Committee Agenda



Licensing Sub-Committee Thursday, 4th December, 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 Thursday, 4th December, 2014 at 10.00 am

Glen Chipp Chief Executive

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

Members:

Councillors Mrs M Sartin (Chairman), Mrs R Gadsby, P Keska and Ms G Shiell

PLEASE NOTE THE START TIME OF THE MEETING

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. CO-OP 113 CHURCH HILL, LOUGHTON, ESSEX IG10 1QR (Pages 11 48)

(Director of Neighbourhoods) To consider the attached report and appendices.

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

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(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:
 - 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.

Agenda Item 4

Epping Forest

District Council

Report to the Licensing Sub-Committee

Date of meeting: 04 December 2014

Subject: Co-op, 113 Church Hill, Loughton, Essex, IG10 1QR

Responsible Officer: Kim Tuckey 01992 564034 Licensing Manager

Democratic Services: Mark Jenkins)1992 56 4607

Decisions Required:

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

Report:

Application

- An application has been made by Co-operative Group Food Ltd for a new premises licence for the above premises. The application was received on the 17th October 2014 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

- 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 authority received a letter from Essex Police stating that they have no representations to make
- **7.** The authority also received a letter from the Quality Assurance & Safeguarding Service at Essex County Council & EFDC Public Health both stating they have no representations to make
- 8. The authority received an acknowledgement letter from and Essex County Fire & Rescue
- **9.** The authority received a representation from Loughton Town Council. This objection has been withdrawn because the applicant has agreed to change the sale of alcohol

commencement time to 0700hrs instead of 0600hrs as per Loughton Town Council's request.

- **10.** The authority has received three representations from residents; Joan & Brian Gell, Mr Paul Sherman & Mrs Diane Sherman
- **11.** The Objections relate to; the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm.
- **12.** The applicant has provided Members with a training guide as supporting documentation. This document has been supplied to members and has also been offered to objectors to consider. Hard copies will available at the hearing.

Guidance Issued by the Secretary of State

- **13.** The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
- **14.** Sections 2.1 2.7 & 2.18 2.35 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 Subcommittee 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
 <u>http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain</u>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
- Epping Forest District Council's statement of licensing policy.
 <u>http://www.eppingforestdc.gov.uk</u>

Attached documents

- Application for premises licence
- Plan
- Example public notice
- Newspaper advert
- Letter from Essex Police
- E-mail from Quality Assurance & Safeguarding Service (ECC)
- E-mail from Brian Stalabrass EFDC Public Health
- Letter from Essex County Fire & Rescue Service
- Representation from Loughton Town Council
- E-mail from applicants solicitor confirming the change in commencement time
- E-mail from Loughton Town Council confirming withdrawal of representation
- Representation from Mr & Mrs Gell
- Representation from Mr Paul Sherman
- Representation from Mrs Diane Sherman
- Map showing the area

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Application for a premises licence to be granted 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.

I/We Co-operative Group Food Ltd

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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

......

Part 1 – Premises Details

Co-c	Postal address of premises or, if none, ordnance survey map reference or description Co-operative 113 Church Hill,						
Post	town	Loughton, Essex			Postcode	IG10 1QR	
Telep	hone r	number at premises (if any)					
Non-domestic rateable value of premises			£24,250.00 (Band B)				
Part 2	2 - App	licant Details	a a		а <u>"к</u>		
Please state whether you are applying for a premises licence as Please tick as appropriate							
		5. 					
a) an individual or individuals *					please complet	e section (A)	
b) a person other than an individual *							
×	i. as a limited company			\boxtimes	please complet	e section (B)	
	ii.	as a partnership			please complet	e section (B)	
	iii.	as an unincorporated association of	r		please complet	e section (B)	
	iv.	other (for example a statutory corp	oration)		please complet	e section (B)	

c) a recognised club

d) a charity

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please complete section (B)

please complete section (B)

(e)	the proprietor of an educational establishment Delease complete section (B)				
ţ	()	a health service body		please complete section (B)		
Į	g)	a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales		please complete section (B)		
£	ga) a person who is registered under Chapter 2 of Part 1 please complete section (B) of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England					
h) the chief officer of police of a police force in England and Wales please complete section (B)						
* If you are applying as a person described in (a) or (b) please confirm:						
P	lease	tick yes				
I am carrying on or proposing to carry on a business which involves the use of the premises for [icensable activities; or						
I am making the application pursuant to a						
		statutory function or				
		a function discharged by virtue of Her Majesty's prerog	ative			

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr 🗌 Mrs 🗌 Miss 🗍	Ms	Other Title (for example, Rev)			
Surname	First nan	mes			
I am 18 years old or over		Please tick yes			
Current postal address if different from premises address	6 <mark>1</mark> 2	- 2	1		
Post town		Postcode			
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr 🗌 Mrs 🗌 Miss 🗌	Ms D Other Title (for example, Rev)
Surname	First names
I am 18 years old or over	Please tick yes
Current postal address if different from premises address	
Post town	Postcode
Daytime contact telephone number	
E-mail address (optional)	

(B) OTHER APPLICANTS

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

Name			
Co-operative Group Food Ltd			
Address Dept 10227 1 Angel Square Manchester M60 0AG			۵ <mark>- ا</mark>
Registered number (where applical IP26715R	ble)		
Description of applicant (for examp Company	ple, partnership, company	, unincorporated association etc).)
Telephone number (if any)			
E-mail address (optional)		=	

Part 3 Operating Schedule

When do you want the premises licence to start?	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

Please give a general description of the premises (please read guidance note 1)

Proposed convenience retail store, to trade 7 days a week, selling groceries, sundry items and alcohol for consumption off the premises only.

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

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

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

<u>Provision of late night refreshment</u> (if ticking yes, fill in box I)

<u>Supply of alcohol</u> (if ticking yes, fill in box J)

In all cases complete boxes K, L and M

A

	Plays Standard days and timings (please read guidance note		Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
(picase 6)	Teau guiu			Outdoors	
Day	Start	Finish		Both	
Mon	on Please give further details here (please read guidance not				
Tue					
Wed			State any seasonal variations for performing plays (note 4)	please read guid	ance
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column of the left, please list (please read guidance note 5)		<u>le</u> 1 on
Sat					
Sun	2 2 2				r H

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(please	Standard days and timings (please read guidance note		Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)				Outdoors	
Day	Start	Finish		Both	
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Tue					
Wed			State any seasonal variations for the exhibition of fil guidance note 4)	<u>ms</u> (please read	
Thur					
Fri	i <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 or left, please list (please read guidance note 5)</u>				
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Sun					

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Indoor sporting events Standard days and timings (please read guidance note 6)		l timings	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)
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entert Standa	Boxing or wrestling entertainments 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	
Day	Start	Finish		Both	
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Wed			State any seasonal variations for boxing or wrestling (please read guidance note 4)	entertainment	t.
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Fri			Non standard timings. Where you intend to use the or wrestling entertainment at different times to those column on the left, please list (please read guidance no	e listed in the	oxing
Sat				,	
Sun					

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

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Performances of dance Standard days and timings (please read guidance note 6)		i timings	Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
				Outdoors	
Day	Start	Finish		Both	
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Wed			State any seasonal variations for the performance of guidance note 4)	dance (please r	read
Thur					
Fri Non standard timings. Where you intend to use the premises for th performance of dance at different times to those listed in the colum the left, please list (please read guidance note 5)		premises for th ed in the colum	<u>e</u> n on		
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descrip within Standa	ing of a sin ption to th (e), (f) or rd days and read guida	at falling (g) d timings	Please give a description of the type of entertainment yo	ou will be provid	ling
Day	Start	Finish	Will this entertainment take place indoors or	Indoors	
Mon			<u>outdoors or both – please tick</u> (please read guidance note 2)	Outdoors	
				Both	
Tue			Please give further details here (please read guidance	note 3)	
Wed			State any seasonal variations for entertainment of a	similar descrip	tion
THU			to that falling within (e), (f) or (g) (please read guidar		<u>uon</u>
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Late night refreshment Standard days and timings (please read guidance note		d timings	Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	
6)	5		(I	Outdoors	
Day	Start	Finish		Both	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshmen (please read guidance note 4)		
Thur					
Fri			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 (please read guidance note 5)		
Sat					
Sun	H)				

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a ^{Nari}

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Standa	Supply of alcohol Standard days and timings (please read guidance note		Will the supply of alcohol be for consumption – please tick (please read guidance note 7)On the premis	
(picas) 6)	c read guid	ance note	Off the premis	
Day	Start	Finish	Both	
Mon	06:00	23:00	State any seasonal variations for the supply of alcohol (please read guidance note 4)	
Tue	06:00	23:00	None	
Wed	06:00	23:00		
Thur	06:00	23:00	Non standard timings. Where you intend to use the premise supply of alcohol at different times to those listed in the colu left, please list (please read guidance note 5)	
Fri	06:00	23:00	Total produce note b)	
Sat	06:00	23:00		
Sun	06:00	23:00		

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

Name			
Kevin Gaston			
Postcode			
Personal licence number (if known)			
Issuing licensing authority (if known)			
South Bedfordshire Council			

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).

None

K

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Hours premises are open to the public Standard days and timings (please read guidance note 6)		d timings	State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			
		a ¹⁹	Non standard timings. Where you intend the premises to be open to the
Thur			public at different times from those listed in the column on the left, please list (please read guidance note 5)
Fri			No opening hours prescribed.
1.11			
Sat			
Sun			

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

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

The applicant has given thought to the potential impact of the grant of this application on the four licensing objectives and, having regarding to the locality, considers that the following conditions are appropriate.

b) The prevention of crime and disorder

1. The premises shall maintain a CCTV system which gives coverage of all entry and exit points. The system shall continually record whilst the premises are open and conducting licensable activities. All recordings shall be stored for a minimum period of 21 days and shall be capable of being easily downloaded. Recordings shall be made available upon the receipt of a request by an authorised Officer of the Police or the Local Authority.

2. There shall be "CCTV in Operation" signs prominently displayed at the premises.

3. An incident log (whether kept in a written or electronic form) shall be retained at the premises and made available to an authorised Officer of the Police or the Local Authority.

4. The premises shall operate a proof of age scheme, such as a Challenge 25, whereby the only forms of acceptable identification shall be either a photographic driving licence, a valid passport, military identification or any other recognised form of photographic identification incorporating the PASS logo, or any other form of identification from time to time approved by the secretary of the state.

5. The premises will be fitted with a burglar alarm system

6. The premises will be fitted with a panic button system for staff to utilise in the case of an emergency.

c) Public safety

The premises licence holder shall ensure that the appropriate fire safety, and health and safety regulations are applied at the premises.

d) The prevention of public nuisance

A complaints procedure will be maintained, details of which will be made available in store and upon request.

e) The protection of children from harm

1. All staff will receive comprehensive training in relation to age restricted products and in particular the sale of alcohol. No member of staff will be permitted to sell age restricted products until such time as they have successfully completed the aforementioned training.

2. An age till prompt system will be utilised at the premises in respect of age restricted products.

3. A refusals register (whether kept and written or electronic form) will be maintained at the premises and will be made available for inspection upon request by an authorised Officer of the Police or the Local Authority.

Checklist:

Please	tick to	indicate	agreement
--------	---------	----------	-----------

•	I have made or enclosed payment of the fee.	\boxtimes
•	I have enclosed the plan of the premises.	\bowtie
•	I have sent copies of this application and the plan to responsible authorities and others where applicable.	\boxtimes
•	I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.	\boxtimes
•	I understand that I must now advertise my application.	\boxtimes
•	I understand that if I do not comply with the above requirements my application will be rejected.	\boxtimes

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.

Part 4 – Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	16 October 2014
Capacity	Solicitor acting on behalf of the applicant

For joint applications, signature of 2^{nd} applicant or 2^{nd} 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 postal address for correspondence associated with this application (please read guidance note 13) Miss Suzanne Blewitt Ward Hadaway Sandgate House 102 Quayside				
Post town	Newcastle		Postcode	NE1 3DX
Telephone number (if any)		0191 204 4491		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional) suzanne.blewitt@wardhadaway.com				

Notes for Guidance

- 1. Describe 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.
- 2. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
- 3. For example the 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.
- 4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
- 5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
- 6. Please 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.
- 7. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
- 8. Please 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 seminudity, films for restricted age groups or the presence of gaming machines.
- 9. Please list here steps you will take to promote all four licensing objectives together.
- 10. The application form must be signed.
- 11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
- 12. Where there is more than one applicant, each of the applicant or their respective agent must sign the application form.
- 13. This is the address which we shall use to correspond with you about this application.

Regulation 24

PART A

Consent of individual to being specified as premises supervisor

Kevin Charles Gaston I, Of,

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for THE PREMISES by Co-operative Group Food Ltd relating to a premises licence for (2 + 0.05) + (1 +

(store address)

CO-OPERATIVE 113 CHURCH HILL LOUGHTON -ESSEX IGIO IQR

and any premises licence to be granted or varied in respect of this application made by Co-operative Group Food Ltd concerning the supply of alcohol at (store address) CO-OPERATIVE

LOUGHTON ESSEY

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

Personal licence number

Personal licence issuing authority	South	Bed	fordshire	

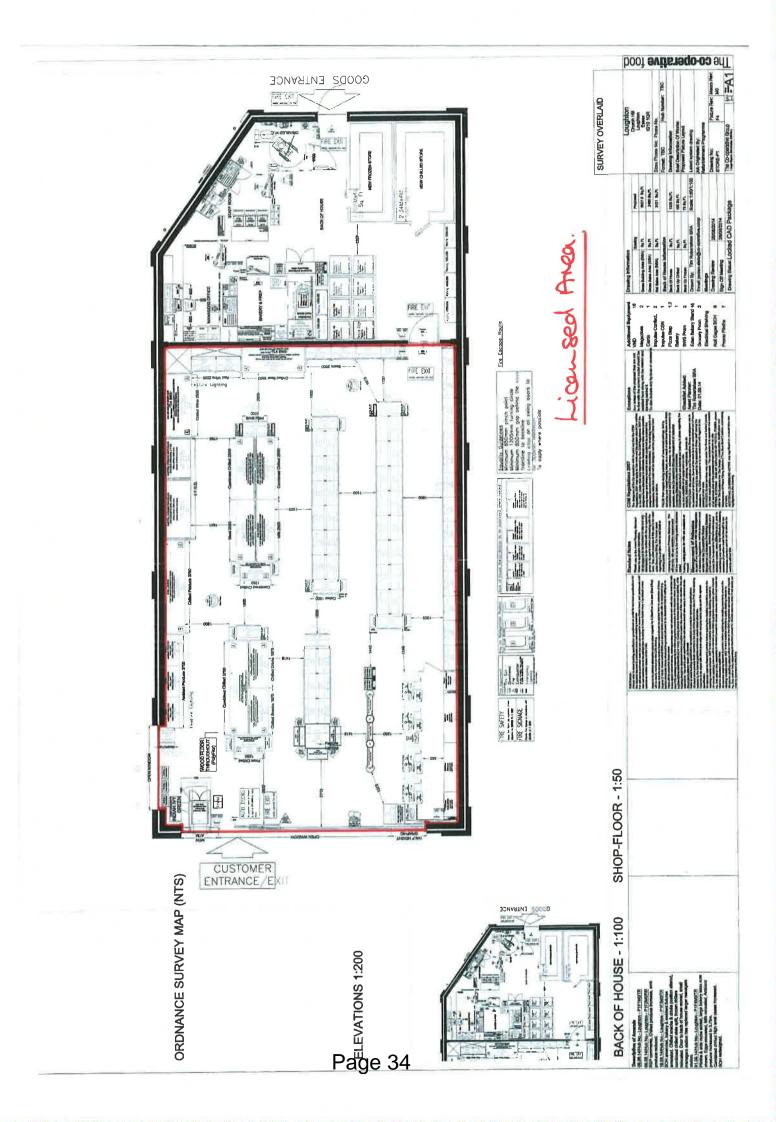
.....signed

PART B

(Head Office use only)

I/We [full name of premises licence holder(s)] the premises licence holder of premises licence number [insert premises licence number] relating to [name and address of premises to which the application relates] hereby give my consent for the transfer of premises licence number [insert premises licence number] to [full name and transferee]

......signedname (please print)dated



Licensing Act 2003 Notice of application for a New Premises Licence

Name of applicant: Co-operative Group Food Limited Address of Premises: 113 Church Hill, Loughton, Essex, IG10 1QR

The licensable activities will be for the sale of alcohol for consumption off the premises between Monday-Sunday 06:00-23:00. Conditions will apply.

Anyone wishing to make a representation to this application may do so by **Friday 14 November 2014**.

A record of the application made to the Licensing Authority will be kept on a register at the address given below and the register may be inspected during normal office hours.

All representations regarding this application <u>MUST BE IN WRITING</u> and sent to:

Licensing Section, Epping Forest District Council, Civic Offices, High Street, Epping CM16 4BZ

Or

www.eppingforestdc.gov.uk

It is an offence knowingly or recklessly to make a false statement in connection with an application and is subject to a maximum fine of £5000 on summary conviction for the offence.

Ward Hadaway







Licensing Department, Loughton Police Station 158 High Road, Loughton, IG10 4BE Telephone: 01279 625 405 www.essex.police.uk Email: Peter Jones@essex.pnn.police.uk

Website: www.essex.police.uk Email: Peter.Jones@essex.pnn.police.uk

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

10 November 2014

Dear Kim,

LICENSING ACT 2003 – GRANT OF PREMISES LICENCE SECTION 17 NEW PREMISE: Co-op, 113 Church Hill, Loughton DPS: Kevin Gaston APPLICANT: C-operative Group Food Limited via Ward Hadaway

Further to the above application for the Grant of a Premises Licence received on 20 October 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. Miss S Blewitt Ward Hadaway Sandgate House 102 Quayside Newcastle upon Tyne Tyne and Wear NE1 3DX

From:	Sue Parker, Business Support Administrator <sue.parker2@essex.gov.uk> on behalf of Licence Applications CYP <licenceapplications@essex.gov.uk></licenceapplications@essex.gov.uk></sue.parker2@essex.gov.uk>
Sent:	10 November 2014 11:03
То:	Licensing
Cc:	suzanne.blewitt@wardhadaway.com
Subject:	10-2014/09 Co-op, Loughton License Application

RE: Licensing Act 2003:- Co-op, Loughton

The licensing application received on 17/10/2014 has been assessed and we can confirm we have no objections to this licence application.

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

Regards

Sue Parker Business Support Administrator Business Support Corporate and Customer Services

Essex County Council

Lync: 0333 01 31236 Email: <u>sue.parker2@essex.gov.uk | www.essex.gov.uk</u>

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From:Brian StalabrassSent:21 October 2014 15:35To:Sarah KitsSubject:CO - OP, 113 CHURCH HILL LOUGHON

Hi Sarah,

I've received a licence notification from the Co-Op. I can confirm that from the information supplied I have not representations to make. Regards Brian

Page 39

Essex County Fire & Rescue Service

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



Sarah Kitts Licensing Compliance Officer EFDC Civic Offices High Street Epping CM16 4BZ WEST AREA COMMAND Harlow Service Delivery Point Fourth Avenue HARLOW CM20 1DU 101376 576800 westareacommand@essex-fire.gov.uk

Date: 27 October 2014 Our Ref: 72/2129 Your Ref: Enquiries to: Steve Nicholl Technical Fire Safety Officer

Dear Madam,

LICENSING ACT 2003

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005 Premises: Co-operative Group Food Ltd 113 Church Hill Loughton IG10 1QR

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

ECFRS/287462/V1

Page 40

Our Ref: L1.1/VRM

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

10 November 2014



Loughton, Essex IGIO 2QZ 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

Dear Ms Kits

Re: Notice of application for a new premises licence under the Licensing Act 2003 in respect of Co-operative Group, 113 Church Hill, Loughton IG10 1QR

This licensing application was considered by members of the Planning and Licensing Committee at the meeting on 3 November 2014, who OBJECTED to the hours proposed for the sale of alcohol for consumption (off the premises) from Monday to Sunday 06.00 - 23.00 on the grounds of the prevention of public nuisance.

However, the Committee was advised that the Co-operative Group might adjust the opening time to match the retail use opening time of 07.00 hours, granted permission on planning application EPF/1845/14. Should this be the case, the Committee would be prepared to withdraw its objection.

Yours sincerely

Vivienne Messenger Planning Committee Clerk



From: Sent: To: Cc: Subject: Richard Arnot <Richard.Arnot@wardhadaway.com> 19 November 2014 11:21 Licensing Suzanne Blewitt COOP - 113 Church Hill, Loughton

Hi Sarah,

Further to the Town Council's objection, we would be minded to amend our commencement time to 0700. Might you please contact them and ask if , on this basis , they would be prepared to withdraw as they indicate in their representation?

Many thanks

Richard

Richard Arnot Partner | Licensing & Regulatory Unit

Direct: +44 (0) 191 204 4342 Mobile: +44 (0) 797 311 7329



Newcastle | Leeds | Manchester

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From: Shirley Haynes <Shirley.Haynes@loughton-tc.gov.uk> Sent: 19 November 2014 16:29 Sarah Kits Vivienne Messenger Subject: RE: Licensing application - 113 Church Hill Loughton

Dear Sarah

To:

Cc:

Yes, I can confirm that the Council would be prepared to withdraw its objection if that was the case.

Kind regards

Shirley

Shirley Haynes **Deputy Town Clerk** Loughton Town Council 1 Buckingham Court, Rectory Lane Loughton, Essex IG10 2QZ Tel: 020 8508 4200 x201 Fax: 020 8508 4400 E-mail contact@loughton-tc.gov.uk Web: www.loughton-tc.gov.uk

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From: Sarah Kits [mailto:skits@eppingforestdc.gov.uk] Sent: 19 November 2014 12:50 To: Shirley Haynes **Cc:** Vivienne Messenger Subject: FW: Licensing application - 113 Church Hill Loughton Importance: High

Dear Shirley,

I have been advised by Co-op's solicitor that they are willing to draw back the opening time requested to 0700hrs instead of 0600hrs as initially requested on the application form.

If I receive written confirmation of this from the solicitor, would it be safe to assume that Loughton Town Council would be happy to withdraw their objection as it states in the letter attached?

Kind regards

Sarah Kits Licensing Compliance Officer

2 01992 564403 Skits@eppingforestdc.gov.uk

From:	Joan Gell
Sent:	10 November 2014 13:19
То:	Licensing
Subject:	Ref:Wk/201435473

Dear K Tuckey,

Further to your letter dated 20th October re.licensing application from Co-operative Group Food Ltd. of IG10 1 QR We do not endorse the application as there are already several outlets selling alcohol in a very small area i.e Newsbox,Plume of feathers,Esso pfs (Sainsburys to follow no doubt shortly) and the British Legion. Currently there are people causing a public nuisance with rowdy behaviour,noise nuisance and urinating in public places.

The fewer outlets selling alcohol all day long where children can obtain it would be an advantage, children can easily pass for being of the correct age.

As for the license to sell from so early in the morning Loughton is fast becoming a drinkers paradise with so many outlets.

No doubt whatever the residents say against the application it will be given .

From Joan and Brian Gell

,Loughton.

Sent from my iPad

From: Sent: To: Cc: Subject: Paul Sherman 10 November 2014 16:18 Licensing Sheema Sherman Reference WK/20143573 Co-Op group

Dear K Tuckey

I wish to object to the grant of a License to sell alcohol (off the premises) to the Co-Op. at 113 Church Hill IG10 1QR . In my view such a license will only expand the likelihood of public nuisance, crime and disorder, an ever increasing problem in our society caused by the unfettered drinking of alcohol.

Yours Sincerely

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From: Sent: To: Cc: Subject: Sheema Sherman 11 November 2014 14:59 Sarah Kits Licensing Objection to WK/201435473

Dear Ms Kits

Your Ref: WK/201435473 (Co-op, 113 Church Hill – Licence Application)

Thank you for your email of 4 November in reply to mine regarding licensing hours for the above.

Further to the Notification of Consultation dated 20 October, I wish to formally object to the granting of a licence to the above premises.

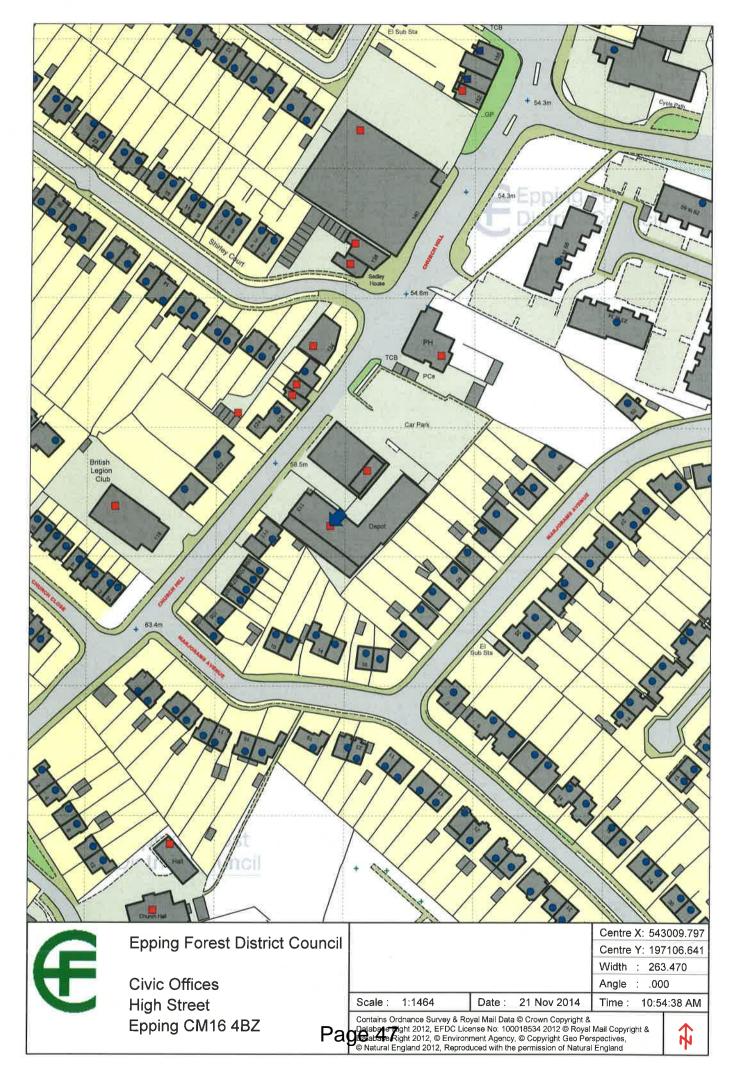
Granting such a licence will in my view make alcohol so readily available, it will increase the likelihood of public nuisance, crime and disorder.

9

Yours sincerely

Diane Sherman

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