

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 27 October 2015

Place: Council Chamber, Civic Offices, **Time:** 10.00 - 10.45 am
High Street, Epping

Members Present: R Morgan (Chairman), K Chana, H Mann and B Surtees

Other Councillors:

Apologies: K Angold-Stephens and R Gadsby

Officers Present: R Ferriera (Assistant Solicitor), J Leither (Democratic Services Officer),
S Moran (Licensing Compliance Officer) and L Turner (Licensing Compliance Officer)

37. SUBSTITUTE MEMBERS

It was noted that Councillor Chana was substituting for Councillor Gadsby and Councillor Surtees was substituting for Councillor Angold-Stephens.

38. DECLARATIONS OF INTEREST

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

39. PROCEDURE FOR THE CONDUCT OF BUSINESS

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

40. NEW PREMISES LICENCE - NAZEINGBURY PARADE, NAZEING ROAD, WALTHAM ABBEY, ESSEX EN9 2JL

The three Councillors that presided over this item were Councillors Morgan, Mann and Surtees.

The Chairman introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the application. The Chairman welcomed the participants and requested that they introduced themselves to the Sub-Committee. In attendance on behalf of the application were Mr R Jordan, the applicant's agent and Mr R Patel, the applicant.

(a) The Application before the Sub-Committee

The Licensing Compliance Officer informed the Sub-Committee that an application had been made by Mr R Jordan acting on behalf of Mr R Patel, for a premises licence for 12 Nazeingbury Parade, Nazeing Road, Waltham Abbey, Essex EN9 2JL, which had been received on the 8 September 2015. The application was for the sale

of alcohol for consumption off the premises. The application had also requested an extension to their hours extending up until 23.00 hours Monday to Sunday.

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

- Essex Police;
- Two representations from local residents with objections relating to Public Nuisance, Crime Disorder and Health and Safety; and
- Representation from a local business in the same parade of shops.

(b) Presentation of the Applicant's Case

Mr Jordan informed the Sub-Committee that this application was for a new premises licence in Waltham Abbey. He advised that the applicant Mr R Patel had been trading for the last 21 years and the sale of alcohol would help with additional sales and improve his business. He advised that they had worked with Essex Police and the Licensing department and the following licensing guidelines and conditions would be adhered to:

- (i) CCTV had been installed as a condition stipulated by Essex Police;
- (ii) Challenge 25 to be implemented;
- (iii) Staff training for age restricted sales;
- (iv) Refusals of sales of alcohol to be logged in a register with full details;
- (v) Signage clearly displayed showing the licensing hours and advising that alcohol cannot be purchased outside of these hours; and
- (vi) Proxy sales to be challenged.

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

Councillor Morgan asked who would implement the training of the staff. Mr Jordan advised that it would be carried out by Mr Patel once he had obtained his personal licence.

Councillor Surtees asked what time was the premises currently open from and what time did it close and had there been any demand from customers for opening until 23.00hrs. Mr Jordan replied that the premises were currently open from 05.30hrs until 19.30hrs. They were open early because it was a newsagents. They had not done any survey with their customers on the sale of alcohol but were occasionally asked for alcohol. Mr Patel felt that with the sale of alcohol this would generate additional sales of items such as crisps and peanuts.

Councillor Mann asked if Mr Patel would consider keeping the outside of his premises clear of rubbish and cans. The applicant agreed that it would be acceptable to litter pick once a day.

Councillor Morgan said according to the representations received one stated that all of the shops in the parade were closed by 21.00hrs. Mr Jordan replied that this was not true as the fish and chip shop was open until 22.00hrs.

(d) Closing Statement from the Applicant

Mr Jordan wanted to reiterate his earlier statement that they had been working with Essex Police and that the CCTV had been installed to their satisfaction.

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

The Sub-Committee withdrew from the meeting to consider the application in private. During their deliberations the Sub-Committee received no further advice from the officers present.

RESOLVED:

That the application for a new premises licence for 12 Nazeingbury Parade, Nazeing Road, Waltham Abbey, Essex EN9 2JL be granted subject to the following conditions which the Sub-Committee considered were appropriate and necessary for the promotion of the licensing objectives:

(1) That the conditions which are consistent with the operating schedule and those which have been amended:

- Opening hours – Monday to Sunday from 05.30hrs – 22.00hrs
- Sale of alcohol – Monday to Sunday from 08.00hrs – 22.00hrs

(2) That the mandatory conditions contained in Sections 19-21 of the Licensing Act 2003; and

(3) That the conditions which had previously been agreed with Essex Police, in a email dated 5 October 2015, on page 28 of the Agenda:

(a) CCTV

The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less than 28 days with time and date stamping. The recording shall be made available immediately upon the lawful request Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.

A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.

(b) The inclusion of a condition regarding the display of alcohol when sales are not permitted

Outside of the hours authorised for the sale of alcohol and whilst the premises are open to the public, the licence holder shall ensure that all alcohol within the premises (including alcohol behind the counter) is secured in a store room or behind grilles, screens or cabinet doors so as to deter access to the alcohol by both customers and staff.

(c) Additional condition to educate customers regarding the hours of alcohol availability

Prominent signage indicating the permitted hours for the sale of alcohol shall be displayed so as to be visible before entering the premises, where alcohol is on public display and at the point of sale.

CHAIRMAN