

## Minutes

### LICENSING SUB-COMMITTEE

21 October 2024



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

	<p><b>Committee Members Present:</b> Councillors Janet Gardner, Becky Haggar (Chair) and Reeta Chamdal</p> <p><b>Also Present:</b> Pito Singh Chopra, Applicant Surendra Panchal, Applicant's representative</p> <p><b>LBH Officers Present:</b> Austen Young, Licensing Officer Anisha Teji, Democratic Services Gurnam Bains, Legal Adviser</p>
71.	<p><b>APOLOGIES FOR ABSENCE</b> (<i>Agenda Item 1</i>)</p> <p>Apologies for absence were received from Councillor Darren Davies with Councillor Reeta Chamdal substituting.</p>
72.	<p><b>DECLARATIONS OF INTEREST IN MATTERS COMING BEFORE THIS MEETING</b> (<i>Agenda Item 2</i>)</p> <p>None.</p>
73.	<p><b>TO CONFIRM THAT THE ITEMS OF BUSINESS MARKED PART I WILL BE CONSIDERED IN PUBLIC AND ITEMS MARKED PART II WILL BE CONSIDERED IN PRIVATE</b> (<i>Agenda Item 3</i>)</p> <p>It was confirmed that all items would be heard in Part I.</p>
74.	<p><b>MATTERS THAT HAVE BEEN NOTIFIED IN ADVANCE OR URGENT</b> (<i>Agenda Item 4</i>)</p> <p>None.</p>
75.	<p><b>APPLICATION FOR THE GRANT OF A PREMISES LICENCE: DAMAN FOOD &amp; WINE, 6 DAWLEY PARADE, DAWLEY ROAD, HAYES UB3 1EA</b> (<i>Agenda Item 5</i>)</p> <p><b>Introduction by Licensing Officer</b></p> <p>Austen Young, Licensing Officer at the London Borough of Hillingdon, introduced the report and photographs for a new Premises Licence application in respect of Daman Food &amp; Wine, 6 Dawley Parade, Dawley Road, Hayes, UB3 1EA. A background and chronology of events was provided.</p> <p>A new premises licence application had been made to authorise the sale of alcohol for</p>

consumption off the premises. The opening times would be Monday to Sunday from 07:00 hours to 00:00hours.

The Sub-Committee was informed that the representations in Appendix 2 had been withdrawn.

Members were asked to consider the representations in Appendix 3. The representation raised concerns about the impact of the premises on the neighbourhood, existing traffic, noise and anti-social behaviour issues in the area (including a local car park). Although the objector had been notified of the hearing and was not in attendance, the Sub-Committee was reminded that there was no requirement for attendance and Members were able to proceed in their absence.

The Sub-Committee was advised that there had been no representations from Ward Councillors and Responsible Authorities. There had also been no Members Enquiries submitted.

The Sub- Committee was asked to consider the application and the representations made to decide an appropriate action that would uphold the promotion of the licensing objectives.

### **Representations by Applicant and Applicant's representative**

The Applicant – Mr Pito Singh Chopra and the Applicant's representative – Mr Surendra Panchal addressed the Committee.

As a background to the application, the Sub - Committee heard that the Applicant had experience of running these types of businesses and understood the four Licensing Objectives. The Applicant had obtained a personal licence approximately 18 months ago and this would be a family run business. It was noted that there was now only one objection and contact had been made with the objector to discuss any concerns.

The Sub- Committee was informed that the Applicant agreed to the conditions that had been proposed by the Licensing Authority.

The Sub - Committee was advised that the Applicant would comply with the Licensing Objectives by ensuring that a training manual and an incident logbook were maintained, posters were placed in appropriate places and made visible, and CCTV was provided.

In response to Member questions, the Applicant highlighted their understanding of the Licensing Objectives, highlighting the Challenge 25 Policy and the need for CCTV to ensure public safety. It was also confirmed that there would be three members of staff employed and they would be over 18.

### **Representations by Interested Parties**

The objector was not in attendance. The Chair read their submission for the record and it was noted by the Sub- Committee.

### **Discussion**

During the discussion with the Sub Committee and all parties the following points were

noted:

- The Applicant and Applicant's representative explained their understanding of the licensing principles noting the Challenge 25 policy, the fire escape and fire exit to ensure public safety and the importance of CCTV for the promotion of crime and disorder.
- Although questions asked to the Applicant may have been answered better with an interpreter present, the Legal Representative advised the Sub-Committee to consider the representations made by the Applicant's Representative.
- Contact had been made with the objectors to the application. The Applicant had explained how robustly the Licensing Objectives would be followed which had resulted in one objection being withdrawn.
- It was noted that the previous shop owner had left due to the lease expiring.
- After 6pm there would be two members of staff on the premises and the Applicant was happy for this to be conditioned.
- There would be a total of 16 cameras including two cameras at the front of the premises and one in the back.
- The Applicant would complete a conflict management course to help public nuisance around noise and manage potential conflicts with people who were drinking inappropriately. The Public Spaces Protection Order would also help to prevent public nuisance.
- Concerns were raised regarding the ability to be able to identify proxy sales with limited staff and it was suggested using CCTV to monitor and prevent such sales.
- The Applicant understood the significance of proxy sales and how to manage these types of sales. This would also be provided in the training course provided by the Applicant's representatives. Further there had been open communications with local shops to share information and ensure collaborative working.

### **Closing remarks**

In closing submissions, the Applicant's representative confirmed, upon questioning from the Licensing Officer, that the refusals log was not limited to only recorded refusals to sell alcohol to children but included any refusal, such as concerns about proxy sales. The Licensing Officer also advised that the Public Spaces Protection Order for being caught with an open container of alcohol was borough-wide and included any public space but not private land.

There were no further submissions from the Applicant.

### **Committee Deliberation**

All parties were asked to leave the room while the Sub-Committee considered its decision.

All parties were invited back to the meeting for the Chairman to announce the decision of the Sub-Committee.

## **The Decision**

The Sub-Committee took account of all representations made by all interested parties, both verbal and written. In addition, the Sub-Committee welcomed the conditions offered by the Applicant and their willingness to commit to the licencing objectives at all times.

The Sub-Committee considered all relevant evidence made available to it and in doing so took the following into account:

- Licensing Objectives, Licensing Act 2003
- Hillingdon's Licensing Policy
- Guidance issued by the Secretary of State under S.182 of the Licensing Act 2003

The decision of the Sub-Committee is to **GRANT** the application for a new premises licence for the sale of alcohol off the premises between the hours of 07:00 hours and 00:00 hours subject to the following conditions:

### **General**

1. Strict implementation of challenge 25 policy.
2. CCTV to be installed and 31 days recording system.
3. All staff to be trained in responsible alcohol retailing.

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

1. CCTV shall be installed to Home Office Guidance standards and maintained in a good working condition and recordings shall be kept for 31 days and shall be made available to police and authorised Officers from the council.
2. The CCTV system shall be capable of obtaining clear facial recognition images and a clear head and shoulders image of every person entering or leaving the premises.
3. The CCTV system shall display on any recordings, the correct date and time of the recording.
4. A member of staff trained in the use of the CCTV system shall be available at the premise at all times that the premises are open to the public.
5. A CCTV camera shall be installed to cover the entrance of the premises and further cameras installed to cover the internal area and servery counter.
6. A suitable intruder alarm complete with panic button shall be fitted and maintained.
7. An incident log shall be kept at the premises, and made available for inspection on request to an authorised officer of the council or the Police, which will record the following:
  - (a) all crimes reported to the venue

- (b) all ejections of patrons
- (c) any complaints received
- (d) any incidents of disorder
- (e) all seizures of drugs or offensive weapons
- (f) any faults in the CCTV system
- (g) any refusal of the sale of alcohol
- (h) any visit by a relevant authority or emergency service.

8. Staff training must be documented and based on legislation and operating procedures. All training shall be signed and dated, and a copy of such records will be available for inspection by Police and local authority enforcement officers.
9. All staff employed at the premises will have UK right to work status checked, once passed that stage they shall be offered employment.

### **Public Safety**

1. Installation of appropriate safety equipment.
2. Fire exit signs displayed.
3. CCTV working at all times

### **The Prevention of Public Nuisance**

1. Notice displayed asking customers to leave quietly from premises also customers will be told in person to leave quietly and not to disturb the local neighbourhood
2. Strict policy in place to tell all staff not to serve alcohol to drunks at all
3. Appropriate signage will be displayed, in prominent position informing customers they are being recorded on CCTV
4. At least 2 staff members to be on premises after 6pm during working hours.
5. The Applicant and staff members to attend a conflict management course within 28 days.

### **The Protection of Children from Harm**

1. A challenge 25 policy will be in force, where any person looking under the age of 25 shall be asked to prove their age when attempting to purchase alcohol and signs to this effect will be displayed at the premises. Challenge 25 posters displayed where alcohol is sold.
2. The only acceptable ID will be those with photographic identification documents, including passport, photo-card driving license or proof of age card bearing the PASS hologram.
3. A refusal book shall be kept at the premises and updated as and when required, and made available for inspection on request to a Licensing Officer, Police or other

responsible authority.

4. The licensee will ensure that staff are trained regularly as appropriate in respect to the Licensing Act 2003 legislation, staff to be trained regularly in underage sales prevention.
5. A sign stating “No proof of age – No sale” shall be displayed at the point of sale.

### **Reasons**

The Sub-Committee recognise that this is a new application for a premises licence for an off licence with the sale of alcohol subsidiary to the business. Whilst the Sub-Committee were addressed about the occurrence of public nuisance and crime and disorder, it noted that there were no representations or evidence submitted from any of the responsible authorities or members enquiries logged by councillors in respect of this application.

Whilst the Sub-Committee are sympathetic to issues raised by the interested party particularly concerning the volume of licensed premises in close proximity, there is currently no cumulative impact policy/special policy in place. The Sub-Committee were not provided with any tangible evidence relating to the impact this particular premises would create in addition to the current licensed premises in the vicinity. As such, the Sub-Committee determined that the conditions agreed by the applicant together with slightly modified conditions would serve to sufficiently uphold the licensing objectives.

The Sub-Committee recognises the need for businesses to continue trading however, this must not be at the expense of local residents. Local businesses are reminded about their obligations to adhere to regulations to ensure the licensing objectives are being promoted at all times.

### **Right of Appeal**

The relevant applicant for the premises licence or any other person who made relevant representations to the application may appeal against the Council's decision to the Justices Clerk at the Uxbridge Magistrates Court. Such an appeal may be brought within 21 days of receipt of this Notice of Decision.

No decision made by the Council would have effect during the time period within which an appeal may be brought and until such time that any appeal has been determined or abandoned.

The Sub-Committee advised as a comfort to residents and a warning to the licensee that the licence may be reviewed and could potentially be revoked if licence conditions were not adhered to and/or if the premises were managed in a manner which did not uphold the licensing objectives

The Applicant is deemed to have received the decision two days after the date on the accompanying letter, which will be posted by 1st class mail.

The meeting, which commenced at 10.00 am, closed at 11.19 am.

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These are the minutes of the above meeting. For more information on any of the resolutions please contact Democratic Services - email: [ateji@hillingdon.gov.uk](mailto:ateji@hillingdon.gov.uk) or 01895 277655. Circulation of these minutes is to Councillors, Officers, the Press and Members of the Public.