

Supplementary Committee Agenda



**Epping Forest
District Council**

Licensing Sub-Committee Monday, 17th July, 2017

Place: Council Chamber,
Civic Offices, High Street, Epping

Time: 10.00 am

Democratic Services: Gary Woodhall
(Directorate of Governance)
Tel: 01992 564470
Email: democraticservices@eppingforestdc.gov.uk

4.A ANY OTHER BUSINESS

Section 100B(4)(b) of the Local Government Act 1972 requires that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

4.b TEMPORARY EVENT NOTICE - THE SUN INN, COMMON ROAD, NAZEING (Pages 47 - 62)

(Director of Neighbourhoods) To consider the attached report.

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Report to the Licensing Sub Committee

Date of meeting: 17 July 2017

Subject: Temporary Event Notice

Address: The Sun Inn, Common Road, Nazeing

Responsible Officer: Handan Ibrahim (01992 564153)

Democratic Services: Gary Woodhall (01992 564470)



**Epping Forest
District Council**

Decisions Required:

(1) To determine the application for a Temporary Event Notice under the Licensing Act 2003.

Report:

Application

1. An application has been made by Mr. Robbie Burgess for a Temporary Event Notice at The Sun Inn, Common Road, Nazeing, EN9 2DE. The application is for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. The application was received on 28 June 2017.

2. The Application form requests the sale of alcohol, the provision of entertainment and late night refreshment from 12:00 to 23:30 on 2 September 2017 at the Sun Inn in Common Road, Nazeing.

Licensing Act 2003

3. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote of the licensing objectives. These are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the prevention of public nuisance; and
- (d) the protection of children from harm.

4. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

5. The Responsible Authorities for the police and the Environment and Neighbourhoods Manager were consulted. The Council has received a representation from the Environment and Neighbourhoods Manager (Mr. Richard Gardiner), which is attached at Appendix 1.

Guidance Issued by the Secretary of State

6. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.

Options

7. In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- (a) to grant the licence as applied for subject to:
 - the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives; and
 - the mandatory conditions specified in the Licensing Act 2003; or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates;
- (c) refuse to specify a person as the premises supervisor; or
- (d) reject the application.

Determination

8. The Sub-Committee is requested to determine the application having regard to:

- (a) the content of this report and representations;
- (b) any additional information obtained from the hearing;
- (c) the Council's Statement of Licensing Policy;
- (d) guidance issued by the Secretary of State; and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

9. If any party is aggrieved with the decision then they can appeal to the Magistrates Court. The appeal period is 21 days from notification of the decision.

Background Papers Used In Preparing This Report:

- The Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents:

- Application.
- Map of the area.
- Objection from Richard Gardiner.

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**Epping Forest
Temporary Event Notice
Licensing Act 2003**

For help contact
licensing@eppingforestdc.gov.uk
Telephone: 01992 564000

* required information

Section 1 of 9

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?
 Yes No
 Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

First name

Family name

E-mail address

Main telephone number Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual
 A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No
 Note: completing the Applicant Business section is optional in this form.

Registration number

Business name If your business is registered, use its registered name.

VAT number Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS [\(See also guidance on completing the form, general notes and note 1\)](#)

Have you had any previous or maiden names?

- Yes No

Your date of birth

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence Address

Is the address the same as (or similar to) the address given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

E-mail

Telephone number

Other telephone number

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

Does the premises have an address?

Yes No

Address

Is the address the same as (or similar to) the address given in section one? If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

Premises licence number

Location Details

Provide further details about the location of the event

Continued from previous page...

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, give a description and details below ([see also guidance on completing the form, note 3](#))

Describe the nature of the premises below ([see also guidance on completing the form, note 4](#))

Pub/Resturant

Describe the nature of the event below ([see also guidance on completing the form, note 5](#))

Soul/Motown Festival

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LICENSABLE ACTIVITIES

State the licensable activities that you intend to carry on at the premises ([see also guidance on completing the form, note 6](#)):

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- The giving of a late temporary event notice

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event.

([See also guidance on completing the form, note 7](#)).

Event Dates

There must be a period of at least 10 working days between the date you submit this form and the date of the earliest event when you will be using these premises for licensable activities.

State the dates on which you intend to use these premises for licensable activities

([see also guidance on completing the form, note 8](#))

Event start date / /
 dd mm yyyy

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Event end date / /
 dd mm yyyy

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

12:00-23:30

[\(see also guidance on completing the form, note 9\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

300

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 10\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 11\):](#)

- On the premises only
 Off the premises only
 Both

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RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 12\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

Soul/Motown Festival on stage area of the garden.

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PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 13\)](#)

Do you currently hold a valid personal licence? Yes No

Provide the details of your personal licence below.

Issuing licensing authority

Licence number

Date of issue / /
dd mm yyyy

Date of expiry / /
dd mm yyyy

Continued from previous page... Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 14\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

State the number of temporary event notices you have given for events in that same calendar year

1

Have you already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

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ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 15\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

State the total number of temporary event notices your associate(s) have given for events in the same calendar year

1

Continued from previous page...

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

- a) Ends 24 hours or less before; or Yes No
- b) Begins 24 hours or less after the event period proposed in this notice?

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CONDITION [\(See also guidance on completing the form, note 17\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 18\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both

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*

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Full name

Capacity

Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/epping-forest/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

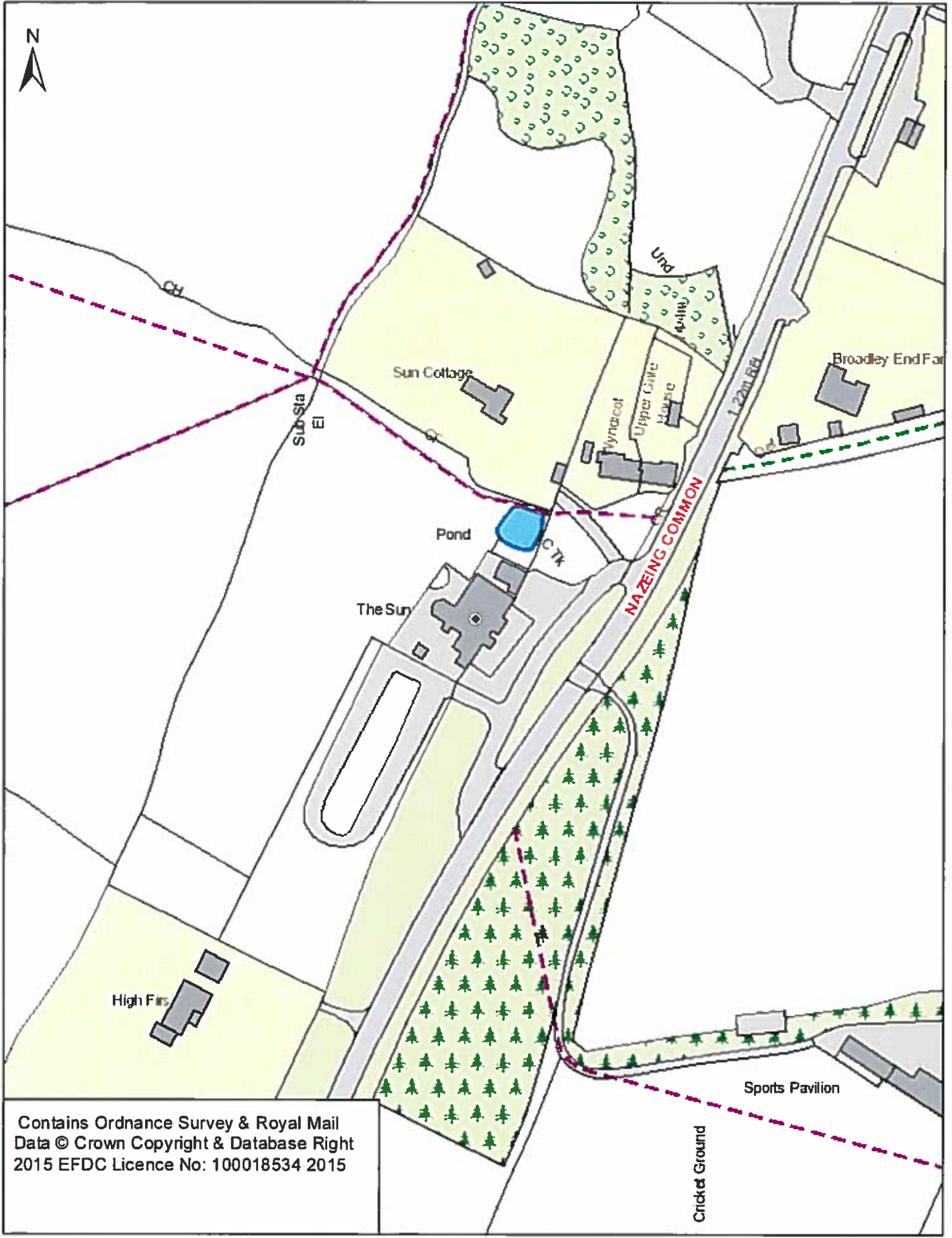
Date and time submitted

Approval deadline

Error message

Is Digitally signed

< Previous 1 2 3 4 5 6 7 8 9 Next >



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Handan Ibrahim

From: Richard Gardiner
Sent: 29 June 2017 17:19
To: [REDACTED]
Cc: Handan Ibrahim
Subject: Sun Inn, Nazeing Common, Nazeing EN9 2DE - TEN objection/representation

M3PPRef: WK/201722846
M3PPUnique: 0000000060DFCCB735D0024EA96206FBBA622650070091FEE81FAE0A564981D928730CF6D5A1000001DACD20000F7F6F2FFC7612844BE09713EB04DBD5B0001918F574B0000

Date: 29 June 2017

Subject: Licensing Act 2003
Sun Inn, Nazeing Common, Nazeing, Waltham Abbey, Essex, EN9 2DE

Dear Mr Burgess

On behalf of the Council's Environment & Street Scene Directorate, I confirm receipt of copies of your applications dated 28 June 2017 that I received on 28 June 2017 regarding the above mentioned property, in relation to proposed events on the 5/7/17 (Rock Festival), (which I understand should be dated 5/8/17) and proposed event on 2/9/17 (Soul/Motown Festival).

I have made the following representation/objection to the Council's Licensing Section with regard to the Licensing objective - Prevention of Public nuisance:

1. The events are both proposed for outside between 12 noon and 23.30 hours i.e. potentially 11.5 hours of music. No noise controls have been suggested. It has been noted that there are two properties that border the outside area that may be disturbed by music from the events for a significant duration at an unknown level. Both events are proposed to be limited to 300 people. An event of this size is likely to require a volume of music that will be audible at neighbouring noise sensitive premises and potentially cause a public nuisance.

If you would like to discuss the matter or have any written comments, please do not hesitate to contact me. I should be happy to meet you at your premises to discuss in more detail the proposed events.

I should be happy to consider withdrawing the representation(s) if the application is amended accordingly or if you agree to a suitable condition(s) being imposed as part of the licence, or if you provide other sufficient evidence to confirm that the representations can be withdrawn.

Please confirm your comments in writing (by letter or email). I will inform the Council's Licensing Section if satisfied that the representation(s) can be withdrawn.

Yours sincerely

Richard Gardiner
Environment & Neighbourhoods Manager
[REDACTED]

Email: rgardiner@eppingforestdc.gov.uk
c.c. Licensing Section