

MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE HELD IN  
THE COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON MONDAY 11 MARCH 2013,  
AT 10.00 AM

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PRESENT: Councillor Rose Cheswright (Chairman).  
Councillors E Bedford and E Buckmaster.

ALSO PRESENT:

Councillors P Moore and P Ruffles.

OFFICERS IN ATTENDANCE:

Peter Mannings	- Democratic Services Officer
Paul Newman	- Licensing Manager
George Robertson	- Legal Services Manager

38 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor E Bedford and seconded by Councillor E Buckmaster that Councillor Mrs R Cheswright be appointed Chairman of the Licensing Sub-Committee for the meeting.

RESOLVED – that Councillor Mrs R Cheswright be appointed Chairman of the Licensing Sub-Committee for the meeting.

39 MINUTES – 28 JANUARY 2013

RESOLVED – that the Minutes of the meeting held on 28 January 2013, be confirmed as a correct record and signed by the Chairman.

40 LICENSING ACT 2003 – LICENSING ACT 2003  
(HEARINGS) REGULATIONS 2005 (AS AMENDED) –  
REVIEW OF A PREMISES LICENCE AT CASTLE FOOD  
AND WINE, 8 THE WASH, HERTFORD, SG14 1PX  
(PREMISES LICENCE PL0543)

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The Chairman outlined the procedure to be followed. All those present for the review application were introduced. The Licensing Manager advised the Sub-Committee that Trading Standards and Hertfordshire Constabulary, in their capacity as Responsible Authorities, had applied for a review of the premises licence at Castle Food and Wine, 8 The Wash, Hertford.

Representatives from Hertfordshire Constabulary explained that, prior to this review application, Police Officers had received intelligence that underage alcohol sales had occurred at Castle Food and Wine. Trading Standards Officers had been notified and had subsequently carried out a test purchase operation at the premises on 24 April 2012.

The Sub-Committee was advised that an underage volunteer working with Trading Standards had successfully purchased alcohol from Castle Food and Wine on 24 April 2012. The incident was witnessed and recorded by Trading Standards Officers and a written warning was issued to the owner of the premises. Hertfordshire Constabulary had also issued an £80 fixed penalty notice to the individual who had sold the alcohol to the Trading Standards volunteer.

A representative of Trading Standards advised that the owner of Castle Food and Wine had previously owned a shop in the London Borough of Islington where similar underage alcohol sales had occurred. Members were advised that Trading Standards Officers had felt that the current conditions on the premises licence were insufficient.

In response to a query from Councillor E Buckmaster, the

Legal Services Manager confirmed that the issue of underage sales in Islington was relevant to this review application and it was appropriate for Members to consider this information when reaching their decision.

The Hertfordshire Constabulary representative stated that the current premises licence was very sparse of conditions and Members, Officers and the Premises Licence Holder were provided with a detailed breakdown of the conditions that the Police would like added to the licence.

Members were also advised that the Police were not asking for the licence to be suspended or revoked.

The owner of Castle Food and Wine explained that all of the measures covered by the suggested conditions had been put in place at Castle Food and Wine. He explained the circumstances that had led to an untrained visitor selling alcohol to the Trading Standards underage volunteer.

The owner advised that his brother had followed the volunteer out of the shop to recover the situation but it had been too late as the sale had been made. Members were also advised that, since the incident on 24 April 2012, only trained staff were allowed to serve alcohol.

The Sub-Committee was advised that the shop staff had made an effort to work with Hertfordshire Constabulary and had made a number of calls to police to report youths loitering outside the premises. The police representative confirmed that the police had been called by staff at Castle Food and Wine on 26 August and 16 November 2012.

In response to a query from Councillor Mrs R Cheswright, the owner of Castle Food and Wine confirmed that a majority of the suggested conditions were in place when the shop first opened. The "Challenge 25" policy had been implemented after the failed test purchase incident

in April 2012. Members were advised that a CCTV system was in operation at the premises.

In response to queries from the Legal Services Manager, the owner confirmed that there was always a minimum of two staff in the shop. He also confirmed that two staff would be present in the shop between 7 pm and closing time on every Thursday, Friday and Saturday.

The owner also confirmed that when the Designated Premises Supervisor was absent, the Premises Licence Holder would be present. He stated that the business was his lifeline and apologised for the failed test purchase incident. He explained that he and his staff always sought to avoid underage sales of alcohol.

At the conclusion of the representations, the Sub-Committee withdrew with the Legal Services Manager and the Democratic Services Officer to consider the evidence.

Following this, they returned and the Chairman announced the decision of the Sub-Committee. Members had listened to the comments of the Police, Trading Standards and the owner and advised that, provided that the 14 police conditions referred to were applied, the Sub-Committee would allow the licence to continue. The Sub-Committee also advised that they did not expect to see the applicant before the panel again, as a further case may result in the loss of the premises licence.

RESOLVED – that the premises licence be allowed to continue, subject to the application of the 14 police conditions to the premises licence, as now submitted.

The meeting closed at 10.50 am

Chairman .....
Date .....