

MINUTES OF A MEETING OF THE  
LICENSING SUB-COMMITTEE HELD IN  
THE COUNCIL CHAMBER, WALLFIELDS,  
HERTFORD ON TUESDAY 28 NOVEMBER  
2023, AT 10.00 AM

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PRESENT:

Councillors M Connolly, T Deffley and  
S Marlow

ALSO PRESENT:

Sandra Bennison	- Objector
Neil Howard	- Applicant
James Mason	- Objector
Stacey Wray	- Applicant

OFFICERS IN ATTENDANCE:

Michele Aves	- Democratic Services Officer
Peter Mannings	- Democratic Services Officer
Dimple Roopchand	- Litigation and Advisory Lawyer
Brad Wheeler	- Senior Licensing and Enforcement Officer

48 APPOINTMENT OF CHAIRMAN

It was proposed by Councillor Connolly and seconded by Councillor Deffley that Councillor Marlow be appointed Chairman for the meeting. After being put to the meeting, and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that Councillor Marlow be appointed Chairman for the meeting.

49 APOLOGIES

There were no apologies for absence.

50 CHAIRMAN'S ANNOUNCEMENTS

The Chairman welcomed all to the meeting and reminded those present to use the microphones when speaking.

51 DECLARATIONS OF INTEREST

There were no declarations of interest.

52 MINUTES - 12 OCTOBER 2023

It was moved by Councillor Connolly and seconded by Councillor Deffley that the Minutes of the Sub-Committee meeting held on 12 October 2023 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 Sub Committee meeting held on 12 October 2023 be confirmed as a correct record and signed by the Chairman.

53 SUMMARY OF PROCEDURE

The Chairman drew the hearing's attention to the Summary of Procedure which was included in the main agenda pack at pages 14 – 20.

54 APPLICATION FOR A NEW PREMISES LICENCE FOR ERMINE'S CAFÉ AND STORES, 39 ERMINE STREET, THUNDRIDGE, HERTFORDSHIRE (23/1450/PL)

The Senior Licensing and Enforcement Officer presented his report and summarised the application which could be found at pages 40 – 60 of the agenda pack.

The Senior Licensing and Enforcement Officer answered questions from the Interested Parties. There were no questions from the Sub-Committee or the Applicant.

The Applicant gave their submission and answered questions from the Sub-Committee and Officers. There were no questions from the Interested Parties.

The Interested Parties gave their submissions. They answered questions from the Sub-Committee, there were no questions from the Applicant.

Both the Interested Parties and the Applicant gave their closing statements.

Councillor Marlow proposed and Councillor Deffley seconded a motion to adjourn the meeting for ten minutes to allow the Applicant and the Interested Parties to discuss any mutually agreeable variations to the application. After being put to the meeting and a vote taken, the motion was declared CARRIED.

**RESOLVED** – that the meeting be adjourned for approximately ten minutes.

The meeting reconvened at 11:40, with all participants in agreement that they were happy to proceed.

The Applicant said that following discussion they were happy to remove the 12 events per year and the live and recorded music from the application. The Applicant said that they wished to proceed with the application to allow the supply of alcohol (for consumption On and OFF the premises) Monday -Sunday 09:00 – 22:00.

In line with procedure the Sub-Committee retired to consider the evidence presented to the hearing. They were accompanied by the Democratic Services Officer and the Litigation and Advisory Lawyer.

The Sub-Committee reconvened in public session to give

its decision. The Chairman said that the Licensing Sub-Committee had noted the Applicant's submissions during the meeting to remove the application for Live and Recorded Music (indoors only) and the application to licence 12 events per year.

The Chairman said that the Sub-Committee had noted the changes to the application and had decided to grant a premises licence for 09:00 – 17:00 Sunday to Thursday and 09:00 – 18:00 Friday and Saturday.

Members reviewed the conditions offered up by the Applicant within the Operating Schedule and imposed the following conditions be added to the licence:

1. The premises shall install and maintain a CCTV system. All entry, exit and point of sale areas will be covered by the cameras, and the images shall enable frontal identification of every person entering in any light condition. The system shall continually record whilst the premises is open for licensable activities and during all times when staff and customers remain on the premises. All recordings shall be stored for a minimum period of 31 days with date and time stamping. Recordings shall be made available to a Police Officer or an authorised officer of the licensing authority upon request throughout the preceding 31-day period, providing that such requests are in connection with the prevention or detection of crime.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be on the premises at all times when the premises are open to the public. This staff member shall be able to show a Police Officer or an authorised officer of the licensing authority data or footage upon request.
3. The premises licence holder, designated premises supervisor or other person nominated in writing shall carry out a daily check that the CCTV system is operational and shall keep a record of the checks.

4. A member of staff, aged 18 and over, must be present at the premises at all times during the hours that the licensed premises are in operation.
5. The premises licence holder shall ensure that at all times when the public are present on the licensed premises there is at least one competent person able to administer First Aid, also that an adequate and appropriate supply of First Aid equipment and materials is available on the premises. A record of the provision of any First Aid treatment shall be taken and maintained at the premises. This record must include:
  - the name of any person who was treated, or a description of the person if they are unable to communicate
  - the date and time of the treatment
  - the person providing the treatment
  - a description of the injury or ailment which requires treatment
  - details of the treatment provided, and
  - whether any emergency services were called to provide assistance.
6. At least one First Aider trained to deal with problems associated with alcohol and drugs will be on duty when the premises are open for licensable activities.
7. A written record of all ID checks and refused sales shall be kept on the premises. Records to detail as a minimum the time and date that the sale was refused or ID checked, the staff member who refused the sale or checked the ID and the reason why. The record shall be made available to Police and / or local authority immediately upon request and shall be kept for at least one year from the date of last entry'.
8. The age verification policy operated at the premises shall be "Challenge 25". This means that whilst

alcohol may be sold to persons aged 18 years or over, any person who appears under 25 years of age shall be required to provide proof of age using an acceptable form of ID. Notices advertising that the premises operate a "Challenge 25" scheme shall be displayed in a clear and prominent position at the premises entrance(s)/and inside at the premises serving area. The only forms of ID that may be accepted shall be:

- Proof of age card bearing the PASS hologram logo
- Passport
- UK photo driving licence

9. All alcohol displays will be close to the serving counter and in easy view of any staff member at the counter. Spirits will be located where they are only accessible to staff.

Clearly visible signage is to be displayed at the entrances and at points of sale indicating it is illegal to sell alcohol to people under the age of 18. Outside tables and chairs in the garden shall be rendered unusable by the close of business each day.

10. Notices shall be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.
11. No rubbish, including bottles, shall be disposed of in outside receptacles or outside areas between 19:00 hours and 08:00 hours.
12. The Licence holder shall provide staff training to all management and staff relating to the licensing objectives and the sale of alcohol. Such training is to be refreshed annually or when required and the licence holder is required to keep a training record of all staff training provided to staff regardless of their role.

- 13. Children under the age of 10 years old eating or drinking at the premises must be accompanied by an adult.
- 14. No alcohol deliveries may be made to the premises between 18:00 – 08:00 hours.

The applicant was advised that the decision would be sent to them in writing and that there was the right of appeal within 21 days to the magistrate’s court.

55 URGENT BUSINESS

There were no urgent items.

The meeting closed at 1.38 pm

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