

**Public Document Pack
LICENSING SUB COMMITTEE**

29 SEPTEMBER 2015

Present: Councillors Batsford, Howard and Street (Chair) with Charman in Reserve.

29. APPOINTMENT OF CHAIR FOR THIS MEETING

In accordance with the terms of reference of the Licensing Committee, the Chief Legal Officer invited nominations for the appointment of Chair for the duration of the meeting. Councillor Batsford moved that Councillor Street should take the Chair. This was seconded by Councillor Howard.

RESOLVED (unanimously) that Councillor Street be appointed as Chair for the duration of the meeting.

30. APOLOGIES FOR ABSENCE

None.

31. DECLARATIONS OF INTEREST

None.

32. NOTIFICATION OF ANY ADDITIONAL URGENT ITEMS

None.

33. APPLICATION FOR A PREMISES LICENCE: GOLDFISH RESTAURANT, 67 EVERSFIELD PLACE, ST. LEONARDS ON SEA

Members of the Committee, Officers, the applicant and the manager of Goldfish Restaurant introduced themselves. Councillor Street set out the procedure that the Sub-Committee would adopt (in accordance with Standard Practice).

The Corporate Director, Environmental Health, submitted a report on an application for a premises licence at Goldfish Restaurant, 67 Eversfield Place, St. Leonards on Sea, as a result of an objection from the Environmental Health Team under the licensing objective "public safety". Mr Scrase, Senior Licensing Officer, presented the report.

Mr Peter Smith, Environmental Health Officer, spoke on behalf of Mrs Sally Nicholls, Deputy Environmental Health Team Manager. He referred to the history of events listed in Mrs Nicholl's representation on page 19, Appendix C of the agenda. He said he had serious concerns regarding the management of the business in respect of food safety issues. The owner of the premises failed to register the food operation with Hastings Borough Council after two requests to do so. It is a legal requirement to register any food business 28 days before opening. Two inspections were made at the premises which identified a number of additional concerns such as the absence of any food safety documents and lack of training documents for staff and management, and poor cleaning. He said the applicant was given a timescale for compliance and

LICENSING SUB COMMITTEE

29 SEPTEMBER 2015

advised to complete the level 2 Chartered Institute of Environmental Health Food Safety course. He advised that the on-line training course which the applicant had completed was not sufficient.

Mr Scrase read the objections received from local residents, these were appended to the report under Appendix C of the agenda. The objections referred to the sale of alcohol on the premises evidenced by the venues' own on-line advertising stating they sell alcohol, plus an on-line review from a customer who was served Bulgarian beer with their meal. Further objections amongst others referred to noise; litter; BBQ's; cars blocking access and children unsupervised in the roadway. In addition a petition against the premises licence was received and signed by 46 residents of Waverley Court immediately adjacent the premises.

Ms Silviya Savova, applicant, explained that customers had brought their own alcohol into the premises. They had served it but did not sell it. Ms Savova said the on-line advertisement advised customers to 'bring your own bottle'. She explained that they were taking measures and following procedures to keep the BBQ safe and had been in contact with Environmental Health regarding the waste disposal/sewage outlet pipe.

Councillor Batsford asked Ms Savova to expand on her ability to run the business correctly in respect of concerns regarding the management of the premises and health and safety issues. Ms Savova said she was taking advice from Environmental Health; such as replacing the seal on the fridge door and had improved the cleanliness of the kitchen and restaurant. She went on to say she had undertaken relevant training and the current chef had been fully trained.

Councillor Howard sought clarification on what qualifications the manager and her staff had obtained. The Restaurant Manager, confirmed that both herself and the chef had completed an on-line qualification which covered food safety, level 2.

Councillor Street asked why Section C,D & E of the application form had not been completed. Ms Savova said she had spoken to Mr Scrase and the police and assumed it had been covered. Mr Scrase added that at a pre-application meeting with the applicant and police had taken place to discuss public safety; food safety and fire regulations. As a result, the applicant had agreed a number of conditions with the police under the Licensing objective: Prevention of Crime and Disorder. They included Challenge 25 Policy, Refusals Register, Digital CCTV and equipment etc.

Councillor Howard asked what previous experience Ms Savova had as a manager before opening the Goldfish restaurant. Ms Savova said she had gained experience from her family who owned a business in Bulgaria. Councillor Howard asked if the laws and regulations were the same in Bulgaria. Ms Savova confirmed that European laws were similar, but not the same.

In summary, Mr Scrase said that a personal licence is needed to sell alcohol which Ms Savova passed the day before his pre-application discussion. He reiterated the fact that the Police had met with the applicant and they had suggested a number of conditions to improve the operation of the premises, typical for a restaurant. The applicant confirmed at the hearing that they were willing to accept all the conditions on the licence.

LICENSING SUB COMMITTEE

29 SEPTEMBER 2015

Mr Smith said the on-line training course usually took 1 hour to complete but it did not cover the depth that was required and was not sufficient. In summary he said management control is critical to the safe running of a restaurant.

Ms Savova said she was still in process of building up the business and would take the advice on board.

RESOLVED (unanimously) that the Committee believe that the management of the premises currently do not uphold the Licensing Objectives although the members accept that the applicant has taken some measures to improve the running of the premises.

The Committee believe that the application is premature.

34. ADDITIONAL URGENT ITEMS (IF ANY)

None.

(The Chair declared the meeting closed at. 3.45 pm)

This page is intentionally left blank