

Committee Agenda



Epping Forest District Council

Licensing Sub Committee Tuesday, 17th January, 2023

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

Council Chamber - Civic Offices
on **Tuesday, 17th January, 2023**
at **10.15 am**

Georgina Blakemore
Chief Executive

**Democratic Services
Officer:**

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

Members:

Councillors J M Whitehouse (Chairman), T Matthews, D Stocker and D Sunger

PLEASE NOTE THE START TIME OF THE MEETING

WEBCASTING/FILMING NOTICE

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

1. WEBCASTING INTRODUCTION

1. This meeting is to be webcast. Participants are reminded of the need to activate their microphones 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).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

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

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

5. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
6	Application for a Hackney Carriage Driver's Licence – Mr Tacim Dirgen	1

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.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 & TOWN & POLICE CLAUSES ACT 1847 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR TACIM DIRGEN (Pages 13 - 18)

To consider a new application for a Hackney Carriage Driver's Licence.

7. INCLUSION OF PUBLIC AND PRESS

To invite the public and press back into the meeting for the remaining items of business.

8. EL CAFECITO LIMITED, LOUGHTON CLUB, 8 STATION ROAD, LOUGHTON IG10 4NX - APPLICATION FOR A STREET TRADING CONSENT (Pages 19 - 46)

To consider the attached application for a Street Trading Consent for El Cafecito Limited, Loughton Club, 8 Station Road, Loughton IG10 4NX under the Licensing Act 2003.

9. BONHOMIE, 14 FOREST DRIVE, THEYDON BOIS, EPPING CM16 7EY - APPLICATION TO VARY AN EXISTING PREMISES LICENCE (Pages 47 - 84)

To consider the attached application for a variation of an existing Premises Licence for Bonhomie, 14 Forest Drive, Theydon Bois CM16 7EY under the Licensing Act 2003.

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Regulatory Committees

(a) 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 Appendices 2 and 3, 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 4 (Conduct of Business by the 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 Appendices 2 and 3 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	
Decision to object when local authority is acting as a Responsible Authority			All cases
Determination of an objection to a temporary event notice		All cases	
Decision whether to consult other responsible authorities on minor variation			All cases
Determination of minor variation			All cases

All policy matters except the formulation of the Statement of Licensing policy	All cases		
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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:

The Animal Welfare (Licensing activities involving animals) (England) Regulations 2018
The Animal Welfare Act 2006
Dangerous Wild Animals Act 1976
Food Safety Act 1984 Part 3
Gambling Act 2005
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Safety of Sports Grounds Act 1975
Scrap Metal Dealers Act 2013
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Wildlife and Countryside Act 1981
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.

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By virtue of paragraph(s) 1 of Part 1 of Schedule 12A
of the Local Government Act 1972.

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Report to the Licensing Committee

Date of meeting: 17th January 2023

**Subject: Application for a Street Trading Consent –
El Cafecito Ltd, Loughton Club, 8 Station Road,
Loughton, Essex, IG10 4NX**



**Epping Forest
District Council**

Responsible Officer: Peter Jones

Democratic Services Officer: Jackie Leither

Decisions Required:

To consider an application for a Street Trading Consent under the Local Government Miscellaneous Provisions Act 1982

Report:

Application for a Grant of a Street Trading Consent

1. On the 3rd October 2022 the Licensing Department received an application for a Street Trading Consent from Christopher Davies of El Cafecito Ltd, to trade at The Loughton Club, 8 Station Road, Loughton, Essex, IG10 4NX. A copy of the application is attached to this report.

The applicant seeks to sell hot and cold drinks, pastries, baked goods and snacks

Monday to Friday	07:00 – 16:00,
Saturday	09:00 – 15:00, and
Sunday	10:00 – 15:00

Consultation

2. There is no requirement in the Local Government Miscellaneous Provisions Act 1982 Act to carry out any consultation, but the Licensing Authority notified Essex Police, Essex Fire and Rescue Service, Environmental Health, Community Resilience, Essex County Council Highways, Loughton Town Council and the ward councillors.
3. A public notice was also placed at the site. A copy of this is attached to the report.
4. The authority has received one (1) representations of objection to this application from Loughton Town Council.

Additional Information

5. It is worthy for the sub-committee to note that a Street Trading Consent at the same location was previously granted. This Consent permitted the sale of hot food and drinks; Monday to Saturday 12:00 – 21:00; and Sunday 12:00 – 20:00. This trader sought not to renew, and the consent expired on 5th April 2022.. This trader was subject to one complaint relating to customers loitering and obstructing the public footpath this was early into their grant of the consent. Following intervention by the Licensing Department this was addressed and rectified. No further complaints were received.
6. This item was originally listed for 6th December 2022; however as no party attended to represent of the application; the committee resolved to adjourn the matter to a later date so the applicant can attend.

Conditions

7. The sub-committee may attach conditions to a street trading consent as it considers reasonably necessary. These can include conditions to prevent –
 - (a) obstruction of the street or danger to persons using it; or
 - (b) nuisance or annoyance (whether to persons using the street or otherwise).
8. The Consent can include permission to trade –
 - (a) from a stationary van, cart, barrow or other vehicle; or
 - (b) from a portable stall.
9. The sub-committee may decide that the Consent is subject to conditions –
 - (a) as to where the holder of the street trading consent may trade by virtue of the permission; and
 - (b) as to the times between which or periods for which he may so trade.
10. Unless the sub-committee decides otherwise the Authority's standard conditions will apply to this consent. These are:

Standard Consent Conditions:

1. This Consent is valid from **FROM** to **TO** and no right to its renewal by the Council can be assumed or is implied.
2. The Consent Holder will at all times comply with the law. Particular attention should be paid to the requirements of the Health and Safety at Work Act 1974 The Food Safety (General Food Hygiene) Regulations 1995 and the Food Safety Act 1990.
3. The Consent Holder will not cause any nuisance.
4. No recorded or amplified music or radio will be played by the Consent Holder or any employee at the stall to the annoyance of any member of the public, local resident or occupier of nearby premises, except in the case of ice-cream vans who may use amplified chimes during permitted hours.
5. No water, rubbish or waste material will be discharged or deposited on the highway or any adjacent property or into any surface water inspection chamber or gully.
6. The stall will be kept in a clean, safe and well-maintained condition, to the satisfaction of the Council and its authorised Officers.
7. The Consent Holder will provide and maintain, at his own expense, adequate refuse receptacles for litter and waste and its disposal.
8. A notice stating the name of the Consent Holder and an address for complaints, will be displayed in a conspicuous position on the stall at all times when trading is being carried on at the stall.
9. If the Consent Holder or any employee is requested to move the stall by an authorised Council Officer or a Police Officer, he/she will immediately comply with that request.
10. The Consent Holder will ensure that persons with a disability people can be served at the stall.
11. Failure to comply with these conditions will put the Consent Holder at risk of having the Consent revoked and/or of prosecution.
12. The Consent Holder will take out and maintain at all times third party insurance cover with a minimum liability of at £1,000,000.
13. The Consent Holder will not place or allow to be placed; on the street or in a public place; any furniture or equipment other than as permitted by the Consent and he/she must maintain the same in a clean and tidy condition and ensure they are not placed so as to obstruct the entrance or exit from any premises.

14. No goods or services other than those authorised by this consent will be carried out at the stall.
15. Litter and trade waste arising from the activities of the Consent Holder in and around the stall, will be removed from the site on a daily basis and disposed of in an approved manner
16. The Consent Holder will ensure adequate provision for pest control.
17. It is the responsibility of the Consent Holder to clarify that any vehicle used under the terms of the consent for the sale of goods has a current MOT and valid motor insurance which must include business use.
18. The Consent Holder is responsible for ensuring that all vehicles associated with the Street Trading Consent are parked so as not to cause an obstruction of the highway.
19. (Ice cream vendors) Vans may not be parked in any one location for more than 20 minutes and must not visit the same location more than twice a day.

THE CONSENT DOES NOT:

1. Permit trading outside the terms of Consent.
2. Indicate that planning permission is not required.
3. Indicate that the unit is exempt from business rates.
4. Override parking restrictions or any other traffic regulations.
5. Imply approval from the Highway Authority or any other person or Authority.

11. The street trading consent may be granted for a period not exceeding 12 months.

Appeal

12. The Act provides for no appeal against refusals although decisions have been challenged in the Courts by way of judicial review on the ground that the decision was not properly taken or that there was some procedural irregularity or breach of the rules of natural justice.

Attached documents

- Application for a Street Trading Consent
- Public Liability Insurance
- Google map of proposed trading area
- Details of proposed trading unit
- Images of public notice at site
- Copies of all responses received

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LOCAL GOVERNMENT
(MISCELLANEOUS PROVISIONS) ACT 1982: PART III
APPLICATION FOR CONSENT FOR STREET TRADING
IN A DESIGNATED 'CONSENT' STREET



In accordance with Section 3 of the Local Government (Miscellaneous Provisions) Act 1982

SECTION 1

Applicant Details

* First Name

* Family name

* E-mail

Main telephone number Include country code

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

X Applying as a business or organization, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business or Organisation

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

* Is your business registered outside the UK? Yes No

* Business name If your business is registered, use its registered name.

* Vat Number Put "none" if you are not registered for VAT.

* Legal status

* Your position in the business or organisation

Home country The country where the headquarters of your business is located

Business Address

* Building number or name

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If you have one, this should be your official address - that is an address required of you by law for receiving communications

* Street

Elm Grove

District

Uttlesford

* City or town

Saffron Walden

County or administrative area

Essex

* Post Code

CB10 1NA

* Country

United Kingdom

SECTION 2 of 11

Further Details about the Applicant (If applying as an individual)

Former name(s)

If currently or previously known by any other name(s), you must record them here.

Home Address

Is the address the same as (or similar to) the address given in section one?

Yes

No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

* Building number or name

* Street

District

* City or town

County or administrative area

* Post Code

* Country

United Kingdom

Further Details

* **Date of Birth**

dd

/

mm

/

yyyy

* **Place of birth**

National Insurance Number

SECTION 3 of 11

Directors, Partners, Owners and Managers (If Company Club)

You must provide details of all COMPANY DIRECTORS and the SECRETARY (if the applicant is a company), all PARTNERS (if it is a partnership), OFFICE BEARERS (if it is a club or association), all OWNERS of the business or premises and all MANAGERS of the business or organization, including day-to-day MANAGERS OF THE PREMISES.

* Are there any such people for whom you need to provide details?

Yes **X**

No

If so please supply information on a separate sheet.

SECTION 4 of 11

Type of Application

Type of application

X

New

Renewal

Specify the period for which The licence is required (if applicable)
This period cannot exceed one year

N/A

SECTION 5 of 11

Application Details

Check guidance notes and conditions before completing this section.

* **Trading Name**

El Cafecito

What You Want to Trade

* List all the goods and services you want to offer for sale

Hot drinks
Pastries
Baked goods
Cold drinks
Snacks

* Does this include selling food or drink?

Yes **X**

No

* Where will goods be stored when not on sale?

Inside of the van In the relevant containers or refrigerated.

When You Want to Trade

in each week on: -

Mondays	from	<input type="text" value="07:00"/>	to	<input type="text" value="16:00"/>
Tuesdays	from	<input type="text" value="07:00"/>	to	<input type="text" value="16:00"/>
Wednesdays	from	<input type="text" value="07:00"/>	to	<input type="text" value="16:00"/>
Thursdays	from	<input type="text" value="07:00"/>	to	<input type="text" value="16:00"/>
Fridays	from	<input type="text" value="07:00"/>	to	<input type="text" value="16:00"/>
Saturdays	from	<input type="text" value="09:00"/>	to	<input type="text" value="15:00"/>
Sundays	from	<input type="text" value="10:00"/>	to	<input type="text" value="15:00"/>

Where You Want to Trade

* Type of trading

Mobile

Stationary

* Street(s)/location(s) where you wish to trade. (If stationary in one location please supply a plan.)

Please see attached diagram of fixed location at the Loughton Club, 8 Station Road, Loughton, Essex, IG10 4NX.

SECTION 6 of 11

Details of vehicle, stall and/or container

* Will you be using a vehicle in connection with your work as a trader?

Yes No X

* Description of unit from which you intend to trade, including dimensions

Citroen HY van. Fixed vehicle with operation from side hatch. Please see attached dimensions. The trading vehicle will be towed to site off of the road.

364* Where will the unit be stored when not in use?

Onsite in location.

* You will be required to produce to the Licensing Officer

- A current MOT and insurance certificate, if you are trading from a vehicle.

SECTION 7 of 11

Public Liability Insurance

You must have third party liability insurance cover for £1,000,000.

A copy of the certificate of insurance must be produced to the Licensing Officer

SECTION 8 of 11

Previous Applications

* Have you, or any person named in or associated with this application, previously applied for a similar licence or registration? (Check all that apply).

- No Yes – application granted and revoked
 Yes – application granted Yes – application refused

SECTION 9 of 11

Convictions

* Have you, or any person named in or associated with this application, been convicted of any crime or offence?

Yes No

SECTION 10 of 11

Additional Details

Provide any additional information which is required or relevant to your application (check for local guidance notes and conditions which may provide details of specific requirements in your area).

SECTION 11 of 11

Payments Details

Fee payable when submitting the application - £430.00

Please return this form to:

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

DECLARATION

I am over the age of 17 years. I understand that the fee does not include any element in respect of the collection of refuse by the Council; therefore, I undertake to remove refuse and cleanse the street during and on completion of each day's trading and comply with all conditions attached to a Consent.

Full Name: Christopher William Davies

Capacity: Company Director

Signed: _____ Date _____

"The authority is under a duty to protect public funds it administers, and to this end may use information you have provided on this form for the prevention and detection of fraud. It may also share this information with other bodies responsible for auditing or administering public funds for these purposes"

Z/B/LICENSING/MASTERS/APPLIC FORM - STREET TRADING IN DESIG CONSENT STREET

Additional Directors

Carlos Campos – **Contact number:** [REDACTED] **Email:** [REDACTED]

Address: 33 Elm Grove, Saffron Walden, Essex CB10 1NA

Angelica Gonzalez – **Contact number:** [REDACTED] **Email:** [REDACTED]

Address: 33 Elm Grove, Saffron Walden, Essex CB10 1NA

Loughton Club

8 Station Road
Loughton
IG10 4NX

FOR THE ATTENTION OF CHRIS DAVIES, EL CAFECITO LTD

8TH AUGUST 2022

Dear Chris

Following our recent discussions, I can confirm that the Managing Committee has considered the proposed arrangements for EL CAFECITO to operate from our car park and can confirm that this has been approved by the Committee and that you have our consent to proceed with your application to the Council in order to obtain the necessary approval from them.

We are very much looking forward to welcoming you to The Club once all of the formalities have been concluded and wish you every success with your business.

Kind Regards

Tim Griffin, Secretary, on behalf of the Managing Committee

Public and Products Liability Certificate

Name of Policyholder: **EI Cafecito Ltd**

Business Type: **Catering Kiosk (Hot & Cold Food)
Mobile Catering Cart/ Barrow
Fixed Site Coffee/Farm Shop**

Insurance Company: **Aviva Insurance Limited**

Policy Number: **100718115BDN/0057179**

Date of Commencement of Insurance: **11th September 2021**

Date of Expiry of Insurance: **10th September 2022**

Type of Cover: **Public & Products Liability**

Limit of Indemnity: **£10,000,000**

Subject to the Terms, Conditions and Exceptions of the full Aviva Policy wording

Signed on behalf of
Giles Insurance Consultants

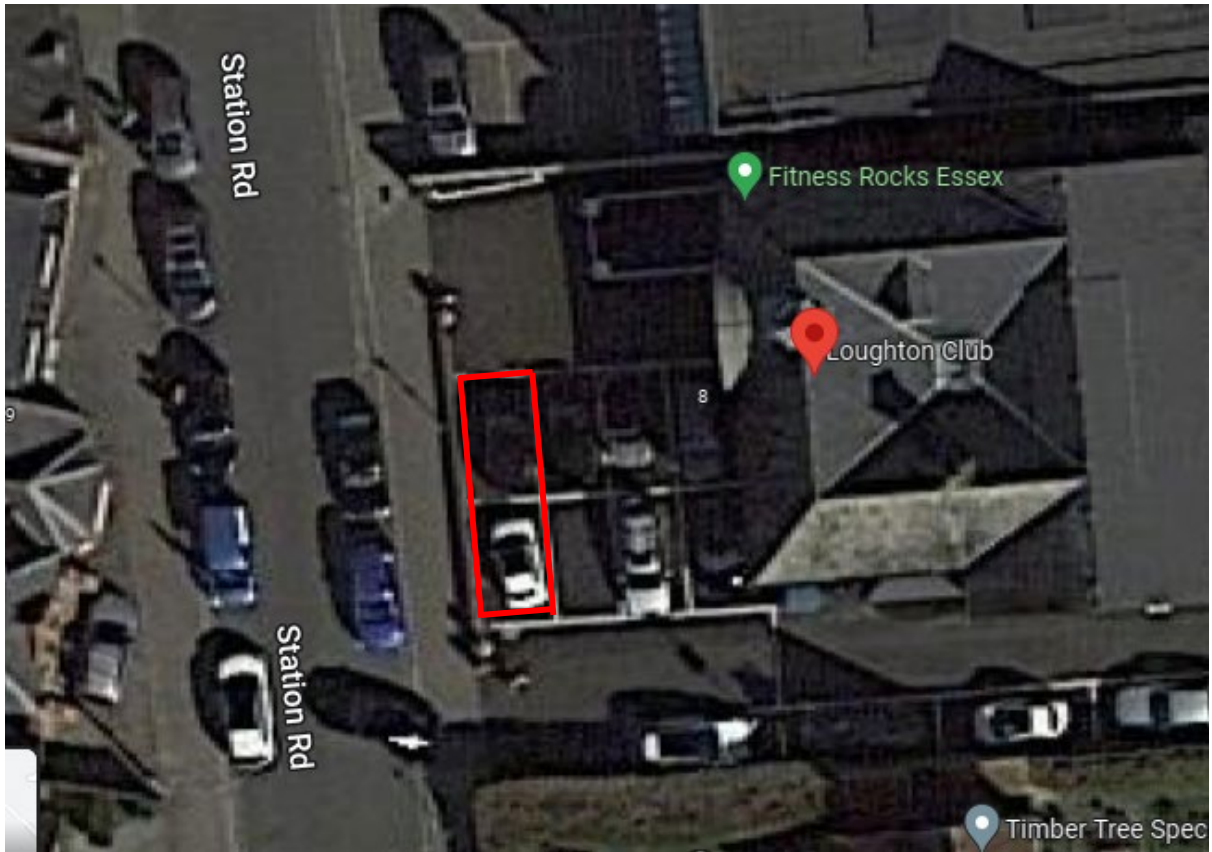

Neil Giles Cert PFS, Cert CII

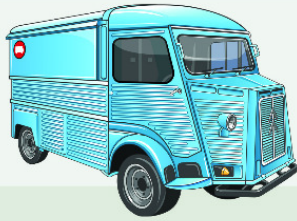
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Registered Office: Pitheavlis, Perth PH2 0NH. Authorised by the Prudential
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the Prudential Regulation Authority.

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01628 667707 • www.gilesinsurance.net • insure@gilesinsurance.net
4b High Street, Burnham, Buckinghamshire SL1 7JH
Proprietor **N. A. Giles** Cert PFS, Cert CII

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DIMENSIONS AND TECHNICAL SPECIFICATIONS

Citroën H Van

1947-1981



The Citroën H Van, Type H, H-Type or HY is a panel van (light truck) produced by the French car maker Citroën between 1947 and 1981. It was developed as a simple front wheel driven van after World War II. The engine came from the 11 CV while the gearbox, suspension and the interior were derived from those fitted to the 15 CV. Unusually, the H had different wheelbases on each side. The superbly practical and aesthetically odd body was designed by Franchiset. A total of 473,289 were produced in 34 years in factories in France and Belgium until the end of production in December 1981.

Country of Origin: France

Model: H Van

Company: Citroen

Production Years: 1947 - 1981

Engine: 4 cylinders in line, wet liners, bore 78mm, stroke 100mm, cubic capacity 1 911 cm³, 11 CV rating, 50 bhp @ 3 800 rpm

Transmission: Front wheel drive via 3 speed manual gearbox, single dry plate clutch

Brakes: Hydraulically operated drums, handbrake operates on front wheels

Suspension: Torsion bars, four shock absorbers on front, two on rear

Steering: Rack and pinion

Dimensions:

Length - 4.28m

Width - 1.99m

Wheelbase (left) - 2.53m, (right) - 2.50m

Front track - 1.61m

Rear track - 1.65m

Unladen weight - 1400kg

Maximum payload - 1200kg

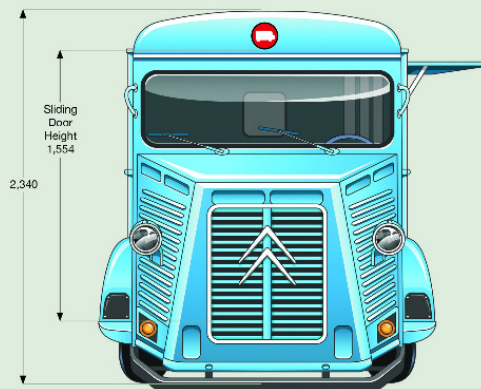
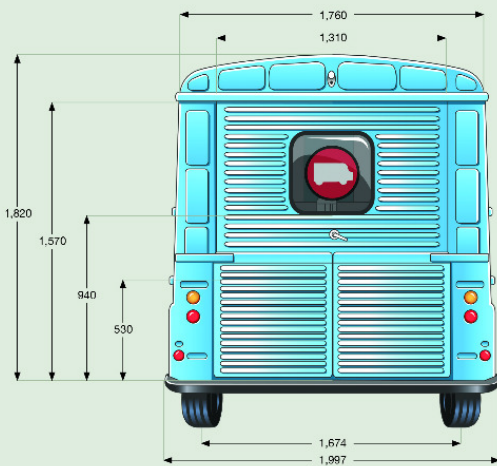
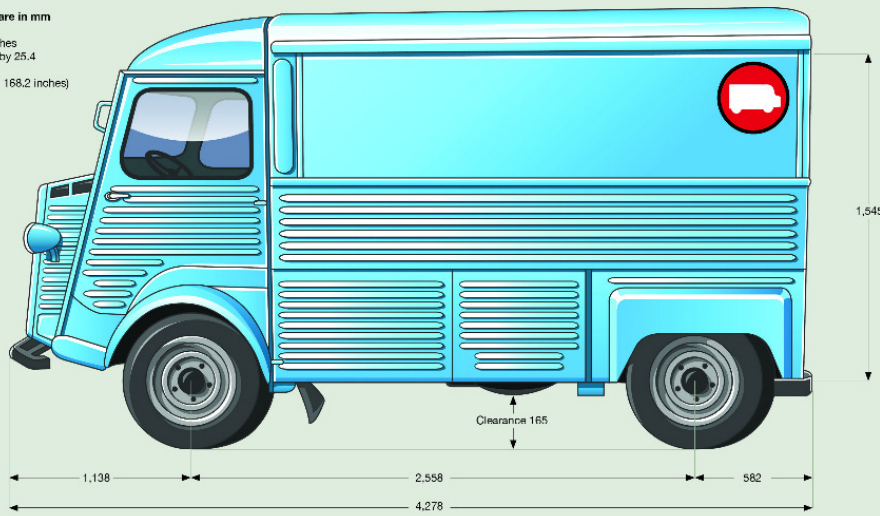
Maximum speed: 78 kph

Fuel consumption: 13 litres/100km

All sizes below are in mm

To convert to inches divide the figure by 25.4

(ie: 4273 / 25.4 = 168.2 inches)



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

An application has been made by El Cafecito Ltd of 33 Elm Grove, Saffron Walden, CB10 1NA to Epping Forest District Council for a consent to sell hot and cold food and drinks at Loughton Club, 8 Station Road, Loughton, IG10 4NX; Monday to Friday 07:00-16:00, Saturday 09:00-15:00 and Sunday 10:00-15:00.

Any representations regarding this application should be made by 24th October 2022 to:

licensing@eppingforestdc.gov.uk or

Licensing Department
Epping Forest District Council
The Gate House
North Weald Airfield
Epping
CM16 6HR

Public Notice on Display

**PUBLIC NOTICE
LOCAL GOVERNMENT (MISCELLANEOUS
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Licensing Department
Epping Forest District Council
The Gate House
North Weald Airfield
Epping
CM16 6HR





Peter Jones

From: Debra Paris [REDACTED]
Sent: 13 October 2022 09:53
To: Peter Jones
Cc: Jonathon Glynn
Subject: RE: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

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 Peter

Please see below the comments of the Loughton Town Council Planning & Licensing Committee, following its meeting on Monday, 10 October 2022, in respect of the above application:

Licensing Applications

284.1 Application for New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

The Committee OBJECTED to this application on the grounds that the proposal would negatively impact on the amenity of the residents of neighbouring properties due to the cooking odours emitted. Members also raised a concern for possible noise disturbance from the vehicle engine or generator; and that the proposal would encourage litter in the surrounding area.

I would appreciate your acknowledgement of this email and its contents.

Kind regards
Debra

Debra Paris
Planning and Licensing Committee Clerk Loughton Town Council
Loughton Library & Town Hall, Traps Hill, Loughton, IG10 1HD
Tel: [REDACTED]
Fax: [REDACTED]
E-mail: contact@loughton-tc.gov.uk
Web: www.loughton-tc.gov.uk



By contacting Loughton Town Council you agree that your contact details may be held and processed for the purpose of corresponding with you. You may request access to the information we hold on you and you may request to be removed as a contact at any time by emailing: contact@loughton-tc.gov.uk A copy of Loughton Town Council's Privacy Notice may be viewed at: <https://tinyurl.com/y8sxohqs>

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Peter Jones

From: Christopher Smith
Sent: 04 October 2022 14:25
To: Peter Jones
Subject: RE: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

Hi Peter,

I have no comments to make in relation to this application.

Chris Smith
Senior Environmental Enforcement Officer
Community Resilience Team
Technical Services
Epping Forest District Council, High Street, Epping, CM16 4BZ

[Redacted]

From: Peter Jones <pjones@eppingforestdc.gov.uk>

Sent: 04 October 2022 12:30

To: [Redacted]

Cc: [Redacted]

Subject: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

Good afternoon,

Please find attached a copy of a new application for a Street Trading Consent at the above location.

This application is for the sale of hot and cold food and drinks Monday to Friday 07:00-16:00, Saturday 09:00-15:00 and Sunday 10:00-15:00.

The consultation starts today 4th October 2022 and ends 24th October 2022, any comments or representations must be submitted within this time period.

Kind regards

Mr Peter Jones MIOL, ABII

Licensing Officer

Licensing Team

Commercial and Regulatory Directorate

Tel. [Redacted]

From: [Olive Porter](#)
To: [Peter Jones](#)
Subject: RE: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX
Date: 04 October 2022 14:49:22
Attachments: [image002.png](#)
[image006.png](#)
[image008.png](#)

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.

Good afternoon

Thank you for contacting me, this is being parked within private land where ECC have no jurisdiction as it is not classed as public highway.

My only comment would be that the hatch where members of the public area serviced should not be where vehicles drive as it is classed as a conflict.



Regards

**Olive Porter CIHT, IHE | Network Assurance – Senior Engineer
Highways**



SAFER / GREENER / HEALTHIER

Telephone [REDACTED]

[Chat with me on Teams](#)
www.essex.gov.uk/highways

For information - My working days are from Monday - Thursday



From: Peter Jones <pjones@eppingforestdc.gov.uk>

Sent: 04 October 2022 12:30

To: [REDACTED]

Cc: [REDACTED]

Subject: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

Good afternoon,

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Kind regards

Mr Peter Jones MIOL, ABII

Licensing Officer

Licensing Team

Commercial and Regulatory Directorate

Tel. [REDACTED]

[Chat with me on Teams!](#)



Epping Forest District Council
www.eppingforestdc.gov.uk



Safer spaces is a council-led programme to help kickstart the local economy and reopen high streets in the Epping Forest district [Click Here to have your say on social distancing and safer spaces](#)



Our employees are working from home and have access to emails and telephones. We are doing everything we can to support our residents and local businesses. To avoid risk of cross-contamination please don't send items and correspondence through the post unless absolutely necessary. For up to date information and service updates go to our website at www.eppingforestdc.gov.uk. **Stay alert. Control the virus. Save lives.**

Disclaimer Epping Forest District Council

If you received this email by mistake, please let us know and delete it. We ask you to respect any confidential or private information in the email. Do not share it unless appropriate to do so. We take precautions to minimise risk but we cannot guarantee the safety, confidentiality and security of the internet. Please carry out your own virus checks on any attachments. We are not liable or bound by the content of this email. Our employees are fully responsible for the content of their emails and we expect them to remain within the law. However, the views expressed by our employees may not necessarily reflect the policies of Epping Forest District Council.

This email has been scanned by the Symantec Email [Security.cloud](#) service.
For more information please visit <http://www.symanteccloud.com>

Peter Jones

From: Brian Stalabrass
Sent: 05 October 2022 12:36
To: Peter Jones
Subject: RE: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

Hi Peter,
We have no comment to make with regard to the street trading renewal.
Cheers
Brian

**Brian Stalabrass, EHO,
Environmental Health Team Manager – Food, H&S, and Air quality**

e-mail [redacted]
tel - [redacted]
mb - [redacted]

From: Peter Jones <pjones@eppingforestdc.gov.uk>
Sent: 04 October 2022 12:30

To: [redacted]

Cc: [redacted]

Subject: New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

Good afternoon,

Please find attached a copy of a new application for a Street Trading Consent at the above location.

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Kind regards

Mr Peter Jones MIOL, ABII

Licensing Officer
Licensing Team
Commercial and Regulatory Directorate

Tel. [redacted]

[Chat with me on Teams!](#)

Peter Jones

From: Licensing Epping and Brentwood [REDACTED]
Sent: 07 October 2022 10:42
To: Peter Jones; Licensing
Subject: FW: EPP - FW: EXTERNAL - New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

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.

Good morning ,

I have spoken to the applicant this morning regarding his application .

Essex Police have no representations .



Ronan McManus (80692)

Senior Licensing Officer

☎ 101 (Ext: [REDACTED]) ☎ [REDACTED]

📄 Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

[Local Policing Support Unit - Home \(sharepoint.com\)](#)

From: Licensing Applications Essex [REDACTED]
Sent: 04 October 2022 12:33
To: Licensing Epping and Brentwood [REDACTED]
Subject: EPP - FW: EXTERNAL - New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

Hi Ronan,

Forwarded for your attention and response

Kind Regards

Paul Norman 80865

Licensing Clerk

Essex Police Licensing Team (Alcohol)

Braintree Police Station

Internal Ext [REDACTED]

External Direct Number: [REDACTED]

E-mail: [REDACTED]

Website: www.essex.police.co.uk

From: Peter Jones <pjones@eppingforestdc.gov.uk>

Sent: 04 October 2022 12:30

To: [REDACTED]

Cc: [Redacted]

Subject: EXTERNAL - New Street Trading Consent - El Cafecito Ltd, Loughton Club, 8 Station Road, Loughton, IG10 4NX

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

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Kind regards

Mr Peter Jones MIOL, ABII

Licensing Officer

Licensing Team

Commercial and Regulatory Directorate

Tel. [Redacted]

[Chat with me on Teams!](#)



Epping Forest District Council
www.eppingforestdc.gov.uk



Safer spaces is a council-led programme to help kickstart the local economy and reopen high streets in the Epping Forest district [Click Here to have your say on social distancing and safer spaces](#)

Peter Jones

From: Mailbox - South West Group SDP [REDACTED]
Sent: 21 October 2022 12:17
To: Peter Jones
Subject: Premises: El Cafecito ltd., Loughton Club car park 8 Station Road Loughton IG10 4NX
Attachments: CFR72C0.docx

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.

Good afternoon,

Please find attached correspondence from Essex County Fire and Rescue Service.
Should you have any queries in relation to this matter, please refer to contact details provided within the correspondence.
Kind Regards,

Jacqueline Galloway

Admin Team (South West)
Essex County Fire and Rescue Service
South West Group Service Delivery Point
Basildon Fire Station
Broadmayne
Basildon SS14 1EH
Tel: [REDACTED]
E-mail: [REDACTED]



 Please consider the environment before printing this e-mail

Want to stay up to date with Essex County Fire and Rescue Service news, events, emergency bulletins and job vacancies? Visit www.essex-fire.gov.uk/signup to subscribe to our newsletters. This communication may contain personal and confidential information that is protected by the Data Protection Act 2018. If you are not the named addressee, you should not disseminate, distribute or copy this e-mail. Please notify the sender immediately by email if you have received this email by mistake and delete this email from your system. Copyright in this communication either belongs to Essex Police, Fire and Crime Commissioner Fire and Rescue Authority or such use has been approved by the copyright holder.



Essex County
Fire & Rescue Service

Rick Hylton
Chief Fire Officer / Chief Executive

Mr Peter Jones -Licensing Officer,
Licensing Team,
Epping Forest District Council,
Civic Offices,
323 High Street
Epping
CM16 4BZ

South West Group Service Delivery Point
Basildon Fire Station
Broadmayne
Basildon
SS14 1EH

Enquiries to: Angus Neale Watch Manager
T: [REDACTED]

Our Ref: 125089
Your Ref:

Date: 21 October 2022

Dear Sir,

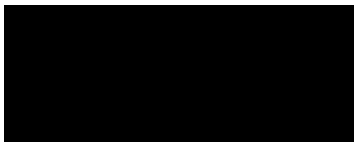
LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1982: PART III
THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005
Premises: El Cafecito Ltd., Loughton Club car park 8 Station Road Loughton IG10 4NX

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

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

Please quote our reference number in any future correspondence.

Yours faithfully



C A Neale
Protection

Report to the Licensing Committee

Date of meeting: 17th January 2023

Subject: Application to vary an existing premises Licence for Bonhomie, 14 Forest Drive, Theydon Bois, Epping, Essex CM16 7EY



**Epping Forest
District Council**

**Responsible Officer: Debbie Houghton
Licensing Officer**

Democratic Services: Jackie Leither

Recommendations/Decisions Required:

To determine the application for a variation of an existing Premises Licence under the Licensing Act 2003

Report:

Application

1. An application has been made by Belgique Theydon Ltd, the Premises Licence Holder for a variation to the existing premises licence at the above premises. The authority received the application on 25th November 2022. The application sets out the varied licensing activities applied for and times requested. A copy of the present licence for the premises and the application for variation are attached to this report.
2. The applicant is requesting to extend the trading hours Monday to Sunday for the following licensable activities,
3. ***The Provision of Recorded Music Monday to Sunday 08.00 – 22.00
(currently Monday to Sunday 08.00 – 18.30)***

The Provision of Late-Night Refreshment Monday to Sunday 08.00 – 22.00

***The Sale by Retail of Alcohol Monday to Sunday 08.00 – 22.00 On sales only
(currently Monday to Sunday 08.00 – 18.00 on and off sales)***

The Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014, brought about deregulatory changes of The Licensing Act 2003 and as such no licence is required for:

- *Unamplified live music between 08.00 and 23.00 on any day, on any premises.*
- *Amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises*
- *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*

Licensing Act 2003

4. When considering an application for a licence the licensing authority must have regard to the promotion 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.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

6. The Responsible Authorities received a copy of the application, it was properly advertised at the premises and in a local newspaper, a copy of the newspaper advert and the Public notice are attached to this report.

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

7. The authority has received 1 representation of objection from Theydon Bois Parish Council (attached), and comments from the Planning Department
8. The representation relates to the Prevention of Public Nuisance, Public Nuisance, The Prevention of Crime and Disorder and The Protection of Children from Harm.

Guidance Issued by the Secretary of State

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
10. Sections 2.1-2.6 and 2.15-2.21 of the Guidance are relevant to this application.

Options

11. 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:
 - To grant the variation as applied for
 - To modify the variation submitted; or
 - to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

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
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents

- A copy of the variation application
- A copy of the existing premises licence Part A.
- Copy of the Blue notice
- Copy of the Newspaper advert
- Copy of Representation and comment

This page is intentionally left blank

* required information

Section 1 of 18

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

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

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

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

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.

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 18

APPLICATION DETAILS

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence, you should make a new premises licence application under section 17 of the Licensing Act 2003.

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

* Premises Licence Number

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

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

Section 3 of 18

VARIATION

Do you want the proposed variation to have effect as soon as possible?

Yes No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

Describe Briefly The Nature Of The Proposed Variation

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

TO EXTEND OPENING TRADING HOURS TO 10PM MONDAY TO SATURDAY.

Section 4 of 18

PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes No

Section 5 of 18

PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Yes

No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

Section 8 of 18

PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

Section 9 of 18

PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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 select 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.

CAFE/RESTAURANT WITH RECORDED MUSIC PLAYING AS BACKGROUND MUSIC
NO NIGHT CLUB MUSIC ETC

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

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed above, 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 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes No

Section 11 of 18

Continued from previous page...

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

See guidance on regulated entertainment

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes

No

Section 12 of 18

PROVISION OF LATE NIGHT REFRESHMENT

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

Provide 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

Continued from previous page...

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

Indoors Outdoors Both

Where taking place in a building or other structure select 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.

CONTINUE TO SERVE GLASS OF WINE OR BEER WITH MEALS

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 provision of late night refreshment at different times from those listed above, 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 13 of 18

SUPPLY OF ALCOHOL

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start End

Start End

THURSDAY

Start End

Start End

FRIDAY

Start End

Start End

SATURDAY

Start End

Start End

SUNDAY

Start End

Start End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, 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 14 of 18

ADULT ENTERTAINMENT

Continued from previous page...

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.

Provide 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.

NONE

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

Continued from previous page...

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 above, 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

Identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking.

NONE

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

Reasons why I have failed to enclose the premises licence or relevant part of premises licence.

Section 16 of 18

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.

GOOD MANAGEMENT PRACTICES AND TRAINING TO STAFF WITH REGARD TO DRUNKENESS AND UNDERAGE DRINKING, AND ADHERING TO THE TERMS OF LICENCE AND OBEYING THE REQUIREMENTS SET OUT IN THE LICENCING ACT 2003.

b) The prevention of crime and disorder

PROVIDE CCTV INSIDE AND OUTSIDE, REPORT ANY INCIDENTS TO POLICE OR RELEVANT AUTHORITIES.

c) Public safety

Continued from previous page...

APPROPRIATE FIRE SAFETY PROCEDURES, EMERGENCY LIGHTING, APPLIANCE INSPECTIONS ANNUALLY

d) The prevention of public nuisance

ASK CUSTOMERS TO LEAVE QUIETLY AND THOUGHTFULLY, WITH RESPECT AND REGARD OF NEIGHBOURS.

e) The protection of children from harm

UNDERAGE DRINKING PREVENTION TRAINING FOR ANY PERSONS DEEMED UNDER 25, WITH PHOTO ID REQUIRED.
ALL STAFF WILL UNDERGO REGULAR TRAINING FOR UNDERAGE SALES PREVENTION.
A REGISTER OF REFUSED SALES WILL BE KEPT AND MAINTAINED ON THE PREMISES.

Section 17 of 18

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 18 of 18

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.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then your are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

If you own a large premise 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

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

Continued from previous page...

* Full name	<input type="text" value="CHRIS KEEN"/>
* Capacity	<input type="text" value="OWNER/DIRECTOR"/>
* Date	<input type="text" value="24"/> / <input type="text" value="11"/> / <input type="text" value="2022"/> 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/change-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, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="PREMISES LICENCE BONHOMIE"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

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Notice of Application for a Variation Premises Licence Under the Licensing Act 2003

Notice is given this day 25th November 2022 that Belgoue (Theydon) Ltd of 14 Forest Drive, Theydon Bos, Epping CM16 7EY has applied to the Licensing office of Epping Forest District Council for a Premises Licence in respect of bar/club, 14 Forest Drive, Theydon Bos, Epping CM16 7EY. The proposed licence is for: The Provision of Recreational Music Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.30); The Provision of Late Night Refreshment Monday to Sunday 08.00 – 22.00; The Sale by Retail of Alcohol Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.00); Opening Times of the Premises Monday to Sunday 08.00 – 22.00. The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4EZ. Applications for premises licences may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licensing Office within 28 days of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000)

PLANNING

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Theydon Bois Parish Council

Parish Office, The Village Hall, Coppice Row,
Theydon Bois, Essex CM16 7ER
Clerk to the Council: Mrs Jennifer Endean
Tel:01992 813442

22nd December 2022

Miss Debbie Houghton
Licensing Officer, Licensing Team
Commercial and Regulatory Directorate
Epping Forest District Council
Civic Offices, High Street, Epping
Essex CM16 4BZ

Dear Miss Houghton,

Variation of Premises Licence, 'Bonhomie', 14 Forest Drive, Theydon Bois CM16 7EY

The Parish Council has considered the application for a Variation of Premises Licence at Bonhomie (formerly Belgique), 14 Forest Drive, Theydon Bois CM16 7EY, and has the following concerns and objections.

Situated in the centre of a small parade of shops in Forest Drive, Theydon Bois, 'Bonhomie' is a café selling drinks, pastries and cakes, and brunch/deli-style hot and cold food. The business has the informal atmosphere of a café and is popular with families. The Parish Council has learned, anecdotally, that the intention is for this establishment to operate as a wine bar in the evenings.

The current Premises Licence for Bonhomie has opening times at 08:00 until 18:30 hours Monday to Sunday. The Variation of Premises Licence application seeks to extend opening times from 08:00 until 22:00 hours Monday to Sunday, and also to extend by the same hours the Sale by Retail of Alcohol, the Provision of Late Night Refreshment, and the Provision of Recorded Music – all to 22:00 hours.

The two storey flats above Bonhomie are in residential occupancy and the locality enjoys a quiet ambience both during the daytime and in the evening. Our main concerns and objections relate to the prevention of public nuisance and protecting the amenity of

residents, possible crime and disorder, excessive drinking, and the protection of children from harm. If this Variation of Premises Licence application was to be granted, Bonhomie would be the only establishment on that side of the road to remain open after 6pm. We have, incidentally, noted that the current opening hours of this business appear to be Monday to Saturday 07:30 – 16:30, Sunday – Closed.

The café is currently licensed to serve alcohol from 08:00 to 18:00 hours. There are two dine-in restaurants on the opposite side of Forest Drive: one of these is licensed to open and serve alcohol from 11:00 to 22.30 (Il Bacio restaurant at 19B Forest Drive – to 23.00 Friday and Saturday); the other restaurant is licensed to open and serve alcohol from 12:00 to 23:00 (formerly Kuzine / Mazaca restaurant at 13 Forest Drive, premises are currently closed).

In the interests of the four licensing objectives, including the prevention of public nuisance, the Parish Council objected to Bonhomie's Variation of Premises Licence Application in 2018 to serve alcohol from 08:00 hours. The rationale for that application to serve alcohol so early in the day was, it is understood, to enable Bonhomie to offer a special birthday breakfast (with alcohol). Because the café is currently licenced to operate only during the daytime, the ability to serve alcohol from 08:00 has thankfully not noticeably changed the relaxed café vibe. Coffee, hot chocolate and other non-alcoholic drinks still appear to be the main order of the day.

However, to extend the hours of operating into the late evening – to 22:00 – would change this establishment from a café to a bar. The application is seeking to serve drinks and food both inside the premises, and outside the premises on an outdoor seating area. The disturbance to residents of the flats above, and also to residents of the flats located above premises on the opposite side of the road, would be unacceptable. The whole feel of this predominantly quiet neighbourhood would change.

There have been issues in the past whereby customers of the Il Bacio restaurant at 19B Forest Drive caused a public nuisance through drinking on the forecourt area immediately outside that restaurant. Following a hearing, EFDC Licensing imposed strict conditions on the Il Bacio premises licence whereby no food or drinks can be served outside the restaurant after 16:00 hours, and any doors to the restaurant must remain closed at all times. Smoking immediately outside the restaurant is restricted to 5 people at any time and must be supervised by a member of staff.

The Parish Council is strongly of the view that Bonhomie's Variation of Existing Premises Licence must be refused – for the sake of maintaining public safety, the protection of children, avoiding crime and disorder, and avoiding public nuisance. Noise nuisance in the evening caused by music and customers inside Bonhomie would inevitably reverberate

around several of the residential flats above. Equally, customers eating and drinking outside during the evening, and arriving and leaving by car, would cause a serious disruption to all nearby residents – including those living further along Forest Drive and in Buxton Road.

Other restaurants in Forest Drive do not serve food and drink outside during the evening (the restaurant at 13 Forest Drive does not serve food and drink outside at all). For Bonhomie to do so would be an anomaly and set an extremely unwelcome precedent. It would negatively change the pleasant and predominantly tranquil atmosphere of the village's parade of shops – and the peaceful environment that is returned to its residents in the evening. Lighting of the premises into the evening is also a public safety concern and is in conflict with the Theydon Bois Dark Skies Policy.

The 'Prevention of Public Nuisance' clauses annexed to the current Premises Licence for Bonhomie mandate that: the business must avoid causing disturbance to nearby residents; delivery of goods are carried out at such a time as to prevent nuisance and disturbance to nearby residents; staff who arrive early or depart late when the business is not open for trading must conduct themselves in such a manner to avoid causing disturbance to nearby residents.

If the business was to be open 7 days a week from 08:00 in the morning to 22:00 at night, serving alcohol and playing recorded music, as this application seeks to do, it would be impossible to not cause disturbance to nearby residents, nor to avoid creating a negative impact on the amenity of residents. This quiet location is clearly not suitable for the proposed evening operation, which does not, in the Parish Council's view, have regard to the proximity of residential development. The Parish Council requests that Epping Forest District Council refuses this Variation of Premises Licence application.

Yours sincerely,

Jennifer Endean
Parish Clerk
Theydon Bois Parish Council

Debbie Houghton

From: Graham Courtney
Sent: 28 November 2022 16:25
To: Debbie Houghton
Cc: Contact Planning
Subject: RE: Variation of existing premises licence Bonhomie (formerly Belgique) 14 Forest Drive Theydon Bois CM16 7EY

Hi Debbie,

One of my officers had a look at the planning history of this site and it appears that planning consent ref: EPF/0190/09, which was the proposal for the continuance of use of premises as mixed use (Class A1 shops and Class A3 café), contained the following condition:

"The use hereby permitted shall not be open to customers/members of the public outside the hours of 8.00am to 6.00pm Monday to Saturday, 8.00am to 3.00pm on Sundays and shall remain closed on public holidays."

There appear to be no applications since that suggest any change to this, so the applicants may need to be informed that planning consent is likely going to be required for the change in their opening hours.

Thanks,

Graham

From: Debbie Houghton <dhoughton@eppingforestdc.gov.uk>
Sent: 25 November 2022 08:03
To: Essex Police (Licensing.Applications@essex.police.uk) <licensing.applications@essex.police.uk>; Essex Fire Rescue (SouthWestGroupSDP@essex-fire.gov.uk) <southwestgroupsdp@essex-fire.gov.uk>; Environmental Health <EnvironmentalHealth@eppingforestdc.gov.uk>; TradingStandards@Essex.gov.uk; Contact Planning <contactplanning@eppingforestdc.gov.uk>; Head Of Child Protection (licenceapplications@essex.gov.uk) <LicenceApplications@essex.gov.uk>; The Home Office <alcohol@homeoffice.gsi.gov.uk>; Brian Stalabrass <BStalabrass@eppingforestdc.gov.uk>; Christopher Smith <CSmith@eppingforestdc.gov.uk>; Safercommunities <Safercommunities@eppingforestdc.gov.uk>; Tracy Latham <tlatham@eppingforestdc.gov.uk>; DemocraticServices <DemocraticServices@eppingforestdc.gov.uk>
Cc: parishclerk@theydonbois-pc.gov.uk; Cllr.C Amos <Cllr.CAmos@eppingforestdc.gov.uk>; Cllr.J Philip <cllr.jphilip@eppingforestdc.gov.uk>; cllr.holly.whitbread@essex.gov.uk; LEBONHOMIE3@GMAIL.COM
Subject: Variation of existing premises licence Bonhomie (formerly Belgique) 14 Forest Drive Theydon Bois CM16 7EY

Good morning,

Please find attached a copy of a Variation for the above premises to extend the opening trading hours, this variation is for the following,

The Provision of Recorded Music Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.30)

The Provision of Late Night Refreshment Monday to Sunday 08.00 – 22.00

The Sale by Retail of Alcohol Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.00)

Opening times of the premises Monday to Sunday 08.00 – 22.00

The Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014, brought about deregulatory changes of The Licensing Act 2003 and as such no licence is required for:

- *Unamplified live music between 08.00 and 23.00 on any day, on any premises.*
 - *Amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises*
 - *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*
-

The consultation period for this starts 25th November 2022 and ends 22nd December 2022, any representations or comments must be submitted within this time period,

The application may contain personal information this is not for sharing or 3rd party use,

Regards

Debbie

Miss Debbie Houghton

Licensing Officer

Licensing Team,

Commercial and Regulatory Directorate

Tel: 01992 564336 Mobile 07704073743 remotely working until further notice

E-mail: dhoughton@eppingforestdc.gov.uk

PREMISES LICENCE

Part A



Neighbourhoods

Premises licence number:

LN/000003262

Part 1 – Premises details:

Postal address of premises, or if none, ordnance survey map reference or description:

Bonhomie, 14 Forest Drive, Theydon Bois, Epping, Essex,

Post Town:

Post code: CM16 7EY

Telephone number: 01992 814430

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

Sale of Alcohol

Provision of Recorded Music

The times the licence authorises the carrying out of licensable activities:

Sale of alcohol - Monday to Sunday 08:00 to 18:00

Provision of Recorded Music – Monday to Sunday 08:00 to 18:30

The opening hours of the premises:

Monday to Sunday - 08:00 to 18:30

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

On and Off

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Belgique (Theydon) Ltd, 14 Forest Drive, Theydon Bois, Epping Essex, CM16 7EY

Registered number of holder, for example company number, charity number (where applicable):

07797649

Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Christopher Keen, [REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:

[REDACTED]

Mandatory Conditions

All Premises Licence authorising supply of alcohol

The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
 - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
 - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and, which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that schedule.

Annex 2 – Conditions consistent with the Operating Schedule:

General

To promote the four Licensing Objectives, Management will have strong controls and effective training of all staff to ensure awareness of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a) no selling of alcohol to underage people
- b) no drunk and disorderly behaviour on the premises area
- c) vigilance in preventing the use and sale of illegal drugs at the retail area
- d) no violent and anti-social behaviour
- e) no any harm to children

- The Designated Premises Supervisor will have day-to-day control of the premises and will provide good training for staff on the Licensing Act (Training Record), to make or authorise each sale

- A Challenge 25 scheme will be operated to prevent the supply of alcohol to under-age drinkers.

- Alcohol will be stored in a lockable cabinet to ensure that it is safe and secure at all times

The DPS will operate the business with a purpose of promoting the four licensing objectives. This will be supported through the operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

The 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 exits 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 incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon request. The log must be kept as a bound document with individually numbered pages and be retained for a period of at least 6 months after the last incident recorded. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence and shall record the following:
 - a) all crimes reported to the venue
 - b) all ejections of patrons
 - c) any complaints received concerning crime and disorder
 - d) any incidents of disorder
 - e) all seizures of drugs or offensive weapons
 - f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

Public Safety

1. A clear and legible notice to be displayed outside the premises indicating the normal hours of operation during which licensable activities are permitted.
2. Clear and conspicuous notices must be displayed warning of potential criminal activity, such as theft, that may target customers.
3. Alcohol must not be sold to intoxicated customers.
4. Custom must not be sought by means of personal solicitation outside or in the vicinity of the licensed premises.
5. Staff will be trained in asking customers to use the premises in an orderly and respectful manner and prevent drinking alcohol at the retail counter area
6. Alcohol will only be served ancillary to a meal.
7. A refusal log book must be kept at the premises.
8. A Health & Safety Manual must be kept at the premises.

Prevention of Public nuisance

1. Prominent, clear and legible notices must be displayed at the exit to the premises requesting customers to respect the needs of nearby residents and to leave the premises and the area quietly.
2. Deliveries of goods necessary for the operation of the business must be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
3. Management will ensure that staff who arrive early morning or depart late afternoon (eg. for unpacking, pricing newly delivered goods) when the business is not open for trading, must conduct themselves in such a manner to avoid causing disturbance to nearby residents.
4. Customers to be requested not to stand around loudly talking in the street outside the premises.
5. Customers must not be admitted to the premises outside of opening hours.
6. The movement of bins and rubbish outside the premises will be kept to a minimum and there will be no activity after 19:00.

7. Any lighting on or outside the premises must be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

The Protection of children from harm

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:

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

Annexe 3 – Conditions attached after a hearing by the licensing authority:

N/A

Annexe 4 – Plans:

Plans held at Epping Forest District Council

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