



Licensing Sub-Committee Thursday, 3rd October, 2013

You are invited to attend the next meeting of **Licensing Sub-Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping
on Thursday, 3rd October, 2013
at 6.30 pm .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

R Perrin (Direct Line 01992 564532)
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors Mrs P Smith (Chairman), K Chana, P Keska and A Mitchell MBE

PLEASE NOTE THE START TIME OF THE MEETING

**THERE WILL BE A BRIEFING FOR THE SUB COMMITTEE AT 6.00pm. IN THE
MEMBERS' ROOM**

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST**
(Assistant to the Chief Executive) To declare interests in any item on this agenda.
3. **PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 8)**
4. **MARTINS THE NEWSAGENTS, 273-277 HIGH STREET, EPPING, ESSEX, CM16
4DA (Pages 9 - 36)**

5. **EXCLUSION OF PUBLIC AND PRESS**

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will 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 are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Confidential Items Commencement: Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the Access to Information Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

Agenda Item 3

PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS

LICENSING COMMITTEE – TERMS OF REFERENCE

(1) The full Committee shall comprise 11 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.

... (2) For the functions set out in Annex 1, and the legislation listed in Annex 2, a Sub-Committee consisting of no more than any three Councillors drawn, in alphabetical order, from the members of the full Committee shall be formed. Any such Sub-Committee shall elect a Chairman on an ad-hoc basis.

(3) For the transaction of business at full Committee meetings, the quorum shall be a minimum of five Committee members save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.

(4) The Committee and Sub-Committees shall have full authority to hear and determine licensing applications.

(5) The Committee and Sub-Committees shall be further empowered to determine appeals made against the decisions of the Head of Environmental Services taken under delegated authority on licensing applications.

... (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Annex 3 (Conduct of Business by Licensing Committee and Sub-Committees).

(7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Annex 3.

**PART 3(2) – RESPONSIBILITY
FOR FUNCTIONS
LICENSING COMMITTEE**

Licensing Act 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Determination of a police objection to a temporary event notice		All cases	
All policy matters except the formulation of the statement of licensing policy	All cases		

**PART 3(2) – RESPONSIBILITY
FOR FUNCTIONS
LICENSING COMMITTEE**

LIST OF STATUTORY POWERS

Those functions pertaining to licensing and registration and permits and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

Animal Boarding Establishments Act 1963
Breeding & Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
Caravan Sites & Control of Development Act 1960
Caravan Sites Act 1968
Dangerous Wild Animals Act 1976
Gambling Act 2005
Guard Dogs Act 1975
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Pet Animals Acts 1951 & Pet Animals Act 1951 (Amendment Act) 1983
Riding Establishments Acts 1964 & 1970
Scrap Metal Dealers Act 1964
The Game Act 1831
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Zoo Licensing Act 1981

Part 3(2) – Responsibility for Functions

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUB-COMMITTEES

All references to committee in this annex shall be taken to infer a reference to the associated sub-committees.

1. General Conduct

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

2. Declarations of Interest

- 2.1 Members of the Committee are subject to the Council's Code of Conduct and to advice from the Standard Board for England, details of which will be provided to those members.

3. Participation in the Hearing

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.

4. Attendance of the Public

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

5. Natural Justice

5.1 There are two elements to natural justice:

(a) Fairness

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

(b) Prevention of Bias

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

6. General Procedures for Hearings

6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:
 - (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
 - (ii) The Chairman will outline the procedure to be followed.

- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

Report to the Licensing Sub Committee

Date of meeting: 3rd October 2013

**Subject: Martins the Newsagents, 273-277 High Street,
Epping, Essex, CM16 4DA**

**Responsible Officer: Kim Tuckey (Ext 4034) Senior Licensing
Officer**



**Epping Forest
District Council**

Democratic Services: Rebecca Perrin

Decisions Required:

To determine the application for a Premises Licence Variation under the Licensing Act 2003.

Report:

Application

1. An application has been made by Martin McColl Limited for a variation of premises licence for the above premises. The application was received on the 07th August 2013 and is attached to this report. The application sets out the relevant licensing activities applied for and times requested.
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

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 have received a copy of the application; it was properly advertised at the premises and in a local newspaper.
6. The Licensing Unit received a letter from Essex Police stating that they will not be making any representations.
7. The Licensing Unit received a letter from Children's Safeguarding Service stating that they will not be making any representations.
8. The authority has received one representation from Mr Geoff & Mrs Anne Clarke (local residents).
9. The Objection relates to The Prevention of Crime and Disorder, The Prevention of Public Nuisance, Public Safety and the Protection of Children from Harm.

Guidance Issued by the Secretary of State

10. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
11. Sections 2.1 - 2.35 of the Guidance are relevant to this application.

Options

12. 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
 - i. the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives, and
 - ii. 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, or
 - c. refuse to specify a person as the premises supervisor, or
 - d. reject the application.

Determination

13. The Sub-committee is asked 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

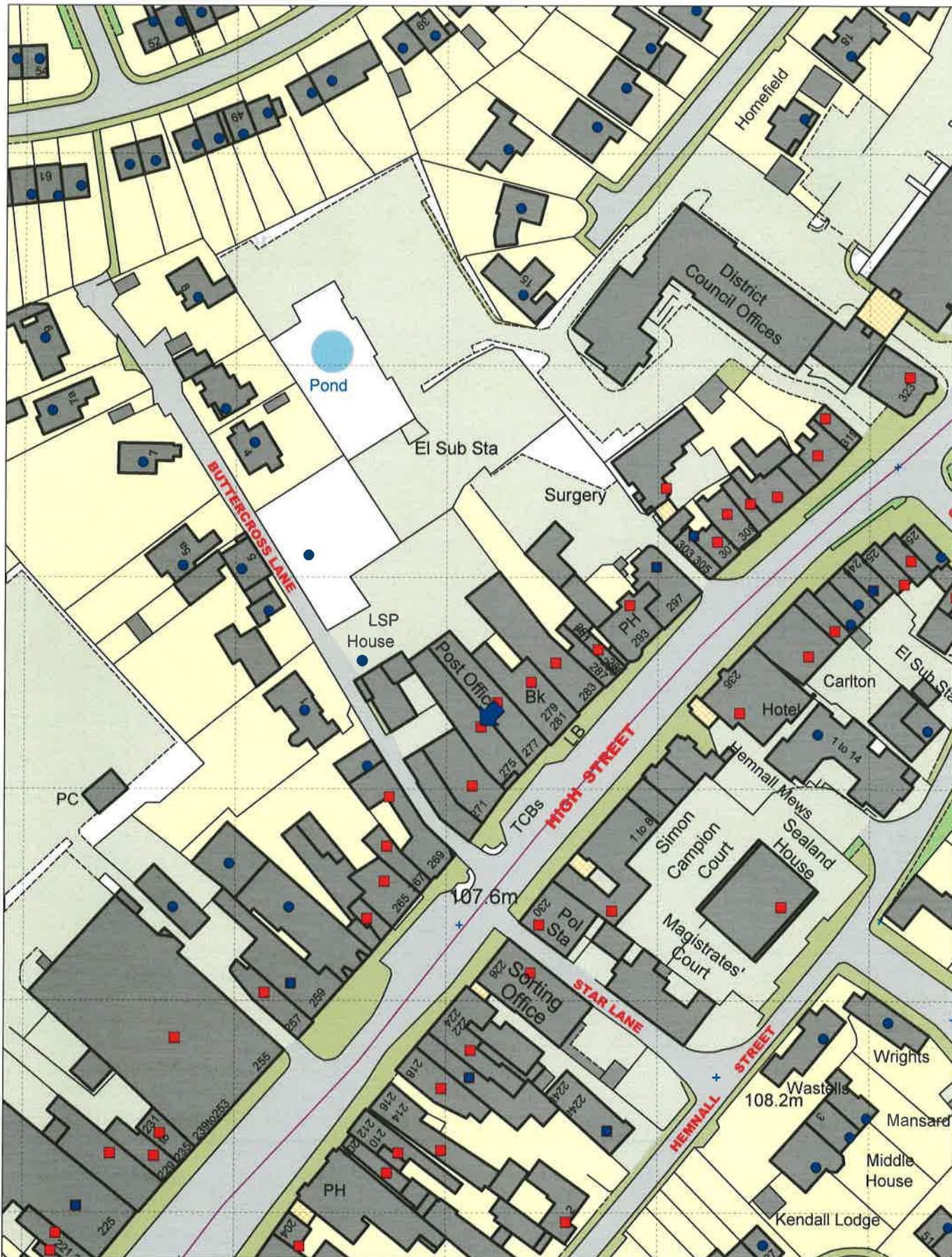
14. If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.



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 for premises licence.
- Newspaper notice.
- Existing Premises Licence- Part A.
- Letter from Essex Police.
- Letter from Children's Safeguarding Service.
- Representation from Mr & Mrs Clarke.
- Map showing area.



 <p>Epping Forest District Council</p> <p>Civic Offices High Street Epping CM16 4BZ</p>	Martins High street Epping		Centre X: 546108.000
			Centre Y: 202315.000
		Scale : 1:1250	Width : 225.000
		Date : 19 Sep 2013	Angle : .000
		Time : 09:35:38 AM	
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Insert name and address
of relevant licensing
authority and its
reference number
(optional)

Epping Forest DC
Licensing Unit
Civic Offices
13 High St,
Epping, Essex,
CM16 4BZ

Application to vary a premises licence under the Licensing Act 2003

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

XWe Martin McColl Limited
(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

LN/210002972

Part 1 - Premises Details

Postal address of premises or, if none, ordnance survey map reference, or description

Martins the Newsagents
273-277 High Street

Post town Epping

Post code CM16 4DA

Telephone number at premises (if any)

01992 560 002

Non-domestic rateable value of premises

£

Part 2 - Applicant Details

Daytime contact telephone number

E-mail address
(optional)

Current postal
address
if different from
premises address

Martin McColl Limited
Martin McColl House,
Ashwells Road, Brentwood,

Post Town

Essex

Postcode

CM15 9ST

Part 3 - Variation

Please tick Yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	
<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>	<input type="text"/>

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

The application arises as a result of the intention of the applicant to extend the hours at the premises for general trading until 22.00 and as a result and in accordance with the guidance under S182 Licensing Act 2003 seek to extend the operating hours of the Premises Licence. The applicant is responding to demand for the facilities generally provided by the premises and the application is not merely as a result of demand for alcohol, but a consequence of the demand for general services.

The applicant would continue to comply with the responsibility it has under the Licensing Act

Part 4 - Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick Yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)		
Day	Start	Finish			
Mon					
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

D

Boxing or wrestling entertainment Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)		Indoors	
					Outdoors	
					Both	
Day	Start	Finish				
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)			
Thur						
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat						
Sun						

E

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both	
Tue					
Wed			<u>State any seasonal variations for playing recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			<u>Please give further details here</u> (please read guidance note 3)	Both		
Tue						
Wed				<u>State any seasonal variations for the performance of dance</u> (please read guidance note 4)		
Thur						
Fri				<u>Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat						
Sun						

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment you will be providing</u>			
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors		
Mon				<u>Please give further details here</u> (please read guidance note 3)	Outdoors	
Tue			Both			
Wed			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)			
Thur						
Fri			<u>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)			
Sat						
Sun						

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing		
			Will the facilities for making music be indoors or outdoors or both - please tick ✓ (please read guidance note 2)		Indoors <input type="checkbox"/>
			Outdoors <input type="checkbox"/>		<input type="checkbox"/>
			Both <input type="checkbox"/>		<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both - please tick ✓ (see guidance note 2)		Indoors <input type="checkbox"/>	<input type="checkbox"/>
					Outdoors <input type="checkbox"/>	<input type="checkbox"/>
			Both <input type="checkbox"/>		<input type="checkbox"/>	
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing			
Mon						
Tue			Please give further details here (please read guidance note 3)			
Wed						
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)			
Fri						
Sat			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sun						

K

Provision of facilities for entertainment of a similar description to that falling within I or J Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Mon				Outdoors	
				Both	
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within I or J</u> (please read guidance note 4)		
Thur					
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within I or J at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both - please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
				Both	
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Wed					
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption please tick ✓ (please read guidance note 7)	On the premises		
Day	Start	Finish		Off the premises	✓	
Mon	06.00	22.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both		
Tue	06.00	22.00				
Wed	06.00	22.00				
Thur	06.00	22.00		Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	06.00	22.00				
Sat	06.00	22.00				
Sun	06.00	22.00				

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)

The use of the premises includes the provision of alcohol for Off Sale use only. There are other age related products also proposed for sale at the premises (including cigarettes, lottery etc). The premises currently trade with these products and will continue to operate a due diligence system to ensure that all age related products are sold under strict supervision and pursuant to statutory guidelines.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	06.00	22.00	Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Tue	06.00	22.00	
Wed	06.00	22.00	
Thur	06.00	22.00	
Fri	06.00	22.00	
Sat	06.00	22.00	
Sun	06.00	22.00	

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking

Please tick **Yes**

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General - all four licensing objectives (b, c, d, e) (please read guidance note 9)

The applicant would offer to continue to uphold the remaining existing conditions on the Licence and does not propose further conditions.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

Please tick Yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

Part 5 - Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date 6.8.2013

Capacity Solicitors on behalf of the applicant. DWF LLP D. CRANK

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature

Date

Capacity

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13) DWF LLP Solicitors 5 St. Pauls Square Old Hall Street	
Post town LIVERPOOL	Post code L3 9AE
Telephone number (if any) 0151 907 3000	
If you would prefer us to correspond with you by e-mail your e-mail address (optional) david.crank@dwf.co.uk	

EO

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Thursday, August 15, 2013 57

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Legal Notices

DAVID JOHN HORN deceased

Notice is hereby given that any person having a claim against the estate of the late Mr David John Horn (died 21 April 2011), and whose Will was proved on 26 July 2011, is required to send in a claim to the undersigned by 31 October 2011. After this date the Executor will distribute the Estate among the persons entitled thereon having regard only to the claims and interests of which he receives notice. Headstone & Co., 18, 20 & 22, The Square, Walthamstow, London E17 9PL. Solicitors for the Executor.

Legal Notices

EPHING FOREST DISTRICT COUNCIL - LICENSING ACT 2003 PUBLIC NOTICE OF APPLICATION FOR VARIATION OF THE PREMISES LICENCE

Application has today been made to the Council for variation by Martin McKeil Limited, Marbles the Newsagents, 273-277 High Street, Epping CM16 4QA. To vary the hours of operation to extend the closing time of the premises and the terminal hour of the Premises Licence from 20.00 hours to 22.00 hours. Any representations must be submitted in writing to Epping Forest District Council, Licensing Unit, Carr Offices, High Street, Epping, Essex CM16 4BZ, www.epppingmcc.gov.uk by 4th September 2013. Any person wishing to inspect the Licensing Register may do so at the above address during normal working hours. It is an offence knowingly or recklessly to make a false statement in connection with an application and on summary conviction would be liable to a fine not exceeding £5000. Dated this 8th August, 2013.



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Guardian

Public Notices

Legal Notices

Essex County Council

(Rye Hill Road, Epping Upland/North Weald Bassett) (Temporary Prohibition of Traffic) (No.2) Order 2013

Notice is hereby given that the Essex County Council has made the above Order under section 14(1) of the Road Traffic Regulation Act 1984.

Effect of the order: To temporarily close that length of Rye Hill Road, Epping Upland/North Weald Bassett in the District of Epping Forest and Harlow, from its junction with Paringdon Road for approximately 720 metres to its junction with High Road.

The closure is scheduled to commence on 19 August 2013 for 3 days or where appropriate signs are showing and weather permitting. The closure is required for the safety of the public and workforce while permanent reinstatement works are undertaken.

The alternative route will be via Rye Hill Road - Paringdon Road - Southern Way - A414 - London Road - Rye Hill Road and vice versa. Access for emergency service vehicles and pedestrians will be maintained at all times during the closure.

The Order will come into effect on 19 August 2013 and may continue in force for 18 months or until the works have been completed, whichever is the earlier.

(Tilegate Road, Magdalen Laver)

(Temporary Prohibition of Traffic) Order 2013

Notice is hereby given that the Essex County Council intends, not less than seven days from the date of this notice, to make the above Order under section 14(1) of the Road Traffic Regulation Act 1984.

Effect of the order: To temporarily close that length of Tilegate Road, Magdalen Laver in the District of Epping Forest from its junction with

PREMISES LICENCE

Part A



Corporate
Support
Services

Premises licence number:

LN/210002972

Part 1 – Premises details:

Postal address of premises, or if none, ordnance survey map reference or description:

Martins The Newsagent,
273/277 High Street,

Post Town: Epping

Post code: CM16 4DA

Telephone number: 01992 560 002

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

Sale of Alcohol

The times the licence authorises the carrying out of licensable activities:

Monday – Sunday 06.00-20.00

The opening hours of the premises:

Monday – Sunday 06.00-20.00

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

Off Only

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Martin McColl Limited
Martin McColl House, Ashwells Road, Brentwood, Essex, CM15 9ST
01277 372 916

Registered number of holder, for example company number, charity number (where applicable):

**Limited Company
298945 LONDON**

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Ruth Smith

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

Annex 1 – Mandatory conditions:

1. No supply of alcohol may be made under the premises licence:-
 - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
 - b) at a time when the designated premises supervisor does not hold a personal licence or when the designated supervisor has a licence suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence (see section 19 Licensing Act 2003)
3. Where a condition applies requiring a person to carry out a security activity at the premises, those individuals must be licensed by the Security Industry Authority (see section 21 Licensing Act 2003)
3. Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film is to be restricted in accordance with section 20 Licensing Act 2003.

Additional mandatory conditions from 1st October 2010

Conditions 1, 2, 3 and 5 do not apply to premises licences where it authorises only the sale by retail off the premises.

1.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;

(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

2. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

3. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

4.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

5. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

For the purposes of these conditions a responsible person is

- the holder of a premises licence in respect of the premises,
- the designated premises supervisor (if any) under such a licence, or
- any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor.

Annex 2 – Conditions consistent with the Operating Schedule:

The Prevention of Crime and Disorder.

- CCTV will be in use, with the retention of tapes for a minimum period of 31 days for prosecution purposes.
- The premises will operate a 'Challenge 21' policy in order to ensure that liquor is sold only to persons of lawful age 9being that, should a person not look the age of 21 then he/she would need to prove they are in fact of lawful age 18 or over.
- All staff will undergo training concerning knowledge of licensing laws together with social impact upon the sale of alcohol.

Public Safety

- It is intended that the premises purely operate for the consumption of liquor off the premises.
- There are no issues applicable to the operation of these premises relating to crowd management or noise pollution.

Prevention of Public nuisance

- There is no form of entertainment on the premises.
- There are no outdoor areas utilised for the benefit of members of the public and the nature of the operation does not require the employment of door supervisors or use of a dedicated cab company.
- The Premises operate within the required litter/refuse regulations adopted by the local council.
- The management policy at the premises is to welcome communication with any local persons in relation to any issues, which arise concerning the operation of these premises.

The Protection of children from harm

- Acceptable forms of identification concerning the issue of age are the Portman Card, Citizen Card or ten year Passport. All staff are obligated to familiarise themselves with these requirements.
- The company will operate a due diligence policy, incorporating the Challenge 21 policy above, but also incorporating full training for all staff, the operation of a refusal book and refresher training on a regular basis.
- The store will operate a fully recordable CCTV system, which is overtly operable.
- There will be prominent signage located throughout he store confirming the legal minimum age for the purchase of alcohol.

Annexe 3 – Conditions attached after a hearing by the licensing authority:

Hearing 8th March 2007

In relation to the prevention of Crime and Disorder the following conditions have been attached to the licence:

- A minimum of two members of staff to be in the premises during licensable hours.

Annexe 4 – Plans:

Plans held at Epping Forest District Council



Licensing Department, Epping Police S
230 High Street, Epping, CM16 4AI
Telephone 01279 625 405 Facsimile: 0127
Website: www.essex.police.uk Email: Peter.J

Mrs Kim Tuckey
Licensing Department
Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ

15 August 2013

Dear Kim,

LICENSING ACT 2003 – PREMISE LICENCE VARIATION S.34

PREMISE: Martins, Epping

APPLICANT: Martin McColl Limited via DWF LLP

Further to the Variation received on 9 August 2013, I write to inform you that all my checks have been carried out and noted. Therefore I can confirm that Essex Police will **NOT** be making any representations or objections to this variation in respect of the licensing objectives.

I trust the aforementioned will assist and look forward to receiving a copy of the amended Premises Licence in due course.

Should you have any queries please do not hesitate to contact me.

Yours sincerely,

Mr Peter Jones ABII
Epping & Brentwood Licensing Officer
West LPA

Cc. **DWF LLP**
5 St. Pauls Square
Old Hall Street
Liverpool
Merseyside
L3 9AE

Licensing Applications
Children's Safeguarding Service
Schools Children's and Families Service
A Block 202, County Hall
Chelmsford CM1 1YS
Tel: 01245 436744
Email: LicenceApplications@essex.gov.uk



Sarah Kits
Licensing Officer
Licensing Section
Epping Forest District Council
Civic Offices
323 High Street
Epping, CM16 4BZ

Your ref: DDC/CB/25704
Our ref: 08-2013/11
Date: 09 August 2013

Dear Sarah Kits

**RE: Licensing Act 2003: Martin McColl Ltd, Martins the Newsagents,
273-277 High Street, Epping, CM16 4DA**

The licensing application received on 8th August 2013 has been assessed and we can confirm we have no objections to this licence application.

Yours sincerely

Paula Stacey
Service Manager Safeguards,
Children's Safeguarding Service



EssexWorks.
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EPPING

13 AUGUST 2013.

Your ref: Martins Newsagents Premises Variation.

The Licensing Team
Epping Forest District Council.

Dear Sirs

With reference to your recent communication concerning:

SALE OF ALCOHOL – MARTINS THE NEWSAGENTS - EPPING HIGH STREET – MONDAY TO SUNDAY 0600 HRS – 2200 HOURS.

What an absolutely absurd application on all four of the grounds upon which we can make our very strong objections to any such sale of alcohol.

1. The prevention of crime and disorder – enough problems in Epping caused by the consumption of excess alcohol, but with the purchase contained within two local public houses and a nightclub – a certain amount of control is established. Supermarkets already have licences.
2. Public Safety – any one who has consumed too much alcohol is a menace.
3. The prevention of public nuisance – why state the obvious!!
4. The protection of children from harm - 'ditto'.

We live extremely close to Martins the Newsagents and object most strongly to any suggestion that this shop should have alcohol on sale at all, but to even suggest that this would be available 7 days a week for 16 hours per day just doesn't bear thinking about.

We trust these objections will be made in the strongest possible terms to the Licensing Committee when this application is heard.

~~Yours faithfully,~~

~~Geoff & Anne Clarke.~~

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