

Committee Agenda



Epping Forest District Council

Licensing Sub-Committee Tuesday, 7th July, 2020

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

**Virtual Meeting on Zoom
on Tuesday, 7th July, 2020
at 10.00 am .**

**Georgina Blakemore
Chief Executive**

**Democratic Services
Officer**

Democratic Services (Direct Line 01992 564243)
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors R Morgan (Chairman), A Lion, S Neville and M Sartin

PLEASE NOTE THE START TIME OF THE MEETING

PLEASE NOTE THAT THIS MEETING WILL BE RUN AS A VIRTUAL MEETING AND IS OPEN TO ALL MEMBERS TO ATTEND REMOTELY.

WEBCASTING/FILMING NOTICE (VIRTUAL MEETINGS)

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site - at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore by participating in this virtual meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes. If members of the public do not wish to have their image captured they should ensure that their video setting throughout the virtual meeting is turned off and set to audio only.

In the event that technical difficulties interrupt the virtual meeting that cannot be overcome, the Chairman may need to adjourn the meeting.

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564039.

1. WEBCASTING INTRODUCTION

Chairman’s Webcasting Introduction:

1. This virtual meeting is to be webcast. Members are reminded of the need to unmute before speaking.
2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

Please also be aware that if technical difficulties interrupt the meeting that cannot be overcome, I may need to adjourn the meeting.”

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

4. PROCEDURES FOR THE CONDUCT OF A VIRTUAL MEETING (Pages 5 - 6)

Please find attached the revised procedures for holding and attending a virtual meeting of the Licensing Sub-Committee.

5. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 7 - 12)

To note the adopted procedure for the conduct of business by the Sub-Committee.

6. LICENSING ACT 2003- APPLICATION FOR A PREMISES LICENCE FOR SMUDGE LTD, 26 REVIVAL COURT, HIGH ROAD, EPPING, ESSEX, CM16 4AE (Pages 13 - 52)

To consider the attached report.

7. 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.

This page is intentionally left blank

General Procedures for Virtual Licensing Hearings

The following procedural requirements shall be followed at all times:

- (a) The virtual meetings are to be webcast as appropriate.
- (b) They will be held on the Zoom application. All persons (officers, applicants and objectors) will have to join the virtual meeting.
- (c) There shall be no recommendation from officers on the agenda.
- (d) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:

Participants will join the meeting via the Zoom application using the link and passcode emailed to them.

All Licensing Sub-Committees are public meetings unless otherwise stated, and therefore, meetings will be webcast live to the internet.

It will be important in this virtual environment, for the conduct of the meeting, that all speakers go through the Chairman and wait to be called to speak. All participants should be muted unless asked to speak. If they wish to speak, they should raise a virtual (or physical) hand to attract the Chairman's attention.

Once all participants have joined the meeting virtually, the meeting shall begin and run as a normal Licensing Sub-Committee meeting as detailed below.

- (i) At the beginning of each meeting the Chairman will read out the webcasting introduction.
- (ii) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
- (iii) The Chairman will outline the procedure to be followed.
- (iv) The Lead Officer will outline the matter in hand.
- (v) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members and then by any objectors/persons making representations present.
- (vi) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members and then by the applicant/s or their representative.
- (vii) The objectors/persons making representations may make a final statement (without introducing new issues).
- (viii) Finally, the applicant has the right to make a final statement (without introducing new issues).

- (ix) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (x) Committee members shall restrict themselves to questions and not discussion or comment.
- (xi) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xii) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xiii) 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.

The Committee will go into private session by putting all the participants into a Zoom 'waiting room' where they can wait without being able to hear or see the discussion taking place in private by the Sub-Committee members. At the end of the Sub-Committee's discussions all the participants will be invited back to the main meeting and told the decision of the Sub-Committee.

If thought necessary, because the Sub-Committee's deliberations might take a long time, the Chairman can close the meeting for all participants and ask them to return later to a new Zoom meeting either later that day or the next day to receive the decision of the Sub-Committee.

Officers can create another Zoom meeting for either later that day or the next day in order for the decision to be heard. Once created all the participants will be emailed a new date/time and joining details.

- (xiv) 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.

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 sub-committee consisting of no more than any three Councillors drawn from the members of the full Committee shall be formed. Any such sub-committee shall include, by rota, one of the six Licensing Sub-Committee Chairmen appointed at each Annual Council meeting.
- (3) 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 sub-committees shall have full authority to hear and determine licensing applications.
- (5) The Committee and sub-committees shall be further empowered to determine appeals made against the decisions of the Service Director (Commercial and Regulatory Services) 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 Sub-Committees).
- (7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in 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 | Sub-Committee | Officers |
|---|-----------------------|-----------------------------------|------------------------------------|
| Application for personal licence | | If a police objection | If no objection made |
| Application for personal licence with unspent convictions | | All cases | |
| Application for premises licence/club premises certificate | | If a relevant representation made | If no relevant representation made |
| Application for provisional statement | | If a relevant representation made | If no relevant representation made |
| Application to vary premises licence/club premises certificate | | If a relevant representation made | If no relevant representation made |
| Application to vary designated premises supervisor | | If a police objection | All other cases |
| Request to be removed as designated premises supervisor | | | All cases |
| Application for transfer of premises licence | | If a police objection | All other cases |
| Applications for interim Authorities | | If a police objection | All other cases |
| Application to review premises licence/club premises certificate | | All cases | |
| Decision on whether a complaint is irrelevant frivolous vexatious etc | | | All cases |
| Decision to object when local authority is a consultee and not the relevant authority considering the application | | All cases | |
| Determination of a police objection to a temporary event notice | | All cases | |
| All policy matters except the formulation of the statement of licensing policy | All cases | | |

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 SUB-COMMITTEES

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: 7th July 2020

Subject: Licensing Act 2003- Application for a Premises Licence for Smudge Ltd, 26 Revival Court, High Road, Epping, Essex, CM16 4AE



**Epping Forest
District Council**

Responsible Officer: Debbie Houghton, Licensing Officer 01992 564336

Democratic Services Officer: Adrian Hendry, 01992 564246

Decisions Required:

To consider an application for a Premises Licence under the Licensing Act 2003

Report:

Application

1. An application has been made by Smudge Ltd, 2nd Floor, Gadd House, Arcadia Avenue, London, Barnet, N3 2JU, for a new premises licence at 26 Revival Court, High Road, Epping, Essex, CM16 4AE.
2. The application is for the following licensing activities,
 - **The Sale by Retail of Alcohol on the Premises only**
Monday to Sunday 12.00 – 23.30pm
 - **The Provision of Recorded Music**
Monday to Sunday 12.00 – 23.30pm
 - **The Provision of Late Night Refreshment**
Monday to Sunday 23.00 – 23.30pm
 - **Opening Times of the premises**
Monday to Sunday 12.00 – 23.30pm
3. The application was received on the 6th March 2020.
4. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.
5. 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.

6. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

7. The Responsible Authorities have all received a copy of the application, it was also advertised at the premises and in a local newspaper. A copy of the Blue Notice and Newspaper advert is attached to this report.

8. All residences and businesses within 150 meters radius of the premises were individually consulted.

9. The authority has received 1 representation from a resident, please see email and a copy of the letter attached.

10. There was a response from Essex Police who having agreed recommendations with the applicant a copy of the email and recommendations are attached to this report. There was also a response from the Safeguarding Team at Essex County Council which the applicant has addressed, please see email attached to the report. Finally a response from Essex Fire and Rescue who have advised the means of escape from the premises are adequate, see letter of response attached with this report.

11. The Objection relates to the Prevention of Crime and disorder, Prevention of Public Nuisance, and Public Safety and The Protection of Children from Harm.

Guidance Issued by the Secretary of State

12. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.

13. Sections 2.15 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 a Premises Licence.
- Plan of the premises
- Newspaper advert and Public Notice
- Copies of the representation in the form of email and letter
- Copy of agreed conditions by Essex Police
- Copies of all responses from the Essex Fire and Rescue and Safeguarding Team Essex County Council.

This page is intentionally left blank



**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 | <input type="text" value="Not Currently In Use"/> | This is the unique reference for this application generated by the system. |
| Your reference | <input type="text" value="AN/46965/6"/> | 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 | <input type="text" value="Albert"/> |
| * Family name | <input type="text" value="Smith"/> |
| * E-mail | <input type="text" value="[REDACTED]"/> |
| Main telephone number | <input type="text" value="[REDACTED]"/> |
| Other telephone number | <input type="text" value="[REDACTED]"/> |

Include country code.

- 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 | <input type="text" value="[REDACTED]"/> |
| Business name | <input type="text" value="SMUDGE LIMITED"/> |
| VAT number | <input type="text" value="GB [REDACTED]"/> |
| Legal status | <input type="text" value="Private Limited Company"/> |

If the applicant's business is registered, use its registered name.
Put "none" if the applicant is not registered for VAT.

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.

Agent Business

Is your business registered in the UK with Companies House? Yes No

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 21

PREMISES DETAILS

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

Premises Address

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

Section 3 of 21

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

Section 4 of 21

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...

Private Limited Company

Address

| | |
|-------------------------------|----------------------|
| Building number or name | 2nd Floor Gadd House |
| Street | Arcadia Avenue |
| District | |
| City or town | London |
| County or administrative area | Barnet |
| Postcode | N3 2JU |
| Country | United Kingdom |

Contact Details

| | |
|------------------------|--|
| E-mail | <input type="text"/> |
| Telephone number | <input type="text"/> |
| Other telephone number | <input type="text"/> |
| * Date of birth | <input type="text"/> / <input type="text"/> / <input type="text"/> |

dd mm yyyy

| | |
|---------------|----------------------|
| * Nationality | <input type="text"/> |
|---------------|----------------------|

Documents that demonstrate entitlement to work in the UK

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

| | | | | | |
|---|----------------------|---|----------------------|---|----------------------|
| When do you want the premises licence to start? | <input type="text"/> | / | <input type="text"/> | / | <input type="text"/> |
|---|----------------------|---|----------------------|---|----------------------|

dd mm yyyy

| | | | | | |
|---|----------------------|---|----------------------|---|----------------------|
| If you wish the licence to be valid only for a limited period, when do you want it to end | <input type="text"/> | / | <input type="text"/> | / | <input type="text"/> |
|---|----------------------|---|----------------------|---|----------------------|

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 will operate as a Restaurant. Customers will therefore be almost exclusively over 18, although children will be allowed on premises.

Alcohol is only to be served to those eating at the premises, for consumption on the premises.

Continued from previous page...

Ground floor restaurant on Epping High Road. 3,200 sq. ft. Approximate capacity 80 covers. Building has residential flats above restaurant. Layout, boundary etc. on plan attached.

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

Section 6 of 21

PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

- Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

- Yes No

Section 8 of 21

PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

- Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

- Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

- Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Will you be providing recorded music?

- Yes No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16.00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

The premises will be playing background music for its patrons while they dine. The applicant believes that the playing of recorded music will be incidental to the customers attending the premises for dining.

State any seasonal variations for playing recorded music

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

None

Continued from previous page...

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

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

None

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

Section 13 of 21

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

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

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...

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

- Indoors Outdoors Both

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

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

The premises will be serving hot food and hot drinks to patrons dining at the premises between 11:00 pm and 11:30 pm from Mondays to Sundays as part of its usual operating schedule.

State any seasonal variations

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

None.

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

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

None.

Section 15 of 21

SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

- Yes No

Continued from previous page...

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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.

None.

Continued from previous page...

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.

None.

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

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

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

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

Reference number for consent form (if known)

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

Continued from previous page...

Section 16 of 21

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.

There will be no adult material, services, activities or entertainment at the premises.

Section 17 of 21

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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

Continued from previous page...

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

None.

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.

None.

Section 18 of 21

LICENSING OBJECTIVES

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

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

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

The premises is to be a high end fish restaurant run and staffed by experienced staff who are aware of their obligations to promote an environment which adheres to the licensing objectives.

b) The prevention of crime and disorder

The premises are to be run by experienced staff.

The customers are likely to be adults who are dining at the restaurant and as a result there is little concern regarding drugs, violence and antisocial behaviour.

Those under 18 would be allowed on the premises but would not be permitted at the bar. Young children would accompany adults for meals and are not permitted at the bar.

Photographic ID will be required where there is doubt over age. If none is provided, then alcohol will be refused.

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

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

CCTV will be covering the front door, surrounding building and all internal areas except for toilets.

c) Public safety

The premises have capacity for approximately 80 people seated. The building is in a mixed commercial / residential area. There will be fire safety equipment positioned about the premises including the kitchen. The premises will also have smoke detectors and heat detectors connected to the alarm system. All equipment is to be tested regularly. Fire exits will be clearly marked. The designated supervisor and other management staff have had training in fire drills and first-aid. The applicant will also be arranging for further fire safety training pertaining to the premises applied for.

A 30 minute winding down period is proposed.

d) The prevention of public nuisance

The premises is in a location close to the tube, road and commercial premises. There is easy access to and from the premises both by car and public transport. There are external lights to the front. The waste bins are emptied by the council

Continued from previous page...

during the daytime. The customers are expected to be usually mature people who are also dining at the restaurant together with consuming alcohol. As a result there is little concern regarding drugs, violence and antisocial behaviour. Drunkenness on the premises is not to be tolerated and any such person would be asked to leave immediately.

The premises will be run on a day to day basis by the owner of the business who is to be the designated supervisor. The designated premises supervisor/owner has over 30 years experience as a restaurateur and has held a licence for 25 years without ever having had any problems with the licence or the commission of any crimes on licensed properties in that entire period. The premises is also installing a state of the art extraction system at a cost of some £60,000 to minimise cooking odours, with the extraction on the petrol station side of the premises.

e) The protection of children from harm

Any children on the premises are likely to accompany adults. Children are not to be permitted at the bar area. The premises will be run by experienced staff, who will refuse alcohol to any one under age and Photographic ID is required in case of any doubt. The customers are usually mature people who are also dining at the pub restaurant as a result there is little concern regarding drugs, violence and antisocial behaviour which would impact on any children present.

There is no adult material on the premises which the children would come in contact with and there are to be no events aimed at children.

Staff will receive refresher training on the serving of alcohol and who is allowed to be served alcohol.

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 in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

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 birth or adoption certificate issued 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 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.

Continued from previous page...

- 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.
- 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 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, 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.

Continued from previous page...

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.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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 you 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

* Capacity

* Date / /
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

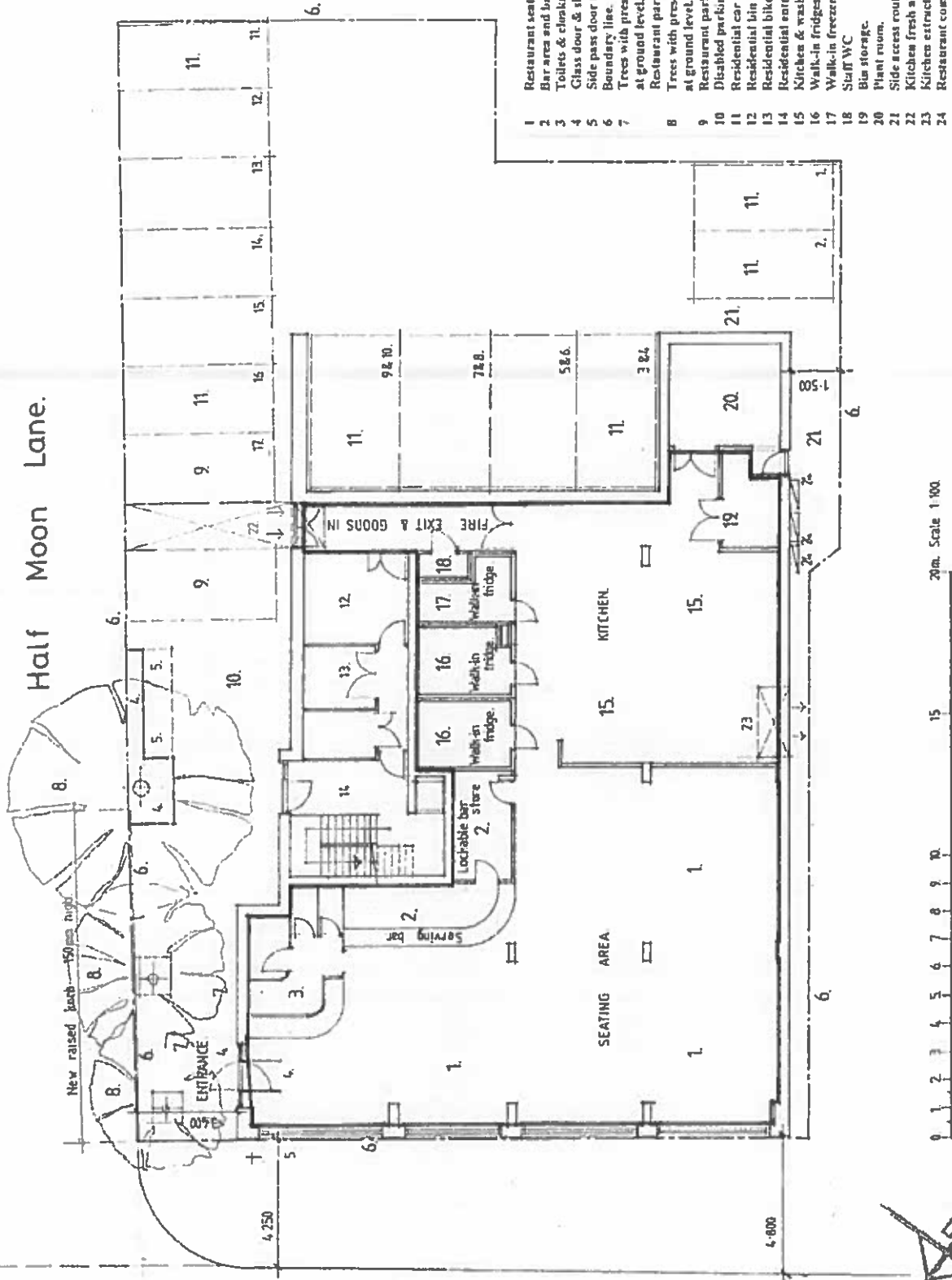
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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 | AN/46965/6 |
| 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"/> |

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

Half Moon Lane.

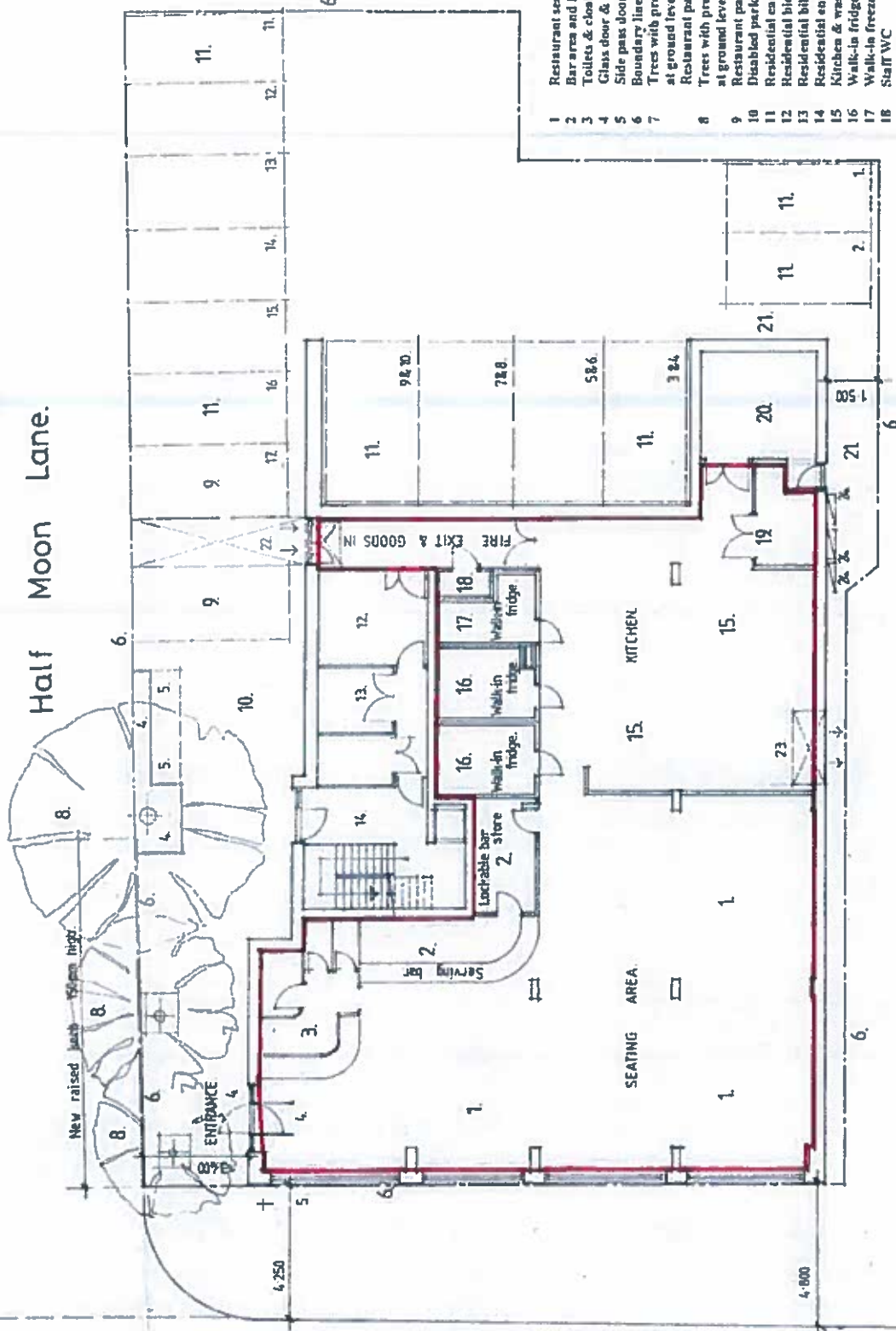


- 1 Restaurant seating area.
- 2 Bar area and bar store.
- 3 Toilets & cloakroom area.
- 4 Glass door & side lights forming main entrance.
- 5 Side pass door for disabled now omitted.
- 6 Boundary line.
- 7 Trees with preservation orders to have protection frames at ground level.
- 8 Restaurant parking spaces.
- 9 Trees with preservation orders to have protection frames at ground level.
- 10 Disabled parking space.
- 11 Residential car parking spaces.
- 12 Residential bin store.
- 13 Residential bike store.
- 14 Residential entrance, staircase & lift.
- 15 Kitchen & wash-up areas.
- 16 Walk-in fridges.
- 17 Walk-in freezer.
- 18 Staff WC.
- 19 Bin storage.
- 20 Plant room.
- 21 Side access route.
- 22 Kitchen fresh air intake grille location.
- 23 Kitchen extract system grille location.
- 24 Restaurant comfort cooling condensers.

REVISION A: Revised plan of site owned.
Drawing done by
MAY ARCHITECTS 5/8/2020.

Proposed Restaurant, 26 High Street,
Epping, Essex, CM16 4AU
Proposed Ground Floor Plan.
1:100 scale, November 2019 Drawing Number 2019/07/02-X
ROBERT FLETCHER
Architectural Design and Project Management.
"THE STUDIO" 58 Ormeau Road, Hyde, Kent, CT21 6DW
Tel: 01322-244661. Mob: 0776-437768. E-mail: robert@rffletcher.co.uk

Half Moon Lane.



- 1 Restaurant seating area.
- 2 Bar area and bar store.
- 3 Toilets & cloakroom area.
- 4 Glass door & side lights forming main entrance.
- 5 Side pass door for disabled now omitted.
- 6 Boundary line.
- 7 Trees with preservation orders to have protection frames at ground level.
- 8 Restaurant parking spaces.
- 9 Trees with preservation orders to have protection frames at ground level.
- 10 Restaurant parking spaces.
- 11 Disabled parking space omitted at request of EPDC.
- 12 Residential car parking space.
- 13 Residential bin store.
- 14 Residential bike store.
- 15 Kitchen & wash-up areas.
- 16 Walk-in fridges.
- 17 Walk-in freezer.
- 18 Staff WC
- 19 Bio storage.
- 20 Plant room.
- 21 Side access route.
- 22 Kitchen fresh air intake grille location.
- 23 Kitchen extract system grille location.
- 24 Restaurant comfort cooling condensers.

*REVISION: ASKING MAINLY CALLS OUT
DURING LAST 200 DAYS
NOW CURRENT REVISION 3/1/2020*



70m Scale 1:100

Proposed Restaurant, 26 High Street,
Epping, Essex, CM16 4AU

Proposed Ground Floor Plan.

1:100 scale, November 2019 Drawing Number 20190702

ROBERT FLETCHER

Architectural Design and Project Management

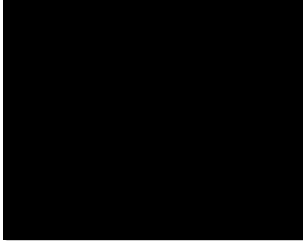
RYTHIE STUDIO, 58 Ormeau Road, Hebb, Kent, CT11 6DW
Tel: 01303 - 244666, Fax: 01303 - 837798, E-mail: info@rythiestudio.co.uk

Consent of individual to being specified as premises supervisor

Albert Alexander Smith

[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

[type of application]

by

SMUDGE LIMITED

[name of applicant]

relating to a premises licence

[number of existing licence, if any]

for

26 Revival Court
High Road
Epping
Essex
CM16 4AE

[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

SMUDGE LIMITED

[name of applicant]

concerning the supply of alcohol at

26 Revival Court
High Road
Epping
Essex
CM16 4AE

[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

[REDACTED]

[insert personal licence number, if any]

Personal licence issuing authority

[REDACTED]

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

Signed

[REDACTED SIGNATURE]

Name (please print)

Albert Alexander Smith

Date

4 . 03 . 2020

Smudge Ltd, Epping – Conditions Agreed with Essex Police

Prevention of Crime and 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 entrances and the areas where alcohol sales take place;
 - 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. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.
2. An individual may not supply alcohol unless that individual has the written consent of the Designated Premises Supervisor or other employed Personal Licence Holder. A written record of this consent will be retained on the premises at all times when such an individual supplies or proposes to supply alcohol and be made available immediately upon reasonable request of the police or licensing authority.
3. Substantial food and non-intoxicating beverages shall be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises at all times.
4. In addition to water, other non-alcoholic beverages shall be available at all times whilst alcohol sale or supply takes place.

Prevention of Public Nuisance

5. Clear and legible notices must be prominently displayed at any area used for smoking requesting customers to respect local residents and use the area quietly. These signs shall be a minimum size of 200mm x 148 mm.
6. Clear and legible notices must be prominently displayed at all exits requesting customers to respect local residents and leave the area quietly.
7. After 21:00hrs patrons permitted to temporarily leave and then re-enter the premises, e.g. to smoke, shall not be permitted to take drinks or glass containers with them.
8. The premises must operate as a restaurant:
 - i. In which customers must be seated at a table, waiting to be seated at a table or waiting for a meal to be prepared;
 - ii. Which provides substantial table meals that are prepared on the premises and are served and consumed at the table;
 - iii. Which do not provide any take away service of food or drink for immediate consumption; and
 - iv. Where alcohol must not be sold, supplied, or consumed on the premises otherwise than to persons who are taking or waiting for substantial table meals and provided always that the consumption of alcohol by such persons is ancillary to taking such meals.
9. At all times there will be provided a minimum of 60 'covers' where table meals may be consumed.

Protection of Children from Harm

10. A Challenge 21 scheme shall be operated, whereby any person ordering or consuming alcohol who appears to be under the age of 21 years of age and is not accompanied by an adult is required to produce on request an item which meets the mandatory age verification requirement and is either a:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

Announcements - Public Notices

APPLICATION FOR PREMISES LICENCE UNDER THE LICENSING ACT 2003

Notice is hereby given that the 5 March 2020 that Simudge Limited have applied to the Licensing Office for the Epping Forest District Council for a Premises Licence in respect of 26 Festival Court, High Road, Epping, Essex, CM16 4AE. 1. To permit the Sale by Retail of Alcohol Monday to Sunday 12.00 - 23.30. 2. The Provision of Late Night Refreshment Monday to Sunday 23.00 - 23.30. 3. The Provision of Recorded Music Monday to Sunday 12.00 - 23.30. 4. The Opening times of the premises will be Monday to Sunday 12.00 - 23.30. The register of licensed premises is maintained at the Licence Office, Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ. Applications for Premises Licences may be inspected at these Council Offices during office hours giving 24 hours notice. Anyone wishing to oppose this application must give notice in writing to the Licensing Office at the address above within 28 days of the date of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application and the maximum fine for which a person is liable on summary conviction for the offence is £5,000.

FOSKETT/MARR GADSBY & HEAD
18/1 High Street Epping Essex CM16 4BQ
Tel: 01992 578642 Fax: AN/4096596
Solicitors for the Applicant.

DONALD CHARLES CONDELL (Deceased)
Pursuant to the Trusts Act 1925 any persons having a claim against or an interest in the Estate of the above-named deceased, late of 9a Ordeys Road, Westham Abbey who died on 5th February 2020, are required to send particulars thereof in writing to the undersigned Executors on or before 13th May 2020 after which date the Estate will be distributed making regard only to claims and interests of which they have had notice.
Peter Cordell,
12 Glenaege Drive,
Sharnbrook PE25 1DR

EDNA DOROTHY MCMAHONEY (Deceased)
Pursuant to the Trusts Act 1925 any persons having a claim against or an interest in the Estate of the above-named late of 89 Douglas Avenue, Walsingham, Lincolnshire LN7 5RF who died on 23/09/2019 are required to send written particulars thereof in writing to the undersigned before 20/05/2020. After that date the Estate will be distributed having regard only to the claims and



Something to say?

Do you have some news to share? It's never been easier. Just visit www.dailymail.com

Working together to help businesses grow

819k+ pages viewed every month *

March 12, 2020

Debbie Houghton

From: Handan Ibrahim
Sent: 01 April 2020 15:31
To: Licensing
Subject: FW: *FAO LICENSING DEPARTMENT*
Attachments: Epping Forest District Council Licensing Unit Civic Offices.docx

Another objection Debbie

From: Contact Us
Sent: 01 April 2020 15:16
To: Licensing
Subject: FW: *FAO LICENSING DEPARTMENT*

Good afternoon

Please see email below

Regards

Raj Shinji
Customer Service Officer | Customer Services
Rshinji@eppingforestdc.gov.uk | 01992 564000
www.eppingforestdc.gov.uk
[Data Protection and Privacy](#)

From: Billy Brett [REDACTED]
Sent: Wednesday, April 1, 2020 2:22 PM
To: Contact Us <ContactUs@eppingforestdc.gov.uk>
Subject: *FAO LICENSING DEPARTMENT*

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

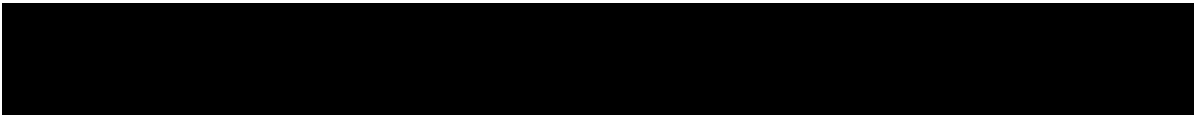
Dear sirs,

Please see attached objection to the licensing application for 26 High Street, Epping, CM164AE – I would be grateful if you could forward this on to the licensing department, I have not posted it given the current climate.

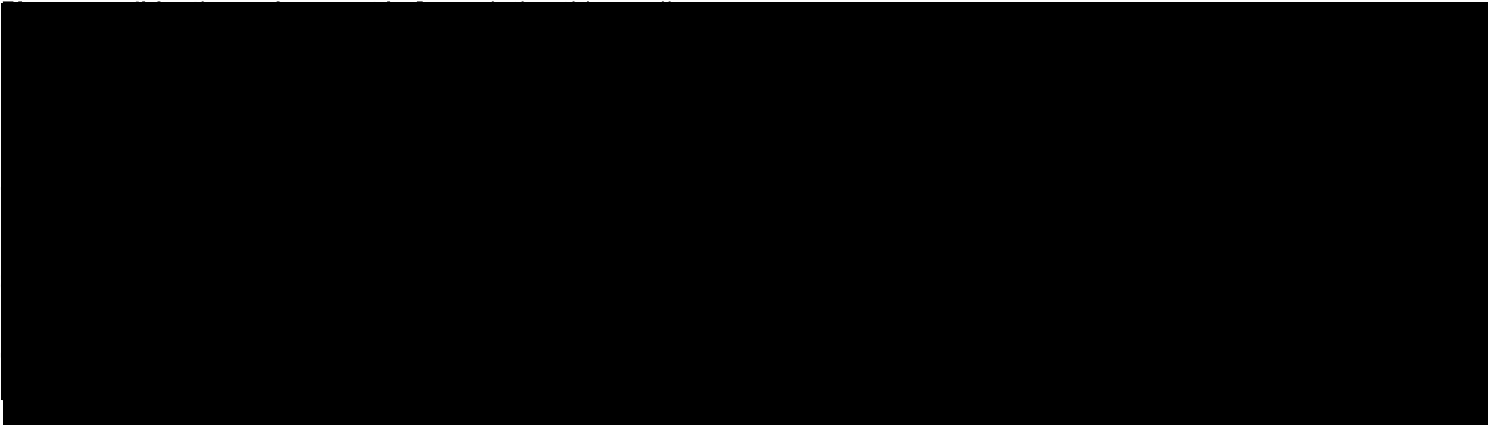
Regards

Billy Brett

[REDACTED]



Billy Brett



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

RE: 26 High Street, Epping, Essex, CM16 4AE

Dear Sirs,

I write, in my capacity as a local resident, regarding the above licensing application and the concerns it raises for myself and other residents.

Licensable hours:

The hours requested seem excessive, particularly during weekdays and Sundays, for a mixed use development, so close to many residential units and if the establishment is going to be the restaurant it claims, rather than a drinking establishment, earlier hours on closing, alcohol and music should be reduced. The late hours requested will cause significant nuisance for residents, the noise from the music at the restaurant and people leaving the restaurant will mean residents, and there young children, will be kept away until a minimum of 11:30 every evening, leaving a potential, serious, negative impact on residents health and quality of life. I have researched online and cannot see any restaurant that is licensed until 23:30, so I cannot see why this premises would be an exception. I would like to point the council specifically in the direction of 7.1 of their own licensing policy:

Licensing Hours 7.1 The Council recognises that longer licensing hours may be in the interests of the community by avoiding concentrations of disturbance from customers leaving premises whilst ensuring that nuisance is minimised to local residents. Premises will generally be able to sell alcohol during the hours they are permitted to open. Entertainment providers may provide a range of entertainment during their operating hours. When issuing a licence, however, stricter conditions are likely to be imposed with regard to noise control in the case of premises situated in largely residential areas.

Playing recorded music:

Given the close proximity to residential units upstairs and further more in the immediate vicinity, there needs to be a strict limit on how loudly the music can be played and what times. I would request that the council impose a condition of a very low level until no later than 21:00 (I believe this will be suitable anyway as this is only a restaurant, not a bar or discotheque) – without this condition, it would cause a significant public nuisance to residents.

Requested conditions:

I would request the council impose a “no vertical drinking” Is imposed as a condition, meaning people must be seated, at a table, when served alcohol. The concern if this is not imposed, this then becomes a restaurant and a bar, which the premises does not have planning permission to do so and it would not be appropriate.

I would also suggest, to prevent further public nuisance, a dispersal policy is enforced as a condition on the applicant. This is a predominantly residential area and particularly given the restaurant would have its door facing towards the Duke of Wellington Public house – this can cause group to mix and potential issues with people consuming alcohol in both establishments late at night. Also, people will congregate out of the front of the premises, immediately below residents making a lot of noise throughout and late into the evening.

Cumulative impact:

To conclude, I am of the view that the application in its current, if it were to be granted, would not be in accordance with all 4 of the licensing objectives and numerous points of Epping Forest’s licensing policy. I must stress that when considering this application, the site must be looked at specifically and not be just taken as “High street” site, it is not. It is beyond all shops and other restaurant in an area that is predominantly residential and to say this is even on the high street is misleading, the restaurant entrance and exit is on Half Moon lane.

I hope that you consider all of the above points when considering this application.

Debbie Houghton

From: Ali Naqvi <alinaqvi@foskettmarr.co.uk>
Sent: 20 March 2020 10:25
To: Nicky Merrell, Business Support Administrator
Cc: 'licensing.applications@essex.pnn.police.uk'; [REDACTED]
Subject: RE: Smudge Ltd
Attachments: 2020 03 20 Smudge Ltd Epping - Conditions Agreed.pdf

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Ms Merrell

Thank you for your email and for confirming that you have no objections in relation to the child protection / safeguarding element of the licence application.

As to the request for Challenge 25 to be adopted, we have agreed with Essex Police to adopt the challenge 21 practice and I attach a copy of the conditions agreed with Essex Police for your records. The licence is intended for a high-end fish restaurant and alcohol will not in any case be served to any persons that are not ordering a substantial meal.

We have agreed for the attached conditions to be attached to the licence operating schedule and I hope that these will allay any concerns you may have in this regard.

With kind regards

Ali R. Naqvi
Associate Solicitor
Foskett Marr Gadsby & Head LLP

Direct dial: 01992 563682
Telephone: 01992 578642
Direct fax: 01992 572170
www.foskettmarr.co.uk/

Please could you read [\[FMGH coronavirus-covid-19 contingency\]](#) which sets out what we are doing to try and protect our staff and clients, prevent the spread of Coronavirus (COVID-19) and maintain our levels of service. For the time being our preferred method of communication is by e-mail and telephone.

The Firm is authorised and regulated by the Solicitors Regulation Authority (main office SRA ID: 469775)

Cybercrime Alert: Bank Details

Please be aware that there is a significant risk posed by cyber fraud, specifically relating to email accounts and bank account details. Please note that our bank account details will not change during the course of a transaction, and we will never change our bank details via email. Please be careful to check account details with us in person if in any doubt. We will not accept responsibility if you transfer money into an incorrect account.

The contents of this email and any attachments are strictly confidential. They may not be disclosed to someone who is not a named or authorised recipient. They may also be subject to legal professional privilege and unauthorised disclosure, copying or use is prohibited. If you receive this e-mail in error please notify the sender. We are unable to warrant that this email is free of viruses. The recipient(s) should therefore carry out any checks that they believe to be appropriate in this respect.. Foskett Marr Gadsby & Head LLP is a limited liability partnership registered in England and Wales under number OC328762 The Firm's registered office is 181 High Street, Epping, Essex CM16 4BQ. We use the word "Partner" to refer to a Member of Foskett Marr Gadsby & Head LLP. A list of the members and their professional qualifications can be obtained from the firm's offices or by emailing email@foskettmarr.co.uk

From: Nicky Merrell, Business Support Administrator <Nicola.Merrell@essex.gov.uk>
Sent: 17 March 2020 14:02
To: [REDACTED] Ali Naqvi <alinaqvi@foskettmarr.co.uk>
Cc: 'licensing.applications@essex.pnn.police.uk' <licensing.applications@essex.pnn.police.uk>;
licensing@eppingforestdc.gov.uk
Subject: Smudge Ltd

RE: Licensing Act 2003:- Smudge Ltd

The licensing application received on 6th March 2020 has been assessed and we can confirm we have no objections in relation to the child protection / safeguarding element of this licence application.

However Please can the Challenge 25 Practise be adopted and staff trained in this practise when selling alcohol

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

**Nicky Merrell
Business Support**

Corporate and Customer Services
Essex County Council | Address: County Hall Chelmsford
☎ 03330 130189 ✉ nicky.merrell@essex.gov.uk | www.essex.gov.uk

 Please consider the environment before printing this e-mail



Essex County
Fire & Rescue Service

Jo Turton
Chief Fire Officer / Chief Executive

Epping Forest District Council
Commercial and regulatory Services
Directorate
Civic Offices
High Street
Epping
CM16 4BZ

South West Group Service Delivery Point
Basildon Fire Station
Broadmayne
Basildon
SS14 1EH
☎ 01376 576700
Enquiries to Watch Manager Angus Neale
✉ southwestgroupsdp@essex-fire.gov.uk

Our Ref: CAS-667278
Your Ref: AN/46965/6
Date: 12th March 2020

Dear Madam / Sir

LICENSING ACT 2003
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Premises: 26 Revival Court, High Road, Epping CM16 4AE

Receipt is acknowledged of the above consultation(s), which will be audited by the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority.

Please be advised that means of escape from the premises should be adequate for the occupancy numbers. The premises had been entered in our register and a fire safety audit will be carried out in the near future

Please quote our reference number in any future correspondence.

Yours faithfully


Angus Neale
Technical Fire Safety