

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Licensing Sub-Committee                      **Date:** 11 September 2013

**Place:** Council Chamber, Civic Offices,              **Time:** 6.30 - 7.30 pm  
High Street, Epping

**Members Present:** A Boyce (Chairman), Mrs R Gadsby, P Keska and H Mann

**Other Councillors:**

**Apologies:**

**Officers Present:** A Mitchell (Assistant Director (Legal)), S Kitts (Licensing Officer) and A Hendry (Democratic Services Officer)

---

### **53. DECLARATIONS OF INTEREST**

Pursuant to the Council's Code of Member Conduct, Councillor H Mann declared a non pecuniary interest in agenda item 4, by virtue of being a member of the LRA who had made an objection. The Councillor indicated that he would remain in the meeting for the consideration of the item.

### **54. PROCEDURE FOR THE CONDUCT OF BUSINESS**

The Sub-Committee noted the agreed procedure for the Conduct of Business and the Terms of Reference.

### **55. MEZESPHERE, 112-120 HIGH ROAD, LOUGHTON IG10 4HJ**

The three Councillors that presided over this item were Councillors A Boyce, P Keska and H Mann. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the application were Licensing Consultant, F Fender and the applicant Mrs A Ozkan. In attendance on behalf of the objectors was Pastor R Brown. The Chairman then introduced the members and officers present and outlined the procedure that would be followed for the determination of the application.

#### **The Application before the Sub-Committee**

The Legal officer informed the Sub-Committee that an application had been made for a premises licence for Mezesphere, 112-120 High Road, Loughton for the supply of alcohol on and off the premises. Several representations had been received from interested parties. The application had also requested an extension to their hours extending up until 24.00 Monday to Saturday.

Following receipt of the application, the Council had received representations from:

- Essex Police, Environmental Street Scene and the Children's Safeguard Unit, whom had no objections;
- Twelve representations from local residents with objections relating to Crime and Disorder, Public Safety and Public Nuisance.

**(a) Presentation of the Applicants Case**

Mr Fender informed the Sub-Committee that this was for a new premises licence in Loughton, serving Mediterranean food. If granted, they would sell alcohol only to the customers that were dining in the restaurant. They were also looking for a late night refreshment licence from 23.00 to midnight. The opening hours would be longer than the licensing hours to enable it to be open in the mornings for breakfast (07.00 to 00.30, Monday to Saturday, 09.00 to 23.00 Sundays). They would close thirty minutes after the licensing hours finished in order to allow for "drinking up time" and staggered leaving times. They had given careful consideration to the four licensing objectives and the steps that they intend to take are described in detail on their application form.

There would be no off sales for people not dining in the restaurant but only for diners who wished to take their unfinished bottle of wine home with them after they finished their meal.

Staff were to monitor the level of noise in order not to exceed normal levels expected from such an establishment. He noted that no representation had been received from any of the responsible authorities, although there were twelve letters from local residents.

There was a lot of perceived trouble on noise etc. emanating from the Nu Bar. Objections were received from around the premises. Pastor Brown, he believed, lived closest to the premises. A lot of objectors submitted their objections on the perception of the possibility of noise. However, this application was for the off sale of alcohol to dinners only.

Please grant this request.

**(b) Questions for the Applicant from the Sub Committee**

Councillor Mann asked how many people this establishment would employ. He was told that it would be around 12 people, employed from the local area.

Councillor Keska asked if there would be any smoking areas. He was told that none were proposed; if customers wished to smoke they would have to use the public highway at the front of the premises.

Councillor Mann asked how would the containers be sealed for alcohol taken of the premises. Mr Fender said it would be in resealed bottles. Councillor Mann asked if they could still go outside and drink from the bottle. He was told that this was outside the management's control although in their experience people did not tend to stand around drinking from a bottle after they had left a restaurant.

Councillor Keska asked who they thought their customer base would be, would it be the same as the Nu Bar. Mrs Ozkan said that their patrons would be local residents, as it was a family type of restaurant generating no disturbing behaviour.

Councillor Mann asked if there was to be no music in the restaurant. He was told that there would be background music; there was no intention to have live bands.

Councillor Mann asked what alcohol would be sold to their customers. Mrs Ozkan said it would mainly be wine, as they had bought the bottle to drink with their meal, if they did not finish it they should be allowed to take it away with them.

**(c) Questions from the objector to the Applicant**

The objector had no questions for the applicant.

**(d) Presentation of the Objectors Case**

Pastor Brown said that when he put in his objection he was not sure what the premises was going to do. Noise was a real issue for them and he also had concerns about the other fast food outlets there, especially people who leave the restaurant with alcohol. He was aware that people sat on their steps drinking and leaving glasses and bottles. He was also concerned about litter such as food, cigarettes ends, bottles etc. and would like some provision for the disposal of this litter. Was there some way of not having people congregating outside on the pavement as he had concerns about people on the streets and also extra traffic that could be dangerous at times. Crowds could cause a nuisance, although some of his concerns had already been addressed by the applicants.

**(e) Questions to the Objector from the Sub-Committee**

The Sub-Committee had no questions for the objector.

**(f) Questions to the Objector from the Applicant**

Mr Fender said Pastor Brown had started by saying that he was unsure of the application. Now that he had heard the details was he satisfied and/or reassured. Pastor Brown replied that he did feel more reassured. He would like them to encourage their customers to take their drinks home and not consume it on the streets and also not gather around outside their premises.

**(g) Objectors Closing Statement**

Pastor Brown had nothing more to add.

**(h) Closing Statement from the Applicant**

Mr Fender said that he had nothing to add. The secret of successful licenced premises was management and the hiring of staff. They should be part of the community.

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

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

**RESOLVED:**

That the application for Mezesphere, 112-120 High Road, Loughton for a premises licence be granted according to the operating schedule submitted with the addition of a condition that:

'No Glasses or containers of alcohol are to be taken and consumed outside the premises at anytime.'

**CHAIRMAN**