

Committee Agenda



**Epping Forest
District Council**

Licensing Sub-Committee Thursday, 5th March, 2009

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 Mrs P Brooks, Mrs S Clapp, Ms J Hedges and B Rolfe

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

(Assistant to the Chief Executive) 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 Information Paragraph Number
6	Hackney Carriage Driver's Licence – Mr H Butt	1

7	Hackney Carriage Driver's Licence – Mr Fernandez	1
8	Hackney Carriage Driver's Licence – Mr M Charge	1
9	Hackney Carriage Driver's Licence – Mr S Paget	1
10	Hackney Carriage Driver's Licence – Mr Gokmen	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 PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR H BUTT (Pages 11 - 16)

(Director of Corporate Support Services) To consider the attached application.

7. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 -

APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR F FERNANDEZ (Pages 17 - 22)

(Director of Corporate Support Services) To consider the attached application.

8. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR M CHARGE (Pages 23 - 28)

(Director of Corporate Support Services) To consider the attached application.

9. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR PAGET (Pages 29 - 32)

(Director of Corporate Support Services) To consider the attached application.

10. LOCAL GOVERNMENT (MISCELLANEOUS PROVISIONS) ACT 1976 - APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR A GOKMEN (Pages 33 - 36)

(Director of Corporate Support Services) To consider the attached application.

11. INCLUSION OF PUBLIC AND PRESS

That the public and press be invited back into the meeting for the remaining items of business.

12. LICENSING ACT 2003 - APPLICATION TO VARY A PREMISES LICENCE - BAYLISS NEWS, 159 HIGH STREET, LOUGHTON (Pages 37 - 54)

(Director of Corporate Support Services) To consider the attached report.

13. LICENSING ACT 2003 - APPLICATION FOR A NEW PREMISES LICENCE - FOREST WINES, FOREST DRIVE, THEYDON BOIS (Pages 55 - 68)

(Director of Corporate Support Services) To consider the attached report.

14. LICENSING ACT 2003 - APPLICATION TO A VARIATION OF A PREMISES LICENCE - LOVE IT, 63 BUCKHURST HILL (Pages 69 - 80)

(Director of Corporate Support Services) To consider the attached report.

15. LICENSING ACT 2003 - APPLICATION TO A PERSONAL LICENCE - 162 HIGH STREET, ONGAR (Pages 81 - 128)

(Director of Corporate Support Services) To consider the attached report.

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Agenda Item 4

PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS

LICENSING COMMITTEE – TERMS OF REFERENCE

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

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

(3) For the transaction of business at full Committee meetings, the quorum shall be a minimum of five Committee members save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.

(4) The Committee and Sub-Committees shall have full authority to hear and determine licensing applications.

(5) The Committee and Sub-Committees shall be further empowered to determine appeals made against the decisions of the Head of Environmental Services taken under delegated authority on licensing applications.

... (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Annex 3 (Conduct of Business by Licensing Committee and Sub-Committees).

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

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

Licensing Act 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

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

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

LIST OF STATUTORY POWERS

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

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

Part 3(2) – Responsibility for Functions

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUB-COMMITTEES

All references to committee in this annex shall be taken to infer a reference to the associated sub-committees.

1. General Conduct

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

2. Declarations of Interest

- 2.1 Members of the Committee are subject to the Council's Code of Conduct and to advice from the Standard Board for England, details of which will be provided to those members.

3. Participation in the Hearing

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.

4. Attendance of the Public

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

5. Natural Justice

5.1 There are two elements to natural justice:

(a) Fairness

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

(b) Prevention of Bias

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

6. General Procedures for Hearings

6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:
 - (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
 - (ii) The Chairman will outline the procedure to be followed.

- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

***Report to Licensing Subcommittee
Date of meeting: 5th March 2009***

**Subject: Local Government (Miscellaneous Provision) Act 1976 - Application for a Hackney Carriage Driver's Licence - Mr H Butt
Officer contact for further information: Kim Tuckey**



**Epping Forest
District Council**

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 has not held a DVLA licence for the required 3 years.

Background Papers:

List of papers attached:

1. Application form
2. Appeal form
3. DVLA licence

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

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***Report to Licensing Subcommittee
Date of meeting: 5th March 2009***

**Subject: Local Government (Miscellaneous Provision) Act 1976 - Application for a Hackney Carriage Driver's Licence - Mr F Fernandez
Officer contact for further information: Kim Tuckey**



**Epping Forest
District Council**

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 applicants DVLA licence has revealed a relevant offence

Background Papers:

List of papers attached:

1. Application form
2. Appeal form
3. DVLA licence

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of the Local Government Act 1972.

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***Report to Licensing Subcommittee
Date of meeting: 5th March 2009***

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

Officer contact for further information: Kim Tuckey

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 and DVLA licence 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

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

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Report to Licensing Subcommittee
Date of meeting: 5th March 2009

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

Officer contact for further information: Kim Tuckey

Committee Secretary: Adrian Hendry



Decision Required:

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

Report:

The above-mentioned application for a renewal of Hackney Carriage Drivers Licence has been received. The applicants DVLA licence has revealed a totting up of points. The renewal application has been granted until the meeting on the 5th March 2009, for members decision

Background Papers:

List of papers attached:

1. Renewal Application form
2. Copy of Applicants Driving Licence

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

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***Report to Licensing Subcommittee
Date of meeting: 5th March 2009***

**Subject: Local Government (Miscellaneous Provision) Act 1976 - Application for a Hackney Carriage Driver's Licence - Mr A Gokmen
Officer contact for further information: Kim Tuckey**



**Epping Forest
District Council**

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. Application form
2. Drivers licence

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

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***Report to Licensing Sub-Committee
Date of meeting: 5 March 2009***

Subject: Bayliss News, 159 High Street, Loughton

Responsible Officer: Kim Tuckey.

Democratic Services: Adrian Hendry.



Decision Required:

To consider a application for a variation of a premises licence

Report:

An application has been received for a variation of an existing premises licence granted under the Licensing Act 2003. The authority has received objections from Essex Police and four objections from interested parties.

Attached documents below:

- Selected parts of the Application form;
- Objection letter from Essex Police; and
- Four objections from interested parties.

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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 **Bayliss News**

(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/210001219
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description			
Baylis News 159 High Road			
Post town	Loughton	Post code	IG10 4LF

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£12250

Part 2 – Applicant details

Daytime contact telephone number	
E-mail address (optional)	
Current postal address if different from premises address	
Post Town	
Postcode	

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)
Extension of hours to SUPPLY OF ALCOHOL CONSUMPTION OFF.

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

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) N/A		
Mon	00:00	00:00			
Tue	00:00	00:00			
Wed	00:00	00:00			
Thur	00:00	00:00			
Fri	00:00	00:00			
Sat	00:00	00:00			
Sun	00:00	23:00			
			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		

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

0

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) N/A
Day	Start	Finish	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) N/A
Mon	00:00	00:00	
Tue	00:00	00:00	
Wed	00:00	00:00	
Thur	00:00	00:00	
Fri	00:00	00:00	
Sat	00:00	00:00	
Sun	00:00	23:00	

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
Parts of the licence is lost. We have attached £10,50 for replacement

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)

The standard practices listed below will be maintained at all times. All reasonable steps will be taken to ensure that the premises will have a positive impact upon the local environment and its residents at all times.

b) The prevention of crime and disorder

CCTV system shall be installed and maintained inside and outside the premises, including a CCTV unit, which monitors the immediate vicinity of the premises. All cameras shall continually record whilst the premises are open to the public and the recordings shall be kept available for a minimum of 31 days with time and date stamping. Recordings shall be made available to an authorised officer or a police officer with 24 hours of any request

c) Public safety

Appropriate fire safety procedures are in place along with appliances including fire extinguishers (Foam, H2O and CO2), fire blankets, internally illuminated fire exit signs, a smoke detector and emergency lighting. All appliances are checked annually and comply with relevant British Standards.

All fire escapes/escape routes will be clearly marked and kept free from obstructions at all times.

d) The prevention of public nuisance

All customers are asked to respect the surroundings and behave in an orderly manner.

Signs will be installed to remind customers respect neighbours and leave quietly.

Patrons will be discouraged from congregating outside the premises.

All waste generated by the premises will be dealt with appropriately.

e) The protection of children from harm

Restrictions under the Licensing Act 2003 will apply.

Alcohol will only be served over 18's only.

The licensee and staff will ask persons who appear to be under the age of 18 for photographic ID such as proof of age cards, the Connexions Card and Citizen Card, photographic driving licence or passport, an official identity card issued by HM Forces or by an EU country, bearing the photograph and date of birth of bearer.

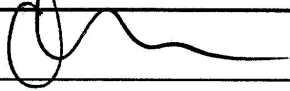
Please tick yes

- 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	
Date	2 nd December 2008
Capacity	APPLICANTS AGENT

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)

NARTS
90 GREEN LANES

Post town LONDON **Post code** N16 9EJ

Telephone number (if any) 020 8090 0376

If you would prefer us to correspond with you by e-mail your e-mail address (optional)
info@act2003.com



PO Box 2, Headquarters; Springfield,
Chelmsford, Essex CM2 6DA

Telephone 01245 491491

Website: www.essex.police.uk

Facsimile: 01245 452259

Mr Mahir Kilic
Licensing Dept
90 Green Lanes,
Newington Green
London
N16 9EJ

Simon Fisher
Licensing Unit
Epping Police Station, High Street
Epping
Essex
CM16 4AP
01279 625405

10/12/2008

Dear Sir,

I am in receipt of your amended application to extend the trading hours of Bayliss News, 159 High Road Loughton Essex on Fridays and Saturdays from 0600 to 0200 hours the following day.

I have replied to your application by writing to the local authority Epping Forest District Council stating that your original application would be challenged under the Licensing Act on the grounds of Prevention of Crime and Disorder. Although your application is greatly amended the extended hours are very late and a temptation to persons leaving late night alcohol establishments, our grounds for objecting remain the same. I have to say there is no off licence premises in this borough that trades after 2300 hours

I have copied this letter to Miss Nicky Glasscock of Epping Forest District Council Licensing Department stating Essex Police Authority will on the grounds I have outlined.

Yours Faithfully

Simon Fisher. Div Lic Officer Epping Police Station..





PO Box 2, Headquarters, Springfield,
Chelmsford, Essex CM2 6DA

Telephone 01245 491491
Website: www.essex.police.uk
Facsimile: 01245 452259

Miss N. Glasscock,
Licensing Dept
Epping Forest District Council,
Civic Offices Epping High Street,
Epping,
Essex,
CM16 4BZ

Simon Fisher
Licensing Officer
Essex Police Authority
Epping Police Station
Epping High Street
Epping
Essex,
CM16 4AP
01279 625405

04/12/2008

Dear Miss Glasscock,

I am in receipt of an application made by The National Association of Turkish Restaurants, Takeaways, and Supermarkets on behalf of Bayliss News a convenience store sited at 159 High Road Loughton, Essex IG10 4LF.

The application concerns a variation to the trading hours of the license from the current hours of 0800 to 2300 hours Monday to Saturday and 1000 to 2200 hours on Sundays. There are non-standards times for Christmas Day 1200 to 1500 hours and 1700 to 2230 hours. In addition Good Friday hours are 0800 to 2230 hours.

The variation request is to change for trading hours to run from 0000 to 0000 hours daily seven days a week. The current Designated Premises Supervisor is Mrs Nurcan Coskun. The current premises license was granted dated 12th May 2006. During that date and the present date Police have received intelligence of under age sales of alcohol and Trading Standards have test purchased on two occasions and proved under age sales. In both these instances letters were sent by Trading Standards to Mrs Coskun informing her by way of a warning of the possibilities of breach of the Licensing Act 2003.

The shop premises known as Bayliss News, is located in the High Road Loughton and has in close proximity to it several late night venues for consumption on the premises.

The Licensing Act 2003 has within it four Licensing objectives,

- 1) Prevention of Crime and Disorder.
- 2) Public Safety
- 3) The Prevention of public nuisance
- 4) The protection of children from harm.



I have sought advice from higher authority and I have been instructed to object on behalf of Essex Police Authority on the grounds of a) Prevention of Crime and disorder in that persons who have already visited late night venues and having consumed alcohol to a lesser or greater degree having the opportunity to purchase more alcohol, and b) prevention of children from harm as we already have evidence of under age sales.

I now ask that this letter be forwarded to The Licensing Department at Epping Forest District Council to note Police Ojections, and if other responsible authorities have issues or comments to make that a hearing be arranged in the future. I look forward to hearing from you.

Yours Faithfully

Simon Fisher. Div Licensing Officer Epping Police Station.

Copy to Mr Mahir Kilic of N.A.R.T.S. OG 90 Green Lanes Newington Green, London N16 9EJ

Simon Fisher

From: Elizabeth Thomas
To: Tuckey, Kim
Date: 07/01/2009 11:52:02
Subject: Fwd: Re: Extended Licensing Hours Application : Baylis News, 159 High Road (Loughton) - supply of alcohol

Elizabeth Thomas
Management Assistant
Planning Services Ext: 4115

>>> "Amy & Alano" <amyalano@ntlworld.com> 12/31 12:18 pm >>>

Subject: Baylis News, 159 High Road - supply of alcohol 08:00 - 02:00. Fri and Sat.

Dear Sir/Madam,

We are opposed to an extension of the current permission to supply alcohol beyond 11pm each night. Already there is far too much bad behaviour in late hours due to drunkenness on our street (Station Road) and surrounding streets. Just this past Tuesday evening (or should I say Wednesday early morning) December 23/24, for example, a number of screaming drunk teenagers openly swigging cans of beer (estimated 18-19 years olds) went terrorising down Station Road at around 12:45am and pulled down, dragged and overturned many of the residents garbage bins! This left an unbelievable mess for residents to have to clean up the next morning and several residents missed their garbage collection the following morning as a consequence.

Permitting an extension to the hours for purchase of alcohol on Friday and Saturday will just serve to add fuel to the fire of the problems with late night noise pollution, hooliganism, gangs and general bad behaviour that is currently prevalent. If this establishment and the bars around the High Road want additional hours, let them pay 100% of the salary costs of having two policemen foot patrol Station Road and the High Road from 10pm to 5am on every one of those nights they want the license to serve or sell alcohol late! It should not be permitted for these shops and bars to be allowed to garner all the additional revenue from serving or selling alcohol without paying any of the associated social costs that attend their selfish requests.

Sincerely,

Alano and Amy Regueiro

9 Station Road

Loughton, Essex IG10 4NZ

14 Smarts Lane
Houghton Ex

29 Dec. 08

Dear Sirs

Baylis News 159 High Rd
Supply of alcohol 8 @ 200 hrs
Set

I object strongly to this
extension. At the moment living
near the car park in Smarts Lane
I am always picking up empty
bottles and cans, some broken.
It appears the car park is a
drinking place for people after
they have bought their alcohol,
it appears the drink is cheaper
to buy than the Nu Bar and Minx.

Yours sincerely

A J Thomas Mrs

27/12/08

11 SMARTS CAFE
LUGHTON
ESSEX
IG10 4BV

Dear Sirs

Re: BAYLISS NEWSAGENTS, LUGHTON HIGHER RD.

I wish to register my opposition to the proposed extension of the above's licence to sell alcohol.

I have no objection to the shop, or generally what it does or sells. I live close by and am a regular customer.

I am concerned that late night off-sales of alcohol will result in more street drinking & anti social behaviour in the locality. We already have youngsters in particular hanging around at the end of Smarts here - I think that the proposal will make matters worse.

If people want to buy drinks for home consumption, they have plenty of time within shop opening hours to do so.

Yours Sincerely
Alban Buden.

Loughton Residents Association



20 Eleven Acre Rise
Loughton
Essex IG10 1AN
28/12/08

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

Dear Sir/Madam
Baylis News, 159 High Road, Loughton

An application has been made for a licence to supply alcohol until 2am on Fridays and Saturdays.

There are residential properties on all the roads which customers would have to use when arriving at or leaving the premises in the early hours of the morning, on foot or in vehicles. (Note that, although Old Station Road is not residential, there are houses on Meadow Road which back onto it.)

The premises are likely to act as a focus for youngsters to gather. 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.

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 – you will be aware of past problems
- public safety – residents should be able to come and go without feeling threatened by groups of youngsters and/or rowdyism,
- the prevention of public nuisance from groups of youngsters and/or rowdyism,
- 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)

We urge the Licensing Sub-Committee to reject the application.

We would be happy to support a compromise, such as a licence till midnight (at the very latest).

Yours faithfully



David Linnell, for Loughton Residents Association Plans Group

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***Report to Licensing Subcommittee
Date of meeting: 5th March 2009***

Subject: Forest Wines Forest Drive Theydon Bois

Officer contact for further information: Kim Tuckey

Committee Secretary: Adrian Hendry



Decision Required: To consider a application for New premises licence to be granted under the 2003 Act.

Report:

A premises licence has been received for the above. The authority has received a representation from an interested party.

Attached documents below
Extracts of the Application
Letter of objection from the interested party

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WC/20081461

**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 CHIRAG KHETIYA AND AMIT KHETIYA

(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			
Forest Wines 19b Forest Drive Theydon Bois Essex			
Post town		Post code	CM16 6EX

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£3,000.00
Licence fee payable	£100.00

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 checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KHETIYA			First names CHIRAG		
I am 18 years old or over				<input checked="" type="checkbox"/>	Please tick yes
Current postal address if different from premises address		25 Avenue Road Theydon Bois Essex			
Post Town		Postcode	CM16 7JJ		
Daytime contact telephone number		01992 812760			
E-mail address (optional)					

SECOND INDIVIDUAL APPLICANT (if applicable)

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

Current postal address if different from premises address	25 Avenue Road Theydon Bois Essex		
Post Town		Postcode	CM16 7JJ
Daytime contact telephone number	01992 812760		
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
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	
2	4	1	2	2	0
0	8				

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)
 The premises operate as a general off license. They were previously run as an off license.

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

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)
- 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)

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) New Years eve, Christmas day, Boxing day, Sundays preceding bank holidays and Easter weekend when provided until 0000 midnight 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) As above		
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			

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

Name CHIRAG KHETIYA	
Address 25 Avenue Road Theydon Bois Essex	
Postcode	CM16 7JJ
Personal Licence number (if known)	
Issuing licensing authority (if known) Epping Forest 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)

There will be no such material at the premises

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4) New Years Eve, Christmas Day, Boxing day, Sundays preceding bank holidays and Easter weekend when open until 0000 midnight
Day	Start	Finish	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) As above
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	

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)

The premises are run and staffed by experienced staff who are aware of their obligations to promote an environment which adheres to the licensing objectives

b) The prevention of crime and disorder

Photographic ID is required where there is doubt over age. If none provided then alcohol is refused. Drunkenness on the premises is not tolerated and any such person would be asked to leave immediately.

A refusal book will be kept on the premises.

The premises are run on a day to day basis by one of the owners of the business who is to be the designated supervisor and who lives locally.

c) Public safety

There are fire hydrants positioned about the premises . These are tested regularly. The fire exits are clearly marked and there is emergency lighting. The designated supervisor has had training in fire drill.

d) The prevention of public nuisance

Deliveries will be made during opening hours.

Drunkenness on the premises is not tolerated and any such person would be asked to leave immediately.

The premises are run on a day to day basis by one of the owners of the business who is to be the designated supervisor

e) The protection of children from harm

There is no adult material on the premises which the children would come in contact with and there are no events aimed at children.


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

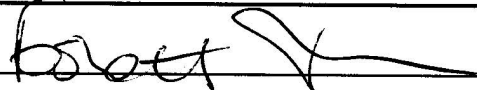
IT IS AN OFFENCE, LIABLE ON CONVICTION TO A FINE UP TO LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003 TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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.**

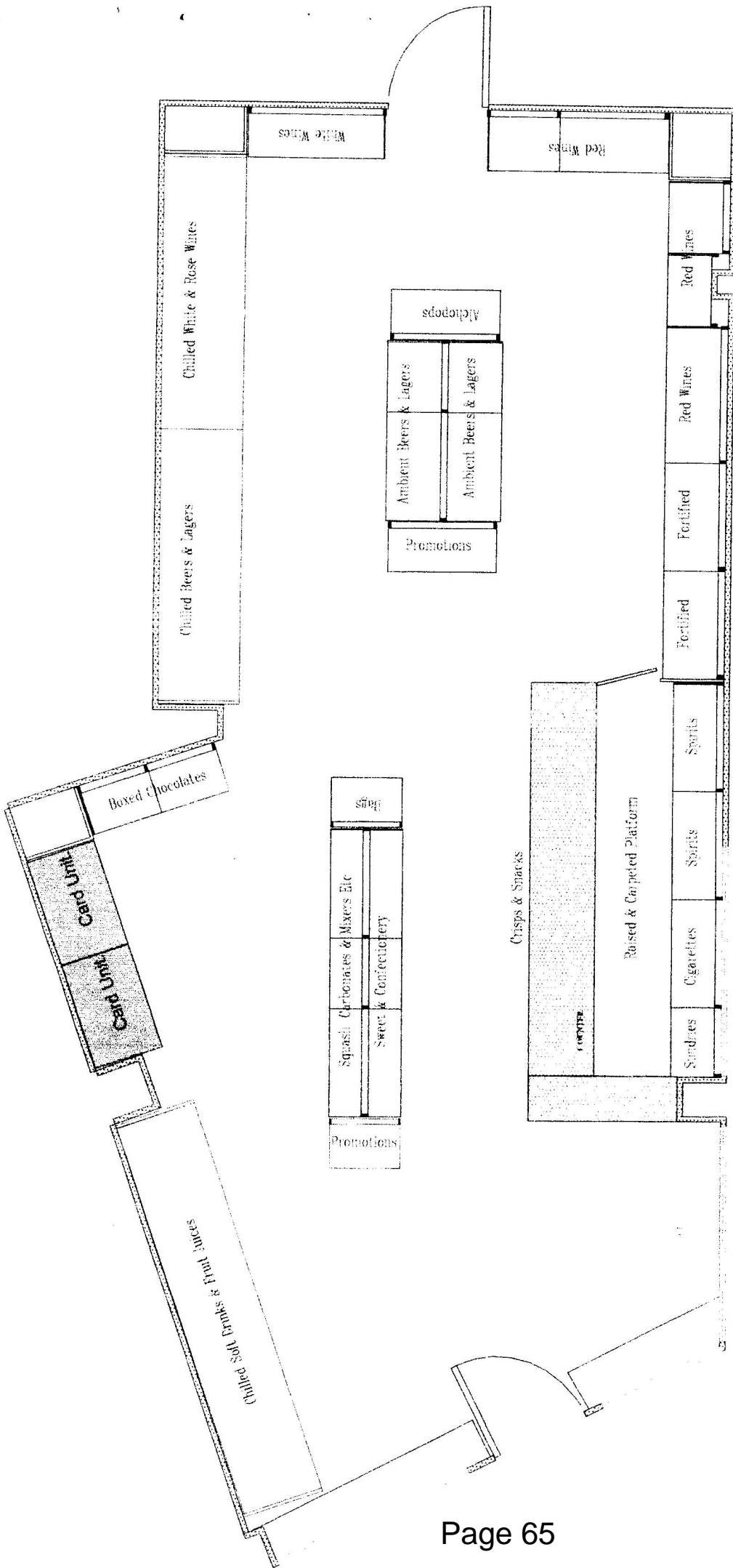
Signature	
Date	7 January 2009
Capacity	Solicitor

For joint applications signature of 2nd applicant 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	7 January 2009
Capacity	Solicitor

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)			
Foskett Marr Gadsby & Head 181 High Street			
			Ref: JM/Forest
Post town	EPPING	Post code	CM16 4BQ
Telephone number (if any)	01992 578642		
If you would prefer us to correspond with you by e-mail your e-mail address (optional)			

Notes for Guidance



KNETVA
 G.D.P. Design & Shopfitting Ltd
 Tel : 01603 881546 Fax : 01603 881545
 Prepared For : Pravin [REDACTED] Re 19 Forest Drive, Theydon Bois, Essex

~~19 JAN 2009~~

19 JAN 2009

Mr M T Simmonds
19A Forest Drive
Theydon Bois
Essex
CM16 7EX
Tel: 07836 665524

Elizabeth Cocks
Licensing dept
Epping Forest District Council
Civic Offices
High Street
Epping
Essex

15th January 2009

Dear Elizabeth Cocks

I am writing to you concerning the licensing application made for 19B Forest Drive to sell alcohol.

I strongly object to this licensing application on several grounds and I believe it will affect my family and I and the neighbouring area as detailed below. I have lived at the neighbouring property for 11 years and I know it was an off licence previously, however this caused many problems and the following objections are based on previous problems which occurred and which will re-occur should a new licence be granted.

1. My family and I will have to pass by crowds of youths (upwards of thirty) which used to congregate outside the off licence. These youths constantly accosted us to buy alcohol & cigarettes for under-aged teenagers. They would loiter on the bench drinking until the early hours hurling abuse and fowl language at passers by including my partner and me and to each other, fights would break out between youths and damage was regularly caused to nearby

property, including the shop window below my flat, my car and the planters and bins in the street. The police were called on many occasions and the off licence was a draw to troublesome youths. Many complaints of antisocial behaviour can be verified by the local parish council or local police station. We have noticed since the off licence has been closed and the building is not lit late into the evening, the youths have dispersed

2. Discarded rubbish including cigarette butts, drink cans and often smashed drinks bottles were a daily occurrence. These are obviously all very hazardous to passers by.
3. Exiting my property day and night was a constant problem which affected our privacy. Youths congregated outside my front door even leaning against my door obstructing the entrance. When politely asked to move on threats and intimidating behaviour ensued and even broken bottles have been posted through my letter box!
4. My living and sleeping quarters are adjacent to this building and the constant noises from these youths disturb our sleep and daily routine. As a self employed Businessman, my sleep is imperative.
5. The constant light from the shop and possible signage late into the night will also disturb our sleep and possibly also the occupants of the block of flats opposite.
6. The loitering youths were constantly smoking and participating in drug taking. This caused a problem with discarded cigarette butts and related paraphernalia. I sleep with my window open and as a non smoker sleeping with my window open; this situation will inevitably cause me to inhale passive smoke. This is an invasion of my basic human rights and could cause health issues.
7. I feel there are no suitable parking facilities within the area for the re-establishment for an off licence. Theydon Bois already has a serious parking problem and I have had to approach previous occupants of this property many times as they have parked across an alleyway leading to the rear of my property. This alleyway is the only fire exit from my property excluding the front door, it is also a shared fire exit with the shop below. I believe 19B to have only one suitable off road parking space which is used by the tenant in the flat above this building. When the previously occupied by an off licence they took to blocking the alleyway and parking their vehicles around the side of the property. While I assume if the tenant is working during the day and if a normal non licensed

business occupied these premises during office hours they could share the space. However this would be impossible with the suggested hours from 8am-midnight!

8. During the daytime I often witnessed people quickly popping in to the off licence and they regularly had little concern to the villagers. They would take to parking on the corner outside the off license on double yellow lines often mounting the curbs and obstructing the natural turning circle at the top of the road. I have witnessed 4-5 accidents due to this. They also used to continually obstruct the drop kerb outside the property which is essential for the many elderly residents of Theydon Bois.
9. The proposed opening times until midnight, Christmas, Boxing Day & New Years are totally unacceptable! Theydon Bois is a village not an all night London shopping parade. If people wish to purchase alcohol late into the night there are several established outlets within Epping & Loughton a short distance away.
10. The off licence was a target for criminal activity. I remember at least more than half a dozen times the shop was broken into and incidents of threatening behaviour towards the staff. The alarms and strobe lights would be going off constantly disturbing my sleep. The criminals are attracted by the Money, cigarettes and alcohol which were on the premises. We even had a couple of years ago, a gunman hold up a shop in Theydon Bois for such items. Quite frankly we do not need to attract this element to our country village.
11. In addition to the above I cannot see why Theydon Bois should now need an office licence. Tesco's are now just around the corner offering cigarettes and alcohol. They also operate a very strict and professional policy in regards the purchase of cigarettes and alcohol. Tesco's is also situated in a less densely residential area of the village.

To sum as above I can see no need nor benefit for an off licence in Theydon Bois. Only problems which used to occur will re-occur and increase in severity due to the much longer opening hours of which the previous tenants of this type of licensed premise held.

Yours sincerely

Michael Simmonds

***Report to Licensing Subcommittee
Date of meeting: 5th March 2009***

**Subject: Love it (formerly Players Lounge) 63
Buckhurst Hill Essex**

Officer contact for further information: Kim Tuckey

Committee Secretary: Adrian Hendry



Decision Required: To consider an application for a variation of an existing license granted under the licensing Act 2003.

Report:

The licensing section has received an application for a variation of an existing license. This is to include and whole of the upstairs area to change from a residential dwelling to a licensed area. The authority has received two representation from an interested party

Attached documents below
Extracts of the application
Representation from interested party's
Local plan of vicinity
Plan of premises to be made available to members.

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21 JAN 2009

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 Punch Taverns Plc

(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/210001719

Part 1 – Premises Details

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

Love It! (prev. Players Lounge)
63 Queens Road

Post town Buckhurst Hill

Post code IG9 5BU

Telephone number at premises (if any) 0208 5029955

Non-domestic rateable value of premises £19000

Part 2 – Applicant details

Daytime contact telephone number 01283 501 600

E-mail address (optional) n/a

Current postal address if different from premises address
Jubilee House
Second Avenue
Burton Upon Trent
Staffordshire
DE14 2WF

Post Town Burton Upon Trent

Postcode DE14 2WF

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)

This is an application to vary the layout and design of the first floor in accordance with the submitted plan. The ground floor is to remain unchanged.

The operating times and licensable activities authorised by the Premises Licence to remain unaltered.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

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

n/a

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

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)

As per granted conditions.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed. The ground floor layout is to remain unchanged.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

e) The protection of children from harm

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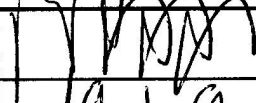
Please tick yes

- 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	
Date	19.1.9
Capacity	Solicitor to 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)

Paul Uren
TLT Solicitors
One Redcliff Street

Post town	Bristol	Post code	BS1 6TP
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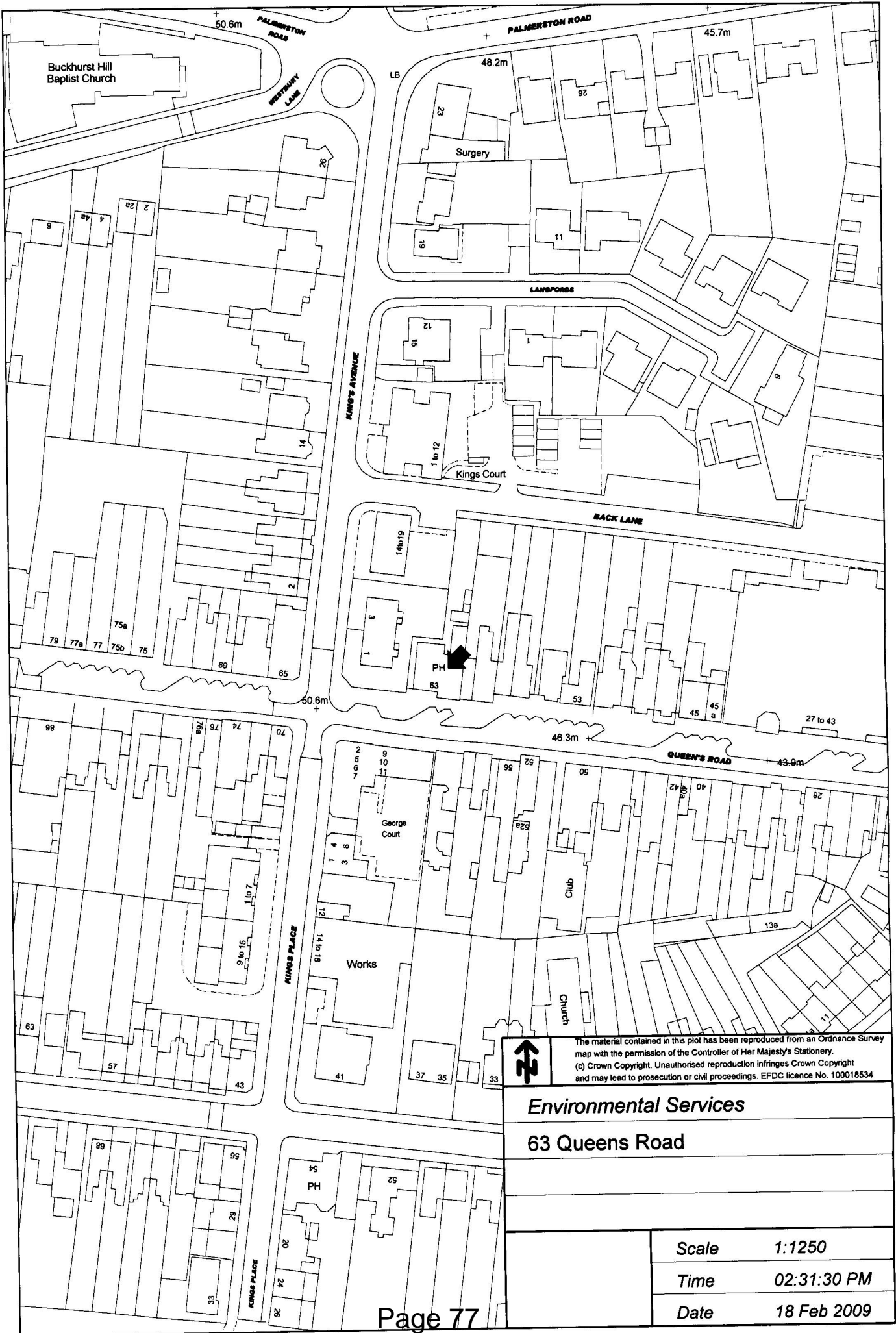
Telephone number (if any)	0117 917 7734
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If you would prefer us to correspond with you by e-mail your e-mail address (optional) paul.uren@tltsolicitors.com
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Notes for Guidance

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

1. Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please give timings in 24 hour clock (e.g. 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



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Environmental Services
63 Queens Road

Scale	1:1250
Time	02:31:30 PM
Date	18 Feb 2009

From: Richard Gardiner
To: Moran, Sarah
Date: 18/02/2009 08:47:22
Subject: Fwd: 63 Queens Road Buckhurst Hill

Sarah

For you I think.

>>> <jo@franceshunt.co.uk> 15/02/2009 12:33:21 >>>
Licensing Officer
Environmental Services,
Epping Forest District Council,
Civic Offices,
High St. Epping
Essex CM16 4BZ

15th February 2009

Dear Sir/Madam,

Re: 63 Queens Rd. Buckhurst Hill.

We are extremely concerned regarding the application by Punch Taverns to extend the licensed area to the first floor of above premises under the guise of "a restaurant" for more than 150 covers and feel it is of paramount importance to object most strongly to this application on the grounds the village of Buckhurst Hill is predominately a residential area.

We have long suffered noise and disturbance caused by late night revellers of previous establishments which have since been closed down. To contemplate that the proposed licensed area will be extended to cater for even more patrons is unbearable. If you check with your colleagues in the Noise Abatement team you will note this has been recorded as being the case on many occasions.

We believe this application to be presented with a hidden agenda of transforming the so-called restaurant into a nightclub. We therefore beseech you to refuse this application in the interests of the local residents of Buckhurst Hill Village, and allow us to live in peace.

We look forward to hearing from you

Yours faithfully

SB & J Cowan
6 Kings Avenue
Buckhurst Hill

24th

**4 Kings Avenue
Buckhurst Hill
Essex IG9 5LP**

Home Telephone: 020 8505 0585

Licensing Officer
Environmental Services,
Epping Forest District Council,
Civic Offices,
High St. Epping
Essex CM16 4BZ

12 February 2009

Dear Sir/Madam,

Re: 63 Queens Rd. Buckhurst Hill.

I refer to the application by Punch Taverns to extend the licensed area to the first floor of these premises. I wish to object most strongly to this application on the grounds that this is an unacceptable intensification of use in what is predominantly a residential area.

This premises has a long history of causing nuisance and misery to local residents and there has had to have been a review of the existing licence because of the unacceptable noise and disturbance caused to local residents. To think that the licensed area will be extended to cater for even more patrons who will leave noisily at anything between 12.30 and 1.50am on Friday and Saturday nights is unbearable. If you care to check with your colleagues in the Noise team you will see that this has been recorded as being the case

Although the proposed use is described as a restaurant I am under no illusions as to what it will be in reality. Once an extension to the licensed area is granted there will be nothing to stop the current and any future licence holders from using the first floor as a club.

I am sure you must have seen this tactic in operation before and would ask you to refuse this application in the interests of the human rights of the people who live in the vicinity of this establishment. A greater capacity will mean more people, more cars and more noise and disturbance to the residents.

I look forward to hearing from you

Yours faithfully



Julian S Robinson.

Report to Licensing Subcommittee
Date of meeting: 5th March 2009

Subject: 162 High Street Ongar Essex

Officer contact for further information: Kim Tuckey

Committee Secretary: Adrian Hendry



Decision Required: To consider a application for a personal License

Report:

An application has been received by the licensing section for a premises license to be granted under the Licensing Act 2003. The authority has received 11 representations from interested party's and one representation supporting the residents representations from Ongar Town Council

Attached documents below

Extracts of the Application

Eleven representations from interested party's

One representation in support of the residents from Ongar Town Council

Plan of the premises

Map of the local area

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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~~ HAZEL SCOTT..... 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	
162, HIGH STREET	
Post town CHIPPING ONGAR	Post code CM5 9JJ

Telephone number at premises (if any)

Non-domestic rateable value of premises

£ 200,000.00

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

- | | | | |
|----|---|-------------------------------------|-----------------------------|
| a) | an individual or individuals* | <input type="checkbox"/> | please complete section (A) |
| b) | a person other than an individual* | | |
| | i. as a limited company | <input checked="" type="checkbox"/> | please complete section (B) |
| | ii. as a partnership | <input type="checkbox"/> | please complete section (B) |
| | iii. as an unincorporated association or | <input type="checkbox"/> | please complete section (B) |
| | iv. other (for example a statutory corporation) | <input type="checkbox"/> | please complete section (B) |
| c) | a recognised club | <input type="checkbox"/> | please complete section (B) |
| d) | a charity | <input type="checkbox"/> | please complete section (B) |

- e) the proprietor of an educational establishment 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

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)

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	SCOTT'S CAFE LTD
Address	162, High Street, CHIPPING ONGAR, ESSEX CM5 9JJ
Registered number (where applicable)	Company N.O. - 6658826
Description of applicant (for example partnership, company, unincorporated association etc)	LTD Company
Telephone number (if any)	07980 594008
E-mail address (optional)	Scott's.CAFE@Yahoo.CO.UK

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
06	02	2008
27	01	2009

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

Day	Month	Year

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

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

Coffee Shop / BISTRO

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) | <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 checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" 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 for:

- | | |
|--|--------------------------|
| 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

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	9.00am	11.00pm	Please give further details here (please read guidance note 3) SOFT JAZZ NIGHTS AND INDIVIDUAL SINGERS	Both		
Tue	9.00am	11.00pm				
Wed	9.00am	11.00pm		State any seasonal variations for the performance of live music (please read guidance note 4)		
Thur	9.00am	11.00pm				
Fri	9.00am	11.00pm				
Sat	9.00am	11.00pm		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) ALL BANK HOLIDAYS NEW YEARS EVE CHRISTMAS EVE.		
Sun	9.00am	11.00pm				

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	9.00am	11.00pm	Please give further details here (please read guidance note 3) RADIO - C.D.'S.	Both		
Tue	9.00am	11.00pm				
Wed	9.00am	11.00pm		State any seasonal variations for playing recorded music (please read guidance note 4)		
Thur	9.00am	11.00pm				
Fri	9.00am	11.00pm				
Sat	9.00am	11.00pm		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) ALL BANK HOLIDAYS NEW YEARS EVE CHRISTMAS EVE.		
Sun	9.00am	11.00pm				

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	Y
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3) FOR THE SALE OF ALCOHOL FOR THE PROVISION OF LIVE MUSIC, RADIO, NO CD'S.	Both	
Tue					
Wed				State any seasonal variations for the provision of late night refreshment (please read guidance note 4)	
Thur	9.00am	11.00pm		ALL BANK HOLIDAYS CHRISTMAS EVE NEW YEARS EVE	
Fri	9.00am	11.00pm		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) ALL BANK HOLIDAYS CHRISTMAS EVE NEW YEARS EVE.	
Sat	9.00am	11.00pm			
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	Y
Day	Start	Finish		Off the premises	
Mon	9.00 AM	11.00 PM	State any seasonal variations for the supply of alcohol (please read guidance note 4)	Both	Y
Tue	9.00 AM	11.00 PM			
Wed	9.00 AM	11.00 PM			
Thur	9.00 AM	11.00 PM		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)	
Fri	9.00 AM	11.00 PM		ALL BANK HOLIDAYS CHRISTMAS EVE NEW YEARS EVE.	
Sat	9.00 AM	11.00 PM			
Sun					

Sun	9.00 am	11.00 pm	
-----	------------	-------------	--

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

Name..... HAZEL SCOTT

Address..... 2, New House Farm Barns
Standon Rd, Ongar,

Postcode..... CM5 9BU

Personal Licence number (if known)..... RDC/05/00384/LAPER

Issuing licensing authority (if known).....

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)

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 PM	11.00 PM	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) <u>ALL BANK HOLIDAYS</u> <u>CHRISTMAS EVE</u> <u>NEW YEARS EVE</u>
Tue	7.30 AM	11.00 PM.	
Wed	7.30 PM	11.00 PM.	
Thur	7.30 AM	11.00 PM.	
Fri	7.30 AM	11.00 PM.	
Sat	7.30 AM	11.00 PM.	
Sun	7.30 AM	11.00 PM.	

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)

Please See notes below.

b) The prevention of crime and disorder

UNDER AGE DRINKING
DRUGS + DRUNKENESS
NOT TOLERATED ON THE PREMISES

c) Public safety

FIRST AID BOX

d) The prevention of public nuisance

THE PREVENTION OF NOISE BY KEEPING
WINDOWS & DOORS CLOSED DURING
SERVICE TIMES.

e) The protection of children from harm

NO CHILDREN ALLOWED TO BUY ALCOHOL

See notes *

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.....

22.10.2008

Capacity

For joint applications signature of 2nd applicant 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 postal address for correspondence associated with this application (please read guidance note 13)	
Post town	Post code
Telephone number (if any)	
If you would prefer us to correspond with you by e-mail your e-mail address (optional)	

Ongar

Town Council



Mark Squire
Town Clerk



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

10 February 2009

Dear Ms Cox

Licence application 162 High Street, Ongar

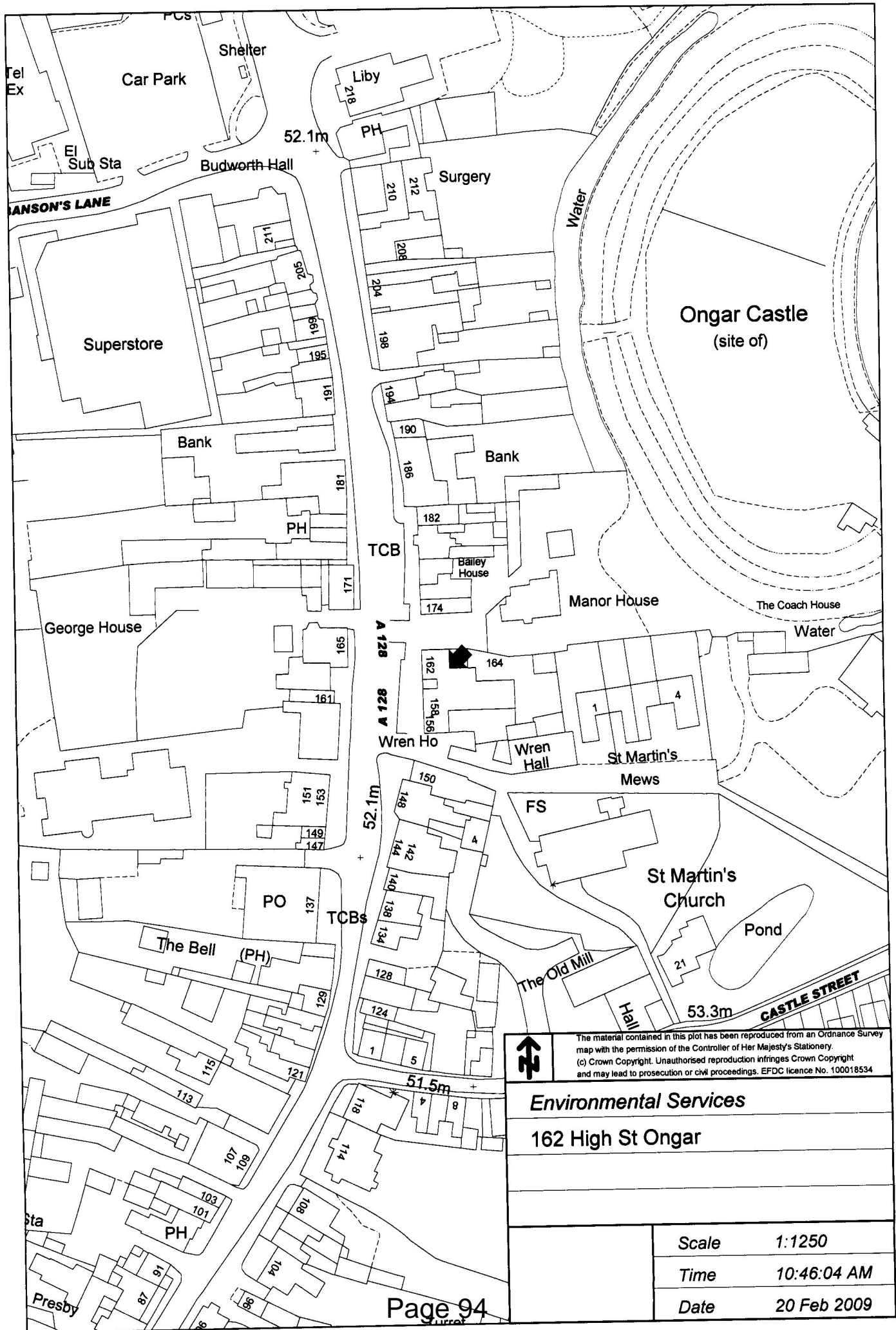
Ongar Town Council has been approached by several residents with respect to the licence application for 162 High Street, Ongar requesting our support in making a formal objection to the licence being granted on the grounds of public nuisance.

In order to preserve this council's position please accept this formal indication that this Ongar Town Council will object to the licence application on behalf of the residents.

Our first opportunity to discuss this matter will be Thursday 19 February 2009 and the Council will send by Fax and Email detailed objections before the deadline of midnight on 19 February 2009.

Yours sincerely

Mark Squire
Town Clerk



REV		

By Appointment
To Her Majesty The Queen
The Royal Household
At Clarence House

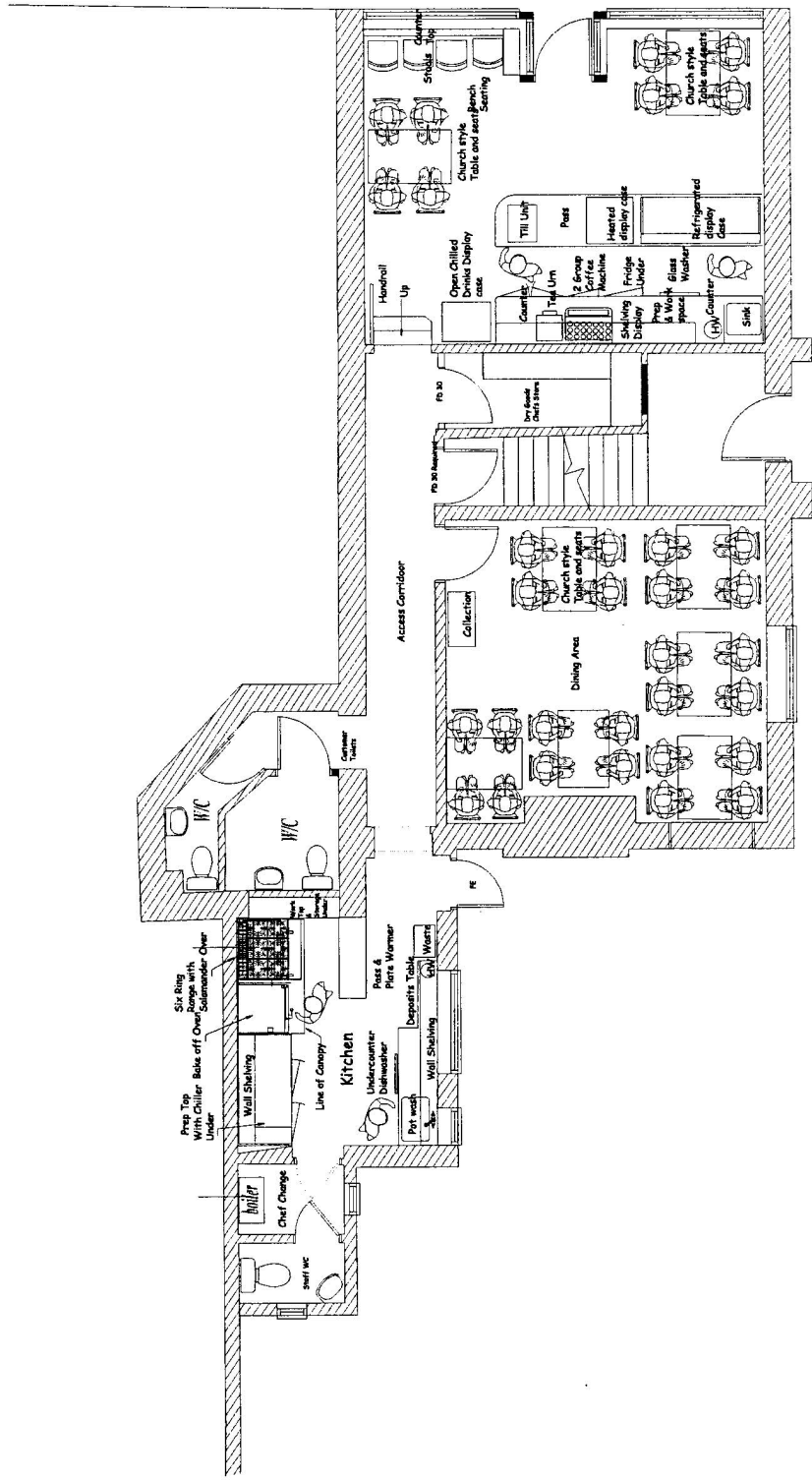
CAPITAL REFRIGERATION SERVICES LTD
16 LEA RD IND PARK
WALTHAM ABBEY
HERTS EN9 1A
TEL 0208-607-5765
FAX 0208-604-6937
email: info@capitalref.com
www: capitalref.com

CLIENT
Hazel Scott
"Scotts"

SITE
162 High Street
Chipping Ongar
Essex

PROJECT
Proposed change of use
to Cafe Diner
Ground Floor Proposals

REV	DWG NO	DATE	SCALE	DRAWN
	2008-450	09/09/08	1:75	ARH



The Manor House
166 High ST
Ongar
CM5 9JJ

Miss L Cox
Licensing Unit
Civic Offices
Epping

22nd Jan

Dear Miss Cox

Subject: Application for Alcohol and Live Entertainment. 162 High ST. Ongar

Please find enclosed a number of signatories objecting to the above application on the grounds stated.

There are 12 other signatories plus my wife and I making 14. These are respondents from near neighbours but the fact that the "general public" are unaware of the application because it does not have to be advertised properly at the site, I am sure there would be more objections.

You will see on three responses the personal comments which should be noted.

Thank you for your assistance in this matter. I hope to hear from you in due course.

Yours sincerely


Angus McKenzie

I am also aware of another neighbour in St Markin's News who has written separately on this matter



The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

We understand that business is tough (we also run a small business). Each business has to do what it can to survive. However, there are a number of residential properties surrounding 162 High St and we believe that consideration should also be given to them and the effect the granting of this application would have on the daily lives of the residents.

We, the undersigned would therefore like to strongly object to the granting of this application and in doing so would like to bring to your attention the concerns that we have regarding this application.

Noise

The building is situated within a conservation area at the historic centre of Ongar (Manor Square). A number of surrounding buildings (including our property 166 High Street – Manor House) are "Listed" properties with single glazing. Indeed 162 High Street also has single glazing – which would provide minimal sound insulation.

Our concern, and that of the undersigned residents, is the significant increase in noise level from the granting of a live music licence 7 days a week until 11pm.

Like many of the nearby residents, we have a young family and are working parents. Our nearest windows to 162 High Street are those of our bedrooms – a mere 9 metres away. Although our address is 166 High Street, our property is actually set back some 30 meters from the High Street (at the back of Manor Square) and is adjacent to the rear of the property.

Given the work in progress currently on the property, there would appear to be no space in the front room for live entertainment. In all probability it would have to be in the back room – closer to our property and those of other residents, thereby exacerbating the problem for us and the residents of St Martin's Mews, Wren House and the flats above the Barbers and other nearby properties.

The planning department recognised noise and disturbance to neighbours as a significant concern when granting the change of use and imposed a number of restrictions, one of which being that the windows of the property, especially the kitchen, are not allowed to be opened during operating hours.

Like a number of other residents, when we moved to Ongar we all accepted that there would be a level of sound from the High Street. This was tolerable for us as our house is set back some 30 metres. However, if this licence is approved as it stands allowing live entertainment throughout the week this will become an unacceptable increase in noise which will affect all local residents in the surrounding properties.

Page 1 of 3

The flat above 162 High Street (number 164) is currently occupied by relatives of the property owner. Had this not been the case we are sure you would have had strong objections from that address too.

Equally, the owners of the site are also in the process of transforming a derelict outbuilding to the rear of the property, into a residential property. We are confident, had the development been finished to the rear of the property, these residents would also have lodged their objection to the application.

The residents within St Martins Mews and other High Street addresses will also be affected by noise and their objection should be noted – as they have signed this letter.

At the very least we believe a restriction on the number of days that live entertainment is permitted – to one day a week – as well as a restriction on the time until 9pm. We also believe some form of sound inhibitor should be installed to suppress the sound to an acceptable level. With all due respect to the Council, decisions are made which may seem like acceptable, but ongoing problems are then always left for members of the public to live with.

We would also like to point out that there are two other premises on the High Street with live entertainment licences – The Kings Inn (almost directly opposite) and The Cock (only a couple of hundred yards away). Three venues (all within 2 hundred yards) for live entertainment does seem rather excessive within such a small village.

Waste

The site of 162/164 High Street is currently being further developed with a derelict garage being transformed into a residential property at the rear of number 162. This will result in increased traffic congestion to square but more importantly a further increase in the issue of management of waste from the proposed business.

As you may be aware, the property is adjacent to The Manor Square in Ongar and the land is "Common Land". However, you may not be aware there is already a challenge with waste from the existing properties around Manor Square – with rubbish being left out for days, making the Square appear like a rubbish tip. Our fear is the volume of rubbish left in the Square will significantly increase and spoil the look of The Manor Square. It was only a couple of years ago the Town Council upgraded to show the importance this area is to the Town. The Town Council are aware of this but we understand that they are not permitted to comment on licence applications.

We are also concerned from a health perspective with food waste being left in the Square and would like to ensure that adequate provisions are made to ensure local residents are not subject to infestation of vermin or the associated smells of food waste.

It should also be noted that this area is used by Community and Church groups throughout the year and it would be a pity to spoil it for these users and the local residents.

Parking.

As well as the increased traffic issues associated with the development at the rear, there are already too few parking spaces in Ongar town centre for the two restaurants currently there. Adding another will mean more cars parking where ever the driver feels like.

We the undersigned wish to object to the above application on these issues, namely: significant increase in noise in what is currently a quiet residential area in the middle of Ongar, increased waste issues and car parking issues.

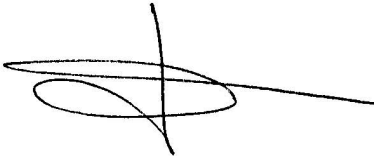
Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
Sylvia Herbert	166, High Street Ongar CM5 9JJ	

Dated – 20th January 2009

Page 3 of 3

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

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Page 1 of 3

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We the undersigned wish to object to the above application on these issues, namely: significant increase in noise in what is currently a quiet residential area in the middle of Ongar, increased waste issues and car parking issues.


Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
B.L. HUBBARD	180 HIGH ST / MANOR SQUARE CNS 9JJ	

Dated – 20th January 2009

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The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

We understand that business is tough (we also run a small business). Each business has to do what it can to survive. However, there are a number of residential properties surrounding 162 High St and we believe that consideration should also be given to them and the effect the granting of this application would have on the daily lives of the residents.

We, the undersigned would therefore like to strongly object to the granting of this application and in doing so would like to bring to your attention the concerns that we have regarding this application.

Noise

The building is situated within a conservation area at the historic centre of Ongar (Manor Square). A number of surrounding buildings (including our property 166 High Street – Manor House) are “Listed” properties with single glazing. Indeed 162 High Street also has single glazing – which would provide minimal sound insulation.

Our concern, and that of the undersigned residents, is the significant increase in noise level from the granting of a live music licence 7 days a week until 11pm.

Like many of the nearby residents, we have a young family and are working parents. Our nearest windows to 162 High Street are those of our bedrooms – a mere 9 metres away. Although our address is 166 High Street, our property is actually set back some 30 metres from the High Street (at the back of Manor Square) and is adjacent to the rear of the property.

Given the work in progress currently on the property, there would appear to be no space in the front room for live entertainment. In all probability it would have to be in the back room – closer to our property and those of other residents, thereby exacerbating the problem for us and the residents of St Martin’s Mews, Wren House and the flats above the Barbers and other nearby properties.

The planning department recognised noise and disturbance to neighbours as a significant concern when granting the change of use and imposed a number of restrictions, one of which being that the windows of the property, especially the kitchen, are not allowed to be opened during operating hours.

Like a number of other residents, when we moved to Ongar we all accepted that there would be a level of sound from the High Street. This was tolerable for us as our house is set back some 30 metres. However, if this licence is approved as it stands allowing live entertainment throughout the week this will become an unacceptable increase in noise which will affect all local residents in the surrounding properties.

Page 1 of 3

The flat above 162 High Street (number 164) is currently occupied by relatives of the property owner. Had this not been the case we are sure you would have had strong objections from that address too.

Equally, the owners of the site are also in the process of transforming a derelict outbuilding to the rear of the property, into a residential property. We are confident, had the development been finished to the rear of the property, these residents would also have lodged their objection to the application.

The residents within St Martins Mews and other High Street addresses will also be affected by noise and their objection should be noted – as they have signed this letter.

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We would also like to point out that there are two other premises on the High Street with live entertainment licences – The Kings Inn (almost directly opposite) and The Cock (only a couple of hundred yards away). Three venues (all within 2 hundred yards) for live entertainment does seem rather excessive within such a small village.

Waste

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We are also concerned from a health perspective with food waste being left in the Square and would like to ensure that adequate provisions are made to ensure local residents are not subject to infestation of vermin or the associated smells of food waste.

It should also be noted that this area is used by Community and Church groups throughout the year and it would be a pity to spoil it for these users and the local residents.

Parking.

As well as the increased traffic issues associated with the development at the rear, there are already too few parking spaces in Ongar town centre for the two restaurants currently there. Adding another will mean more cars parking where ever the driver feels like.

We the undersigned wish to object to the above application on these issues, namely: significant increase in noise in what is currently a quiet residential area in the middle of Ongar, increased waste issues and car parking issues.

Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
E. Hoggmann.	1 ST MARTINS MEWS CM5 9HY	E. Hoggmann

Dated – 20th January 2009

Page 3 of 3

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

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We, the undersigned would therefore like to strongly object to the granting of this application and in doing so would like to bring to your attention the concerns that we have regarding this application.

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Waste

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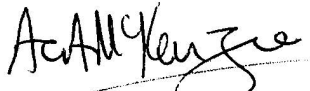
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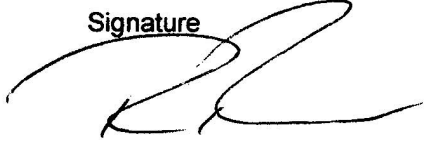
Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
Russell Pillingier	154 ONGAR High ST ONS OJJ	

Dated – 20th January 2009

Page 3 of 3

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

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Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
DAVID THOMPSON	152 High St. CMS 9JJ	

Dated – 20th January 2009

Page 3 of 3

Apologies for the short notice in giving these letters out and requiring a signature.

If you are in agreement and would like to sign the back page and return the complete letter to me. You can reuse the envelope and put it into the letter box at the Manor House on Wednesday at the latest please. I shall take these over to the Council offices on Thursday to guarantee a response on the 22nd Jan. If you would like to keep a copy of the letter I will provide you with a copy.

Our letter box is in the single gate entrance and is on the left hand side at waist level.

Alternatively give me a call on 07711 768315 and I shall come around and collect it from you on Wednesday evening at a time suitable with yourself.

Thank you

Angus Mckenzie
The Manor House
166 High Street
Ongar.

Angus / There are:-
2 indian restaurants plus the Clock Tower
2 take-aways
Lous Cafe
2 pubs serving food
Tea & lunch facilities in the bakery
All in a 200yd stretch of the High St
Surely we don't need anymore.

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

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Yours sincerely,

Mr & Mrs A.C.A. McKenzie

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Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
① FOYZUR RAHMAN	Jk moyed 165 High Street ongar e-m-5-9-jG ESSE	
② Omar Sharif	"	
③ SHAHIN Raza	"	

Dated - 20th January 2009

Page 3 of 3

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

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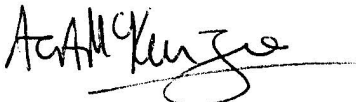
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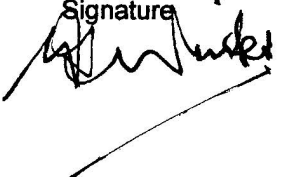
Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
WILLIAM E. WINTER	3, ST. MARTINE MEWS, ONGAR. ONS 914	

Dated – 20th January 2009

Page 3 of 3

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

Subject: Application for Alcohol and Live Entertainment - 162 High St. Ongar.

We understand that the above property has requested a licence for the sale of alcohol and live entertainment, with opening hours of Monday to Sunday from 7.30am to 11pm. In addition we understand there is a request for the sale of beverages until 1am.

We understand that business is tough (we also run a small business). Each business has to do what it can to survive. However, there are a number of residential properties surrounding 162 High St and we believe that consideration should also be given to them and the effect the granting of this application would have on the daily lives of the residents.

We, the undersigned would therefore like to strongly object to the granting of this application and in doing so would like to bring to your attention the concerns that we have regarding this application.

Noise

The building is situated within a conservation area at the historic centre of Ongar (Manor Square). A number of surrounding buildings (including our property 166 High Street – Manor House) are "Listed" properties with single glazing. Indeed 162 High Street also has single glazing – which would provide minimal sound insulation.

Our concern, and that of the undersigned residents, is the significant increase in noise level from the granting of a live music licence 7 days a week until 11pm.

Like many of the nearby residents, we have a young family and are working parents. Our nearest windows to 162 High Street are those of our bedrooms – a mere 9 metres away. Although our address is 166 High Street, our property is actually set back some 30 metres from the High Street (at the back of Manor Square) and is adjacent to the rear of the property.

Given the work in progress currently on the property, there would appear to be no space in the front room for live entertainment. In all probability it would have to be in the back room – closer to our property and those of other residents, thereby exacerbating the problem for us and the residents of St Martin's Mews, Wren House and the flats above the Barbers and other nearby properties.

The planning department recognised noise and disturbance to neighbours as a significant concern when granting the change of use and imposed a number of restrictions, one of which being that the windows of the property, especially the kitchen, are not allowed to be opened during operating hours.

Like a number of other residents, when we moved to Ongar we all accepted that there would be a level of sound from the High Street. This was tolerable for us as our house is set back some 30 metres. However, if this licence is approved as it stands allowing

live entertainment throughout the week this will become an unacceptable increase in noise which will affect all local residents in the surrounding properties.

Page 1 of 3

The flat above 162 High Street (number 164) is currently occupied by relatives of the property owner. Had this not been the case we are sure you would have had strong objections from that address too.

Equally, the owners of the site are also in the process of transforming a derelict outbuilding to the rear of the property, into a residential property. We are confident, had the development been finished to the rear of the property, these residents would also have lodged their objection to the application.

The residents within St Martins Mews and other High Street addresses will also be affected by noise and their objection should be noted – as they have signed this letter.

At the very least we believe a restriction on the number of days that live entertainment is permitted – to one day a week – as well as a restriction on the time until 9pm. We also believe some form of sound inhibitor should be installed to suppress the sound to an acceptable level. With all due respect to the Council, decisions are made which may seem like acceptable, but ongoing problems are then always left for members of the public to live with.

We would also like to point out that there are two other premises on the High Street with live entertainment licences – The Kings Inn (almost directly opposite) and The Cock (only a couple of hundred yards away). Three venues (all within 2 hundred yards) for live entertainment does seem rather excessive within such a small village.

Waste

The site of 162/164 High Street is currently being further developed with a derelict garage being transformed into a residential property at the rear of number 162. This will result in increased traffic congestion to square but more importantly a further increase in the issue of management of waste from the proposed business.

As you may be aware, the property is adjacent to The Manor Square in Ongar and the land is "Common Land". However, you may not be aware there is already a challenge with waste from the existing properties around Manor Square – with rubbish being left out for days, making the Square appear like a rubbish tip. Our fear is the volume of rubbish left in the Square will significantly increase and spoil the look of The Manor Square. It was only a couple of years ago the Town Council upgraded to show the importance this area is to the Town. The Town Council are aware of this but we understand that they are not permitted to comment on licence applications.

We are also concerned from a health perspective with food waste being left in the Square and would like to ensure that adequate provisions are made to ensure local residents are not subject to infestation of vermin or the associated smells of food waste.

It should also be noted that this area is used by Community and Church groups throughout the year and it would be a pity to spoil it for these users and the local residents.

Page 2 of 3

Parking.

As well as the increased traffic issues associated with the development at the rear, there are already too few parking spaces in Ongar town centre for the two restaurants currently there. Adding another will mean more cars parking where ever the driver feels like.

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Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
PETER HOOD	180 A HIGH ST, ONGAR	
Kirsty Bell	180 A High St Ongar	

☛ BOTH KIRSTY AND I HAD PROBLEMS WITH THE KINGS INN, WHICH IS DIRECTLY OPPOSITE OUR FRONT ROOM WINDOW. THE PROBLEMS WERE MAINLY NOISE ISSUES (WHICH WE COULD HEAR FROM THE BACK ROOM!), BUT ALSO LATE OPENINGS, ROWDY BEHAVIOUR WERE INCREASINGLY AGGRIVATING.

THE PUB CLOSED RECENTLY, WHICH WE WERE OVERJOYED WITH AS OUR QUALITY OF LIFE HAS IMPROVED, BUT WITH A NEW BISTRO ETC OPENING, WE ARE WORRIED AGAIN!

Dated - 20th January 2009

The Manor House
166 High St
Ongar
CM5 9JJ

20th January 09

Licensing Unit
FAO Miss L Cox
Civic Offices
Epping

Dear Miss Cox.

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Page 2 of 3

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Yours sincerely,



Mr & Mrs A.C.A. McKenzie

We also agree with the foregoing letter and sign this in objection to the application made to Epping Forrest District Council.

Subject: Application for Alcohol and Live Entertainment. 162 High Street, Ongar

Name	Address	Signature
Michelle Log	174A High Street Chipping Ongar CM5 9JJ	Michelle Log -

Please find enclosed a signed copy of the letter you posted. I to am concerned as it will be unbearable if live entertainment is allowed until Jan. If any further developments please feel free to call me on 07876 358739

from Michelle Log
Flat 174a

Page 12477 366769

19TH JANUARY 2009.

2 ST. MARTIN'S MEWS
ONGAR
ESSEX
CM5 9HY.

Re. Application for an Alcohol and
live Entertainment license for
162 HIGH STREET, ONGAR.

Miss Cox,

I am writing to object to the
above application at 162 HIGH STREET, ONGAR.

I understand the tenant has made
representation to the Council for an alcohol
license and live entertainment for their
premises to include a special late licence.

As a local resident, my home is
immediately behind the above address and
my concern primarily is the increased noise
that will generate; I have children and
their bedrooms are at the rear of our
home, which backs onto the application venue.

Parking, as you are aware, is always
a concern for residents of Ongar; St Martin's
Mews is for residents parking only but
the customers will use this lane when
the High Street is full. Do not expect
customers to use ^{Page 125} the Car Parks, we know

from previous experience that they don't!

Yours
Sincerely

Alma Leggett
(Mrs. M. LEGGETT)

Ongar

Town Council



Mark Squire
Town Clerk



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

19 February 2009

Dear Ms Cox

Licence Application 162 High Street, Ongar

Further to my letter of 10 February in respect of the proposed licence application for 162 High Street, Ongar Town Council supports the objections raised by local residents to the granting of such licence on the grounds of intrusion as previously communicated to you by those residents.

Ongar Town Council supports the view that the granting of a live music licence in a residential area is not acceptable. The Council requests that confirmation of receipt of this letter before the deadline of midnight on 19 February 2009 be provided.

As requested in your email response dated 16 February, I enclose names and addresses of the ten residents whom we are representing.

	Name	Address
1	D Thompson	152 High Street, Ongar, Essex, CM5 9JJ
2	Mr Peter Hood	180A High Street, Ongar, Essex, CM5 9JJ
3	Ms Kirsty Bell	180A High Street, Ongar, Essex, CM5 9JJ
4	Mr John Ashley Winter	3 St Martin's Mews, Ongar, Essex, CM5 9HY
5	Mr William G Winter	3 St Martin's Mews, Ongar, Essex, CM5 9HY
6	Ms Michelle Loy	174A High Street, Ongar, Essex, CM5 9JJ
7	Mr Brian Hubbard	Senners, 180 High Street, Ongar, Essex, CM5 9JJ
8	Ms Sylvain Herebert	166 High Street, Ongar, Essex, CM5 9JJ
9	Mrs M Leggatt	2 St Martins Mews, Ongar, Essex, CM5 9HY
10	Mrs Eileen Hoffmann	Evergreen, 1 St Martins Mews, Ongar, Essex, CM5 9HY

Yours sincerely

Mark Squire
Town Clerk

Bansons Bansons Way Ongar Essex CM5 9AS

Email: clerk@ongartowncouncil.gov.uk

www.essexinfo.net/ongartowncouncil

Tel: 01277 365348

Page 127

Fax: 01277 362315

Elizabeth Cox - Application for ewntertainment licence - 162 High Street Ongar

From: "Brian Surtees" <bsurtees@ntlworld.com>
To: <ecox@eppingforestdc.gov.uk>
Date: 19/02/2009 10:18
Subject: Application for ewntertainment licence - 162 High Street Ongar
CC: "Clerk Ongar Town Council" <clerk@ongartowncouncil.gov.uk>, "Admin Ongar Town Council" <admin@ongartowncouncil.gov.uk>

You will be aware from Mrs. Hatch's email that Ongar Town Council has voted to support the objections of residents to this licence application. Unfortunately in her communication to you she failed to provide the names of 2 residents who have approached us. These are Mr & Mrs. A Mackenzie of the Manor House, High Street Ongar. I am sorry for this omission which will be formally corrected by the office in the morning, but felt it was necessary to notify you of the additional names before the deadline for objections was reached.

Brian Surtees (Councillor)
Chair of the Ongar Town Council Planning Committee and Vice Chair of the Council