

# Committee Agenda



**Epping Forest  
District Council**

## **Licensing Sub-Committee Tuesday, 8th May, 2007**

**Place:** Council Chamber, Civic Offices, High Street, Epping

**Time:** 10.00 am

**Democratic Services Officer** A Hendry (Direct Line 01992 564246)  
Email: ahendry@eppingforestdc.gov.uk

**Members:**

Councillors R Morgan, Mrs P K Rush, J Wyatt and Mrs M McEwen

---

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

**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 Paragraph Number	Information
6	Hackney Carriage Driver's Licence – Mr I Hayirli	1	

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

**Confidential Items Commencement:** 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 and 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 PROVISION) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE (Pages 11 - 16)**

To consider the attached report and application from Mr I Hayirli.

**7. LICENSING ACT 2003 - APPLICATION FOR FOUR GAMING MACHINES (Pages 17 - 22)**

To consider the attached report and application from the Last Post, High Road, Loughton.

**8. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - CAFE MIO, 85 HIGH STREET, EPPING (Pages 23 - 44)**

To consider the attached report and application from the Café Mio, 85 High Street, Epping.

**9. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - THE ROYAL OAK, FOREST ROAD, LOUGHTON (Pages 45 - 66)**

To consider the attached report and application from the Royal Oak, Forest Road, Loughton.

This page is intentionally left blank

# 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**

<b>Matter to be dealt with</b>	<b>Full Committee</b>	<b>Sub Committee</b>	<b>Officers</b>
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) 1 of Part 1 of Schedule 12A of the Local Government Act 1972.

Document is Restricted

This page is intentionally left blank

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

Document is Restricted

This page is intentionally left blank

***Report to Licensing Subcommittee  
Date of meeting: 8 May 2007***

**Subject: Licensing Act 2003 - Application for four gaming machines – The Last Post, High Road Loughton.**

**Officer contact for further information: J Nolan**



**Committee Secretary: Adrian Hendry**

---

**Decision Required:**

**To consider an application for four gaming machines at the Last Post, High Road Loughton.**

**Report:**

Officers are unable to consider a request for more than two machines at any one premises therefore a sub-committee decision is required.

**Background Papers:**

List of papers attached:

1. The application

This page is intentionally left blank





Chief Executive  
CIVIC OFFICES  
323 HIGH STREET  
EPPING  
ESSEX  
CM16 4BZ



**Leisure Link**  
3 The Maltings  
Wetmore Road  
Burton-on-Trent  
Staffordshire  
DE14 1SE

**Telephone**  
01283 512 777

**Facsimile**  
01283 519 200

**Web site**  
[www.leisure-link.com](http://www.leisure-link.com)

1 February, 2007

Our Ref : 123773/109

Dear Sir

**Re : LAST POST Permit upgrade to four machines**

Please find enclosed an application for the upgrade of the current Section 34 Gaming Machine Permit to four machines in respect of the above premises, together with our cheque to the value of £32.00.

We also enclose our acknowledgement form, and shall be grateful for its completion and return to this office, as soon as possible, in the pre-paid envelope provided. I should be grateful if you could indicate the timescale for processing this application.

If you require any further information please contact the undersigned.

When renewed, will you please send the permit to this office in the second pre-paid envelope. We will forward the permit directly to site once a photocopy has been taken for our records.

Yours faithfully

**Miss M Smith**  
**Licensing Assistant**  
enc



APPLICATION FOR THE RENEWAL OF A PERMIT FOR THE USE OF AMUSEMENT WITH PRIZES MACHINES UNDER THE GAMING ACT 1968 (SECTION 34) - FOR USE BY PREMISES LICENSED TO SELL ALCOHOL

To: Epping Forest District Council

Head of Environmental Services / Chief Executive

1. Name of Premises: **Last Post**
2. Address of Premises: **227 High Road, Loughton, Essex, IG10 1BB**
3. Telephone number of Premises:..... **020 8532 0751**
4. Email Address of Premises (where available):.....
5. Name of Premises Licence holder: **J D Wetherspoons plc**
6. Address of Premises Licence holder: **PO Box 616, Watford, WD24 4QU**
  
7. Telephone number (daytime) of Premises holder:.....
8. E-mail address of Premises Licence holder (where available):.....
9. Name, address, telephone and e-mail of agent (e.g. solicitor) if submitted on behalf of the applicant  
**Leisure Link, 3 The Maltings, Wetmore Road, Burton upon Trent, Staffs DE14 1SE. Tel: 01283 512777 ex 2731 Alexandra.Buckminster@llg.co.uk**
10. Premises Licence Reference (i.e. number, where provided) .....
11. Existing permit number (if applicable).....
12. Date existing permit issued.....
13. Date existing permit expires..... **15/08/09**
14. How many gaming machines under Section 34 do you wish to apply for? (See Note 8)  
*(please indicate how many in total)*..... **4**

I enclose a sum of (£32) (cheques should be made payable to.....)

**I confirm that the premises where the machines are proposed to be located are licensed to sell alcohol for consumption on the premises and that there is a bar for serving alcohol to customers on the premises.**

**Please note: Where false information is provided this may affect the validity of the permit and the extent to which it can be relied on as lawful authority for making gaming machines available on the premises.**

Dated 2/2/07.....

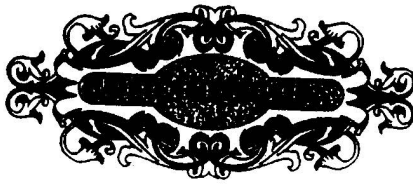
Signed (by or on behalf of Premises Licence holder) Andrew Bates.....

Print Name ANDREW BATES.....

**Notes:**

1. This form is to be used for the RENEWAL of a permit. To increase the number of machines licensed there is a separate GRANT form available.
2. The relevant statutory provisions are set out in Section 34 and Schedule 9 Gaming Act 1968 as amended by Licensing Act 2003 Schedule 6, paragraph 52 and Gambling Act 2005 Schedule 16, paragraphs 3(7) and (8).
3. The premises must be licensed under the Licensing Act 2003 to sell alcohol.
4. The AWP machines must be located on these licensed premises and there must be a bar for serving alcohol to customers on the premises.
5. A Premises Licence holder is a person holding a Premises Licence under the Licensing Act 2003.
6. There is no statutory limit to the number of machines you may apply for, however you may wish to contact the Council to ask whether there is a local policy that decisions on applications for certain numbers of machines are made via a hearing of local councillors. The Government has suggested that hearings should not be required where no more than two machines are applied for.
7. The minimum time period for which your permit can be granted is three years. Beyond this, the Council can decide how long your permit is granted for, however the Government has suggested that three years is appropriate.
8. Section 34 of the Gaming Act 1968 provides for two types of gaming machines which are:
  - i) Amusement with Prizes "coin or token" i.e. maximum stake 30p and maximum prize £5 cash or £8 non-cash (Section 34(1) Gaming Act 1968)
  - ii) Amusement with Prizes "all cash" i.e. maximum stake 30p and maximum prize £25 (Section 34(5E) Gaming Act 1968)

The application needs to be made for the **total number** of machines. This enables any combination of either type to be utilised up to the maximum number licensed.



J D WETHERSPOON plc PO Box 616 WATFORD WD24 4QU  
DX122490 WATFORD 4  
TELEPHONE: 01923 477777 FAX: 01923 219810  
www.jdwetherspoon.co.uk

Dear Sir/Madam

We are writing to confirm that as the owner/licensee of a number of premises which operate Section 34 Gaming Permits, we hereby authorise Leisure Link Electronic Entertainment Limited to make applications for the grant of (upon instruction) or renewal of Section 34 Gaming Machine Permits under the Gaming Act 1968 on our behalf in respect of gaming machines supplied or to be supplied to all of our premises.

Signed Stacey .....

Duly authorised to sign on behalf of J D Wetherspoon Plc

Position Legal Director .....

Date 7/12/05 .....

***Report to Licensing Subcommittee  
Date of meeting: 8 May 2007***

**Subject: Licensing Act 2003 - Application for a  
premises Licence – Café Mio, 85 High Street, Epping**

**Officer contact for further information: Jim Nolan**

**Committee Secretary: Adrian Hendry**



---

**Decision Required:**

To consider an application for a Premises Licence for Café Mio, 85 High Street, Epping.

**Report:**

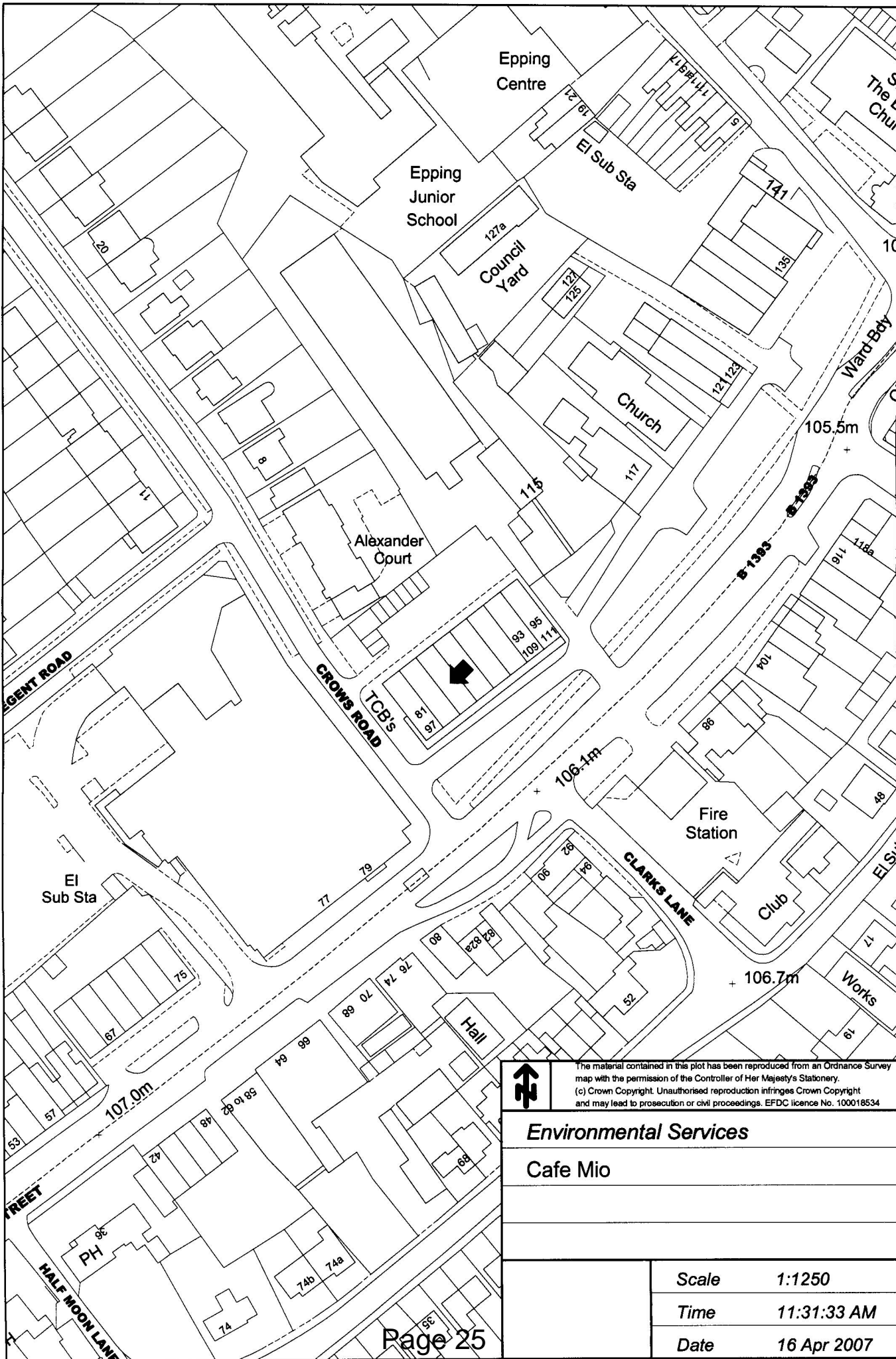
An application for a premises licence has been received from the above. Representations have been received from the responsibility authority for Planning and two interested parties.


**Background Papers:**

List of papers attached:

1. Application for Premises Licence
2. Site Map
3. Representation from statutory bodies
4. Representations from local residents

This page is intentionally left blank




 The material contained in this plot has been reproduced from an Ordnance Survey map with the permission of the Controller of Her Majesty's Stationery.  
 (c) Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecution or civil proceedings. EFDC licence No. 100018534

<b>Environmental Services</b>	
Cafe Mio	
Scale	1:1250
Time	11:31:33 AM
Date	16 Apr 2007

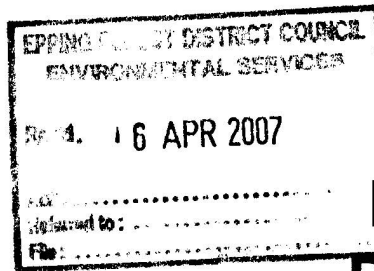
To: Environmental Services :  
Elizabeth Cox ✓

From: Planning Services :  
Ann E Wood

Date: 11 April 2007

Your ref:

Our ref: PL/13588/208/AEW



**Epping Forest  
District Council**

**Café Mio (Epping) Ltd, 85 High Street, Epping**

I refer to the application for an Alcohol Licence for the above property received on 3 April 2007 as a Responsible Authority.

This application seeks to gain a licence for the availability to sell alcohol for consumption on the premises.

It is noted that in the application documents the hours of opening for the premises, and the provision of live and recorded music, and supply of alcohol are listed as :

Mondays to Saturdays 07.30 ~ 01.00 hours the following day

Sundays 11.00 ~ 23.00 hours

With alcohol being served from 11.00 hours each day and recorded music replaced by the facility to play live music from 12 noon on Thursdays, Fridays, Saturdays and Sundays.

However, Planning Condition no. 2, attached to the approved application (EPF/415/05) for change of use of the ground floor from A1 (Retail) to A3 (Restaurants and Cafes) dated 22 June 2005, stated that 'the use hereby permitted shall not be open to customers outside the hours of 07.00 to 18.00 hours on Monday to Saturday, and not at all on Sundays or public holidays'. The reason given for this Condition was to minimise disturbance to local residents.

**Conclusion:** In light of the above, Planning Services must object to the application for an alcohol licence outside the permitted hours of opening, unless there is a successful subsequent planning application made for the lifting of Condition 2, as mentioned above. Additionally, it would appear that evening use of the premises would be constituted as an A4 drinking establishment pub/wine bar use and consequently a dual A3/A4 use should be applied for.

Please contact me on extension 4584, or David Baker on extension 4514, if you have any queries.

A handwritten signature in black ink that reads 'Ann E Wood'.

Ann E Wood  
Planning Support Officer

**m e m o**

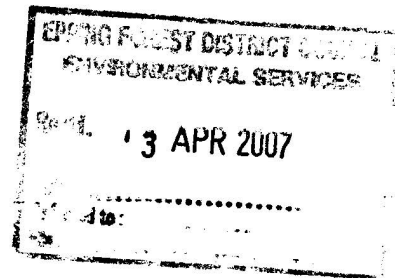


08/04/2007

Christian Montagnon T/A Restobistro  
82a high street  
Epping, Essex  
CM16 4AE

to

Licencing Office of Epping  
Forest District Council  
Civic Offices  
High street  
Epping  
Essex CM16 4BZ



Dear Sir/Madam

I wish to oppose to the current application that has been made for the premises at number 85 High street, Epping CM 16 4BH (currently trading as Café Mio).

I feel that the amount of licences in Epping at the present is already stretched to a maximum. We all have to make a living out of our businesses and adding another bar/restaurant is certainly not of any help for anyone. The amount of eating-out places, coffee shops, bars is well over the limit at this moment in time if we consider the parking issues becoming impossible and the disorder created by young people on the weekends, not to mention the lack of presence of the Police, the idea of another bar is not acceptable. Please note that I have been robbed twice in a week last week by Yobs sniffing glue at the back of my restaurant with building damages bills left for me.

I seriously ask you to consider the implications of issuing too many licences in Epping before our lovely town is ruined by the fear of people going out at night as we now see in so many other places.

I count on the sensibility of your committee to stop this nonsense.

Yours faithfully,

A handwritten signature in black ink, appearing to be "C. Montagnon", written over a horizontal line.

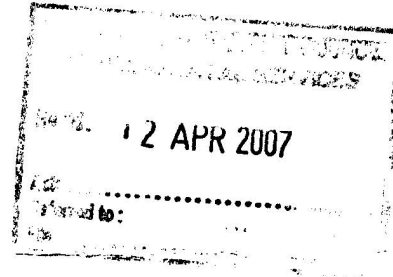
Christian Montagnon (Owner)

08/04/2007

Adrian Webb  
50 St Johns Road  
Epping CM165DP.

to

Licensing Office of Epping  
Forest District Council  
Civic Offices  
High street  
Epping  
Essex CMBZ



Dear Sir/Madam

I wish to oppose to the current application that has been made for the drinks licence at the premises at number 85 High street, Epping CM 16 4BH (currently trading as Café Mio).

I feel that the amount of licences in Epping at the present is already stretched to a maximum. The amount of licensed eating-out places pubs and bars within a very small area is well catered for, if not oversubscribed and with the parking issues becoming impossible and the disorder created by young people on the weekends, not to mention the lack of presence of the Police, the idea of yet another bar is not acceptable. I note that a 1.00am closing time is requested which is also outrageous in this highly residential area, this will only attract the worst sort of late night business with all the trouble and noise implications.

This is simply not acceptable and as a local resident I object most strongly to this application and would ask the council to oppose the application in its entirety, if only on percentage grounds of licensed usage.

Yours truly,

A handwritten signature in black ink, appearing to read 'Adrian Webb', written over a large, stylized circular flourish.

**Adrian Webb**

# Epping Forest District Council

## Application for a premises licence to be granted under the Licensing Act 2003

### 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.

I/We CAFE MIO (EPPING) LTD apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003  
*(Insert name(s) of applicant)*

#### Part 1 – Premises details

Postal address of premises or, if none, ordnance survey map reference or description <b>CAFE MIO (EPPING) LTD 85 HIGH STREET</b>	
Post town <b>EPPING</b>	Post code <b>CM16 4BH</b>

Telephone number at premises (if any)

**01992 560333**

Non-domestic rateable value of premises

**£ 14250**

#### Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick  yes

- a) an individual or individuals\*  please complete section (A)
- b) a person other than an individual\*
  - i. as a limited company  please complete section (B)
  - ii. as a partnership  please complete section (B)
  - iii. as an unincorporated association or  please complete section (B)
  - iv. other (for example a statutory corporation)  please complete section (B)
- c) a recognised club  please complete section (B)
- d) a charity  please complete section (B)

- e) the proprietor of an educational establishment  please complete section (B)
- f) a health service body  please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital  please complete section (B)
- h) the chief officer of police of a police force in England and Wales  please complete section (B)

\*If you are applying as a person described in (a) or (b) please confirm:

- Please tick  yes
- I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities; or
  - I am making the application pursuant to a
    - statutory function or
    - a function discharged by virtue of Her Majesty's prerogative

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

Mr  Mrs  Miss  Ms  Other title (for example, Rev)

Surname  First names

I am 18 years old or over  Please tick  yes

Current postal address if different from premises address

Post Town  Postcode

Daytime contact telephone number

E-mail address (optional)

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr

Mrs

Miss

Ms

Other title  
(for example, Rev)

Surname

First names

Please tick  
✓ yes

I am 18 years old or over

Current postal  
address  
if different from  
premises address

Post Town

Postcode

Daytime contact telephone number

E-mail address  
(optional)

(B) OTHER APPLICANTS.

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

Name	CAFE MIO (EPPING) LIMITED
Address	85 High Street EPPING ESSEX. CM16 4BH.
Registered number (where applicable)	5532243
Description of applicant (for example partnership, company, unincorporated association etc)	LIMITED LIABILITY COMPANY INCORPORATED IN ENGLAND AND WALES
Telephone number (if any)	01992 560333
E-mail address (optional)	Gm01@btopenworld.com

### Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
01	05	2007

If you wish the licence to be valid only for a limited period, when do you want it to end?

Day	Month	Year
		NA

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

NA
----

Please give a general description of the premises (please read guidance note 1)

CAFE / RESTURANT A3 USE SERVING  
HOT AND COLD FOOD UNIT HAS 46  
COUNTERS

DRAWING ATTACHED.

What licensable activities do you intend to carry on from the premises?  
(Please see sections 1 and 14 of the Licensing Act 2003 and Schedule 1 and 2 to the Licensing Act 2003)

Please tick ✓ yes

Provision of regulated entertainment

- 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 for:

- 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)

Supply of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

**A**

Plays Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed				State any seasonal variations for performing plays (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						

**B**

Films Standard days and timings (please read guidance note 6)			Will the exhibition of films take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors		
Day	Start	Finish		Outdoors		
Mon			Please give further details here (please read guidance note 3)			
Tue						
Wed				State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur						
Fri				Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat						
Sun						



C

Indoor sporting events Standard days and timings (please read guidance note 6)			Please give further details (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			
Wed			
Thur			
Fri			
Sat			
Sun			

State any seasonal variations for indoor sporting events (please read guidance note 4)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	
Day	Start	Finish	Indoors	Outdoors
Mon				
Tue				
Wed				
Thur				
Fri				
Sat				
Sun				

Please give further details here (please read guidance note 3)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

State any seasonal variations for boxing or wrestling entertainment (please read guidance note 4)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Mon		
Tue		
Wed		
Thur		
Fri		
Sat		
Sun		

**E**

Live music Standard days and timings (please read guidance note 6)			Will the performance of live music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	Y
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)  Solo Artist, Violin   Piano BACKGROUND MUSIC. UNAMPLIFIED		
Tue					
Wed					
Thur	12.00	01.00 FRI	State any seasonal variations for the performance of live music (please read guidance note 4)  NONE		
Fri	12.00	01.00 SAT			
Sat	12.00	01.00 SUN	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 5)  NONE.		
Sun	12.00	23.00			

**F**

Recorded music Standard days and timings (please read guidance note 6)			Will the playing of recorded music take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	Y
Day	Start	Finish		Outdoors	
Mon	7.30	01.00 TUE	Please give further details here (please read guidance note 3)  BACKGROUND MUSIC FROM PRE RECORDED MUSIC ON CD PLAYER.		
Tue	7.30	01.00 WED			
Wed	7.30	01.00 THU	State any seasonal variations for playing recorded music (please read guidance note 4)  NONE		
Thur	7.30	01.00 FRI			
Fri	7.30	01.00 SAT	Non standard timings. Where you intend to use the premises for the playing of recorded music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)  NONE.		
Sat	7.30	01.00 SUN			
Sun	11.00	23.00			

**G**

<b>Performances of dance</b> Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	
				Outdoors	
			Both		
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon					
Tue			State any seasonal variations for the performance of dance (please read guidance note 4)		
Wed					
Thur			Non standard timings. Where you intend to use the premises for the performance of dance entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri					
Sat					
Sun					

*NA*

**H**

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will this entertainment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor	
Mon				Outdoor	
			Both		
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g) (please read guidance note 4)		
Fri					

*NA*

Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list (please read guidance note 5)</u></p>
Sun			

<b>Provision of facilities for making music</b> Standard days and timings (please read guidance note 6)			Please give a description of the facilities for making music you will be providing								
			Will the facilities for making music be indoors or outdoors or both – please tick [Y] (please read guidance note 2)		<table border="1"> <tr><td>Indoors</td><td></td></tr> <tr><td>Outdoors</td><td></td></tr> <tr><td>Both</td><td></td></tr> </table>	Indoors		Outdoors		Both	
Indoors											
Outdoors											
Both											
Day	Start	Finish	Please give further details here (please read guidance note 3)								
Mon			<del>NR</del>								
Tue											
Wed											
Thur											
Fri											
Sat											
Sun											
			State any seasonal variations for the provision of facilities for making music (please read guidance note 4)								
			Non standard timings. Where you intend to use the premises for provision of facilities for making music entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)								

<b>Provision of facilities for dancing</b> Standard days and timings (please read guidance note 6)			Will the facilities for dancing be indoors or outdoors or both – please tick [Y] (see guidance note 2)		<table border="1"> <tr><td>Indoors</td><td></td></tr> <tr><td>Outdoors</td><td></td></tr> <tr><td>Both</td><td></td></tr> </table>	Indoors		Outdoors		Both	
Indoors											
Outdoors											
Both											
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing								

Mon			Please give further details here (please read guidance note 3)
Tue			
Wed			
Thur			State any seasonal variations for providing dancing facilities (please read guidance note 4)
Fri			Non standard timings. Where you intend to use the premises for the provision of facilities for dancing entertainment at different times to those listed in the column on the left, please list (please read guidance note 5)
Sat			
Sun			

**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 6)			Please give a description of the type of entertainment facility you will be providing	
Day	Start	Finish	Will the entertainment facility be indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoor
Mon				Outdoor
Tue			Please give further details here (please read guidance note 3)	Both
Wed				
Thur			State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within j or k (please read guidance note 4)	
Fri			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 5)	
Sat				
Sun				

L

Late night refreshment Standard days and timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors or outdoors or both – please tick [Y] (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon	23.00	01.00	Please give further details here (please read guidance note 3)  FULL MENU FOR HOT AND COLD FOOD AVAILABLE WHIST SERVING ALCOHOL UP TO 01.00.	Both	<input type="checkbox"/>
Tue	23.00	01.00			
Wed	23.00	01.00		State any seasonal variations for the provision of late night refreshment (please read guidance note 4)  NONE	
Thur	23.00	01.00			
Fri	23.00	01.00		Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 5)  NONE.	
Sat	23.00	01.00			
Sun	/	/			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the sale of alcohol be for consumption (Please tick box Y) (please read guidance note 7)	On the premises	<input checked="" type="checkbox"/>
Day	Start	Finish		Off the premises	<input type="checkbox"/>
Mon	11.00	01.00	State any seasonal variations for the supply of alcohol (please read guidance note 4)  NONE	Both	<input type="checkbox"/>
Tue	11.00	01.00 WED			
Wed	11.00	01.00 THU			
Thur	11.00	01.00 FRI		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 5)  NONE.	
Fri	11.00	01.00 SAT			
Sat	11.00	01.00 SUN			

Sun	11.00	23.30	
-----	-------	-------	--

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name..... Geoffrey Raymond Morris

Address..... 36 RIVERDOWN  
MARCH, CAMBS

Postcode..... PE15 8RA

Personal Licence number (if known)..... PER50409

Issuing licensing authority (if known)..... FENLAND DISTRICT COUNCIL

**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 8)

NONE.

**O**

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	7.30	01.00	<u>NONE</u>
Tue	7.30	01.00	
Wed	7.30	01.00	
Thur	7.30	01.00	
Fri	7.30	01.00	
Sat	7.30	01.00	
Sun	11.00	23.00	

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 5)

NONE

P

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

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

We will undertake a risk assessment of the premises as recommended and will provide effective and responsible management of the premises with instruction, training and supervision of our staff.

b) The prevention of crime and disorder

We will monitor that customers are drinking responsibly and provide effective and responsible management. Customers will be observed for anti-social behaviour which may imply drug use and may result in violence. Proof of age/ID will be checked where necessary.

c) Public safety

The premises to be licensed were extensively refitted in JAN 06 and conform to all current regulations Fire Safety, DDA, Food Hygiene and Standards in line with company policy we regularly conduct risk assessments in all

etc above.

d) The prevention of public nuisance

We will provide effective and responsible management of the premises, with appropriate instruction, training, and supervision of staff to prevent public nuisance.

e) The protection of children from harm

Alcohol will not be served to any person who appears to be under the age of 18 unless they have established proof of age by an accredited form of photo ID/Proof of age card.



Please tick ✓ yes

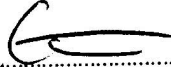
- I have made or enclosed payment of the fee
- I have enclosed the plan of the premises
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I understand that I must now advertise my application
- 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 4 – Signatures** (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent. (See guidance note 11) If signing on behalf of the applicant please state in what capacity.

Signature



Date

21/03/07

Capacity

DIRECTOR

For joint applications signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> applicant's solicitor or other authorised agent. (please read guidance note 12) If signing on behalf of the applicant please state in what capacity.

Signature



Date

Capacity

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

GEORGEY RAYMOND NORRIS  
CAFE MIO  
85 HIGH STREET

Post town

IPPING

Post code

CM 16 4BH

Telephone number (if any)

01992 560333

If you would prefer us to correspond with you by e-mail your e-mail address (optional)

This page is intentionally left blank

**Report to Licensing Subcommittee**  
**Date of meeting: 8 May 2007**

**Subject: Licensing Act 2003 - Application for a premises Licence – The Royal Oak, Forest Road, Loughton.**

**Officer contact for further information: Jim Nolan**

**Committee Secretary: Adrian Hendry**



---

**Decision Required:**

To consider an application for a Premises Licence for The Royal Oak, Forest Road, Loughton.

**Report:**

An application for the above premises has been received together with representations from the responsible authorities for environmental control, health and safety and planning.

Furthermore representations have been received from 123 interested parties, which will be circulated as a separate bundle.

The Licensing authority have also received letters from Eleanor Laing MP, Cllr Tony Lea, Loughton Town Council and Loughton Residents Association raising representations on behalf of local interested parties.

**Background Papers:**

List of papers attached:

1. Application for Premises Licence
2. Site Map
3. Representation from statutory bodies
4. Representations on behalf of local residents
5. Representations from local residents (circulated separately)

This page is intentionally left blank

Date: 02 April 2007

Our Ref: WK/200368256

Your Ref:

Kingsley Hoddinott  
James Motion Property Valuers  
Suite 1  
Essex House  
Station Road  
Upminster



**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:

Edward Davis (01992) 564082  
email:edavis@eppingforestdc.gov.uk

Dear Kingsley Hoddinott,

**Licensing Act 2003  
Royal Oak, The Royal Oak, Forest Road, Loughton, Essex, IG10 1EG**

On behalf of the Council's Environmental Protection Team (Pollution Control), I confirm receipt of a copy of your application dated 7<sup>th</sup> March 2007 that I received on 13<sup>th</sup> March 2007 regarding the above mentioned property.

Having considered the application on its contents, I have made the following representation to the Council's Licensing Section with regard to the Licensing objective – Prevention of Public nuisance:

Given that there have been recent alleged complaints of loud amplified music and a Noise Abatement Notice still being in force against Mr Martin Beckett, the environmental protection team suggest the following:

1. The Environmental Protection Team object to the extended hours for the playing of live and recorded music indoors given the location to residential premises, it is our opinion that given the lower background level of the area at night and insufficient measures in the operating schedule, noise nuisance will be very likely to occur. Not only nuisance from the music level but also from customers leaving the establishment at a later hour.

It is our view that the current hours of operation are granted with the following condition:

**An appropriate automatic noise control device must be used for any amplified sound. The device should be set so that the volume of any amplified sound emanating from the premises does not cause a public nuisance. The Premises Supervisor can ensure that any amplified music from the premises does not cause a public nuisance by ensuring that amplified sound is inaudible at the boundary of any properties where the occupiers are likely to be sensitive to noise.**

**Reason: To ensure that any amplified sound from the licensed premises does not cause a public nuisance and the applicant has an effective method to adequately control the level of amplified sound and music in order to prevent public nuisance.**

2. The Environmental Protection Team also object to the playing of live and recorded music outside. Again given to locality to residential premises, there are insufficient measures to control the migration of noise across the boundaries, hence the likelihood of nuisance being caused by music and customer noise.



It is our view that the current conditions of 'No music in the outside areas' be maintained:

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

Edward Davis  
**Environmental Health Technical Officer**

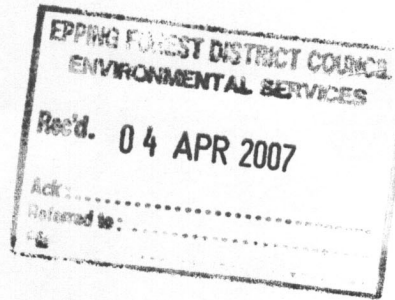
c.c. Mrs K Tuckey – Licensing Section

Date: 2 April 2007

Our ref: PL/12453/AEW

Your ref: KH/8150/RO

Mr Kingsley Hoddinott  
James-Morton  
Suite 1  
Essex House  
Station Road  
Upminster  
Essex EM14 2SJ



Ann E. Wood (01992) 564584  
email: awood@eppingforestdc.gov.uk

Dear Mr Hoddinott

**The Royal Oak Public House, Forest Road, Loughton**

I refer to the application for a variation to the Premises Licence for the above property received by this planning department in our role as a Responsible Authority under the 2003 Licensing Act.

The application seeks to gain a licence to extend the hours of a) serving alcohol, and the provision of live and recorded music, to 00.30 hours on Sundays to Thursdays, with the premises being closed at 01.00 hours; and b) to serve alcohol and provide live and recorded music to 01.00 hours on Fridays and Saturdays, plus Sundays of Bank Holiday weekends, with the premises being closed at 01.30 hours.

It is noted that the Public House is located in a tightly knit residential area, surrounded by terraced dwellings. Forest Road and the pavements are quite narrow and both sides of the road are used by residents for the parking of vehicles. There is a small frontage to the premises and some parking available at the rear, with entrances from Forest Road and Smarts Lane. Additionally, there are two outside terraces to the premises that have seating, tables and outside heating lamps.

Planning Services wishes to object to this application on the grounds of the likely increase in nuisance from customers arriving and leaving the premises, including those by car and mini-cab, and using the outside facilities and beer garden.

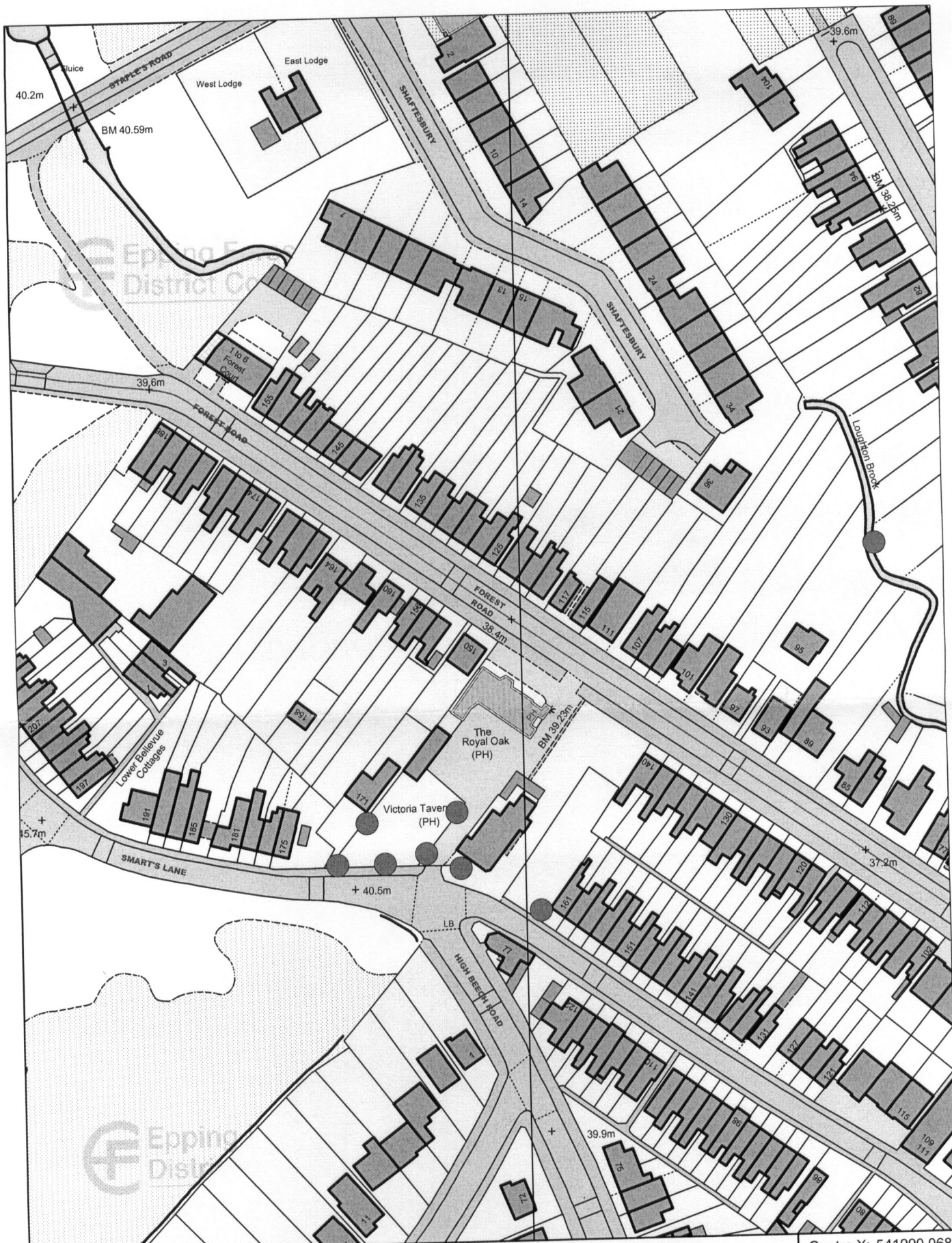
Therefore Planning Services objects to the application, and requires a) that the outside areas and beer garden be closed down to the public at 11.30pm. b) the premises themselves be closed to the public at 11.30pm on Sundays to Thursdays inclusive; and c) the premises are closed at 12 midnight on Fridays and Saturdays, plus Sundays of Bank Holiday weekends.

If you are able to confirm that the above requests can be met, Planning Services will withdraw the objections that have been lodged with regard to your current premises licence application.

Yours sincerely

Ann E Wood  
**Planning Support Officer**

cc: Epping Forest District Council Licensing Section, Environmental Services ✓  
Barry Land, Planning Services  
Nigel Richardson, Planning Services



Epping Forest District Council  
 Planning Services  
 Civic Offices  
 High Street  
 Epping CM16 4BZ

The Royal Oak Public House  
 Forest Road  
 Loughton

Centre X: 541990.068
Centre Y: 196466.077
Width : 225.000
Angle : .000
Time : 08:31:21 AM

Scale : 1:1250

Date : 4 Apr 2007

Reproduced from the Ordnance Survey Mapping with the permission of the controller of Her Majesty's Stationery Office. Crown Copyright. Unauthorised reproduction infringes Crown Copyright and may lead to prosecutions or civil proceedings. Epping Forest District Council - Licence 100018534.





To: Marc Witham  
From: Brian Stalabrass  
Date: 3 April 2007  
Your ref:  
Our ref:



**Royal Oak Forest Road - Application**

Marc

Please record that on grounds of 'Public Safety' we wish to make a representation that the application is deficient in that it makes no reference to the following :-

numbers of customers to be allowed on the premises whilst the proposed activities are in progress

the means of controlling the numbers onsite, entering or leaving, whilst the proposed activities are in progress

An e-mail to this affect has been sent to Mr Hoddinott of James - Motion who act on behalf of the applicant via A Smithson of James – Motion. (copy of e-mail attached)

Regards

Brian Stalabrass  
Environmental Health Officer

*m e m o*

**From:** Brian Stalabrass  
**To:** asmithson@james-motion.co.uk  
**Date:** 03/04/2007 10:53:33  
**Subject:** Application to vary Licence - Royal Oak Loughton

Dear Mr Hoddinott

Application to vary licence,  
The Royal Oak, Forest Road, Loughton, Essex

On grounds of 'Public Safety' I would raise the following in relation to the application.

It would be reasonable for your client to consider the following on grounds of public safety :-

the capacity of the premises whilst the proposed activities are in progress,

the means of controlling the numbers onsite, entering and leaving the premises whilst the proposed activities are in progress.

As the application does not address these issues I would consider the application deficient at this time.

I propose to raise a representation on these issues.

If you have any queries then please do contact me.

Yours sincerely

Brian Stalabrass  
Environmental Health Officer

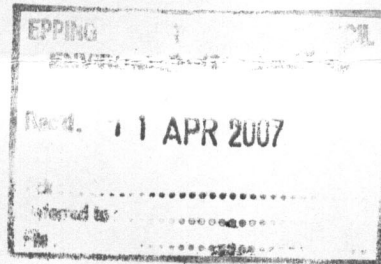
*m e m o*

# Loughton Residents Association



20 Eleven Acre Rise  
Loughton  
Essex IG10 1AN  
09/04/07

Licensing Officer  
Epping Forest District Council  
Civic Offices  
Epping  
Essex CM16 4BZ



Dear Sir/Madam

**Objection: Royal Oak, Forest Road, Loughton**

There are residential properties on all the roads which Royal Oak customers would have to use when arriving at or leaving the premises in the early hours of the morning, on foot or in vehicles. There is therefore a considerable likelihood of disturbance, even if those concerned leave without undue noise. Any rowdiness on the part of departing customers would of course have a much worse effect. Furthermore, what is acceptable up to say 11 pm will not be acceptable later in the night.

Forest Road is not a location suitable for late night music and drinking. It lies in the middle of a residential area. A careful balance needs to be maintained between the interests of residents and those using the pub. Three aspects are of concern –

- the noise from the music while the pub is open,
- the noise from customers arriving at the pub late at night, and
- the noise and damage from customers leaving the pub at closing time.

LRA has had copies of more than 40 letters of objection from local residents. On the general grounds set out above, and on behalf of these residents, we object to this application, on the grounds of

- the prevention of crime and disorder late at night – we have had numerous reports of damage to property and vehicles
- public safety – residents should be able to come and go without feeling threatened by rowdyism,
- the prevention of public nuisance – we have had reports of youths urinating in the street and in front gardens, and of noise at closing time,
- and the protection of children from harm, from noise disturbance late at night (which is obviously disturbing and can affect performance at school the following day)

The proposed extensions in opening hours would breach the proper balance between the interests of residents and those using the pub, and we urge the Licensing Panel to reject the application.

Yours faithfully

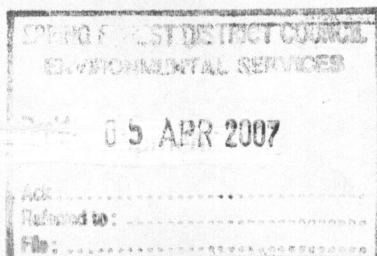
David Linnell, for Loughton Residents Association Plans Group

# Loughton Residents Association



020 8508 2932  
davidlinnell@tiscali.co.uk

20 Eleven Acre Rise  
Loughton  
Essex IG10 1AN  
02/04/07



Licensing Unit, EFDC  
Civic Offices  
Epping  
Essex CM16 4BZ

Dear Sir

The Licensees of the Royal Oak have applied to Epping Forest District Council for a licence to provide live music, and dancing to the early hours of the morning.

We have so far received letters from over 40 local residents (39 households) objecting to the extension of hours.

The Royal Oak is situated in a narrow residential road. The houses either side have small front gardens, so that residents are exposed to any street noise from cars or people.

We strongly oppose the Royal Oak's application, on the grounds of

- the prevention of crime and disorder – it is clear that residents already suffer from late-night rowdyism and damage to cars and fences
- public safety – we have reports of broken glass from beer glasses taken into the street, and of rowdyism and fighting.
- the prevention of public nuisance – we have reports of residents being disturbed late at night, and of customers leaving the pubs urinating or vomiting on the pavements and in residents' front gardens. We also have reports of disturbance from music played in the pub. We hope that you have consulted your colleagues in the Public Health department about reports from residents about noise disturbances, particularly in the summer.
- the protection of children from harm – we have reports of regular disturbances late and night, and particularly after midnight, from the noise of vehicle engines, door-slammings, horns and stereos, people and/or music emanating from the pub. This is obviously bad for children's health and general well-being, and for their ability to study at school the following day.

Yours faithfully

David Linnell  
for Loughton Residents Association Plans Group

[www.loughtonresidents.com](http://www.loughtonresidents.com)

**CLLR. TONY LEE, 10 ALGERS CLOSE, LOUGHTON, ESSEX, IG10 4NH**  
**Tel: 0208 508 7649**

**e-mail: [atlgbr@talk21.com](mailto:atlgbr@talk21.com)**

**3 April 2007**

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

**Application to extend opening hours and for a Licence for Music and Dancing, The Royal Oak, Forest Road, Loughton**

Dear Sirs

I am writing as the ward councillor on behalf of Mr and Mrs Fowler, residents of 107 Forest Road who live near to The Royal Oak public house, to object to the proposed application to the Licensing Committee to extend the opening hours and to apply for a licence for Music and Dancing. (letter enclosed)

Agreement to allow longer opening hours and a music and dancing licence will be an unacceptable change in their environment due to extra noise and disturbance to these particular residents and others in surrounding areas.

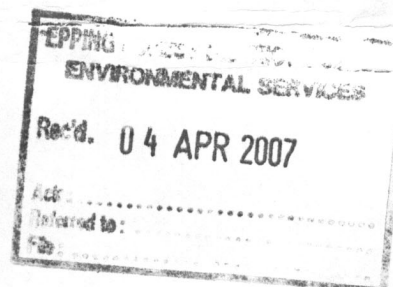
Living near to a public house there will always be some disturbance and some nuisance. But the current licensing hours already generate noise levels that are unacceptable including problems of behavior and the banging of car doors etc. If a music and dancing licence is granted to The Royal Oak, which is right in the middle of a residential area, this is bound to exaggerate the problem, by encouraging a lot more patrons into the area and the noise that goes with it, and will cause parking problems as the all the surrounding roads are full with residents' vehicles.

Therefore I would urge the committee to take all the comments raised into consideration and refuse this application.

Yours sincerely



Tony Lee, St. Mary's Ward



Mr & Mrs J Fowler  
107 Forest Road  
Loughton  
Essex IG10 1EF  
28/3/07

Tony Lee  
10 Algers Close  
Loughton  
Essex IG10 4NH

Dear Mr Lee,

We are writing to express our concern about the possibility of The Royal Oak Public House, Forest Road, Loughton, extending its existing licensing hours for music and dance. As local residents of the pub, living almost directly opposite the establishment, we **strongly oppose** the application they have made to enable them to have music blaring in a residential area until 1.00 / 1:30 a.m. every day of the week!

At present we already have to put up with a great number of inconveniences because of the pub, and we oppose this application on the following grounds.

- 1) An increase in opening hours would increase incidents of damage to cars, property and general disorder immediately outside our house.
- 2) Incidents of nuisance would increase.
- 3) The well being and safety of our children would be further compromised.

At closing time large groups of clients wait outside the pub in the front car park, often shouting, either into their mobile phones to order cabs, or just while waiting for lifts. These groups of people that wait here are often very loud. They swear, shout abuse, argue and fight because of too much alcohol. We have to regularly put up with this behaviour occurring only about 10 metres away from our front door.

In the time that we have lived here, our fence, and that of our neighbour, has been broken by drunks leaving the pub. We find smashed bottles and broken glass left in our drive and in the road outside our house. Our children have trodden on this broken glass as they left the house, and our car has driven over it. We have witnessed many cars travelling along Forest Road that have also driven over the broken glass in the road outside our house. It will not be long before a tyre will burst and a serious accident will occur.

We know of many cars that have been damaged (including our own) by drunks leaving the pub and we have seen many drunken brawls where the police have had to be called out. Such an incident occurred as recently as last weekend (Saturday 17<sup>th</sup> March). At least three police cars and two ambulances were called out to deal with a fight outside the pub, which we understand resulted in two serious injuries. The police had to cordon off an area of the pub car park, creating a crime scene as a result of the incident.

We feel that to even consider an application to extend the hours of this pub would be totally irresponsible, since it can only exasperate all the above problems that we as local residents already have had to contend with. Clients of the pub would be able to get even more drunk and cause these problems even later into the night.

We have two young children, so obviously music playing late every day of the week would be an issue. Both from the point of children being woken and having their sleep disturbed, with school the following day and also for us as adults, trying to get a decent nights sleep before work. Many local residents are either elderly or also have children, so allowing the pub to have music till 1.00/1.30 a.m., would seriously impinge on the quality of all our lives. Even with double-glazing we still hear noise and music coming from the pub. This is especially bad during the summer months when the doors of the pub are opened constantly and sometimes left open for long periods.

Obviously we bought our house knowing the pub was there. But at the time we purchased our house the opening hours were usual pub times, 11 p.m. at the latest, and the pub did not have a music licence. Since then we understand that they have been granted a music licence and are allowed extended opening hours until 12 midnight at weekends. We must say that we were actually unaware that this previous application had taken place, until after they had been granted the extension. Had we known beforehand, we would have objected then as well. We are surprised that the council did not bring this matter to our attention at the time.

To extend the hours until 1:00/ 1.30 a.m. (in reality at least 2.00 p.m. before the clients would have all left the area) would be completely unfair in a residential area, particularly as the houses nearby are so close to the pub. We are already woken at least twice a week at around 6.30 a.m. by the sound of glass bottles tumbling against each other as the bottle recycling container is lifted and tipped into a recycling lorry. To be woken four and a half hours earlier than this as well by the noise of drunken clients leaving the pub, and taxies sounding their horns, would surely be an infringement of our basic human right of a good nights sleep. You can not allow this to happen.

Cabs picking up clients from the pub are a constant source of annoyance to residents on weekend nights. Not only is there constant slamming of car doors but there is also the beeping of horns as cabs try to signal to clients inside that they are waiting for them.

Parking is also a constant problem in ours and neighbouring roads, but particularly on a Friday, Saturday and sometimes even Sunday because of clients of the pub parking. It is an impossibility to find a parking space if you have had to go out somewhere on these days and do not return until after 8 p.m. Parking difficulties are compounded on football match days (as live matches are shown). Many residents who do have a garage or

parking space on their property find their drives blocked by clients of the pub. Extending the hours would mean that there would be even more times when it would be impossible to park, and drives could be blocked for even longer periods.

To allow the pub to stay open even longer will be completely irresponsible of the Council and will be very bad news for those who live near the pub. It could also further danger the lives of the clients of the pub, if more fights take place when people have consumed larger quantities of alcohol..

We therefore strongly urge you to reject the application.

Yours faithfully

John Fowler.

Margaret. Fowler.

John and Margaret Fowler.



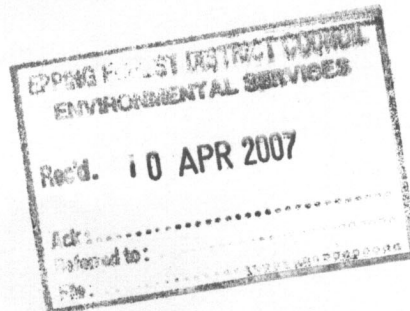
MRS. ELEANOR LAING MP



HOUSE OF COMMONS

LONDON SW1A 0AA

Mrs. K. Tuckey  
Licensing Officer  
Epping Forest District Council  
Civic Offices, High Street  
Epping, Essex  
CM16 4BZ



5<sup>th</sup> April 2007

Dear Mrs. Tuckey,

My constituent, Mrs. Howell of 160 Forest Road, Loughton, has contacted me regarding noise and disturbance from the Royal Oak Public House.

Mrs. Howell has advised that there is such a lot of noise in the pub garden that it is impossible to get to sleep before 12.30. The music is also very loud and disturbs the residents. Apparently, a speaker in the pub garden was supposed to have been taken down but is still there.

I enclose a copy of my constituent's letter for your information and would be grateful for a response to the points raised.

Yours sincerely,

pp Eleanor Laing

Enc.

-----Original Message-----

From: Mrs Howell [mailto:suzanne.howell@bentleyassociates.co.uk]  
Sent: 19 March 2007 21:09  
To: LAING, Eleanor  
Subject: Letter from your constituent Mrs Howell

Mrs Howell  
160 Forest Road  
Loughton  
Essex  
IG10 1EG

Phone: 07958 396785

Email:  
suzanne.howell@bentleyassociates.co.uk

Monday 19 March 2007

Dear Eleanor Laing,

I am writing for your help. I live in one of Loughtons oldest roads which has a village feel and is full of young professionals, families and elderly people. The Public House named The Royal Oak changed its licence from 11pm close to 12pm much to the residents disapproval. The residents of the surrounding streets were not informed about this in order to have the opportunity to object.

At the moment the pub makes so much noise we can sometimes hear the music with all the double glazed windows and doors shut and the TV on. We don't live next door to the pub we live 5 houses away.

In the summer months there are customers making such a racket in the pub garden it is impossible for us to sleep before 12.30 when people spill out into the street. We find this very difficult as we have a toddler who often gets woken up by people shouting and arguing outside the pub.

There was also a speaker that played very loud music in the evening in the garden of the pub. A complaint was made to EFDC and they were asked to take it down but they have just ignored the request as it is still there.

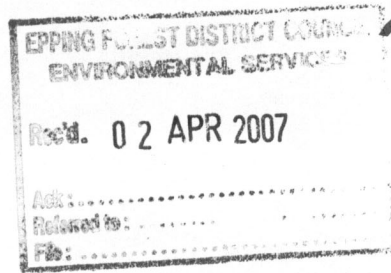
We have since been told by the Loughton Residents Association that The Royal Oak Public House is applying to extend its hours yet again to 1pm Sunday to Thursday and 1.30pm Friday and Saturday. They also have applied for live music and dancing. This is just ludicrous.

Is there anything we can do to get the licence back to 11pm as is used to be? There are a lot of other residents who feel the same way about this. After all this is a village pub in a residential area not a nightclub.

I would really appreciate it if you would get back to me.

1

Our ref: P.2.1(g)/MB



**LOUGHTON**  
TOWN COUNCIL

1 Buckingham Court, Rectory Lane  
Loughton, Essex IG10 2QZ  
Telephone: 020 8508 4200  
Facsimile: 020 8508 4400  
e-mail: [contact@loughton-tc.gov.uk](mailto:contact@loughton-tc.gov.uk)  
Web site: [www.loughton-tc.gov.uk](http://www.loughton-tc.gov.uk)  
Town Clerk: Louise R Fuller

Ms Kim Tuckey  
Licensing Office  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

30<sup>th</sup> March 2007

Dear Ms Tuckey

**Application for Premises Licence – The Royal Oak Public House, Forest Road, Loughton, Essex.**

The council's Planning & Licensing Committee considered this application at a recent meeting. Objections had been received from 18 residents, mainly from Forest Road. The Committee objects to the application on behalf of these residents, due to it being in the vicinity of too many residents. This pub is already known for noise and disturbances during the day as well as in the evening and there are concerns about the use of outside facilities at night, which the committee understands has already breached previous licence enforcement notices.

Please let me know if you require specific details of the names and addresses of residents who have contacted the town council to object to the application.

Yours sincerely

Maria Burgess  
Planning Committee Clerk

**From:** Marc Witham  
**Subject:** Fwd: Royal Oak objections

>>> "Maria Burgess" <Maria.Burgess@loughton-tc.gov.uk> 03/04/2007 12:30:38 >>>  
Dear Marc

The following names and addresses are the objectors to the Royal Oak application. There have been a few more since my letter.

Russell Woodland - 185 Smarts Lane  
David Willsmer - 127 Forest Road  
Mr & Mrs R Lovick - 103 Forest Road  
J McCrae - 128 Forest Road  
Mr A J Lane - 121 Forest Road  
Adam & Suzanne Howell - 160 Forest Road  
Mr & Mrs A Graves - 50 Forest Road  
Claire Symonds - 147 Smarts Lane  
J Williams - 112 Smarts Lane  
Mr & Mrs G Tanin - 34 Forest Road  
Mrs Susan Marbe - 83 Forest Road  
Julia Wellby & Tony Nash - 93 Forest Road  
Hayley Doherty - 145 Smarts Lane  
Ian McBain - 117 Forest Road  
Deborah Sindon - 154 Forest Road  
Sue Shaw - 67 Forest Road  
Joanna Pike - of Forest Road (no number)  
Terri O'Donoghue - 98 Forest Road  
M G Cobb - 53 Forest Road  
Miss R M Clayton - 181 Smarts Lane  
K T Moore - 118 Forest Road  
John & Margaret Fowler - 107 Forest Road  
Mrs C Fenn - 58 Forest Road

Norman & Sylvia Taylor - 114 Forest Road

Regards

Maria Burgess

**From:** "Maria Burgess" <Maria.Burgess@loughton-tc.gov.uk>  
**To:** "Marc Witham" <mwitham@eppingforestdc.gov.uk>  
**Date:** 10/04/2007 10:14:09  
**Subject:** Objections for Royal Oak

Dear Marc

Since my last email there have been some more objectors, if you are able to put forward their names they are as follows:

Janet See - 100 Forest Road

Mr & Mrs R A Philpot - 138 Forest Road

Mrs A Wise - 31 Forest Road

Mr & Mrs Woodman - 164 Forest Road

Thanks very much

Maria

**From:** "Maria Burgess" <Maria.Burgess@loughton-tc.gov.uk>  
**To:** "Marc Witham" <mwitham@eppingforestdc.gov.uk>  
**Date:** 10/04/2007 11:37:23  
**Subject:** Objections to Royal Oak

Hi Marc it's me again with 2 more objectors:

T J Coultrup - 120 Forest Road

Mr & Mrs Belton - 151 Forest Road

Thanks

Maria

This page is intentionally left blank