

## **EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

**Committee:** Licensing Sub-Committee                      **Date:** 23 July 2018

**Place:** Council Chamber, Civic Offices,                      **Time:** 2.17 - 3.10 pm  
High Street, Epping

**Members Present:** R Morgan (Chairman), S Heather, L Hughes and D Stocker

**Other Councillors:**

**Apologies:**

**Officers Present:** A Mitchell (Assistant Director (Legal Services)), H Ibrahim (Licensing Officer) and A Hendry (Senior Democratic Services Officer)

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### **7. DECLARATIONS OF INTEREST**

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

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

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

### **9. APPLICATION TO VARY A PREMISES LICENCE FOR MOLEN'S CAFÉ, 209 D/E HIGH ROAD, LOUGHTON, LONDON, IG10 1BB**

The three Councillors that presided over this item were Councillors R Morgan (Chairman), S Heather and L Hughes.

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 Michelle Allison the applicant and Director of the premises.

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

The Licensing Compliance Officer, H Ibrahim introduced the application. The application had been made by Mr Mustafa Timur, the Premises Licence Holder for a variation to the premises licence for Molen's café, 209 D/E High Road, Loughton. The proposed variation was for the supply of alcohol extended to the newly erected conservatory and for the timings for the sale of alcohol to be reduced from 23:00 to 18:00. The application sets out the following: Supply of Alcohol Monday to Saturday 10:30-18:00, Sunday 10:30 to 17:00. The hours premises are open to the public Monday to Saturday 07:00-18:00, Sunday 09:00-17:00.

The authority had received a representation from a local resident relating to the prevention of public nuisance.

#### **b) Presentation of the Applicant's Case**

Ms Allison said they were asking for a variation to extend to the Conservatory and to amend the licensing times. They wished for the café to now close at 6pm as they did not need the old 11pm closure time. She noted that the objection was not relevant as it complained about other premises and residents. She assured the Sub-committee that the premises did have planning permission for the conservatory. This decrease in hours would be of benefit to the residents and be reasonable for the people in the area.

She noted that for the open space extension the doors would be shut at all times, which complied with the conditions agreed, so that there would be no noise issues for the neighbouring residents.

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

The sub-Committee had no questions for the applicant.

**d) Consideration of the Objector's statement**

A sub-committee member asked how far was the objector from the premises. The Licensing Compliance Officer said that the back of the premises backed onto residential properties and gardens and the houses were the length of the garden away.

There were no questions from the applicant.

There were no further questions from the members of the sub-committee and no questions from the officers present.

**e) Closing Statement from the Applicant**

The applicant's representative did not wish to make a further statement.

**f) Consideration of the Application by the Sub-Committee**

The Chairman requested that the applicant's representative 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:**

- (1) That the proposed variation for the supply of alcohol be extended to the newly erected conservatory be granted; and
- (2) That the timings for the sale of alcohol be reduced from 23.00 to 18.00 be granted so that the following should apply:
  - Supply of alcohol Monday to Saturday now be 10.30 to 18.00; and
  - Sundays 10.30 to 17.00.

The hours the premises to be open to the public:

- Monday to Saturday are 07.00 to 18.00; and
- Sundays 09.00 to 17.00

**10. KHYVA, 40 COOLGARDIE AVENUE, CHIGWELL, ESSEX, IG7 5AY**

The three Councillors that presided over this item were Councillors R Morgan (Chairman), L Hughes and D Stocker.

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 Sonal Patel the applicant.

**a) The Application before the Sub-Committee**

The Licensing Compliance Officer, H Ibrahim introduced the application. The application had been made by Khyva Limited for a new premises licence at 40 Coolgardie Avenue, Chigwell. The application was for an online Hamper Business operating from her home and the applicant would like to include alcohol in the hampers. This will be by way of sales via the website only and will be run from a side extension of her home. There will be no consumption on the premises.

The application included the following: Supply of Alcohol Monday to Sunday 09:00am-17:00pm, hours premises will be open to the public Monday to Sunday 09:00am-17:00pm.

The authority had received one representation from a local resident, this objection related to the prevention of public nuisance. The Police and Fire Service had raised no objections.

**b) Presentation of the Applicant's Case**

Ms Patel said that this was a Luxury Hamper Business for all occasions. She had noted clients had wanted alcohol to be included; about 60% of enquiries had related to this.

Having her business at home was a short term plan; she hoped to be moving to bigger offices soon. She would keep no stocks of alcohol at home and would go out to buy the alcohol she needed herself when it was requested.

Her premise had CCTV and was alarmed.

She would be operating from 9 to 5pm and the hamper would only be distributed during these hours Monday to Friday.

No children would be sold to as there was age verification software on her website.

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

A sub-committee member noted that the application said it was open to the public but later on in the application it said that premises would not be open to the general public. Ms Patel replied that what she meant was that it would be open for deliveries but not for the general public.

A sub-committee member asked how many vehicles would be coming and going on a daily basis. Ms Patel said that a delivery would only happen once a day between 9 and 2pm. She would go out to pick up any alcohol ordered.

A sub-committee asked if she would be using her garage. The applicant replied that she would be using a side extension.

Asked if she had a personal licence she said that she did.

Asked what would be the size of the lorries used for deliveries and collections Ms Patel replied that they be using a small white van, which would park on her driveway.

Ms Patel was asked how she got her hampers delivered. She said that they were actually cardboard boxes that came flat packed. Other items were delivered once a month.

A sub-committee member asked how long had she been running this business. They were told that she had started this last September, and that she did most of her business at Christmas time.

**d) Consideration of the Objector's Statement**

The Chairman noted that part of the objects was that Coolgardie Avenue was very narrow which would cause problems with all the deliveries and collections. Ms Patel agreed that it was a narrow road, but she would only have small vans delivering and they would always park on her driveway.

**e) Closing Statement from the Applicant**

Ms Patel spoke about the protection of Children from harm. She had children of her own and if a hamper was for an adult aged over 18 years old they would need a signature on delivery. She repeated that she would be picking up any alcohol herself until she acquired bigger premises. She also noted that Coolgardie Avenue had no yellow lines.

**f) Consideration of the Application by the Sub-Committee**

The Chairman requested that the applicant withdraw from the chamber while they considered the application in private. During the deliberations the sub-committee received no further advice from the officers present.

**RESOLVED:**

That the application made by Khyva Limited for a new premises licence at 40 Coolgardie Avenue, Chigwell, be granted subject to the usual conditions.

**CHAIRMAN**