

## EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

**Committee:** Licensing Sub-Committee **Date:** Tuesday, 2 April 2019

**Place:** Council Chamber, Civic Offices, High Street, Epping **Time:** 10.00 - 11.35 am

**Members Present:** Councillors M Sartin (Chairman), I Hadley, J Jennings and R Morgan

**Officers Present:** R Perrin (Senior Democratic Services Officer), K Tuckey (Licensing Manager), D Houghton (Licensing Compliance Officer) and R Ferriera (Assistant Solicitor)

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### 48. Declarations of Interest

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

### 49. Procedure for the Conduct of Business

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

### 50. Exclusion of Public and Press

**RESOLVED:**

(1) That in accordance with Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the item of business set out below on the grounds that it would involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or were confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
5	Local Government (Miscellaneous Provisions) Act 1976 as amended & Town & Police Clauses Act 1847 – Driver's Licence H686 – A Harper	1
6	Local Government (Miscellaneous Provisions) Act 1976 as amended & Town & Police Clauses Act 1847 – Driver's Licence H1665 – F Meads	1

### 51. Local Government (Miscellaneous Provisions) Act 1976 as amended & Town & Police Clauses Act 1847 - Driver's Licence H686- Mr A Harper

The Sub-Committee considered a review of the current Hackney Carriage Driver's Licence held by A Harper. The three councillors that presided over this item were Councillor M Sartin (Chairman), Councillor I Hadley and Councillor J Jennings.

Members noted that Officers did not have delegated powers to determine this licence review 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 Licensing Officer informed the Sub-Committee of the circumstances under which the Licence could not be dealt with under delegated authority.

The Applicant made a short statement in support of his application before answering 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 everyone, except the Licensing Sub-Committee members left the Chamber whilst they considered the application.

The Chairman invited the Applicant, Licensing Officer and Councillor R Morgan back into the Chamber and informed the Applicant of the Sub-Committee's decision.

The Chairman advised that they had received no legal advice whilst determining the application.

**RESOLVED:**

That no further action be taken as the Sub-Committee were satisfied that the applicant was a fit and proper person to hold a driver's licence, subject to;

- (i) That A Harper be given a verbal warning to ensure any cautions or convictions be immediately report to EFDC Licensing Department; and
- (ii) That A Harper revisits the Council's Public Hire Licence Application Guidance.

**52. Local Government (Miscellaneous Provisions) Act 1976 as amended & Town & Police Clauses Act 1847 - Driver's Licence H1665- Mr F Meads**

The Sub-Committee considered a review of the current Hackney Carriage Driver's Licence held by F Meads. The three councillors that presided over this item were Councillor M Sartin (Chairman), Councillor R Morgan and Councillor J Jennings. Members noted that Officers did not have delegated powers to determine this licence review 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 Licensing Officer informed the Sub-Committee of the circumstances under which the Licence could not be dealt with under delegated authority.

The Applicant made a short statement in support of his application before answering a number of questions from Members of the Sub-Committee. The Applicant then made a short closing statement to the Sub-Committee before the Sub-Committee, Licensing Manager, Legal Officer and Senior Democratic Services Officer left the Chamber to consider the application.

The Sub-Committee returned to the Chamber, with the officers and informed the Applicant of the Sub-Committee's decision.

The Sub-Committee advised F Mead that they had been made aware of the situation around the TfL owned land at Epping Station and that the Sub-Committee had received no legal advice whilst determining the application.

**RESOLVED:**

1. That F Mead receive a formal written warning about his future conduct;
2. That the Sub-Committee had some concerns about the allegations received; and
3. That, if any further allegations occurred they would be taken very seriously and he would be brought back to the Sub-Committee for consideration.

**53. Inclusion of Public and Press**

**RESOLVED:**

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

**54. Premises Licence Transfer and DPS change under the Licensing Act 2003 for Wo Fat, 270-272 High Road Loughton**

The Sub-Committee noted that this application had been withdrawn by the applicant after the publication of the agenda and would not be determined.

**CHAIRMAN**