



Epping Forest District Council

LICENSING SUB-COMMITTEE

Thursday, 4th March, 2010

Place: Council Chamber, Civic Offices, High Street, Epping

Room: Council Chamber

Time: 10.00 am

Democratic Services Officer M Jenkins (Direct Line 01992 564607)
Email: mjenkins@eppingforestdc.gov.uk

Members:

Councillors Mrs P Brooks, Mrs S Clapp, Mrs R Gadsby and Ms J Hedges

1. ELECTION OF CHAIRMAN

Under the terms of reference for the Licensing Committee each Sub-Committee is required to elect a Chairman on an ad hoc basis for the duration of the meeting.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

4. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 8)

5. APPLICATION FOR STREET TRADING CONSENT LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 PART III - CHESTER ROAD, LOUGHTON - SIMBA SOFTY (Pages 9 - 28)

To consider the attached report and representations.

6. BREACH OF TAXI INTERIM TEST (Pages 29 - 46)

To consider under the Local Government (Miscellaneous Provisions) Act 1976 and the Town and Police Clauses Act 1847, breaches of the Taxi Interim Test by the following individuals:

- (a) Mr Muddabar Hussain;
- (b) Ms Shirley Bates;
- (c) Olympic Taxis;
- (d) Mr Wayne Massey;
- (e) Mr Harris;
- (f) Mr Sheikh;
- (g) Mr Urhan; and
- (h) Ms Claire Lawson

Agenda Item 4

PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS

LICENSING COMMITTEE – TERMS OF REFERENCE

(1) The full Committee shall comprise 11 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.

... (2) For the functions set out in Annex 1, and the legislation listed in Annex 2, a Sub-Committee consisting of no more than any three Councillors drawn, in alphabetical order, from the members of the full Committee shall be formed. Any such Sub-Committee shall elect a Chairman on an ad-hoc basis.

(3) For the transaction of business at full Committee meetings, the quorum shall be a minimum of five Committee members save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.

(4) The Committee and Sub-Committees shall have full authority to hear and determine licensing applications.

(5) The Committee and Sub-Committees shall be further empowered to determine appeals made against the decisions of the Head of Environmental Services taken under delegated authority on licensing applications.

... (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Annex 3 (Conduct of Business by Licensing Committee and Sub-Committees).

(7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Annex 3.

**PART 3(2) – RESPONSIBILITY
FOR FUNCTIONS
LICENSING COMMITTEE**

Licensing Act 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
All policy matters except the formulation of the statement of licensing policy	All cases		

**PART 3(2) – RESPONSIBILITY
FOR FUNCTIONS
LICENSING COMMITTEE**

LIST OF STATUTORY POWERS

Those functions pertaining to licensing and registration and permits and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

Animal Boarding Establishments Act 1963
Breeding & Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
Caravan Sites & Control of Development Act 1960
Caravan Sites Act 1968
Dangerous Wild Animals Act 1976
Game Licences Act 1860
Gaming Act 1968
Guard Dogs Act 1975
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Lotteries & Amusements Act 1976
Pet Animals Acts 1951 & 1981
Riding Establishments Acts 1964 & 1970
Scrap Metal Dealers Act 1964
The Game Act 1831
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Zoo Licensing Act 1981

Part 3(2) – Responsibility for Functions

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUB-COMMITTEES

All references to committee in this annex shall be taken to infer a reference to the associated sub-committees.

1. General Conduct

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

2. Declarations of Interest

- 2.1 Members of the Committee are subject to the Council's Code of Conduct and to advice from the Standard Board for England, details of which will be provided to those members.

3. Participation in the Hearing

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.

4. Attendance of the Public

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

5. Natural Justice

5.1 There are two elements to natural justice:

(a) Fairness

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

(b) Prevention of Bias

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

6. General Procedures for Hearings

6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:
 - (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
 - (ii) The Chairman will outline the procedure to be followed.

- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

Report to Licensing Sub-Committee **Date of Meeting: 4th March 2010**

Subject: Application for a Street Trading Consent.
Local Government (Miscellaneous Provisions) Act
1982 Part III – Chester Road, Loughton - Simba Softy

Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)

Committee Secretary: Mark Jenkins (01992 56 4607)



1. APPLICATION

This is an application for a Street Trading consent.

The purpose of this hearing today is to consider whether to grant consent for Chester Road, Loughton, Essex.

2. BACKGROUND INFORMATION

Mr Fitzpatrick (the applicant) has been trading at Chester Road for approximately 20 years. The licensing enforcement team visited Mr Fitzpatrick and requested Mr Fitzpatrick to apply for a street trading consent.

3. APPLICATION

The application has been consulted on for a period of 21 days. Mr Fitzpatrick has displayed a public notice of his intention to apply for the Street trading consent. Mr Fitzpatrick has also supplied a copy of his public liability insurance. A copy of the application, plan, and supporting documents are supplied in the agenda.

4. OBJECTIONS

The licensing section has received objections from the following:

- (a) Environment & Street Scene Directorate- Mr Smith
- (b) Loughton Residents Association -David Linnell
- (c) Loughton Town council -Vivienne Messenger; and
- (d) Essex County Council, Highways department- Ken Barrett

5. SUPPORT

The licensing section also received e-mails and letters of support from the following:

- (a) Mr Adams;
- (b) Mr Walker;
- (c) Roisin Hyland;
- (d) Sandra Dear;

(e) Mrs Jean Capocci; and

(f) Mr Allistar Sergent

6. THE LICENSING AUTHORITY

When granting a street consent the authority must take into considerations paragraph 7 schedule 4 of the Local Government Miscellaneous Provisions Act 1982 which are set out below:

Paragraph 7 Schedule 4

(1) An application for a street trading consent or the renewal of such a consent shall be made in writing to the district council.

(2) Subject to sub-paragraph (3) below, the council may grant a consent if they think fit.

(3) A street trading consent shall not be granted—

(a) to a person under the age of 17 years; or

(b) for any trading in a highway to which a control order under section 7 of the [M1](#) Local Government (Miscellaneous Provisions) Act 1976 is in force, other than trading to which the control order does not apply.

(4) When granting or renewing a street trading consent the council may attach such conditions to it as they consider reasonably necessary.

(5) Without prejudice to the generality of sub-paragraph (4) above, the conditions that may be attached to a street trading consent by virtue of that sub-paragraph include conditions to prevent—

(a) obstruction of the street or danger to persons using it; or

(b) nuisance or annoyance (whether to persons using the street or otherwise).

(6) The council may at any time vary the conditions of a street trading consent.

(7) Subject to sub-paragraph (8) below, the holder of a street trading consent shall not trade in a consent street from a van or other vehicle or from a stall, barrow or cart.

(8) The council may include in a street trading consent permission for its holder to trade in a consent street—

(a) from a stationary van, cart, barrow or other vehicle; or

(b) from a portable stall.

(9) If they include such a permission, they may make the consent subject to conditions—

(a) as to where the holder of the street trading consent may trade by virtue of the permission; and

(b) as to the times between which or periods for which he may so trade.

(10) A street trading consent may be granted for any period not exceeding 12 months but may be revoked at any time.

(11) The holder of a street trading consent may at any time surrender his consent to the council and it shall then cease to be valid.

7. RIGHT OF APPEAL

The Act gives no right of appeal to the Magistrates Court. However, the exercise by a Local Authority of their powers to grant or refuse a Street Trading Consent is one to which the rules of natural justice apply and particular notice of the Human Rights Act should be considered.

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LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982: PART II

APPLICATION FOR STREET TRADING
IN A DESIGNATED 'CONSENT' STREET



In accordance with Section 3 of the Local Government (Miscellaneous Provisions) Act 1982

I JOHN FRANCES MARTIN FITZPATRICK
(Please give full name):

of: [REDACTED]
[REDACTED] Post Code: [REDACTED]

hereby apply for a Street Trading Consent to sell: Ice-cream, Snacks, soft drinks
(Description of goods): HOT DOGS

At: (Location): CHESTER ROAD, DEBDEN
in each week on: -

Mondays	from	<u>7.30am - 8.30am</u>	to	<u>3.20pm - 4.20pm</u>
Tuesdays	from	<u>7.30am - 8.30am</u>	to	<u>3.20pm - 4.20pm</u>
Wednesdays	from	<u>7.30am - 8.30am</u>	to	<u>3.20pm - 4.20pm</u>
Thursdays	from	<u>7.30am - 8.30am</u>	to	<u>3.20pm - 4.20pm</u>
Fridays	from	<u>7.30am - 8.30am</u>	to	<u>3.20pm - 4.20pm</u>
Saturdays	from	<u>/</u>	to	<u>/</u>
Sundays	from	<u>/</u>	to	<u>/</u>

I wish to trade from a stationary:
(Delete as applicable):

TYPE of VEHICLE	SIZE
<input checked="" type="checkbox"/> VAN	<u>TRANSIT 14ft by 6ft</u>
<input type="checkbox"/> CART	
<input type="checkbox"/> BARROW	
<input type="checkbox"/> OTHER	

I am over the age of 17 years. I understand that the fee does not include any element in respect of the collection of refuse by the Council; therefore, I undertake to remove refuse and cleanse the street during and on completion of each day's trading and comply with all conditions attached to a Consent.

Signed: [REDACTED] Date: 4th November 09.

"The authority is under a duty to protect public funds it administers, and to this end may use information you have provided on this form for the prevention and detection of fraud. It may also



PUBLIC
CIRCUIT

TO BE
RETURNED

Venture Plus

Policy Schedule

About Your Schedule

The schedule shows your cover details and any applied endorsements
This schedule should be read in conjunction with the:
Statement of Fact
Policy

Your Details

Insured John Fitzpatrick
Trading Name Simba Softy
Address [REDACTED]

Subsidiary Companies [REDACTED]

Your Policy Details

Policy Number [REDACTED]
Form type LI354
Effective date 10/06/2009
Renewal date 10/06/2010
Expiry date 09/06/2010

Reason for Issue

Renewal

Your Premium

Insurance Premium [REDACTED]
Insurance Premium Tax at the current rate [REDACTED]
Total Amount Payable [REDACTED]



Details of Cover

BUSINESS DESCRIPTION

Main Catering - Licensed

BASIS OF RATING

Number of Persons Working on a Permanent Basis 1

STANDARD COVER

Public Liability

Limit of Indemnity	£ 1,000,000
Number of Principals, Partners/Directors & Permanent Employees	1
Extended Cover (Temporary Employees)	Not Insured
Property Damage Excess	£ 250

OPTIONAL COVERS TAKEN

Employer's Liability

Limit of Indemnity	£ 0
Numbers of Directors and Permanent Employees	0
Extended Cover (Temporary Employees)	Not Insured
Use of wood working Machinery	Not Insured

All Risk Tools and Phones

Number of Principals, Partners/Directors & Permanent Employees	0
Limit Selected	£ 0
Excess	Theft or attempted theft from unattended Motor vehicles £ 0 (£ 100 or 10% whichever is greater)
	All Other Claims £ 100

Hired in Plant

Maximum Sum Insured any one claim	£ 0
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Own Plant

Maximum Sum Insured any one claim	£ 0
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Contract Works

Maximum Sum Insured any one claim	£ 0
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Personal Accident

Not Insured

Endorsements Applicable to Your Policy

008 HAZARDOUS WORK EXCLUSION

099 HOUSING GRANTS CONSTRUCTION REGENERATION ACT 1996 CLAUSE

M01 MANSLAUGHTER COSTS EXTENSION

TR3 WAR AND TERRORISM COVER AMENDMENT CLAUSE

Please see Appendix for Full Wordings



What You Need to Do

We recommend that you read this Schedule along with your policy to ensure that it meets your requirements. If you have any queries please contact us or your Insurance Adviser.

Please keep this Schedule safely with your Policy documents.

Contact Details

Your Broker

TOWERGATE RISK SOLUTIONS
KINGSLAND HOUSE
21 HINTON ROAD
BOURNEMOUTH
DORSET
BH1 2EE

AXA Branch

Reigate
AXA Commercial Redhill
PO Box 2191
Bristol
BS99 7JA

AXA Insurance UK plc

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A member of the AXA Group of Companies.

AXA Insurance UK plc is authorised and regulated by the Financial Services Authority.

In order to maintain a quality service, telephone calls can be monitored or recorded.

Smith



Makers of 'Rossi's of London' Ice Cream

[Redacted]

4th November 2009

To whom it may concern,

I have known John Fitzpatrick for many years. He is pleasant and has a good sense of humour, making people smile even on the hardest of days. He is always respectful of people's houses, driveways and when on site always clears up the litter in the surrounding area before he leaves.

A few years ago he stopped his business for a year to do voluntary driving for the London Ambulance Service at his own expense. I found this highly commendable for a normal working family man.

John is always willing to help others out whenever he can and when he can't he will try to find someone else who can.

Yours sincerely

[Redacted signature]

Mrs Jean Capocci

To: Corporate Support Services
Licensing Section
Kim Tuckey

From: Environment & Street Scene Directorate
Chris Smith
Environment & Neighbourhoods Officer

Date: Date: 11 January 2009

Your ref:

Our ref: WK/200923346



Epping Forest District Council

Local Government (Miscellaneous Provisions) Act 1982 – Street Trading. Chester Road, Loughton Essex.

I refer to an application made under the Local Government (Miscellaneous Provisions) Act 1982 regarding the above mentioned land that I received on 11th January 2010.

I have received a complaint regarding the waste/ litter from the Ice Cream van in the past. I therefore recommend that the application is to be refused unless the following conditions are imposed.

1. Provision for Bins

A sufficient number of suitable receptacles with properly fitted covers shall be provided for the purpose of receiving rubbish from customers. The receptacles shall be maintained in a clean condition and emptied, or the receptacles shall be constructed, maintained and located so that access to them by vermin is prevented and arrangements shall be made for the regular lawful disposal of their contents. The above is to be completed after each trading period.

2. Provision for Litter Picking

The public area within the hatched area on the attached plan marked CS/1 shall be cleared of waste food, food containers, wrapping etc. at the end of each trading period. Such refuse shall be removed from the area and disposed of lawfully.

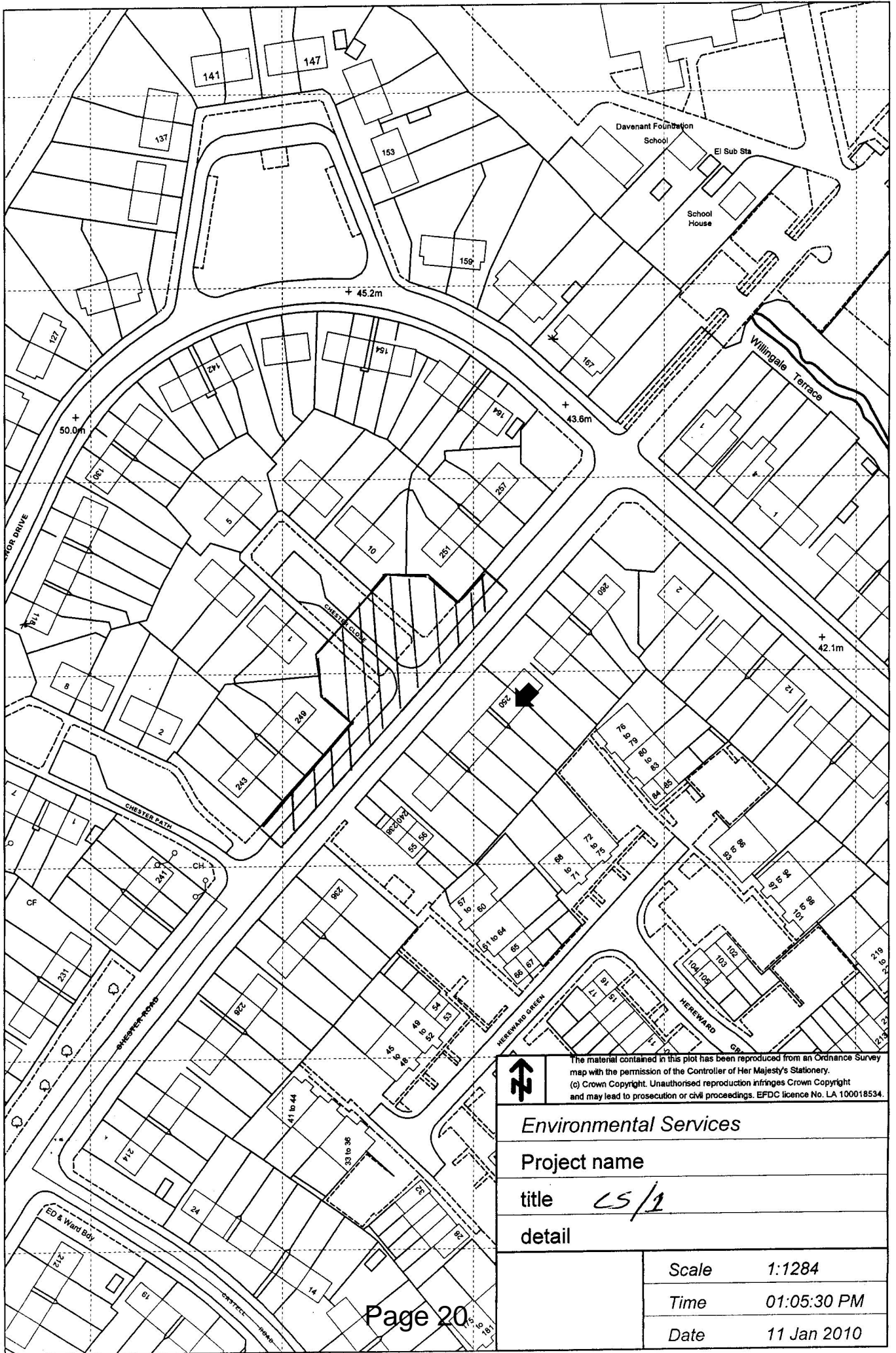
3. Signs shall be placed in a prominent position while the Ice Cream van is trading, requesting customers to use the litterbins that have been provided for any waste food, food containers and other litter.

Reason: To ensure that waste and litter is collected effectively


If you wish to discuss any of my comments please contact me on (01992) 564160.



Chris Smith
Environment & Neighbourhoods Officer



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Environmental Services	
Project name	
title <i>CS/1</i>	
detail	
Scale	1:1284
Time	01:05:30 PM
Date	11 Jan 2010

Kim Tuckey - Street Trading, Chester Road . John Frances Martin Fitzpatrick . ice cream/burger van

From: "David Linnell" <[REDACTED]>
To: "Kim Tuckey" <ktuckey@eppingforestdc.gov.uk>
Date: 21/01/2010 06:24
Subject: Street Trading, Chester Road . John Frances Martin Fitzpatrick . ice cream/burger van

To: Epping Forest District Council

Local Government (Miscellaneous Provisions) Act 1982 Street Trading, Chester Road . John Frances Martin Fitzpatrick . ice cream/burger van

We object to the application for a street trading licence for an ice-cream/burger van in Chester Road, near Chester Close, on the grounds of:

- the visual impact and the possibility of noise (from engine noise and customers) and/or litter – this is a residential area , and the van would have to be parked in front of residential properties
- the effect of fast food and fizzy drinks on youngsters (both in increasing hyperactivity in individuals, and in the effect this has on other students)
- road safety - Chester Road is a busy road, with up to 20 buses an hour, and the van would be very close to the entrance/exit of Chester Close, and fairly near the junction with Willingale Road – this is a busy area, particularly at the times of day applied for, because of the four schools on/near Willingale Road.

David Linnell
Chairman, Loughton Residents Association Plans Group.

Our Ref: L.1.1/VRM

Ms Kim Tuckey
Licensing Office
Epping Forest District Council
Civic Offices
High Street
Epping CM16 4BZ


27th January 2010

Dear Ms Tuckey



LOUGHTON
TOWN COUNCIL

1 Buckingham Court, Rectory Lane
Loughton, Essex IG10 2QZ
Telephone: 020 8508 4200
Facsimile: 020 8508 4400
e-mail: contact@loughton-tc.gov.uk
Web site: www.loughton-tc.gov.uk
Town Clerk: Enid K Walsh

e-mail: vivienne.messenger@loughton-tc.gov.uk
 extn 207

Re: Local Government (Miscellaneous Provisions) Act 1982 Street Trading, Chester Road – John Frances Martin Fitzpatrick – ice cream/burger van

The Council's Planning and Licensing Committee considered this application at the meeting on 25th January 2010 and expressed concerns regarding road safety issues and the serving of hot food, but noted that the applicant had operated from this location for more than 10 years without incident. The Committee considered a better option would be for the van to be sited within Davenant school grounds.

Yours sincerely

A large black rectangular redaction covers the signature area of the letter.

Vivienne Messenger
Planning Clerk

Your Ref:
Our Ref: KB/TC/PC.10(D6)1744490
Date: 22 January 2010

Mrs K Tuckey
Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ

Robert Overall
Director for Highways & Transportation

David Forkin
Area Highways Manager
West Area Office
Warwick House
Roydon Road
Harlow CM19 5DX

Dear Mrs Tuckey

Local Government (Miscellaneous Provisions) Act 1982
Street Trading: CHESTER ROAD, LOUGHTON, ESSEX IG10 2LR

Thank you for your letter dated 8 January 2010 asking for our comments on an application for a street trading licence for an ice cream van to be situated in Chester Road, Loughton at its junction with Chester Close.

I have inspected the site and found that during school closing time the area is heavily congested with parked cars and the footways very busy with pedestrians, mostly school children. I feel that the parking of an ice cream van would add to the congestion and obstruct the Public Highway. There is also an issue of sight lines for vehicles leaving Chester Close.

The plan supplied with the application indicates a cross on the footway, we would not permit this as it could cause danger to children passing by.

It is therefore the intention of the Highway Authority, in this case Essex County Council to object to this application. I would be grateful if you would inform me of any date of hearing in order that we can make our objections known.

Yours sincerely



Highways Enforcement Officer

Please reply to Ken Barrett

Telephone: 01279 642520 Fax: 01279 642600

Internet: www.essex.gov.uk

Email: highways.westarea@essex.gov.uk

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
21.01.2010.

To Licensing Section.
Corporate Support Services,
Epping Forest District Council,
Civic Offices,
High Street,
Epping,
CM16 4BZ.

Ref Street Trading Chester Road.

I have received a letter from the LRA concerning the above and Offer my views on this matter. The letter offers four points for Consideration. I am assuming that your department has also Received a copy of the letter.

Ref bullet point 1-To my knowledge visual impact, noise and litter has never been an issue. The current vendor used to operate outside my house but now operates at the opposite end of the block of four houses. i.e. 251-257.

Ref bullet point 2-Many students go to the shops in Pyrles Lane for food and drinks. I think that this negates the reference to fast food and fizzy drinks.

Bullet point 3-Road safety. I agree that Chester Road is a busy road but buses are no more of a hazard than lorries, delivery vans and cars.

Ref Bullet point 4-My observations at bullet point 2 cover this point.

I support the vendors application.

Yours sincerely,

[REDACTED]
E C Adams (Mr)

ec LRA.

Kim Tuckey - Street Trading ,Chester Road (Chester Close)

From: "dennis walker" [REDACTED]
To: <licensing@eppingforestdc.gov.uk>
Date: 26/01/2010 20:05
Subject: Street Trading ,Chester Road (Chester Close)
CC: <david.linnell@loughtonresdents.co.uk>

Licensing Section,
 Corporate Support Services,
 Epping Forest District Council,
 Civic Offices,
 High Street,
 Epping CM16
 4BZ

Re:-Street Trading, Chester Road

I am writing to support the Application for a Street Trading Licence by an Ice Cream/Burger Van adjacent to Chester Close in Chester Road.

This Vendor has been trading at this location for a number of years under a valid Licence issued by E.F.D.Council . During this period the Vendor has operated his Business in a very responsible and commendable manner His client base is largely students from the local Davenant Foundation and they appear to be very satisfied with his service as demonstrated by the large number who buy from the Van. I have noticed that some students await the arrival of the Van for the morning period and I suspect the hot food he sells could be be their Breakfast.

The Vendor is concerned about the enviroment and. impresses upon his young clients the need to avoid dropping litter I have witnessed him personally going about, after trading, picking up litter that may have been dropped over a wide area around his Van.

The Loughton Residents Association have raised cocerrns of road safety stating that 'up to 20 buses an hour use Chester Road.' Having lived in this Road for over 40 years I have never counted this volume of buses, The number is much less. Road safety concerns apply more importantly to the driving behavior of parents delivering and collecting their children.

To conclude my statement of support for the Vendor's Trading Licence I would state that over the years he has been operating I have never considered the trading activities of this Vendor a disturbance to the local community. Rejection of his Application would be a disservice to the pupils of Davenant School and also a strong discouragement to a hard working small business man of many years standing.

[REDACTED]

Kim Tuckey - Street Trading, Chester Road

From: "Roisin Hyland" <[REDACTED]>
To: <licensing@eppingforestdc.gov.uk>
Date: 22/01/2010 10:32
Subject: Street Trading, Chester Road

Dear Sirs

I live at No 9 Chester Close and received a letter from the Loughton Residents Association.

I have no objection to an ice cream/burger van trading the hours you state except for the possibility of litter. If the trader was responsible for clearing up any litter left within a certain area (including our close) then I would have no objection.

Roisin Hyland, Secretary to Paul Govier
Maples and Calder
London

[REDACTED]

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Kim Tuckey - Street Trading, Chester Road

From: sandra dear [REDACTED]
To: <licensing@eppingforestdc.gov.uk>
Date: 25/01/2010 17:02
Subject: Street Trading, Chester Road

I have no objection for an increase in the trading hours of the Ice-cream/burger van in Chester Close.

As a resident of Chester Road (I am almost opposite the Parking Area of the van) I am not inconvenienced by the presence of the van. Parents and coaches are parked nose to tail all along Chester Road, especially at the end of the school day to pick up their children. Their parking is often far more inconsiderate than the Ice-Cream van, however they are only there for a very short time and I think we need to show a little tolerance. Longer trading hours will mean less congestion, as the young people will be able to stagger their visits.

I was living here before Davenant School was built and relocated from Whitechapel so I have seen an enormous change but I have no difficulty in accepting the changes. The Van is meeting a need, the operator is applying through the correct channels and I am happy to support his application.

Regards,

[REDACTED]
[REDACTED]
[REDACTED]

[REDACTED]

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test**

Mr Muddabar Hussain

**Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)**

Committee Secretary: Mark Jenkins (01992 56 4607)



**Epping Forest
District Council**

Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing sub-committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached.

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test.**

Ms. Shirley Bates

**Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing sub-committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test**

Olympic Taxis

**Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced taxi company has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this company to be referred to a Licensing Sub-Committee for consideration. Reminder letters were sent to the company concerned.

Background Papers:

Sample of the two letters that the company received are attached

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test**

Mr Wayne Massey
Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing sub-committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Interim Test.**

Mr. Harris

**Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing sub-committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test**

Mr. Sheikh

**Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced Driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing sub-committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached

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Report to Licensing Subcommittee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test**

Mr. Urhan

**Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (1992 56 4034)**

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing Sub-Committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached

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Report to Licensing Sub-Committee
Date of Meeting: 4th March 2010

**Subject: Local Government (Miscellaneous Provision)
Act 1976 & Town & Police Clauses Act 1847 – Breach
of Taxi Interim Test**

Ms. Claire Lawson
Officer contact for further information: Kim Tuckey,
Senior Licensing Officer (01992 56 4034)

Committee Secretary: Mark Jenkins (01992 56 4607)



Decision Required: To consider breaches in the authority's licensing conditions

Report:

The above-mentioned licenced driver has failed to arrange to have carried out an interim test on their vehicle in breach of the licence conditions, therefore officers felt it necessary for this driver to be referred to Licensing sub-committee for consideration. Reminder letters were sent to the driver concerned.

Background Papers:

Sample of the two letters that the driver received are attached

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Date: 19th February 2010

Our ref: Panel Meeting

Your ref:

Civic Offices High Street
Epping Essex CM16 4BZ

Telephone: 01992 564000
Facsimile: 01992 578018
DX: 40409 Epping

Director of Corporate Support
Services Colleen O'Boyle
Solicitor to the Council

Sample letter

Enquiries to:
Mrs K Tuckey (01992) 564270
email: ktuckey@eppingforestdc.gov.uk

Dear M [REDACTED]

**Meeting of the Licensing Panel on 4th March 2010
Re: Hackney vehicle licence**

Further to my previous two letters requesting that you attend Langston Road to have your interim tests.

I can now advise you that a meeting to determine your licence will be held on 4th march 2010 in the Council Chamber, Civic Offices, High Street, Epping, Essex, CM16 4BZ at 10 a.m.
Please note that there is not set time for hearings and therefore we cannot guarantee the time at which you will be required.

As an applicant you are entitled to attend the meeting and make comment. You may be represented either legally or otherwise.

On arrival please go to the 1st floor and wait in the seated area until you are called for.

If you have already booked your vehicle in Langston Road for your interim test or if you have had the test done, please can you provide this office with the interim test asap. If you have not had the test done you are required to bring your plate with you on the day of the meeting, where you will be given the opportunity to explain why you are in breach of the councils licence conditions.

Please contact me on 01992 564034 if you are unable to attend the meeting or if you wish to discuss this item further.

Yours sincerely

K Tuckey
Senior Licensing Officer



Date: 4th February 2010

Our ref: ~~1000~~

Your ref:

Sample letter



Licensing Unit (01992) 564 340
email: licensing@eppingforestdc.gov.uk

Dear Sir/Madam

**Licence in respect of Vehicle Registration No: R94 MMO
Interim test check – January 2010
Local Government (Miscellaneous Provisions) Act 1976**

The conditions of the licence for the above vehicle require that interim tests be carried out on the vehicle at the time intervals mentioned in the licence. These tests must take place at the Langston Road Depot, Langston Road, Loughton. When the licence was issued you were provided with details of the dates when the inspections should take place. An interim test on your vehicle is now overdue.

This is a breach in this Vehicle Licence conditions. The Council may suspend or revoke, or refuse to renew the licence if you are in breach of the conditions

I am referring this breach of condition to the Licensing Sub-committee which will take place on Thursday 4th March 2010 (10 o'clock, Civic Offices, High Street, Epping) so that it can decide what action the Council will take in this matter.

In order to avoid the necessity of a hearing before the Licensing Sub-committee please contact Langston Road Depot on 020 8532 0357 to arrange for an appointment for the interim check to be carried out. If you have not had your vehicle interim done by the date of issue of the agenda for the meeting we will not have the opportunity to withdraw your item. You are reminded that you must attend the meeting.

Yours sincerely

Licensing Unit