

Committee Agenda



**Epping Forest
District Council**

Licensing Sub-Committee Thursday, 2nd August, 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 K Chana, M Cohen, Mrs R Gadsby, Councillor Mrs P Smith and J Wyatt

PLEASE NOTE THE START TIME OF THE MEETING

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	Application for a Hackney	1	

Carriage Driver's Licence
– Mr J Perry

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 - MR JOHN PERRY (Pages 11 - 16)

(Head of Environmental Services). To consider the attached application.

7. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - CHIGWELL ROW POST OFFICE, LAMBOURNE ROAD. (Pages 17 - 28)

(Head of Environmental Services). To consider the attached application.

8. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - THE ROYAL OAK, FOREST ROAD, LOUGHTON (Pages 29 - 46)

(Head of Environmental Services). To consider the attached application.

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

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.

Report to Licensing Subcommittee
Date of meeting: 2 August 2007

Subject: Local Government (Miscellaneous Provision) Act 1976 - Application for a Hackney Carriage Driver's Licence – John Perry



Officer contact for further information:
Jim Nolan

Committee Secretary: Adrian Hendry

Decision Required:

To consider an application for a Hackney Carriage Drivers' Licence.

Report:

The above-mentioned application for a Hackney Carriage Drivers Licence has been received. The application cannot be determined under delegated authority rules because the applicant's CRB check has revealed offences that do not allow officers to grant this Licence under delegated authority. Further details will be given at the meeting.

Background Papers:

List of papers attached:

1. Statement of Appeal made by Applicant
2. Copy of Applicants Driving Licence

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: 2 August 2007

Subject: Licensing Act 2003 - Application for a premises Licence – Chigwell Row Post Office, Lambourne Rd.

**Officer contact for further information:
K Tuckey**

Committee Secretary: Adrian Hendry



**Epping Forest
District Council**

Decision Required:

To consider an application for a Premises Licence for Chigwell Row Post Office, Lambourne Rd.

Report:

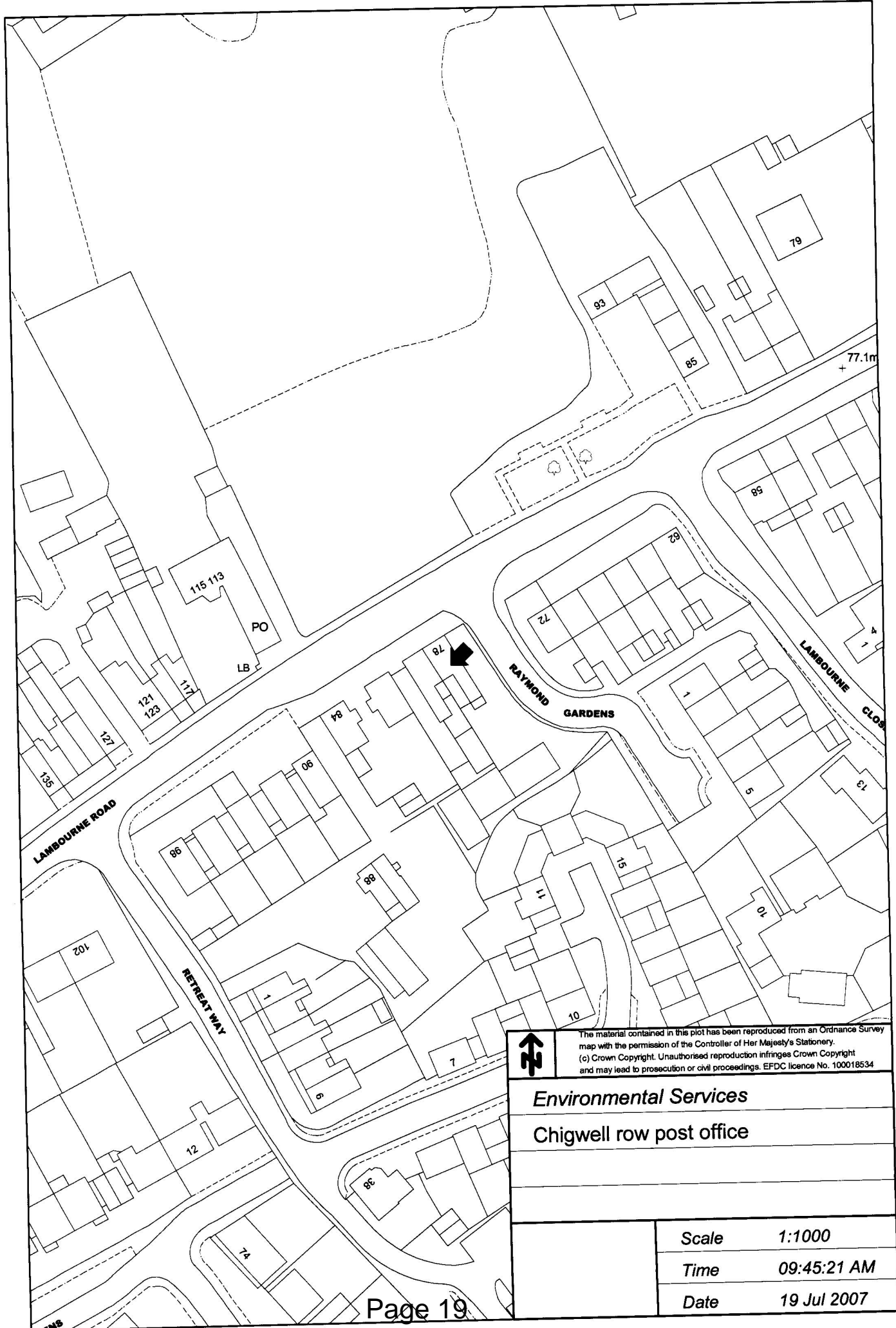
The application has attracted a representation from an interested party thereby precluding officers from exercising their delegated authority.

Background Papers:

List of papers attached:

1. Application for Premises Licence
2. Site Map
3. Representation from a local resident

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

Environmental Services

Chigwell row post office

Scale	1:1000
Time	09:45:21 AM
Date	19 Jul 2007

This page is intentionally left blank

**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 Alphonse Cynthia Balakumar

(Insert name(s) of applicant)

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

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Chigwell Row Post Office			
78 Lambourne Road			
31 MAY 2007			
Post town	Chigwell Row, Essex	Post code	IG7 6EN

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£3450

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 <input type="checkbox"/>	Mrs <input checked="" type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname Balakumar			First names Alphonse Cynthia		
I am 18 years old or over				<input checked="" type="checkbox"/> Please tick yes	
Current postal address if different from premises address		122 Woodford Avenue Redbridge			
Post Town	liford, Essex		Postcode	IG2 6XA	
Daytime contact telephone number					
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
I am 18 years old or over				<input type="checkbox"/> Please tick yes	

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 N/A
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc.)
Telephone number (if any)
E-mail address (optional)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day		Month		Year		
1	8	0	6	2	0	7

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

Day		Month		Year		

Please give a general description of the premises (please read guidance note1)
Chigwell Row Post Office is currently operating as a Post Office and general store and would like to include the retail sale of alcohol as part of the operation.

The upper floor contains accomodation that is resided in and accessed independently from the store.

The premises are protected by shutters.

During opening hours which are not licensed for alcohol sales, displays will be covered.

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

0

What licensable activities do you intend to carry on from the premises?

(Please see sections 1 and 14 of the Licensing Act 2003 and Schedules 1 and 2 to the Licensing Act 2003)

Provision of regulated entertainment

Please tick yes

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

Provision of entertainment facilities:

- | | |
|---|--------------------------|
| i) making music (if ticking yes, fill in box I) | <input type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

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

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>			
				Off the premises	<input checked="" type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)					
Mon	09.00 AM	22.00						
Tue	09.00	22.00						
Wed	09.00	22.00						
Thur	09.00	22.00						
Fri	09:00	22.00						
Sat	09:00	22.00						
Sun	09:00	22.00						
						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)		
						N/A		

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

Name Alphonse Cynthia Balakumar	
Address 122 Woodford Avenue Redbridge liford, Essex	
Postcode	IG2 6XA
Personal Licence number (if known) P00770	
Issuing licensing authority (if known) Redbridge 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)
 N/A

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4)
Day	Start	Finish	
Mon	08.00	22.00	
Tue	08.00	22.00	
Wed	08.00	22.00	
Thur	08.00	22.00	
Fri	08.00	22.00	
Sat	08.00	22.00	
Sun	08.00	22.00	

Non standard timings. Where you intend 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)

1 Coopers Close
Chigwell Row
Essex IG7 6EX
Tel: 020 8500 1150

27th June 2007

Dear Sirs,

Ref: Planning Application SPO 78 Lambourne Rd. Chigwell Row - Roller Shutter and application for an off licence permit

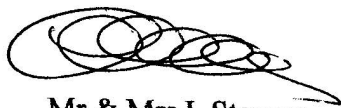
Further to the above application, we wish to object on the following grounds:

Although we understand the need for security, this could easily be done with an internal shutter, not the current shutter that is obliterating the street scene and spoiling the character of the village.

This is a retrospective application as the shutter has already been in place for a number of months. If permission is granted, it would lead the way for the other retail premises in the village to put up shutters and then apply for planning permission. This would not be in keeping with a village shopping area.

With reference to the application for an off licence permit, we already have a permit recently granted to the news agents in the village. There is no need for a second one. The proposed extended opening hours would lead to problems previously experienced with the off licence in the old post office in Lambourne Rd. Notably, this drew in under age drinkers from outlying areas who would then cause a nuisance in the village. As we have no regular police patrol, vandalism and other low level crimes would rise.

Yours Faithfully



Mr & Mrs L Stevens

cc: Licensing Authority

EPPING FOREST DISTRICT COUNCIL ENVIRONMENTAL SERVICES	
REC'D	28 JUN 2007
ACK
REFERRED TO
FILE

This page is intentionally left blank

Report to Licensing Subcommittee
Date of meeting: 2 August 2007

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

Officer contact for further information:
K Tuckey

Committee Secretary: Adrian Hendry



Decision Required:

To consider an application to vary the Premises Licence for The Royal Oak, Forest Road, Loughton.

Report:

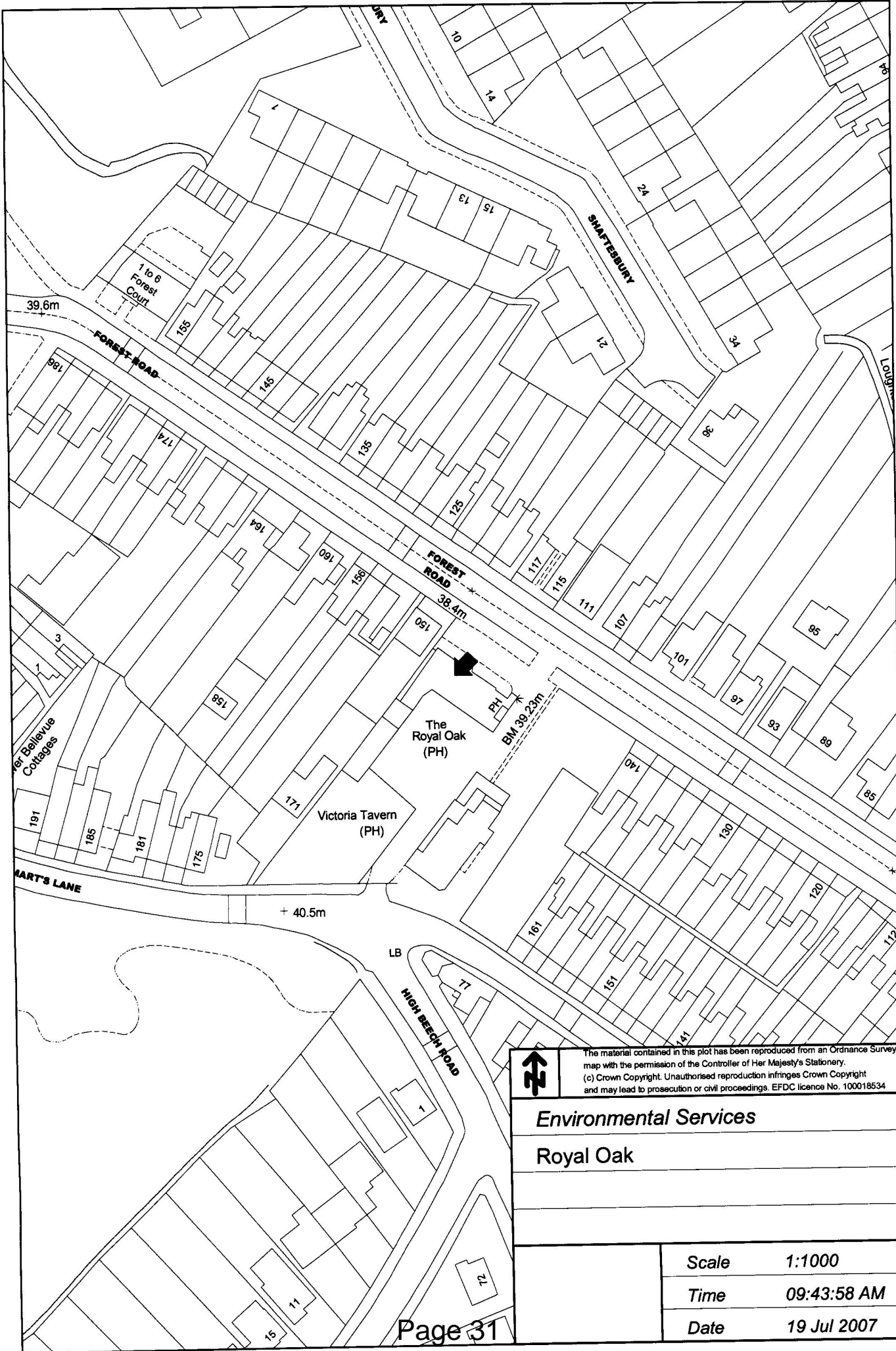
The application has attracted representations from the responsible authorities for Planning, Environmental control and a number of interested parties thereby precluding officers from exercising their delegated authority.

Background Papers:

List of papers attached:

1. Application for Premises Licence.
2. Site Map.
3. Representations from local residents and responsible authorities.

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

Environmental Services
Royal Oak

Scale	1:1000
Time	09:43:58 AM
Date	19 Jul 2007

This page is intentionally left blank

Application to vary a premises licence 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 MARTIN HENRY BECKETT

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number

LN/210001497

Part 1 – Premises Details

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

The "Royal Oak"
 Forest Road

Post town

Loughton, Essex

Post code

IG10 1EG

Telephone number at premises (if any)

020 8508 7077

Non-domestic rateable value of premises

£32750

Part 2 – Applicant details

Daytime contact telephone number

020 8508 7077

E-mail address (optional)

Current postal address if different from premises address

14 Bridge Hill

Post Town

Epping, Essex

Postcode

CM16 4ER

Part 3 - Variation

Please tick yes

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

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To Vary the premises Licence to allow for the following licensable activity:

The Provision of Live Music

Monday to Saturday: 11.00am to 24.00

Sunday 12.00 noon to 23.30

Plus seasonal variations as noted on the Application

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

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

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)

In all cases complete boxes N, O and P

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)		
Mon	11.00	24.00	To permit us to have up to 3 musicians/singers to provide regular entertainment for the enjoyment of our customers.		
Tue	11.00	24.00			
Wed	11.00	24.00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4) Christmas Eve (24/12) 11.00am to 01.00am annually Boxing Day (26/12) 11.00am to 01.00am annually New Years Eve (31/12) from the end of permitted hours to the commencement of permitted hours on New Years Day (31/12) annually On Sundays of Bank Holiday Mondays 11.00am to 01.00am annually		
Thur	11.00	24.00			
Fri	11.00	24.00	<u>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</u> (please read guidance note 5)		
Sat	11.00	24.00			
Sun	12.00	23.30			

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 (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Mon	11.00	24.30		Please give further details here (please read guidance note 3) To permit us to engage the services of a DJ to provide regular entertainment for the enjoyment of our customers.	
Tue	11.00	24.30			
Wed	11.00	24.30	State any seasonal variations for the playing of recorded music (please read guidance note 4) Christmas Eve (24/12) 11.00am to 01.00am annually Boxing Day (26/12) 11.00am to 01.00am annually New Years Eve (31/12) from the end of permitted hours to the commencement of permitted hours on New Years Day (31/12) annually On Sundays of Bank Holiday Mondays 11.00am to 01.00am annually		
Thur	11.00	24.30			
Fri	11.00	24.30			
Sat	11.00	24.30	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 5)		
Sun	12.00	00.00			

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish			
Mon			<u>State any seasonal variations for the supply of alcohol</u> (please read guidance note 4) Christmas Eve (24/12) 11.00am to 01.00am annually Boxing Day (26/12) 11.00am to 01.00am annually New Years Eve (31/12) from the end of permitted hours to the commencement of permitted hours on New Years Day (31/12) annually On Sundays of Bank Holiday Mondays 11.00am to 01.00am annually		
Tue					
Wed					
Thur					
Fri					
Sat					
Sun					
			<u>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</u> (please read guidance note 5)		

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 days and timings (please read guidance note 6)			<u>State any seasonal variations</u> (please read guidance note 4) Christmas Eve (24/12) 11.00am to 01.30am annually Boxing Day (26/12) 11.00am to 01.30am annually New Years Eve (31/12) from the end of permitted hours to the commencement of permitted hours on New Years Day (31/12) annually On Sundays of Bank Holiday Mondays 11.00am to 01.30am annually
Day	Start	Finish	
Mon	11.00	24.30	<u>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</u> (please read guidance note 5)
Tue	11.00	24.30	
Wed	11.00	24.30	
Thur	11.00	24.30	
Fri	11.00	24.30	
Sat	11.00	24.30	
Sun	12.00	24.00	

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

Please tick yes

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

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

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

The current premises Licence is with the Licensing Department of the Epping Forest Council.
Please refer to Mr Marc Witham.

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

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

Proof of Age scheme in force - we have an admission policy of over 22 years old only.

We will continue to conduct the business at these premises in the same expert and professional manner we have done so over the past eight years.

We have a full Risk Assessment Manual in place.

b) The prevention of crime and disorder

No drunkenness, violence, antisocial behaviour or possession of drugs is tolerated.

See relevant paragraphs in our premises Risk Assessment manual.

c) Public safety

All fire fighting equipment is held on a annual service contract.

We have a full Risk Assessment of all the activities engaged in within the pub for both management staff and customer safety.

d) The prevention of public nuisance

Customers are requested to leave in a quiet and orderly manner.

We have a noise limiting facility installed within the premises amplification system. This system is overseen by the management only i.e. not the artists.

e) The protection of children from harm

Proof of Age scheme in force.

Children only admitted to garden or dining area if accompanied by a supervising adult.


See relevant Risk Assessment pages in our manual.

- Please tick yes**
- I have made or enclosed payment of the fee
 - I have sent copies of this application and the plan to responsible authorities and others where applicable
 - I understand that I must now advertise my application
 - I have enclosed the premises licence or relevant part of it or explanation
 - 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 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant’s solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	 <i>James Motion</i>
Date	KINGSLEY HODDINOTT - 26 th JUNE 2007
Capacity	AUTHORISED AGENT FOR THE APPLICANT

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd 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 address for correspondence associated with this application (please read guidance note 13)

JAMES-MOTION
Suite 1, Essex House
Station Road

Post town	Upminster, Essex	Post code	RM14 2SJ
Telephone number (if any)	01708 229955		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			
khoddinott@james-motion.co.uk			

Date: 17 July 2007

Our Ref: WK/200702958

Your Ref:

Kingsley Hoddinott
James - Motion
Suite 1
Essex House
Station Road
Upminster
Essex
RM14 2SJ

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

Dear Kingsley Hoddinott,

Licensing Act 2003

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 26th June 2007, that I received on 26th June 2007 regarding the above mentioned property.

Having inspected the applicants submission, it is the view of environmental health that there are insufficient measures contained within the schedule to prevent a public nuisance.

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

1. 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 noise limiting device shall be connected to all permanent music and public address equipment and all available mains power sockets within the area from where music shall be played.

The Premises Supervisor shall ensure that any amplified music from the premises does not cause a public nuisance by ensuring that amplified sound is inaudible at the nearest noise sensitive premises.

2. given the current low level background noise levels of the area and the location of the premises to residential properties, environmental health seek that the playing of any live music not be permitted beyond 23:00 on any given day.

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.

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: 10 July 2007

Our ref: PL/12453/AEW/221

Your ref: KH/8150/RO



Mr Kingsley Hoddinott
James-Motion
Suite 1
Essex House
Station Road
Upminster
Essex
RM14 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 your application, received on 27 June 2007, 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 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.

This application seeks to gain a licence to include the provision of live music for the hours of : Monday to Saturday from 11.00 ~ 24.00; and on Sundays from 12.00 ~ 23.30.

It is acknowledged that the applicant has reduced the requested hours of operation of live music from that proposed in a recently withdrawn application. However, Planning Services wishes to object to this application on the grounds of the likely increase in noise and nuisance to surrounding properties; particularly from customers arriving and leaving the premises, including those using cars and taxis.

Planning Services suggest that the playing of live music should cease half an hour earlier. If the application was amended to the following hours for the provision of live music, then Planning Services will withdraw the objection - Monday to Saturday 11.00 ~ 23.30 and on Sundays from 12.00 ~ 23.30.

Yours sincerely

A handwritten signature in black ink, appearing to be "AEW".

Ann E Wood
Planning Support Officer

cc: **Environmental Services, Licensing ~ Epping Forest District Council** ✓

This page is intentionally left blank