



Licensing Sub-Committee Tuesday, 15th August, 2017

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 Tuesday, 15th August, 2017
at 10.00 am .**

**Glen Chipp
Chief Executive**

**Democratic Services
Officer**

J Leither (Direct Line 01992 564756)
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors J Jennings (Chairman), S Neville, D Sunger and B Surtees

PLEASE NOTE THE START TIME OF THE MEETING

1. APOLOGIES FOR ABSENCE

(Director of Governance) To be announced at the meeting.

2. DECLARATIONS OF INTEREST

(Director of Governance) To declare interests in any item on this agenda.

3. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 8)

(Director of Governance) To note the Procedure for the Conduct of Business, as attached.

4. NEW PREMISES LICENCE FOR THE GREEN OWL CANTEEN, 12-14 THE BROADWAY, LOUGHTON, ESSEX IG10 3ST (Pages 9 - 48)

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

5. NEW PREMISES LICENCE FOR 160 QUEENS ROAD, BUCKHURST HILL, ESSEX (Pages 49 - 104)

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

6. 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.

Background Papers: Article 17 - 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

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 Appendix 1, and the legislation listed in Appendix 2, a Subcommittee consisting of no more than any three Councillors drawn from the members of the full Committee shall be formed. Any such Subcommittee shall include, by rota, one of the six Licensing Subcommittee Chairmen appointed at each Annual Council meeting.
- (3) The Quorum for the Committee is set out in the Rules set out in Part 4 of this Constitution save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.
- (4) The Committee and Subcommittees shall have full authority to hear and determine licensing applications.
- (5) The Committee and Subcommittees shall be further empowered to determine appeals made against the decisions of the Director of Neighbourhoods taken under delegated authority on licensing applications. (See Council delegation schedule for more details)
- (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 Appendix 3 (Conduct of Business by Licensing Committee and Subcommittees).
- (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 Appendix 2 to this Article.
- (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).

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

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

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
Scrap Metal Dealers Act 2013
The Game Act 1831
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Zoo Licensing Act 1981

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUBCOMMITTEES

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

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.

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 Subcommittee 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: 15th August 2017

Subject: A premises Licence application for The Green Owl Canteen, 12-14 The Broadway, Loughton, Essex IG10 3ST

**Responsible Officer: Mrs Kim Tuckey
Licensing Compliance Officer**

Democratic Services: Jackie Leither



**Epping Forest
District Council**

Decisions Required:

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

Report:

Application

1. An application has been made by The Green Owl Canteen Ltd for a new premises Licence at 12-14 The Broadway, Loughton, Essex IG10. The application is for the supply of alcohol Monday-Sunday 10:00 - 23:00 hours. The application was received on the 28th June 2017.
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 also 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 one letter of support and one representation from Loughton Town Council, which is attached. Responses have been received from The Police and the Essex Fire Service who have no objections. However the police have agreed conditions with the applicant, which are also attached.
- 8 The Objections relate to the prevention of public safety and 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 2.7 to 2.21 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
- Plan of the premises
- Newspaper advert
- Blue Notice
- Map of the area
- Email from Essex police with no objections and agreed conditions
- Letter of support
- One objection from Loughton Town Council
- Attached correspondence to Loughton Town Council

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Rec: 28th June 17. Consultation end: 24th July 17



Epping Forest
Application for a premises licence
Licensing Act 2003

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

* required information

Section 1 of 21

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

Not Currently In Use

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

Your reference

marc lynch new app

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

The Green Owl

* Family name

Canteen Ltd

* E-mail

[Redacted]

Main telephone number

[Redacted]

Include country code.

Other telephone number

[Redacted]

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

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 the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is the applicant's business registered in the UK with Companies House?

Yes No

Note: completing the Applicant Business section is optional in this form.

Registration number

10130098

Business name

The Green Owl Canteen Ltd

If the applicant's business is registered, use its registered name.

VAT number

- None

Put "none" if the applicant is not registered for VAT.

Legal status

Private Limited Company

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent 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:

- An agent that is a business or organisation, including a sole trader
- A private individual acting as an agent

A sole trader is a business owned by one person without any special legal structure.

Your Address

Address official correspondence should be sent to.

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Continued from previous page...

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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	<input type="text" value="The Green Owl Canteen"/>
Street	<input type="text" value="12-14 The Broadway"/>
District	<input type="text"/>
City or town	<input type="text" value="Loughton"/>
County or administrative area	<input type="text" value="Essex"/>
Postcode	<input type="text" value="IG10 3ST"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="26,000"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- 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

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

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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...

Limited Company

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

* Date of birth
dd mm yyyy

* Nationality Documents that demonstrate entitlement to work in the UK

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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.

The premises trades as a cafe/ restaurant and is hoping to add the sale of alcohol for customers, to consume bot with food and without a main table meal. no vertical drinking to be permitted, all customers must be sat at tables.

Continued from previous page...

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

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

- Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Continued from previous page...

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

[See guidance on regulated entertainment](#)

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

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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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

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

Continued from previous page...

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.

n/a

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

Name

First name

Family name

Date of birth

dd mm yyyy

Continued from previous page...

Enter the contact's address

Building number or name	[REDACTED]
Street	Mutton Row
District	
City or town	Stanford Rivers
County or administrative area	Essex
Postcode	[REDACTED]
Country	United Kingdom
Personal Licence number (if known)	Not Yet Issued
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'.

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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

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.

Continued from previous page...

TUESDAY

Start	<input type="text" value="07:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

WEDNESDAY

Start	<input type="text" value="07:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

THURSDAY

Start	<input type="text" value="07:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

FRIDAY

Start	<input type="text" value="07:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SATURDAY

Start	<input type="text" value="07:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

SUNDAY

Start	<input type="text" value="07:30"/>	End	<input type="text" value="23:00"/>
Start	<input type="text"/>	End	<input type="text"/>

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.

n/a

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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)

Continued from previous page...

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

The premises will operate to a high standard, and will do so should this licence be granted in terms of the sale of alcohol. All staff will be fully trained in their responsibilities with regard to the sale of alcohol, and will be retrained every six months, with recorded training records kept for inspection. The DPS will maintain a DPS Written Authorisation Sheet which will show the names of the staff members who have been given delegated authority to make sales of alcohol.

b) The prevention of crime and disorder

All current security measures will remain in operation. All staff will be fully trained in this area. Sufficient staff will be on duty at all busy times. Staff will refuse entry to customers who, in their opinion are drunk.

CCTV cameras will be in operation during the opening hours and for a period of two hours after closing. The time and date stamp will be correct and will be generated onto both recorded and real time images. A camera will record clear images of all customers from the waist and above at the entrance/exit. Recordings will be maintained for 31 days and, in the event of an incident/investigation of an offence, will be available for Police/responsible authorities to view on request and will be downloaded into a removable format and provided to Police or other responsible authorities within 48 hours of a request.

In the event of a technical failure the premises licence holder will ensure that the DPS, or other named person in their absence, informs the Licensing Authority and Police as soon as is reasonably practicable. This information will be contemporaneously recorded in the incident report register and shall include the time, date and means this was done and to whom the information was reported. Equipment failures will be repaired without undue delay and the Licensing Authority and Police will be informed when the fault is rectified.

The managers shall develop and maintain a good relationship with the Police, neighbours and the local authority to ensure that the business becomes a valuable entity within the community.

c) Public safety

Staff will be trained to be alert to any potential danger to customers and react accordingly. If they are unable to quickly diffuse the situation without risk to customer or staff, then they are instructed to call the police. Effective management and supervision of the premises shall be maintained. The premises shall comply with all current Health and Safety and Fire legislation. There shall be no smoking on the premises and free drinking water shall be made available. There shall be access to licensed taxi and private hire services for customers if required.

d) The prevention of public nuisance

Customers will be requested to leave the premises in a quiet and orderly manner. A sign shall be displayed asking customers to leave the premises quietly.

e) The protection of children from harm

Only photographic ID is accepted (passport, driving licence, proof of age card with PASS hologram, and Military ID). Anyone who appears to be under the age of 25 is challenged to provide ID. If the customer is unable to provide identification then no sale is made. No ID no sale. If it is known that a customer intends to purchase alcohol to provide to minors then that sale will be refused. All refused sales will be recorded in a refusals book, which will be made available for inspection by Police or Licensing Officers of the council on request.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **full** birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.

Continued from previous page...

- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

In terms of specific **regulated entertainments** please note that:

- **Plays:** no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- **Films:** no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- **Indoor sporting events:** no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- **Boxing or Wrestling Entertainment:** no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- **Live music:** no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- **Recorded Music:** no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 21 of 21

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

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

DECLARATION

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate

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	<input type="text" value="Stewart Gibson"/>
* Capacity	<input type="text" value="Licence Agent"/>
* Date	<input type="text" value="27"/> / <input type="text" value="06"/> / <input type="text" value="2017"/> dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/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 TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

OFFICE USE ONLY

Applicant reference number	marc linch new app
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

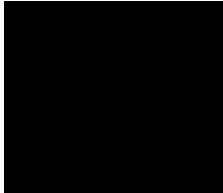
< Previous 1 2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 Next >

Consent of individual to being specified as premises supervisor

Marc Jonathan Linch

I
[full name of prospective premises supervisor]

of



.....
[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

A Premises Licence for Consumption On the Premises

.....
[type of application]

by

The Green Owl Canteen Ltd

.....
[name of applicant]

relating to a premises licence

.....
[number of existing licence, if any]

for

Green Owl Canteen
12-14 The Broadway
Loughton
Essex
IG10 3ST

.....
[name and address of premises to which the application relates]

and any premises licence to be granted or varied in respect of this application made by

The Green Owl Canteen Ltd

[name of applicant]

concerning the supply of alcohol at

Green Owl Canteen
12-14 The Broadway
Loughton
Essex
IG10 3ST

[name and address of premises to which application relates]

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number

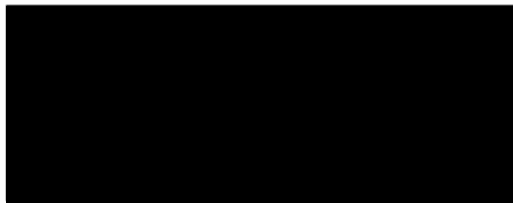
Not yet issued

[insert personal licence number, if any]

Personal licence issuing authority

[insert name and address and telephone number of personal licence issuing authority, if any]

Signed



Name (please print)

Marc Jonathan Linch

Date

26/06/2017

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Your next hire is here. Advertise your vacancy today. Call 0203 581 3587

jobs.com INDEPENDENT

The new home for jobs in London

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jobs.com INDEPENDENT

The new home for jobs in London

Licensing Act 2003
Notice of Application for Grant of a Premises Licence
 We The Green Owl Caravan Ltd hereby give notice that an application was made to Epping Forest District Council on the 6th June 2017 for the Grant of a new Premises Licence to operate a premises at: The Green Owl Caravan, 12-14 The Greening, Loughton, Essex IG10 3BT from which the following licensable activities are proposed:
 Retail sale of alcohol for consumption on the premises from 9:00 to 23:00 Monday to Sunday inclusive.
 The full application may be inspected free of charge, at the office of the council at Licensing Team, Epping Forest District Council, Heath Bourne Road, Chesham, Cass 12044, High Street, Epping, Essex, CM8 4BE, and at licensing@efdc.gov.uk
 Any interested party or representative to the Licensing Section within 28 consecutive days of the day of application may make an objection. The last day for objections being the 26/07/2017.
 It is an offence knowingly or recklessly to make a false statement in connection with an application and a person may be liable on summary conviction to a fine of up to Level 5 on the Standard Scale 26/07/2017



Feel like getting plastered?



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Sales Print E20 Services

Licensing Act 2003

**Notice of Application for Grant of a
Premises Licence**

We The Green Owl Canteen Ltd hereby give notice that an application was made to Epping Forest District Council on the 28th June 2017 for the Grant of a new Premises Licence to operate a premises at: **The Green Owl Canteen, 12-14 The Broadway, Loughton, Essex, IG10 3ST** from which the following licensable activities are proposed.
Retail sale of alcohol for consumption on the premises from 10:00 to 23:00 Monday to Sunday inclusive.

The full application may be inspected, free of charge, at the offices of the council at **Licensing Team, Epping Forest District Council, Neighbourhoods Directorate, Civic Offices, High Street, Epping, Essex, CM16 4BZ.** and at www.eppingforestdc.gov.uk/licensing

Any interested party or Responsible Authority may make representations to the Licensing Section within 28 Consecutive Days of the day of application was made as detailed above. The last day for representations being the 26/07/2017

It is an offence to knowingly or recklessly make a false statement in connection with an application and a person may be liable on summary conviction to a fine of up to Level 5 on the Standard Scale 26/06/2017



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Handan Ibrahim

From: Licensing Epping and Brentwood
<licensing.epping.and.brentwood@essex.pnn.police.uk>
Sent: 07 July 2017 11:26
To: Licensing
Cc: Stewart Gibson
Subject: RE: Premises Licence Application - The Green Owl, 12-14 The Broadway, Loughton

Following the below email, Essex Police have no representations to make.

Agreed Conditions are:

- Alcohol sold for consumption 'on the premises' shall be by waiter/waitress to a customer who is seated at a table, and consumed at the table.
- No vertical drinking shall be permitted.

Regards,

Peter

From: Stewart Gibson [REDACTED]
Sent: 06 July 2017 13:08
To: [REDACTED]
Cc: licensing@eppingforestdc.gov.uk
Subject: Re: Premises Licence Application - The Green Owl, 12-14 The Broadway, Loughton

Good afternoon.

We agree to the suggested conditions being added should the application be approved.

Kind regards

Stewart Gibson

From: Licensing Epping and Brentwood <[REDACTED]>
Date: Tuesday, 4 July 2017 at 12:58
To: Stewart <[REDACTED]>
Cc: "licensing@eppingforestdc.gov.uk" <licensing@eppingforestdc.gov.uk>
Subject: Premises Licence Application - The Green Owl, 12-14 The Broadway, Loughton

licensing@eppingforestdc.gov.uk

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For more information please visit <http://www.symanteccloud.com>

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Handan Ibrahim

Green Owl - IN FAVOUR!

From: Victoria Fuller <[REDACTED]>
Sent: 05 July 2017 13:12
To: Licensing
Subject: Ref: WK/201722551

Dear Licensing Team,

With respect to the application WK/201722551 which I was recently notified about I would like to make a representation in favour of the license being granted. My reason is that I believe the Broadway would benefit from having another restaurant open in the evening as the focus is currently on daytime or take away food. Encouraging trade onto the Broadway into the evening will make the area a little busier and this may discourage any public nuisance or anti-social behaviour that occasionally occurs. It is also beneficial for the area to have the shops occupied.

Many thanks



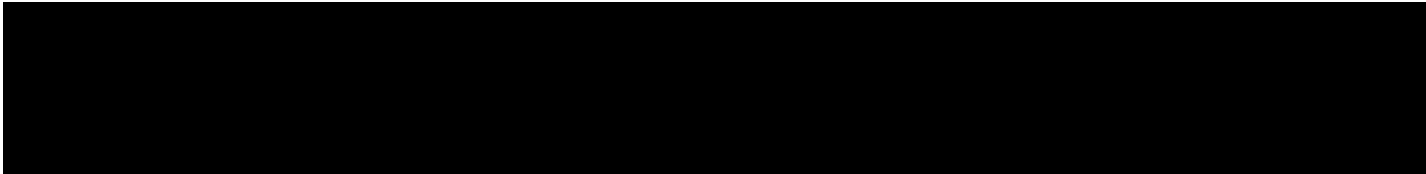
Victoria Fuller
[REDACTED]

Handan Ibrahim

From: Debra Paris <[REDACTED]>
Sent: 19 July 2017 14:41
To: Licensing
Subject: Licensing Applications: [REDACTED] & WK201722551

Dear Sir/Madam,

Please find below the Town Council's comments on recent applications:

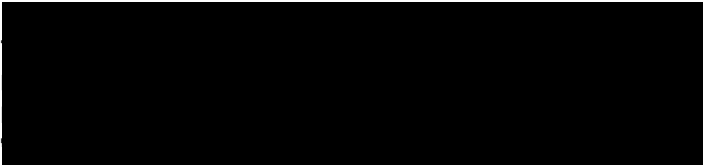


WK201722551 - Notice of application for a new premises licence under the Licensing Act 2003 in respect of The Green Owl Canteen Ltd, 12-14 The Broadway, Loughton, IG10 3ST
The Committee OBJECTED to this application, stating that, given that this was a predominantly residential location and for the prevention of public nuisance, the licensing hours should cease at 10:30pm and alcohol should only be served with meals.

Thank you for your attention. Kindly confirm receipt of this email.

Regards,

Debra Paris
Planning and Licensing Committee Clerk
Loughton Town Council



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Handan Ibrahim

From: Debra Paris <[REDACTED]>
Sent: 01 August 2017 09:33
To: Handan Ibrahim
Subject: RE: The Green Owl 12-14 The Broadway Loughton. IG10 3ST

Hi Handan,

The above matter was again considered at our Planning & Licensing Committee meeting last night. The Committee maintained their original OBJECTION:

"Min No PL269.1 - The Committee OBJECTED to this application, stating that, given that this was a predominantly residential location and for the prevention of public nuisance, the licensing hours should cease at 10:30pm and alcohol should only be served with meals."

Kind regards,

Please note our change of address shown below.

Debra Paris
Planning and Licensing Committee Clerk
Loughton Town Council

[REDACTED]

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-----Original Message-----

From: Handan Ibrahim <[REDACTED]>
Sent: 25 July 2017 14:46
To: Debra Paris
Subject: FW:The Green Owl 12-14 The Broadway Loughton. IG10 3ST

Hi Debra,

Further to Loughton town councils objection ,please see below statement from the applicant agreeing to reduce the licensable times of sale of alcohol from 23:00 to 22:30pm.

Please let me know if the objection will now be withdrawn.

Thank you

Kind Regards

Mrs Handan Ibrahim
Licensing Compliance Officer

www.eppingforestdc.gov.uk

-----Original Message-----

From: Marc Linch [REDACTED]
Sent: 25 July 2017 14:28
To: Handan Ibrahim
Cc: Stewart Gibson
Subject: 12-14 The Broadway Loughton. IG10 3ST

Dear Handan,

Further to our telephone conversation this afternoon regarding the Green Owl Canteen application i understand that Loughton Town Council have made an objection, and further to their objection I am willing to reduce the licensable hours to 1030pm for the sale of alcohol.

As mentioned I have already agreed the further conditions with the police regarding alcohol to be sold to customers being seated only.

Please let me know if you any further clarification.

Regards

Marc Linch

Sent from my iPhone

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Epping Forest District Council
Postmaster@Eppingforestdc.gov.uk

Report to the Licensing Sub Committee

Date of meeting: 15th August 2017

**Subject: New Premises Licence Application
160 Queens Road
Buckhurst Hill**



**Epping Forest
District Council**

**Responsible Officer: Joanne Owen
Licensing Compliance Officer**

Democratic Services: Jackie Leither

Decisions Required:

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

Report:

Application

1. A new application has been made by Andreea Michela Mosteanu for a new premises licence at 160 Queens Road, Buckhurst Hill, Essex, the application is for a new premises licence. The application was received on the 23rd June 2017.
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

ON/OFF sale of alcohol. Live and Recorded music Monday to Sunday
11:00hrs to 23:00hrs.

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 also 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 representations from Essex Police and have

negotiated conditions with the applicant which are attached. Also representation have been made from Mike Richardson from Epping Forest District Council – Neighborhoods Team. The Authority also received objections from Cllr Gavin Chambers and local residents, which are also attached. We received acknowledgments from Child Protection Services and Essex Fire Service.

- 8 The objections relate to the Prevention of Public Nuisance and the Protection of Children from Harm and Prevention of Crime and Disorder.

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 2.6, 2.15 to 2.21 and 2.22 to 2.31 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
- Plan of the premises
- Newspaper advert
- Map of the area
- Correspondence from:
 - Essex Police
 - Epping Forest District Council – Environment and Neighbourhoods
 - Child Protection Services
 - Essex Fire Service
- 18 letters/emails of objections from local residents

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- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- 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 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England please complete section (B)
- 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 (by ticking yes to one box below):

I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or

I am making the application pursuant to a statutory function or

a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input checked="" type="checkbox"/>	Other Title (for example, Rev)	
Surname MOSTEANU			First names ANDREEA MICHELA		
Date of birth [REDACTED]		I am 18 years old <input type="checkbox"/> Please tick yes			
Nationality BRITISH					
Current residential address if different from premises address		[REDACTED] WOODLAND WAY WOODFORD GREEN ESSEX			
Post town			Postcode		[REDACTED]
Daytime contact telephone number			[REDACTED]		
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
-----------------------------	------------------------------	-------------------------------	-----------------------------	--------------------------------	--

Surname		First names	
Date of birth over		I am 18 years old or	<input type="checkbox"/> Please tick yes
Nationality			
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
Address
Registered number (where applicable)
Description of applicant (for example, 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?

DD	MM	YYYY
0	1	072017

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)

RESTAURANT

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 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment (please read guidance note 2)

Please tick all that apply

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

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

Supply of alcohol (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 7)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 5)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

B

Films Standard days and timings (please read guidance note 7)			Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon					
			State any seasonal variations for the exhibition of films (please read guidance note 5)		
Tue					
			Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 6)		
Wed					
Thur					
Fri					
Sat					
Sun					

C

Indoor sporting events Standard days and timings (please read guidance note 7)			Please give further details (please read guidance note 4)		
Day	Start	Finish			
Mon			State any seasonal variations for indoor sporting events (please read guidance note 5)		
Tue			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 6)		
Wed					
Thur					

Fri		
Sat		
Sun		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 7)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon	11.00	23.00	Please give further details here (please read guidance note 4)		

Tue	11.00	23.00	
Wed	11.00	23.00	State any seasonal variations for the performance of live music (please read guidance note 5) New Years Eve, Christmas Eve when provided until 0.30
Thur	11.00	23.00	
Fri	11.00	23.00	Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat	11.00	23.00	
Sun	11.00	23.00	

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)		
Mon	11.00	23.00			
Tue	11.00	23.00			
Wed	11.00	23.00	State any seasonal variations for the playing of recorded music (please read guidance note 5) New Years Eve, Christmas Eve when provided until 0.30		
Thur	11.00	23.00			
Fri	11.00	23.00	Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat	11.00	23.00			
Sun	11.00	23.00			

G

Performances of dance Standard days and timings (please read guidance note 7)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	Please give further details here (please read guidance note 4)					
Mon								
Tue								
Wed						State any seasonal variations for the performance of dance (please read guidance note 5)		
Thur								
Fri						Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 6)		
Sat								
Sun								

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			Please give further details here (please read guidance note 4)		
Wed					

Thur			<u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 5)</u>
Fri			
Sat			<u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 6)</u>
Sun			

I

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 4)	
Mon	11.00	23.00		
Tue	11.00	23.00	<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 5) New Years Eve, Christmas Eve provided until 0.30	
Wed	11.00	23.00		
Thur	11.00	23.00	<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 6)	
Fri	11.00	23.00		
Sat	11.00	23.00		
Sun	11.00	23.00		

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) NEW YEARS EVE & CHRISTMAS EVE when provided until 0.30		
Mon	11.00	23.00			
Tue	11.00	23.00			
Wed	11.00	23.00			
Thur	11.00	23.00			
Fri	11.00	23.00			
Sat	11.00	23.00			
Sun	11.00	23.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name ANDREEA MICHELA MOSTEANU	
Date of birth [REDACTED]	
Address [REDACTED] Woodland Way Woodford Green Essex	
Postcode	[REDACTED]
Personal licence number (if known)	
Issuing licensing authority (if known) [REDACTED] London Borough of Hackney.	



K

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 9).

L

Hours premises are open to the public Standard days and timings (please read guidance note 7)			<u>State any seasonal variations</u> (please read guidance note 5) New Years Eve and Christmas Eve when open until 0.30
Day	Start	Finish	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 6)
Mon	11.00	23.00	
Tue	11.00	23.00	
Wed	11.00	23.00	
Thur	11.00	23.00	
Fri	11.00	23.00	
Sat	11.00	23.00	
Sun	11.00	23.00	

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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 10)

The Management will adhere to all health and safety requirements.

b) The prevention of crime and disorder

The premises are run by experienced staff. Many of the customers are known to the staff. Children will always be accompanied by an adult and are not permitted at the bar. Photographic ID is required where there is a doubt over age. If none provided then alcohol is refused. Drunkenness on the premises is not tolerated and any such person would be asked to leave immediately. The premises are run on a day to day basis by the owner of the business.

c) Public safety

The premises are used primarily as a restaurant. The building is located in a mixed residential and commercial road. Most customers are aged over 25 years and many are local. There are fire hydrants positioned about the premises including the kitchen and also a fire blanket. These are tested regularly. The fire exits are clearly marked. The designated supervisor has had training in fire drill.

d) The prevention of public nuisance

The premises are in a fixed residential and commercial location. Access is by car and public transport. Customers will be requested to leave quietly.

Drunkenness on the premises is not tolerated and any such person would be asked to leave immediately.

The premises are run on a day to day basis by the owner of the business who is to be the designated supervisor.

Music is played as background music. Management are aware of noise control and this would not exceed what is currently permitted. Customers who smoke will be directed to the garden area and will be asked not to stand at the front of the property.

It is proposed that a wind down period of 30 minutes be allowed to stagger leaving the premises.

e) The protection of children from harm

Any children on the premises must be in the company of adults. They are not permitted at the bar area. There is no adult material on the premises which the children would come in contact with and there are no events aimed at children.
The premises are run by experienced staff who will refuse alcohol to anyone under age and Photographic ID is required if in doubt.

Checklist:

Please tick to indicate agreement

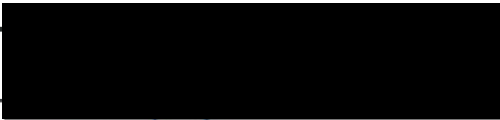
- I have made or enclosed payment of the fee.
- I have enclosed the plan of the premises.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable.
- I understand that I must now advertise my application.
- I understand that if I do not comply with the above requirements my application will be rejected.
- [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

Part 4 – Signatures (please read guidance note 11)

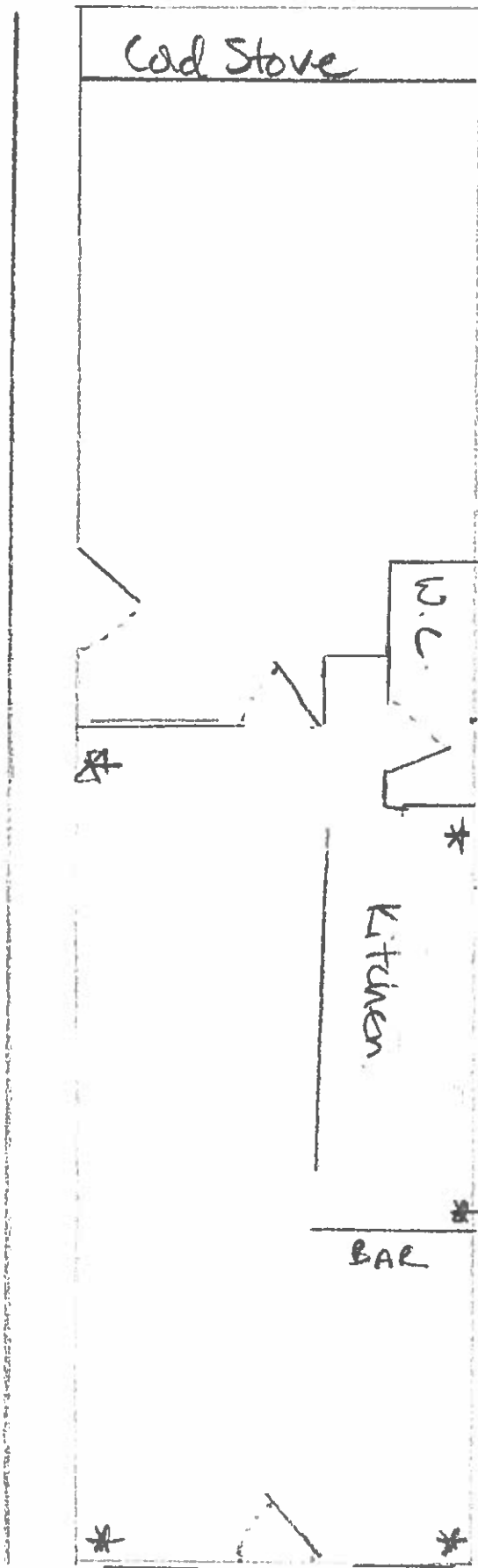
Signature of applicant or applicant’s solicitor or other duly authorised agent (see guidance note 12). **If signing on behalf of the applicant, please state in what capacity.**

Declaration	<ul style="list-style-type: none"> • [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15). • The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)
Signature	
Date	16/6/17
Capacity	Applicant

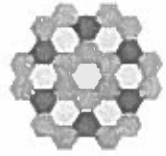
For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	Solicitor

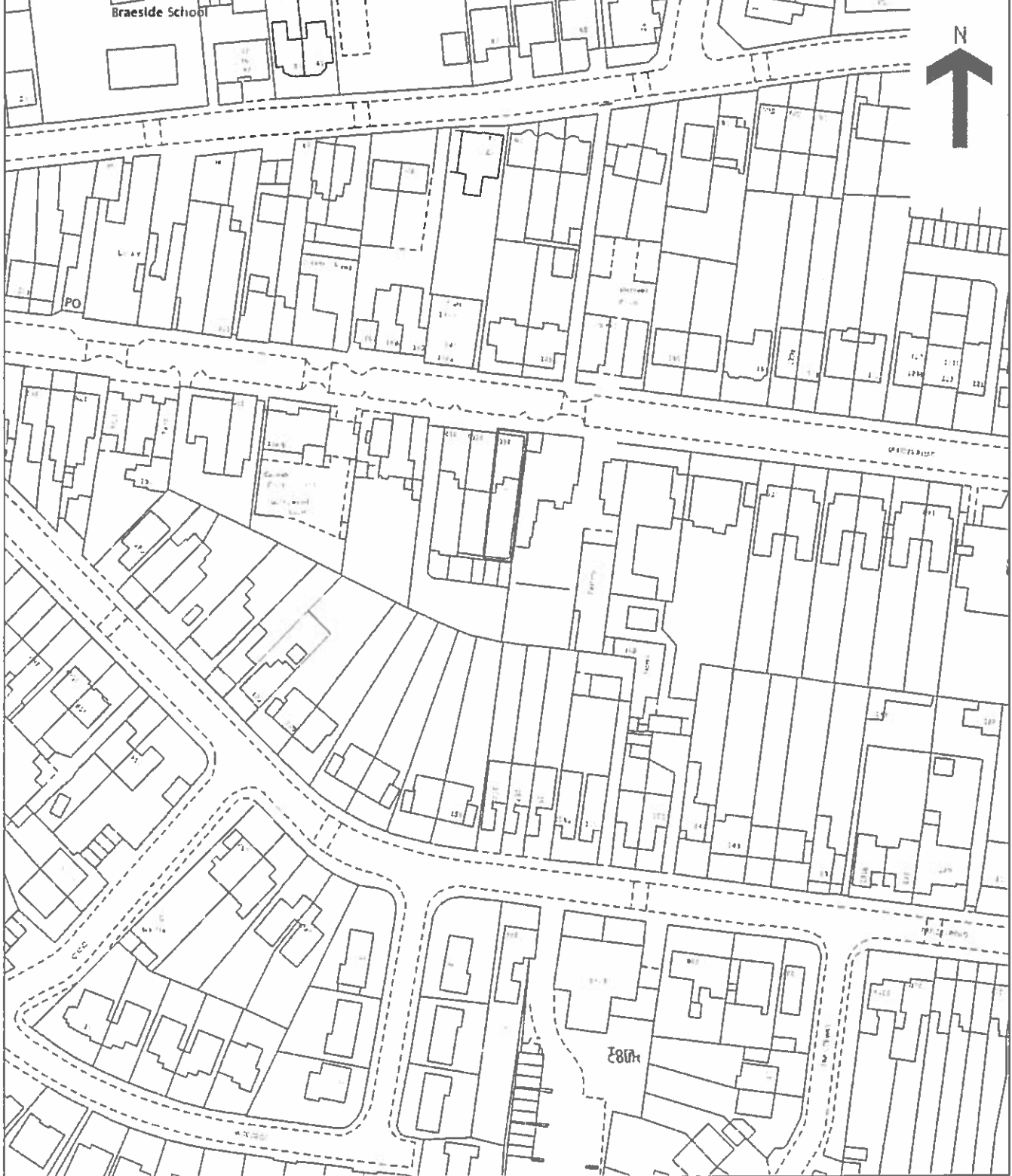
Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 14)			
DIAMONDS SOLICITORS			
3 Queens Mews			
Queens Road			
Buckhurst Hill			
Essex			
		Postcode	IG9 5AZ
Telephone number (if any)	020 8559 0778		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
jane@diamondssolicitors.com			



* Five hydrants.



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Epping Forest District Council

Consent of individual to being specified as premises supervisor

IANDREEA MICHELA MOSTEANU.....(insert name of prospective premises supervisor)

Of Woodland Way Woodford Green 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 ... Andreea Michela Mosteanu (name of applicant)

relating to premises licence [redacted] number of existing licence if any)

for 160 Queens Road Buckhurst Hill Essex IG9 5BD..... (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. LBH - PER - T - 0516.

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

Personal licence issuing authority ... London Borough of Hackney [redacted] (insert name, address and telephone number of issuing authority, if any)

Signed..... [redacted]

Print Name..... Andreea Michela Mosteanu

Dated..... 21.06.2017



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Subject: FW: Il Bacio Caves, 160 Queens Road, Buckhurst Hill - Premises Licence Application

From: Peter Jones 42007706 [mailto:Peter.Jones@essex.pnn.police.uk]

Sent: 07 July 2017 12:08

To: Jane@diamondssolicitors.com

Cc: Licensing

Subject: RE: Il Bacio Caves, 160 Queens Road, Buckhurst Hill - Premises Licence Application

Good Afternoon,

Following discussions with the Licensing Authority, it has been brought to my attention the current status of the premises, and the licence I believed was already in force, actually no longer being so. With that in mind, and giving this application full impartial assessment, I would like to re address my position.

As such, the list of conditions below would be the recommendation of Essex Police; and those of previous correspondence be ignored.

Prevention of Crime & Disorder

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
 - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
 - ii. CCTV cameras shall cover {all public areas including all entrances and exits};
 - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
 - iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
 - v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
 - vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failings these are to be recorded immediately.
2. The premises must operate as a restaurant:
 - i. In which customers must be seated at a table;
 - ii. Which provides substantial table meals that are prepared on the premises and are served and consumed at the table;
 - iii. Where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Prevention of Public Nuisance

3. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
4. Smoking is permitted within the designated smoking area provided for patrons located to the rear of the premises.
5. The external areas of the premises to be closed to customers from 21:00hrs daily save for up to 5 smokers using the designated smoking area.
6. No food or drink to be consumed in the rear garden after 21:00hrs

The Protection of Children From Harm

7. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
 - Passport;
 - European Union photocard driving licence;
 - Ministry of Defence Identity Card;
 - Proof of age card bearing the PASS Hologram;
 - National identity card issued by a member of the European Economic Area or Switzerland; or
 - Biometric immigration document.
8. The premises shall clearly display signs at the point of sale and in areas where alcohol is displayed advising customers that a Challenge 25 policy is in force.
9. A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.

Should your client be happy to agree this revision, please advise by return email, and copy in the Licensing Authority at licensing@eppingforestdc.gov.uk

Kind Regards,

Peter Jones MIOL, ABII (7706)

Epping & Brentwood Licensing Officer
Epping Forest & Brentwood Local Policing Hub
West LPA
Tel. 101 (Ext. 313604) or 01279 625405
<http://www.essex.police.uk>
Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

To find out what is happening in your neighbourhood and all about your local neighbourhood policing team visit www.essex.police.uk/yourarea and enter your postcode.



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Joanne Owen

From: Peter Jones 42007706 <Peter.Jones@essex.pnn.police.uk>
Sent: 07 July 2017 12:26
To: Jane Maton
Cc: Licensing
Subject: RE: Il Bacio Caves, 160 Queens Road, Buckhurst Hill - Premises Licence Application

Thank you for the quick response.

In respect of CCTV it is a recommendation, and as such is a decision of Ms Mosteanu. As such at this stage if she wishes not to condition the use, then I wouldn't have objection, but should there be an incident where CCTV would have been useful as part of an investigation, then I would re-address it.

As for the timings of the outside areas I am happy to amend these to 2230.

Kind regards,

Peter

From: Jane Maton [mailto:Jane@diamondssolicitors.com]
Sent: 07 July 2017 12:19
To: Peter Jones 42007706
Subject: RE: Il Bacio Caves, 160 Queens Road, Buckhurst Hill - Premises Licence Application

Dear Mr Jones,

Yes, the old license has lapsed and so Ms Mostanu has made an application for new license in her sole name.

In response to the points you have made she would respond as follow:-

1. While she can comply with this request she feels that the request is unnecessary as it is envisaged that the premises will be used by local families. She would also state that Il Bacio at 182 Queens Road does not have CCTV
2. Agreed
3. Agreed
4. Agreed
5. This is unreasonable, if during the summer diners are outside it will result in them having to be moved inside after 2100. She is happy to agree to this if it was 10.30
6. This is unreasonable, the garden space is a feature of the restaurant. During the summer diners want to sit outside . She is happy to agree to this if it was 10.30 She would also point out that other restaurants further down Queens Road have bi fold doors which open to the street and are therefore effectively outside.
7. Agreed
8. Agreed
9. Agreed

We trust this can be agreed and await hearing from you.

Regards

Jane Maton
Diamonds

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



Licensing Department
Loughton Police Station
158 High Road
Loughton
IG10 4BE
Tel: 01279 625 405
Email: 7706@essex.pnn.police.uk

11 July 2017

Dear Mrs Tuckey,

LICENSING ACT 2003 – GRANT OF PREMISES LICENCE SECTION 17

NEW PREMISE: Il Bacio Caves, 160 Queens Road, Buckhurst Hill

DPS: Andreea Mosteanu

APPLICANT: Andreea Michela Mosteanu via Viamond Solicitors

Further to the application for a Premises Licence received on 23 June 2017. I can now confirm that all my checks have been carried out and have been in consultation with the applicant to agree conditions. I can confirm that Essex Police will not be making any representations or objections to this application in respect of the licensing objectives subject to the agreed conditions below being inserted on the Premises Licence if granted.

Prevention of Crime & Disorder

1. The premises must operate as a restaurant:
 - i. In which customers must be seated at a table;
 - ii. Which provides substantial table meals that are prepared on the premises and are served and consumed at the table;
 - iii. Where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.

Prevention of Public Nuisance

2. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
3. Smoking is permitted within the designated smoking area provided for patrons located to the rear of the premises.
4. The external areas of the premises to be closed to customers from 22:30hrs daily save for up to 5 smokers using the designated smoking area.
5. No food or drink to be consumed in the rear garden after 22:30hrs

In an emergency always dial **999**. For non emergencies dial **101**.

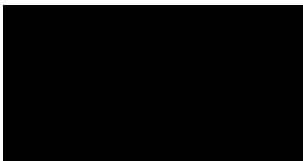
www.essex.police.co.uk

The Protection of Children from Harm

6. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
- Passport;
 - European Union photocard driving licence;
 - Ministry of Defence Identity Card;
 - Proof of age card bearing the PASS Hologram;
 - National identity card issued by a member of the European Economic Area or Switzerland; or
 - Biometric immigration document.
7. The premises shall clearly display signs at the point of sale and in areas where alcohol is displayed advising customers that a Challenge 25 policy is in force.
8. A refusals record shall be maintained at the premises which details all refusals to sell alcohol. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries must be made within 4 hours of the refusal and the record must be made immediately available to police or licensing authority staff upon reasonable request.

I trust the aforementioned will assist and look forward to receiving a copy of the Licence, if granted.

Yours sincerely,



Mr Peter Jones MIOL, ABII
Epping & Brentwood Licensing Officer
West LPA

Cc. **Diamond Solicitors (via email jane@diamondssolicitors.com)**

Date: 26 June 2017

Ms Michela Mosteanu
Woodland Way
Woodford Green
Essex
IG8 0QQ

Civic Offices
High Street
Epping
Essex
CM16 4BZ

Our Ref: WK/201722205
Your Ref:

Dear Ms Mosteanu

Licensing Act 2003
Il Bacio Caves, 160 Queens Road, Buckhurst Hill, Essex, IG9 5BD

On behalf of the Council's Neighbourhoods, I confirm receipt of a copy of your application dated 16 June 2017 that I received on 26th June 2017 regarding the above mentioned property, in relation to the Licensing objective the Prevention of Public nuisance.

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

The current premises licence, which you previously held, had a number of conditions attached to it. I am of the opinion that some of these should remain, so as to prevent a public nuisance. Some of these conditions have also been amended, and new conditions suggested.

Deliveries and waste collections:

- All deliveries and rubbish collections should occur between the following times:
07.00-18.30hrs Monday – Friday
08.00-13.00hrs Saturday
No deliveries or waste collections on Sunday or Public Holidays.

Reason: In order to prevent a public nuisance from deliveries and collections from the property.

Noise and disturbance from use of the front of the premises.

- No drinks or food are to be consumed outside at the front of the premises.
- There should be no smoking within the curtilage of the front of the premises.

- The front doors and windows should be closed after 21.00 hrs, save for the entrance/egress of customers and staff.
- The front doors and windows should remain closed whenever regulated entertainment is occurring.
- Any background music should not be audible at the boundary of nearby noise sensitive premises.

Reasons: In order to prevent a public nuisance to residents of Queens Road from unreasonable noise from customers and music.

Noise and disturbance from use of the rear of the premises.

As there are now residential properties to the rear of the property, I believe that these conditions regarding the following conditions to control the activity in the rear garden are necessary to ensure that the use of this area does not cause a public nuisance.

There is no designated smoking area to the rear of the property marked on the plan. It may be beneficial to create one, to ensure that customers who are within the premises have a suitable area, which will minimise the disturbance to the properties to the rear.

- Smoking is only permitted within the designated smoking area provided for Patrons located to the rear of the premises.
- No food or drink to be served in the rear garden after 21:30hrs
- The external area to the rear of the premises to be closed to customers from 22:00hrs daily save for up to 5 smokers using the designated smoking area.
- The rear doors and windows should be closed after 22.00 hrs, save for the entrance/egress of customers and staff.
- The DPS or representative shall carry out regular inspections of the rear garden between 21:00hrs and when the premises closes, when customers are present in the area.
- All rear doors and windows are to be closed at all times regulated entertainment is taking place, save for access/egress.
- No music shall be played into the rear garden.
- The member of staff shall ensure that any patrons eating, drinking and/or smoking outside the premises do so in an orderly manner and do not cause a public nuisance.

Reasons: In order to prevent a public nuisance to residents of adjacent properties from unreasonable noise from customers and music.

If you would like to discuss the matter or have any written comments, please do not hesitate to contact me.

I should be happy to withdraw the representations if the operating schedule is amended accordingly or if you agree to a suitable conditions being imposed as part of the licence, or if you provide sufficient evidence to confirm that the representation can be withdrawn.

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

Yours faithfully



Mike Richardson
Environment & Neighbourhoods Officer
Tel No: (01992) 564422
Email: mrichardson@eppingforestdc.gov.uk
c.c. Licensing Section

Joanne Owen

From: Sue Parker, Business Support Administrator <Sue.Parker2@essex.gov.uk> on behalf of Licence Applications CYP <LicenceApplications@essex.gov.uk>
Sent: 06 July 2017 11:02
To: jane@diamondssolicitors.com
Cc: licensing.applications@essex.pnn.police.uk; Licensing
Subject: 06-2017/16 II Bacio Caves License Application
Attachments: Licensed business premises CSE I Didn't Know leaflet.pdf

RE: Licensing Act 2003:- II Bacio Caves

The licensing application received on 23/06/2017 has been assessed and we can confirm we have no objections in relation to the child protection / safeguarding element of this licence application, but would recommend that "Challenge 25" is advertised.

As a license holder it is important for you to be aware and cited on risks to children from sexual exploitation (CSE). The I Didn't Know leaflet for license holders and licensed business owners is attached to provide you with further information and recommendations to ensure children are appropriately safeguarded. For further information about CSE please visit <http://www.escb.co.uk/en-gb/safeguardingtopics/childsexualexploitation.aspx>

Local Authority Designated Officer (LADO)
FAO: Licensing
Quality Assurance & Safeguarding Service
Family Operations
70 Duke Street
Chelmsford
Essex CM1 1JP
Tel: 0333 013 9797 Email: LicenceApplications@essex.gov.uk

Regards

Sent on behalf of Rebecca Scott, LADO

Sue Parker
Business Support Administrator -- BC3 - Mid
Business Operations

Essex County Council
Email: businesscentre3@essex.gov.uk | www.essex.gov.uk

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Essex County Fire & Rescue Service



Mr Adam Eckley, MBA, M.I.Fire.E
Acting Chief Fire Officer and Acting Chief Executive

Mrs Joanne Owen
Licensing Compliance Officer
Safety & Licensing
District Planning Officer,
Epping Forest District Council,
Civic Offices, High Street,
EPPING,
Essex. CM16 4BZ

WEST AREA COMMAND
Harlow Service Delivery Point
Fourth Avenue
HARLOW
CM20 1DU
☎ 01376 576800
✉ westareacommand@essex-fire.gov.uk

Date: 28th June 2017
Our Ref: CAS-601870
Your Ref:
Enquiries to: Geoff Marler
Fire Safety Officer

Dear Madam,

LICENSING ACT 2003

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

Premises: Il Bacio Caves, 160 Queens Road, Buckhurst Hill, 1G9 5BD

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

[Redacted Signature]
pp Geoff Marler
Fire Safety Officer

Joanne Owen

Subject: FW: New Presmises Application - Il Bacio Caves 160 Queens Road Buckhurst Hill

From: Gavin Chambers [mailto: [REDACTED]]
Sent: 24 June 2017 13:16
To: Joanne Owen
Subject: Re: New Presmises Application - Il Bacio Caves 160 Queens Road Buckhurst Hill

Dear Joanne,

I do not agree with the pub being open on Christmas Eve and New Year's Eve till 12.30pm. This is a residential area. We have houses opposite and that's not fair on the children and families that live opposite. 11pm is to late in my opinion but can cope with that time.

There should be no granting of a license for alcohol past 11pm on any day of the year in my opinion especially Christmas Eve.

I also do not want live band/ music at anytime which would be very unfair to the people who live in and around that area. Please advise me of the outcome of this.

These are my objections.

Regards

Cllr Gavin Chambers

Joanne Owen

From: Shelley Routledge [REDACTED]
Sent: 28 June 2017 19:05
To: Licensing
Subject: Licensing application 160 Queens Rd Buckhurst Hill IG9 5BD

Dear Sirs and Madams

I own flat [REDACTED] Mirravale Court, [REDACTED] Queens Rd, Buckhurst Hill, [REDACTED]

I respectfully recommend you **DECLINE** the said application for Licensing for 12 hours per day, 7 days a week.

1. Prevention of crime and disorder.

These hours are tantamount to Public House hours of business plus streamed music.

We are all aware of the prevalence of crime and disorder associated with establishments selling liquor/alcohol. (See final paragraph below.) The car parking nuisance which will be added to an already under facility of parking places.

Mirravale Court already suffers from rogue parking from the gym every day.

2. Public Safety will be at risk from drunk driving and drunk pedestrians. There are a notable number of elderly persons and young children residing in the vicinity.

3. Public Nuisance should be prevented. The granting of a License will increase the neighbourhood noise to an unacceptable level. It cannot be right for neighbours to have to keep their windows fully closed to prevent the sound of music, noisy patrons, regular delivery vehicles. Nor can it be right to have to tolerate urinating patrons in the sideways of Queens Rd. Make no mistake this occurs already and we do not want it encouraged.

4. We want to protect our children from the harmful associations surrounding all day drinking premises. We do not want to encourage under-age drinking, nor the speak easy life style bars are associated with.

Several gun crime shootings have taken place within the District where generous Licensing has been granted. We want to protect our families from these occurrences in Queens Rd which is primarily a residential area.

PLEASE ACKNOWLEDGE RECEIPT OF THIS EMAIL.

Yours faithfully

Shelley Routledge
[REDACTED]

G. Broach
[redacted] Boydene Court.
[redacted] Queens Rd
Buckhurst Hill

Dear Sir

I am objecting to the
proposed application for
"11 Bacig Gates, 160 Queen Rd.
Buckhurst Hill. on the grounds

- ① The prevention of crime & disorder
- ② The prevention of public nuisance

Because this end of Buckhurst
Hill is mainly residential

Your faithfully,
[redacted]

Rec HT/17

Joanne Owen

From: Linda Byrne <[REDACTED]>
Sent: 04 July 2017 16:58
To: Licensing
Subject: Il Bacio Caves, 160 Queens Rd, Buckhurst Hill

We refer to your letter regarding the new application for a premises licence for Il Bacio Caves. 160 Queens Road, Buckhurst Hill.

We object to the application on the following grounds:

2. Prevention of public nuisance.

Parking

Parking in the street is already a problem, with patrons of the nearby gym parking illegally in the private car park at Mirravale Court on an almost daily basis.

The addition of an all day bar with live and recorded music will only make an already difficult parking situation much worse.

Smoking

Even if the venue has a designated smoking area out the back, patrons are still likely to use the footpath area in Queens Road to congregate and smoke. Any smoking outside, back or front, will affect surrounding residences and passers by with passive smoking.

The proposed bar is surrounded by residential houses and apartments, both in Queens Road and behind in Princes Road. Music noise Allowing music all day until 11 pm at night will cause a noise nuisance and detrimentally affect residents.

Please acknowledge receipt of this email submission.

Linda and Brendan Paul Byrne

Owners, [REDACTED] Mirravale Court, [REDACTED] Queens Road, [REDACTED]

Sent from my iPhone

Joanne Owen

From: Jack Blair [REDACTED]
Sent: 07 July 2017 16:15
To: Joanne Owen
Subject: Re: 160 Queens Road - Premises Licence Application.

>
> Dear EFDC,
>
> I would like to register my comments for the above address application that I have received a letter concerning revised opening hours with addition of live and recorded music.
>
> Firstly the opening hours shown will cause me unbearable noise, with the addition of using the garden with music playing 7 days a week drunk patrons are not quite. My driveway is constantly blocked, people park illegally on pavements, double yellow lines and across my front door. Furthermore drunk patrons use this place as where to hail a taxi causing noise and also to urinate. Having to tolerate this 7 days a week until 23.00 is unacceptable.
>
> Kind Regards
>
> Jack Blair
> [REDACTED] Queens Road

████ Prince's Road,
Buckhurst Hill,
Essex, █████

11 July 2017

Dear Licensing Team,

Il Bacio Caves. Your ref. WK201721988

In response to your consultation notice dated 23 June 2017 we wish to object to the application for a new premises licence at Il Bacio Caves at no. 160 Queen's Road, Buckhurst Hill.

We have objected in the past (1.10.14 and 30.11.15) to licence applications at this address. In brief this was because we were of the opinion that yet another establishment serving alcohol until late in the evening would add significantly to existing high levels of noise and general nuisance. Our reasons for objecting to the new licence application remain generally the same.

We notice that the hours that are being sought would extend into the late evening – a time when local residents (some with young families) are entitled to expect peace and quiet. In addition the new application refers to the playing of live and recorded music. This would be highly inappropriate in this location which, despite the presence of a number of commercial enterprises, is essentially a residential area. It should be possible to serve food and drink in a restrained and quiet manner which does not impinge on the peace and quiet of neighbouring premises, but unfortunately this seems to be beyond the powers of many local restaurant owners. We have no confidence that this new enterprise would be any better.

Realistically we recognize that the Licensing Sub-Committee is unlikely to decide upon a total refusal of the application. We therefore suggest that strict conditions should be applied to prevent or at least minimize public nuisance, viz.

- Sale of food or alcohol should not be permitted to extend as late as 2300 hours.
- Sale and consumption of food or alcohol should not be permitted at any time outside the premises, either at the front or at the rear.
- The request to permit the playing of live or recorded music should be rejected. If this is seen as too harsh it should only be permitted when all doors and windows are firmly closed; and amplification of live music should not be permitted.
- If there is a designated smoking area outside the premises, this should be strictly regulated.
- The applicant should be required to demonstrate that he or she has a clear and practical plan in place to ensure that no public nuisance arises from their premises.

Yours faithfully,

████████████████████
ALAN TRAYHERN

████████████████████
ROWENNA TRAYHERN

To:

The Licensing Team,
Epping Forest District Council,
Civic Offices,
High Street,
Epping,
Essex CM16 4BZ

Joanne Owen

From: [REDACTED]
Sent: 12 July 2017 12:22
To: Licensing
Subject: Il Bacio Caves 160 Queens Road IG9 5BD

I object to the licence application on the basis of prevention of public nuisance.

I live at [REDACTED] Queens Road and my daughter resides at [REDACTED]. As this area is still predominantly residential I believe it is unacceptable to have live music or recorded music at any time of the day or evening as it would cause a great deal of disturbance for residents living in the locality.

Regards

John Burton

Sent from my iPhone

Epping Forest District Council
Licensing Unit Civic Offices
High Street
EPPING CM16 4BZ

13th July 2017

Dear Sirs

RE: Il Bacio Caves, 160 Queens Road IG9 5BD

We wish to object to the licence application for the sale of alcohol & live & recorded music at this premises 7 days weekly 11.00 – 23.00

We and many other residents are very concerned about the implications of a licence to trade on this basis at an address in the middle of a predominantly residential street.

The applicant previously operated Il Bacio Caves with shorter opening hours than those requested.

We object to a new licence on the basis of:

A genuine concern about possible disorder in a primarily residential street

The well documented problems related to the consumption of alcohol in the area

Noise from music late in to the evening

The applicant Ms. Andreea Michela Mosteanu is also involved the running and management at Restaurant Il Bacio at 182 Queens Road, some 100m away. The residents closer that premises have had to complain on many occasions about late night noise from noisy customers both inside and outside the restaurant, effectively on the street. In summer months it is very intrusive. We understand that the owner Luigi Funedda - Ms Mosteanu's partner – has not been as helpful or understanding as they would have liked when the issues were raised.

We are not anti-business per se and would not object to the continuation of the deli/café business as it was before, with the restricted opening hours, no loud music etc., as this did not present any noticeable issues for residents in the immediate vicinity.

We ask you to take into account these very legitimate concerns of Queens Road residents who are by far in the majority in the street. Thank you.

Yours faithfully

GD & JA Ash

Queens Road
Buckhurst Hill

Suzanne and Jeff Fowler

██████ Queens Road

Buckhurst Hill, Essex ██████

17 July 2017

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

Dear Licensing Team,

We are writing to voice our objection to the licence application received 23rd June 2017 by Andreea Michela Mosteanu regards Premises Il Bacio Caves, 160 Queens Road, Buckhurst Hill, IG9 5BD. We object on the grounds of the prevention of a public nuisance. We also believe that the granting of this licence could potentially lead to "crime and disorder".

The premises is located in a primarily residential area. Based on experience, we believe that it is extremely likely that if this licence is granted, it will result in late night noise, potentially from the "live and recorded" music, but also from customers leaving the premises late at night.

As neighbours, we already suffer from an element of loud voices, car doors banging, etc. from customers leaving existing restaurants in the area. A business with the primary purpose of selling alcohol and providing musical entertainment could only make this much worse. There is the added risk of damage to local property and/or fights breaking out, as has happened recently on occasion in Queens Road and other local neighbourhoods

Yours faithfully,

████████████████████
Jeff and Suzanne Fowler
(sent via email)

Joanne Owen

From: Marshall Polishing [REDACTED]
Sent: 17 July 2017 14:07 [REDACTED]
To: Licensing
Subject: OBJECTION II Bacio Caves 160 Queens Road IG9 5BD - deadline 18/7/17

Importance: High

Epping Forest District Council
Licensing Unit Civic Offices
High Street
EPPING CM16 4BZ

17th July 2017

Dear Sirs,

RE: II Bacio Caves, 160 Queens Road IG9 5BD

We wish to object to the licence application for the sale of alcohol & live & recorded music at this premises 7 days weekly 11.00 – 23.00

We along with other residents are very concerned about the implications of a licence to trade on this basis at an address in the middle of a predominantly residential road.

We object to a new licence on the basis of:

1. Noise from music late into the evening.
2. Noise from customers 7 days a week 11am to 11pm! Including another hour to 12 midnight for guests to leave causing disturbance to residents late at night.
3. Customers standing outside, or worse tables and serving outside.
4. Extra parking of cars in the vicinity and the noise when they leave late at night – talking and shouting, banging of car doors/horns etc.
5. A genuine concern about possible disorder in a primarily residential street.
6. The well documented problems related to the consumption of alcohol in the area.
7. The applicant Ms Mosteanu is also involved in the running and management at Restaurant II Bacio at 182 Queens Road, some 100m away. The residents nearby have had to complain on many occasions about late night noise from noisy customers both inside and outside the restaurant, effectively on the street. In summer months it is very intrusive. We understand that the owner Luigi Funedda - Ms Mosteanu's partner – has not been as helpful or understanding as they would have liked when the issues were raised.
8. We are not anti-business and would not object to the continuation of the deli/café business as it was before, with the restricted opening hours, no loud music etc.

We ask you to take into account these very legitimate concerns of Queens Road residents who are the majority in the street and should have priority consideration.

Thank you

Yours faithfully

Mr & Mrs Marshall
[REDACTED] Queens Road
Buckhurst Hill
Essex
[REDACTED]

18th July 2017

The Licensing team,
Epping Forest District Council
Civic Offices,
High Street, Epping,
Essex, CM16 4BZ

REF: WK201721988 – License application for 160 Queens road, Buckhurst Hill,
Essex, IG9 5BD

Dear Licensing team,

I live with my wife and young daughter at [REDACTED] Queens Road, directly opposite the premises in question. I would like to record our strong objection to the proposed changes to the licensing agreement. Given limited staff and facilities the proposed extension of hours and request for live and recorded music will be essentially turning this restaurant into a bar in the evening hours especially in light of the limited staff and kitchen facilities.

This premises is set in a residential area and is bordered on all sides except one by residential properties. As residents we have a right to the quiet enjoyment of our properties and it is clear that this would be seriously disrupted by the extended hours and music license.

We are currently affected late at night by drunken customers spilling out on to the street from adjoining restaurants. Smokers from these restaurants also huddle in empty corners late at night along the road. These problems would unquestionably be exacerbated if the hours for Il Bacio were extended. We and other neighbors have previously made a number of complaints about people being served after hours and congregating outside under the previous application, but these complaints have been ignored. The front windows of our home look out directly on to number 160 and are separated by less than 10m distance from that building. The prospect of our child being disturbed by noise, looking out at these scenes late into the night and being stared back at by loitering smokers is extremely worrying.

It should be also noted that there is an alleyway next to our house and directly across from 160 Queens Road which is likely to attract smokers and drunken bar customers to urinate. Our garden door exits directly onto this alleyway and we often hear the people passing through. Queens Rd itself is very narrow and every day there are instances of fast/ aggressive driving and illegal parking along it. Our driveway, for instance, has been blocked several times by cars parked on the double yellow lines at night. The risk of collision with inattentive pedestrians is high here and allowing people to drink longer would increase the risks.

The area is still for the most part a peaceful and happy one, with good relationships between residents and the small businesses further up the road. A late night drinking establishment would change the character of the neighborhood for the worse and gradually open the door to late night drinking

all along the road in the future. I would ask you please to recommend to the planning board that the application be refused. The reasons are as follows:

PUBLIC DISORDER AND ILLEGAL BEHAVIOUR. The basis for this opposition is that granting a licence for these premises will not promote the licensing objectives, particularly the prevention of crime, disorder and antisocial behaviour. Invariably these become more prevalent if the hours are extended and music is allowed which will be akin to having a bar. We fear that a long and stressful period of documenting and reporting antisocial incidents will follow. There is also the risk of damage to local residents' property (accidentally or intentionally) by inebriated customers. Noise levels would increase and become a nuisance. As stated before, Queens Road, like many other local roads, is narrow. The houses and therefore the bedrooms are close to the road. Even with the present limited licensing laws we are often disturbed by noisy passers-by at night. These are not necessarily the younger element but often customers who have left the local restaurants (namely Catch and the other Il Bacio location), and like many do not realise that the volume of their conversation increases in relation to their alcohol intake. To date we have not been making a lot of complaints to the council as we try to be understanding and tolerant of the businesses in the area, but will have to become less understanding as more businesses of this type move into the already busy area. It should be noted that a number of our complaints to the council have not been responded to which suggests that the council is already too busy to deal with the level of licensed activity in the area.

HEALTH AND SAFETY. There will be a road traffic accident risk from drunk customers spilling out from Il Bacio late at night into the narrow, busy street. Illegal parking carries a risk for access for residents and emergency services. In summary, we are all responsible for protecting our living and working environment. Residents have the right to the peaceful enjoyment of our properties without stress and nuisance from drinking establishments. The introduction of a bar at this point on Queens Rd would be to the severe detriment of the wellbeing of local children and the tranquility and character of the local area.

Please note that we have objected to the establishment of the bar at 158 Queens road on the same grounds, which has been denied due to the close proximity of residential properties and limited abilities of the owners to control the noise of the people leave the premises. It's hard to conceive a reason why this application should be successful given that it is likely to cause similar issues. Unfortunately, paying for a lawyer less than a year later is a bit costly, but we sincerely hope that the licensing team would consider our previous objection and council's objection as a precedent.

THE PROTECTION OF CHILDREN FROM HARM

We have a two year old child, whose bedroom looks over the street towards Bacio. The distance from our property to the front of Bacio is approximately 10m. A smoking area there poses a significant risk of smoke and sound pollution

to us. We therefore perceive the use of a smoking area in front of the building to be a severe threat to the health and wellbeing of our baby daughter.

It should also be noted that the Queens nursery is located nearby and parents pass by Il Bacio Caves picking up and dropping their children off multiple times a day. Given the narrow size of the sidewalk it is inevitable that children will be exposed to second hand smoke if this license restriction is removed. This would cause direct harm to children in Buckhurst Hill.

Thank you for considering our objection.

David and Yana Wilson of [REDACTED] Queens road

The Licensing Team
Epping Forest District Council
Civic Offices
High Street
Epping
Essex
CM16 4BZ
Email:licensing@eppingforestdc.gov.uk

██████████ Queens Road
Buckhurst Hill
Essex
IG9 5BH
Tel: ██████████
Email: ██████████

18th July 2017

Your Ref: WK201721988

Dear Sir/Madam,

We are writing to express our concerns regarding the proposed application for a license for The Sale of Alcohol and Live and Recorded music Mon to Sun 11:00-23:00 at Il Bacio Caves 160 Queens Road, Buckhurst Hill IG9 5BD opposite our home, as we do not think this is a suitable location for a late night bar/drinking establishment with music.

This is virtually a repeat application that was put forward in 2014 which was subsequently rejected due to the negative impact that it would have on the area and local residents.

Queens Road is mainly residential along with some shops and a few restaurants. Allowing a bar to open would cause an increase in noise and late night disturbance which would be detrimental to the local area.

Previous instances where bars have been granted licenses locally, in less residential locations than Queens Road, and the noise, disturbance and trouble that they inevitably caused eventually forced the establishments to close down. Certainly the last time a bar was allowed to open in Queens Road and the aggravation that it attracted meant that it had to be shut down too.

You only have to read the local newspapers to see the sort of trouble and violence the bars in Epping and Woodford attract and the effect it has on local residents.

Having young children, the last thing we need is anymore (on top of what certain local restaurants already create) late night noise as well as anti-social behaviour outside our house as dispersing drunken revellers scream, shout, swear, urinate and generally cause disturbance to local residents as they hang around waiting for cabs.

Therefore, we strongly oppose the granting of this license on our doorsteps.

Yours faithfully,

██
Mr & Mrs Green.

Joanne Owen

From: Caroline Maignen [REDACTED]
Sent: 18 July 2017 10:13
To: Licensing
Subject: Your ref. WK201721988 - Il Bacio Caves

Dear Sir/Madam

I have an interest in the above-mentioned licensing application because I am living at [REDACTED] Princes Road, Buckhurst Hill so my garden backs on to Il Bacio Caves garden.

I object to the application for a licence for alcohol and music 7 days a week until 23:00. This licence would not promote the licensing objectives, particularly the prevention of crime, disorder and anti-social behaviour.

The sale of alcohol 7 days a week until 23:00 in a residential area will encourage anti-social behaviour and noise very close to our garden. There is no time we could enjoy our garden without the possibility of noise disruption. It will also encourage crime and disorder in what is a garden area enjoyed by families.

Please could you take this into account in your decision and either refuse the application or reduce the time period and number of days.

Yours faithfully
Caroline Maignen
[REDACTED] Princes Road
Buckhurst Hill
[REDACTED]

Sent from my mini iPad

Joanne Owen

From: Arun Sahni [REDACTED]
Sent: 18 July 2017 23:04
To: Licensing
Subject: WK/201721988

Dear Mrs Tuckey,

I am writing to you to express my objection to the application of a license to Il Bacio, Queens Road. I wish to object for a number of reasons which are listed below.

The licensee has previously held a license at this address which had several restrictions which were not adhered to. This is clearly shown in your own records. There has been no trading at the current location for a number of months. This because the license was suspended after hiring people without leave to work and the presence of drug paraphernalia at another location. Is this a fit and proper person to hold a license again.

The location has previously held a license. The area has a number of licensees in what is an area of mixed residential and commercial. This location is in the middle of a predominately residential zone. Having a license until 2300 is unsuitable. Within a few metres is a boxing and pilates gym that is open from 0600. If a license is granted until 2300 this will only allow 7 hours of rest a night. Heathrow is more forgiving. Secondly the area does not have the resources to deal with such an increased demand. Previously I have had to deal with customers parking on my driveway. Owners do not assist in this matter by helping to locate the perpetrators. This is an example of how the area cannot support this kind of business.

Kind regards,

Arun Sahni
[REDACTED] Queens Road.
Buckhurst Hill.

Princes Road,
Buckhurst Hill,
Essex

18th July 2017

The Licensing Team
Epping Forest District Council
Civic Offices
High Street
Epping
Essex
CM16 4 BZ

Dear Sir,

Il Bacio Caves - 160 Queens Road, Buckhurst Hill

I refer to your letter dated 23rd June regarding the licensing application in respect of Il Bacio Caves and wish to object in the strongest terms possible to this.

My first objection stems from the potential increase in noise levels which are already at an intolerable level, particularly during summer months. As a resident, whose property backs onto Queens Road and who sleeps in the back bedroom the prospect of music, in particular live music, until 11pm seven days a week is totally unacceptable.

My second objection relates to the likely increase in the parking nuisance if this new application is granted. In the evenings, when there are no parking patrols, the clientele of the existing restaurants park their cars wherever they want including on the pavement to such an extent that there have been occasions when it has been impossible to walk along the pavement.

Yours faithfully

A large black rectangular redaction box covers the signature area, obscuring the name and any handwritten notes.

Kevin Lucas

Joanne Owen

From: David Thame <[REDACTED]>
Sent: 18 July 2017 10:32
To: Licensing
Subject: License application for Il Bacio Caves, 160 Queens Rd Buckhurst Hill

Your ref: WK201721988

We would like to make an objection to this application on the grounds of public nuisance. My rear garden backs on to the rear of the above premises and for live and recorded music to the proposed time in the evening seven days a week is totally unacceptable. We already suffer noise from Catch restaurant particularly in the summer when they have their front windows fully open, and the nearby gym again when their windows are open. The noise level will increase if the wine bar opens it's windows and/or uses the outside rear area. There is already insufficient parking spaces for vehicles in Queens Road and users of the wine bar would only add to this and make the situation much worse.

We value our privacy and like to sit in our garden in the evenings, the noise from the wine bar would be detrimental to our enjoyment and peace. We have our three grandchildren stay over night once or twice each week and the noise from the music will disturb their sleep.

This is largely a residential area and feel that there is far too much overdevelopment, there are already enough eating/drinking establishments in the top 100 yards of Queens Road and we don't need another. We feel, therefore, that you should reject this application.

Mr & Mrs D Thame
[REDACTED] Princes Road
Buckhurst Hill
[REDACTED]

Joanne Owen

From: alisonjayme [REDACTED]
Sent: 18 July 2017 18:11
To: Licensing
Subject: IL BACIO 160 QUEENS ROAD BUCKHURSTHILL IG9 5BD

Dear Mrs Tuckey,

It seems almost unfathomable that we are in the same position of having to fend off another Liquor licence application for Il Bacio only a couple of years since the last one!

I wish to object on the following grounds...

In December 2015 Il Bacio Caves (the applicant) applied for a liquor licence which was decided based on representations from them and local residents along with a long history of problems caused by the applicant in the two other restaurants they operate which resulted in the liquor licence being granted until 8pm as long as alcohol is served with a full table meal, with all customers having to vacate by 10pm and, the condition that they are not permitted to allow any congregation of customers at the front to eat, drink or smoke.

It is arguable that technically Il Bacio caves (Cicchetti) is by its very own admission is a restaurant serving small plates of food contrary to the liquor licence they were previously granted which states a full plated main course.

Evidentially looking at the history of the previous complaints it would be fair to residents to permit any extension of these hours when considering the very many issues that have occurred by the operator when they have been trading.

My objections are on the following grounds...

It should be understood the geographical location of this restaurant is directly opposite two houses less than 12 meters away (because Queens Road is so narrow), immediately behind two new homes less than 3 meters away and, next to dwellings above on both sides. In the past this site would never have been approved for A3 use.

NOISE NUISANCE - Given previous issues of noise nuisance it is clear the operator is less interested in a harmonious relationship with residents **but more interested in making money at the expense of the residents peace and quiet and, therefor opening later can only exasperate any noise nuisance issues.**

I am uncertain if this application seeks to use the front for smoking and drinking which was previously refused?

PUBLIC DISORDER - The idea that the operator wants to open later will only add to risk there will be public disorder.

SAFETY – Given the geographical layout of the Restaurant in relation to where it opens onto a very narrow pavement and, considering the speed the traffic flows down Queens ANY later use has further potential to cause serious safety issue with the increased likelihood of car on pedestrian accident.

ILLEGAL BEHAVIOUR - As yet there have been no issues in respect of known illegal behaviour but, the restaurant is serving hot food when they originally stated it would only be cold food and there is no

extraction, in addition the refuse is a problem as its left on the street, both of these issues can only get worse IF the site is open for longer.

LOOKING FORWARD - IF IL Bacio get the extension they are after what's stopping them applying to get later hours? What happens if they sell to a bar operator, residents showed up in great numbers to limit there hours a year ago, its clear the operator is not as busy as they wish to be which is why they want to extend there hours but, because its so small when they are busy its bound to have an adverse impact on the residents!

Please see all the complaints from the past years attached for your convenience.

Il Bacio Caves 160 *Queen Rd* [REDACTED] Buckhurst Hill from 7th December 2013 to 7th December 2015

Summary of complaints to EFDC - Environment & Neighbourhoods				
Alleged breaches of licence conditions, primarily related to the door being left open. This was witnessed. Appears to have been rectified after issue raised with DPS. No public nuisance witnessed. Concerns also raised regarding waste storage at the front of the property.				
Worksheet ref:	Date	Complainant ref:	Noise/ allegation	Action/comment (not complete history)
201548071	16/11/15	A	Alleged Il Bacio closed after 23.00 hrs on 13/11/15	Email complaint
201533452	3/8/15	Internal	Record of visits in August 2015 to check on front door open?	2 x door open, 3 x door closed. No significant impact.
201531635	21/7/15	A	Door is being left open and concerned re waste disposal from the property	Some discussion on enforcement of technical breaches vs breaches that have an actual impact in terms of licensing objectives. Issue raised with DPS. Door closed most of the time. Door witnessed open and shut. Mostly closed after intervention.
201530374	14/7/15	B	Enquiry re waste storage	
201532424	2/7/15	A	front door being propped open	Email complaint
201528011	29/6/15	C	Noise from garden	OOH complaint - Alleged party till 22.30hrs. Off now.
201531899	21/6/15	A	Waste being placed on adjacent land - sometimes in bags sometimes in bins.	Telephone call.
201512145	15/4/15	A	door is being left open and they are staying open later than their licence hours	Raised with DPS. Diary sheet not returned NFA.
201511716	14/4/15	A	As above to Licensing	As above
201505457	16/2/15	A	On valentines night stayed open past 11pm and the licensee is breaking his licence conditions	
201440382	16/11/14	A	Possible breaches of premises licence	
201440214	16/10/14	B	Construction noise at restaurant	