

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 8 JUNE 2018, AT
10.00 AM

PRESENT: Councillor J Jones (Chairman)
Councillors G Cutting and T Page

ALSO PRESENT:

Councillors D Andrews, G McAndrew,
P Ruffles and N Symonds

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
Claire Marbutt	- Licensing Officer
Oliver Rawlings	- Service Manager (Licensing and Enforcement)
Claire Spendley	- Senior Environmental Health Officer
Paul Thomas-Jones	- Environmental Health Manager - Commercial
Brad Wheeler	- Senior Licensing and

Enforcement
Officer

5 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor G Cutting and seconded by Councillor T Page that Councillor J Jones be appointed Chairman of the Licensing Sub-Committee 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 of the Licensing Sub-Committee for the meeting.

6 APPLICATION FOR REVIEW OF THE PREMISES LICENCE FOR DECO, 16-20 PARLIAMENT SQUARE, HERTFORD, SG14 1EZ (PL0505)

The Chairman outlined the procedure to be followed. All those present were introduced.

The Service Manager (Licensing and Enforcement) summarised the application in relation to a Review of the Premises Licence for Deco, 16-20 Parliament Square, Hertford, SG14 1EZ. He sought and was provided with assurances from those in attendance that they had had an opportunity to consider the papers, some of which, had been circulated late.

The Service Manager (Licensing and Enforcement) drew the Sub-Committee's attention to two changes within the report at paragraph 3.3 (deletion of all the

words after “within this policy” and on page 41 (Monday to Wednesday 10:00 to 01:00) which should read “10:00 pm to 02:00am”

The applicants requesting the review summarised their issues of complaint which in the main, related to increased levels of music following the refurbishment of the building in February 2018 and noise nuisance from the courtyard smoking area and customers leaving the premises. One applicant complained of the verbal abuse she had received when she had raised matters with Deco management. In addition to the loud music, another applicant referred to rowdy behaviour from those queuing to get into the club, and unsupervised dispersion when the premises closed.

A Police Officer (Licensing) provided a summary of concerns regarding the operation of Deco. With the consent of all parties she showed evidence from a Police Officer’s bodycam of an incident which had occurred on 2 April 2018. The Police Officer (Licensing) stated that the footage demonstrated the need for the conditions requested by them, as a Responsible Authority.

Safe occupancy levels were discussed and it was noted that there were conflicting numbers which had been provided by Hertfordshire Fire and Rescue to Deco which needed clarification.

Councillor G Cutting sought clarification on the proposed ID scanning condition and was concerned that it did not require all attendees ID to be scanned, only the majority. The licence holder explained that it was not appropriate to scan those attending private

events. Councillor T Page referred to the issue of SIAs and the numbers deployed on entrance and exits. This was explained.

The Senior Environmental Health Officer referred to the draft conditions which were being sought to address a number of issues. She explained that residents had not complained previously but that since February 2018, amplified music had become a problem.

The Solicitor for the licence holder explained that, in the main, the issue was about amplified music. She reminded the Sub-Committee that music was deregulated up to 11pm.

The licence holder provided the historical context on the operation of the business which had changed from a cocktail bar to a bar/club in order to maintain its viability. It was noted that music was being played on all three levels, but concerns were expressed that this was not background music. The licence holder explained that a refurbishment and a new sound system had been installed in January 2018 which had caused residents to complain. He assured the Sub Committee that the club did not want to cause disturbance to its neighbours and that he would work with neighbours to address their concerns.

The licence holder provided a summary of how management had acted on the night of the incident earlier in the year, to control the situation. The licence holder's solicitor was of the view that ID scanning could not have prevented the incident. The licence holder was concerned about the request by the Police in

relation to the use of ID scanning and the possible fines which could be imposed on any breach. The consultant for Deco, with in-depth knowledge of electronic scanning expressed her concerns about the sharing of information and the need to be GDPR compliant in the light of new personal data sharing protocols.

The conditions requested by the Police and Environmental Health were debated at length and the rationale for them. The schedule submitted by the licence holder's Solicitor summarised where there was agreement to the proposed conditions and where there was not (and why). She added that the incident referred to by the Police (and shown via a bodycam) was the only incident in the last 52 weeks.

The licence holder's Solicitor stated that a meeting had been arranged with the company who had installed the music system and discussions would take place next week regarding the installation of a noise limiter. Door staff arrangements and venue capacity were discussed at length. The licence holder reiterated concerns at the request by the Police of ID scanning.. It was noted that discussions by the licence holder's consultant had taken place with the Information Commissioners Office (ICO) but there were still concerns about the absence of proper guidelines in relation to the deletion of information.

The Senior Environmental Health Officer expressed the need for the imposition of a noise limiter and that only background music is played on the ground and first floor levels.

At 11.55am, the Sub-Committee adjourned for a short break and reconvened at 12.05pm.

Members recognised the possibility of spiking drinks and concerns about taking these into the courtyard to smoke. The issue regarding the playing of music on all floors (and the incorrect assumption by the licence holder that this could be amplified music) and was a condition in a previous licence, was discussed. The Service Manager (Licensing and Enforcement) explained the steps he had taken to provide information to the licence holder.

The Council's Solicitor acknowledged that there appeared to be agreement to a number of conditions and in the interests of resolving the matter to the satisfaction of all, he suggested that the Sub-committee and Officers depart to allow all parties the opportunity of discussing issues where agreement had not been reached. This was supported.

The Sub-Committee adjourned at 12:35pm to allow all interested parties the opportunity to discuss and resolve areas of dissent. The Sub-Committee reconvened at 13:10pm. The Solicitor for the licence holder provided a summary of their discussions.

At the conclusion of the closing submissions, the Sub-Committee, Solicitor and Democratic Services Officer withdrew from the meeting to allow the Sub-Committee to consider the evidence and a summary of the discussions reached as a result of the adjournment.

Following their deliberations, the Sub-Committee returned. The Chairman announced that the Sub-Committee had listened to the comments and representations by all parties, written and oral. As such, the Sub-Committee announced that in order to address their concerns regarding the undermining of the licensing objectives that they would attach the agreed conditions to the premises licence and in addition a condition requiring ID scanning equipment to be used at the premises to scan all customers accept those attending private functions.

RESOLVED - that for the reasons now detailed, the revised conditions as detailed in the schedule now submitted, be approved.

The meeting closed at 1.50 pm

Chairman

Date