

Committee Agenda



**Epping Forest
District Council**

Licensing Sub-Committee Thursday, 22nd December, 2005

Place: Civic Offices, High Street, Epping
Room: Council Chamber
Time: 10.00 am
Democratic Services Officer Z Folley(Direct Line 01992 564532)
Email: zfolley@eppingforestdc.gov.uk

Members:

Councillors Mrs J Davis, Mrs R Gadsby, F Maclaine and Mrs M Sartin

<p>PLEASE NOTE THE START TIME OF THE MEETING</p>

1. ELECTION OF CHAIRMAN

Under the terms of reference for the Licensing Committee each Sub-Committee is required to elect a Chairman on an ad hoc basis for the duration of the meeting.

2. APOLOGIES FOR ABSENCE

3. DECLARATIONS OF INTEREST

(Head of Research and Democratic Services) To declare interests in any item on this agenda.

4. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 5 - 10)

5. EXCLUSION OF PUBLIC AND PRESS

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 paragraph(s) of Part 1 of Schedule 12A of the Act indicated:

Agenda Item No	Subject	Exempt Paragraph Number	Information
6.	Hackney Carriage Drivers Licence Application – Mr M Butt	4	
7.	Private Hire Plate Exemption Application – Mr A Pryor	4	

To resolve that the press and public be excluded from the meeting during the consideration of the following items which are confidential under Section 100(A)(2) of the Local Government Act 1972:

Agenda Item No	Subject
Nil	Nil

Paragraph 9 of the Council Procedure Rules contained in the Constitution require:

- (1) All business of the Council requiring to be transacted in the presence of the press and public to be completed by 10.00 p.m. at the latest.
- (2) At the time appointed under (1) above, the Chairman shall permit the completion of debate on any item still under consideration, and at his or her discretion, any other remaining business whereupon the Council shall proceed to exclude the public and press.
- (3) Any public business remaining to be dealt with shall be deferred until after the completion of the private part of the meeting, including items submitted for report rather than decision.

Background Papers: Paragraph 8 of the 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 does not include published works or those which disclose exempt or confidential information (as defined in Rule 10) and in respect of executive reports, the advice of any political advisor.

Inspection of background papers may be arranged by contacting the officer responsible for the item.

6. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVERS' LICENSE (Pages 11 - 14)

Decision Required:

To consider an application for a Hackney Carriage Drivers' Licence from Mr M Butt

- 6.1. (Head of Environmental Services). An application for a Hackney Carriage Drivers' Licence has been received from Mr Muhammad Butt.
- 6.2 Mr Butt has not held a full DVLA licence for three years and therefore the application has been refused by officers in accordance with the Delegated Authority Rules.
- 6.3 A copy of Mr Butt's DVLA driving licence is attached.
- 6.4 A copy of Mr Butt's appeal form is also attached.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - PRIVATE HIRE VEHICLE LICENSE EXEMPTION TO DISPLAY A PLATE (Pages 15 - 16)

Decision Required:

To consider an application for an exemption to display a Private Hire Vehicle Licence plate from Mr A Pryor.

- 7.1 An application has been made by Mr Anthony Pryor for an exemption from the requirement to display a licence plate on the outside of his vehicle.
- 7.2 The reasons for the request as supplied by Mr Pryor are attached.

8. LICENSING ACT 2003 - APPLICATION - PREMISES LICENCES (Pages 17 - 38)

Decision Required:

To consider the application for the Gunmakers Arms, Loughton.

(Head of Environmental Services) The application is attached. Representations have been received from the responsible authorities for Environmental Control and Planning.

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Agenda Item 4

PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS

LICENSING COMMITTEE – TERMS OF REFERENCE

(1) The full Committee shall comprise 11 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.

...

(2) For the functions set out in Annex 1, and the legislation listed in Annex 2, a Sub-Committee consisting of no more than any three Councillors drawn, in alphabetical order, from the members of the full Committee shall be formed. Any such Sub-Committee shall elect a Chairman on an ad-hoc basis.

(3) For the transaction of business at full Committee meetings, the quorum shall be a minimum of five Committee members 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 Head of Environmental Services taken under delegated authority on licensing applications.

...

(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 Annex 3 (Conduct of Business by Licensing Committee and Sub-Committees).

(7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Annex 3.

**PART 3(2) – RESPONSIBILITY
FOR FUNCTIONS
LICENSING COMMITTEE**

Licensing Act 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

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

**PART 3(2) – RESPONSIBILITY
FOR FUNCTIONS
LICENSING COMMITTEE**

LIST OF STATUTORY POWERS

Those functions pertaining to licensing and registration and permits and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

Animal Boarding Establishments Act 1963
Breeding & Sale of Dogs (Welfare) Act 1999
Breeding of Dogs Act 1973
Breeding of Dogs Act 1991
Caravan Sites & Control of Development Act 1960
Caravan Sites Act 1968
Dangerous Wild Animals Act 1976
Game Licences Act 1860
Gaming Act 1968
Guard Dogs Act 1975
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Lotteries & Amusements Act 1976
Pet Animals Acts 1951 & 1981
Riding Establishments Acts 1964 & 1970
Scrap Metal Dealers Act 1964
The Game Act 1831
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Zoo Licensing Act 1981

Part 3(2) – Responsibility for Functions

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 sub-committees.

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 and to advice from the Standard Board for England, details of which will be provided to those members.

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.

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.

By virtue of paragraph(s) 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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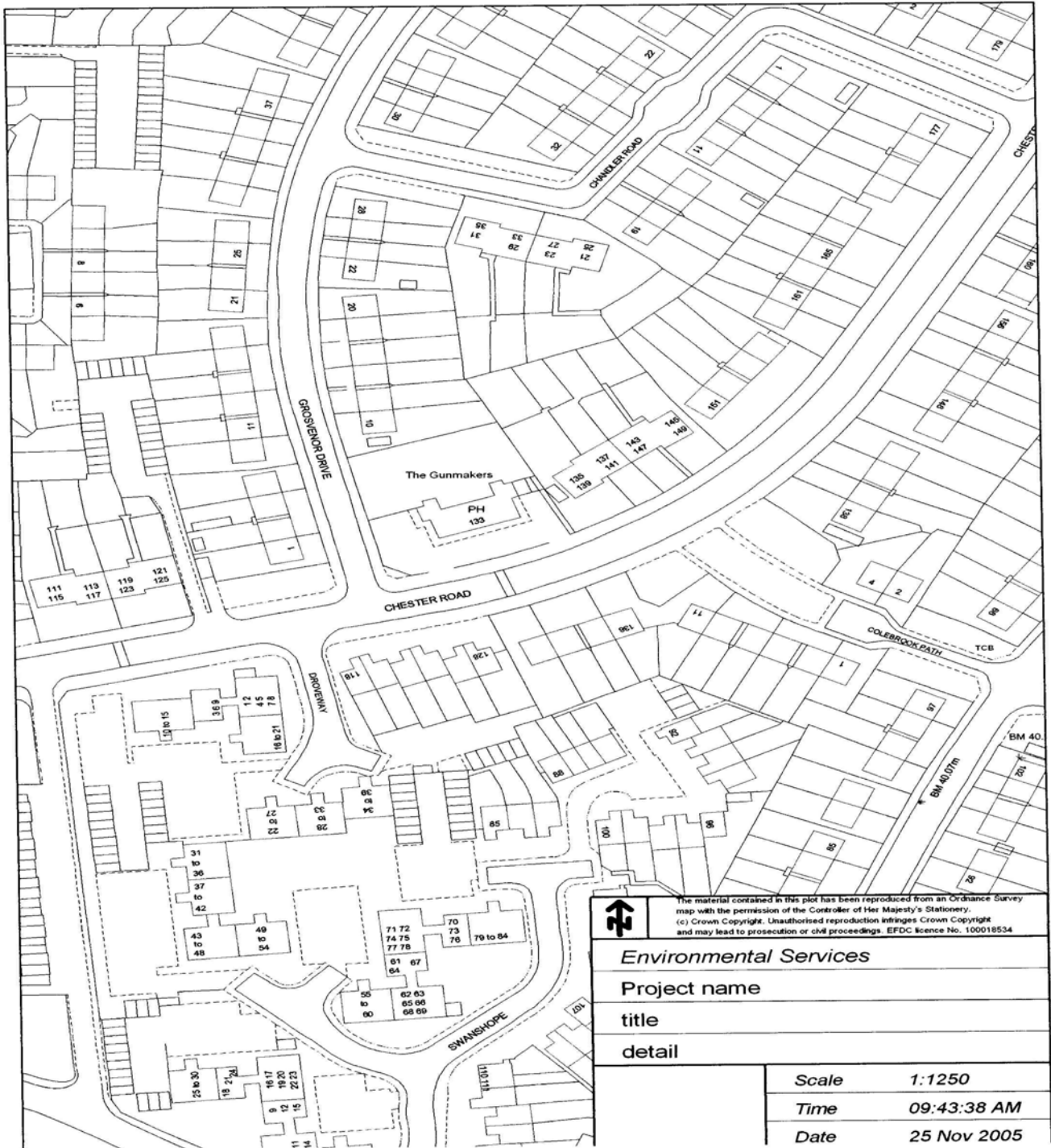
By virtue of paragraph(s) 4 of Part 1 of Schedule 12A of the Local Government Act 1972.

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Agenda Item 8

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Environmental Services	
Project name	
title	
detail	
Scale	1:1250
Time	09:43:38 AM
Date	25 Nov 2005

(Part A) Application for an existing licence to be converted to a premises licence under the Licensing Act 2003 and (Part B) application to vary the premises licence simultaneously

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
You may wish to keep a copy of the completed form for your records.

We Punch Taverns Plc apply to convert an existing licence to a premises licence under Schedule 8 to the Licensing Act 2003 for the premises described in Part A1 below

Part A1 - Premises Details

Postal address of premises if any or, if none, ordnance survey map reference or description	
Gunmakers Arms 133 Chester Road	25 JUL 2005
Post town Loughton	Post code IG10 2LJ
Telephone number of premises (if any)	0208 508 6664
Non-domestic rateable value of premises	£ 36,250.00

Part A2 - Applicant Details

Please state the capacity in which you are applying to convert your existing licence

Please tick ✓

- | | |
|---|---|
| a) An individual or individuals | <input type="checkbox"/> please complete section (A) |
| b) a person other than an individual | |
| i. as a limited company | <input checked="" type="checkbox"/> please complete section (B) |
| ii. as a partnership | <input type="checkbox"/> please complete section (B) |
| iii. as an unincorporated association or | <input type="checkbox"/> please complete section (B) |
| iv. other (for example a statutory corporation) | <input type="checkbox"/> please complete section (B) |
| c) a recognised club | <input type="checkbox"/> please complete section (B) |
| d) a charity | <input type="checkbox"/> please complete section (B) |
| e) the proprietor of an educational establishment | <input type="checkbox"/> please complete section (B) |
| f) a health service body | <input type="checkbox"/> please complete section (B) |

(B) OTHER APPLICANTS

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In case of a partnership or other joint nature (other than a body corporate), please give the name and address of each party concerned.

Name	Punch Taverns Plc
Address	Jubilee House Second Avenue Burton Upon Trent Staffordshire DE14 2WF
Registered number (where applicable)	03752645
Description of applicant (for example, partnership, company, unincorporated association etc.)	Company
Telephone number (if any)	01283 501 600
E-mail address (Optional)	n/a

Part A3 Operating Schedule

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

n/a

General description of premises (please read guidance note 1)

Two storey detached property within residential area
 Two bar operation with separate entrances
 Facilities include enclosed garden area with outside seating and car park with approximately 15 spaces
 Basic Local community pub

Please tick ✓ Yes

What existing licensable activities are authorised by your existing licence(s)?

Provision of regulated entertainment

- a) plays
- b) films
- c) indoor sporting events
- d) boxing or wrestling entertainment
- e) live music
- f) recorded music
- g) performances of dance
- h) anything of a similar description to that falling within (e), (f) or (g)

Provision of entertainment facilities for:

- i) making music
- j) dancing
- k) entertainment of a similar description to that falling within (i) or (j)

Provision of late night refreshment

Sale by retail of alcohol

- a) for consumption on the premises
- b) for consumption off the premises

Please state who you wish to be specified to be the premises supervisor under the new licence

Name Martin Henry Beckett

Address 14 Bridgehill, Epping, CM16 4ER

Personal Licence number, if known

State any limitations on the hours during which you are permitted by your licence(s) or any additional authorities to conduct licensable activities, including the sale of alcohol.

10:00 to 23:00 Monday to Saturday (inc)
12:00 to 22:30 Sunday

save

10:00 to 00:00 New Years Eve (31.12)
00:00 to 23:00 New Years Day (01.01)
12:00 to 15:00 and
19:00 to 22:30 Christmas Day (25.12)

Describe the conditions subject to which your existing licence(s) has/have been granted (please read guidance note 2):

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

20 minutes "drinking up" time
All embedded permissions and restrictions attaching to a justices on licence.

b) The prevention of crime and disorder

See a above

c) Public safety

See a above

d) The prevention of public nuisance

See a above

e) The protection of children from harm

See a above


Please tick Yes

- I have made or enclosed payment of the fee
- I have enclosed my existing licence(s) or a certified copy of each licence
- I have enclosed a plan of the premises
- I have sent copies of this application to the Chief Officer of Police (please read guidance note 3)
- I have enclosed the consent form completed by the proposed premises supervisor, if relevant
- I have enclosed the consent of the justices' licence holder to my application, if relevant
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part A5 - Signatures (please read guidance note 4)

Signature of applicant or applicant's solicitor or other duly authorised agent. (please read guidance note 5). **If signing on behalf of the applicant please state in what capacity.**

Signature 
Date 7/6/05
Capacity Solicitors to applicant

For joint applications signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent.
(Please read guidance note 6). **If signing on behalf of the applicant please state in what capacity.**

Signature _____
Date _____
Capacity _____

Contact name (Where not previously given) and address for correspondence associated with this application (Please read guidance note 7)	
TLT Solicitors One Redcliff Street (Ref: 30PG3/054004/J Durham/897123)	
Post town BRISTOL	Post code BS1 6TP
Telephone number 0117 917 7777	
E-mail address (optional) jdurham@TLTsolicitors.com	

IF YOU WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S) UNDER SECTION 34 OR 37 OF THE LICENSING ACT 2003, NOW COMPLETE PART B OF THIS FORM

IF YOU DO NOT WISH TO APPLY SIMULTANEOUSLY FOR A VARIATION OF THE PREMISES LICENCE IF IT IS CONVERTED FROM YOUR EXISTING LICENCE(S), YOU SHOULD LEAVE PART B BLANK

PART B - Application to vary a premises licence under the Licensing Act 2003

We Punch Taverns Plc being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

Do you want the proposed variation to have effect from the second appointed day? Please tick

If not when do you want the variation to take effect from

Day	Month	Year

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

Please describe briefly the nature of the proposed variation. (please read guidance note 8)

- An additional hour every Thursday.
- An additional one hour and thirty minutes every Friday.
- An additional two hours every Saturday.
- A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
- A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.
- A further additional hour every Christmas Eve.
- A further additional hour every Boxing Day.
- To reflect existing New Year's Eve / Day hours.
- Drinking up time: an additional 10 minutes, to allow 30 minutes drinking up time, after the last permitted sale of alcohol.

All of the above to be for the sale of alcohol, recorded music, karaoke and live music limited to 2 entertainers

Part B2 - Operating Schedule

Please complete those parts of the operating schedule which would be subject to change if this application to vary was successful.

What licensable activities do you now intend to conduct on the premises and/or at what varied times do you intend to conduct them?

(Please see section 1 of the Licensing Act 2003 and Schedule 1 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick

Yes

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

Provision of entertainment facilities

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K)

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

Sale by retail of alcohol (if ticking yes, fill in box M)

Please complete Part B3 on this form.

E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both - please tick [✓] (please read guidance note 9)	
Day	Start	Finish	Indoors	Outdoors
				<input checked="" type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Mon	10:00	23:00	Please give further details here (please read guidance note 10) Amplified and/or unamplified live music performed by no more than 2 entertainers	
Tue	10:00	23:00		
Wed	10:00	23:00	State any seasonal variations for the performance of live music (please read guidance note 11)	
Thur	10:00	00:00		
Fri	10:00		Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list (Please read guidance note 12) <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve / Day hours. 	
Sat		00:30		
Sun	10:00	01:00		
	12:00	22:30		

F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both - please tick [✓] (please read guidance note 9)	Indoors	✓
Day	Start	Finish		Outdoors	
Mon	10:00	23:00	Please give further details here (please read guidance note 10) To match sale of liquor at section M below. Amplified recorded music ancillary to sale of alcohol (section M) below.	Both	
Tue	10:00	23:00			
Wed	10:00	23:00	State any seasonal variations for playing recorded music (please read guidance note 11)		
Thur	10:00	00:00			
Fri	10:00		Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (Please read guidance note 12) <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve / Day hours. 		
Sat		00:30			
Sun	10:00	01:00			
	12:00	22:30			

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment facility you will be providing Karaoke		
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both please tick [✓] (please read guidance note 9)	Indoor	<input checked="" type="checkbox"/>
Mon	10:00	23:00		Outdoor	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue	10:00	23:00	Please give further details here (please read guidance note 10) None		
Wed	10:00	23:00			
Thur	10:00	00:00	State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j (please read guidance note 11)		
Fri	10:00				
Sat		00:30	Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list (please read guidance note 12)		
	10:00				
Sun		01:00			
	12:00	22:30	<ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve / Day hours. 		

M

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the sale of alcohol be for consumption please tick [✓] (please read guidance note 13)	On the premises	
				Off the premises	
				Both	✓
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 11)		
Mon	10:00	23:00	<p>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 12)</p> <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • A further additional hour every Christmas Eve. • A further additional hour every Boxing Day. • To reflect existing New Year's Eve / Day hours. 		
Tue	10:00	23:00			
Wed	10:00	23:00			
Thur	10:00	00:00			
Fri	10:00				
Sat		00:30			
Sun	10:00				
		01:00			
	12:00	22:30			

IN ALL CASES PLEASE COMPLETE BOXES N, O, P and Q below

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 14)

AWP machines x 2
Cigarette machines x 2

O

Hours premises are open to the public Standard days and timings (please read guidance note 8)			State any seasonal variation (please read guidance note 11)
Day	Start	Finish	
Mon	10:00	23:30	<p>Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 12)</p> <ul style="list-style-type: none"> • A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend. • A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend. • An additional hour every Christmas Eve. • An additional hour every Boxing Day. • To reflect existing New Year's Eve / Day hours.
Tue	10:00	23:30	
Wed	10:00	23:30	
Thur	10:00		
Fri		00:30	
	10:00		
Sat		01:00	
	10:00		
Sun		01:30	
	12:00	23:00	

P

Please identify any of the conditions, terms or restrictions currently imposed on the converted licence which you believe could be removed as a consequence of the proposed variation you are seeking

None

Q Please describe any proposed additional steps that you intend to take in order to promote the four licensing objectives if the proposed variation is granted:

a) General - all four licensing objectives (b,c,d,e) (please read guidance note 15)

Following an assessment of the premises and its surrounding area the following is proposed:
30 minute "drinking up" time will allow appropriate dispersal, use of lavatories etc
In order to further the licensing objectives the licensee reserves the right to move the fire appliances, AWP machines, cigarette machines and or any other similar objects temporarily in a fixed location which may impact on the ability of individuals on the premises to use exits or escape routes without impediment.

b) The prevention of crime and disorder

Lighting is provided to the exterior area of the pub
Staff monitor customer behaviour, especially during busy periods
Toilets checked regularly
Burglar alarm in place

c) Public safety

Fire equipment regularly checked and maintained
All exit doors are kept clear of obstruction
The pub promotes a licensed taxi service for onward journeys

d) The prevention of public nuisance

Windows kept closed in the evenings
Licensee checks sound levels outside the premises on a regular basis
The property is detached which minimises noise transfer to neighbours
Customers are encouraged to disperse in an orderly manner

e) The protection of children from harm

Children are currently not permitted on the premises unless accompanied by a parent / guardian.
No children permitted after 21:00hrs.
Separate area for children, with access through lounge bar
The AWP machine is positioned in sight of the bar counter

PART B3 - Premises Supervisor

Full name of proposed designated premises supervisor

Martin Henry Beckett

Address of proposed designated premises supervisor

14 Bridgehill
Epping
CM16 4ER

Personal licence number of proposed designated premises supervisor, if any, and issuing authority of the personal licence, if applicable

Please tick Yes

- I enclose the consent form completed by the proposed premises supervisor
- I will give a copy of Part B3 of this application to the chief office of police (section 37 of the Licensing Act 2003)
- I have sent copies of this application to vary (except Part B3) to responsible authorities and others where applicable (section 34 of the Licensing Act 2003)
- I understand that I must now advertise my application to vary (section 37 of the Licensing Act 2003)
- I understand that if I do not comply with the above requirements my application will be rejected

Part B5 - Signatures (please read guidance note 16)

Signature of applicant (the proposed current premises licence holder) or applicant's solicitor or other duly authorised agent. (See guidance note 17) **If signing on behalf of the applicant please state in what capacity.**

Signature *Mark Courtney TLT*
Date 7/6/05
Capacity Solicitors to applicant

Where the premises licence is jointly held signature of 2nd applicant (the proposed current premises licence holder) or 2nd applicant's solicitor or other authorised agent. (please read guidance note 18) **If signing on behalf of the applicant please state in what capacity.**

Signature _____
Date _____
Capacity _____

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 19)	
TLT Solicitors One Redcliff Street (Ref: 30PG3/054004/J Durham/897123)	
Post town BRISTOL	Post code BS1 6TP

Notes for Guidance

PART A

1. Describe the premises. For example the type of premises, it's general situation and layout and any other information which would be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you provide a place for consumption of these off-supplies you must include a description of where the place is and it's proximity to the premises.
2. Where the conditions to which your existing licence(s) is granted do not relate solely to any one of the four licensing objectives, please describe such conditions in the general box.
3. The law requires you to send a mandatory copy of this application to the chief officer of police for that area at the same time as sending to the relevant licensing authority.
4. The application form must be signed.

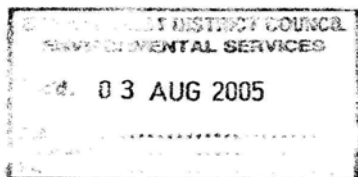
5. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
6. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
7. This is the address we shall use to correspond with you about this application.

PART B

This application cannot be used to vary the licence 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

8. Please give timings in 24 hour clock and only give details for days of the week when you intend the premises to be used for the activity.
9. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
10. Please 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.
11. For example (but not exclusively), where the activity will occur on additional days during the summer.
12. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e Christmas Eve.
13. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
14. Please give information about anything to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
15. Please list here steps you will take to promote all four licensing objectives together.
16. The application form must be signed.
17. A applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
18. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
19. This is the address which we shall use to correspond with you about this application.

To: Consumer Protection Team- FAO Kim Tuckey/
Jim Nolan
From: Planning Services- David Baker
Date: 2/8/05
Your ref:
Our ref: PL/9791/DB



**Premises Licence Application
Gunmakers Arms, Chester Road, Loughton**

I refer to the above application which Planning Services received as a Responsible Authority on 11/7/05.

This application seeks to serve alcohol until 23:00 Monday to Wednesday; 00:00 Thursday; 00:30 Friday; 01:00 Saturday and 22:30 Sunday. The premises would close half an hour later. There would be live and recorded music during the time that alcohol is served. The pub has a car park for 15 cars and a sizeable beer garden at the rear. It is located in a residential area, with residential properties adjoining the north and east boundaries, and lying on the opposite side of both Chester road and Grosvenor Drive.

Conclusion. In light of the above, Planning Services make representations to this application on the grounds that noise nuisance would be likely to be caused to neighbours by a) customers drinking in the beer garden late at night and b) customers leaving the premises late at night, including those going to their cars.

I have copied these comments to the applicants' agents TLT and suggested that if they close the beer garden at 11.30pm, and limit the sale of alcohol to 00.00.hours, then Planning Services would withdraw its representations.

A handwritten signature in black ink that reads 'DBaker'.

David Baker
Planning Support Assistant

m e m o

Date: 30 September 2005

(NB Letter updated with comments regarding discussions with applicant shown in bold, italics)

Our Ref: WK/200344115

Your Ref:

TLT Solicitors
One Redcliff Street
Bristol
BS1 6TP



**Epping Forest
District Council**

Environmental Services

Civic Offices High Street
Epping Essex CM16 4BZ

Telephone: 01992 564000
Facsimile: 01992 561016
DX: 40409 Epping

Head of Service: John Gilbert

Enquiries to:

Mr. R. Gardiner (01992) 564089
email:rgardiner@eppingforestdc.gov.uk

Dear Sir or Madam:

**Licensing Act 2003
The Gunmakers Arms, Chester Road, Loughton Essex, IG10 2LJ**

On behalf of the Council's Environmental Protection Team (Pollution Control), I confirm receipt of a copy of your application dated 7 June 2005 that I received on 23 September 2005 regarding the above mentioned property.

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

1. Live and Recorded music (Sections E & F) *(withdrawn – see following notes)*

The property has single entrance doors with no lobbies to contain noise. The property also has no air conditioning, therefore windows and doors are likely to be left open in summer months and entrance doors will need to be opened to allow customers to enter and exit the property. The property is close to a number of residential premises in an area where the background noise level is likely to be low later in the evening, thus making any noise from the pubic house particularly disturbing.

I am concerned that the proposed extension in hours for recorded and live music beyond 23.30 hours (till 00:00 on Thursdays, 00:30 following Friday evenings, and 01:00 following Saturday evenings) will inevitably cause a public nuisance, because the music cannot be adequately contained within the building.

If the property had a sets of double doors with a lobby at the front entrances and the rear garden doors kept closed after 23.30 hours, I believed it would be possible for the applicant to have live and recorded music without causing a public nuisance. The applicant could be required to install an automatic control device in order to try and overcome my representation, however, with the existing doors and lack of air conditioning, the control device would probably have to be set at such a low level to ensure there is no public nuisance, that live and recorded events would be unviable.



INVESTOR IN PEOPLE

I recommend that live and recorded music is restricted to 23.30 hours on any day, unless other changes are implemented that will ensure that the music is adequately contained within the building. Allowing live and recorded music up to 23.30 hours still provides a high potential for public nuisance and will take require careful management to ensure the volume of music does not become excessive.

(NB Update – 18/11/05. Representation withdrawn after Mr Keith Clarke of Punch Taverns agreed to Live music being restricted to 23:30 hours, Thursday, Friday and Saturday).

2. Use of garden and car park at the front of the premises (Section O)

The rear garden of the premises and car park to the front are both close to residential premises. The use of either of these areas by customers late in the evening or in the early hours of the morning is likely to result in significant noise intrusion, simply from the normal use of these areas. In order to prevent public nuisance I recommended that the garden and forecourt at the front of the property be closed to customers after 23.00 hours and customers waiting for taxis should be encouraged to wait inside the building rather than on the forecourt at the front of the premises i.e. a condition is imposed such as: "The garden and forecourt at the front of the property will be closed to customers after 23.00 hours and customers waiting for taxis will be encouraged to wait inside the building rather than on the forecourt."

(NB Update – 18/11/05 Representation regarding use of the rear garden withdrawn after Mr Keith Clarke of Punch Taverns agreed to the rear garden to be closed to customers after 23.30 hours.

However my representation regarding the use of the forecourt at the front of the property still stands. I have discussed this issue with Mr Clark of Punch Taverns. I conceded that my suggested restriction of closing the forecourt at 23.00 hours could be replaced by a condition encouraging customers to leave the forecourt in an orderly manner, or some words to that effect, that we could agree. I appreciate that this may be a difficult task, but this has to be considered in context of the extended opening hours that are being requested until 01.00 hours in a residential area. Considering the opening hours requested a condition re - managing customers on the forecourt to the front of the property is reasonable. To date this has not been agreed (24/11/05). My representation regarding the use of the forecourt still stands, although I should be happy to withdraw this if an appropriate condition can be agreed).

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

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

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

Yours faithfully



Mr. R. Gardiner
Technical Team Co-ordinator

c.c. Mrs K Tuckey – Licensing Section

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