

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON THURSDAY 19 SEPTEMBER
2019, AT 2.00 PM

PRESENT: Councillor J Jones (Chairman)
Councillors N Symonds and C Wilson

OFFICERS IN ATTENDANCE:

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| Peter Mannings | - Democratic Services Officer |
| Brad Wheeler | - Senior Licensing and Enforcement Officer |
| Victoria Wilders | - Legal Services Manager |

22 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor C Wilson and seconded by Councillor N Symonds that Councillor J Jones be appointed Chairman for the meeting. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that Councillor J Jones be appointed Chairman for the meeting.

23 MINUTES - 28 AUGUST 2019

It was proposed by Councillor N Symonds and seconded by Councillor C Wilson that the Minutes of

the meeting held on 28 August 2019 be confirmed as a correct record and signed by the Chairman. After being put to the meeting and a vote taken, the motion was declared CARRIED.

RESOLVED – that the Minutes of the meeting held on 28 August 2019 be confirmed as a correct record and signed by the Chairman.

24 APPLICATION FOR A NEW PREMISES LICENCE FOR THE BURGER BOX, 23 PARLIAMENT SQUARE, HERTFORD, HERTS, SG14 1EX

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application for a new premises licence that had been submitted to the Licensing Authority by TRS Bars and Restaurants LTD on 27 July 2019.

The Sub-Committee was advised that the premises was called The Burger Box, 23 Parliament Square, Hertford and the application was for the supply of alcohol on and off the premises between the hours of 10:30 am and 9 pm. The opening hours of the premises would be 8 am to 10 pm.

The Senior Licensing and Enforcement Officer summarised the additional steps the applicant intended to take to promote the four licensing objectives. This included the Challenge 25/Think 25 proof of age scheme as well as training for staff regarding the responsible sale of alcohol. Non-alcoholic drinks would be available during the hours

applied for the supply of alcohol on and off the premises.

The Sub-Committee was advised that CCTV would cover all entry and exit points enabling front identification of every person entering in any light condition. The applicant had committed to making recordings available immediately upon reasonable enquiries by the police or authorised Officer for the following 31 day period.

The Officer said that a condition could be applied that alcohol would only be served to customers in the premises. The applicant had indicated that alcohol would only be served to customers sitting in the premises or those seated at tables within a designated seating area in Parliament Square.

The Senior Licensing and Enforcement Officer summarised the conditions detailed in Essential Reference Paper 'C' and detailed the 3 representations included in the Agenda at Essential Reference Paper 'D'. Members of the Sub-Committee had conducted a site visit under a strict protocol whereby the applicant remained outside the premises whilst the Members and an Officer had entered the premises.

The Sub-Committee was reminded that the application should be granted if the four licensing objectives would not be undermined. Members could restrict the hours applied or apply conditions and the Sub-Committee could also refuse the application. The decision of the Sub-Committee had to be justified and evidence based.

Councillor J Goodeve raised a number of points on behalf of one of the three objectors. She referred in particular to sight lines and toilet provision as well as staff being at the premises. She also commented on the use of the Town Council CCTV system. The applicant stated that he would be happy to reinforce CCTV coverage by paying for the crowning of trees in Parliament Square.

The applicant confirmed the location of the toilets and also where the bins would be stored. He also referred to commercial viability and stated that The Burger Box would be unlikely to be operational during the winter.

The applicant said that the business would be a Mediterranean-style Bistro and would not be commercially viable without off trade. He stated that it would be coffee led and not alcohol led and he anticipated that the business would not be commercially viable without the outside seating. The Burger Box would be closed by early evening and would not contribute to the night time economy.

The applicant concluded that he would have very well trained staff and the business would bring good value to the area and would be a very well thought through operation. He reiterated that Challenge 25 procedures would be employed at The Burger Box.

Councillor J Jones questioned the applicant on whether The Burger Box was separate to the Hertford House Hotel. The applicant confirmed that the staff for this premises would be very experienced staff from the

Hertford House Hotel.

Councillor N Symonds referred to the Disability Discrimination Act and questioned the lack of provision of toilet facilities for the disabled. The applicant stated that he had taken health and safety advice but could not change the fabric of the building.

The applicant responded to concerns from Councillor Symonds by stating that the bins would be stored inside and there would be a weekly bin collection from the Hertford House Hotel. The applicant confirmed to Councillor C Wilson that the food and drinks would be transported to customers in specialised caddies so there would be no noisy movement of bottles or other products.

In response to comments from Councillor N Symonds regarding the promotion of the four licensing objectives, the applicant referred to the important opinions of the responsible authorities. He said that Hertfordshire Constabulary, Hertfordshire Fire and Rescue and Environmental Health were satisfied that the application promoted the areas covered by those objectives.

At the conclusion of the closing submissions, the Sub Committee, the Legal Services Manager and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members, the Legal Services Manager and the Chairman announced that the Sub Committee had listened to the comments of the Licensing Officer,

the applicants and the residents and the Sub-Committee had decided to approve the application, subject to the conditions detailed on pages 81 – 83 of the Agenda and the following additional condition:

- Bottles/glass collections will be permitted by the same external company that services the Hertford House Hotel, on the same day and time.

RESOLVED – that the application for a new premises be approved, subject to the conditions detailed on pages 81 – 83 of the Agenda and the following additional condition:

- Bottles/glass collections will be permitted by the same external company that services the Hertford House Hotel, on the same day and time.

Reasons:

1. Members were satisfied that the concerns of residents will be met by the conditions the Sub-Committee have imposed.
2. Members were also satisfied that the hours for Licensable Activity would not undermine the 4 licensing objectives.

The meeting closed at 3.20 pm

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| Chairman |
| Date |