

MINUTES OF A MEETING OF THE
LICENSING SUB-COMMITTEE HELD IN THE
COUNCIL CHAMBER, WALLFIELDS,
HERTFORD ON WEDNESDAY 28 AUGUST
2019, AT 2.00 PM

PRESENT: Councillor M McMullen (Chairman)
Councillors N Symonds and C Wilson

ALSO PRESENT:

Councillors D Andrews, L Haysey and
A Ward-Booth

OFFICERS IN ATTENDANCE:

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

14 APPOINTMENT OF CHAIRMAN

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

RESOLVED – that Councillor M McMullen be

appointed Chairman for the meeting.

15 MINUTES - 23 JULY 2019

It was proposed by Councillor N Symonds and seconded by Councillor C Wilson that the Minutes of the meeting held on 23 July 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 23 July 2019 be confirmed as a correct record and signed by the Chairman.

16 CHAIRMAN'S ANNOUNCEMENTS

The Chairman explained that under Section 100(A) (4) of the Local Government Act 1972 that it might be necessary to exclude the press and public from the meeting should Members wish to discuss issues contained within the exempt papers. The Solicitor confirmed that the press and public should remain unless confidential matters needed to be discussed.

At the request of Councillor D Andrews, the Chairman confirmed that Members of the Licensing Committee would be allowed to remain in the meeting, with the consent of the applicants, if the exclusion motion was necessary.

17 APPLICATION FOR A NEW PREMISES LICENCE: ENOTECA ZERO, RANKIN HOUSE, 8 WEST STREET, WARE SG12 9EE

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application that was received by the Licensing Authority on 2 July 2019.

The applicant, Ms Tania Cioffi, explained that she had been operating a local restaurant for 8 years and that the wine bar was a new enterprise. She explained why she had submitted the request to modify the times for the supply of alcohol, recorded music and late night refreshments at the wine bar. Ms Cioffi explained that many of the conditions requested had been accepted in an effort to work together.

Councillor C Wilson referred to the Council's Licensing Policy in relation to sales after midnight and asked why the applicant felt it necessary to request an extension of those hours. Ms Cioffi commented that it was important to the business to capture after dinner trade, serving premium wines and cocktails and that the music would be background music only. She referred to other businesses in the area which had opening hours beyond that stated in the Licensing Policy. Ms Cioffi referred to security (door staff) and dispersal arrangements following the conclusion of sales of alcohol.

Councillor N Symonds expressed concern about residents in the flats opposite in Tudor Square and nuisance which might be caused to them should the

hours applied for be granted. She asked for and was provided with a summary of what arrangements would be put in place to mitigate any possible nuisance, these included door staff, staggered dispersals and staff helping customers with taxis.

Ms Cioffi explained that the market the Wine Bar was aimed at those who were happy to pay between £18 - £700 for a bottle of wine and that staff would be trained to watch out for, for example, . groups of patrons who might over order or who might order too quickly. She confirmed that the business would be happy to participate in "Pub Watch". Ms Cioffi explained how their current premises differed from Enoteca Zero (Wine Bar).

The applicant provided a summary of her current submissions to the Sub Committee. At the conclusion of the closing submissions, the Sub Committee, the Local Authority's Legal Advisor and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members, the Local Authority's Legal Advisor and the Chairman announced that the Sub Committee had listened to the comments of Officers and the applicant and had read all relevant representations. Having considered the views of all parties, the decision of this Sub-Committee was to grant the licence with reduced hours, in line with the Council's Licensing Policy 2016 as follows:

Supply of alcohol:

Monday – Thursday	10am to midnight
Friday – Saturday	10am to midnight
Sunday	10am to 22:30
Christmas Eve	10am to midnight
Boxing day	10am to 2am
New Year's Eve	10am to 2am

These same hours applied to the use of recorded music and to late night refreshment. In line with the policy, drinking-up time will be 30 minutes at the cessation of the sale of alcohol.

RESOLVED - that the licence be granted with reduced hours (as detailed above) in line with the Council's Statement of Licensing Policy 2016.

Reasons:

1. Notwithstanding the conditions contained in the application and the reassurances provided by the Applicants at the hearing, the Sub-Committee was mindful that the Applicants were nevertheless relatively inexperienced in operating this type of establishment.
2. Further, the Sub-Committee was alert to the representations received by residents with regards their concerns around the late finishing times applied for.

18 APPLICATION FOR A NEW PREMISES LICENCE: SUNSET CINEMAS, SWORDERS FIELD, THE CAUSEWAY, BISHOP'S STORTFORD, HERTS

The Chairman outlined the procedure to be followed. All those present were introduced. The Senior Licensing and Enforcement Officer summarised the application that was received by the Licensing Authority on 5 July 2019. He explained that the Council had just received a Noise Management Plan and that one representation had been received.

The applicant (Ms Collyer) provided a summary of the application and outlined her experience of arranging outdoor cinema events. The applicant explained that there would be a children's show of "Frozen" in the afternoon and a later one at 8 pm for adults. She recognised the objector's concerns but did not envisage a problem with the alleged noise levels. The applicant outlined dispersal arrangements onto The Causeway and that she would be using stewards to ensure that patrons left quietly.

A resident explained how close the venue was in relation to his home and said that his life had been disturbed by all the events being held in Sworders Field and the impact this had on his family. He expressed concerns about patrons taking alcohol into the event and of possible nuisance as a result. It was explained that the Police as a responsible authority had asked for a condition limiting what alcohol could be taken into the event. The applicant explained that next year, she would only plan one event instead of three if Members were minded to limit the number per year.

The applicant provided a summary of her final submissions to the Sub-Committee. At the conclusion of the closing submissions, the Sub Committee, Local Authority's Legal Adviser and the Democratic Services Officer withdrew to allow Members to consider the evidence.

Following this, Members, the Local Authority's Legal Adviser and the Democratic Services Officer returned and the Chairman announced that the Sub Committee had listened to the comments of Officers, the applicant and the objector and had read all relevant representations. Having considered the views of all the parties, the decision of the Sub Committee was to grant the premises licence as applied for.

RESOLVED – that the application for a premises licence be granted.

Reasons:

1. Whilst the Sub-Committee had sympathy with the concerns put forward by the resident, it was also mindful of the fact that many of the events referenced by him were completely separate events which were not subject to this application.
2. The Sub-Committee was also mindful that, at 3 events a year between June and September, the frequency was relatively low and did not pose a risk to the promotion of

the four licensing objectives.

The meeting closed at 4.10 pm

Chairman

Date