

EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** Thursday, 1 October 2009

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 11.30 am
High Street, Epping

Members Present: Mrs R Gadsby, Ms J Hedges, Mrs M McEwen and R Morgan

Other Councillors:

Apologies: K Angold-Stephens

Officers Present: A Mitchell (Assistant Director (Legal)), K Tuckey (Senior Licensing Officer), A Hendry (Democratic Services Officer), J Nolan (Assistant Director (Environmental Health)) and R Perrin (Democratic Services Assistant)

49. Election of Chairman

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.

50. Apologies for Absence

Councillor K Angold-Stephens had given his apologies for this meeting. Councillor R Morgan was kind enough to take his place on the Panel.

51. Declarations of Interest

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs R Gadsby declared a personal interest in the following item of the agenda by virtue of being members of the same Golf Club as the licensees Colleague. The Councillor had determined that her interest was not prejudicial and she would stay in the meeting for the consideration of the application and voting thereon:

- Review of Premises Licence – LN/210000820

52. Procedure for the Conduct of Business

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

53. Exclusion of Public and Press

That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
5a	Review of Premises Licence – LN/210000820	7
6	Hackney Carriage Driver's Licence - Mr J Howell	1
7	Hackney Carriage Driver's Licence - Mr P Randall	1
8	Hackney Carriage Driver's Licence - Mr D Rose	1
9	Hackney Carriage Driver's Licence - Mr A Raza	1

54. Review of Premises Licence - LN/210000820

The Sub-Committee had been asked to consider whether interim measures would be required before a full review hearing of premises licence, at 195 Club, Cottis Lane, Epping, Essex.

The Sub-Committee had received additional information regarding the expedited review of the premises licence from Essex Police, the original premises licence, the Guardian Newspaper dated 1.10.09 and a letter from Liddell & Company, the Licensee's solicitor.

The Chairman welcomed the participants and introduced the members and officers present and then requested that the participants introduce themselves to the Sub-committee. In attendance the holder of the premises licence, Mr S Cummins and a colleague David King.

The Chairman requested that the licensee leave the Chamber whilst the Sub-Committee debated the interim measures in private. The Sub-Committee reviewed the application and certificate submitted by the police and additional documentation submitted. The Sub-Committee considered the interim steps that the Licensing Authority could take to prevent serious crime or serious disorder from occurring including the review of the existing conditions.

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

The Chairman advised Mr Cummins that the sub-committee had considered the interim steps without the licensee making a representation.

After informing the licensee of the Sub-Committee's decision, the licensee's colleague David King advised that they would be requesting a review of the interim steps and produced a letter from Liddell and Company that requested a hearing within 48 hours of receipt of their representation.

RESOLVED:

That the authority suspend the premises licence of the 195 Club, Cottis Lane, Epping, Essex to avoid any further serious crime or disorder from taking place on the premises or outside.

55. Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Application for a Hackney Carriage Driver's Licence - Mr J Howell

The Sub-Committee considered an application by Mr J Howell for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors R Morgan, Mrs M McEwen 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 Director (Legal) 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 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's decision.

RESOLVED:

That a Hackney Carriage Driver's Licence be granted to Mr J Howell, subject to the Council's standard terms and conditions.

56. Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Application for a Hackney Carriage Driver's Licence - Mr P Randall

The Sub-Committee considered an application by Mr P Randell for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors R Morgan, Mrs M McEwen 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 Director (Legal) 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 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's decision.

RESOLVED:

That a Hackney Carriage Driver's Licence be granted to Mr P Randall, subject to the Council's standard terms and conditions.

57. Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Application for a Hackney Carriage Driver's Licence - Mr D Rose

The Sub-Committee considered an application by Mr D Rose for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors R Morgan, Mrs M McEwen 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 Director (Legal) 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 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's decision.

RESOLVED:

That a Hackney Carriage Driver's Licence be granted to Mr D Rose, subject to the Council's standard terms and conditions.

58. Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Application for a Hackney Carriage Driver's Licence - Mr A Raza

The Sub-Committee considered an application by Mr A Raza for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors R Morgan, Mrs M McEwen 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 Director (Legal) 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 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's decision.

RESOLVED:

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

59. Inclusion of Press and Public

RESOLVED:

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

60. Late night refreshment licence - Cakes & Shakes 246b High Road Loughton Essex IG10 1RB

That the item had been deferred until the next licensing Sub-Committee.

CHAIRMAN