

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** Tuesday, 8 March 2016

Place: Council Chamber, Civic Offices, High Street, Epping **Time:** 10.00 - 10.36 am

Members Present: Councillors M Sartin (Chairman), R Gadsby, P Keska and R Morgan

Other Councillors: -

Apologies: B Rolfe

Officers Present: L Cole (Legal Services Officer), K Tuckey (Licensing Manager), L Turner (Licensing Compliance Officer) and R Perrin (Democratic Services Officer)

77. SUBSTITUTE MEMBER

The Sub-Committee noted that Councillor R Morgan was substituting for Councillor B Rolfe.

78. DECLARATIONS OF INTEREST

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

79. PROCEDURE FOR THE CONDUCT OF BUSINESS

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

80. EXCLUSION OF PUBLIC AND PRESS

That the public and press be excluded from the meeting for the items of business set out below on the grounds that they would involve the likely disclosure of exempt information as defined in the paragraphs of Part 1 of Schedule 12A of the Local Government Act 1972:

<u>Agenda Item No</u>	<u>Subject</u>	<u>Exempt Information Paragraph Number</u>
5	Application for a Hackney Carriage driver's Licence – Mr Ahmed Zubiar Azizullah.	1

81. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 AS AMENDED & TOWN & POLICE CLAUSES ACT 1847 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR AHMED ZUBIAR AZIZULLAH

The Sub-Committee considered an application by Mr A Z Azizullah for a Hackney Carriage Driver's Licence. The three Councillors that presided over this item were Councillors M Sartin, R Morgan and P Keska. Members noted that Officers did not

have delegated powers to grant this application and, as a result, the application had to be considered by the Sub-Committee.

The Chairman welcomed the Applicant and introduced the Members and Officers present. The Senior Licensing Officer informed the Sub-Committee of the circumstances by which the licence could not be issued under delegated authority.

The Applicant made a short statement in support of this application and answered a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Chairman requested that the Applicant leave the Chamber whilst the Sub-Committee debated the application in private. The Licensing Compliance Officer, L Turner entered the chamber and introduced herself to the Sub-Committee and Applicant.

The Chairman invited the Applicant back into the Chamber and informed him of the decision of the Sub-Committee.

Resolved:

That the application for a Hackney Carriage Driver's Licence for Mr A Z Azizullah be refused, as the Sub-Committee were not satisfied that the Applicant was a fit and proper person to hold such a licence and it would be contrary to Epping Forest Hackney carriage Private Hire Licensing Policy.

82. INCLUSION OF PUBLIC AND PRESS

RESOLVED:

That the public and press be invited back into the meeting for the remaining items of business.

83. STREET TRADING CONSENT - LONDON ROAD (A113) ONGAR

The three Councillors that presided over this item were Councillors M Sartin, R Morgan and R Gadsby.

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 applicant, Mr D Hickman.

(a) The application before the Sub-Committee

The Licensing Compliance Officer, L Turner introduced the application. The application had been made by Mr D Hickman for a Street Trading Consent under the Local Government Miscellaneous provision Act 1982, to trade at London road (A113), Ongar, Essex. The authority had received the application on 25 January 2016.

There had been a previous trader consent from January 2013 to January 2014, although they had not wished to renew the consent.

Although there had been no requirement under the Local Government Miscellaneous provision Act 1982 to carry out any consultation, the Licensing Team had notified Essex Police, Environmental Health, the Highways Authority, Ongar Town Council and Member's through the Member's Bulletin. A public notice had also been placed in the local Guardian.

The Licensing Compliance Officer advised that there had been no letters of objection received.

The Chairman asked for clarification on Section 6 of 11 – Details of vehicles, stall and/or container of the application. The Licensing Compliant Officer advised that the question was in relation to the container he would be trading from.

(b) Presentation of the Applicant's case

The Applicant, Mr D Hickman advised that he thought there was a gap in the market and that he had seen this layby as an opportunity.

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

Councillor R Morgan asked whether Mr D Hickman had traded before. Mr D Hickman advised that he had previously been a Butcher for 30 years.

Councillor R Morgan enquired whether Mr D Hickman knew that Essex County Council(ECC) Highways sometimes used this lay-by to store equipment. Mr D Hickman advised that he was aware that the lay-by was occasionally used by the ECC and that hopefully they would use his facilities.

Councillor R Morgan asked whether he would be working by himself and how rubbish from the container would be dealt with. Mr D Hickman advised that he would, at first be working by himself, although this could change depending on the amount of business and that any rubbish would be collected and disposed of correctly.

Councillor M Sartin enquired about some photographs that had been referred to in the application. The Licensing Compliant Officer distributed the photographs supplied by the applicant, which had shown the catering trailer. Mr D Hickman advised that signage would be applied shortly.

Councillor R Gadsby enquired about the type of food being served. Mr D Hickman advised that it would be good quality burgers, hot dogs and sandwiches.

(d) Closing Statement from the Applicant

The applicant advised that he had nothing further to add.

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

The Sub-Committee asked the applicant and officers to withdraw from the chamber while they considered the application in private. During their deliberations the Sub-Committee received no further advice from the officers present.

RESOLVED:

That Mr D Hickman be granted an application for a Street Trading Consent at London Road (A113) Ongar subject to the standard conditions and that rubbish relating to business be disposed of correctly.

CHAIRMAN