

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Licensing Sub-Committee                      **Date:** 12 January 2006

**Place:** Civic Offices, High Street, Epping              **Time:** 10.00 - 10.50 am

**Members Present:** R Morgan, Mrs P K Rush, Ms S Stavrou and Mrs M McEwen

**Other Councillors:** (none)

**Apologies:** (none)

**Officers Present:** J Nolan (Environmental Services), R Ferriera (Legal Executive), K Tuckey (Environmental Services), D Baker (Planning Services Officer), John Evans (Planning Officer) and A Hendry (Democratic Services Officer)

### **127. ELECTION OF CHAIRMAN**

#### **RESOLVED:**

That, in accordance with the terms of reference for the Licensing Committee, Councillor R Morgan be elected Chairman for the duration of the Sub-Committee meeting.

### **128. DECLARATIONS OF INTEREST**

Pursuant to the Council's Code of Member Conduct, Councillor S-A Stavrou declared a personal interest in agenda item 7 (Application to vary a Premises License at the Kings Oak Public House, High Beech, Loughton) by virtue of being a local ward member. She declared that her interests were prejudicial and indicated that she would leave the meeting for the consideration and voting thereon.

### **129. PROCEDURE FOR THE CONDUCT OF BUSINESS**

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

### **130. EXCLUSION OF PUBLIC AND PRESS**

The Sub-Committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

### **131. LICENSING ACT 2003 - APPLICATION - PREMISES LICENCES - 'FAVORITE CHICKEN AND RIBS', 184 HIGH ST., EPPING**

The Three Councillors that presided over this item were Councillors Morgan, McEwan and Stavrou. Also present were Mr Simon Fisher representing Essex Police

and Mr David Baker and Mr John Evans both from the Planning Department of the District Council.

Members of the Sub-Committee considered an application to vary a premises licence for late night sales of hot food after 11.00 pm to 03.00 am (Monday through to Sunday).

Representations had been received from two interested parties, Planning Services of Epping Forest District Council and Essex Police.

The applicant was not there to present his case to the committee.

#### **Presentation of Planning Services Case.**

The officer from Planning stated that the premises presently had planning permission to sell food until midnight but would need to reapply for permission to increase their opening hours until 03.00 am.

#### **Presentation of the Police's Case.**

Mr Simon Fisher on behalf of the Essex Police force objected to the increase in the opening hours on the grounds of:

- Fear of an increase in crime and disorder;
- Opposite the applicants' site are two night clubs, both of which have grandfather rights to open until 2am, both with public entertainment licences and rights to serve hot food, which would make it unlikely that any of the patrons would want to use the applicants' premises;
- This premise would attract passing trade only, who would probably be the worse for drink and that would create a real fear for the increase of violence, noise and general misbehaviour;
- Also the High Street and surrounding area is a residential district with the corresponding increased chances of disturbance arising from the later opening hours.

#### **Consideration of application by the Committee.**

The Committee then retired to discuss the application in private where they took advice from the relevant officer on planning matters and how it affects a licensing application. The Committee also took into account the probable causes for the prevention of public nuisance and the prevention of possible crime and disorder.

#### **RESOLVED:**

That the extended hours of opening for the 'Favorite Chicken and Ribs' be granted until 12 midnight (Monday through to Sunday) and not 3am as originally requested.

#### **132. LICENSING ACT 2003 - APPLICATION - PREMISES LICENCE - KINGS OAK PUBLIC HOUSE, HIGH BEECH, LOUGHTON**

The Three Councillors that presided over this item were Councillors Morgan, McEwan and Rush. Also present were Mr Simon Fisher representing Essex Police.

It was noted that officers had received requests from both the police and the applicant requesting a postponement of this application to the next available Licensing Sub-Committee.

**RESOLVED:**

That this application be postponed to the Licensing Sub-Committee to be held on 26 January 2006.

**CHAIRMAN**