

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 8 May 2007

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 10.55 am
High Street, Epping

Members Present: R Morgan, Mrs P K Rush, J Wyatt and Mrs M McEwen

Other Councillors:

Apologies:

Officers Present: J Nolan (Environmental Health Manager), K Tuckey (Environmental Services), R Ferriera (Legal Executive) and A Hendry (Democratic Services Officer)

103. 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.

104. DECLARATIONS OF INTEREST

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

105. PROCEDURE FOR THE CONDUCT OF BUSINESS

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

106. EXCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press not be excluded from the meeting for the item of business set out below, except for some evidence that may fall into the categories below and will be heard in private on the grounds that they would involve the disclosure of exempt information as defined below in the relevant Paragraph of Part 1 of Schedule 12A (as amended) of the Local Government Act 1972:

Agenda Item No	Subject	Exempt Information Paragraph No
6	Mr I Hayirli	1

107. LOCAL GOVERNMENT (MISCELLANEOUS PROVISION) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE

The three Councillors that presided over this item were Councillors R Morgan, Mrs P Rush and J Wyatt.

The Sub-Committee considered an application by Mr I Hayirli for a Hackney Carriage Driver's Licence. Members noted his CRB check had revealed offences that do not allow officers to grant this Licence under delegated authority.

The Chairman welcomed the applicant and introduced the members and officers present. The Environmental Health Manager informed the Sub-Committee of the circumstances under which the licence could not be issued under delegated authority.

The applicant made a short statement to the Sub-Committee in support of his application before answering a number of questions from members of the Sub-Committee.

The Sub-Committee considered the application in private and subsequently decided to grant him a licence.

RESOLVED:

That the application to issue a Hackney Carriage Driver's Licence to Mr I Hayirli be granted.

108. INCLUSION OF PRESS AND PUBLIC

RESOLVED:

That the press and public be invited back to the meeting for the remaining items of business.

109. LICENSING ACT 2003 - APPLICATION FOR FOUR GAMING MACHINES

The three Councillors that presided over this item were Councillors R Morgan, Mrs M McEwen and J Wyatt. Also present were Ms F Williams representing Leisure Link.

The members of the Sub-Committee considered an application to upgrade to four gaming machines from the current three machines. Officers could not grant this under delegated authority

Presentation of the Applicants Case

Ms F Williams from Leisure Link, speaking on behalf of J D Weatherspoon, explained that they were looking to add an extra gaming machine at the Last Post, 227 High Road, Loughton. She produced figures to support her contention that the existing three gaming machines were being over used, which could result in queues for the use of the machines. An extra machine would help alleviate this.

The Environmental Health Manager asked for clarification of the figures supplied by Ms Williams, she explained that the figures showed that the machines were being used more than was average for them.

Councillor Wyatt asked that when the players use the machines do they tend to get into each other's way? Ms Williams replied that it did happen especially with the two machines that were currently side-by-side. Councillor Wyatt then asked if cash would be left in the machine overnight. Ms Williams said that the machines were normally emptied twice a week, although in some case the licence holder had a set of keys for their own use.

Councillor Mrs McEwen asked if children could use the machines. She was told that they could not as they were positioned in full view of the bar. Asked if there had been any disturbances reported about the use of the machines Ms Williams replied that there had not been any reports of any kind of disturbances, no damage to the machine had occurred, the machines were visible from the bar and the pub has CCTV installed.

Consideration of the application by the Sub-Committee

The Chairman asked that Ms Williams leave the chamber in order for the Sub-Committee to consider the application in private. They did not ask for any advice from the officers.

RESOLVED:

That the application to upgrade their current Gaming Machine Permit to four machines, in respect of the Last Post be granted subject to standards conditions.

110. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - CAFE MIO, 85 HIGH STREET, EPPING

The three Councillors that presided over this item were Councillors R Morgan, Mrs M McEwen and J Wyatt. Also present were Mr Geoff Morris the proposed Licence holder for Café Mio.

The members of the Sub-Committee considered an application to licence Café Mio to play live and recorded music and to serve alcohol. Officers could not grant this under delegated authority because representations had been made to the Council.

The Environmental Health Manager informed the sub-committee that following objections raised by Planning Services, that Café Mio had agreed to alter their application and subsequent to this, Planning Services had withdrawn their objections.

The Environmental Health Manager also asked the sub-committee to reconsider the two written objections. The one from 'Restobistro' seemed to be based on commercial reasons and not valid licensing considerations. The other objection

raised by a resident in St John's Road, was some way away from the Café and again did not meet valid licensing considerations.

Given the above, the Chairman asked that Mr Morris leave the chamber in order for the Sub-Committee to consider the application and validity of the objections in private.

RESOLVED:

That the objections raised were not considered valid under the consideration of the Act and the licence to serve alcohol and to play live and recorded music during the hours of Café Mio's current opening times be granted.

111. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - THE ROYAL OAK, FOREST ROAD, LOUGHTON

Application withdrawn by the applicant.

CHAIRMAN