

107. 58, HIGH ROAD, NORTH WEALD CM16 6BY

The Members who presided over the application were Councillors P Smith (Chairman), M Sartin 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 Rozard and the applicant M Lin. In attendance as objectors were Councillor D Stallan, Ward Member for North Weald Bassett and Mr N Dorras.

(a) The Application before the Sub-Committee

The Legal Officer outlined the application for 58 High Road, North Weald, which had applied for a new Premises Licence under the Licensing Act 2003.

A number of objections had been received from local residents and the Ward Councillor.

(b) Presentation of the Applicant's Case

Mr Rozard advised the Members that he had been in discussion with the authorities and had agreed conditions with the police. The alcohol would be displayed behind counter and would only be sold with food purchased at the premises. The delivery orders with alcohol, would only be delivered to residential or business addresses, with all persons delivering orders to receive full advance training in the sale of alcohol, approved forms of ID, the "Challenge 25" policy and understanding the company's policy of non-delivery when approved ID was required.

(c) Questions from the Sub-Committee

The Sub-Committee enquired about the process for delivery and payment of alcohol. The applicant advised that payment method currently accepted was cash. The Legal Officer advised that the sale of alcohol would be required to be made on the premises and paid for before the delivery took place i.e. using a debit/credit card. Mr Rozard advised that when a person had made an order, he considered this to be the transaction on the premises and a cash payment could be accepted on delivery. The Legal Officer advised that this was a grey area and that it would not need to be conditioned as it would be either legal or illegal.

The Sub-Committee asked about the display of alcohol and delivery arrangements. Mr Rozard advised that the alcohol would be displayed behind the service counter, with around 20 bottles and that it would be mainly wine and beer on sale but they may consider selling Chinese spirits like rice wine. The counter was completely closed off to the public. Delivery sales would be a new venture for the premises with training and drivers being over the age of 18. The Sub-Committee enquired about a layout plan and officers went to retrieve a copy from their files.

The Sub-Committee enquired about whether the delivery driver required a personal licence for the sale of alcohol. The Legal Officer advised that this was not necessary as the transaction would take place on the premises.

(d) Questions from the Objector

Councillor Stallan enquired about the delivery times and the sale of alcohol for deliveries after 11 p.m. Mr Rozard advised that the order was the point of sale and

that the order would need to be with the premises by 11 p.m. Councillor Stallan advised that he had used the premises many times and that access by the public could be obtained through the counter. The Sub-Committee asked for the layout plan of the premises.

The meeting was adjourned at 11:15 a.m. for officers to retrieve a copy of the premises layout.

The meeting resumed at 11:25 a.m. with copies of the premises layout given to the Sub-Committee and applicant. The applicant marked the position of the alcohol to be displayed, on the back wall of the premises behind the counter.

(e) Presentation of the Objector's Case

Councillor Stallan advised the Sub-Committee of the anti social behaviour around that area. A recent residents meeting involving around 60 residents and police officers arose from an incident that occurred in the premises next door. Mr Rozard advised that no concerns had been raised by the police. Councillor Stallan stated that he was disappointed that the police had not commented.

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

No further questions were raised.

(g) Questions for the Objector from the Applicant

Mr Rozard asked Councillor Stallan whether he had any evidence of anti social behaviour created by the applicant's premises. Councillor Stallan had no evidence.

(h) Objector's Closing Statement

Councillor Stallan advised that he had nothing further to add.

(i) Applicant's Closing Statement

Mr Rozard asked that the Sub-Committee approve the application.

(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 new premises licence for 58 High Road, North Weald be granted according to the schedule in the application, subject to the following additions:

1. That access is limited to Staff Only in the "behind the counter"; and
2. That immediately outside the premises to be cleared of litter relating to the premises during trading hours and at the close of business/trading.

108. CO-OPERATIVE NORTH WEALD 54-56 HIGH ROAD NORTH WEALD CM16 6BY

The Members who presided over the application were Councillors P Smith (Chairman), M Sartin and G Waller.

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 Ostrowski, Mr Davis, General Manager for Co- Operative, North Weald and Mr Smells, Co- Operative Operational Officer for Essex. In attendance as objectors was Councillor D Stallan Ward Member for North Weald Bassett and Mr N Dorras.

(a) The Application before the Sub-Committee

The Legal Officer outlined the application for Co- Operative 54-56 High Road, North Weald, which had applied for a variation of existing Premises Licence under the Licensing Act 2003.

A number of objections had been received from local residents and the Ward Councillor.

(b) Presentation of the Applicant's Case

Mr Ostrowski advised the Sub-Committee that the Co-Operative group were requesting to standardise hours for their stores across the country. The variation was for an additional 2 hours from 6 a.m. in the morning Monday to Saturday and Sunday from 6 a.m. to 11 p.m. He explained that these times differ from the stores current opening times of 7 a.m. to 10 p.m. Monday to Saturday and 8 a.m. to 10 p.m. Sunday but there were no current plans to change the stores opening hours, although they may wish to change them in future. They had suggested additional conditions including CCTV monitoring system retained for 21 days, signage to be displayed that it was an offence for people under 18 to the purchase alcohol, burglar alarms, no deliveries to be made between the hours of 11 p.m. and 6 a.m. the following day, all staff training in relation to underage drinking, proof of age scheme, "Challenge 25" scheme, electronic prompt when alcohol was scanned and an "Age Refusals Register" for refusals where alcohol was challenged or refused. They also provided two bins outside the premises which were emptied by the staff and the outside of the store was cleared of litter.

(c) Questions from the Sub-Committee

The Sub-Committee enquired about the noise issues that had arose in the objections. Mr Ostrowski advised that a tannoy system was used throughout the store to contact staff and the volume was kept to a minimum.

The Sub-Committee commented on the how often the tannoy was used. Mr Ostrowski explained that the tannoy was only used for announcements when necessary and to play music within the store. A complaint had been received when music had been played over night through the tannoy by accident. This was not company policy and would not happen again.

The Sub-Committee queried the comments from objectors relating to the delivery lorries blocking roads and creating noise. Mr Ostrowski informed the Sub-Committee that lorries were asked to reverse into the loading bay at the back of the premises and turn off their engines if they were earlier than expected.

The Sub-Committee asked whether Trading Standards had been involved with the store. Mr Davis advised that as the General Manager for the past two years no test purchases had been made and the local police and PCSO often visited the store.

The Sub-Committee enquired about the length of time the CCTV was retained. Mr Ostrowski advised that 12 camera's were situated in and around the premises filming 24 hours, 7 days a week and retained for 21 days.

The Sub-Committee asked about the information collected in the refusal book. Mr Davis advised that they kept records both manually and digitally and with every sale of alcohol the till requested an estimated age of the purchaser, which was printed out weekly and checked by the manager. The manual entries took place when purchasers were refused.

The Sub-Committee requested details on the number of delivery lorries per day. Mr Davis advised that 6 deliveries per day were expected and scheduled so that they arrived separately and not before 7 a.m.

(d) Questions from the Objector

Mr Dorras asked about where they were allowed to unload deliveries and what would happen if the delivery lorries turn up earlier than expected. Mr Ostrowski advised that no deliveries should arrive before 7 a.m. and if they had arrived before their allotted time they would have to reverse into the loading bay, to wait for the staff.

Councillor Stallan asked for clarification on delivery times and what sanctions were used for deliveries not using the back loading bay for delivery. Mr Ostrowski advised that delivery of newspapers was around 6 a.m. to a secure deposit bin around the rear of the premises but other deliveries were after 7 a.m. and all deliveries should take place at the rear of the premises. Deliveries would be refused if they did not comply with the designated delivery point and around 12 deliveries had been refused.

(e) Presentation of the Objector's Case

Mr Dorras advised that the premises had been report to Trading Standards about the sale of alcohol to minors, although their licence had not been removed. He had issues with noise levels from previous refrigerates, which had been reduced when the Environment and Neighbour Officer had been involved and the constant delivery lorries, 7 days a week caused a lot of noise and highways issues. The area attracted anti social behaviour and he asked the committee to reject the application.

Councillor Stallan agreed with Mr Dorras about the anti social behaviour and was disappointed that the police had not commented, although the last incident occurred recently and may have not been taken into account by the police when considering the application. He had seen deliveries taking place both at the front of the premises and to the side which caused problems with highways.

(f) Questions to the Co-operative from the Sub-Committee

The Sub-Committee enquired about the recent incident. Mr Ostrowski advised that police had been called to incident which started within the premises, involving three or four intoxicated people, which spilled out onto the street. No alcohol had been purchased from the store and CCTV had been given to the police. The Sub-Committee enquired about the amount of space dedicated to the sale of alcohol. Mr Ostrowski advised that 10% of the store was given to alcohol.

(g) Questions for the Objector from the Applicant

Mr Ostrowski had no further questions.

(h) Objector's Closing Statement

Councillor Stallan advised that he had nothing further to add.

(i) Applicant's Closing Statement

Mr Ostrowski asked that the Sub-Committee approve the application.

(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 new premises licence for Co- Operative 54-56 High Road, North Weald be granted according to the schedule in the application, subject to the following additions and modifications:

1. That the CCTV images be retained for 28 days;
2. That no deliveries to take place between the hours of 21:00 and 07:00 the following day;
3. That the licensee retains 2 litter receptacle outside the premises and the general frontage be kept clean and tidy at all times;
4. That training records are kept;
5. That training in the relation to underage related sales of alcohol for new starters was completed within a month of their start date; and
6. That all staff are trained at least annually on the sales of alcohol.

109. CO OPERATIVE 113-117 UPSHIRE ROAD WALTHAM ABBEY ESSEX EN9 3PE

The Members who presided over the application were Councillors P Smith (Chairman), M Sartin 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 Ostrowski, Mr Davis, General Manager for Co- Operative, North Weald and Mr Smells, Co- Operative Operational Officer for Essex.

(a) The Application before the Sub-Committee

The Legal Officer outlined the application for Co- Operative 113-117 Upshire Road, Waltham Abbey which had applied for a variation of existing Premises Licence under the Licensing Act 2003.

A number of objections had been received from local residents.

(b) Presentation of the Applicant's Case

Mr Ostrowski advised the Sub-Committee that the Co-Operative group were requesting to standardise hours for their stores across the country. The variation was for an additional 2 hours from 6 a.m. in the morning Monday to Saturday and Sunday from 6 a.m. to 11 p.m. He explained that these times differ from the stores current opening times of 7 a.m. to 10 p.m. Monday to Saturday and 8 a.m. to 10 p.m. Sunday

but there were no current plans to change the stores opening hours, although they may wish to change them in future. They had suggested additional conditions including CCTV monitoring system retained for 21 days, signage to be displayed that it was an offence for people under 18 years to purchase alcohol, burglar alarms, no deliveries to be made between the hours of 11 p.m. and 6 a.m. the following day, all staff training in relation to underage drinking, proof of age scheme, "Challenge 25" scheme, electronic prompt when alcohol was scanned and an "Age Refusals Register" for refusals where alcohol was challenged or refused. The delivery lorries would reverse and unload the deliveries in the road adjacent to the premises.

(c) Questions from the Sub-Committee

The Sub-Committee enquired why the delivery lorries were required to reverse and how many deliveries were expected per day. Mr Ostrowski advised that because of the road width, lorries would need to reverse to unload the deliveries at the side of the premises, as there was not loading bay at the rear of the premise. The deliveries would be similar to the previous application in that there would be 6 deliveries per day.

The Sub-Committee enquired whether the applicant would consider adopting the same conditions as the previous application with exception to the requirement of litter bins outside the premises. Mr Ostrowski confirmed that these conditions were acceptable.

(d) Applicant's Closing Statement

Mr Ostrowski asked that the Sub-Committee approve the application.

(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 Co- Operative 54-56 High Road, North Weald be granted according to the schedule in the application, subject to the following additions and modifications:

1. That the CCTV images be retained for 28 days;
2. That no deliveries to take place between the hours of 21:00 and 07:00 the following day;
3. That training records are kept;
4. That training in the relation to underage related sales of alcohol for new starters was completed within a month of their start date; and
5. That all staff are trained annually on the sales of alcohol.

CHAIRMAN