



### **Licensing Committee Wednesday, 14th April, 2010**

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

**Time:** 2.00 pm

**Democratic Services Officer** Adrian Hendry (Research and Democratic Services)  
Email: ahendry@eppingforestdc.gov.uk Tel: 01992 564246

**Members:**

Councillors Mrs P Brooks (Chairman), Mrs P Richardson (Vice-Chairman), K Angold-Stephens, A Boyce, K Chana, Mrs S Clapp, M Cohen, D Dodeja, Mrs R Gadsby, Ms J Hedges, A Lion, Mrs M McEwen, R Morgan, Mrs P Smith and J Wyatt

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<p><b>PLEASE NOTE THE START TIME OF THE MEETING</b></p>
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**1. APOLOGIES FOR ABSENCE**

**2. DECLARATIONS OF INTEREST**

(Assistant to the Chief Executive) To declare interests in any item on this agenda.

**3. ANY OTHER BUSINESS**

Section 100B(4)(b) of the Local Government Act 1972, together with paragraphs (6) and (24) of the Council Procedure Rules contained in the Constitution require that the permission of the Chairman be obtained, after prior notice to the Chief Executive, before urgent business not specified in the agenda (including a supplementary agenda of which the statutory period of notice has been given) may be transacted.

In accordance with Operational Standing Order (6) (non-executive bodies), any item raised by a non-member shall require the support of a member of the Committee concerned and the Chairman of that Committee. Two weeks notice of non-urgent items is required.

**4. MINUTES OF THE LICENSING COMMITTEE (Pages 5 - 10)**

To confirm the minutes of the Licensing Committee meeting held on 14 October 2009.

**5. MINUTES OF THE LICENSING SUB-COMMITTEES**

Copies of the minutes from the Sub-Committee's meetings will be available for the relevant Chairmen to sign off.

**6. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003**

Under the Licensing Act 2003, officers are required to report on the numbers of applications received and the determinations of those applications. The following table outlines the applications received from 23 September 2009 for the period up to 1 March 2010.

**(a) Premises Licence Applications/Variations**

Number of new applications	3
Number of renewals	348
Change of Designated Premises Supervisor	37
Number of applications for variation	86
Number of applications granted under delegated authority	27
Number of applications considered by the Sub-Committee	3
Number of applications granted subject to conditions	3
Number of applications refused	1
Number of appeals to Magistrates	3
Temporary Event Notices	74
Reviews	2
Summary Reviews	2
Expedited Reviews	1

**(b) Personal Licence Applications**

Number of applications received	42
Number of applications granted under delegated authority	42
Number of applications refused	0
Number of appeals to Magistrates	0

**7. APPLICATIONS RECEIVED UNDER THE GAMBLING ACT 2005****Betting Office Applications**

Under the Gambling Act 2005 the licensing section received the following:

Betting Office applications granted	0
Betting Office renewals	22
Club gaming permit granted	1
Notification for 2 gaming machines	25

**8. MISCELLANEOUS LICENSING APPLICATIONS RECEIVED**

The following table lists the other applications received to date.

(i) Street Trading Application	2
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- (ii) Street Trading granted at Panel 1
- (iii) Street Trading granted under delegated rule 1

**9. LICENSING OF SEX ENTERTAINMENT VENUES (Pages 11 - 14)**

(Assistant Director Legal) To consider the attached report.

**10. TAXI KNOWLEDGE TEST (Pages 15 - 18)**

(Assistant Director Legal) To consider the attached report.

**11. EU SERVICES DIRECTIVE (Pages 19 - 20)**

(Assistant Director Legal) To consider the attached report.

**12. STATEMENT OF LICENSING POLICY (Pages 21 - 38)**

(Assistant Director Legal) To consider the attached report.

**13. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES**

To review the proceedings of the Licensing Sub-Committee held during the preceding period and identify any problems of procedure, policy and organisation that have adversely affected the running of the meetings.

**14. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE**

To highlight any further training considered necessary for the members tasked with discharging the Council's Licensing function.

**15. MATTERS ARISING**

To consider any further matters arising in respect of the Council's Licensing function, not covered elsewhere on the agenda.

**16. DATE OF NEXT MEETING**

The next meeting of the Licensing Committee has been scheduled for 13 October 2010 at 2.00pm in the Council Chamber.

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## EPPING FOREST DISTRICT COUNCIL COUNCIL MINUTES

<b>Committee:</b>	Licensing Committee	<b>Date:</b>	14 October 2009
<b>Place:</b>	Council Chamber, Civic Offices, High Street, Epping	<b>Time:</b>	2.05 - 3.10 pm
<b>Members Present:</b>	Councillors Mrs P Brooks (Chairman), Mrs P Richardson (Vice-Chairman), K Angold-Stephens, K Chana, M Cohen, D Dodeja, Mrs R Gadsby, J Hart, Ms J Hedges, R Morgan, Mrs P Smith and J Wyatt		
<b>Apologies:</b>	Councillors Mrs S Clapp		
<b>Officers Present:</b>	A Mitchell (Assistant Director (Legal)), R Ferriera (Assistant Solicitor), K Tuckey (Senior Licensing Officer) and G J Woodhall (Democratic Services Officer)		

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### 1. DECLARATIONS OF INTEREST

(a) Pursuant to the Council's Code of Member Conduct, Councillor Mrs P Brooks declared a personal interest in agenda item 6, Honey Lane Street Trading, by virtue of being a member of Waltham Abbey Town Council. The Councillor had determined that her interest was not prejudicial and would remain in the meeting for the consideration of the issue.

### 2. ANY OTHER BUSINESS

It was noted that there was no other urgent business for consideration by the Committee.

### 3. MINUTES OF THE LICENSING COMMITTEE

#### RESOLVED:

That the minutes of the meeting held on 15 April 2009 be taken as read and signed by the Chairman as a correct record.

### 4. MINUTES OF THE LICENSING SUB-COMMITTEES

#### RESOLVED:

That the minutes of the following meetings of the Licensing Sub-Committee be taken as read and signed by their Chairmen as a correct record:

- (i) 2 April 2009;
- (ii) 28 May 2009;
- (iii) 2 July 2009;
- (iv) 6 August 2009;
- (v) 3 September 2009; and

(vi) 1 October 2009.

#### **5. HONEY LANE STREET TRADING**

The Assistant Solicitor presented a report concerning Street Trading on Honey Lane in Waltham Abbey.

The Assistant Solicitor reported that, following a request from the Town Council, the Committee had decided at its previous meeting to undertake a consultation with a view to making the whole of Honey Lane in Waltham Abbey a prohibited street under the Local Government (Miscellaneous Provisions) Act 1982. This would mean that no street trading of any type could take place along Honey Lane. A public notice had been placed in the local newspaper on 6 August, and by the end of the consultation period on 10 September 2009 there had been only a single response from Essex County Council stating that they had no objection. If the Committee was minded to continue then further public notices would be displayed in the local newspaper, with the order taking effect from 30 November.

The Committee queried whether the whole of Honey Lane would need to be made a prohibited street. It was felt that possibly only the area between the two motorway roundabouts, known as Skillet Hill, would need to be prohibited. However, it was confirmed that the whole of Honey Lane had been included in the Committee's previous decision, and that to further amend the area to be covered would necessitate beginning the process again. The Committee felt that the order should make reference that it included the area known as Skillet Hill. The Assistant Solicitor confirmed that a similar process would need to be followed if the prohibited street status was to be revoked.

#### **RESOLVED:**

That the whole of Honey Lane, including that area known as Skillet Hill, be made a prohibited street under the Local Government (Miscellaneous Provisions) Act 1982 with effect from 30 November.

#### **6. CONSULTATION UNDERTAKEN WITH TAXIS IN THE DISTRICT AND QUALITY PARTNERSHIP**

The Assistant Director (Legal) presented a report on the consultation undertaken regarding taxis in the District and the Quality Taxi Partnership. The Committee were informed that the Quality Taxi Partnership had been set up by the County Council to share good practice amongst District Councils, as well as provide funding for initiatives that would improve the service for the public. Periodic meetings would review the District Council's working practices, and consequently it had been recommended that the Council join the Partnership.

The Assistant Director stated that since the last meeting of the Committee, further research had been carried out in respect of introducing a Knowledge Test within the District for new Hackney Carriage and Private Hire Vehicle Drivers. A software package called Diamond had been recommended by other Councils, and it was felt that tests could be administered in the IT Training Room, which would reduce costs as up to eight candidates could be tested at the same time. It was expected that a new member of staff would be required to cover the extra work, but it was expected that a temporary member of staff would be initially employed in case the number of applications began to fall. It was estimated that the charge for each test would be £30, with a £17.50 charge for re-tests. Go Skills had issued a DVD called "This Time Every Time" which encouraged drivers to consider the needs of their passengers,

especially when dealing with disabled people. It was proposed that this be shown to Drivers when they attended to take their test.

The Assistant Director reported that all the operators who had previously indicated they operated wheelchair accessible taxis had been written to with an offer to place details of their service on the Council's website. Only two such operators had taken up the Council's offer. In respect of Green issues, enforcement action had been taken against the holders of taxi licences who had not had interim checks carried out on their vehicles, ensuring that not only were the vehicles safe but running efficiently. There were no plans to stipulate any further conditions regarding emissions for those vehicles used for private hire or hackney carriage fares.

The Committee were generally in favour of implementing Knowledge Tests and joining the Quality Taxi Partnership, but felt that the current DVLA test was sufficient for measuring driving competency. The Committee acknowledged that there would be a substantial number of cross border fares into London, but accepted that it was only practicable to test new drivers for knowledge of the Epping Forest District. The Committee was reassured that there were no security issues in using the IT Training Room to administer the test provided the applicants were escorted and supervised by Licensing Officers. It was felt that the implementation of a knowledge test would discourage applications from drivers who felt that Epping Forest was an easy place to get a licence and had no intention of working in the District.

The Committee felt that the offer to operators with vehicles adapted for wheelchairs should be extended such that they would be advertised at the Council Information outlets across the District and not just the website. It was also felt that the same opportunities should be offered to those companies that operated vehicles with low carbon emissions. The Committee queried why the re-test fee had not been set at the same level as the test fee, and felt that the workload should initially be absorbed by the existing staff before reviewing whether extra staff were required.

The Assistant Director responded that the re-test fee could be adjusted to £30 but it was always intended to review the income levels and whether the charges would require adjustment. The Committee were informed that there had been a lot of work involved in setting up these initiatives, hence the possible request for an extra member of staff.

**RESOLVED:**

- (1) That, as set up by Essex County Council, the Quality Taxi Partnership be joined by the Council;
- (2) That a Knowledge Test be introduced for Hackney Carriage or Private Hire Vehicle Drivers licensed for the first time;
- (3) That the requirement for all Hackney Carriage or Private Hire Vehicle Drivers licensed for the first time to also view the Go Skills DVD "This Time Every Time" when they undertake their Knowledge Test be noted;
- (4) That no conditions be imposed on vehicles in relation to Green issues;
- (5) That only two taxi companies took advantage of the Council's offer to put their details on the Council website if they had a specially adapted vehicle for wheelchairs be noted;

(6) That the same opportunity be offered to those taxi companies which operated vehicles with reduced carbon emissions, namely that they could advertise on the Council's website; and

(7) That this information be displayed at the Council's Information outlets across the District as well as the Council's website, regarding vehicles with either wheelchair access and/or reduced carbon emissions.

## **7. GAMBLING ACT - STATEMENT OF PRINCIPLES**

The Assistant Director (Legal) presented a report requesting approval for the amended Statement of Principles in respect of the Gambling Act 2005.

The Assistant Director reported that the Gambling Act 2005 made the Council responsible for issuing various permissions, permits and notices relating to the use of premises for gambling within the District. The Act required licensing authorities to make decisions after having taken note of the three licensing objectives, the Act, Gambling Commission guidance, regulations, and its own policy document referred to in the Act as a Statement of Principles. The Statement of Principles had to set out the criteria that the Council would apply when exercising its functions under the Act. The current Statement had been in place for three years and required reviewing. Very few amendments had actually been made as part of the review, mainly to take account of the new Government guidance. It was emphasised that under the current guidance to Councils from the Gambling Commission, Small Society Lotteries were generally not licensed.

### **RESOLVED:**

That the Gambling Act 2005 Statement of Principles be approved.

## **8. APPLICATIONS RECEIVED UNDER THE LICENSING ACT 2003**

The Assistant Director Legal Services reported that in respect of Premises License Applications or Variations, there had been 6 new applications, 60 renewals, 33 Change of Designated Premises Supervisor applications, and 1 application for variation received. Of these, 33 applications had been granted under delegated authority, whilst 1 had been considered by the Sub-Committee and granted subject to conditions. One application had been reviewed. In addition, 88 Temporary Event Notices had also been granted, and 31 Personal Licence applications had been received and granted under delegated authority. There had been one appeal to the Magistrates' Court during the period.

### **RESOLVED:**

That the report to the Licensing Committee regarding the current situation in respect of the applications received under the Licensing Act 2003 be noted.

## **9. APPLICATIONS RECEIVED UNDER THE GAMBLING ACT 2005**

The Assistant Director Legal Services reported upon the applications received under the Gambling Act 2005. The Committee were informed that six notifications had been received for two gaming machines.

### **RESOLVED:**

That the report to the Licensing Committee regarding the current situation in



respect of the applications received under the Licensing Act 2005 be noted.

**10. REVIEW OF LICENSING SUB-COMMITTEE PROCEDURES**

When reviewing the proceedings of the Licensing Sub-Committees held during the preceding period, there were no problems of policy, procedure or organisation identified by the Committee that had adversely affected the running of the Sub-Committee meetings. It was observed that a number of the Hackney Carriage or Private Hire Licence applications from applicants that resided a distance from the District were being refused.

**11. REVIEW OF CURRENT AND FUTURE TRAINING NEEDS FOR THE COMMITTEE**

The Committee considered whether any further training was necessary for those tasked with discharging the Council's Licensing function. The Committee was reminded that any new Members must be trained following their appointment at the Annual Council. This training would be organised by the Assistant Director (Legal) and Senior Licensing Officer at the beginning of each municipal year.

The Committee noted that Councillor Chana had been appointed as a replacement for Councillor Rolfe, following his elevation to the Cabinet as Portfolio Holder for Leisure & Wellbeing. Councillor Chana had previously been a member of the Licensing Committee and trained, so it was felt that the Councillor did not necessarily need to repeat the training, unless he felt that it would be of use to him.

**12. MATTERS ARISING**

There were no matters arising for the Committee to consider in respect of the Council's Licensing function.

**13. DATE OF NEXT MEETING**

The Committee noted that the next meeting had been scheduled for 14 April 2010 at 2.00pm in the Council Chamber.

**CHAIRMAN**

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## **Report to the Licensing Committee**

**Date of meeting: 14 April 2010**



**Epping Forest  
District Council**

**Subject: Licensing of Sex Entertainment Venues**

**Responsible Officer: Alison Mitchell  
Assistant Director (Legal) (01992 564017)**

**Democratic Services: Adrian Hendry (01992 5644246)**

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### **Recommendation:**

- (1) That the Committee considers adopting the amendment to the Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 made by Section 27 of the Policing and Crime Act 2009 to licence sexual entertainment venues.**
- (2) If the Committee decides to adopt the amendment, that officers prepare a draft policy for consultation regarding the regulation of such establishments and report back to committee prior to adoption of the licensing provisions.**

### **Report:**

1. The Council has adopted the Local Government (Miscellaneous Provisions) Act 1982 so that sex cinemas and sex shops must be licensed. The Policing and Crime Act 2010 has amended the 1982 Act to allow the Authority to licensing of sexual entertainment venues where relevant entertainment is provided before a live audience for financial gain of the organiser or entertainer.

### **Reasons for Proposed Decision:**

2. To permit the Authority to impose conditions on the licensing of venues providing sexual entertainment in the District.

### **Other Options for Action:**

3. Not to adopt this legislation. If the Authority was mindful not to adopt the legislation it must within twelve months carry out a full public consultation before finally making that decision.

4. To adopt the provisions of the Act before agreement to the policy. This is an option as the Act does not require that the Council has a policy statement and can consider each application on its merits. However, applicants would not have any guidance when completing the application forms as to the Council's requirements. If the Committee were mindful to adopt this now it must specify a date at least one month from the date of the decision. This date must comply with the advertising provisions and therefore two months should be allowed

### **Background**

5. There has been an increase in the number of lap dancing and similar types of entertainment nationally. At present this type of entertainment is regulated under the Licensing Act 2003 and objections can only be based on the four licensing objectives:

- The prevention of crime and disorder,
- Public Safety,
- The prevention of public nuisance, and
- The protection of children from harm.

6. This means that the Authority cannot consider objections of local people or businesses that are based on matters outside those objectives, such as whether a lap dancing club is appropriate in a particular neighbourhood.

#### **New Powers to regulate Sex Establishments:**

7. Section 27 of the Policing and Crime Act 2009 amends Section 3 of the Miscellaneous Provisions Act 1982 to allow the licensing of Sexual Entertainment Venues, where 'relevant entertainment' is provided before a live audience for the financial gain of the entertainer or organiser. 'Relevant entertainment' means 'any live display or entertainment of nudity', i.e.; striptease, lap dancing etc. There is an exemption from the requirement to register if there will be less than eleven events held each year at a venue.

8. The Act sets out mandatory reasons to object to a Licence. These are:

- The applicant is under eighteen years old,
- The applicant has previously had a Licence revoked,
- The applicant is not resident in the UK, or
- Has previously been refused a Licence at those premises

9. The Act allows the Authority powers to refuse a Licence or impose conditions than it would be permitted under the Licensing Act 2003 for example:

- The business would be managed for the benefit of a third party who would be refused a licence;
- The number of sex establishments in the locality equals or exceeds the number considered appropriate;
- Whether it would be inappropriate to grant a Licence having regard to:
  - The character of the locality;
  - The use of other premises in the locality, and
  - Layout, character, condition or location of the premises.

10. In order to implement these provisions, the Council will need to adopt the relevant provisions which have been inserted into the 1982 Act.

11. At present the Council does not have a policy in relation to the licensing of Sex Shops and cinemas and so it is proposed to prepare a draft policy which will cover sex shops, cinemas and sex establishments, carry out consultations and ask for approval by the Committee at its next meeting

#### **Implementation:**

12. Any operator who wishes to provide 'relevant entertainment' at the end of the transitional period set out below will have to apply for a Licence.

13. Existing operators will be permitted to continue to provide 'relevant entertainment' under their existing permission during the transitional period or until their application for a Sex Establishment Licence has been determined whichever is the later.

14. The transitional period will start on the date when Schedule 3 of the 1982 Act comes into force in the area (First Appointed Date) and will last for twelve months.

15. Applications made in the six months following the after the First Appointed Date will be considered together at the end of that period.

16. Applications made after the first six month period (the Second Appointed Date) cannot be considered until all applications made before the First Appointed Date have been determined.

17. Licences granted for sex encounter venues will not take effect until the conclusion of the twelve month transitional period (the Third Appointed Date).

18. Any pre-existing operator who has failed to submit a licence before the Third Appointed Date will not be permitted to provide relevant entertainment.

**Fees:**

19. The maximum fee which the Council is permitted to charge is that required to cover the cost of the licence.

**Resource Implications:**

Within existing budgets

**Legal and Governance Implications:**

Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 Section 27 of the Policing and Crime Act 2009.

**Safer, Cleaner and Greener Implications:**

To create safe communities in Epping Forest District

**Consultation Undertaken:**

None

**Background Papers:**

Local Government (Miscellaneous Provisions) Act 1982 Schedule 3 Section 27 of the Policing and Crime Act 2009.

**Impact Assessments:**

Risk Management

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## **Report to the Licensing Committee**

**Date of meeting: 14 April 2010**



**Epping Forest  
District Council**

**Subject: Taxi Knowledge Test**

**Responsible Officer: Alison Mitchell  
Assistant Director (Legal) (01992 564017)**

**Democratic Services: Adrian Hendry (01992 564246)**

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### **Recommendation:**

**That the Committee notes the progress of the introduction of a knowledge test for taxi drivers**

### **Report:**

At its last meeting, the Licensing Committee decided that the Authority should introduce a 'knowledge test' for new applicants for a Hackney Carriage and Public Hire Drivers Licence ('Taxi Driver's Licence') and indicated that they would consider it desirable if the drivers had some disability awareness training.

The software package has been purchased with funding from Essex County Council through the Taxi Quality Partnership, a number of questions have been prepared by the Senior Licensing Officer for loading onto the system and a temporary member of staff is to be employed to administer the tests until the Cabinet has decided whether to approve the employment of a part time member of staff to undertake this work.

### **Background**

1. At its meeting on the 14<sup>th</sup> October 2009, the Licensing Committee decided that the Council should join the Quality Taxi Partnership with Essex County Council and introduce a 'knowledge test' for taxi drivers. Essex County Council through the Partnership provided funding to enable the District to purchase the computer software and additional hardware requirements so that the knowledge test could be introduced. It was also reported to the Committee that it was intended to show the drivers a training DVD regarding disability awareness immediately prior to the test.

2. The Committee indicated that provided the post was self financing an additional member of staff should be employed to administer the tests as the work could not be undertaken from existing resources. Any further work in the licensing team would likely to lead to delays in issuing licences and non-compliance with statutory time limits.

3. The Disability Equality Involvement Group has identified as one of their objectives that the Directorate investigate the introduction of an accredited disability awareness programme for licensed cab drivers. The Group has asked the Senior Licensing Officer to introduce awareness training and include relevant questions as part of the knowledge test. The Senior Licensing Officer has acquired a recognised training DVD using funding from the Partnership and is including disability awareness questions as part of the knowledge test.

4. At present, it is expected that it will be necessary to hold two tests every month but to

start with these may be held more frequently until staff are familiar with the requirements of the drivers. The introduction of a test may lead to the number of applicants decreasing or could lead to additional test dates being required because of the need to undertake retests. There may also be language or reading difficulties and the computer skills of the applicants may differ. This means that the size of the groups taking the test will have to be kept under review as the help required by individual applicants will differ. There will be additional paperwork associated with each test and the questions on the computer will periodically be added to or changed. This uncertainty means that it is intended to employ someone on a permanent contract but the hours would be as agreed depending upon work load. It is intended that the fees charged for undertaking the test will cover the salary costs.

5. A report has been prepared for Cabinet asking for an addition to the establishment of this post but in order to progress the introduction of the test a temporary staff member has been recruited to send out the application packs and arrange the first tests.

#### **Resource Implications:**

Nil. The tests are intended to be self financing and will be within existing finances.

#### **Legal and Governance Implications:**

Local Government (Miscellaneous Provisions) Act 1974 permits the Council to introduce this test as part of its enquiries as to whether a driver is a fit and proper person.

#### **Safer, Cleaner and Greener Implications:**

The introduction of the test and showing the video will mean that the drivers have some greater knowledge of the requirements of persons with disabilities

#### **Consultation Undertaken:**

Consultation was carried out with drivers and reported to the Licensing Committee. Discussions have taken place with Essex County Council and the Quality Taxi Partnership.

#### **Background Papers:**

None.

#### **Impact Assessments:**

##### Risk Management

There is some risk to continuing to grant licences to drivers who do not have this knowledge.

##### Equality and Diversity:

The Disability Equality Involvement Group has identified the introduction of disability awareness training as one of its objectives.

Did the initial assessment of the proposals contained in this report for Yes  
relevance to the Council's general equality duties, reveal any potentially  
adverse equality implications?

Where equality implications were identified through the initial assessment Yes  
process, has a formal Equality Impact Assessment been undertaken?

What equality implications were identified through the Equality Impact Assessment process?



Customers using the taxi service in the area

- a) Improving accessibility of the service to all users,
- b) Improving the standard and quality of the service

Applicants for Driver's Licence

- c) Disincentive to applicants on low incomes because of cost
- d) Disincentive to some applicants who are unhappy to take a test
- e) People with literacy or learning difficulties
- f) People with dyslexia
- g) People who are not familiar with computers

How have the equality implications identified through the Equality Impact Assessment been addressed in this report in order to avoid discrimination against any particular group?

The drivers

Assistance with tests will be offered for those with difficulties in reading the questions

Help will be offered to those who are not familiar with computers

The cost will be kept low.

Prior to taking the test a leaflet and information will be provided as to the sources used in developing the tests so that the applicants can undertake research

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## **Report to the Licensing Committee**

**Date of meeting: 14 April 2010**



**Epping Forest  
District Council**

**Subject: EU Services Directive**

**Responsible Officer: Alison Mitchell  
Assistant Director (Legal) (01992 564017)**

**Democratic Services: Adrian Hendry (01992 564246)**

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### **Recommendation:**

**To note that the licences and permits, other than those associated with taxis, which are managed by the Licensing Committee may now be applied for on-line.**

### **Report:**

1. The European Services Directive was introduced to assist cross border trade in services throughout the European Union (EU), by making it easier to offer their services anywhere in the EU. Authorities are therefore required to permit electronic/on-line applications, and payment of associated fees for Licences or permits within the scope of the Directives. This means most of the licensing provisions administered by this committee other than taxi licences.

### **Background**

2. The Services Directive provided that after 28<sup>th</sup> December 2009 it should be possible for applicants from within the EU to apply for certain licences on line through the government website, Electronic Licensing Management System (ELMS) and the Council's own website.
3. The government test site on ELMS was not made available until after that date. This meant that officers had concerns as to the security of payments received. This led the Council to take a cautious approach and each type of application on the ELMS site was deployed separately. This delayed completion of the deployment of the licences managed by this committee onto the ELMS website for a few weeks
4. This implementation of this initiative involved officers from IT, Finance, the Website Officer, the Performance Improvement Officer, the Senior Licensing Officer and the Assistant Head (Legal) working closely to achieve this.
5. The Authority was contacted by the Department of Business Innovation and Skills which asked the Authority to take part in further consultations as it had been one of the more pro-active authorities. However, the resources were not available.
6. No electronic applications have yet been received.

### **Resource Implications:**

None – within existing resources

**Legal and Governance Implications:**

European Services

**Safer, Cleaner and Greener Implications:**

None

**Consultation Undertaken:**

None

**Background Papers:**

EU Services Directive

**Impact Assessments:**

None

Risk Management

Z:\LICENSING COMMITTEE\2010\ 13 April 2010 .. - Licensing of Sex Entertainment Venues

## **Report to the Licensing Committee**

**Date of meeting: 14 April 2010**



**Epping Forest  
District Council**

**Subject: Statement of Licensing Policy**

**Responsible Officer: Alison Mitchell  
Assistant Director (Legal) (01992 564017)**

**Democratic Services: Adrian Hendry (01992 564246)**

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### **Recommendation:**

**That the Committee notes the statutory requirement for the Licensing Authority to review its licensing policy and agrees to consultation being undertaken on the attached draft policy.**

### **Report:**

1. The draft of a new policy is attached. Some amendments have been proposed to the current policy to comply with new guidance issued by the Department of Culture, Media and Sport (DCMS) but these are of a minor nature.

### **Reasons for Proposed Decision:**

2. The Licensing Act 2003 ('the Act') requires that a Licensing Authority reviews and publishes its licensing policy every three years and for consultation to take place on the proposed policy.

### **Other Options for Action:**

3. There is no legal option other than to carry out the review and consultation.

### **Background**

4. The review of the current policy must be completed before February 2011 to comply with the Act. The attached document has been amended to include new headings, the paragraphs are numbered and references to policies updated. There has also been the inclusion of more minor changes required by guidance.

5. The DCMS guidance requires that the Licensing Policy must describe how the Licensing Authority will promote the licensing objectives set out in the Act, which are:

- (a) the prevention of crime and disorder;
- (b) public safety;
- (c) the protection of children from harm; and
- (d) the prevention of public nuisance.

6. The policy must also describe the consultation undertaken and the various strategies and policies the Council will have regard to when deciding on policies and any decisions relating to licensing

7. The Council's must include mention of its policy relating to music and entertainment. This has not been altered from the previous policy.

8. Regulations and the Council's policies that have to be taken into account when preparing applications are set out in the draft licensing policy. The purpose of this is to inform applicants of those matters that the Council would expect them to address in the Operating Plan which is submitted as part of the licensing applications. However, it is stressed that each application will be decided on its individual merits. Any condition imposed should not duplicate existing statutory regimes.

9. Until recently, the persons who were entitled to make representations when a licence was applied for were either the Responsible Authorities or local residents or businesses. This was recently changed to allow members to have this right in respect of the district of the Council for which they have been elected. The policy has been amended to reflect this.

10. The Licensing legislation and guidance does not allow the Council to impose standard conditions upon licences that it grants however, the policy does refer applicants to the standard conditions in the DCMS Guidance under S182 which may assist the applicants draft their Operating Plans if they consider that such a condition should be included. If the Council considers it appropriate in future it may add to these conditions.

11. The delegations of functions are attached to the Policy.

12. There is in most areas concern about cumulative impact of significant numbers of licensed premises in an area. No change has been made to the Council's policy.

13. Each of the four licensing objectives has been addressed as required by the guidance.

**Resource Implications:**

Within existing budgets

**Legal and Governance Implications:**

Licensing Act 2003

**Safer, Cleaner and Greener Implications:**

To create safe communities in Epping Forest District

**Consultation Undertaken:**

None but a full consultation will be carried out in accordance with the Licensing Act 2003

**Background Papers:**

Licensing Act 2003, Guidance issued by the DCMS under S182 of the Licensing Act 2003

**Impact Assessments:**

None

# **STATEMENT OF LICENSING POLICY**

**Made under section 5 of the Licensing Act 2003**

**This policy shall come into force on 5<sup>th</sup> February 2011 and be reviewed  
not later than 5<sup>th</sup> February 2013**

# Contents

	<b>Page</b>
<b>1. Introduction</b>	
Purpose and Scope	
Licensing Objectives	
Consultation, Strategies and Policies	
Regulated Entertainment	
Applications	
Conditions	
Cumulative Impact of a Concentration of Licensed Premises	
Advice and Guidance	
Reviews	
Enforcement	
<b>2 - Licensing Objectives</b>	
<b>3 – Prevention of Crime and Disorder</b>	
<b>4 - Public Safety</b>	
<b>5 – Public Nuisance</b>	
<b>6 – Protection of Children from Harm</b>	
<b>7 – Licensing Hours</b>	
Contact Details	
Appendix 1 Delegation of Functions	
Appendix 2 Consultation	



## **1. Purpose and Scope**

1.1 Epping Forest District Council ('the Council') is the licensing authority under the Licensing Act 2003 ('the Act'). This policy relates to all those licensing activities identified as falling within the provisions of the Act, including granting premises licences, club premises certificates, temporary events and personal licences in the district in respect of the sale and/or supply of alcohol and/or the provision of regulated entertainment and late night refreshment.

1.2 The Act requires that the Council publish a 'Statement of Licensing Policy' that sets out the policies the Council will generally apply to promote the licensing objectives when making decisions on applications made under the Act and to regulate licensable activities on, and in the vicinity of, licensed premises. This 'Statement of Licensing Policy' has been prepared in accordance with the Act.

1.3 This 'Statement of Licensing Policy' was been prepared in accordance with the provisions of the 2003 Act and having regard to the guidance issued under Section 182 of the Act.

1.4 This Statement of licensing policy has been produced in consultation with the Chief Police Officer for Essex, the Fire Authority and bodies representing local holders of premises licences, club premises certificates and personal licences, businesses and residents of the area. The policy will be reviewed in not less than three years, or in the light of changes to legislation or circumstances, whichever is sooner.

### **Licensing Objectives**

1.5 The Act requires that the Council carry out its various licensing functions so as to promote the following four licensing objectives:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

1.6 To achieve these objectives the Council will use the full range of measures available to it, including relevant legislation. The Council will work closely with the police, the fire authority, businesses, community representatives and local people in meeting these objectives.

1.7 There are a number of other Council and Government policies, strategies, responsibilities, and guidance documents that have been considered in the formulation of this licensing policy and which will be taken into account in its implementation.

1.8 Applicants must be able to demonstrate that they have considered the four licensing objectives within their operating schedule. Applicants know their premises best and will be expected to address all aspects relevant to the individual style of their premises. Consideration must be given to all of the licensing objectives. There are many control measures that are available to applicants to achieve this goal. Where appropriate applicants should consider whether or not any additional measure are required in respect of occasional or specific events that it is intended or are likely to attract large audiences.

## **Consultation, Strategies and Policies**

1.9 In developing this Policy Statement, the Council consulted widely. Along with the statutory consultees (the Chief Police Officer for the District and the Essex County Fire and Rescue Service), the views of existing licence holders, businesses, voluntary groups and residents were also taken into account. Due consideration was given to the views of all those who responded to that consultation process.

**Details of the consultation on this policy is attached as appendix 2.**

1.10 The Council will take account of the guidance and strategies listed or any replacement guidance or strategy when preparing its policies and in its decision making.

- Environmental Health Enforcement Policy
- Enforcement Concordat
- The Council Plan – Homes and Neighbourhoods, a Safe Community and Economic Prosperity

### Other Responsibilities

- Responsibilities under Anti Social Behaviour Act 2003
- Race Relations Act 1976
- Equalities Act 2010

### Guidance Documents

- Home Office Safer Clubbing Guide
- LACORS/TSI Code of Practice on Test Purchasing
- Any future documents issued relating to the Private Security Industry Act 2001, for example liaison or information sharing protocols
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Any documentation relating specifically to temporary events such as:

- The Event Safety Guide: A Guide to Health, Safety and Welfare at Music and Similar Events (HSE 1999) (“the Purple Book”) ISBN 0 7176 2453 6
- Managing Crowds Safely’ (HSE 2000) ISBN 07176 1834 X
- Steps to Risk Assessment: Case Studies (HSE 1998) ISBN 0716 150804

- The Guide to Safety at Sports Grounds (The Stationary Office 1997)
- Safety Guidance for Street Arts, Carnivals, Processions and Large-scale Outdoor Performances Independent Street Arts Network copies of which may be obtained through [www.streetartsnetwork.org.uk/pages/publications.htm](http://www.streetartsnetwork.org.uk/pages/publications.htm)

1.11 The Council will have regard to, and consult with those involved with, local crime prevention, planning, transport, tourism, race equality and cultural strategies. Review or amendment to these strategies will be considered for their impact on this statement of licensing policy.

1.12 Furthermore, arrangements will be made for the Licensing Committee to receive reports, when appropriate, on the needs of the local tourist economy to ensure that these are reflected in their considerations. The Licensing Committee will also be appraised of the local employment situation and the need for new investment and employment, where appropriate.

1.13 To ensure proper integration with the Council's planning policies, the Licensing Committee will provide reports to the Development Control Committee, where appropriate, on the situation regarding licensed premises in the area, including the general impact of alcohol related crime and disorder, to enable the Development Control Committee to have regard to such matters when making its decisions.

1.14 The Council recognises its responsibilities under the Race Relations Act 1976, as amended by the Race Relations (Amendment) Act 2000. The impact of this policy on race relations will be monitored through the Council's race equality scheme.

## **Regulated Entertainment**

1.15 As part of implementing local cultural strategies, proper account/consultation will be taken of the need to encourage and promote in suitable locations, a broad range of entertainment, particularly live music, dancing and theatre for the wider cultural benefit of communities.

1.16 If representations are made concerning the potential for disturbance in a particular neighbourhood, the Council's consideration where disturbance is likely to be of limited extent, will be balanced against the wider benefits to the community. When attaching conditions the Council will also be aware of the need to avoid measures that might deter live music, dancing or theatre by imposing indirect costs of a substantial nature.

## **Applications**

1.17 In determining a licence application, the overriding principle adopted by the Council will be that each application will be determined on its merits, taking into account:

- the Licensing Act 2003 and the four licensing objectives,

- Government Guidance issued under Section 182 of the Licensing Act 2003,
- Supporting regulations
- This statement of Licensing Policy, and
- the nature and locality of the premises and the Operating Schedule submitted by the applicant.

1.18 The Council requires the applicants to satisfactorily address the licensing objectives, from the design of the premises through to the daily operation of the business, in their Operating Schedules, which must be submitted with their application.

1.19 Nothing in this Statement of Policy will:

- Undermine the rights of any person to apply under the Act for a variation of permissions and have the application considered on its individual merits;
- Override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the Act;
- Prevent any person from applying for a variety of permissions under the Act.

1.20 So far as possible, this policy will not duplicate existing legislation and regulatory regimes that already place obligations on employers and operators e.g. The Health & Safety at Work etc Act 1974, The Environmental Protection Act 1990, equalities legislation, and the Fire Safety Regulatory Reform Order 2005. Conditions in respect of public safety will only be attached to licences if they are necessary for the promotion of a licensing objective.

1.21 When one part of the Council seeks a premises licence from the Licensing Committee, the application will be considered from an entirely neutral standpoint. If relevant representations are made, for example, by local residents or the police, they will be considered fairly by the Committee.

1.22 In all cases, the applicants and those making representations have a right to appeal to the magistrates' court against any decision made by the Council.

### **Representations**

1.23 The Chief Officer of Police, the Fire Authority, the Enforcing Authority for health and safety purposes, the local planning authority, the authority responsible for minimising or preventing the risk of pollution and the Child Protection Authority are all known as 'Responsible Authorities'. These Responsible Authorities may make representations on applications, so far as they relate to the promotion of the four licensing objectives, and request reviews once licences have been granted.

1.24 Local residents and businesses, in the vicinity of the premises subject to the application, or their representatives are known as 'interested parties' and are free

to raise relevant representations. A Councillor for the District may also make representations. A representation would only be 'relevant' if it relates to the likely effect of the grant of the licence on the promotion of at least one of the four licensing objectives. Any representation must not be frivolous or vexatious, and in addition, in the case of reviews, not be repetitious.

1.25 In the absence of any representations the licence must be granted and any representations must be heard at a hearing of the Licensing Sub-committee.

## **Conditions**

**1.26** Licence conditions will be tailored to the individual application and only those necessary to meet the licensing objectives will be imposed. Licence conditions will not be imposed where other controls/legislation exist to provide sufficient protection to the public. There are pools of conditions set out in the Guidance issued under Section 182 of the Licensing Act 2003 which an applicant for a licence may wish to draw on as appropriate. The Council may also create its own pool of conditions to assist applicants. In this way.

1.27 Any conditions arising from the operating schedule or as a result of representations will be focused on the direct impact of the activities taking place at the licensed premises, on members of the public living, working or engaged in normal activity in the area concerned and which are within the control of the individual licensees and others with relevant authorizations.

## **Administration, Exercise and Delegation of Functions**

1.27 The powers of the Council under the Act may be carried out by the Licensing Committee, by a Sub-Committee or by one or more officers acting under delegated authority.

1.28 With the exception of the approval and review of its Licensing Policy, decisions on licensing matters will be taken in accordance with an approved scheme of delegation aimed at underlining the principles of timely, efficient and effective decision-making. A table setting out how we will approach this is attached at Appendix 1.

1.29 The Licensing Committee will receive regular reports regarding licences determined by officers under delegated powers, in order to maintain an overview of the general situation.

1.30 The Licensing Committee will expect individual applicants to address the licensing objectives in their Operating Schedule, having regard to the type of premises, the licensable activities to be provided, the operational procedures, the nature of the location and the needs of the local community.

1.31 The Council recognises the advice of the Department of Culture Media and Sport that the views of vocal minorities should not be allowed to

predominate over the general interests of the community. The Council will revisit this policy if there is any indication that regulated entertainment is being deterred by its provisions.

### **Cumulative Impact of a Concentration of Licensed Premises**

1.32 Cumulative impact means the potential impact on the promotion of the licensing objectives of a significant number of licensed premises concentrated in one area.

1.33 The cumulative impact of licensed premises on the promotion of the licensing objectives is a matter that the Council can take into account. This will not be confused with 'need', which relates more to the commercial demand for a particular type of premises, and is therefore a matter for planning consideration and does not form part of this licensing policy statement.

1.34 The Council may receive representations from either a Responsible Authority or an interested party, (both defined by the Act), that the cumulative impact of new licences is leading to an area becoming saturated with premises of a certain type, making it a focal point for large groups of people to gather, and thereby creating exceptional problems of disorder and nuisance over and above the impact from the individual premises themselves. In such cases, the issue of cumulative impact may be taken into account when considering the individual merits of any application.

1.35 The Council will not operate a quota of any kind which would pre-determine any application, nor will it seek to impose general limitations on trading hours in particular areas. Instead, regard will be given to the individual characteristics of the premises concerned within a given area. It is recognised that pubs, nightclubs, restaurants, hotels, theatres, and other clubs all sell alcohol, serve food and provide entertainment but with contrasting styles and characteristics. Proper regard will be had to those differences and the impact they are likely to have on the local community.

1.36 In determining whether to adopt a 'saturation' policy for a particular area the Council may, amongst other things –

- Gather evidence of serious and chronic concern from a responsible authority or interested parties about nuisance and disorder;
- Identify the area from which problems are arising and the boundaries of that area;
- Make an assessment of the causes;
- Adopt a policy about future applications for premises within that area.

1.37 The Council recognises however, that as well as the licensing function there are a number of other mechanisms for addressing issues of unruly behaviour that occur away from licensed premises. The Council recognise that licensing law is not a mechanism for the general control of anti-social behaviour by individuals once they are away from the premises and beyond the direct control of the licence holder.

## **Advice and Guidance**

**1.38** The Council recognises the valuable cultural, social and business importance that premises and events requiring a licence under the Licensing Act provide and welcomes the diversity of activities that are provided by licence holders. For this reason, pre-application discussions will be encouraged to assist applicants to develop their operating schedule. The Council, Essex Police and/or Essex County Fire and Rescue Service will offer as much advice and guidance to applicants, as resources permit.

1.39 The Council will also seek to liaise with applicants and/or mediate between applicants and others who may make representations, to achieve a satisfactory outcome for all involved, wherever possible and where resources permit. Where an applicant considers that mediation and liaison may be likely or probable, it is recommended that the applicant discuss his proposal with the licensing department/section and those from who they think representations are likely prior to submitting their application. Once an application has been lodged, there are statutory timescales imposed upon the application and determination process, which restrict the opportunity for such discussions, liaison and mediation.

## **Reviews**

1.41 A Responsible Authority and/or interested parties can trigger a review of a premises licence or club premises certificate but an evidentiary basis would be required to be presented to the Licensing Authority. Representations received must be relevant to the promotion of the licensing objectives and submitted in writing. Representations must not be frivolous or vexatious.

1.35 The Act provides a mechanism for reviewing Premises Licences where problems associated with achieving the Licensing Objectives occur. However, no more than one review from an interested party will normally be permitted within any 12 month period on similar grounds, except in exceptional and compelling circumstances or where it arises following a Closure Order.

1.36 In addition where premises are associated with serious crime or serious disorder

a senior police officer (Superintendent or above) may apply for a summary review of the premises licence which may result in :-

- a) the modification of the conditions of the premises licence;
- b) the exclusion of the sale of alcohol by retail from the scope of the licence;
- c) the removal of the designated premises supervisor from the licence;
- d) the suspension of the licence.

The initial decision may be determined in the absence of the premises licence holder. A review hearing must then take place within 28 days.

1.37 Where an Interested Party applies for a review, the Licensing Authority

has to be satisfied that the person making it qualifies as an Interested Party and that it is relevant. There is no appeal to the decision of the Authority other than by way of judicial review.

1.38 As the Licensing Authority can generally only determine whether a person is an Interested Party by reference to the name and address of the person making the application, this Authority will not consider any application that fails to provide those details.

1.39 The Licensing Authority accepts that in exceptional circumstances, an Interested Party may not wish to provide his/her personal details to the licence or certificate holder. In those circumstances an Interested Party might consider providing the relevant Responsible Authority with details of how they consider the licensing objectives are being undermined so that the Responsible Authority can apply for a review.

1.40 Where possible and appropriate the Council, Essex Police and/or Essex Fire Service will give early warning to licence holders of any concerns about problems identified at premises and of the need for improvement.

1.41 No more than one review from interested parties will be normally permitted within any 12 month period on similar grounds except in exceptional and compelling circumstances.

## **Enforcement**

1.41 The Council delivers a wide range of enforcement services aimed at safeguarding the environment and the community and at providing a 'level playing field' on which businesses can fairly trade. The administration and enforcement of the licensing regime is one of these services. The Council has adopted the Government's Enforcement Concordat designed to ensure effective and efficient public protection services. Specifically, the Council is committed to the principles of good inspection and enforcement practice and recognises the Hampton principles by carrying out its regulatory functions in a fair, open and consistent manner.

1.42 Once licensed, it is essential that premises are maintained and operated so as to ensure the continued promotion of the licensing objectives, and compliance with the specific conditions of their licence and their Operating Schedule. The Council will make arrangements to monitor premises and take appropriate enforcement action to ensure this.

1.42 The Council has established an enforcement protocol with Essex Police, Essex County Fire and Rescue Service and (Essex County Council) Trading Standards on enforcement issues. This protocol provides for the targeting of resources towards high-risk premises and activities that require greater attention, while providing a lighter touch in respect of low risk premises.



## **2. Licensing Objectives**

2.1 The following sections set out the Council's Policy relate to the four licensing objectives:

- the prevention of crime and disorder;
- • public safety;
- • the prevention of public nuisance;
- • the protection of children from harm.

## **3. Prevention of Crime and Disorder**

3.1 When considering Crime & Disorder applicants should look to include in their Operating Schedule measures to control problems associated with this as required:

- Effective training and supervision of staff
- Adoption of best practice guidance (e.g Safer Clubbing, The National Alcohol Harm Reduction Strategy Toolkit, Pub watch schemes, CCTV, Drug Awareness)

## **4. Public Safety**

When considering Public Safety the applicant should consider whether it is necessary to address the following in their Operating Schedule:

- Suitable and sufficient risk assessments
- Effective and responsible management of premises
- Adoption of best practice guidance (eg Guide to Fire Precautions in licenced premises)

## **5. Public Nuisance**

When considering Prevention of public nuisance applicants should consider what measures may be necessary and should take account of the following:

- Adoption of best practice Guidance (eg Good practice Guide on the control of Property, Noise, published by BBPA)
- Ensuring customers leave quietly
- Installation of sound proofing

## **6. Protection of Children from Harm**

6.1 The Council recognises the great variety of premises for which licences may be sought. These will include theatres, cinemas, restaurants, pubs, nightclubs, cafes, take aways, community halls and schools. Access by children to all types of premises will not be limited in any way unless it is considered necessary to do so in order to protect them from harm.

6.2 When deciding whether to limit access to children or not the Council will judge each application on its own individual merits. Examples that may give rise to concern in respect of children would include premises where:

- entertainment of an adult or sexual nature is provided;
- there is a strong element of gambling taking place;
- there is a known association with drug taking or dealing;
- there have been convictions for serving alcohol to those under 18;
- there is a reputation for underage drinking.

6.3 In the case of premises which are used for film exhibitions, conditions will be imposed restricting access only to those who meet the required age limit in line with any certificate granted by the British Board of Film Classification or, in specific cases, a certificate given to the film by the Council itself.

6.4 Where a large number of children are likely to be present on any licensed premises, for example, a children's show or pantomime, then conditions will be imposed requiring the presence of an appropriate number of adult staff to ensure the childrens' safety and their protection from harm.

6.5 The options available for limiting access by children could include –

- A limit on the hours when children may be present;
- A limitation or exclusion when certain activities may take place;
- The requirement to be accompanied by an adult;
- Limiting access to parts of the premises;
- An age limitation.

6.6 The Council will not impose any condition that specifically requires access for children to be provided at any premises. Where no restriction or limitation is imposed the issue of access will remain a matter for the discretion of the individual licensee or club. In all cases, it is expected that the applicant will have considered the protection of children in their Operating Schedule. The Council commends the Portman Group Code of Practice on the Naming, Packaging and Promotion of Alcoholic Drinks and would expect applicants to consider the Code in their Operating Schedule.

6.7 In the case of premises giving film exhibitions the Council would expect licensees or clubs to include in their operating schedules arrangements for restricting children from age-restricted films as classified according to the recommendations of the British Board of Film Classification.

6.8 The competent responsible authority in relation to the protection of children from harm is the Essex County Council's Childrens Safeguarding Service.

## **7. Licensing Hours**

The Council recognises that longer licensing hours may be in the interests of the community by avoiding concentrations of disturbance from customers leaving premises whilst ensuring that nuisance is minimised to local residents. Premises will generally be able to sell alcohol during the hours they are permitted to open. Entertainment providers may provide a range of entertainment during their operating hours. When issuing a licence, however, stricter conditions are likely to be imposed with regard to noise control in the case of premises situated in largely residential areas.

## Contact Details

Further information concerning all aspects of licensing can be obtained from our website:

[www.eppingforestdc.gov.uk](http://www.eppingforestdc.gov.uk)

or

Environmental Health Licensing Section  
Epping Forest DC  
Civic Offices  
High St  
Epping  
Essex CM16 4BZ

Tel: 01992 564034  
Fax: 01992 564539

Email: [sharcher@eppingforestdc.gov.uk](mailto:sharcher@eppingforestdc.gov.uk)

Environmental Health General Enquiry Line: 01992 564610

## Delegation of Functions

### Appendix 1

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

## Appendix 2

### Consultation

Consultation will be undertaken with those listed below. The majority of those being contacted via email and the rest by post. A copy of the draft policy will be available on the EFDC website. All comments received will be considered and the results of the consultation published on the EFDC website. The consultation period will be three months.

Arriva Bus Company Arts Council England Association of Licensed Retailers Attwater & Liell Solicitors Berwin Leighton Paisner Solicitors Bill Rammell MP British Transport Police Butler & Mitchells Brewers Roman Catholic Church Church of England Citizens Advice Bureau Consumers Association Cooley Partnership Campaign for the Protection of Rural England Curwens Solicitors Council for Voluntary Services Crime and Disorder Strategy Panel East Herts DC EFDC Councillors EFDC Senior Officers Eleanor Laing MP Environment agency Epping Forest Conservators Epping Forest PCT Epping Magistrates Equity Eric Pickles MP Essex Ambulance NHS Trust Essex County Council Essex Fire & Rescue Essex Police Essex Probation Service Essex Tourist Bodies Federation Synagogue Fosket Marr Gadsby & Head	General Municipal and Boilermakers Union Hammonds Solicitors Health and Safety Executive Essex Jarmans Solicitors Laurel Pub Co Lea Valley Park Authority Limes Farm Synagogue Local Chambers of Commerce Local Council Liaison Committee Local Round Tables Local Taxi Operators LUL Transport for London Mcmullens Brewery Musicians Union Parish and Town Councils Police & Community Consultative Group Princess Alexandra NHS Trust Ridleys Breweries Rural Community Council of Essex Scottish & Newcastle Retail Somersfield Supermarkets Spirit Group Brewery Transport and General Workers Union Town Centre Partnerships Union of Shop, Distributive and Allied Workers Unison Licensed Victuallers Association Wiskers & Co Solicitors Whipps Cross NHS Trust  All current holders of licquor, public entertainment, private places of entertainment, cinemas, theatre and late night refreshment houses licences within the district.
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