

MINUTES

LICENSING OF ALCOHOL AND GAMBLING SUB-COMMITTEE

1 MARCH 2017

Councillors: P Hearn
Howard
Taylor

Officers:

Barbara Lisgarten	Legal Governance Team Leader and Deputy Monitoring Officer
Sally Mcdonald	Lead Licensing Officer
Katie Mogan	Member Support Officer

Also Attendance:

Ross Hill	Licensing Team Leader
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The meeting began at 10.00 am

1 MINUTES

The minutes of the meeting held on 12 December 2016 were confirmed by the members present and then signed by the Chairman.

2 APOLOGIES FOR ABSENCE

There were no apologies for absence.

3 DECLARATIONS OF INTEREST

There were no declarations of interests.

4 PREMISES LICENCE APPLICATION UNDER THE LICENSING ACT
2003

A. APPLICATION FOR GRANT OF A PREMISES LICENCE

The Sub-Committee were required to consider an application for a new premises licence for the following premises:

Common Ground Coffee

1 Chapel Croft
Chipperfield
Hertfordshire
WD4 9DT

The Chairman introduced herself, the members on the Sub-Committee and the officers present.

The Chairman asked the members of the Sub-Committee to confirm that they had read the agenda. Councillors Howard and Taylor confirmed they had read the documents at hand.

The Chairman asked S McDonald if she had anything to add to the report.

S McDonald said members had before them an application for the grant of a new premises licence for Common Ground Coffee, 1 Chapel Croft, Chipperfield, Hertfordshire. The application and accompanying documents were set out on page 6 of the agenda onwards. The applicant and those parties that had made representations had been invited to attend and address the sub-committee. One objector had confirmed that they were unable to attend but asked that their written representation, set out at Annex C2 of the report, be taken into account. With the exception of the applicant, no other confirmations of attendance had been received.

The options available to the sub-committee were set out at paragraph 4.1 of the report, and members were reminded that any steps taken should be considered appropriate in order to promote one or more of the licensing objectives. Furthermore, the sub-committee needed to give clear reasons for any decision made.

The Chairman asked the applicants if they wish to add anything to the report.

N Tachmintzis started his submission by giving Members some background information about the premises, which was an independent coffee shop and a small eatery. All produce was fresh and employment was sourced from local people. The premises opened in August 2015 as it was clear that this type of business was lacking in the local area. The premises was situated next to the off licence and a short distance from the Post Office.

The premises offered a new dining experience and tapas nights on Thursday and Friday evenings were proposed to be a regular feature as they were not available elsewhere. The reason for the licence would be to provide casual drinks to accompany food and most residents were supportive – the applicant had a petition of 150 verified signatures in support of the proposals. The customer base was intended to be high end and to target a mid range age group so the idea was not to compete with the local pubs. There was also a need for the coffee shop to have an alternative revenue stream which an alcohol licence could provide.

N Tachmintzis ran through the licensing objectives and how the business would ensure they were upheld:

- Public safety – there was a CCTV camera located at the front, rear and side of the building, recording at all times, and external and internal lighting. A log book would be kept for inspections as well as records for those trying to

purchase alcohol underage. There would be clear signs stating the times of the licence, and a limited stock of wine and beer kept at the premises to be served with food.

- Protection of children – the applicant would clearly display ‘Challenge 25’ posters and people would be turned away if they could not produce ID when asked. The staff would be well trained to deal with these situations.
- Crime prevention – as stated before, there was CCTV in operation 24/7. Also, the applicant had close relations with the local constabulary. Pricing was not attractive for standalone drinking and customers would be required to sit and drink as alcohol would be served as part of the dining experience. 80-90% of customers were local residents.
- Alcohol limits – staff would be trained in responsible selling of alcohol and well aware of the limits. For the tapas nights, there would be a requirement to pre-book. All alcohol would be consumed on site.
- Public nuisance – The applicant believed the neighbouring houses were not close enough to suffer nuisance from the premises. A plant barrier would be created to separate the outdoor seating from the footpath. There would be no external music and music played internally would only be for ambience. The intention was to limit alcohol sales at 8.30pm so all customers would be ready to leave at 9.00pm, and prominent notices would be displayed to ask customers to respect neighbours and leave quietly.

There had been some objections with regards to parking and litter. There was a 20 minute parking restriction outside, however most of the customers were local so they could walk. Staff would be disposing of all rubbish subject to Local Authority guidelines.

Councillor Taylor thanked the applicants for providing a well prepared presentation. However, there had been an allegation about serving alcohol without a licence.

S Wilkins said she was aware of this allegation. It was made following an event at the premises on Thursday 11th August 2016 when she and her husband had hosted a private party for 14 friends to celebrate the one year anniversary of the business. The event was held outside the shop as the applicant owned the forecourt, and guests brought their own food and drink. The event was for 2.5 hours and had been attended by a friend who was also a photographer so she had taken some photographs which are displayed on the website. Alcohol was not sold on this evening and the applicant had asked all the guests to sign a statement to prove this. There had never been any complaints and police had never been called. There had been one incident on the night of the 11th August, whereby a neighbour across the road had shouted ‘shut up’. This had been at 9.30pm when the area was being cleared up. The applicant re-iterated that alcohol had never been sold on site.

Councillor Taylor thanked S Wilkins for her well prepared response and said that it gave him confidence. He said consumption on premises did not need a licence. As a follow up, N Tachmintzis mentioned that alcohol would ‘generally’ be sold with food rather than ‘exclusively’ but this could be further considered by the sub-committee if they felt it was appropriate to do so.

S Wilkins said she had prepared some packs for members which included some testimonials from customers and asked if these could be circulated.

The Chairman said she should have mentioned this at the start but the sub-committee would keep it in mind.

The Chairman asked how the staff would police the outside area.

N Tachmintzis said the area directly outside and owned by the applicant would be sectioned off from the public footpath area, and that the applicant had funds in place to build it. Staff would be aware of what to look out for, it was a small village and the applicant could not foresee any issues. However the staff would be well prepared.

The meeting was adjourned at 10.22 am.

The meeting reconvened at 10.35 am.

Resolved:

The Sub-Committee considered both the submission of the applicant, and the written representations of the objectors when determining the application.

The Sub-Committee took into account the intentions of the applicant to sell alcohol to accompany food, the steps proposed to minimise noise and possible disruption in the outside area, the applicant's commitment to training staff in respect of alcohol sales, and the detailed account of how the applicant intends to promote the four licensing objectives. The fact that there were no representations from any of the responsible authorities was also considered.

Questions were put to the applicant with regard to the allegations made in respect of unlicensed sales of alcohol. The Sub-Committee were satisfied with the applicant's response that events had taken place on a 'bring your own' basis.

The Sub-Committee unanimously agreed to grant the licence, as it would not be inappropriate to the promotion of the licensing objectives to do otherwise.

The Meeting ended at 10.38 am