

Committee Agenda



Epping Forest District Council

Licensing Sub-Committee Tuesday, 3rd August, 2010

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

Time: 10.30 am

Democratic Services Officer R Perrin (Direct Line 01992 564532)
Email: rperrin@eppingforestdc.gov.uk

Members:

Councillors R Morgan (Chairman), A Lion, B Rolfe and Mrs M Sartin

PLEASE NOTE THE START TIME OF THE MEETING
THERE WILL BE A BRIEFING FOR THE SUB COMMITTEE AT 10.00 A.M. IN THE MEMBERS' ROOM

1. APOLOGIES FOR ABSENCE

2. DECLARATIONS OF INTEREST

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

3. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 8)

4. EXCLUSION OF PUBLIC AND PRESS

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Paragraph Number	Information
Nil	Nil	Nil	

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.

5. BREACH OF TAXI INTERIM TEST (Pages 9 - 16)

To consider, under the Local Government (Miscellaneous Provisions) Act 1976 and the Town & Police Clauses Act 1847, breaches of the Taxi Interim Test by the following individuals:

- a) Mr Festa
- b) Mr Kabir
- c) Mr Wiseman

6. LICENSING ACT 2003 - APPLICATION FOR A PREMISES LICENCE - 10 BROOK PARADE HIGH ROAD CHIGWELL ESSEX IG7 6PB (Pages 17 - 36)

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

Agenda Item 3

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: 3 August 2010

Subject: Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Hackney Carriage Vehicle Licence – Mr Festa

Officer contact for further information: Kim Tuckey

Committee Secretary: Rebecca Perrin



Decision Required:

To consider the breach of the authority's vehicle licensing conditions

Report:

The above mentioned holder of a vehicle licence has failed to comply with this authority's licence conditions by failing to submit the vehicle for an interim examination in accordance with the conditions of the vehicle licence. This constitutes a breach of the licence conditions; therefore officers are referring this matter to Licensing Sub- committee for consideration.

Background Papers:

Sample letters attached

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Report to Licensing Subcommittee
Date of meeting: 3rd August 2010

Subject: Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Hackney Carriage Vehicle Licence – Mr S F Kabir

Officer contact for further information: Kim Tuckey

Committee Secretary:



Decision Required:

To consider the breach of the authority's vehicle licensing conditions

Report:

The above mentioned holder of a vehicle licence has failed to comply with this authority's licence conditions by failing to submit the vehicle for an interim examination in accordance with the conditions of the vehicle licence. This constitutes a breach of the licence conditions; therefore officers are referring this matter to Licensing Sub- committee for consideration.

Background Papers:

Sample letters attached

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Report to Licensing Subcommittee
Date of meeting: 3rd August 2010

Subject: Local Government (Miscellaneous Provision) Act 1976 & Town & Police Clauses Act 1847 - Hackney Carriage Vehicle Licence – Mr D Wiseman

Officer contact for further information: Kim Tuckey

Committee Secretary:



Decision Required:

To consider the breach of the authority's vehicle licensing conditions

Report:

The above mentioned holder of a vehicle licence has failed to comply with this authority's licence conditions by failing to submit the vehicle for an interim examination in accordance with the conditions of the vehicle licence. This constitutes a breach of the licence conditions; therefore officers are referring this matter to Licensing Sub- committee for consideration.

Background Papers:

Sample letters attached

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10th May 2010

Our Ref: [REDACTED]

[REDACTED]

Civic Offices High Street
Epping Essex CM16 4BZ

Telephone: 01992 564000

Facsimile: 01992 578018

DX: 40409 Epping

Director of Corporate Support
Services Colleen O'Boyle
Solicitor to the Council

Enquiries to:

Dear [REDACTED]

Re: Interim Reminder for June 2010

Vehicle ref [REDACTED]

Taxi inspections- Langston Road Depot – telephone 0208 532 0357

Your taxi inspection test is due in June 2010. Failure to complete the Taxi Inspections would result in a breach of conditions as set out in this Council's Hackney Carriage/Private Hire Vehicle Licence Conditions.

Breaches of this condition will result in your licence being referred to licensing panel for possible suspension or revocation of your licence.

If you have already visited Langston Road for your Taxi inspection in the last 14 days, then please disregard this letter.

If you require any further help or information please do not hesitate to contact us on the numbers below.

Yours Sincerely,

Licensing Office
01992 564461 & 564340



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Report to Licensing Subcommittee **Date of meeting: 3rd August 2010**

**Subject: Licensing Act 2003 - Application for a
Premises Licence – 10 Brook Parade High Road
Chigwell Essex IG7 6PB**

Officer contact for further information: K Tuckey

Committee Secretary: Rebecca Perrin



Decision Required:

The Council has received an application under the provisions of the Licensing Act 2003 and the sub-committee is asked to determine the application on its individual merits.

Report:

1. Introduction

- 1.1 This application is made by Miss Hatice Yesil to supply alcohol for consumption off the premises at the times set out in section M of the attached application. The hours of closing are set out in section O and are the same as the times of supply.
- 1.3 The Sub-Committee's decision must be made with a view to promoting one or more of the four licensing objectives, namely:
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.
- 1.4 The application was advertised as required by statute.

2. Representations

- 2.1 The application has been sent to all relevant authorities. A reply was received from the Divisional Licensing Officer of the Police and from the Authority's Environment and Neighbourhood Officer which stated that they had no representations to make. Copies of this correspondence is attached
- 2.2 A representation has been made by Mr W Yeung objecting. A copy of his letter is attached.

3. Policy Considerations

- 3.1 The Licensing Authority must have regards to its Statement of Licensing Policy and any statutory guidance issued under S182 of the Licensing Act 2003 when making any decision.

3.2 The Council's Statement of Licensing Policy –

- Page 5 sets out the overriding principle that the Authority will be adopted in determining each application.
- Page 6 - Licensing Hours
- Page 8 – Licence Conditions

3.3 Statutory Guidance: Guidance has been issued under S182 of the Licensing Act 2003. The following sections/paragraphs are applicable to this application.

3.3.1 Section 2 – The Licensing Objectives. The objector has objected on all four of the licensing objectives.

- Crime and Disorder –Sections 2.1 to 2.18 apply. Section 2.1 of the guidance states that the licensing authority should look to the police as the main source on these matters
- Public Safety – Sections 2.19 to 2.31 apply. Section 2.19 of the guidance states that licensing authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health issues.
- Public Nuisance – Sections 2.32 to 2.40 apply. Section 2.32 considers it important that that licensing authorities focus on impacts of the licensable activities at the premises on persons living and working in the vicinity that are disproportionate and unreasonable.
- Protection of Children from Harm Sections 2.41 to 2.50. With regards to the consumption of alcohol by minors Section 2.43 states that that the Licensing Authority should focus on enforcing the law.

3.3.2 Section 9 covers the determination of applications.

- Sections 9.3 to 9.7 giving guidance to cover situations where representations have been made.
- Sections 9.3 – 9.13 giving guidance to cover situations where representations have been made.
- Sections 9.4 –9.6 address the issues of relevance and vicinity. If there is any doubt as to whether an objection is relevant Section 9.12 recommends that in borderline cases the benefit of doubt should be given to the interested party making the representation. The subsequent hearing would provide an opportunity for the person to amplify and clarify it. If it then emerged that the representation should not be supported, the licensing authority could decide not to take any action.
- Section 10.15 – 10.18 covers duplication and other statutory provisions. The Guidance states that the Licensing Act 2003 does not affect the continued use of the powers of an environmental health officer in respect of statutory noise nuisance under the Environmental Protection Act 1990.
- Annex D (page 128) covers conditions relating to licensing objectives.

4. Conclusions

The Licensing Authority has a duty under the Licensing Act 2003 by promoting the Licensing Objectives. Each objective has equal importance. In carrying out its licensing functions, the Licensing Authority must also have regard to its Statement of Licensing Policy, any Statutory Guidance under the Licensing Act 2003 and is bound by the Human Rights Act 1998. The Council must also fulfill its obligations under Section 17 of the Crime and Disorder Act 1998 to do all that it reasonably can to prevent crime and disorder in the Epping Forest District.

5. Options

5.1 Members may:

- Grant the application as submitted
- Modify the conditions of the licence by altering or omitting or adding to them
- Reject the application

BACKGROUND PAPERS:

The following are the background papers that were used in the preparation of this report:

Guidance issued under section 182 of the Licensing Act 2003

The Council's Statement of Licensing Policy

To inspect these documents please contact Kim Tuckey, Senior Licensing Officer – 01992 564034

Z/LEGAL/LICENSING – REPORTS/10 BROOK PARADE.DOC

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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 JATICE YESIL apply for a premises licence under section 17 of
(insert name(s) of applicant)
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	
10 BROOK PARADE HIGH ROAD	
Post town	Post code
CHIGWELL - ESSEX	IG7 6PB

Telephone number at premises (if any)

Non-domestic rateable value of premises

Part 2 - Applicant details

Please state whether you are applying for a premises licence as

Please tick ✓ yes

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

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

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

Please tick yes

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

(A) INDIVIDUAL APPLICANTS (fill in as applicable)

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

Surname

First names

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)

Part 3 Operating Schedule

When do you want the premises licence to start?

Day	Month	Year
3	1	05 2010

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)

This A1 Unit is approximately 850^{sq} gross internal area and benefits from electric shutters to the front, with access to the rear together with 2 parking spaces. Located in this very popular Parade of shops known as Brook Parade, which has many different retail outlets with a major bank close by. Formerly occupied by Threshers trading as an off licence this shop has just become available for first time in 15 years and is a rare opportunity to acquire a property at this location.

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

Please tick yes

Provision of regulated entertainment

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

Provision of entertainment facilities for:

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

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

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

In all cases complete boxes N, O and P

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	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed					
Thur			State any seasonal variations for the provision of late night refreshment (please read guidance note 4)		
Fri					
Sat					
Sun			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)		

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	
Day	Start	Finish		Off the premises	X
Mon	8:00 am	11:00 pm	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Tue	8:00 am	11:00 pm		No	
Wed	8:00 am	11:00 pm			
Thur	8:00 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	8:00 am	11:00 pm		No	
Sat	8:00 am	11:00 pm			

Sun	8:00	10:30	
	am	pm	

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

Name: HATICE YESIL
 Address: [REDACTED]
[REDACTED]
 Postcode: [REDACTED]
 Personal Licence number (if known): Z01N17113A/1
 Issuing licensing authority (if known): WALTHAM FOREST 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)

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	8:00	11:00	No	
	am	pm		
Tue	8:00	11:00		
	am	pm		
Wed	8:00	11:00		
	am	pm		
Thur	8:00	11:00		Non standard timings. Where you intend to use the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
	am	pm		
Fri	8:00	11:00		
	am	pm		
Sat	8:00	11:00		
	am	pm		
Sun	8:00	10:30		
	am	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)

b) The prevention of crime and disorder

CCTV – ALARM
Recording for 7 days and 24 hours.

c) Public safety

Shop insurance, fire exit front and rear.

d) The prevention of public nuisance

e) The protection of children from harm

Not sale alcohol who someone under age of 21; with out seeing idea to proof there age.

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

[Redacted signature]

Date

31/05/2010

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)	

Harrow Police Station
The High
Harrow
Essex
CM20 1HG

Telephone: 01279 641212
Website: www.essex.police.uk
Facsimile: 01279 454177
Direct Line: 01279 625405
Email:

Mrs Kim Tuckey
Environmental Health Office
Epping Forest District Council
Civic Offices
EPPING
Essex
CM16 4BZ

Our Ref: SF/vp
Your Ref:

3-6-10.

Dps. NOTICE YESIL

Dear Madam

Re: CHICWELL off licence was THEATERS 10 Brook Parade Chicwell.

With reference to the above named premises who has applied for the grant of the Premises Licence ~~to be issued~~

The application has been examined and considered and Essex Police Authority have no representations to make.

I trust this is agreeable to you and I look forward to a copy of the issued licence in due course in order to complete our records.

Yours faithfully



Simon Fisher - 6905
Divisional Licensing Officer

To: Corporate Support Services
Licensing Section
Kim Tuckey



From: Environment & Street Scene Directorate
Mike Richardson
Environment and Neighbourhood Officer

Date: 14 June 2010

Your ref:

Our ref: WK/201003338

Epping Forest District Council

Licensing Act 2003 10 Brook Parade, High Road, Chigwell, Essex

I refer to an application made under the Licensing Act 2003 regarding the above mentioned premises that I received on 4th June 2010.

I have no representations to make regarding this application.

If you wish to discuss any of my comments please contact me on (01992) 564422.


Mike Richardson
Environment and Neighbourhood Officer

15 JUN 2010

The Victorian Suite
Dolphin Court
Chigwell
IG7 6PH
Tel 020 8500 5670

Licensing Section, Corporate Support Services,
Epping Forest District Council,
Civic Offices, High Street, Epping CM16 4BZ

June 11, 2010

Dear Sir/Madam,

We wish to object to the application of Hatice Yesil for an off-licence at 10 Brook Parade, Chigwell on the grounds that granting the licence is contrary to the four licensing objectives of the 2003 Licensing Act namely:

1. **the prevention of crime and disorder:**the applicant proposes opening hours up to 11 pm Mondays to Saturdays and up to 10:30pm on Sundays; this means his/her shop will be the **only shop open** in Brook Parade after 9pm making it a focus for drinkers and creating a potential for disorder and petty crimes. The late hours of such an exposed shop will leave the shop assistants and others vulnerable to crime.
2. **public safety** – the premise is opposite the Green in Chigwell Village; the temptation is for youngsters to buy alcohol from the off-licence, cross over Brook Parade and the High Road and drink the alcohol in the Green. Repeated trips across the road for more alcohol would risk lives and limbs of both the drinkers and other road users. Besides, there would be noise and rowdiness which go against the third objective:
3. **the prevention of public nuisance** – we live in the residential block opposite the park and diagonally opposite the proposed off-licence. We already have to put up with noisy and rowdy young people during fine evenings when they congregate in the Green and on Brook Parade. Having an additional off-licence whose only purpose is to make alcohol available later will only aggravate the problem.
4. **the protection of children from harm** –We have heard that the neighbouring village of Woodford Green has problems arising from selling alcohol to underage children. We do not have such problems in Chigwell since the existing off-licence has a no tolerance policy to underage selling of alcohol. The only sure way of eliminating the illegal practice of underage selling is NOT to have any more sale outlet!

There is already an off-licence, Mace, in Brook Parade. The only purpose of approving a second off-licence in Brook Parade is to make alcohol sale available for longer hours which I respectfully think is bad for the community. Alcoholic drinks can also be obtained from the King William Public House which is only a stone's throw away.

It may be argued that this application is for the replacement of an off licence held by the previous occupant of the premises. However, the law requires that each off licence needs annually to be reconsidered AFRESH to cater for change of circumstances and public needs. Since Britain has already got the infamous reputation of "Booze Britain", a responsible community should now do all it can to STOP the proliferation of non-essential alcohol sale outlets.

Respectfully,

William Yeung



Cc: Hatice Yesil

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Epping Forest District Council

Alan Hall
 Director of Housing
 Civic Offices, High Street
 Epping, Essex, CM89 4BZ
 Tel: 01982 964000

Name: _____

Title: _____

Address: _____

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