



Epping Forest District Council

LICENSING SUB COMMITTEE Tuesday 4th July 2023

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

Council Chamber - Civic Offices
on **Tuesday 4th July 2023 at 10.15 am**

Georgina Blakemore
Chief Executive

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

Members: Councillors L Mead (Chairman), R Morgan and I Allgood.

PLEASE NOTE THAT THIS MEETING IS OPEN TO ALL MEMBERS TO ATTEND

This meeting will be broadcast live and recorded for repeated viewing.

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

To be announced at the meeting.

3. DECLARATIONS OF INTEREST

To declare interests in any item on this agenda.

4. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 10)

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

5. TEMPORARY EVENT NOTICE – THE PINK ZEBRA, 6-7 FOXES PARADE, SEWARDSTONE ROAD, WALTHAM ABBEY EN9 1PH (Pages 11 - 32)

To determine the application for a Temporary Event Notice under the Licensing Act 2003.

6. EXCLUSION OF PUBLIC AND PRESS**Exclusion:**

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

Agenda Item No	Subject	Exempt Information Paragraph Number
Nil	Nil	Nil

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers:

Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

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

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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Report to the Licensing Sub Committee

Date of meeting: 4th July 2023

Subject: Panel Report for a Temporary Event Notice – The Pink Zebra, 6-7 Foxes Parade, Sewardstone Road, Waltham Abbey EN9 1PH



**Epping Forest
District Council**

**Responsible Officer: Denise Bastick
Licensing Compliance Officer**

Democratic Services:

Decisions Required:

To determine the application for a Temporary Event Notice under the Licensing Act 2003

Report:

Application

1. A Temporary Event Notice has been given by Mr James Webster for the following premises: The Pink Zebra, 6-7 Foxes Parade, Sewardstone Road, Waltham Abbey EN9 1PH. The notice is in respect of a ticketed Birthday Party, which is proposed to take place on 7th to 8th July 2023 between 20:00 to 03:45 for a maximum of 200 people.

The licensable activities applied for are as follows:

- The sale by retail of alcohol,
- The provision of regulated entertainment
- The provision of late-night refreshment

The Temporary Event Notice was received on 20th June 2023.

Licensing Act 2003

- 2 Where the licensing authority receives an objection notice from the Police or Environmental Health that is not withdrawn, it must hold a hearing to consider the objection notice unless all parties agree that this is unnecessary. When considering a Temporary Event Notice the licensing authority must have regard to steps that are appropriate to promote 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.

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

Consultation

- 4 The Responsible Authorities for, Essex Police, the Environment Enforcement/ Community Resilience Team and Environmental Health Team were consulted.
- 5 The authority received an objection notice from Essex Police.

Guidance Issued by the Secretary of State

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

Options

In determining the Temporary Event Notice, the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- Allow the licensable activities to go ahead as stated in the Temporary Event Notice
- Impose one or more of the existing licence conditions on the Temporary Event Notice (insofar as such conditions are not inconsistent with the event)
- Reject the Temporary Event Notice and issue a counter notice.

Determination

The Sub-committee is asked to determine the Temporary Event Notice having regard to

- (a) the content of this report and objection notice
- (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. An appeal may not be brought later than five working days from the day of the planned event.

Background Papers Used in Preparing This Report:

- The Licensing Act 2003
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents.

- Temporary Event Notice, together with accompanying document detailing how the venue will manage the event;
- Notice of Objection from Essex Police;
- Pink Zebra's existing Premise Licence.

* required information

Section 1 of 9

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 9

APPLICATION DETAILS ([See also guidance on completing the form, general notes and note 1](#))

Have you had any previous or maiden names?

- Yes No

* Your date of birth / /

Applicant must be 18 years of age or older

National Insurance number

This box need not be completed if you are an individual not liable to pay UK national insurance.

Place of birth

Correspondence 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

Postcode

Country

Continued from previous page...

Additional Contact Details

Are the contact details the same as (or similar to) those given in section one?

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.

Yes No

E-mail	<input type="text" value="REDACTED"/>
Telephone number	<input type="text" value="REDACTED"/>
Other telephone number	<input type="text"/>

Section 3 of 9

THE PREMISES

I, the proposed user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry out a temporary activity at the premises described below.

Give the address of the premises where you intend to carry on the licensable activities or if it has no address give a detailed description (including the Ordnance Survey references). [\(See also guidance on completing the form, note 2\)](#)

* Does the premises have an address?

Yes No

Address

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

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.

Yes No

* Building number or name	<input type="text" value="6 -8 Foxes Parade"/>
* Street	<input type="text" value="Sewardstone Road"/>
District	<input type="text" value="Epping Forest"/>
* City or town	<input type="text" value="Waltham Abbey"/>
County or administrative area	<input type="text"/>
* Postcode	<input type="text" value="EN9 1PH"/>
* Country	<input type="text" value="United Kingdom"/>

* Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

Neither Premises licence Club premises certificate

* Premises licence number	<input type="text" value="LN/210001519"/>
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Location Details

* Provide further details about the location of the event

Pink Zebra is located on a high road with a bus stop outside.

Continued from previous page...

State the times during the event period that you propose to carry on licensable activities (give times in 24 hour clock)

20.00hrs till 03.45

[\(see also guidance on completing the form, note 10\)](#)

State the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers

200

Note that the maximum number of people cannot exceed 499.

[\(see also guidance on completing the form, note 11\)](#)

If the licensable activities will include the supply of alcohol, state whether the supplies will be for consumption on or off the premises, or both

[\(see also guidance on completing the form, note 12\):](#)

- On the premises only
- Off the premises only
- Both

Section 5 of 9

RELEVANT ENTERTAINMENT [\(See also guidance on completing the form, note 13\)](#)

State if the licensable activities will include the provision of relevant entertainment. If so, state the times during the event period that you propose to provide relevant entertainment

20.00 till 03.45

Sale of alcohol to guests

Section 6 of 9

PERSONAL LICENCE HOLDERS [\(See also guidance on completing the form, note 14\)](#)

Do you currently hold a valid personal licence?

- Yes
- No

Provide the details of your personal licence below.

Issuing licensing authority

Epping Forest Council

Licence number

██████████

Date of issue

██ / ██ / ████

dd mm yyyy

Any further relevant details

Section 7 of 9

PREVIOUS TEMPORARY EVENT NOTICES [\(See also guidance on completing the form, note 15\)](#)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?

Yes No

Have you already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Section 8 of 9

ASSOCIATES AND BUSINESS COLLEAGUES [\(See also guidance on completing the form, note 16\)](#)

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Has any associate of yours already given a temporary event notice for the same premises in which the event period:

a) Ends 24 hours or less before; or Yes No

b) Begins 24 hours or less after the event period proposed in this notice?

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?

Yes No

Continued from previous page...

Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period:

Yes No

a) Ends 24 hours or less before; or
b) Begins 24 hours or less after the event period proposed in this notice?

Section 9 of 9

CONDITION [\(See also guidance on completing the form, note 18\)](#)

It is a condition of this temporary event notice that where the relevant licensable activities described in Sections 4 and 5 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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.
This formality requires a fixed fee of £21

DECLARATION [\(See also guidance on completing the form, note 19\)](#)

- * The information contained in this form is correct to the best of my knowledge and belief
- * I understand that it is an offence:
 - * (i) to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
 - * (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both
- *

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

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

* Full name

* Capacity

* Date / /
dd mm yyyy

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

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/temporary-event-notice/epping-forest/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

OFFICE USE ONLY

Applicant reference number	<input type="text" value="PZC1"/>
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"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [Next >](#)

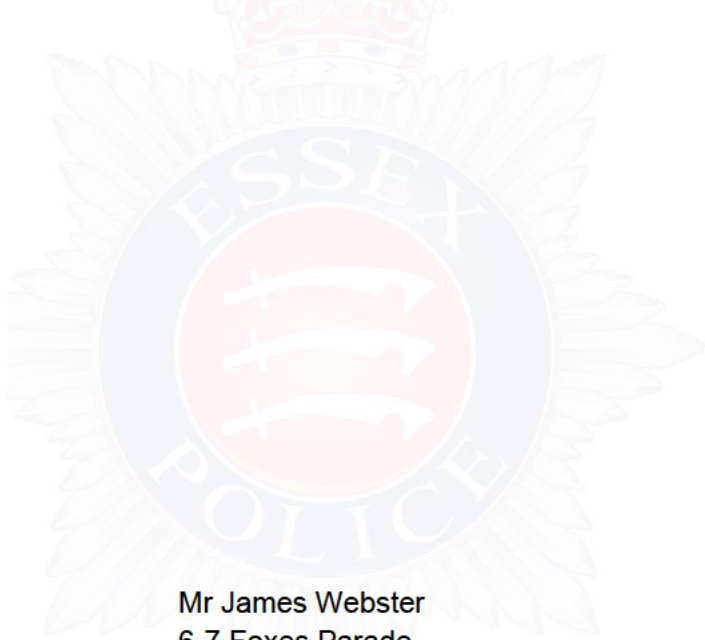
To: Epping Forest Council
From: James Webster
Subject: Temporary Event Licence
Application Reference:1385877
Page 1 of 1 Only

Please see the following information below on how we will manage the late licence with reference to the application sent Monday 19th June 2023 for Friday 7th July 2023.

- Majority of guests will be mature guests over the age of 35
- Music will be reduced by additional 20% from 2am, I would like to add that we are on a limiter already.
- The dispersion of guests will start by DJ lights being turned on 30 minutes before the event closes.
- 15 minutes before the Temporary Event Licence ends the music will be turned off
- Extra staff will be on hand on the day to direct guests away from the club, we have been in contact with the local taxi service and they agreed to supply a fleet of cars for our guests. Guests will also be reminded that UBER can be pre/booked with a pick up time prior to club finishing.
- Pink Zebra will comply with all the conditions on the licence.

Please do not hesitate to contact us if you have any questions.

Regards



Mr James Webster
6-7 Foxes Parade
Sewardstone Road
Waltham Abbey
EN9 1PH

21 June 2023

**POLICE OBJECTION NOTICE To a Temporary Event Notice (TEN)
Section 104 Licensing Act 2003**

Name of Premises User: James Webster
Address of Premises: 6-7 FOXES PARADE SEWARDSTONE ROAD, WALTHAM
ABBEY, ESSEX, EN9 1PH
Date(s) required for TEN(s) 7th - 8th July 2023

On 20th June 2023 Essex Police received the above Notice(s).

The Police are satisfied that the allowing the premises to be used in accordance with the notice(s) would undermine one or more of the licensing objectives.

The licensing objective(s) of relevance to this objection notice are:

- Prevention of Crime and Disorder
- Prevention of Public Nuisance

The reasons for being so satisfied are that the premises already benefits from a Premises Licence until 02:00 (Fridays-Saturdays); this notice seeks to run from 20:00 to 03:45. Allowing the event to take place under a TEN would essentially allow the premises to operate outside of the conditions listed on the premises licence.

Currently by 02:30 (premises closes at 2am) any anti-social behaviour and violence is coming to an end. With this TEN ending at 03:45 these types of disturbances have the potential to occur over a longer period and at a much later time, disrupting residents and placing additional burden upon the police and ambulance services.

Essex Police Licensing Unit, Blyths Meadow Braintree, Essex CM7 3DJ

Licensing.applications@essex.police.uk 01245 452035

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

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www.essex.police.uk



At 03:45 there will be fewer methods for customers to leave the area, as local taxi companies will have likely ceased trading. This increases the potential for crime and disorder as patrons congregate outside waiting for the few passing taxis and private hire vehicles available.

Furthermore, the premises is in close proximity to residential addresses and with up to 200 people (as stated by the applicant on the Temporary Event Notice but could be up to 499 people) leaving the premises at 03:45; is likely to create noise causing a public nuisance.

This premises has already had incidents of crime and disorder and noise nuisance over the past year related to people leaving the venue, further highlighting the concerns that Essex Police have.

A copy of this objection notice has been served upon the premises user (or agent making application), the local Environmental Health Department and the relevant licensing authority.

On receipt of this notice the licensing authority will issue a 'Counter Notice' and provide further information on related procedures.

Yours faithfully

Kelsey Dott

Essex Police Licensing Officer

PREMISES LICENCE

Part A



Neighbourhoods

Premises licence number:

LN/210001519

Part 1 – Premises details:

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

Pink Zebra
6 Foxes Parade
Sewardstone Road

Post Town: Waltham Abbey Post code: EN9 1PH

Telephone number: 01992 676420

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

Licensable activities authorised by the licence:

Recorded Music
Performance of dance
Dancing
Live Music
Sale of Alcohol
Late Night Refreshments

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

Recorded Music, Performance of dance, Dancing, and Live Music

Sunday-Thursday 11.00 - 01.00

Friday-Saturday 11.00 - 02.00

Sale of Alcohol

Sunday – Thursday 11.00 – 00.30

Friday - Saturday 11.00 – 01.30

Late night refreshments

Sunday – Thursday 23.00 – 00.30

Friday - Saturday 23.00 – 01.30

The opening hours of the premises:

Sunday-Thursday 11.00-1.00

Friday-Saturday 11.00-2.00

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

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

James Webster

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

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

N/A

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

Coriosa O'Neill

[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[REDACTED]
[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:

LN/00000 [REDACTED] Epping Forest District Council

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 –

At a time when there is no Designated Premises Supervisor in respect of the Premises Licence;
or

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:

- Not more than ~~480~~ 200 persons in total shall be permitted to be seated and 20 persons at the bar for the purposes of any entertainment permitted by this license.
- No Statutory nuisance shall be caused to local residents in the vicinity of the Abbey Restaurant & Bar.
- An appropriate noise automatic noise control device must be used for any amplified music. The device must be set to a level, which will prevent any amplified music emanating from the premises causing a nuisance to the occupiers of the noise sensitive premises.
- At the close of every licensable event, the management of the premises shall make an announcement quietly, so as not to cause disturbance to nearby residents. A sign shall be displayed within the premises requesting customers to leave quietly and staff shall also be required to leave the premises quietly to avoid slamming doors when entering their vehicles.

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

Sub-Committee Hearing 28th April 2015

Prevention of Crime & Disorder

1. The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less the 28 days with time and date stamping. Recording shall be made available immediately upon lawful request of Police, Local Authority or Trading Standards. Download or export of CCTV should be in the native file format with the native player.

A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Police, Local Authority or Trading Standards recent data or footage with the absolute minimum of delay.

2. No entry or re-entry after 00:30 except for bona fide customers who have used the designated smoking areas & monitored by a designated member of staff.

Public Safety

1. The management will risk assess the need for SIA registered door staff. These risk assessments shall be kept for 12 months and be available for inspection immediately upon request of Essex Police or other Responsible Authority.

2. When a requirement for door staff has been identified by the management or Essex Police a minimum of 2 SIA registered door staff shall be employed.

The Prevention of Public Nuisance

1. No drinkware permitted outside the premises. Including to the smoking terrace.

2. No more than 15 people are permitted to use the smoking terrace at any time.

3. No more than 15 people are permitted to the front of the premises at any time

The Protection of Children from Harm

1. The premises shall operate a Challenge 25 age verification policy. Any person who appears to be under the age of 25 shall be asked to produce photographic identification to prove they are 18 or over. Failure to produce, will result in service being refused.

Acceptable forms of photographic identification include:

i. Passport,

ii. Photocard Driving Licence,

iii. Photographic ID bearing the 'PASS' hologram.

- Seating to be varied to 200 persons.
- Bar to remain at 20 persons.

Annexe 4 – Plans:

Plans held at Epping Forest District Council.

PREMISES LICENCE SUMMARY

Part B



Neighbourhoods

Premises licence number:

LN/210001519

Premises details:

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

Pink Zebra, 6 Foxes Parade, Sewardstone Road

Post Town: Waltham Abbey

Post code: EN9 1PH

Telephone number: 01992 676420

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

Licensable activities authorised by the licence:

Recorded Music, Performance of dance, Dancing, Live Music, Sale of Alcohol, Late Night, Refreshments

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

Recorded Music, Performance of dance, Dancing, and Live Music

Sunday-Thursday 11.00 - 01.00

Friday-Saturday 11.00 - 02.00

Sale of Alcohol

Sunday - Thursday 11.00 - 00.30

Friday - Saturday 11.00 - 01.30

Late night refreshments

Sunday - Thursday 23.00 - 00.30

Friday - Saturday 23.00 - 01.30

The opening hours of the premises:

Sunday-Thursday 11.00-1.00

Friday-Saturday 11.00-2.00

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

Name, (registered) address, of holder of premises licence:

James Webster, Pink Zebra, 6 Foxes Parade, Sewardstone Road, Waltham Abbey, EN9 1PH

Registered number of holder, for example company number, charity number (if applicable): N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol: Coriosa O'Neill

State whether access to the premises by children is restricted or prohibited: N/A

Dated: 27th April 2022



Regulatory Service Manager