

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 19 September 2017

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 11.20 am
High Street, Epping

Members Present: B Surtees (Chairman), D Dorrell, S Neville and D Sunger

Other Councillors:

Apologies:

Officers Present: R Perrin (Democratic Services Officer), A Mitchell (Assistant Director (Legal Services)), D Houghton (Licensing Compliance Officer) and N Clark (Licensing Compliance Officer)

35. DECLARATIONS OF INTEREST

There were no declarations of interest made 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. NEW PREMISES LICENSE APPLICATION - 309 HIGH STREET EPPING ESSEX CM16 4DA

The three Councillors that presided over this item were Councillors B Surtees, D Dorrell and S Neville.

The Chairman introduced the Members and officers present and outlined the procedure that would be followed for the determination of the application. The Chairman welcomed the participants and requested that they introduced themselves to the Sub-Committee. In attendance on behalf of the application was M Dogan, the applicant, S Zedek and L Potter the applicant's agents. There were no objectors in attendance.

(a) The Application before the Sub-Committee

The Licensing Compliance Officer, N Clarke introduced the application to the Sub-Committee. The application had been made by M Dogan for a new premises licence at 309 High Street, Epping, Essex, CM16 4DA. The applicant had been for the sale of alcohol Monday to Sunday 10.00 to 22:30 and for the opening hours Monday to Sunday 07:00 to 23:00. Following objections from Epping Town Council, M Dogan had revised the sale of alcohol times to Monday - Saturday 11:00 to 22:30 and Sunday 12:00 to 22:30.

The responsible authorities had received a copy of the application and the Licensing Officer produced a copy of the correct advertisement placed in the local paper, as well as it being displayed at the premises. All residences and businesses within 150 meters radius of the premises had been individually consulted. The authority had received two representatives from local residents, which related to the Prevention of Crime and Disorder, Public Nuisance, Protection of Children from Harm and Public Safety and an objection from the Police, who had now agreed conditions with M Dogan. The Essex Fire Service had no objection.

(b) Presentation of the Applicant's Case

The applicant's agent S Zedek advised that M Dogan had owned the premises for 21 years and currently held a premises licence at Poppy's Charcoal Grill, 142 High Street, Epping which was not currently used. The applications agent advised that neither premises had received any complaints or involvement with the Police.

The new premises had been refurbished to provide 65 covers and alcohol would only be served with substantial table meals and ancillary to such meals. He advised that alcohol would not be sold to take off the premise and the relevant checks would be put in place such as CCTV and Challenge 25. Customers would also be asked to leave quietly. The applicant's agent advised that the opening hours reflected their current breakfast trade and their ambition to provide evening meals. The Police conditions suggested by the Epping Forest & Brentwood Licensing Officer and had also been accepted by the applicant.

Regarding the objections letters from residents, the applicant's agent advised that M Dogan had tried to contact them through Epping Forest Licensing Officers to discuss and reassure them about their objections but they had not contacted him back. The applicant's agent went on to advise that the objectors had not provided any evidence to support their concerns. The applicant would comply with all the relevant conditions and was mindful of the licencing objectives.

(c) Questions for the Applicant from the Sub-Committee

The Sub-Committee asked who the Designated Premises Supervisor (DPS) would be for the premises. The applicant's agent's advised that it was Mrs S Yildiz, the applicant's wife.

(i) Closing Statement from the Applicant

The applicant's agent had nothing further to add.

(j) Consideration of the Application by the Sub-Committee

The Chairman requested that the applicant withdraw from the chamber while they considered the application in private session. During their deliberations the Sub-Committee received no further advice from the officers present.

RESOLVED:

(1) That the application for a New Premises Licence for 309 High Street, Epping, Essex CM16 4DA be granted subject to the mandatory conditions being applied and the following additional conditions which the Sub-Committee considered were reasonable and proportionate for the promotion of the licensing objectives:

- (a) That the conditions were consistent with the Operating Schedule subject to the times for the sale of alcohol being revised to Monday - Saturday 11:00 to 22:30 and Sunday 12:00 to 22:30;
- (b) That the conditions with Peter Jones, Epping and Brentwood Licensing Officer set out in his email dated 3 August 2017 be adopted; and
- (c) That a notice be prominently displayed so that it was visible from the outside the restaurant giving contact details to members of the public who may wish to complain or make other representations.

38. NEW PREMISES LICENCE APPLICATION FOR THE BLUE BOAR DELI, 1 MARKET PLACE, ABRIDGE, ESSEX, RM4 1UA

The three Councillors that presided over this item were Councillors B Surtees, D Dorrell and D Sunger.

The Chairman introduced the Members and officers present and outlined the procedure that would be followed for the determination of the application. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the application was S Gooding, the applicant's representative and objecting was D Milne and the Lambourne Parish Council representative, Councillor J Filbey.

(a) The Application before the Sub-Committee

The Licensing Compliance Officer, D Houghton introduced the application to the Sub-Committee. The application had been made by Siobhan Andrews for a new premises licence at The Blue Boar Deli, 1 Market Place, Abridge, Essex, RM4 1UA. The application was for the sale of alcohol both on and off the premises, Late Night Refreshment and Recorded Music Monday to Saturday 12:00 to 00:00 and Sunday 12:00 to 23:00.

The responsible authorities had received a copy of the application and it had been advertised at the premises and within a local newspaper. All residences and businesses within 150 meters radius of the premises had been individually consulted. The authority had received 6 representations and 1 petition from local residents on the Prevention of Public Nuisance and the Protection of Children from Harm, Public Safety and the Prevention of Crime and Disorder. The Police had agreed conditions with the applicant and would not make further representations. The Essex Fire Services had responded and had no objections.

(b) Presentation of the Applicant's Case

The applicant's representative, S Gooding advised that the intention for the premises licence had been to encompass 6 pop up restaurant events in December and to allow customers to enjoy a drink with their lunch. The premises was not looking to become a late night venue, as the owner also owned the Blue Boar Public House opposite and would not want to create competition between the two premises. S Gooding advised that the owner had not intended to upset the residents and the premises would continue to trade as it currently did so, with the ability to hold the pop up events in December.

(c) Questions for the Applicant from the Sub-Committee

The Sub-Committee asked how many tables were seated outside the premises and would alcohol be served to these customers. S Gooding advised that there were 6 tables and yes they would be served alcohol drinks if requested.

The Sub-Committee asked about the difference between the day to day business and the pop up events. S Gooding advised that the day to day running of the deli was between 7:30 to 16:00, where they served breakfast and lunch each day and the pop up events were private and would require advance tickets sales, serving a six course taster menu that had to be pre-booked.

The Sub-Committee asked who would be the Designated Premises Supervisor (DPS). S Gooding advised that applicant, S Andrews would be the DPS.

(d) Questions for the Applicant from the Objector

The Lambourne Parish Council representative, Councillor J Filbey asked why the applicant had not applied for the 6 temporary events notices and reduced the licensing hours. S Gooding advised that the applicant had thought that applying for the whole required hours would be easier.

(e) Presentation of the Objector's Case

The Lambourne Parish Council representative, Councillor J Filbey advised that following the applicant's representation most of the issues that the Parish Council had about the premises licence had been reduced, although there were concerns over late night nuisance, noise, parking and sound proofing to the building and tenant above the property due to the buildings age.

D Milne advised that as a close resident, his main concerns had been the noise from customers smoking outside the premises and the general noise from customers leaving the premises in the evening.

S Gooding responded to the objectors by advising that a notice had been placed on the premises door to advise that parking was allowed in the Blue Boar Public House Car Park and the premises would not be a late night venue. He understood the impact of people sitting outside the premises and conditions had been applied. The kitchen would look to close around 22:00 with last food orders at 21:30.

(f) Questions for the Objector from the Sub-Committee

There were no questions for the Objectors from the Sub-Committee.

(g) Questions for the Objector from the Applicant

There were no questions for the Objector from the Applicant.

(h) Closing Statement from the Objector

The Lambourne Parish Council representative, Councillor J Filbey felt that 21:00 for last orders of food and drink was acceptable, to enable customers to leave the venue at a reasonable time.

(i) Closing Statement from the Applicant

The Applicant's representative, S Gooding had nothing further to add.

(j) Consideration of the Application by the Sub-Committee

The Chairman requested that the applicants withdraw from the chamber while they considered the application in private session. During their deliberations the Sub-Committee received no further advice from the officers present.

RESOLVED:

(1) That the application for a New Premises Licence for Blue Boar Deli, 1 Market Place, Abridge, Essex, RM4 1UA be granted subject to the mandatory conditions being applied and the following additional conditions which the Sub-Committee considered were reasonable and proportionate for the promotion of the licensing objectives:

(a) That the conditions were consistent with the Operating Schedule subject to the opening times being revised to Monday – Sunday 08:00 to 23.00; and

(b) That the conditions with Peter Jones, Epping and Brentwood Licensing Officer set out in his email dated 26 July 2017 be adopted.

CHAIRMAN