - Sunday
Zufa 1-3 Joel Street	✓		✓	12.00 - 24.00 everyday
Mandarin Restaurant 9 Joel Street	✓		✓	10.00 - 00.00 everyday
Northwood Food & Wine 13 Joel Street	✓			08.00 - 24.00 each day
The Locker Room (formerly Wax City) 29-31 The Broadway Joel Street	✓	✓	✓	10:00 - 00:00 Monday -Thursday 10.00 - 02.00 Friday - Saturday

6.3 Map of the area

### **Appendix 6.**

6.4 Visits made by Local Authority Licensing Officers

On the 18<sup>th</sup> November 2019, a visit was made by Lois King acting as responsible authority. Licensing Authority have concerns that the application does not fully address compliance with the four licensing objectives.

## 7.0 OFFICER'S OBSERVATIONS

7.1 Observations

This is an application for a premises licence to be granted for the William Jolle pub/bar. The application is for patrons to be able to purchase alcohol for consumption on and off the premises. In addition to the sale of alcohol the applicant has indicated they wish to provide late night refreshment along with Live and Recorded Music. It is worth noting under the Live Music Act this provision is only regulated after 23:00.

On July 24<sup>th</sup> July 2019 the Sub Committee were minded to grant a premises licence in the name of Compliance Direct Ltd **Appendix 7**.

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The building has been converted into two separate premises since the licence was granted in 2018. A portion of the premises is operating as a Co Op store with an off licence. The remainder of the premises has planning consent as a pub restaurant.

### **Prevention of a Public Nuisance**

The four representations received from residents all have indicated the potential increase in Public Nuisance if a premises licence is granted. The representations request a reduction in the hours applied for. However the hours of operation are less than similar type premises in the near vicinity.

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

Two of the representations received have expressed concerns of an increase in crime and disorder should the premises licence being granted. The Metropolitan Police are satisfied with the proposed conditions and suitability of the applicant to uphold this objective.

## **8.0 RELEVANT SECTIONS of the S182 GUIDANCE and LICENSING POLICY**

**8.48** All parties are expected to work together in partnership to ensure that the licensing objectives are promoted collectively. Where there are no disputes, the steps that applicants propose to take to promote the licensing objectives, as set out in the operating schedule, will very often translate directly into conditions that will be attached Revised Guidance issued under section 182 of the Licensing Act 2003 I 57 to premises licences with the minimum of fuss

**9.38** In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to: Revised Guidance issued under section 182 of the Licensing Act 2003

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;
- its own statement of licensing policy.

### **Relevant Sections of the Hillingdon Licensing Policy**

**2.5** In respect of all licensing functions and determination of any licensing policy, the Council has a duty to promote the four licensing objectives:

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

**9.1** Licensing Sub Committees will be mindful that licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises. When addressing public nuisance the applicant should identify any particular issues that are likely to affect adversely the promotion of the licensing

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objective to prevent public nuisance. They should then include in the operating schedule how they will deal with those matters. The concerns mainly relate to noise nuisance from within the premises or from the use of any outside areas, light pollution, smoke and noxious smells. Due regard will be given to the impact these may have and the Licensing Authority will expect operating schedules to satisfactorily address these issues.

**9.7** Applications referred to the Licensing Sub-Committee will be determined on the individual merit of each case. The Licensing Sub-Committee have the power to impose specific conditions when considered necessary in respect of the Prevention of Public Nuisance objective

## **10.0 LEGAL COMMENTS**

The Sub-Committee shall carry out its functions with a view to taking steps it considers appropriate for promoting the licensing objectives. The licensing objectives are:

- Prevention of crime and disorder
- Public Safety
- Prevention of public nuisance
- Protection of children from harm

The Sub-Committee must ensure that all licensing decisions:

- Have a direct relationship to the promotion of one or more of the four licensing objectives
- Have regard to the Council's statement of licensing policy
- Have regard to the Secretary of State guidance
- Must not be subject to a blanket policy to the extent that it is applied so rigidly that an exercise of discretion in each individual case is precluded

An application for a new premises licence may be made pursuant to s.16 and s.17 of the Act, and with regard to the Licensing Act 2003 (Premises licences and club premises certificates) Regulations 2005/42 and the Licensing Act 2003 (Fees) Regulations 2005/79.

Where no relevant representations are made, the Licensing Authority must grant the licence in accordance with the application. The only conditions which can be imposed are those which are consistent with the operating schedule and any mandatory conditions.

Where relevant representations are made, the Licensing Authority must hold a hearing to determine the application, unless all are agreed that such a hearing is unnecessary s.18(3)(a) Licensing Act 2003.

Relevant representations are those that relate to the effect of the granting of the application on the promotion of the licensing objectives made by an interested party or responsible authority that have not been withdrawn and are not, in the opinion of the relevant licensing authority, frivolous, vexatious or repetitious s.51(4)(b)(i) and (ii) of the Licensing Act 2003.

The Sub-Committee is advised that when considering applications for a new premises licence, regard must be had to any relevant representations that are made before taking

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such steps (if any) as it considers necessary for the promotion of the licensing objectives. The steps are:

- grant the application.
- grant the application subject to conditions the Sub-Committee considers necessary to promote the licensing objectives
- exclude from the scope of the licence any licensable activity(ies) to which the application relates
- refuse to specify a designated premises supervisor
- reject the application

Conditions will not be necessary if they duplicate a current statutory requirement. The Licensing Authority may therefore only impose such conditions that are necessary to promote the licensing objectives arising out of the consideration of the representations.

Members are referred to the Secretary of State's Guidance on conditions, specifically paragraph 1.16 and chapter 10 which state that licensing conditions should be practical and enforceable, tailored to the size, type, location and characteristics and activities taking place at the premises.

Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided. Conditions will not be necessary if they duplicate a current statutory requirement. Licensing Authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

The Council in its capacity as Licensing Authority has a duty to have regard to its public sector equality duty under section 149 of the Equality Act 2010. In summary, section 149 provides that a Public Authority must, in the exercise of its functions have due regard to the need to:

- i. eliminate discrimination, harassment, victimisation and any other conduct that is prohibited by or under this Act;
- ii. advance equality of opportunity between persons who share a relevant protected characteristic and persons who do not share it; and
- iii. foster good relations between persons who share a relevant protected characteristic and persons who do not share it.

Section 149(7) of the Equality Act 2010 defines nine relevant protected characteristics examples are; race, sex, age, disability, gender reassignment and religious beliefs.

Officers have provided the Sub-Committee with recommendations related to this application. Subject to the above-mentioned factors having been properly considered, the Sub-Committee may depart from the recommendations if there are good reasons for doing so. The Sub-Committee is advised that such departures could give rise to an appeal or judicial review.

Interested parties, Responsible Authorities and the Applicant have the right to appeal the decision of the Licensing 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.

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