

## **EPHING FOREST DISTRICT COUNCIL COMMITTEE MINUTES**

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

**Place:** Council Chamber, Civic Offices, High Street, Epping                      **Time:** 10.00 - 11.15 am

**Members Present:** R Morgan (Chairman), S Heather, L Hughes and J M Whitehouse

**Other Councillors:** None

**Apologies:** None

**Officers Present:** J Leither (Democratic Services Officer), A Mitchell (Assistant Director (Legal Services)) and K Tuckey (Licensing Manager)

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### **15. DECLARATIONS OF INTEREST**

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

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

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

### **17. NEW PREMISES LICENCE - ZARA BAR & GRILL, 30 BARRINGTON GREEN, LOUGHTON IG10 2BA**

The three Councillors that presided over this item were Councillors R Morgan (Chairman), L Hughes and J M Whitehouse.

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 Mr C Yaman, the Applicant and Mr S Gibson, Licensing Agent. There were no objectors present.

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

The Licensing Officer, K Tuckey introduced the application. The application had been made by Mr C Yaman for a new premises licence at Zara Bar & Grill, 30 Barrington Green, Loughton, Essex IG10 2BA. The application was received on the 3 July 2018 and was for:

#### **Late Night Refreshment**

Monday to Thursday 23:00-23:30, Friday to Saturday 23:00-00:00 (no late night refreshment for Sunday).

#### **Supply of Alcohol**

Monday to Thursday 10:00-23:00, Friday to Saturday 10:00-23:30, Sunday 10:00-22:30 (both on and off the premises).

**Hours premises will be open to the public**

Monday to Thursday 09:00-23:30, Friday to Saturday 09:00- 00:00, Sunday 09:00-23:00.

All responsible authorities had been notified and it was advertised at the premises and in a local newspaper. The Licensing Authority had received representations from Loughton Town Council and five local residents. Representations had also been received from Essex Police and the Environment and Neighbourhoods Team who had both satisfactorily agreed extra conditions with the applicant. The Essex County Fire & Rescue Service made no representations.

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

The Applicant's Licensing Agent advised that this was a standard restaurant application with limited outside seating. The outside seating would cease at 21:00 and the tables and chairs would be stored inside the premises in a room which was situated inside by the entrance. The applicant had agreed all of the extra conditions requested by Essex Police and the Environment and Neighbourhoods Team.

The Applicant's Licensing Agent stated that all alcohol served in the restaurant would be supplementary to the food and be served by waiter/waitress. There would be no provision for people wanting to take alcohol without a meal and there would be no vertical drinking. Off sales would only be served to customers who maybe liked a wine and wished to take a bottle away with them. The music would be background mood music and there would be no external speakers.

The Applicant's Licensing Agent advised that in his opinion the objections received from the five residents were not relevant as they were unrelated to the four licensing objectives which were:

- The prevention of crime and disorder;
- Public safety;
- The prevention of public nuisance; and
- The protection of children from harm.

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

The Sub-Committee asked what provision would be made for smokers. The Applicant's Licensing Agent replied that there would be a cigarette bin provided outside.

The Sub-Committee asked how many tables would there be outside and how would the restaurant monitor that these were used for customers only. The Applicant replied that there would be four outside tables in total and they would only be there in the summer months. The restaurant staff would monitor and control the outside seating area.

**(d) Closing Statement from the Applicant**

The Applicant's Licensing Agent asked if the Sub-Committee would grant the application as requested, taking into account the conditions that had been agreed with Essex Police and the Environment and Neighbourhoods Team.

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

The Chairman requested that the Applicant and the Applicant's Licensing Agent withdraw from the chamber whilst they considered the application in private. During their deliberations the Sub-Committee received no further advice from the officers present.

**RESOLVED:**

(1) That the application for a new premises licence in respect of Zara Bar and Grill, 30 Barrington Road, Loughton be granted subject to the following conditions which the Council considered were reasonable, proportionate and in the public interest for the promotion of the licensing objectives;

(2) That all tables and chairs were removed from use from the outside area at 21:00 hours;

(3) The conditions which were consistent with the Operating Schedule as amended and set out on pages 73 to 77 of the Agenda which this Sub-Committee considered were appropriate for the promotion of the licensing objectives; and

(4) The mandatory conditions contained in Sections 19-21 of the Licensing Act 2003.

**18. NEW PREMISES LICENCE - PALM BAY CARIBBEAN, 25 THE BROADWAY, LOUGHTON IG10 3SP**

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

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 Mr L Campbell, the Applicant. There were no objectors present.

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

The Licensing Officer, K Tuckey introduced the application. The application had been made by Mr L Campbell for a new premises licence at Palm Bay Caribbean, 25 The Broadway, Loughton IG10 3SP. The application was received on the 5 July 2018 and was for:

**Supply of Alcohol**

Monday to Sunday 12:00-23:00

**Provision of Live Music**

Friday and Saturday 19:00-23:00

**Hours premises will be open to the public**

Monday to Sunday 10:00-23:00

The Licensing Officer advised that the Applicant had applied for unamplified live music on his application form, however, there was no requirement to have to apply for this activity as it had now been deregulated.

All responsible authorities had been notified and it was advertised at the premises

and in a local newspaper. The Licensing Authority had received representations from Loughton Town Council and three local residents. Representations had also been received from Essex Police who had satisfactorily agreed extra conditions with the applicant. The Essex County Fire & Rescue Service, the Environmental Neighbourhoods Team, the Child Protection and Trading Standards made no representations.

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

The Applicant advised the Sub-Committee that he had been operating at Debden Broadway for six years. He started with a market stall once a week and in 2016 applied for a Street Traders Licence, which was granted and he had been operating daily from 9am-3pm.

The Applicant stated that he had been looking for an opportunity to expand his business and a suitable shop unit had now become available. Although there were a number of food outlets in Debden Broadway he would be the only food outlet supplying Caribbean food.

The Applicant advised that he had agreed all of the extra conditions requested by Essex Police.

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

The Sub-Committee asked what relationship was the Designated Premises Licence Holder, Hollie Campbell to the Applicant. The Applicant replied that she was his wife.

The Sub-Committee asked if the application was for a restaurant that served table meals or was it for a vertical drinking bar. The Applicant replied that it was a restaurant that served table meals and there would be seating for 40 covers.

**(d) Closing Statement from the Applicant**

The Applicant had nothing further to add.

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

The Chairman requested that the Applicant withdraw from the chamber whilst they considered the application in private. During their deliberations the Sub-Committee received no further advice from the officers present.

**RESOLVED:**

- (1) That the application for a new premises licence in respect of Palm Bay Caribbean, 25 The Broadway, Loughton be granted subject to the following conditions which the Council considered were reasonable, proportionate and in the public interest for the promotion of the licensing objectives;
- (2) The conditions which were consistent with the Operating Schedule as amended and set out on pages 117 to 118 of the Agenda which this Sub-Committee considered were appropriate for the promotion of the licensing objectives; and
- (3) The mandatory conditions contained in Sections 19-21 of the Licensing Act 2003.

**19. NEW PREMISES LICENCE - WING SHACK, 240 HIGH ROAD LOUGHTON IG10 1HA**

The three Councillors that presided over this item were Councillors R Morgan (Chairman), J M Whitehouse and S Heather.

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 Mr A Motisi, the Applicant. There were no objectors present.

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

The Licensing Officer, K Tuckey introduced the application. The application had been made by Mr A Motisi for a new premises licence at Wing Shack, 240 High Road, Loughton IG10 1HA The application was received on the 3 July 2018 and was for:

**Supply of Alcohol**

Monday to Sunday 12:00-23:00

**Provision of Recorded Music**

Monday to Sunday 12:00-23:00

**Hours premises will be open to the public**

Monday to Sunday 12:00-23:00

All responsible authorities had been notified and it had been advertised at the premises and in a local newspaper. The Licensing Authority had received representations from Loughton Town Council and three local residents. Representations had also been received from Essex Police who had satisfactorily agreed extra conditions with the applicant. The Essex County Fire & Rescue Service and the Environmental Neighbourhoods Team made no representations.

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

The Applicant advised the Sub-Committee that he had operated at the premises for the last 15 years as a coffee shop. Due to the number of new coffee shops in Loughton High Road he decided to look at other opportunities for his business. The Wing Shack was a chicken shop and 50% of the business was take away.

The Applicant advised that he had applied for a temporary licence which ran for seven months and found this to be successful and he now wanted to permanently be licensed to supply alcohol to his customers. He was not interested in selling spirits but would like to provide wine and beer for his customers for consumption both on and off the premises.

The Applicant advised that he had agreed all of the extra conditions requested by Essex Police.

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

The Sub-Committee asked if the temporary licence ran with the same operational hours and were there any problems reported. The Applicant advised that the operating hours were the same and that there were no problems with the temporary licence. The Licensing Officer confirmed that she had not received any complaints.

The Sub-Committee asked if alcohol would be served to people not wishing to have a meal. The Applicant replied that alcohol would only be served with food.

**(d) Closing Statement from the Applicant**

The Applicant had nothing further to add.

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

The Chairman requested that the applicant withdraw from the chamber whilst they considered the application in private. During their deliberations the Sub-Committee received no further advice from the officers present.

**RESOLVED:**

(1) That the application for a new premises licence in respect of Wing Shack, 240 High Road, Loughton be granted subject to the following conditions which the Council considered were reasonable, proportionate and in the public interest for the promotion of the licensing objectives;

(2) The conditions which were consistent with the Operating Schedule as amended and set out on pages 152 to 153 of the Agenda, excluding paragraphs 11 and 12 as the Sub-Committee felt these conditions did not apply to this application. The Sub-Committee considered all other conditions were appropriate for the promotion of the licensing objectives; and

(3) The mandatory conditions contained in Sections 19-21 of the Licensing Act 2003.

**CHAIRMAN**