



# PARISH OF ST HELIER



<b>Minutes of the Parish Assembly</b>			
<b>Wednesday 28 November 2018 at 7.00 p.m.</b>			
<b>Assembly Room, Town Hall</b>			
<b>67/18</b>	<b>Welcome &amp; Apologies –</b>		
	<p><b>Apologies:</b> The Dean, Deputies Judy Martin, Mary Le Hegarat, Carina Alves &amp; Steve Beddoe, Stewart Mourant</p> <p><b>Deputies in Attendance:</b> Deputy Stephen Ahier</p> <p><b>Procureurs in attendance:</b> Peter Pearce, Geraint Jennings</p> <p>Before officially commencing with the business as set out in the agenda the Constable asked that attendees observe a minutes silence in respect of Deputy Richard Rondel who had sadly passed away. He added that there was a Book of Condolence on the Ground Floor should any attendees wish to sign it.</p>		
<b>68/18</b>	<b>Item 1: Approve the minutes of the Parish Assembly held on 31 October 2018.</b>		
	<p>Proposer: Deputy Stephen Ahier                      Seconder: Julian Rogers</p> <p>The minutes were adopted unanimously.</p>		
<b>69/18</b>	<b>Item 2: elect a Constable's officer for the Vingtaine du Rouge Bouillon</b>		
	<p><b>Rosemary Ann Le Motteé</b></p> <p>Proposer: Benjamin Young</p> <p>Seconder: Andrew Renouf</p> <p>There being no other candidates Miss Le Motteé was elected Constable's Officer for the Vingtaine du Rouge Bouillon.</p> <p>The Constable thanked Miss Le Motteé for putting her name forward and formally warned her to appear before the Royal Court at 10am on Friday 30 November to take her Oath of Office</p>		
<b>70/18</b>	<p><b>Item 3: recommend to the Licensing Assembly an application by Cineworld Cinemas Limited, holder of a Seventh Category licence in respect of Cineworld, The Waterfront to vary the conditions of the licence to increase the number of patrons permitted in specific areas on the premises as follows;</b></p> <p><b>First Floor bar area increase from 100 to 200, VIP 1A increase from 12 to 18,</b></p> <p><b>VIP 1B increase from 12 to 18 &amp; VIP 10A increase from 8 to 12;</b></p>		
	No one appeared on behalf of this application and therefore the matter was not discussed		
<b>71/18</b>	<b>Item 4: recommend to the Licensing Assembly the following applications for licences for the year 2019 in virtue of the Licensing (Jersey) Law 1974:</b>		
	<b>Name</b>	<b>Category</b>	<b>Business Address</b>
	BWBS Limited Brian Smith (Sec)	1 <sup>st</sup>	The View Bar, Fort Regent
	<p>Brian Smith proposed and presented the application, which was seconded by Stanislava Smith. In doing so, Mr Smith asked if it would be possible to also include item 5 on the agenda as both applications were linked and it was easier to explain whilst making his presentation.</p> <p>The Constable said that he would be happy for this to happen, however the change to the agenda would have to be proposed, seconded and approved by the Assembly. He suggested that the applicant make his presentation and if the application for the first category was approved then with the Assembly's approval we could immediately discuss the application to extend the licence.</p> <p>Mr Smith said that he had 25 years experience in the industry and ran an outside catering business. In essence, the application was to take over the First category licence already in place.</p> <p>The Constable made mention of a number of recommendations contained in the Fire Service inspection report and reminded the applicant that these would need to be attended to prior to the Licensing Assembly in December.</p> <p>No further questions were raised and on being put to the vote the application was approved unanimously.</p>		

<p>On a proposal by Geraint Jennings seconded by Peter Pearce the Assembly approved the proposition to hear item 5 to recommend to the Licensing Assembly an application to extend the ambit of the licence to cover additional bar service areas. The application was proposed by Brian Smith and seconded by Stanislava Smith.</p> <p>Mr Smith explained that the application was to extend the licence to cover two service bar areas that were used for concerts &amp; shows. Currently they have been applying on each occasion an event takes place for a transfer permit via a Bailiffs office which was not ideal and felt a more permanent arrangement if permissible would be better for everyone.</p> <p>Geraint Jennings said that if he understood it correctly the applicant wanted to have a simpler way to manage these areas rather than on an ad-hoc basis as they do now and that alcohol would only be served from these areas when events were on. Mr Smith confirmed that areas had shutters and could be closed off and they would only be used for shows</p> <p>Geraint Jennings asked for clarification that you will not be selling permanently from these areas and they are only for events and confined to their frequency. This was confirmed by the applicant.</p> <p>No further questions were raised and on being put to the vote the application was approved unanimously</p>		
Erlinda Carter	3 <sup>rd</sup>	Erlinda's Café Fish & Chip Shop 9 ½ St Saviour's Road
This item was withdrawn prior to the Assembly.		
Fona Pizza Limited Antonia Francisco (Sec)	3 <sup>rd</sup>	The Mandarin Room, Unit 1 Spectrum Gloucester Street
<p>Proposer: Peter Pearce, Seconder: Martin Hodson</p> <p>Philip Livingstone presented the application, which was to be granted a Third category licence for premises that had previously held this category of licence. Mr Barry Thirkell who already runs a successful business in St Helier the Robin Hood take-away in Union Street owned the company. Advocate Livingstone said that he understood that there were works that required attention and if those works were complete by the date the Licensing Assembly sat in December then they would be looking to request an occupancy figure of 81.</p> <p>The Constable said that there were a number of recommendations contained in the Fire inspection report that needed attending to and that they had set the occupancy figure at 110.</p> <p>Kevin Proctor asked if this application was solely for a restaurant licence or did it include a take-away. It was confirmed that the application was only for a third category restaurant licence.</p> <p>No questions were raised and on being put to the vote the application was approved unanimously.</p>		
JK Silvestre Limited	1 <sup>st</sup> 3 <sup>rd</sup> & 7 <sup>th</sup>	St James Wine Bar 5 Rue de Funchal
<p>Proposer: Joao Silvestre, Seconder: Jose Veloso</p> <p>Adam Marshall presented the application, which was to take over the three categories of licences already in existence at the premises. He added that the current incumbent is supportive of the application and would be on hand to assist the new licence holders. It was confirmed that Mr Joao Silvestre a director of the company would apply to be the manager. Mr Silvestre had lived in Jersey for 10 years and was currently employed as a head chef at the Royal Yacht Hotel so he had experience in the hospitality industry.</p> <p>Geraint Jennings asked if it was planned that the establishment would be run as before. This was confirmed with the exception that with the applicants experience he might wish to serve more meals.</p> <p>Mr Jennings said that the Parish had received complaints in respect of cigarette ends outside the premises and asked for an undertaking from the applicant that he would clean and keep the area clear. This undertaking was given by the applicant.</p> <p>No questions further were raised and on being put to the vote the application was approved unanimously.</p>		
JPB Holdings Limited James Cornthwaite (Sec)	6 <sup>th</sup>	26 Beaulieu Park St Saviour's Road
This item was withdrawn prior to the Assembly		
Kamila Pasnicka	6 <sup>th</sup>	Stop Shop, 78 Roseville Street
<p>Gilberto Franco proposed and presented the application, which was seconded by Jose Gomes.</p> <p>Mr Franco explained that the applicant who had lived on the island since 2012 had experience as she had worked for a number of years at premises that held a Sixth category licence. She was looking to take up a Sixth category for these premises that had in the past held that category of licence but which had lapsed.</p> <p>Bernie Manning asked if it was planned to re-open the premises as a newsagent and grocery store. Mr Franco confirmed that was what was planned.</p> <p>No further questions were raised and on being put to the vote the application was approved unanimously.</p>		
Quidsin. Com Limited BR Secretaries (Sec)	6 <sup>th</sup>	Bank House, 2 Library Place
Proposer: Jenni McBride Seconder: Renata Wojtusciszyn		

	<p>M/s McBride presented the application stating that the company had previously held a Sixth category licence but had forgotten to renew it for 2018. Whilst they did not store any alcohol, they sometimes had offers for restaurants etc. that include alcohol therefore, they were advised to cover themselves they should hold a Sixth category licence.</p> <p>Geraint Jennings sought clarification that no alcohol was being sold or served from the premises and that this was merely a paper exercise as part of the offer that included the sale or provision of alcohol.</p> <p>M/s McBride confirmed that was absolutely correct.</p> <p>No questions were raised and on being put to the vote the application was approved unanimously.</p>		
	S & I Limited Stephen McConnell (Sec)	3 <sup>rd</sup>	Tamarind Restaurant, 8 Waterloo Street
	<p>Proposer: Mary Rutherford, Seconder: Martin Hodson</p> <p>Advocate Olaf Blakeley presented the application stating that there had been a change in the ownership of the company that had previously held First &amp; Third category licences for the premises and that his client had formed a new company that was looking to run the restaurant. Therefore, in essence this was a transfer of the Third category licence only as they were giving up the First category licence.</p> <p>Geraint Jennings re-iterated his comments in relation to cigarette ends outside the premises and sought a similar undertaking from the applicant.</p> <p>No questions were raised and on being put to the vote the application was approved unanimously.</p>		
	Victoria Hotel (Jersey) Limited Geraldine Davies (Sec)	1 <sup>st</sup>	The Green Rooster, Minden Place
	<p>Proposer: Shaun Eggleston, Seconder: Penny Dawkins</p> <p>Pamela Doherty from Collas Crill presented the application explaining that the premises had been leased out but now the Liberation Group were looking to take the premises back under their umbrella.</p> <p>The Constable informed the applicant that there were a number of recommendations contained in both the Fire &amp; Health inspection reports, which required attention.</p> <p>No further questions were raised and on being put to the vote the application was approved unanimously</p>		
	Provisional Casual Dining Bioco Limited Giles David (Sec)	1 <sup>st</sup>	Restaurant, General Concourse & outside sitting area, Portside, Elizabeth Terminal
	<p>Proposer: Anna Potoczna Seconder: Ebonny Hall</p> <p>Jane Needham presented the application stating that the company was already the holder of a First category licence in respect of the kiosk and concourse, which would be surrendered if a blanket licence as permitted under Article 92 of the Licensing Law was granted. A previous applicant was granted a First category and in this instance this seemed more practical to have only one licence for the premises covering the various functions the company wished to offer which normally would have required the applicant to hold First, Third, Sixth and Seventh category licences. Whilst making the application Ms Needham asked if the Assembly would be minded to also consider an application for a P49 Bailiffs entertainment permit as this would save the applicant having to come back to another Parish Assembly.</p> <p>The Constable said that he did not think that would be permissible as the application for a P49 had not been officially advertised and whilst there may be no objections Parishioners should be aware that the matter was being considered. He asked the applicant when they envisaged opening. The applicant stated that they hoped that they would be open for Easter 2019. The Constable informed the applicant that if that was the case there was still ample opportunity for the application to come before a future Parish Assembly.</p> <p>Peter Pearce asked if the licence covered the waiting area.</p> <p>It was confirmed that it did.</p> <p>No further questions were raised and on being put to the vote the application was approved unanimously</p>		
	<b>subject to the Assembly's approval of the application by BWBS Limited for a First category licence for the View Bar, Fort Regent, to recommend to the Licensing Assembly an application to extend the ambit of the licence to cover additional bar service areas.</b>		
	This item was dealt with along with the first licensing application by BWBS Ltd.		
	The Constable 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 December to hear the applications		
	The date of the next scheduled Parish Assembly is Wednesday 19 December 2018 and will include the Election of a Roads Inspector and Rate Assessors		