

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**.

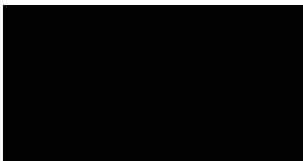
www.essex.police.co.uk

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@diamondsolicitors.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.

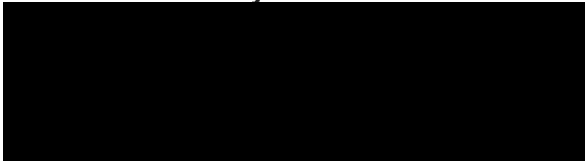
Reasons: In order to prevent a public nuisance to residents of adjacent properties from unreasonable noise from customers and music.

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 Il Bacio Caves License Application
Attachments: Licensed business premises CSE I Didn't Know leaflet.pdf

RE: Licensing Act 2003:- Il 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


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] Doyden 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

██████████ Queens Rd
Buckhurst Hill
Essex
████████████████████

6 July 2017

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

Dear Sirs
Re il Bacio Caves, 160 Queens Road

I refer to the above application and I would like to put forward my concerns in respect of the prevention of public nuisance.

Having lived opposite il Bacio 182 Queens Road since it opened my wife and I have experienced a lot of noise, especially when customers are drunk and leaving the premises.

Please consider carefully before you allow il Bacio Caves a Licence, as added to people noise we are going to have recorded music as well.

Thank you in advance.
Yours sincerely

████████████████████

Richard Bloor

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

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	