

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 12 April 2012

Place: Council Chamber, Civic Offices, **Time:** 10.08 - 11.55 am
High Street, Epping

Members Present: R Morgan (Chairman), A Boyce, L Leonard and G Waller

Other Councillors:

Apologies: Mrs M Sartin

Officers Present: L Cole (Legal Services Officer), K Tuckey (Senior Licensing Officer),
Ms N Glasscock (Licensing Enforcement Officer) and M Jenkins (Democratic Services Assistant)

96. APOLOGIES FOR ABSENCE

It was noted that Councillors Mrs M Sartin had tendered her apologies and that Councillor L Leonard had kindly agreed to substitute for her.

97. DECLARATIONS OF INTEREST

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

98. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business.

99. NEW PREMISES LICENCE - CLUB 195, COTTIS LANE, EPPING

The Members who presided over this application were Councillors R Morgan (Chairman), A Boyce and L Leonard. 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 on behalf of the application were Mr D King, Deputy Premises Supervisor for Club 195, 195 Cottis Lane, Epping, and Mr A Alot, solicitor of Dodds Solicitors. There were no objectors present.

(a) The Application before the Sub-Committee

The Legal Officer outlined the application before the Sub-Committee. The application was for a new Premises Licence for Club 195, Cottis Lane, Epping, the application was made on behalf of TDS Entertainment Ltd. The application was received on the 20 February 2012, and was for all licensable activities to take place from 8.00a.m. to 3.00 hours, Monday through to Sunday. A number of objections had been received from local residents.

(b) Presentation of the Applicant's Case

The applicant's legal representative, Mr A Alot, began by explaining that the only change requested in the new premises licence application was to extend the opening hours from 2.00a.m. to 3.00a.m. It was simply to apply for a new licence rather than vary the existing one.

Mr A Alot went on to illustrate the current staff initiatives which had made Club 195 a safe venue, these were:

- (i) CCTV installed with "incredible" quality images;
- (ii) ID protocol, described as "beyond compare;"
- (iii) Staff were well trained;
- (iv) Effective dispersal of patrons outside the club; and
- (v) Robust schedule.

Mr A Alot advised that there were no matters of crime and disorder connected with the club. There were 9 temporary event notices last year, and 5 this year. There had been nothing arising from these events to trouble the police. He went on to say that if occurrences had taken place then the authorities were duty bound to tackle them. The police used the systems employed by Club 195 as an example to other establishments. He pointed out that the car park situated near Cottis Lane was possibly the area where some problems occurred. However this was not connected to the club and was something the club had no jurisdiction over. Mr A Alot posed the question, were local residents troubled by patrons in the car park or by the club?

Mr A Alot informed the sub-committee that through an IT database, it was found that the majority of patrons who used the club came from the CM16 area. There was no evidence that customers came from outside the district.

Mr A Alot spoke of the objections represented in the meeting agenda. They concerned the incidents of noise in the car park and alleged violent brawls. Mr A Alot made clear that there was no police evidence for disruptive, violent behaviour in the area. It was stated in one representation that there would be a strain on the emergency services, this did not seem to fit with the lack of complaints. Another representation mentioned stabbings in the High Street, there hadn't been any evidence forthcoming from the police. Criticisms were levelled at Club 195 regarding litter. Mr A Alot said that activities after customers had left the club were not the responsibility of the owners. There had been serious trouble in Epping High Street, 2 years ago, on one night, but this was unconnected to the club. Mr King advised that he had been attempting to establish a local PubWatch, but no interest was shown.

The club benefitted the night time economy. Mr A Alot concluded by advising that the members should base their decision on real evidence.

(c) Questions from the Sub-Committee

The members asked about the identification procedures employed on customers. Mr A Alot replied that a finger print technology was used, he deferred to Mr King for further clarification. Mr King said that they had installed a Club Scan which verified 385 forms of identification. The ID of a customer was scanned for validity. The machine took a photograph of a customer which stayed on file indefinitely. This could

help with an audit trail. The club used Challenge 25. they also scanned all customers regardless of age.

Members asked how often was the club opened? Mr King replied that they actually operated twice a week on Fridays and Saturdays. Members asked what the capacity was within the club. Mr King said that including staff, it was 500 capacity. However on average, they had around 300-400 patrons.

Members asked what other activities took place at Club 195? Mr King said that there were no other activities at the premises other than the licensable activities on Fridays and Saturdays. They advised that they did not rent out the avenue for private functions, it would be too high a rental charge for leasing.

Panel members asked about the morning opening hours requested. Mr A Alot said that this was done as a matter of course, so they would not need come back to the Council in the future, asking for extensions.

Members asked about body scans. Mr King explained that there were two door supervisors, one male and one female, they would check the customers in respect to their genders. They used wands as well. Mr King advised that the most serious problem was drugs being brought in, not weapons. No weapons had been found in the club for 3 years.

The Panel spoke about the problems being patrons causing trouble several hundred yards away from the club. The solicitor reiterated his earlier comments that the sub-committee could not legislate for activities outside the club. Mr King advised that they had 9 door supervisors out of 11 staff. There were 2 door supervisors in the car park, sometimes Mr King himself stood in the car park area. There were 5 doormen in the High Street, they would leave things to the police if they arrived. It was said that there was a problem with cabs charging around £40.00 for fares to Chigwell, for example. The Senior Licensing Officer, Mrs K Tuckey advised that at the Licensing Committee yesterday, the members had agreed that meters should be installed in taxi cabs. The next stage was to tender this. The Sub-Committee asked if there was any catering at the club. Mr King answered no. Mr King went on to say that every six weeks there was staff awareness training, including glass collectors and door supervisors.

(d) Final Statement from the Applicants

No further statement was made.

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

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

RESOLVED:

That the application for a new premises licence for Club 195, Cottis Lane, Epping be granted subject to the conditions in the application.

100. VARIATION OF LICENCE - BROADWAY EXPRESS, 74 THE BROADWAY, LOUGHTON

The members who presided over the application were Councillors R Morgan (Chairman), A Boyce and L Leonard.

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 on behalf of the application were Mr G Islet, the premises licence holder, and Mr T Qarakesh, a relative of the applicant, who also acted as a translator. In attendance as objectors was Mr P Jones, Divisional Licensing Officer, Epping Forest District, Western Division, Essex Police.

(a) The Application before the Sub-Committee

The Legal Officer outlined the application for the Broadway Express, 74 The Broadway, Loughton, which had applied to vary the licence by opening from 6.00a.m. to 12.00a.m. Mondays to Thursdays, 6.00a.m. to 1.00a.m. Fridays to Saturdays, and 6.00a.m. to 12.00a.m. on Sundays.

A number of objections had been received from local residents, the Loughton Residents Association and the police.

(b) Presentation of the Applicant's Case

Mr T Qarakesh advised the members that he was willing to change the proposed schedule to a 12.00a.m. closure. He also reminded the sub-committee that the premises sold other items other than alcohol.

(c) Questions from the Sub-Committee

The Sub-Committee asked what the demand was for a change in hours to take place. Mr Qarakesh replied that shops in the Broadway were closing by 11.00p.m., if customers needed certain items they would have to go elsewhere. Members asked why hours needed changing. Mr Qarakesh said it was because of customer demand.

(d) Questions from the Objector

There were no questions from the objector.

(e) Presentation of the Objector's Case

Mr P Jones said that there was currently little crime and disorder in the area concerned. However there might be an increase if there hours were changed. Public houses closing at midnight sometimes caused patrons to gather in an area. There were people living above the commercial properties in the Broadway.

(f) Questions to the Objector from the Sub-Committee

The members asked about current off-licence hours. Mr P Jones said that smaller off-licences closed at 11.00p.m., public houses, sometimes at 11.00p.m. and Sainsburys at midnight. There was concern that people would not disperse on leaving the public houses. Members asked if there was concern about patrons gathering around the shop concerned. Mr P Jones replied in the affirmative, particularly as off-licences offered cheaper alcohol.

(g) Questions for the Objector from the Applicant

There were no questions.

(h) Objector's Closing Statement

No further comments were made.

(i) Applicant's Closing Statement

No further comments were made.

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

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

RESOLVED:

That the application for a variation of an existing premises licence for Broadway Express, 74 The Broadway, Loughton be granted according to the schedule in the application, subject to the following amendment:

- (1) That the premises be open until 12.00a.m. on Mondays to Sundays.

101. APPLICATION FOR PREMISES LICENCE AT GAYNES PARK, GAYNES ESTATE, BANKS LANE, COOPERSALE CM16 7RJ

It was advised that the objector's representations to this application had been withdrawn and that therefore, this application would not be heard by the sub-committee.

CHAIRMAN