

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 10 January 2017

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 10.00 - 11.45 am

Members Present: M Sartin (Chairman), K Chana and R Morgan

Other Councillors: -

Apologies: R Gadsby

Officers Present: A Mitchell (Assistant Director (Legal Services)), L Turner (Licensing Compliance Officer) and G J Woodhall (Senior Democratic Services Officer)

35. DECLARATIONS OF INTEREST

There were no declarations of interest pursuant to the Council's Member Code of Conduct.

36. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business.

37. STREET TRADING CONSENT - BRADYS SEAFOOD STALL, DUKE OF WELLINGTON PUBLIC HOUSE

The three Councillors that presided over this item were Councillors M Sartin (Chairman), K Chana and R Morgan. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the application was Mr J Jeffries, the applicant; there were no objectors in attendance. The Chairman then introduced the Members and Officers present, and outlined the procedure that would be followed for the determination of the application.

The Application before the Sub-Committee

The Licensing Compliance Officer informed the Sub-Committee that an application for a Street Trading Consent had been received from Mr J Jeffries for a Seafood Stall on the forecourt of the Duke of Wellington public house in the High Street, Epping. The application requested permission to sell hot and cold seafood between 1.00pm and 8.00pm on Thursday and Friday, 11.00am to 7.00pm on Saturday, and 11.00am to 5.00pm on Sunday. Following a public consultation exercise on the application, one response had been received from Essex Police who had no objections to the application.

Presentation of the Applicant's Case

The Applicant, Mr Jeffries, made a short presentation in support of his application.

Questions for the Applicant from the Sub-Committee

In response to questions from the Sub-Committee, Mr Jeffries explained that the Stall was situated in the front car park of the Public House and had been in situ for three months now. The Applicant was aware of all the necessary waste management requirements, and had a good relationship with the management of the Public House. The Licensing Compliance Officer confirmed that planning permission was not required.

Mr Jeffries added that, although the stall was permanently retained at the Public House, it was on wheels and could be removed if necessary. The Applicant had no connection with the nearby Smiths Fish & Chip shop, and requested that the Licence be put in the name of his business – Bradys Seafood Stall Limited. The Assistant Director of Governance (Legal Services) advised the Sub-Committee that if the Licence was granted to the business then if the business was sold Mr Jeffries would not necessarily continue as a Director. The Council would have more control over who was responsible for complying with the conditions of the Licence if it was put in the name of the Applicant.

Questions for the Applicant from the Officers

There were no questions for the Applicant from the Officers in attendance.

Applicant's Closing Statement

The Applicant made a short statement in support of his application and requested that the Committee grant his application for a Street Trading Consent.

Consideration of the Application by the Sub-Committee

The Sub-Committee received no further advice from the Officers present, and noted that no objections had been received in relation to the application.

Resolved:

(1) That the application for a Street Trading Consent by Mr J Jeffries for a Seafood Stall at the Duke of Wellington Public House in the High Street, Epping be granted, subject to the Council's standard conditions for a Street Trading Consent and the following hours of operation:

- | | | |
|-----|---------------------|------------------------|
| (a) | Thursday and Friday | 1.00pm to 8.00pm; |
| (b) | Saturday | 11.00am to 7.00pm; and |
| (c) | Sunday | 11.00am to 5.00pm. |

38. ADJOURNMENT

The Chairman adjourned the meeting of the Sub-Committee at 10.35am as the Applicant, Mr A Islam Rubel, for the Hackney Carriage Driver's Licence was on route but had not yet arrived at the Civic Offices.

The Chairman reconvened the meeting at 10.55am.

39. EXCLUSION OF PUBLIC AND PRESS**Resolved:**

(1) That, in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press be excluded from the meeting for the items of business set out below as they would involve the likely disclosure of exempt information as defined in the relevant paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption was considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item</u>	<u>Subject</u>	<u>Paragraph Number</u>
5	Hackney Carriage Driver's Licence – Mr A Islam Rubel	1

40. HACKNEY CARRIAGE DRIVER'S LICENCE - MR A ISLAM RUBEL

The Sub-Committee considered an application for a Hackney Carriage Driver's Licence by Mr A Islam Rubel. The three Councillors that presided over this item were Cllrs M Sartin (Chairman), K Chana and R Morgan. Members noted that Officers did not have delegated powers to grant this application and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Licensing Compliance Officer informed the Sub-Committee of the circumstances under which the Licence could not be issued under delegated authority.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Sub-Committee considered the application in private.

The Chairman invited the Applicant back into the Chamber and informed him of the Sub-Committee's decision.

Resolved:

(1) That the application for a Hackney Carriage Driver's Licence by Mr A Islam Rubel be refused as the Sub-Committee felt the Applicant was not a fit and proper person to hold such a Licence for the following reasons:

- (a) the Applicant had committed a serious offence with 18 months of the suspended sentence given by the court still outstanding; and
- (b) the Sub-Committee had further concerns regarding a traffic offence committed in March 2016.

CHAIRMAN