

LICENSING SUB-COMMITTEE HEARINGS

10 JUNE 2011

Present :- Councillor Barrie Cook (Chairman)
Councillors John Bouckley (Former Mayor) and
Michael Lilley

1. Appointment of Chairman

RESOLVED that Councillor Cook be appointed Chairman.

2. Declarations of Interest

There were no declarations of interest.

3. Minutes

The minutes of the meetings held on 19 November 2010, 26 November 2010, 17 December 2010 and 20 April 2011 were noted and confirmed as correct records.

4. Application under the Licensing Act 2003

The Head of Environmental and Protective Services submitted a report in relation to the following application for determination by the Sub-Committee, in accordance with the provisions of the Licensing Act 2003.

- **Elite, 6 Queen Street, Colchester, Essex**

The Sub-Committee considered an application for a new premises licence in respect of Elite to permit the supply of alcohol on the premises and late night refreshment on and off the premises.

In Attendance

Applicant: Mr Mert and Mr Kaya-Flack, Applicant's Representative

Officers: Mr Daines, Protective Services Manager; Mr Samuels, Legal Services; Ms Tuthill, Committee Services Assistant (Licensing); Mr Weavers (Legal Services Manager & Monitoring Officer), Mrs White, Committee Services Officer (Licensing)

Interested Parties: Mrs Edwards, Colchester Civic Society

Ms Tuthill, Committee Services Assistant (Licensing), briefly introduced the application advising that one representation had been received from Colchester Civic Society in relation to the application.

Mr Kaya-Flack introduced the application advising the Sub-Committee that the

premises was a Turkish Social Club with 88 members who came to the premises to socialise after work and to play board games and snooker and to watch sports. Members were also advised that most of the applicant's business would be in the evenings as the majority of the Club's members worked in restaurants and bars and therefore did not finish work until late, which was why they were applying to be open until 02.30. The applicant's representative also commented that because of many of the members' beliefs, large amounts of alcohol would not be consumed. Anti-social behaviour would not be tolerated at the premises as they wanted the premises to be a space where community members could relax, socialise and play games. The applicant did not believe that the application, if granted, would add to the cumulative impact in the town's Stress Area due to the nature of the premises; the capacity was limited to 25-30 people; and that most members were aged between 35-40 and tended to go home after visiting Elite rather than moving on to any of the other licensed premises in the Stress Area. Mr Kaya-Flack believed that this application would make a positive contribution to Queen Street.

The applicant was asked to clarify what drinks and late night refreshment would be available at the premises and Mr Kaya-Flack explained that there would be some alcohol although not on display, and that traditional Turkish drinks and limited food such as toast would be available for consumption on the premises but would not be allowed off the premises. Alcohol would only be sold to members and not to guests of members. Mr Mert indicated that he intended to become the Designated Premises Supervisor in the near future.

When asked about the Club's membership details, Mr Kaya-Flack explained that the premises was open to all communities although members must meet certain criteria. The premises also operated a registration and signing-in system (with a two week waiting period for new members) and had strict rules and conditions which members must comply with. The applicant confirmed that the door to the premises would be locked at 23.00 and that only members would be allowed to access the premises after then.

Mrs Edwards addressed the Sub-Committee on behalf of the Colchester Civic Society and commented that the Society supported the ideals behind the application but had real concerns about its location in the Stress Area. Mrs Edwards said that she did not believe that the information supplied by the applicant at the hearing tied in with the application submitted and was concerned about the future of the premises if the Social Club was not successful.

The Decision

RESOLVED that having considered the application, the contents of the report and the submissions made at the Hearing the Sub-Committee was unable to determine the application as it believed that the premises should have applied for a Club Premises Certificate. The applicant was informed that he should submit an application for a Club Premises Certificate and in doing so the Council would absorb the associated costs.

5. Close of Meeting

The meeting closed at 11.25.