



PARISH OF ST HELIER



Minutes of the Parish Assembly		
Wednesday 29 May 2019 at 7.00 p.m.		
Assembly Room, Town Hall		
21/19	<b>Welcome and Apologies –</b>	
	<p><b>Apologies:</b> The Constable, The Dean, Deputy Judy Martin, Jackie Hilton and Bernie Manning</p> <p><b>Deputies in Attendance:</b> Deputy Stephen Ahier, Deputy Inna Gardiner, Deputy Rob Ward and Deputy Mary Le Hegarat</p> <p><b>Procureurs in attendance:</b> Peter Pearce and Geraint Jennings (Procureur Peter Pearce, Chaired the Assembly)</p>	
22/19	<b>Item 1: Approve the minutes of the Parish Assemblies held on 27 March and 24 April 2019.</b>	
	<p>Minutes of 27 March 2019 Proposer: Julian Rogers, Seconder: Barry Le Feuvre The minutes were adopted</p> <p>Minutes of 24 April 2019 Proposer: Deputy Stephen Ahier, Seconder: Deputy Inna Gardner The minutes were adopted</p>	
23/19	<b>Item 2: to recommend to a sitting of the Licensing Bench the following applications for licences for the year 2019 in virtue of the Licensing (Jersey) Law 1974:</b>	
	Name	Category
	ACH Limited Gary Mitchel Hartland (Sec)	2 <sup>nd</sup>
	Business Address Almorah Hotel 1 Almorah Crescent	
	The Item was withdrawn.	
	Castanheira Foods Limited Jorge Manuel R. Ferreira (Sec)	3 <sup>rd</sup>
	Max Grill 46 Bath Street	
	<p>Proposer: Jose Milho, Seconder: Abel Salgado Nobody spoke on behalf of the application at the Assembly.</p> <p>Peter Pearce advised the applicants that the report from the Fire Service had stated there were a number of matters requiring attention before the application was presented to the Licencing Bench.</p> <p>Geraint Jennings asked as it was a transfer of a licence, did that mean the nature of the business would remain unchanged, would it operate in the same way and open for the same number of hours? The Assembly were advised that there would be no changes to the current operation.</p> <p>On being put to a vote, the application was approved unanimously.</p>	
	C.I. Liquor Company Limited Luke William Wheadon (Sec)	6 <sup>th</sup>
	S10, The Old Sail Loft South Pier	
	<p>Proposer: Paul Richards, Seconder: Andrew Gillham Mark Taft presented the application by explaining he was applying for a 6<sup>th</sup> Category Licence, to operate out of the Old Sail Loft, which is next to St. Helier Yacht Club on the South Pier. Mr Taft explained that he was familiar with the Licencing Law as he currently holds a 1st and 3<sup>rd</sup> Category Licences for the Bastille. His partner Luke Wheadon operates a successful distillery in Guernsey and they were seeking to operate the same business model in Jersey.</p> <p>Peter Pearce asked was the business intended to be a wholesale or retail outlet. Mr Wheadon stated the intention was to operate as wholesale.</p> <p>Geraint Jennings asked if the demand for the product increased, would it change to retail, adding that often the Assembly were approached by new businesses who state their initial intentions, to which the Parish agree, but then the business diversifies from the original plan. The applicants explained that the business was primarily a</p>	

	<p>distillery and wholesale, the Guernsey model has approximately four main customers; it is not anticipated that the business would be customer facing. Mr Taft made a commitment that should they decide to diversify later then they would contact the relevant licencing authorities and make the required applications.</p> <p>No further questions were asked and on being put to a vote the application was approved unanimously</p>		
	F& D Limited Helmet Fuchs (Sec)	6 <sup>th</sup>	15 Beresford Street
	<p>Proposer: Helmut Fuchs, Seconder: Sebastian Derda Helmut Fuchs addressed the Assembly and asked for a 6<sup>th</sup> Category Licence for an off-licence in Beresford Street.</p> <p>Geraint Jennings asked what was the nature of the business, what are the hours and what are you selling.</p> <p>Mr Fuchs stated he already ran a Polish Shop and would like a separate 6<sup>th</sup> Category Licence to be able to sell products wholesale.</p> <p>No questions were asked and on being put to a vote the application was approved unanimously</p>		
	Terre D'Italia Limited Woodbourne Secretaries Ltd (Sec)	1 <sup>st</sup> and 3 <sup>rd</sup>	Terre D'Italia 6 Caledonia Place
	<p>Proposer: Jacqueline Latimer, Seconder: Pamela Doherty Pamela Doherty from Collas Crill, presented the application and explained that the company currently holds a 6th Category Licence for the premises however; the company were seeking to expand their offering to provide Italian wines, nibbles and food. The 1<sup>st</sup> category was required so that customers could buy a glass of wine from a counter, rather than providing a waiter service.</p> <p>Geraint Jennings asked if the opening hours would be the same as the shop. M/s Doherty asked if the Parish would be flexible in relation to opening hours, as it would depend on business demand, so flexibility would be good.</p> <p>Peter Pearce informed the M/s Doherty that whilst the Fire report had suggested a figure of 40 persons, the Health report had stated 0 persons for a Taverners Licence and 30 persons for a Restaurant Licence, due to the lack of sanitary provisions. M/s Doherty stated she was aware of these numbers, but as the applicant was not looking to operate their business like a traditional pub, they would like to approach the Licencing Bench and ask for their discretion, as the offering does not fit fully within a 1<sup>st</sup> or 3<sup>rd</sup> Category Licence as stipulated in Law.</p> <p>Peter Pearce who was chairing the meeting asked the Assembly for a vote to be undertaken separately on each category of licence. 1st Category Application 6 votes in favour and 2 against 3rd Category Application was approved unanimously</p>		
	<u>Provisional Application</u> Herbert & Ward (Jersey) Ltd Pamela Josephine Warr (Sec)	3 <sup>rd</sup>	F & B, Unit 2 IFC5, Esplanade
	<p>Proposer: David James Warr, Seconder: Christopher Hiller David Warr presented the provisional application, explaining the ethos and commitment that Cooper's coffee had made to St. Helier over the years. He explained how the operation had expanded and that they had been approached by the Jersey Development Company to open a new coffee shop at the Finance Centre, next to Trenton Square. The company would like to be able to offer a service selling alcohol to accompany lunches or afternoon/evening drinks, although a coffee shop would remain its primary business. However, between the hours of 5pm to 7pm on a Thursday &amp; Friday, the emphasis may be less on coffee.</p> <p>Mr Warr asked the Assembly to include the outside area in the application</p> <p>Barry Le Feuvre asked if the outside area was a public footpath. Mr Warr stated the area is not public land, although there is a walkway that needs to be kept clear, it is owned by the company from whom it is being leased.</p> <p>No further questions were asked and on being put to a vote the application was approved unanimously</p>		

24/19	<p><b>Item 3:</b> to consider in principal an application by Terre D'Italia Limited in respect of 6 Caledonia Place to vary the licences (subject to the approval of the Licensing Assembly of the application for 1st and 3rd Category licences) by extending the ambit to include an external area presently not licensed and for which approval has been granted by the Jersey Development Company.</p>
	<p>Proposer: Jacqueline Latimer, Seconder: Pamela Doherty  Pamela Doherty from Collas Crill, presented the application explaining that should her client be granted a 1<sup>st</sup> and 3<sup>rd</sup> Category Licence, she would like this to be extended to cover an outside area, which had agreement of the Jersey Development Company.</p> <p>Geraint Jennings asked, how if Health had said there was not enough sanitary provision for patrons inside the building, how could it be considered there would be enough for those siting outside the premises. He suggested that the applicant give this serious consideration and have some answers available, before taking the application to the Licencing Bench</p> <p>.</p> <p>No further questions were raised and on being put to the vote the application was unanimously approved</p>
	<p>The Chair reminded all those that had spoken in respect of the Licensing applications that they were entitled to address the Licensing Assembly, which would sit at 10:00am Thursday 20 June to hear the applications</p>
	<p>The date of the next scheduled Parish Assembly is Wednesday 26 June 2019</p>