

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON FRIDAY 21 JUNE 2019, AT
10.00 AM

PRESENT: Councillor J Jones (Chairman)
Councillors D Andrews and N Symonds

ALSO PRESENT:

Councillors P Boylan and P Ruffles

OFFICERS IN ATTENDANCE:

Lorraine Blackburn	- Democratic Services Officer
James Ellis	- Solicitor
Brad Wheeler	- Senior Licensing and Enforcement Officer

6 APPOINTMENT OF CHAIRMAN

It was moved by Councillor N Symonds and seconded by Councillor D Andrews, 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.

7 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting. He explained that there had been a change to the membership of the published agenda and that Councillor D Andrews had replaced Councillor M McMullen.

The Chairman explained a number of housekeeping arrangements in relation to fire exits and toilet facilities.

8 MINUTES - 21 MAY 2018, 8 JUNE 2018 AND 20 MAY 2019

It was moved by Councillor J Jones and seconded by Councillor N Symonds that the Minutes of the meetings held on 21 May 2018, 8 June 2018 and 20 May 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 meetings held on 21 May 2018, 8 June 2018 and 20 May 2019 be confirmed as a correct record and signed by the Chairman.

9 APPLICATION FOR A VARIATION OF THE PREMISES LICENCE FOR THE WOOLPACK, MILLBRIDGE, HERTFORD SG14 1PZ

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application and said that nine representations had been received. He stated that in summary, the main concerns related to the impact of the variation on neighbouring properties and of the request to allow unaccompanied children onto the premises.

The Senior Licensing and Enforcement Officer explained that two Members had visited the premises to view the site when the applicant was in attendance but that no questions were asked during the site visit, but had been held back until today's Sub-committee. The Senior Licensing and Enforcement Officer reminded Members that having considered the application, their considerations should be evidence based and proportionate to what was intended.

The Commercial Director (McMullens) on behalf of the applicant, summarised the current variation adding that the pub was a well run in the locality and that no representations had been received from responsible authorities. The Commercial Director (McMullens) explained the reasons for wanting to extend the licensable areas to include a games room and crazy golf and referred to the suggested condition (11) from the Police in relation to no children being allowed onto the premises after 21:00 on a Friday and Saturday unless they were eating and that they were happy to extend that condition to apply at all time.

Councillor D Andrews sought clarification from the applicant in terms of the business model in relation to the provision of children on site and the fact that in practice the pub was assuming parental responsibility. The Commercial Director (McMullens) on behalf of the applicant explained that he could not imagine that unaccompanied children would be on the premises at all and that the DPS had responsibility for such matters and would take a responsible view regarding the age of customers. He explained that children were almost, without exception accompanied by their parents.

Following a suggestion by Councillor D Andrews about the possibility of obtaining enhanced DBS checks on bar staff, the Legal Officer explained the position in relation to staff and DBS checks saying that such checks were not permitted for bar staff.

Councillor N Symonds asked whether plastic glasses could be used outside. The Commercial Director (McMullens) confirmed that they would not be using plastic glasses but that the ones used were of the toughed variety which shattered on impact.

In response to a query from Councillor Andrews, the DPS explained that background music would be played outside. The Director (McMullens) commented that the level of noise would not be an issue but was prepared to accept a condition regarding the closure of the garden area.

A local resident explained her concerns about the proposed variation adding that the noise generated (shouting, singing bad language) from the garden area was intolerable within her property and that the Environmental Health department had asked her to keep a diary. She explained that the noise was affecting her health and that of her grand-daughter. The Legal Officer reminded Members that the application before them was for a variation of their licence and that residents could, if they so wished at some future point, see to apply for a review of their licence, on other issues.

A resident challenged the suggestion that the pub was well run given the number of representations which had been submitted. He stated that many commitments were not being met and that if more being were being admitted

outside then more noise nuisance would be created. The Commercial Director (McMullens) suggested that residents' evidence be submitted to him so that the applicant could respond appropriately.

A further resident referred to the increasing numbers of people and elevated talking. He suggested that there needed to be a limit on the venue for a "Wool-Fest". The Commercial Director (McMullens) explained that they were not seeking to licence outside for any "Wool-Fest". The Senior Licensing and Enforcement Officer explained that capacity numbers would be determined by the Regulatory Reform (Fire Safety) Order 2005.

The Legal Officer summarised the conditions which the applicant was prepared to offer:

- To clear the outside area of all patrons (consisting of the courtyard bordering the river), by 22:30 hours Sunday – Thursday and 23:30 Friday – Saturday and Sunday immediately preceding a Bank Holiday.
- No unaccompanied children under 18 years of age shall be permitted on the premises at any time;
- No children under 18 years of age shall be on the premises after 21:00 unless they are eating.

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

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 the conditions as agreed were appropriate to satisfy the 4 licensing objectives and approved the variation of the premises licence.

RESOLVED – that the application for the variation of a premises licence at the Woolpack, Millbridge, Hertford be approved subject to the conditions agreed with the Police (and as detailed within Essential Reference Paper “E” of the report as well as the following conditions:

- (1) No unaccompanied children under 18 years of age shall be permitted on the premises at any time;
- (2) No children under 18 years of age shall be on the premises after 21:00 unless they are eating;
- (3) The outside area consisting of the courtyard bordering the river, must be cleared of patrons by 22:30 hours Sunday – Thursday and 23:30 Friday – Saturday and Sunday immediately preceding a Bank Holiday.

(There was a short adjournment at 11.25am. The meeting re-convened at 11.35 am)

10 APPLICATION FOR VARIATION OF THE PREMISES LICENCE FOR THE WHITE HART, SALISBURY SQUARE, HERTFORD. SG14 1BW

The Senior Licensing and Enforcement Officer summarised

the application adding that one representation had been received. The Senior Licensing and Enforcement Officer reminded Members that having considered the application, their considerations should be evidence based and proportionate to what was being requested. He explained that two Members had visited the premises but that no questions were asked at the time but held until the Sub-committee today.

The Senior Licensing and Enforcement Officer tabled a response from the representative and stated that there were a number of inconsistencies (in terms of timings) in the document.

The Commercial Director (McMullens) stated that this was another well run pub and of a desire by the applicant to bring into use some storage areas and barns and of the suggested conditions by the Police. No representations had been submitted in relation to the use of the areas (used under TENs) in the past.

In response to a question, the DPS explained where the CCTVs were deployed.

Councillor D Andrews sought clarification regarding why there was a need for the kitchen to be open late. The Commercial Director (McMullens) explained that access to the kitchen was need to provide, in the main, teas and coffee.

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

Following their deliberations, the Sub-Committee returned. The Chairman announced that the Sub-committee had listened to the comments and representation received. As such the Sub-Committee was content that the variation as applied for be approved subject to the conditions agreed with the Police (and contained within Essential Reference Paper "E" of the report).

RESOLVED - that the variation be approved subject to the conditions agreed with the Police (and as detailed within essential Reference Paper "E" of the report).

The meeting closed at 12.15 pm

Chairman
Date