



Licensing Sub-Committee Monday, 27th October, 2014

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 Monday, 27th October, 2014
at 10.00 am .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

M Jenkins (Direct Line 01992 564607)
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors P Keska (Chairman), A Boyce, R Morgan and B Rolfe

PLEASE NOTE THE START TIME OF THE MEETING

**THERE WILL BE A BRIEFING FOR THE SUB COMMITTEE AT 9.30am. 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 - 10)**
- 4. CAFE BENGAL, 41 THE BROADWAY, LOUGHTON IG10 3SP (Pages 11 - 40)**
(Director of Neighbourhoods) To consider the attached report and representations.
- 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 Information Paragraph Number
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.

PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS

APPENDIX 5

LICENSING COMMITTEE – TERMS OF REFERENCE

- (1) The full Committee shall comprise 15 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 include, by rota, one of the six Licensing Sub Committee Chairmen appointed at each Annual Council meeting.
- (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.
- (8) To be responsible for the consideration and approval of Designation Orders under Section 13 of the Criminal Justice and Police Act 2001 (Exercise of Controls over the consumption of alcohol in Public Places).

**PART 3(2) -
RESPONSIBILITY OF
FUNCTIONS (LICENSING
COMMITTEE)**

APPENDIX 5 (ANNEX 1)

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		All cases	

event notice			
All policy matters except the formulation of the statement of licensing policy	All cases		

RESPONSIBILITY

**PART 3(2) –
FOR FUNCTIONS
LICENSING COMMITTEE
APPENDIX 5 (ANNEX 2)**

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 Act 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**

**APPENDIX 5
(ANNEX 3)**

**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.

3.4 In the case of any hearing pursuant to the summary review procedure under the Violent Crime Reduction Act 2006, the membership of any Sub-Committee adjudicating on such a review shall comprise any three members drawn from the Licensing Committee subject to the proviso that no member should serve more than one hearing.

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: 27th October 2014

**Subject: Café Bengal, 41 The Broadway Loughton Essex
IG10 3SP**

**Responsible Officer: Sarah Kits
Licensing Officer**



**Epping Forest
District Council**

Democratic Services:

Decisions Required:

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

Report:

Application

1. An application has been made by Arafat Sayeed trading as Castpan Ltd for a premises licence for the above premises. The application was received on the 15th August 2014 and is attached to this report. The application sets out the relevant licensing activities applied for and times requested:

The sale of alcohol and recorded music: Monday to Saturday 11:00hrs to 00.00hrs Sunday 12:00hrs to 23:30hrs.

Late night refreshment: Monday to Saturday 23:00hrs to 00:00hrs Sunday 12:00hrs to 23:00hrs

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 advertised at the premises and in a local newspaper.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.

- 7 The authority has received 1 representation from a member of the public. The Police, Trading Standards, Essex Fire and Rescue and Children's Safeguarding and Essex Trading Standards who have no objections. Comments were received from Loughton Town Council and Mr David Linnell of Loughton residents association which are also attached to this report.
- 8 The Objections relate to the prevention of crime and disorder, public safety and the prevention of public nuisance.

Guidance Issued by the Secretary of State

- 9 The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
- 10 Sections 2.1 to 2.40 of the Guidance are relevant to this application

Options

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, or
- (c) refuse to specify a person as the premises supervisor, or
- (d) reject the application

Determination

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

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 including plan and advert.
- Letters from Police, Essex Fire & Rescue and Children's Safeguarding, Trading Standards01
- Comments from Loughton Town Council and Mr David Linnell of Loughton Residents Association.
- 1 letter of representation from a member of the public
- Map showing the area

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* required information

Section 1 of 19

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

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

* 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

Section 2 of 19

PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 19

APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company
- A partnership
- An unincorporated association
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales
- Other (for example a statutory corporation)

Confirm The Following

- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- I am making the application pursuant to a statutory function
- I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Section 4 of 19

NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

Non Individual Applicant's Name

Name

Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Contact Details

E-mail

Telephone number

Other telephone number

Add another applicant

Section 5 of 19

OPERATING SCHEDULE

When do you want the premises licence to start? / /
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end / /
dd mm yyyy

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

With the PDF form i will send a following map of the restaurant with internal structure of seating area and bar layout.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Continued from previous page...

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PROVISION OF PLAYS

Will you be providing plays?

Yes No

Section 7 of 19

PROVISION OF FILMS

Will you be providing films?

Yes No

Section 8 of 19

PROVISION OF INDOOR SPORTING EVENTS

Will you be providing indoor sporting events?

Yes No

Section 9 of 19

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 19

PROVISION OF LIVE MUSIC

Will you be providing live music?

Yes No

Section 11 of 19

PROVISION OF RECORDED MUSIC

Will you be providing recorded music?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

Continued from previous page...

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

N/A

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Christmas Eve, New years day, New years Eve

Section 12 of 19

PROVISION OF PERFORMANCES OF DANCE

Will you be providing performances of dance?

Continued from previous page...

Yes

No

Section 13 of 19

PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Section 14 of 19

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

N/A

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Activities shall go on longer on the following days: Christmas Eve, New Years Day, New Years Eve

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

Continued from previous page...

WEDNESDAY

Start End
Start End

THURSDAY

Start End
Start End

FRIDAY

Start End
Start End

SATURDAY

Start End
Start End

SUNDAY

Start End
Start End

Will the sale of alcohol be for consumption:

- On the premises Off the premises Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Yes during the following day ; Christmas eve, New years day, New years eve

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Continued from previous page...

Name

First name

Family name

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

Section 16 of 19

ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

N/A

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

N/A

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

Activities we go on longer; Christmas Eve, New years day, New years Eve

Continued from previous page...

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

b) The prevention of crime and disorder

Alcohol only served ancillary to a table meal

c) Public safety

Signs are always up if there is a wet floor

d) The prevention of public nuisance

Any one that has gone beyond the alcohol limit will be sent away from the premises.

e) The protection of children from harm

We challenge anyone that under the age of 18.

Section 19 of 19

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. Premises Licence Fees are determined by the non-domestic rateable value of the premises. To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm
Band A - No RV to £4300 £100.00
Band B - £4301 to £33000 £190.00
Band C - £33001 to £8700 £315.00
Band D - £87001 to £12500 £450.00*
Band E - £125001 and over £635.00*
*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Continued from previous page...

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

United Kingdom

DECLARATION

* I/we understand 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.

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)

Continued from previous page...

Add another signatory

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/premises-licence/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.

IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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

Epping Forest District Council

Consent of individual to being specified as premises supervisor

I Arafat Sayeed.....(insert name of prospective premises supervisor)

Of
..... 35 CANNON ROAD
..... LEAFHURD, ESSEX
.....
(home address of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for variation of designated premises supervisor

by Castpan Ltd.....(name of applicant)

relating to premises licence N/A.....(number of existing licence if any)

for
Cafe Bengel
41 THE BROADWAY, LEAFHURD, ESSEX
IG10 3SP
(name and address of premises to which application relates)

and any premises licence to be granted or varied in respect of this application made by the above applicant concerning the supply of alcohol at the above named premises.

I also confirm that I am applying for, intend to apply or currently hold a personal licence, details of which I set out below.

Personal Licence Number.. (insert personal licence number, if any)

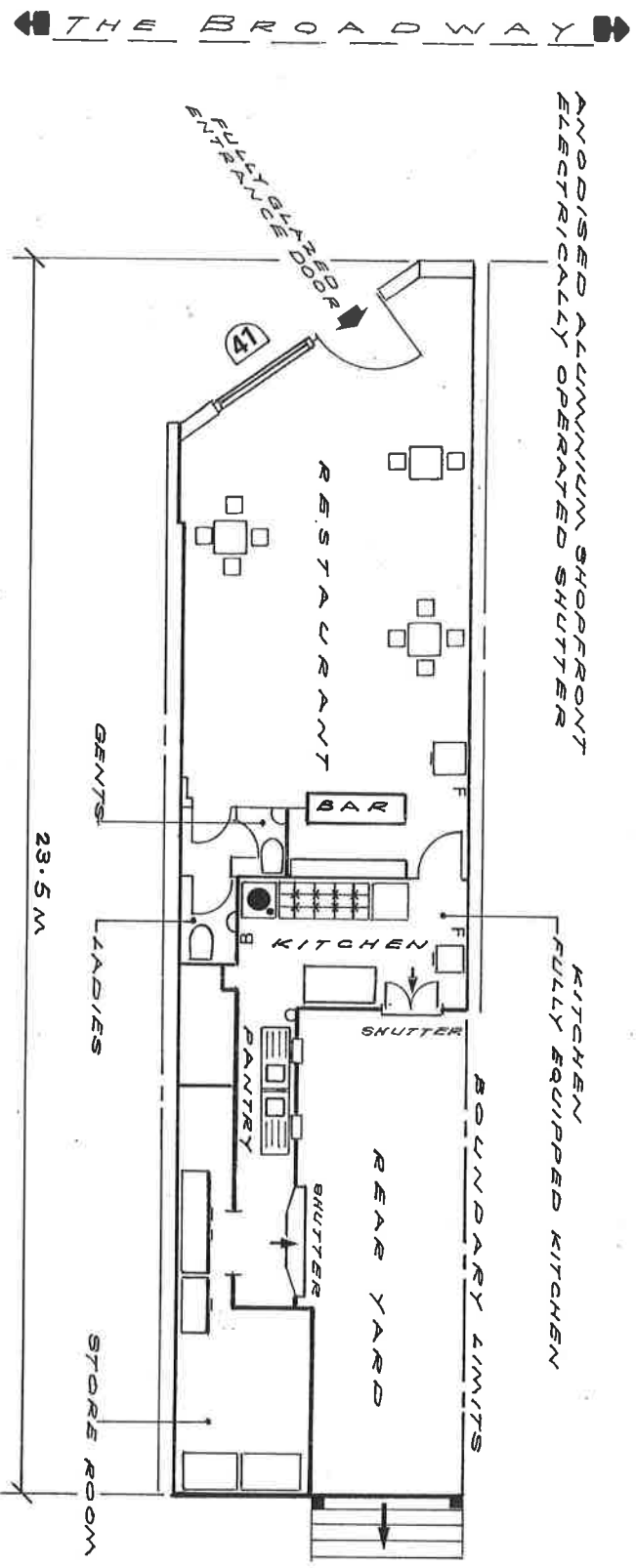
Personal licence issuing authority
(insert name, address and telephone number of issuing authority, if any)

Signed...

Print Name Arafat Sayeed.....

Dated 18/08/2014.....

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▶ LAYOUT OF RESTAURANT ◀

FOR LICENSING ACT 2003

KEY TO FIRE SYMBOLS
 F FIRE EXTINGUISHER
 B FIRE BLANKET IN CONTAINER

W.D ANTHONY & PARTNERS

Rivington Business Centre
 Rivington House
 82 Great Eastern Street
 London EC2A 3JL

Tel. 07721 096555



title	PROPOSED GROUND FLOOR PLAN		
scale	1:100	date	22 JUNE 2005
diag no.	52/2005		
client	CAFE BENGAL		

no.	date	revisions

notes

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Chatlines

Public Notices

GLADYS MAUD RIPLEY (Deceased)
 Pursuant to the Trustee Act 1925 any persons having a claim against or an interest in the Estate of the aforementioned deceased, late of Cunningham House Fike Way North Weald Epping Essex CM16 5SL, who died on 11/04/2014, are required to send particulars thereof in writing to the undersigned Solicitors on or before 14/11/2014, after which date the Estate will be distributed having regard only to claims and interests of which they have had notice.

SPIRE SOLICITORS LLP
 The Pines 50 Connaught Road Alibonough RT17 2EP (Ret. VPP/CML) T41914

Notice of Application for a new Premises Licence under the Licensing Act 2003

Notice is given this day 2nd September 2014 that Castpan Ltd. Of 4B Roman Road, East Ham, E5 3RX has applied to the Licensing office of Epping Forest District Council for a Premises Licence in respect of Cafe Bengal, 41 The Broadway, Loughton, Essex IG10 3EP. The proposed licence is for alcohol and Recorded music licence being sold between 11.00 hrs to 00.00 hrs from Monday to Saturday, and Sunday between 11.00 hrs to 23.30 hrs and late night refreshments between 11.00 hrs to 00.00 hrs Monday to Saturday and 10.00 hrs to 23.30 hrs on Sunday. The register of licensed premises is maintained at the licensing office of Epping Forest district council, Civic Offices, High Street, Epping, Essex, CM16 4BE. Applications for the premises licence may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the licensing office within 28 days of this notice. It is an offence knowingly or recklessly to make false statement in connection with an application which could lead to a fine on summary conviction (Maximum £5000).

PUBLIC NOTICE LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982 Street Trading Consent

Application has been made by John Henry White to Epping Forest District Council for consent to sell plants, flowers and trees at P1393, Epping Road Mon - Sun at 08.00 - 21.00 hrs.

Any representations regarding this application should be made within 21 days of this notice to: Corporate Support Services, Epping Forest District Council, Civic Offices, 223 High Street, Epping, Essex CM16 4BZ T41914

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Horoscopes with Claire Petulengro

WEEKLY HOROSCOPES BY CLAIRE PETULENGRO

WEEK COMMENCING SATURDAY 30TH AUGUST

ARIES (March 21st-April 20th)
 Bad news you've already received makes way for good news as you're about to learn how good your sign is at getting out of a sticky situation. Time spent with family can help you learn what has really gone on in their lives in recent weeks. Supporting each other gives you back the faith that's been lacking. Ring now for a surprise announcement.

TAURUS (April 21st-May 21st)
 You seem to be juggling funds this week and you may find it hard to know if you're in credit or debt. Everything has the ability to work out well for you if you'd face facts instead of imagining them. Travel plans prove to you that someone has given you their loyalty. Give me a ring to hear why this is a great week to start a new job.

GEMINI (May 22nd-June 21st)
 Spend some time with your loved ones this week. A meeting of minds can ensure that you approach the future as a team, rather than working against each other. Utilising old skills midweek can put you in touch with faces that can make you your fortune. Give me a ring now to hear why you shouldn't rule out house moves.

CANCER (June 22nd-July 23rd)
 Stop trying to manage everything on your own and accept the help which those around you are trying to offer. The moon makes you more emotional than usual this weekend and could see you agreeing to things you'll regret. Think and ask for time, if it's the first time you've heard what's available. Phone me so we can talk this week through more.

LEO (July 24th-August 23rd)
 Why have you left a bad air to stew between you and a close one? Surely it would be far better to talk things out? You're worried because others are watching, but the sooner you clear the air, the sooner you'll see that you were both working towards the same goals, just with different styles. Ring now so I can help you see life clearly.

VIRGO (August 24th-September 23rd)
 You are going to have to make your family a priority this week, or you could find a falling out that is not easily repaired. Long distance relationships however are well starred and could have the makings of something permanent in your future. Ring now to hear why it's imperative you turn up on time, or even early, for all meetings.

LIBRA (September 24th-October 23rd)
 Try to stick to your word in business this week, as more people are watching you than you think. You may be of the mind that small changes are ok, but I beg to differ. They could be the reason you lose the support for a personal change you want in your work at the end of the week. Ring now to hear how love and white lies are in the offing.

SCORPIO (October 24th-November 22nd)
 You'll want to tell half truths in order to save other's feelings, when you should be telling them the facts. It's the only way they'll be able to deal with the issues properly. Smile at strangers this week. Impromptu meetings ensure your life starts to get more than a little interesting. Ring now to hear how exciting your work sector is getting this month.

SAGITTARIUS (November 23rd-December 21st)
 New relationships come under a lot of pressure from the stars and you may be finding it hard to work out your feelings. You know sometimes you can be your own worst critic. Stop over-analyzing and instead just feel your way through the events in the next seven days. Give me a ring now to hear about a new admirer you've earned.

CAPRICORN (December 22nd-January 20th)
 Education is important this week Capricorn. Make sure that if there is the chance for you to expand your knowledge, you accept it. Not even you can know everything. Ward from someone you have not heard from recently puts a skip in your step and helps you to feel optimistic about relationships. Ring me. We need to talk about last weekend.

AQUARIUS (January 21st-February 19th)
 Although you're seeing a new side to a close one's character, don't immediately think that they don't fit into your life. The fact that they're opened up to you means that they trust you more, not less. Let time be the judge of how well you work as a team. Better still, let your heart decide. Call now to hear why I think you can aim higher in business.

PISCES (February 20th-March 20th)
 This is a great time to sign up for a course or lecture, or anything which enables you to polish up old skills or learn new ones. A broken promise is meant to be and is replaced by something better. Friends turn into romantic interests for some of you Pisces. Ring now to hear why it's worth calling up family and making the effort to see them this week.

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Licensing Department, Loughton Police Station
158 High Road, Loughton, IG10 4BE
Telephone: 01279 625 405

Neighbourhoods Director
Civic Offices High Street
Epping Essex CM16 4BZ

Website: www.essex.police.uk

Email: Peter.Jones@essex.police.uk

Telephone: 01992 564000
DX: 40409 Epping

Director of Neighbourhoods
and Deputy Chief Executive
Derek Macnab

Enquiries to:

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

18 September 2014

Dear Kim,

LICENSING ACT 2003 – GRANT OF PREMISES LICENCE SECTION 17

NEW PREMISE: Café Bengal, 41 The Broadway, Loughton

DPS: Arafat Sayeed

APPLICANT: Castpan Limited

Further to the above application for the Grant of a Premises Licence received on 15 August 2014. I can now confirm that all my checks have been carried out and can confirm that Essex Police will not be making any representations or objections to this application in respect of the licensing objectives.

I trust the aforementioned will assist and look forward to receiving a copy of the Licence, if/when processed, in due course.

Yours sincerely,



Mr Peter Jones ABII
Epping & Brentwood Licensing Officer
West LPA

Cc. Castpan Limited
4A Roman Road
East Ham
London
E6 3RX

Essex County Fire & Rescue Service

Mr David Johnson LL.B(Hons), BSc, MA, MSc, FCI
Chief Fire Officer & Chief Executive



Sarah Kits
Licensing Compliance Officer
EFDC
Civic Offices
High Street
Epping
CM16 4BZ

WEST AREA COMMAND
Harlow Service Delivery Point
Fourth Avenue
HARLOW
CM20 1DU
☎ 01279 420841
✉ he.command@essex-fire.gov.uk

Date: 18 August 2014
Our Ref: 72/200001058169
Your Ref:
Enquiries to: Steve Nicholl

Dear Madam,

LICENSING ACT 2003
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Premises: Café Bengal 41 The Broadway Loughton IG10 3SP

Receipt is acknowledged of the above consultation, which will be audited by the Essex Fire Authority (The Authority).

Should there be any significant concerns regarding the application you will be notified in due course.

Yours faithfully


S. W. Nicholl
Technical Fire Safety Officer

Sarah Kits

From: Joanne Owen
Sent: 28 August 2014 09:21
To: Sarah Kits
Subject: FW: Licence Application

From: Sue Mills, Business Support Administrator [<mailto:Sue.Mills@essex.gov.uk>]
Sent: 27 August 2014 12:04
To: Joanne Owen
Cc: [REDACTED]
Subject: Licence Application

RE: Licensing Act 2003:- Café Bengal – IG10 3SP

The licensing application received on 15 August 2014 has been assessed and we can confirm we have no objections to this licence application but would encourage the applicant to advertise Challenge 25 and ensure all staff are trained to do so

Licensing Applications
Quality Assurance & Safeguarding (inc IRO) Service
Family Operations
E2, County Hall
Chelmsford CM1 1YS
Tel: 01245 436744 Email: LicenceApplications@essex.gov.uk

Kind Regards

Sue Mills
Business Support Administrator
Business Support
Corporate Services

Essex County Council
Telephone: 03330131499
Email: sue.mills@essex.gov.uk | www.essex.gov.uk
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Sarah Kits

From: Audrey Chapman, Business Support Assistant <Audrey.Chapman@essex.gov.uk>
Sent: 15 August 2014 16:25
To: Licensing
Subject: Cafe Bengal, 41 The Broadway, Loughton IG10 3SP

From Essex County Council Trading Standards

Dear Sir/Madam

Acknowledging receipt of a premises licence application for the above premises.

Audrey Chapman
Business Support Officer
Business Support
Corporate Services

Essex County Council
Telephone: 03330 131 253
Email: audrey.chapman@essex.gov.uk www.essex.gov.uk

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Our Ref: L1.1/VRM



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Telephone: 020 8508 4200
Facsimile: 020 8508 4400
e-mail: contact@loughton-tc.gov.uk
Web site: www.loughton-tc.gov.uk

Town Clerk: Enid K Walsh

e-mail: contact@loughton-tc.gov.uk
 extn 207

Ms Sarah Kits
Licensing Section
Epping Forest District Council
Civic Offices
Epping CM16 4BZ
(Emailed: skits@eppingforestdc.gcsx.gov.uk)

10 September 2014

Dear Ms Kits

Re: Notice of application for a new premises licence under the Licensing Act 2003 in respect of Café Bengal, 41 The Broadway, Loughton IG10 3RX

The Planning and Licensing Committee considered this application at its meeting on 8 September 2014.

The Committee asked if the closing times applied for could all be reduced by half an hour to allow patrons and staff clearing up to leave earlier, thereby reducing noise disturbance to residents in the flats above.

Yours sincerely


Vivienne Messenger
Planning Committee Clerk

Nuala Clark

From: David Linnell <david.linnell@loughtonresidents.co.uk>
Sent: 13 October 2014 15:57
To: Licensing
Subject: RE: Cafe Bengal

Hi

In view of the email below, we are happy to withdraw our objection to the licensing application.

Regards

David Linnell
Loughton Residents Association Plans Group

From: Saad Miah [mailto:saad.miah@castpan.co.uk]
Sent: 13 October 2014 15:51
To: david.linnell@loughtonresidents.co.uk
Subject: Cafe Bengal

Sarah kits
Licensing department
Epping forest council

I Mr Saad Miah on behalf of Castpan Ltd trading as Cafe Bengal restaurant 41 the broad way loughton IG10 3SP, I have heard about the music playing in my restaurant could make some noise and make disturbance so as a responsible person I can promise you that the music which will be played in side the restaurant will not be heard from outside this will be done through my staff, they will be trained too keep the volume on a low level so neighbours will not be interrupted.

I hope you and other residence of my restaurant can take my word into account seriously and consider my license application.

Your sincerely

Barrington Road,
Loughton,
Essex.

25th September, 2014.

Dear Sir/Madam,

Cafe Bengal licence application; Ref WK/201428210

Thank you for your letter of 4-9-14 regarding the above.

The Police already have evidence of public nuisance and sometimes crime and disorder in the area outside Cafe Bengal and up Bricklamps Path which serves as a thoroughfare from Debden Broadway to the mass of houses north, west and east of the Broadway. The Police have already had to ban gatherings of young people in this area.

The proposal to permit the sale of alcohol until midnight will exacerbate the above problem and encourage people to linger late at night when they might otherwise disperse and go home. The sale of alcohol at the nearby off-licence, McColls, which unlike the proposal for Cafe Bengal, does not entail consumption on the premises, ceases at 11.00 pm (10.30 pm on Sundays). There is no reason why Cafe Bengal's requested licence should not similarly prevent the sale of alcohol after 11.00 pm (10.30 on Sundays).

The sale of recorded music could become a public nuisance if it is too loud, especially late at night directly under a block of residential dwellings, and the Sub-Committee may wish to consider a noise level limit, measurable in decibels immediately outside Cafe Bengal's premises.

Yours faithfully,

David Paget

Licensing Manager, Neighbourhoods Directorate,
Civic Offices, Epping CM16 4BZ.



Epping Forest District Council
 Civic Offices
 High Street
 Epping CM16 4BZ

Cafe Bengal

Scale : 1:843 Date : 16 Oct 2014 Time : 02:06:32 PM

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