

LICENSING SUB COMMITTEE

27 November 2023

Present: Councillor Wenham (Chair)
Councillor Saunders and G Saffery

Also Present: Amrit Singh; Regional Manager, Tim Hortons

Officers: Senior Solicitor
Senior Licensing Officer
Democratic Services Officer (BR)

18 **Committee membership/ election of a Chair**

The Democratic Services Officer confirmed that the sub-committee would comprise Councillors G Saffery, Saunders and Wenham.

The sub-committee was asked to elect a Chair for the hearing.

RESOLVED –

That Councillor Wenham be elected Chair for this hearing.

19 **Disclosure of interests (if any)**

There were no disclosures of interest.

20 **Application for a new Premises Licence - Tim Hortons, North Western Avenue, Watford WD25 9JS**

The Chair, Councillor Wenham, welcomed everyone to the meeting and asked all present to introduce themselves.

The Chair invited the Senior Licensing Officer to introduce the report.

The Senior Licensing Officer delivered his report to the sub-committee.

The Chair thanked the officer and invited the sub-committee membership to ask the Senior Licensing Officer questions, there were

no questions. The Chair then asked both the applicant and the Senior Solicitor if they had questions, neither did.

The Chair then invited the applicant's representative to address the sub-committee.

The regional manager of Tim Hortons, Amrit Singh, introduced himself to the sub-committee. He stated that he wanted to help the local community, especially those who worked late while also providing more employment and opportunities for staff to earn money and support their families. He stated that community was very important to the company. He continued to say that the company had been working to make sure the area around the restaurant was clean and carried out litter picking every two hours. He produced documentation to support this, which showed when staff had carried out cleaning as well as where. He stated that they had external and internal CCTV to support this and to help prevent or document Anti-Social Behaviour. He finished by stating that the music inside the restaurant was kept at a very low level and could not be heard outside of the restaurant, he finished by stating that they were keen to not disturb neighbours.

The Chair thanked the applicant and invited questions from the membership, there were no questions.

The Chair then asked Mr. Singh to clarify how often the litter picking in the carpark was carried out. Mr. Singh responded by saying it was every two hours. The Chair followed by asking how far out they went with the litter picking. Mr. Singh stated that they cleared all of the carpark around and to the front of the restaurant, including the bays outside the medical centre. He went on to state in addition to this they had signs up directing customers to the bins and they had ordered supplementary signage, he produced documentation to support this statement.

The Chair asked the officers if they had any questions.

The Senior Solicitor asked if the applicant's representative would be happy with the twenty-metre condition listed in the officer's recommendation. Mr. Singh stated they would be.

The Senior Licensing Officer clarified that the twenty meters would be a legal minimum, and that there would be no reason to reduce what they were currently doing in terms of clearing rubbish.

Mr. Singh stated that they would not reduce anything they currently did to keep the car park tidy and that they would take that, and further responsibility for Tim Horton's rubbish.

The Chair then gave Mr. Singh the opportunity to sum up.

Mr. Singh stated that the late night take away was something they wanted for the local community and the local staff. He went on to say that, Tim Hortons had been open for a year and had recently given away free drinks to the community to celebrate their anniversary.

The Chair asked if the sub-committee members had any further questions, no one did.

Decision

RESOLVED –

The Sub-committee has decided to grant the application has been made by TH UK & Ireland Ltd for a new premises license for the premises at 6B North Western Avenue, Watford WD25 9JS.

The Sub-committee found that the licensing objectives of prevention of public nuisance is relevant to this application.

The Sub-committee read all the information before them, viz; representations against this application received from a local resident and neighboring business opposing the application. The Sub-committee heard from Mr. Amrit Singh (Applicant's Local Regional Manager).

Mr. Singh informed the sub-committee the aim of the company was to provide late night refreshment for local people who work late at night and to provide work for locals.

The concerns raised by the objectors were already being addressed by the processes the company had in place. Staff and managers carry out regular litter picks and checks every two hours to ensure the premises and surroundings were clean. The litter patrol area was beyond 20 meters of the premises. CCTV was installed to deter antisocial behaviour. Music on the premises was at a very low volume that would ensure it would not permeate outside the premises. The signage about litter would be placed inside and at the drive thru. Bins were also placed in dedicated areas.

At the hearing, the Sub-committee heard the Police secured an agreement with the applicant to amend their application and attach specified conditions. As a result of the agreement, the Police withdrew representations.

There was no history of enforcement visits and action against the premises as it was not currently licensed.

In determining the application, the Sub-committee were mindful that their concern here is to be confident on the balance of probabilities that the licensing objective of the prevention of crime and disorder, protection of children from harm, the prevention of public nuisance, and public safety will be safeguarded and promoted if the application was granted.

The sub-committee has therefore decided to grant the application attaching the conditions agreed with Police, and the following conditions proposed by officers:

- i. Customers collecting food and/or drink orders between the hours of 00:00 and 05:00 shall only be served through the drive-through service window at the premises.
- ii. Signage shall be clearly displayed at the drive-through service window, visible to customers using the service window, advising customers not to litter and use the bins provided for the disposal of rubbish.
- iii. All litter to include discarded flyers, cigarettes, fast food packaging and any other litter, whether caused by the venue or not, shall be cleaned from an area of 20 metres in all directions from the drive-through service window at least once a day. All waste collected is to be disposed of by the premises as trade waste. The details of all cleaning undertaken under this condition are to be recorded and maintained at the premises for 12 months.

The reasoning behind the decision is, the Applicant has signalled from the measures, it has taken to address the concerns raised in the objections and the conditions it has accepted to be attached to the licence, that it will be a responsible operator. The Applicant has shown a clear understanding of the licensing legislation, objectives, and requirements of licensing. Its actions so far demonstrate good management and responsibility.

The sub-committee is of the view that granting the application with the Conditions agreed with the Police, the conditions proposed by officers and

confirmed at the hearing, will ensure that the four Licensing objectives would not be undermined.

The Sub-committee is aware of and considered any implications that may arise from the Human Rights Act 1998.

The Sub-committee had due regard for its public sector equality duty under section 149 of the Equality Act 2010 and consider that in reaching their decision they have fulfilled their duty under the Equality Act 2010.

In reaching their decision the Sub-Committee had due regard for all that they had read, seen, and heard. They took into account the provisions of Licensing Act 2003, the Licensing objectives, s182 Guidance, and the Council's statement of licensing policy.

Chair

The Meeting started at Time Not Specified
and finished at Time Not Specified