

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 10 May 2010

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 11.40 am
High Street, Epping

Members Present: Mrs R Gadsby, R Morgan, Mrs P Richardson and Mrs P Smith

Other Councillors:

Apologies:

Officers Present: L Cole (Legal Services Officer), K Tuckey (Senior Licensing Officer) and A Hendry (Democratic Services Officer)

131. 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 meeting.

132. DECLARATIONS OF INTEREST

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

133. PROCEDURE FOR THE CONDUCT OF BUSINESS

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

134. CLUB PREMISES LICENCE - 10 TORRINGTON DRIVE, LOUGHTON, IG10 3SZ

The members who heard this application were Councillors Mrs R Gadsby, R Morgan and Mrs P Smith.

The Chairman welcomed the participants and introduced the members and officers present, and then requested that the participants introduced themselves to the Sub-Committee.

In attendance on behalf of the application were Mr Kounnis, the applicant and his solicitor Mr A Grimsby.

Representing the Loughton Residents Association was Mr D Linnell and a local resident Mr B Johnson.

(a) The Application before the Sub-Committee

The Legal Officer, Leigh Cole, informed the Sub-Committee that an application had been received for a Club premises licence (a Snooker Club) for 10 Torrington Drive, Loughton. Two representations from interested parties had been received along with a letter from the Loughton Residents Association, representing five more residents. Because of this Officers were unable to grant the licence.

(b) Presentation of the Applicant's Case

Mr Grimsby began by saying that the applicant respected and understood the concerns expressed by the residents and had met with some of them to try and sort things out. He emphasised that this would not be a night club or a bar but a members club. They would not play loud music nor would there be "vertical drinking". This was essentially a sports venue. It would be run as a club with licensing club rules. It had been open since 27th March for people to play Pool/Snooker and has a 48 hour membership rule. Potential members would need to register 48 hours before they were allowed full membership, so there was to be no casual drinking.

Mr Kounnis added that they had a buzzer entry system coupled with a CCTV camera system. There was also a buzzer at the top of the staircase. Members would have their photos taken and put into their computer system and issued with a members ID card. Members could not switch the lights on over their table unless the cards had been swiped. The club had 13 American Pool tables, 2 English Pool Tables, 8 Snooker Tables and a lounge area. The smoking area was at the bottom of the stairway.

This had been a Pool/Snooker club in the past and they were happy to take on any conditions that applied to that club. Members will have use of a free taxi phone; there was a buzzer system to gain entry to the club, so the taxi drivers had no need to blow their horns. Snooker clubs traditionally have a 24 hour culture, hence the application for a late alcohol licence.

With 23 tables in total and 2 to 4 people to a table there would a maximum of about 50 to 60 people there at any one time. But in general it would not be at 100% capacity at any one time.

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

Councillor Morgan asked if smokers would have to leave the club to smoke and then have to log-in again. Mr Kounnis said that yes, they would have to log in again.

Councillor Morgan noted that the venue had been licensed in the past up to 12 midnight, but they were now asking for a 4am close.

Councillor Mrs Gadsby asked if people really did come and play at all hours. She was told that a lot of clubs operated until 4 or 5 a.m. and a lot were open 24 hours a day.

Councillor Mrs Gadsby asked what if members only wanted to drink and not play and what about staffing. Mr Kounnis replied that they could do so as long as they were members and that there were always two members of staff in the evenings.

Councillor Mrs Smith asked where their public adverts had been placed. Mrs Tuckey, the Senior Licensing Officer said that the applicants had complied with all that was required of them.

Councillor Mrs Smith went on to ask what special one-off events did they envisage taking place. Mr Kounnis said that they expected people for the world cup games and other sporting events. This would only be a handful of times a year.

Councillor Mrs Smith asked what was the scale of membership charges. She was told that it was £8 for adults, £5 for students and £4 for juniors, all were per annum charges.

Councillor Mrs Smith asked if it was necessary to add the application for gaming machines on to this application. Mr Grimsby said that normally they would not as there was a separate application for this. Strictly, it was not part of this application.

Councillor Mrs Smith then asked what was the maximum number of people the club could hold. She was told it was 120.

Councillor Morgan asked how they would control the under 18's gaining access to alcohol at the club. Mr Kounnis said that they would ask for ID and they would also have their ages listed on their system. If a member brought in a guest that looked underage they would ask for proof of age. Councillor Morgan said that once in the club they could go to the bar. Mr Kounnis said that they got to know their members and their ages. Also when they log on to the table they would have access to their ages.

Councillor Mrs Smith asked what experience did Mr Kounnis have in Pool/Snooker clubs. Mr Kounnis replied that he run a Snooker club from 1989 to 2000 in Edmonton, without any problems.

(d) Questions for the Applicant from the Objectors

Mr Linnell asked if a member went in for a drink they would not be registered at a table, so how would the system know the age of that member. Mr Kounnis said his staff would get to know the members and their ages. If they looked under 21 they would challenge them.

Mr Linnell asked about club rule 58, consumption of alcohol off the premises. Mr Grimsby said that they could not override the licensing rules which stated that alcohol was only for consumption on the premises.

Mr Johnson asked if they could guarantee the conduct of people outside the club when leaving at 4am. Mr Grimsby said that they could not, but there would be no loud music so the patrons would not be made deaf and then have to shout to each other on leaving. Councillor Morgan asked if notices would be put up to encourage patron to leave quietly and respect the neighbours, Mr Grimsby said they would do so. There was a difference in behaviour in people logged into a system and those who turn up at random to a bar.

(e) Presentation of the Objector's Case

Mr Linnell said that the Club was located in a residential area with houses opposite in Torrington Drive. There was potential for disturbances up until 5am, there was difference compared with people making noise up until midnight. He urged the Sub-Committee to grant the licence only up to 12.30am and would like a conditions added on to the number of guests that members could bring in and on the organisation of private events. The rules as they stand would allow private parties there every night. If the maximum capacity was 120 people then you could have 120 people leaving at 5am.

The residents association welcomed the club and the facilities but only up to midnight. After 12.30 it would need strong conditions put on it.

Mr Johnson said that he had spoken to local residents and they were appalled. This is the wrong place for a venue such as this.

(f) Questions to the Objectors

Councillor Mrs Smith asked how much disturbance the previous club had caused over the years. Mr Johnson said when it had a 12.30 close there were no serious problems, but it would be ridiculous to say that a 5am close would cause no problems.

(g) Objectors Closing Statement

Neither of the objectors had anything to add.

(h) Applicant's Closing Statement

Mr Grimsby said that they had heard the residents concerns but this was an application for flexibility, asking for hours that they may not need. If they had no customers then they would close early. The way the licensing law was drafted they have to apply for the maximum allowed.

It should be remembered that residents have a right to ask for a review of the premises if needed.

They could never guarantee no noise, but they have a secure system in place and ask that this application be granted.

(i) Consideration of the of the Application by the Sub-Committee

The Sub-Committee retired to consider the application in private session. They received no advice from officers. They noted the representations made by the applicant, Loughton Resident's Association and local residents.

RESOLVED:

- (1) That the application for a Club premises licence (a Snooker Club) for 10 Torrington Drive, Loughton be granted subject to standard conditions.
- (2) That, under the prevention of public nuisance the following conditions be added:
 - that alcohol be served up until 2am;
 - the club opening time be reduced to 3am;
 - that public notices be displayed informing members to leave the premises quietly respecting local residents; and
 - that any references to slot machines be removed from part 'C' of the application form.

CHAIRMAN