

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 16 January 2014

Place: Council Chamber, Civic Offices, **Time:** 6.30 - 7.25 pm
High Street, Epping

Members Present: K Angold-Stephens (Chairman), P Keska, Mrs M Sartin and Mrs P Smith

Other Councillors:

Apologies: Mrs R Gadsby

Officers Present: A Mitchell (Assistant Director (Legal)), J Owen (Licensing Compliance Officer) and R Perrin (Democratic Services Assistant)

113. APOLOGIES FOR ABSENCE

Councillor R Gadsby had given her apologies and Councillor P Keska was substituting.

114. DECLARATIONS OF INTEREST

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

115. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business, and the terms of reference.

116. NEW PREMISES LICENCE APPLICATION - ORCHID 54 WINEBAR - 54 SUN STREET, WALTHAM ABBEY, ESSEX, EN9 1EJ

The three Councillors that presided over this item were Councillors K Angold-Stephens, P Keska and M Sartin. The Chairman welcomed the participant and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the application was Helary Kurger. 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 Assistant Director of Corporate Support Services (Legal Services) informed the Sub-Committee that an application for a Premises Licence had been received in respect of Orchid 54 Wine bar, 54 Sun Street, Waltham Abbey along with representations from interested parties.

The representation received from Essex Police had been withdrawn following Mr Adeshina, the applicant agreeing to the following conditions;

Licensing Activities

Thursday – Sunday 00:00
Friday – Saturday – 01:00

CCTV covering the internal of the premises, including the front door will be installed and maintained. It will be recording at all times the premises are open to the public and will be kept in an unedited format for a period not less than 14 days. The images are to be made available to Police, Local Authority or Trading Standards for inspection upon lawful request.

In relation to challenge 25, the premises will operate a “No ID, No Sale” policy.

In addition to the condition the Assistant Director of Corporate Support Services (Legal Services) advised that the registered address of business needed to be amended on the application, as the address was incorrect and in the licensing objectives paragraph d) The prevention of public nuisance, the word ‘nuisance’ needed to be added, to read as the following;

‘Amplified music will not be played at a level which will cause any unreasonable *nuisance* to the occupants of any neighbouring properties in the vicinity.’

Presentation of the Applicant’s Case

Helary Kurger advised that the applicant Mr Adeshina had been unable to attend this evenings meeting and that she would be representing the application. Ms Kurger advised that they were creating an up market wine bar, serving bar snacks and wine with light music in a relaxed atmosphere.

Questions for the Applicant from the Sub-Committee

Councillor Sartin asked what were the premises above the wine bar used for and with the amended closing times being reduced to 00:00, would this mean that alcohol would stop being served at 23:30 and closing at 00:00. Ms Kurger advised that they were offices for an accountancy firm and yes the closing time would be 00:00.

Councillor Keska asked about where on the floor plan was the kitchen, if snacks were being served. Ms Kurger advised that there was no kitchen as the snacks were picky bits and did not require a kitchen.

The Sub-Committee enquired where Ms Kurger would be happy to amend section 18 of 19, licensing Objectives d) The prevention of public nuisance to state that ‘no speakers would be placed outside the premises’. Ms Kurger was happy to accept this amended condition.

Councillor Angold-Stephens asked what types of buildings were in the area. Ms Kurger advised that it was mainly businesses and not residential.

Councillor Sartin asked about the type of training the staff would be receiving in relation to alcohol. Ms Kurger advised that external trainers would be training staff.

Councillor Angold-Stephens advised that if complaints were received regarding noise levels, then the Council would enforce the condition to install noise limiters.

Presentation of the Objectors’ Cases

There were no objectors present.

Closing Statement from the Applicant

Ms Kurger asked that the sub-committee grant the application.

Consideration of the Application by the Sub-Committee

The Sub-Committee asked the applicant and members of the public to leave the chamber whilst they consider the application in private. During its deliberations, the Sub-Committee received no advice from the Officers present.

The Sub-Committee asked that the applicant be asked back into the Chamber to answer some questions. The Sub-committee enquired how Ms Kurger was involved in the business. Ms Kurger advised that she was a Director of the business. The sub-committee asked if the business had a temporary events notice, whether she would consider reducing the special days including Christmas eve, Christmas day, Boxing day, New Years Eve and New Years day to 01:30 rather than 02:30. Ms Kurger advised that they had a temporary events notice and that the Wine bar would be open to around 01:00 therefore she could see no problem in reducing the hours.

The Sub-committee asked the applicant and members of the public to leave the Chamber again.

Resolved:

(1) That the application for the Premises Licence for Orchid 54 Wine bar, 54 Sun Street, Waltham Abbey be granted subject to the conditions within the application, the further conditions requested by Essex Police and the conditions agreed by the Sub-Committee, these being:

- (a) the licensing activities would be as follows;

Thursday – Sunday 12:00 – 23:30

Friday – Saturday 12:00 – 01:00

Special days including Christmas Eve, Christmas day and Boxing day, 12:00 – 01:30 and New Years Eve and New Years day 12:00 – 02:00

With the premise to close 30 minutes after the licensing activities have finished.

- (b) CCTV covering the internal of the premises, including the front door will be installed and maintained. It will be recording at all times the premises are open to the public and will be kept in an unedited format for a period not less than 28 days. The images are to be made available to Police, Local Authority or Trading Standards for inspection upon lawful request.
- (c) In relation to challenge 25, the premises will operate a “No ID, No Sale” policy.
- (d) To included the word ‘nuisance’ in the licensing objectives d) The prevention of public nuisance ‘Amplified music will not be played at a level which will cause any unreasonable *nuisance* to the occupants of any neighbouring properties in the vicinity.’

117. EXCLUSION OF PUBLIC AND PRESS

The Sub-committee noted that there were no items of business on the agenda that necessitated the exclusion of the public and press from the meeting.

CHAIRMAN