

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Licensing Sub-Committee                      **Date:** 6 November 2008

**Place:** Council Chamber, Civic Offices,              **Time:** 10.00 - 11.05 am  
High Street, Epping

**Members Present:** Mrs S Clapp, Mrs R Gadsby, Ms J Hedges and R Morgan

**Other Councillors:**

**Apologies:**

**Officers Present:** R Ferriera (Assistant Solicitor), K Tuckey (Environmental Services),  
M Jenkins (Democratic Services Assistant) and R Perrin (Democratic Services Assistant)

### 43. 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.

### 44. DECLARATIONS OF INTEREST

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

### 45. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business, and the terms of reference.

### 46. EXCLUSION OF PUBLIC AND PRESS

#### RESOLVED:

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 item of business set out below as it would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12(A) of the Act indicated and the exemption is considered to outweigh the potential public interest in disclosing the information:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
6	Hackney Carriage Driver's License – Mr A Choudhury	1

7	Hackney Carriage Driver's License – Mr A Taylor	1
8	Hackney Carriage Driver's License – Mr Wright	1
9	Hackney Carriage Driver's License – Mr Keles	1

**47. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENSE - MR A CHOUDHURY**

The Sub-Committee agreed to defer this case to the next meeting as the applicant had been unavailable to attend the meeting.

**RESOLVED:**

That the application submitted by Mr A Choudhury for a Hackney Carriage Driver's License be deferred to the next meeting.

**48. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENSE - MR A TAYLOR**

The Sub-Committee considered an application by Mr A Taylor for a Hackney Carriage Driver's License. The three Councillors that presided over this item were Councillors R Morgan, Ms J Hedges and Mrs R Gadsby. 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 Assistant Solicitor informed the Sub-Committee of the circumstances under which the license 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 Chairman requested that the applicant leave the Chamber whilst the Sub-Committee debated his application in private. Chairman invited the applicant back into the Chamber and informed him of the Sub-Committee decision.

**RESOLVED:**

That, a Hackney Carriage Driver's License be granted to Mr A Taylor, subject to the Council's terms and conditions.

**49. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENSE - MR WRIGHT**

The Sub-Committee considered an application by Mr Wright for a Hackney Carriage Driver's License. The three Councillors that presided over this item were Councillors R Morgan, Ms J Hedges and Mrs R Gadsby. 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 Assistant Solicitor informed the Sub-Committee of the circumstances under which the license 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 Chairman requested that the applicant leave the Chamber whilst the Sub-Committee debated his application in private. The Chairman invited the applicant back into the Chamber and informed him of the Sub-Committee decision.

**RESOLVED:**

That, a Hackney Carriage Driver's License be granted to Mr Wright, subject to the Council's terms and conditions.

**50. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENSE - MR KELES**

The Sub-Committee considered an application by Mr Keles for a Hackney Carriage Driver's Licence in his absence. The three Councillors that presided over this item were Councillors R Morgan, Ms J Hedges and Mrs R Gadsby. 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 Assistant Solicitor informed the Sub-Committee of the circumstances under which the licence could not be issued under delegated authority.

**RESOLVED:**

That the application by Mr Keles for a Hackney Carriage Driver's License be refused as he did not meet the Council's Licensing Criteria in that his record from the Criminal Records Bureau revealed relevant offences under the conviction criteria.

**51. INCLUSION OF PUBLIC AND PRESS**

**RESOLVED:**

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

**52. APPLICATION FOR A BETTING OFFICE PREMISES LICENSE UNDER THE GAMBLING ACT 2005 - JENNINGSBET, 87 HIGH STREET, EPPING**

The three Councillors that presided over this item were Councillors R Morgan, Ms J Hedges and Mrs R Gadsby. The Chairman welcomed the participants and introduced the members and offices present and then requested that the participants introduce themselves to the Sub-Committee.

In attendance on behalf of the application were Mr P Jowett, General Manager of Jenningsbet, 87 High Street, Epping and Mr Wood, a Solicitor. The Chairman outlined the procedure that would be followed for the determination of the application.

**(a) The Application before the Sub-Committee**

The Assistant Solicitor informed the Sub-committee that an application for a Betting Office Premises License had been received from Mr P Jowett. However, an objection from an interested party that lived within the vicinity of the proposed premises had been received.

**(b) Presentation of the Applicant's Case**

The applicant's Solicitor, Mr Wood, gave the Sub-Committee a brief history of Jennings's Book Makers advising that the company complied with regulations and restrictions set out by the Gambling Commission and that the company had links with Gam Care, a registered charity, that provide counseling, advice and practical help in addressing the social impact of gambling in the UK. Mr Wood then handed out a booklet to the Sub-Committee members and officers regarding the criteria and training that all staff undertook.

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

Councillor R Morgan asked what the proposed operational times were to be. Mr Jowett replied that they would be 9 am to 9.30 pm Mondays to Saturdays and 11 am to 5 pm Sundays with staff leaving the premises by 6 pm.

Councillor R Morgan asked what the premises were before Jenningsbet took over. Mr Jowett replied that it had been a photography shop.

Councillor Mrs R Gadsby asked why this particular location was chosen. Mr Jowett replied that a number of pubs had live sport entertainment being broadcasting and they had research to suggest this was a prime location as the two were linked.

Councillor R Morgan asked whether alcohol was allowed on the premises. Mr Jowett advised that it was not allowed and that there were laws to prevent this.

Councillor Mrs R Gadsby asked if it was normal for two betting shops to open in one area. Mr Jowett explained that it depended on demand and location.

Councillor R Morgan asked when the betting shop was likely to open. Mr Jowett said that hopefully it would open in the New Year.

**(d) Applicants Closing Statement**

Mr Jowett and Mr Wood had nothing to add to their previous statements.

**(e) Consideration of the application by the Sub-Committee**

The Sub-Committee retired to consider the application in private session. The Sub-Committee received no advice from Officers.

**RESOLVED:**

That the application for a Betting Office Premises License be granted to Jenningsbet, at 87 High Street, Epping subject to the mandatory and default conditions.

**53. APPLICATION FOR A PREMISES LICENSE UNDER THE LICENSING ACT 2003 - RED LION, HIGH ONGAR**

The application had been withdrawn from the meeting, as the sole objector had not given the authority a valid representation. Therefore the application could be determined by delegated authority.

**CHAIRMAN**