

PARISH OF ST BRELADE

PARISH ASSEMBLY

	Minutes of an Assembly of Principals and Electors of the Parish of St Brelade held at St Brelade's Parish Hall on Tuesday 27 February 2024 commencing at 19:00 hours.
President of Assembly:	Senior Procureur du Bien Public, Mr Arthur Morley, presided in the absence of Connétable M K Jackson.
Convening Notice:	The Convening Notice was read by the Assistant Parish Secretary.
1. Minutes of Previous Assembly:	The Minutes of the previous Assembly of Principals and Electors of The Parish of St Brelade held on 30 January 2024, were adopted unanimously and signed following a proposal by Deputy Jonathan Renouf which was seconded by Procureur Mr Christopher Cooke with all in favour.
2. Fort Gem Holdings Ltd application for 3rd Category (Restaurant) Licence:	<p>In accordance with Article 5 (1) of the Licensing (Jersey) Law, 1974 as amended, consider the following licensing application for recommendation to the Licensing Assembly.</p> <p>Name: Fort Gem Holdings Ltd Category: 3rd Category (Restaurant) Company Secretary: Paul Carney Business Address: Fort Gem Beach Café La Neuve Route St Brelade JE3 8BS</p> <p>The application was proposed by Mrs Katherine Kelly and seconded by Mr Mark Healey.</p> <p>The Chairman read excerpts from the reports obtained from the Fire Service and Environment Health Department. The occupancy was assessed at 60 patrons.</p> <p>Mr Carney addressed the Assembly and spoke about his reasons for an application for a licence. This was to suit the tourists on holiday and to be able to offer alcoholic beverages to those dining in.</p> <p>The Chairman then asked for any questions or comments of which there were none.</p> <p>A vote was taken with 38 in favour and none against.</p>

<p>3. Salty Dog Bar & Bistro (Formerly Tresor) application for 3rd Category (Restaurant) Licence:</p>	<p>In accordance with Article 5 (1) of the Licensing (Jersey) Law, 1974, as amended, consider the following licensing application for recommendation to the Licensing Assembly.</p> <p>Name: Natalie Duffy Category: 3rd Category Business Address: Salty Dog Bar & Bistro (Formerly Tresor) La Neuve Route St Brelade JE3 8BS</p> <p>The Chairman addressed the Assembly outlining the process of approving an application at a Parish Assembly, he advised that everyone would have the right to voice their opinion and those people would also be permitted to speak at the Licensing Assembly being held at 10.00 hours on 21 March 2024 in the Royal Court.</p> <p>The Chairman made it clear that whilst the Parish makes a recommendation to the Licensing Assembly it is that body which gives approval and applies appropriate conditions as necessary.</p> <p>The application was proposed by Mr Nigel Godfrey and seconded by Mrs Jane Patterson.</p> <p>The Chairman addressed the Assembly with an email from the Regulations Standards Senior Officer for Housing & Nuisance with regard to a Statutory Nuisance and Abatement order which had been served on Tresor. They had ceased trading before it could be determined whether the notice had been complied with.</p> <p>The existing extractor fan system does have the capacity to operate at a level which would constitute a statutory nuisance if used at its highest setting. The officer was prepared to sign off the notice once a restriction was put in place limiting the operating capacity of the system.</p> <p>There was a potential risk however that restricting the system could have unintended consequences with other areas such as Environmental Health within the kitchen and fire regulations so continued compliance in these areas needs to be ensured.</p> <p>The officer's position is to provide evidence to planning services in relation to noise conditions. The planning officer leading the matter was off sick for the site visit on 14th February 2024 and as of 27 February continues to be so. The officer has forwarded her recommendations to that planning officer's manager given that it is planning services that use the evidence provided to assess whether the conditions have been complied with or not. It was pointed out that relevant parties are also able to commission an acoustic report</p>

from a independent consultant but this to planning would also need to be submitted to planning.

Observations to date have been subjective in that a formal assessment requires winds of less than 11 mph. It is unfortunate that these conditions haven't prevailed since 14th February to coincide with the officer's availability.

The British Standard for the measurement technique specifies the 11mph wind factor without rain. A below 5db condition was applied to the original planning consent so the target is to comply with that.

Mr Phillip Syvret of Benest & Syvret representing the Salty dog addressed the Assembly and advised that as a result of the lease on the existing premises coming towards the end new premises would be required and hence this application. The new premises would offer lunch /brunch and dinner so making a valuable contribution to the local economy and tourist trade alike. Natalie Duffy has operated the Salty Dog business for 25 years successfully without issues and had invested significantly in the new premises.

The Fire service had inspected the premises and deemed them suitable subject to the following 3 key areas being rectified. Copy attached and forms part of these minutes.

The occupancy of 85 was deemed suitable on completing the works. The issue of the licence should be conditioned on these items being fulfilled.

Environmental Health have inspected the premises internally and confirmed the sanitary facilities in operation in the restaurant to be satisfactory. The inherited extractor fan issue was to be addressed ensuring that its noise when in operation did not exceed 5db. Copy attached and forms part of these minutes.

Mr Syvret made the point that conditions regarding the extractor fan noise had been implemented as a condition to the previous licence but had been ignored by the former operator so how could residents have certainty that the new operator will comply. He proposed that a first condition would be that the extractor fan noise should operate with a maximum noise rating of 5db thus reflecting the existing planning conditions and that any breach be formally addressed by shutting the premises down.

A second condition would be to observe all planning conditions.

Mr Syvret assured the Assembly that Mrs Duffy will ensure mitigations are put in place to restrict the fan noise and maintain the servicing.

Mr Vijay Khakhria asked why it had taken until 5.30pm on the day of the Assembly for agreements to be made. Mr Syvret advised that it had been a long process to become aware of the problems and engage with the authorities.

The Chairman advised the Assembly that those who spoke would be entitled to speak at the upcoming Licensing Assembly on 21 st March.

Mrs Ilsa Khakhria spoke to say that she would speak in case she needed to point out further issues at the Licensing Assembly.

Ms Tara Holland-Prior addressed the Assembly on behalf of her mother Mrs Margaret Holland-Prior, a neighbour who was unable to be present.

She asked what opening hours were being proposed as this would dictate extractor fan usage and the effect on the neighbourhood. Could the hours be restricted she asked. She raised a point regarding the courtyard music being played throughout the day and whether this could be addressed. She asked why approved numbers had been increased from the 75 at the Tresor business to 85 in the current application. She asked in addition what the plans were with regard to live music given the prevalence of increasing noise and disturbance in St. Aubin.

Mr Syvret answered that it wouldn't be reasonable to restrict the restaurant operating hours over those normal hours as specified On the licence. He indicated that he was unfamiliar with numbers specified for previous operators but confirmed that 85 was the number approved for the present application by the fire service . The Parish police regularly check licensed premises. He suggested that there were no particular plans for music but that live music was a possibility.

Chef de Police Centenier Bougeard advised that given the restaurant was opposite the Police Station it was regularly patrolled. There is a risk from past experience that loud outside music can be intrusive and that Ms Duffy was well able to manage it. He asked whether doorman would be employed and what the latest times for last covers would be.

Mr Syvret indicated that advice would be taken as to whether this was necessary , He advised that the premises would need to be vacated by 1 am and last orders around 10pm.

Answering a question from Mrs Khakhria and Ms Holland-Prior about the fan operating till 1am Mr Syvret advised that the fans would be turned off when cooking had finished.

Mr Gavin Reed from Randalls addressed the Assembly to say that Ms Duffy had years of experience and he believed she was doing good by putting money into the hospitality industry after what had been a difficult period and that she should be encouraged.

There being no further questions a vote was taken, those in favour 41, against 2.

<p>4. Sugareef, La Route de la Baie Consider a Representation application to extend 1st & 3rd Category Licence to cover premises located on 1st Floor (Formerly Jambo's Chinese Restaurant:</p>	<p>In accordance with Article 5 (1) of the Licensing (Jersey) Law, 1974, as amended, consider the following licensing application for recommendation to the Licensing Assembly.</p> <p>The Chairman read excerpts from the reports obtained from the Fire Service and Environment Health. The occupancy was assessed at 220 patrons (110 upstairs and 110 downstairs).</p> <p>The application was proposed by Mr James Perrett and seconded by Mr James Davidson.</p> <p>Mr Paul Gambling addressed the Assembly explaining the plan to extend the 1st floor area (formerly Jambos restaurant).</p> <p>Centenier Michel Bougeard expressed concern about music being played as he had had previous complaints of it being loud, the large speaker with the doors open were in the direction of the beach . He questioned whether having upstairs would make it worse.</p> <p>Mr Paul Gambling assured Centenier Bougeard that this would not get worse, and the doors needed to be closed at 10 pm.</p> <p>There being no further questions.</p> <p>A vote was taken, those In favour 40 against Nil.</p>
	<p>There being no further business the Chairman thanked the 55 people for their attendance declaring the meeting closed at 19.49 hours.</p> <p>Signed: _____ Date: _____</p> <p>Arthur Morely Senior Procureur du Bien</p>



The Connetable
St Brelade Parish Hall
Jersey

16th February 2024

Dear Connetable

**Licensing (Jersey) Law 1974 - Application for 3rd Category Licence
Premises: Salty Dog Bar & Bistro, La Neuve Route, St. Brelade, JE3 8BS**

The application by Salty Dog Bar & Bistro to all intents and purposes is for the granting of a 3rd Category Restaurant licence.

In accordance with the terms of Articles 39 respectively of the Licensing (Jersey) Law 1974, an inspection was carried out at the above premises 14th February 2024.

The state and condition of the premises was found to be generally satisfactory for the grant of the licence.

We have not received an occupancy figure given by the Chief Fire Officer for the premises. However, as far as concerns this Department the degree of sanitary accommodation is presently sufficient to accommodate up to **150 persons**.

Yours sincerely

A. G. de Bourcier

**Alison de Bourcier
Director of Environmental Health and Trading Standards**

cc Mr Jason Troy, Licensing Clerk, Judicial Greffe, Royal Court House, Royal Square, St Helier, JE1 1JG
Salty Dog Bar & Bistro

Licensing
Judicial Greffe
Royal Court House
Royal Square
St Helier
JE1 1JG

14 August 2023

Our ref: C132/JH

Licensing (Jersey) Law 1974 Licensing Report

Premises: Salty Dog Bar & Bistro (La Neuve Route)

Subject: Application for 3rd Category Licence.

An inspection of the above premises has been carried out relevant to fire safety. It is considered the premises will be suitable for the proposed use provided as long as the following is rectified:

1. Proof that the following fire precaution measures have been installed and/or serviced, by a competent contractor, in the last 6 months to be provided to this department (certificates, reports etc.):
 - a. Automatic fire detection system
 - b. Emergency lighting
 - c. Fire extinguishers
 - d. Fire suppressions systems
2. A suppression system, designed and fitted in accordance with LPS 1223, is to be located in the open-plan kitchen area (old sushi bar). The system is to cover the cooking areas.
3. If the Fire Alarm Panel is to be enclosed then it should be either visible via a transparent fronting to the cupboard, or the cupboard is clearly signed.

OCCUPANCY: The occupancy of **85 persons** is suitable on completion of the above works.

Yours sincerely



Jason Harries

Fire Safety Officer

t: +44 (0) 1534 445954

e: j.harries@gov.je

cc. Constable of St Brelade | Health Protection | Police Licensing | Mrs. Natalie P Duffy | Andrew Jones