



### **Licensing Sub-Committee Tuesday, 1st March, 2016**

You are invited to attend the next meeting of **Licensing Sub-Committee**, which will be held at:

**Council Chamber, Civic Offices, High Street, Epping  
on Tuesday, 1st March, 2016  
at 10.00 am .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

Gary Woodhall  
The Directorate of Governance  
Tel: 01992 564470  
Email: [democraticservices@eppingforestdc.gov.uk](mailto:democraticservices@eppingforestdc.gov.uk)

#### **Members:**

Councillors M Sartin (Chairman), R Gadsby, R Morgan and B Surtees

**PLEASE NOTE THE START TIME OF THE MEETING**

**1. APOLOGIES FOR ABSENCE**

(Director of Governance) To be announced at the meeting.

**2. DECLARATIONS OF INTEREST**

(Director of Governance) To declare interests in any item on this agenda.

**3. PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 3 - 10)**

(Director of Governance) As per the attached extract from the Council's Constitution.

**4. VARIATION OF PREMISES LICENCE - MOLENS CAFE/RESTAURANT, 209D/E  
HIGH STREET, LOUGHTON (Pages 11 - 52)**

(Director of Neighbourhoods) To consider the attached report.

**5. VARIATION OF PREMISES LICENCE - MORRISONS, (Pages 53 - 92)**

(Director of Neighbourhoods) To consider the attached report.

**6. EXCLUSION OF PUBLIC AND PRESS**Exclusion

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

Agenda Item No	Subject	Exempt Information Paragraph Number
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.

# Agenda Item 3

## PART 3(2) - RESPONSIBILITY FOR COUNCIL FUNCTIONS

### APPENDIX 5

#### LICENSING COMMITTEE – TERMS OF REFERENCE

- (1) The full Committee shall comprise 15 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 include, by rota, one of the six Licensing Sub Committee Chairmen appointed at each Annual Council meeting.
- (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.
- (8) To be responsible for the consideration and approval of Designation Orders under Section 13 of the Criminal Justice and Police Act 2001 (Exercise of Controls over the consumption of alcohol in Public Places).

**PART 3(2) -  
RESPONSIBILITY OF  
FUNCTIONS (LICENSING  
COMMITTEE)**

**APPENDIX 5 (ANNEX 1)**

**LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY**

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

event notice			
All policy matters except the formulation of the statement of licensing policy	All cases		

## **RESPONSIBILITY**

**PART 3(2) –**

**FOR FUNCTIONS  
LICENSING COMMITTEE**

**APPENDIX 5 (ANNEX 2)**

### **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  
Gambling Act 2005  
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  
Pet Animals Act 1951  
Pet Animals Act 1951 (Amendment) Act 1983  
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**

**APPENDIX 5  
(ANNEX 3)**

**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.

- 3.4 In the case of any hearing pursuant to the summary review procedure under the Violent Crime Reduction Act 2006, the membership of any Sub-Committee adjudicating on such a review shall comprise any three members drawn from the Licensing Committee subject to the proviso that no member should serve more than one hearing.

#### **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 the Licensing Sub-Committee**

**Date of meeting: 1 March 2016**

**Subject: Molens Café/Restaurant, 209D/E High Road,  
Loughton, IG10 1BB**



**Epping Forest  
District Council**

**Responsible Officer: Lindsey Turner (01992 564182)**

**Democratic Services: Gary Woodhall (01992 564470)**

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### **Recommendations/Decisions Required:**

**(1) To determine the application for a variation of an existing Premises Licence under the Licensing Act 2003**

### **Report:**

#### Application

1. An application has been made by Enki Design on behalf of Molens Café/Restaurant. The Premises Licence Holder is Mr. Mustafa Timur. The authority received the application on 9 January 2016. The application sets out the varied licensing activities applied for and times requested. (A copy of the present licence for the premises, detailed plans of the application for variation and the public notice are attached).

2. The applicant is requesting a licensing variation to the premises layout which has been extended to the rear with a single storey extension to provide customers seating area for dining. The extension also provides toilet facilities. There has been an outbuilding built at the rear of the property to provide storage, cold rooms and customers smoking area.

3. Sections L and M of the application for variation amends the Operating Schedule of the premises licence and sets out some new conditions which will be attached to the licence if this application is granted.

#### Licensing Act 2003

4. When considering an application for a licence the licensing authority must have regard to the promotion of the licensing objectives. These are:

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

5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

#### Consultation

6. All The Responsible Authorities have received a copy of the application; it was properly advertised at the premises and in a local newspaper.

7. The authority has received representation[s] from Essex Police (however during the

consultation period the applicant and Essex Police have negotiated conditions which are attached to this report), Loughton Town Council and four local residents. No other comments were received.

8. The representations relate to the Prevention of Public Nuisance and the Protection of Children from Harm.

#### Guidance Issued by the Secretary of State

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.

10. Sections 2.14 to 2.20 and Sections 2.21 to 2.30.

#### Options

11. In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

- to modify the conditions of the licence; or
- to reject the whole or part of the application.

12. For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

#### Determination

13. The Sub-committee is asked to determine the application having regard to:

- (a) the content of this report and representations;
- (b) any additional information obtained from the hearing;
- (c) the Council's statement of licensing policy;
- (d) Guidance issued by the Secretary of State; and
- (e) the steps appropriate to promote the licensing objectives.

#### Appeal

14. If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

#### **Background Papers Used In Preparing This Report:**

- The Licensing Act 2003  
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003  
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.  
<http://www.eppingforestdc.gov.uk>
- 

#### **Attached documents**

- Application for the variation of the premises licence
- A copy of the Premises Licence

- Detailed Plans
- Copy of the notice
- Representation from [Interested Parties/Responsible Authorities ]
- Map showing the area

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**Application to vary a premises licence under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

**I/We** MR MUSTAFA TIMUR  
*(Insert name(s) of applicant)*

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

Premises licence number LN/000000913
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**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description			
MOLEN'S CAFE/RESTAURANT, 209D/E HIGH ROAD, LOUGHTON			
Post town	ESSEX	Postcode	IG10 1BB
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£41,000	

**Part 2 – Applicant details**

Daytime contact telephone number	<b>02083407014</b>		
E-mail address (optional)	info@enkidesign.co.uk		
Current postal address if different from premises address			
Post town		Postcode	

**Part 3 – Variation**

Please tick as appropriate

Do you want the proposed variation to have effect as soon as possible?  Yes  No

If not, from what date do you want the variation to take effect?

DD	MM	YYYY

Do you want the proposed variation to have effect in relation to the introduction of the late night levy? (Please see guidance note 1)  Yes  No

**Please describe briefly the nature of the proposed variation (Please see guidance note 2)**

**PROPOSED VARIATIONS RELATED TO PREMISES LAYOUT. IT HAS BEEN EXTENDED TO THE REAR WITH THE SINGLE STOREY EXTENSION TO PROVIDE CUSTOMER'S SEATING AREA AND TOILETS WITH OUTBUILDING TO PROVIDE STORAGE, COLD ROOMS AND CUSTOMER'S SMOKING AREA.**

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

<i>N/A</i>
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**Part 4 Operating Schedule**

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

**Provision of regulated entertainment**

**Please tick all that apply**

- (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 late night refreshment** (if ticking yes, fill in box I)

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

**In all cases complete boxes K, L and M**

**A**

<b>Plays</b> Standard days and timings (please read guidance note 7)			<b>Will the performance of a play take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<b>Please give further details here</b> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue			N/A		
Wed			<b>State any seasonal variations for performing plays</b> (please read guidance note 5)		
Thur					
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of plays at different times from those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

**B**

<b>Films</b> Standard days and timings (please read guidance note 7)			<b><u>Will the exhibition of films take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon			N/A		
Tue					
Wed			<b><u>State any seasonal variations for the exhibition of films</u></b> (please read guidance note 5)		
Thur					
Fri			<b><u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Sat					
Sun					

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<b><u>Please give further details here</u></b> (please read guidance note 4)
Day	Start	Finish	
Mon			
Tue			
Wed			<b><u>State any seasonal variations for indoor sporting events</u></b> (please read guidance note 5)
Thur			N/A
Fri			<b><u>Non standard timings. you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Sat			
Sun			

**D**

<b>Boxing or wrestling entertainments</b> Standard days and timings (please read guidance note 7)			<b><u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)		
Mon					
			<b><u>State any seasonal variations for boxing or wrestling entertainment</u></b> (please read guidance note 5)		
Tue					
			<p style="text-align: center;">N / A</p>		
Wed					
			<b><u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)		
Thur					
Fri					
Sat					
Sun					

E

<b>Live music</b> Standard days and timings (please read guidance note 7)			<b><u>Will the performance of live music take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the performance of live music</u></b> (please read guidance note 5)			
			N/A			
Thur						
Fri			<b><u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)			
Sat						
Sun						

F

Recorded music Standard days and timings (please read guidance note 7)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 4)	Both	<input type="checkbox"/>
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 5)		
Thur			N/A		
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 6)		
Sat					
Sun					

G

Performance of dance Standard days and timings (please read guidance note 7)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b>Please give further details here</b> (please read guidance note 4)		
Tue					
Wed			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 5)		
Thur			N/A		
Fri			<b>Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list</b> (please read guidance note 6)		
Sat					
Sun					

H

<p><b>Anything of a similar description to that falling within (e), (f) or (g)</b>                  Standard days and timings (please read guidance note 7)</p>			<p>Please give a description of the type of entertainment you will be providing</p>		
Day	Start	Finish	<p><b><u>Will this entertainment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><b><u>Please give further details here</u></b> (please read guidance note 4)</p>		
Wed			<p>N/A</p>		
Thur			<p><b><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u></b> (please read guidance note 5)</p>		
Fri					
Sat			<p><b><u>Non-standard timings. Where you intend to use the premises for entertainment of a similar description to that falling within (e), (f) or (g) at different times from those listed in the column on the left, please list</u></b> (please read guidance note 6)</p>		
Sun					



<b>Late night refreshment</b> Standard days and timings (please read guidance note 7)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 3)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b><u>Please give further details here</u></b> (please read guidance note 4)			
Mon						
Tue						
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 5)			
			N/A			
Thur						
Fri			<b><u>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</u></b> (please read guidance note 6)			
Sat						
Sun						

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b>Will the supply of alcohol be for consumption</b> <b>- please tick</b> (please read guidance note 8)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 5)	
Mon			<p>N/A</p>	
Tue				
Wed				
Thur				
Fri			<b>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</b> (please read guidance note 6)	
Sat				
Sun				

K

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 9)

N/A

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 7)			<b><u>State any seasonal variations</u></b> (please read guidance note 5)	
Day	Start	Finish		
Mon	07:00	23:00		
Tue	07:00	23:00		
Wed	07:00	23:00		
Thur	07:00	23:00		
Fri	07:00	23:00		<b><u>Non standard timings. Where you intend the premises to be open to the public at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)
Sat	07:00	23:00		
Sun	07:00	23:00		

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

Please tick as appropriate

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

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

Reasons why I have not enclosed the premises licence or relevant part of premises licence

**M** – Describe the steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

(a) General – all four licensing objectives (b, c, d and e) (please read guidance note 10)

All four licensing objectives to be in place and to be implemented to protect public nuisance and children away from harm.

(b) The prevention of crime and disorder

- To liaise with the local police
- To install CCTV system which will operate and record video images at all times that the premises are open to the public. All entry and exit points will be covered enabling frontal identification of every person entering the premises in any light condition.
- All CCTV recordings made shall be retained for not less than 31 days with time and date stamping and be made available to a police officer or an authorised officer of any responsible authority upon request. Images shall be provided as soon as reasonably practicable, but not more than 24 hours after the request.
- Display clear signs at the premises stating `CCTV in Operation`
- Display clear signs stating that anti-social behaviour will not be tolerated
- An incident book shall be kept and maintained at the premises at all times, which shall be made available to a police officer or an authorised officer of any responsible authority upon request.
- The incident book shall be used to record the date and time of any incident, the name of the staff member and a brief description of the customer concerned.
- All incidences of the following shall be recorded in the incident book within 24 hours and retained for a minimum of 12 months.
  - a) theft or attempted theft of alcoholic drinks;
  - b) any criminal incident;
  - c) any incidents of disorder;
  - d) all ejections of patrons;
  - e) any visit by a relevant authority or the emergency services;
  - f) any complaints received;
  - g) any faults in the CCTV system.
- The licence holder shall ensure that staff are trained to use and maintain the refusal book and the incident book.

(c) Public safety

- To meet all health and safety objectives
- Liaise with the local police
- Training of staff on a regular basis to ensure public safety
- Do not sell alcohol to underage persons, always check ID's if in doubt about person's age.

(d) The prevention of public nuisance

- Customers requested to leave the premises in a quiet and orderly manners.
- To keep deliveries of goods at afternoon times (Delivery times not to be very early or late)
- Keeping noise to a minimum at all times

(e) The protection of children from harm

- To keep sharp and flammable objects from children
- Do not sell alcohol to underage persons. A 'Challenge 21' scheme that ensures any person attempting to purchase alcohol who appears to be under the age of 21 shall provide documented proof that he/she is over 18 years of age shall be implemented at the premises. Proof of age shall only comprise a passport, a photo card driving licence, or Proof of Age Standards Scheme (PASS) approved proof of age identity card.
- A prominent notice, of a size A4 or larger, shall be displayed at the point of entry to the premises and at the serving area advising customers that the premises operates the 'Challenge 21' proof of age scheme.

Checklist:


Please tick to indicate agreement

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy
- I have sent copies of this application and the plan to responsible authorities And others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

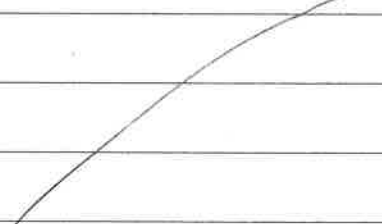
**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION.**

**Part 5 – Signatures** (please read guidance note 11)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity

Signature	
Date	06/01/2015
Capacity	Agent

**Where the premises licence is jointly held, signature of second applicant (the current premises licence holder) or second applicant's solicitor or other authorised agent** (please read guidance note 13). If signing on behalf of the applicant, please state in what capacity.

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 14)

Miss Michelle Allison  
Enki Design, 87 B Cavendish Road, N4 1RR

Post town	LONDON	Postcode	N4 1RR
Telephone number (if any)	02083407014		
If you would prefer us to correspond with you by email, your email address (optional)			
info@enkidesign.co.uk			



# PREMISES LICENCE

## Part A



Premises licence number:

LN/00000913

### Part 1 – Premises details:

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

Molens  
209D/E High Road

Post Town: Loughton      Post code: IG10 1BB

Telephone number: N/A

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

The sale of alcohol

The times the licence authorises the carrying out of licensable activities:

Monday – Sunday 1100hrs – 2230hrs

The opening hours of the premises:

Monday – Sunday

0700hrs – 2300hrs

Where the licence authorises supplies of alcohol whether these are on and / or off supplies: On

Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Mustafa Timur  
209D/E High Road  
Loughton  
Essex  
IG10 1BB

Registered number of holder, for example company number, charity number (where applicable):  
N/A



**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Mustafa Timur**



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**



## **Annex 1 – Mandatory conditions:**

1. No supply of alcohol may be made under the premises licence:-
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or when the designated supervisor has a licence suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence (see section 19 Licensing Act 2003)
3. Where a condition applies requiring a person to carry out a security activity at the premises, those individuals must be licensed by the Security Industry Authority (see section 21 Licensing Act 2003)
4. Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film is to be restricted in accordance with section 20 Licensing Act 2003.

**Conditions 5, 6, 7 and 9 do not apply to premises licences where it authorises only the sale by retail off the premises.**

5.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

- (i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;  
(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

9. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

For the purposes of these conditions a responsible person is

- the holder of a premises licence in respect of the premises,
- the designated premises supervisor (if any) under such a licence, or
- (any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor,

### **The Prevention of Crime and Disorder**

- The sale of alcohol to be ancillary to a table meal only

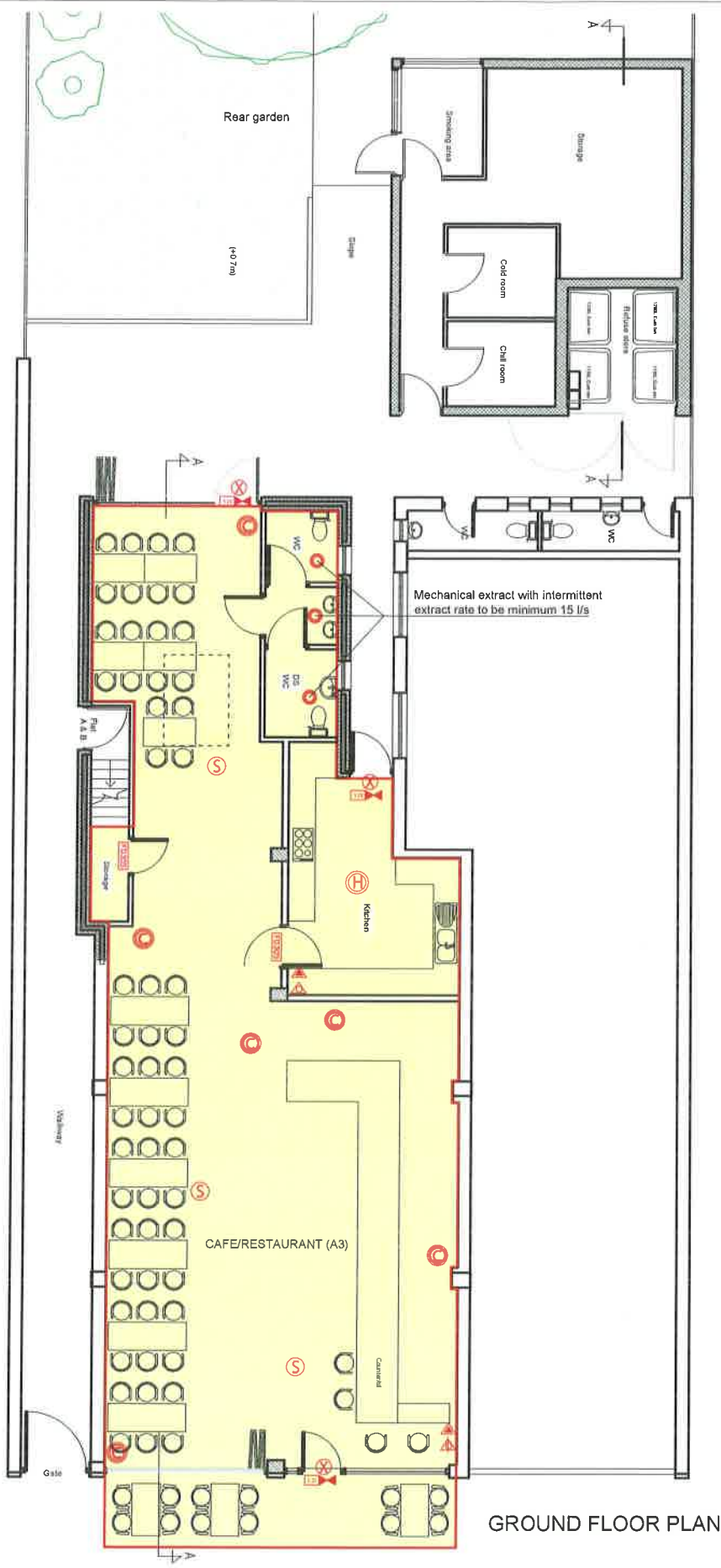
### **Public Safety**

#### **Prevention of Public nuisance**

- Patrons who leave the premises for any reason will not be permitted to take any drinks or glass containers with them
- A notice will be displayed reminding customers to leave the premises quietly
- Any lighting including security lighting to the rear of the premises will be directed downwards so as not to cause a nuisance to neighbours
- Disposal of rubbish to be in a manner that will not cause a nuisance to neighbours

#### **The Protection of children from harm**

- A Challenge 25 policy will be implemented



GROUND FLOOR PLAN

- CCTV Cam
- Fire Exit
- Emergency Light
- Fire Alarm
- Licensing Area
- Highlighted Red
- Carbon dioxide fire extinguisher
- Water fire extinguisher
- Smoke Detectors
- Heat detector
- Minumum 30 min fire check

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Do not Scale this drawing  
 All Dimensions to be verified on site by Main Contractor before the commencement of any work.  
 Report all discrepancies to Architect immediately.  
 This drawing is to be read with all related Architects and Engineers drawings and other relevant information.

Rev	Description	Date	By

**ENKI DESIGN**  
 87B Cavendish Rd, London, N4 1RR  
 Tel: +44(0) 2083407014  
 info@enkidesign.co.uk  
 www.enkidesign.co.uk

Purpose LICENSING	
Project Address MOLEN'S CAFE 209D/E HIGH ROAD, LONDON, IG10 1BB	
Project Title VARIATION OF PREMISES LICENCE	
Drawing Title GROUND FLOOR PLAN	

Client	Date Drawn 25.01.16
Project No 16104	Drawn By VG
Drawing No 16104-A100-P01	Rev 1
	Scale 1:100@A3



BY: **reerbuilder.co.uk**  
**edian-series.co.uk/jobs**  
**jobs@london.newsquest.co.uk**

orks may be more.

Public Notices

Licensing Act 2003:  
**Application for the Grant of a Premises Licence**  
 Notice of application for the grant of a Premises Licence under section 17 of the Licensing Act 2003.

Notice is hereby given that Mrs. Yedigir Yilmaz has applied to the London Borough of Waltham Forest for the grant of a Premises Licence at **Yekamoz BBQ Restaurant, 18 High Street, Walthamstow E17 7LD**. The nature of the application is as follows: To permit the Sale of alcohol (on sales): 11:00-23:00 daily, Opening hours: 08:00-23:00 daily.

The Licensing register filing full details of the application is kept by the Licensing Service, Sycamore House, Walthamstow Town Hall, Forest Road, Walthamstow E17 4SU. The application may be viewed Monday to Friday between the hours of 9am - 5pm (except Bank Holidays). Any person wishing to make a representation in respect of the above activities may do so in writing to the Licensing Service, Sycamore House, Waltham Forest Town Hall, Forest Road, London E17 4SU. Representations must be received no later than 4th February 2016. It is an offence to knowingly or recklessly make a false statement in connection with this application. The maximum fine on summary conviction being £5,000.

**Notice of Application for a Variation of Premises Licence under the Licensing Act 2003**

Notice is given this day 8th of January 2016 that Mr Mustafa Timur of 2090/E High Road, Loughton, Essex, IG10 1BB has applied to the Licensing office of Epping Forest District Council for a Premises Licence in respect of **Malen's Cafe/Restaurant, 2090/E High Road, Loughton, Essex, IG10 1BB**. The proposed variation of premises licence is for premises layout. It has been extended to the rear with the single storey extension to provide customer's seating area and toilets together with subbuilding to provide storage, cold rooms and customer's smoking area.

The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ. Applications for premises licences may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licensing Office within 28 days of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000).

Mrs K Tuckey  
Licensing Department  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
CM16 4BZ



Licensing Department  
Loughton Police Station  
158 High Road  
Loughton  
IG10 4BE  
Tel: 01279 625 405  
Email: [7706@essex.pnn.police.uk](mailto:7706@essex.pnn.police.uk)

20 January 2016

Dear Mrs Tuckey,

**LICENSING ACT 2003 – PREMISE LICENCE VARIATION S.34**

**PREMISE: Molen's Café / Restaurant, 209D/E, High Road, Loughton**

**APPLICANT: Mr Mustafa Timur via Miss Michelle Allison, Enki Design.**

Further to the Variation received on 11 January 2016, I write to inform you that Essex Police will be making representations under prevention of crime & disorder and prevention of public nuisance.

For clarity I will break the application in to two parts. Part one being the proposed extension to the licensable area of the restaurant. We do not object to this.

Part two is the licensing of an additional outbuilding which is shown as storage and smoking area. After visiting the premises earlier today and speaking with Mr Haydat Güler, and seeing the proposed area, the following concerns are raised.

Storage and Smoking Areas are not required to be licensed as the Sale of Alcohol would not normally take place from there. The 'Smoking Area' clearly has shutters on both sides. If this is a smoking area; then there is insufficient open space to comply with the Health Act 2006.

It is the concern of Essex Police that the 'Smoking Area' has the potential to become an alcohol sale and/or serve point for the garden. This would then likely have an adverse effect and impact on the residents directly behind the premises and cause them disturbance.

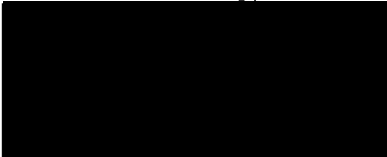
Essex Police would therefore request that this area be removed from the licensable area.

Furthermore, given the garden has been tidied up with a large green area, it has the potential to be used for the consumption of food and drink. Essex Police would seek additional conditions on the premises licence as follows:

1. The external area of the premises to be closed to customers from 20:00 daily save for those using a bona fide smoking area.
2. After 20:00 daily the number of persons permitted to use the bona fide smoking area is a maximum of 5.
3. After 20:00 no drinks or glassware to be permitted in any outside area, including the bona fide smoking area.

Please advise me of when the Licensing Panel will be meeting to hear this so I can be in attendance.

Yours sincerely,



Mr Peter Jones MIOL, ABII  
Epping & Brentwood Licensing Officer  
West LPA

**Cc. Miss M Allison  
Enki Design  
87B Cavendish Gardens  
London  
N4 1RR**



## Lindsey Turner

---

**From:** info <info@enkidesign.co.uk>  
**Sent:** 25 January 2016 15:31  
**To:** 'Peter Jones 42007706'  
**Cc:** Lindsey Turner  
**Subject:** RE: Molen's, Loughton - Premises Variation  
**Attachments:** ground floor plan rev1.pdf

Dear Peter,

Further to our recent telephone conversation please find the attached revised plan for the site at 209 D/E High rd, Molen's Cafe. I've spoken with Lindsey from licensing and she confirmed that it's acceptable if we exclude the out building from licensable area as it's not for consumption or sale of alcohol. I also agree with all your conditions mentioned in Representation dated 20 January 2016.

Regards,  
Valery

Enki Architectural Design  
.7B Cavedish Road, N4 1RR  
[www.enkidesign.co.uk](http://www.enkidesign.co.uk)  
Tel: 0208 340 7014  
E: [info@enkidesign.co.uk](mailto:info@enkidesign.co.uk)

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Please save the planet! Only print if necessary

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**From:** Peter Jones 42007706 [<mailto:Peter.Jones@essex.pnn.police.uk>]  
**Sent:** 20 January 2016 15:36  
**To:** EFDC Licensing  
**Cc:** [info@enkidesign.co.uk](mailto:info@enkidesign.co.uk)  
**Subject:** Molen's, Loughton - Premises Variation

Good Afternoon,


Please find letter attached regarding the application to vary the Premises Licence at Molen's, Loughton.

Many Thanks


**Peter Jones ABII (7706)**

Epping & Brentwood Licensing Officer  
Epping Forest & Brentwood Local Policing Hub  
West LPA

 Tel. 101 (Ext. 313604) or 01279 625405

 Mobile. 07870 909762

 [Peter.Jones@essex.pnn.police.uk](mailto:Peter.Jones@essex.pnn.police.uk)

 [www.essex.police.uk](http://www.essex.police.uk)

 Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

Our Ref: L.1.1/VRM



**LOUGHTON**  
TOWN COUNCIL

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

Ms Lindsey Turner  
Licensing Compliance Officer  
Epping Forest District Council  
Civic Offices  
Epping CM16 4BZ  
(Emailed: [lturner@eppingforestdc.gov.uk](mailto:lturner@eppingforestdc.gov.uk))

28 January 2016

Dear Ms Turner

**Re: Notice of application for a Full Variation of the premises licence under the Licensing Act 2003 in respect of Molens, 208D/E High Road, Loughton IG10 1BB**

The Planning and Licensing Committee considered this licensing application at its meeting on 25 January 2016 and objected on the following grounds.

1. The prevention of public nuisance – noise and light pollution would be to the detriment of the residents' amenities in Priory Road who backed onto these premises.
2. The protection of children from harm – young people who lived in the houses bordering the premises would be exposed to the noise and associated behaviours of patrons.

I would be grateful if you can advise the Town Council at which District Licensing Sub-Committee meeting this will be determined.

Yours sincerely

A solid black rectangular box used to redact the signature of Vivienne Messenger.

Vivienne Messenger  
Planning Committee Clerk

**Objections from [REDACTED] Priory Road and on behalf of a number of residents of Priory Road which properties all back onto or are near to the rear of Molens.**

My household is one of a number of family homes adjoining the rear of their premises and we strongly object to further extension of the licensed areas.

It should be noted that this is yet another application that has been submitted after the work has been completed - 6 plus Planning Applications have been retrospectively submitted to EFDC for the same premises in less than a year and a half.

Two of these planning applications are still pending from July 2015. (EPF/1503/15 and EPF/1505/15) . The **proposed floor plans** of these two applications need to be looked at when adjudging this Licensing Application as yet again the end result is **totally different to the submitted plans**

They have made substantial alteration to the premises and created a large bar area which is not like the Counter / Till area as shown on Planning Application EPF/1503/15 (which has not yet been granted)

Furthermore, the plans held on the pending Planning Application file EPF/1505/15 for the rear outbuilding, identify it as storage and smoking area. The smoking area is attached to the building and is not a smoking shelter as it is not open sided. In reality it includes what appears to be a service counter with shutters.( Photo's attached)

We know that their intention is to EVENTUALLY use the rear garden as an outside service, bar and eating area.

The applicant (Mr Mustapha TIMUR) was granted a premises licence by EFDC Licencing Committee on Tuesday, 13th May, 2014

Condition 6 of the licence was *Any lights, including security lights to the rear of the premises to be directed downwards, so as not to disturb or cause a nuisance to neighbours;*

There is already in breach of this condition as the rear garden is brightly lit and trees are upwardly illuminated by spotlights (see photo's). This has been going on since 14/11/2014 until at least 11pm. However they are currently closing early whilst this licensing application is being processed but intend to recommence opening late once the licensing and planning is sorted.

There is some confusion as to what type of premises Molens actually is :- shop frontage signs and Social Media show Molens as a Brasserie – a Cafe – a Bar and Grill – a Lounge - a Sandwich shop.

The use of the outbuilding as part of the application may have been removed at this stage however see the below comments taken from Social Media Comments.

- The gardens look fab, and I'm sure, come the summer, will make a great place to eat outdoors.
- Be great to sit in the garden in the summer to enjoy a beer and a bite to eat

Wetherspoons has made a number similar of applications to use the side and rear of their premises. They were rejected and Molens should be treated no differently

**If granted** - I fear we will be faced with another situation like Luxe or the Nu bar unless stringent conditions are attached .

My objections and suggestions are as below

### **Prevent public nuisance**

1. No customer use of the rear garden for smoking, drinking or eating to prevent loss of amenity to nearby residents and **Rear doors** – to be kept closed – use only as a fire exit. Customer Smoking Area ,if required, should be at the front of the premises on the High Street as per the majority of similar nearby establishments. If customers use the rear garden there will be noise pollution resulting in loss of amenity for nearby residents. A person has the right to the peaceful enjoyment of their property (Protocol 1 Article 1 of the Human Rights Act). There has never been any established use of the rear garden for commercial/business use by members of the public
2. Screen / foliage placed closer to the rear windows - to prevent loss of privacy to nearby residents currently being caused by customers and people on the High Street being able to see into the bedrooms of residential premises at rear. A number of houses bedrooms visible from rear of Molens and even straight through the High Street due to large windows at the front and rear of the premises
3. Rear illumination of trees in rear garden to cease. Rear illumination of flats above to cease. Moderation of exterior lighting of rear smoking shelter/storage area. To prevent light pollution
4. Service of alcohol ancillary to a meal.
5. No music or live entertainment

### **Protection of Children from Harm**

Clear designation is needed as to what type of premises Molens actually is, or will become. **(Brasserie – Cafe - Bar and Grill –Lounge - Sandwich shop) to ensure suitable measures can be put in place for the protection of Children from harm.** with regards to hours when children will be allowed in the premises. There are young children resident in premises that adjoin the rear garden and they should not be subjected to constant disturbance of people using the rear garden area for drinking and eating.

Yours sincerely,

[REDACTED]

[REDACTED] Priory Road  
Loughton









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

■■■■■ Priory Road  
Loughton  
Essex  
■■■■■

Your Ref: WK 201601143

3rd February 2016

Dear Sirs,

We would like to express concerns about the licence application for Molens, 209D/E High Road, Loughton, Essex IG10 1BB

Our household is one of a number of family homes with gardens adjoining the rear of these premises and we strongly object to further extension of the existing licence. It is cynical that the applicant is retrospectively requesting a widening of the licence for areas for which even planning permission has not been obtained. How can a licence possibly be granted in the circumstances?

We don't understand how the applicant has already been allowed to serve alcohol in the unlicensed area of the unapproved rear extension. The applicant has also breached a condition of the original licence by using uplighting in the garden late into the night, never mind the light pollution that emanates from the rear glazed doors that face homes on Priory Road.

And when the rear doors are open during mild weather and long summer evenings, the noise of customers will cause disturbance to neighbouring residences, particularly with trading hours until 11.00 pm.

We also have deep misgivings about the outbuilding shown on the plans. Like areas of the main premises, this outdoor structure was erected without planning permission. A retrospective planning application submitted last July EPF/1505/15 remains unapproved, as does EPF/1503/15 for the rear extension and other alterations.

Furthermore, the plans held on file identify the outbuilding as a storage and smoking area. In reality it includes what appears to be a dual aspect counter hatch with pull up shutters. We fear the long term intention is to use it as an outside bar and service point.

Were a licence granted now or at a future date for the outbuilding, this would place our rear garden within 6 meters of patrons drinking - never mind smoking - 7 days a week until 11.00 pm, with the inevitability of disturbance and nuisance to us and others.

It would have serious ramifications for the main garden of the premises, currently unlicensed for alcohol consumption. Were any part of the outbuilding licensed, this would act as a trojan horse and doubtless lead to general al fresco eating and drinking, with dire implications for residents.

In conclusion we object to the licence application on grounds of the prevention of public nuisance.

Your faithfully

■■■■■  
■■■■■

Mr & Mrs P Hinds

Craig Elliott

██████████ Priory Road

Loughton, Essex ██████████

████████████████████

1/2/2016

Dear Licensing officer:

REF: WK/201601143 – Molens, 209D/E High Road, Loughton

I am writing to advise of the objection to the granting a of license to the above.

Molen's have continued to try the unethical and deceitful way of developing what once was small local cafe into a garden bar/bistro. As I back onto the property I have been in touch with EFDC to object to a number of developments that Molen's have made to the property, in preparation to this. They have continued to build despite the objections and constantly changing the specifics around the use of facilitates (storage etc) to try to push this through building regulations.

This license will add to the stress we have already had as a young family, along with the constant disruption, noise and security concerns throughout the summer months with people using the Molens facility as a garden bar. This will stop my family using our own garden as it is in immediate proximity to the proposed plans of Molens.

I stress that you look at the other objections and tactics of Molen's to enhance the decision to reject this application for the good of all residence of Priory Road.

Sincerely,

████████████████████

Craig Elliott

Re: - Molens, 2090/E High Road, IG10 1BB

I agree with having a licensed area within the current building of Molens. However, I am aware that there is substantial building work in the rear garden. In my opinion, this <sup>outside</sup> area should NEVER be granted permission for licensing. My concern is that the outer building may generate a change of use. Please place ~~on the~~ a condition preventing the change of use of the outer buildings. The rear area is too close to residential housing and would be a public nuisance. There could also be children in the residential area and therefore harmful to children. Please consider my representations.

  
 Priory Road

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## **Report to the Licensing Committee**

### **Date of meeting:**

**Subject: WM Morrison Supermarkets PLC, 246-250 High Road, Loughton, IG10 1RB**

**Responsible Officer: Lindsey Turner  
Licensing Compliance Officer**



**Epping Forest  
District Council**

### **Democratic Services:**

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### **Recommendations/Decisions Required:**

**To determine the application for a variation of an existing Premises Licence under the Licensing Act 2003**

### **Report:**

#### **Application**

1. An application has been made by Gosschalks Solicitors, for a variation to the premises licence for the above premises. The authority received the application on 15<sup>th</sup> January 2016. The application sets out the varied licensing activities applied for and times requested. A copy of the present licence for the premises, detailed plans the application for variation and the public notice are attached.
2. The applicant is requesting to vary the hours to permit the sale by retail of alcohol to 0600 to 2400 on Mondays to Sundays from January to December inclusive. To remove the restrictions in respect of Christmas Day and Good Friday. To add conditions
3. Section 13 - 16 of the application for variation amends the Operating Schedule of the premises licence and sets out some new conditions which will be attached to the licence if this application is granted.

#### **Licensing Act 2003**

4. When considering an application for a licence the licensing authority must have regard to the promotion of the licensing objectives.  
These are—
  - (a) the prevention of crime and disorder;
  - (b) public safety;
  - (c) the prevention of public nuisance; and
  - (d) the protection of children from harm.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

#### **Consultation**

6. The Responsible Authorities have received a copy of the application; it was properly advertised at the premises and in a local newspaper

7. The authority has received representations from Essex Police, Loughton Town Council and a local resident.
8. The representations relate to The Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance, The Protection of children from harm.

#### **Guidance Issued by the Secretary of State**

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
10. Paragraphs 2.1 – 2.30

#### **Options**

11. In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:
  - to modify the conditions of the licence; or
  - to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

#### **Determination**

The Sub-committee is asked to determine the application having regard to

- (b) the content of this report and representations
- (c) any additional information obtained from the hearing
- (c) the Council's statement of licensing policy
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

#### **Appeal**

If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

#### **Background Papers Used In Preparing This Report:**

- The Licensing Act 2003  
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003  
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.  
<http://www.eppingforestdc.gov.uk>
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#### **Attached documents**

- Application for premises licence
- A copy of the Premises Licence
- Detailed Plans
- Copy of the notice
- Representation from [Interested Parties/Responsible Authorities ]
- Map showing the area



**Epping Forest**  
**Application to vary a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@eppingforestdc.gov.uk](mailto:licensing@eppingforestdc.gov.uk)  
 Telephone: 01992 564000

\* required information

**Section 1 of 17**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

- Yes  No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

\* E-mail

Main telephone number  Include country code.

Other telephone number

Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

- Applying as a business or organisation, including as a sole trader  
 Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

\* Is the applicant's business registered in the UK with Companies House?  Yes  No

\* Registration number

\* Business name  If the applicant's business is registered, use its registered name.

\* VAT number   Put "none" if the applicant is not registered for VAT.

\* Legal status

**Continued from previous page...**

\* Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

Indicate here if you would prefer not to be contacted by telephone

Are you:

An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

A private individual acting as an agent

**Agent Business**

\* Is your business registered in the UK with Companies House?  Yes  No

\* Is your business registered outside the UK?  Yes  No

\* Business name

If your business is registered, use its registered name.

\* VAT number

Put "none" if you are not registered for VAT.

\* Legal status



*Continued from previous page...*

\* Your position in the business

Home country

The country where the headquarters of your business is located.

**Agent Business Address**

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

\* Building number or name

\* Street

District

\* City or town

County or administrative area

\* Postcode

\* Country

**Section 2 of 17**

**APPLICATION DETAILS**

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

I/we, as named in section 1, being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in section 2 below.

\* Premises Licence Number

Are you able to provide a postal address, OS map reference or description of the premises?

Address     OS map reference     Description

**Postal Address Of Premises**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Premises Contact Details**

Telephone number

Continued from previous page...

Non-domestic rateable value of premises (£)

805,000

### Section 3 of 17

#### VARIATION

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

Yes

No

Do you want the proposed variation to have effect in relation to the introduction of the late night levy?

Yes

No

You do not have to pay a fee if the only purpose of the variation for which you are applying is to avoid becoming liable to the late night levy.

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

#### Describe Briefly The Nature Of The Proposed Variation

Describe the premises. For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises.

1. TO VARY THE HOURS TO PERMIT THE SALE BY RETAIL OF ALCOHOL TO 0600 TO 2400 ON MONDAYS TO SUNDAYS FROM JANUARY TO DECEMBER INCLUSIVE.
2. TO REMOVE THE RESTRICTIONS IN RESPECT OF CHRISTMAS DAY AND GOOD FRIDAY.
3. TO ADD CONDITIONS.

### Section 4 of 17

#### PROVISION OF PLAYS

Will the schedule to provide plays be subject to change if this application to vary is successful?

Yes

No

### Section 5 of 17

#### PROVISION OF FILMS

Will the schedule to provide films be subject to change if this application to vary is successful?

Yes

No

### Section 6 of 17

#### PROVISION OF INDOOR SPORTING EVENTS

Will the schedule to provide indoor sporting events be subject to change if this application to vary is successful?

Continued from previous page...

Yes

No

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

Will the schedule to provide boxing or wrestling entertainments be subject to change if this application to vary is successful?

Yes

No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

Will the schedule to provide live music be subject to change if this application to vary is successful?

Yes

No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

Will the schedule to provide recorded music be subject to change if this application to vary is successful?

Yes

No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

Will the schedule to provide performances of dance be subject to change if this application to vary is successful?

Yes

No

**Section 11 of 17**

**PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE**

Will the schedule to provide anything similar to live music, recorded music or performances of dance be subject to change if this application to vary is successful?

Yes

No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

Will the schedule to provide late night refreshment be subject to change if this application to vary is successful?

Yes

No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

Will the schedule to supply alcohol be subject to change if this application to vary is successful?

Yes

No

Continued from previous page...

### Standard Days And Timings

MONDAY

Start

End

Start

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

- On the premises     Off the premises     Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

FOR THE AVOIDANCE OF DOUBT THE HOURS ON CHRISTMAS DAY AND GOOD FRIDAY ARE 0600 TO 2400.

Continued from previous page...

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

**Section 14 of 17**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children.

Provide information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE.

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

Start

End

End

Provide timings in 24 hour clock (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

Start

End

End

WEDNESDAY

Start

Start

End

End

THURSDAY

Start

Start

End

End

FRIDAY

Start

Start

End

End

Continued from previous page...

SATURDAY

Start 06:00

End 24:00

Start

End

SUNDAY

Start 06:00

End 24:00

Start

End

State any seasonal variations.

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed above, list below.

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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

TO REPLACE THE PERMITTED HOURS FOR THE SALE BY RETAIL OF ALCOHOL WITH THE TIMES SET OUT IN SECTION 13.

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

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

**Section 16 of 17**

**LICENSING OBJECTIVES**

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

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

**Continued from previous page...**

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL BE TRAINED IN ACCORDANCE WITH THE PREMISES LICENCE HOLDER'S TRAINING PROCEDURES.

**b) The prevention of crime and disorder**

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "CHALLENGE 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE: PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

CCTV SHALL BE PROVIDED ON THE PREMISES AND SHALL BE KEPT IN GOOD WORKING ORDER.

ALL CHECKOUT OPERATORS WILL OPERATE A REFUSAL LOG.

**c) Public safety**

THE PREMISES LICENCE HOLDER UNDERTAKES ONGOING RISK ASSESSMENTS IN ORDER TO COMPLY WITH HEALTH & SAFETY LEGISLATION.

**d) The prevention of public nuisance**

THE PREMISES ARE RESPONSIBLY MANAGED AND SUPERVISED. NO ADDITIONAL MEASURES ARE BELIEVED NECESSARY.

**e) The protection of children from harm**

ALL STAFF ENGAGED IN THE SALE OF ALCOHOL WILL RECEIVE SUITABLE TRAINING (INCLUDING REFRESHER TRAINING) IN RELATION TO THE PROOF OF AGE "CHALLENGE 25" SCHEME TO BE APPLIED ON THE PREMISES. THE FOLLOWING FORMS OF IDENTIFICATION ARE ACCEPTABLE: PHOTO DRIVING LICENCE, PASSPORT, PROOF OF AGE STANDARDS SCHEME (PASS) CARD AND ANY OTHER LOCALLY OR NATIONALLY APPROVED FORM OF IDENTIFICATION.

TILL PROMPTS ARE IN USE AT THE STORE.

**Section 17 of 17**

**PAYMENT DETAILS**

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Variation Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Continued from previous page...

Band E - £125001 and over £1,905.00

If you own a large premise you are subject to additional fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000-14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

635.00

#### DECLARATION

\* I/we understand 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.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

Gosschalks

\* Capacity

Solicitors on behalf of the Applicant

\* Date

15 / 01 / 2016  
dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/epping-forest/change-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING 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**



**OFFICE USE ONLY**

Applicant reference number	MCJ/VHT/109500.6681
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

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# PREMISES LICENCE

## Part A



Neighbourhoods  
& Environmental

Premises licence number:

LN/210001934

Part 1 – Premises details:

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

Morrisons,  
246-250 High Road

Post Town: Loughton      Post code: IG10 1RB

Telephone number: 020 8508 7856

Where the licence is time limited the dates: N/A

Licensable activities authorised by the licence:

Sale of Alcohol

The times the licence authorises the carrying out of licensable activities:

Monday – Saturday - 08.00am - 23.00pm  
Sunday 10.00am - 22.30pm  
Good Friday & Christmas Day - 08:00am – 22:30pm

Variation of hours for month of December:  
Monday – Saturday 06:00am – 23:00pm

The opening hours of the premises:

Monday – Sunday – 06:00am – 24:00pm

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:  
Off Only

**Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:**

**Wm Morrison Supermarkets Plc  
Hilmore House  
Gain Lane  
Bradford  
West Yorkshire  
BD3 7DL**

**0845 6115629**

**Registered number of holder, for example company number, charity number (where applicable):**

**PLC 00358949**

**Name, address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:**

**Mark Andrew Spencer**



**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

**LN/13000  
Southend On Sea Council**

### Mandatory Conditions

All Premises Licence authorising supply of alcohol. The licence is granted subject to the Mandatory conditions for sale of alcohol as set out in the Licensing Act 2003 as amended by the Licensing Act 2003 (Mandatory Licensing Conditions) Order 2010 and Order 2014.

1. No supply of alcohol may be made under the Premises Licence –
  - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
  - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.
2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.
3.
  - (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
  - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
    - a) Games or other activities which require or encourage, or are designed to require or encourage, individuals to –
      - (i) Drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
      - (ii) Drink as much alcohol as possible (whether within a time limit or otherwise);
    - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
    - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
    - d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
    - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5.
  - (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
  - (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
  - (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
    - (a) a holographic mark or
    - (b) an ultraviolet feature.

6 The responsible person shall ensure that –  
(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and

(b) These measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

#### Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

2. For the purposes of the condition set out in paragraph 1 –

(a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979

(b) "permitted price" is the price found by applying the formula –

$$P = D + (D \times V)$$

Where –

(i) P is the permitted price

(ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and

(iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence –

(i) The holder of the premises licence

(ii) The designated premises supervisor (if any) in respect of such a licence, or

(iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.

3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

#### If the Premises Licence allows Exhibition of Films

1. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.

2. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.

### 3 Where

- (a) The film classification body is not specified in the licence, or
  - (b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,
- admission of children must be restricted in accordance with any recommendation made by that licensing authority.

4. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984(c39) (authority to determine suitability of video works for classification).

If the Premises Licence has conditions in respect of Door Supervision except theatres, cinemas, bingo halls and casinos

1. Where a premises licence includes a condition that at specified times one or more individuals must be at the premises to carry out a security activity, each such individual must:

- (a) be authorised to carry out that activity by a licence granted under the Private Security Industry Act 2001; or
- (b) be entitled to carry out that activity by virtue of section 4 of the Act.

2. But nothing in subsection (1) requires such a condition to be imposed:

- (a) in respect of premises within paragraph 8(3)(a) of Schedule 2 to the Private Security Industry Act 2001 (c12) (premises with premises licences authorising plays or films); or
- (b) in respect of premises in relation to:
  - (i) any occasion mentioned in paragraph 8(3)(b) or (c) of that Schedule (premises being used exclusively by club with club premises certificate, under a temporary event notice authorising plays or films or under a gaming licence), or
  - (ii) any occasion within paragraph 8(3)(d) of that Schedule (occasions prescribed by regulations under that Act).

3. For the purposes of this section:

- (a) "security activity" means an activity to which paragraph 2(1)(a) of that Schedule applies, and which is licensable conduct for the purposes of that Act, (see Section 3(2) of that Act) and
- (b) paragraph 8(5) of that Schedule (interpretation of references to an occasion) applies as it applies in relation to paragraph 8 of that

**Annex 2 – Conditions consistent with the Operating Schedule:**

N/A

**Annexe 3 – Conditions attached after a hearing by the licensing authority:**

07.12.10

All embedded conditions removed from licence



**Annexe 4 – Plans:**

**Plans held at Epping Forest District Council**

**Plan No: 314/A/2B/BWSL/003**

**PREMISES LICENCE  
SUMMARY**

**Part B**



**Premises licence number:**

**LN/210001934**

**Premises details:**

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

**Morrisons**

**246-250 High Road**

**Post Town: Loughton**

**Post code: IG10 1RB**

**Telephone number: 020 8508 7856**

**Where the licence is time limited the dates: N/A**

**Licensable activities authorised by the licence:**

**Sale of Alcohol**

**The times the licence authorises the carrying out of licensable activities:**

**Monday – Saturday 08.00-23.00**

**Sunday 10.00-22.30**

**Good Friday & Christmas Day – 08:00am – 22:30pm**

**Variation of hours for month of December:**

**Monday – Saturday – 06:00am – 23:00pm**

**The opening hours of the premises:**

**Monday – Sunday – 06:00am – 24:00pm**



Neighbourhoods

Where the licence authorises supplies of alcohol whether these are on and / or off supplies:

Off Only

Name, (registered) address, of holder of premises licence:

Wm Morrison Supermarkets  
Hillmore House  
Gain Lane  
Bradford  
West Yorkshire  
BD3 7DL

Registered number of holder, for example company number, charity number (where applicable):

PLC 00358949

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

Mr Mark Andrew Spencer

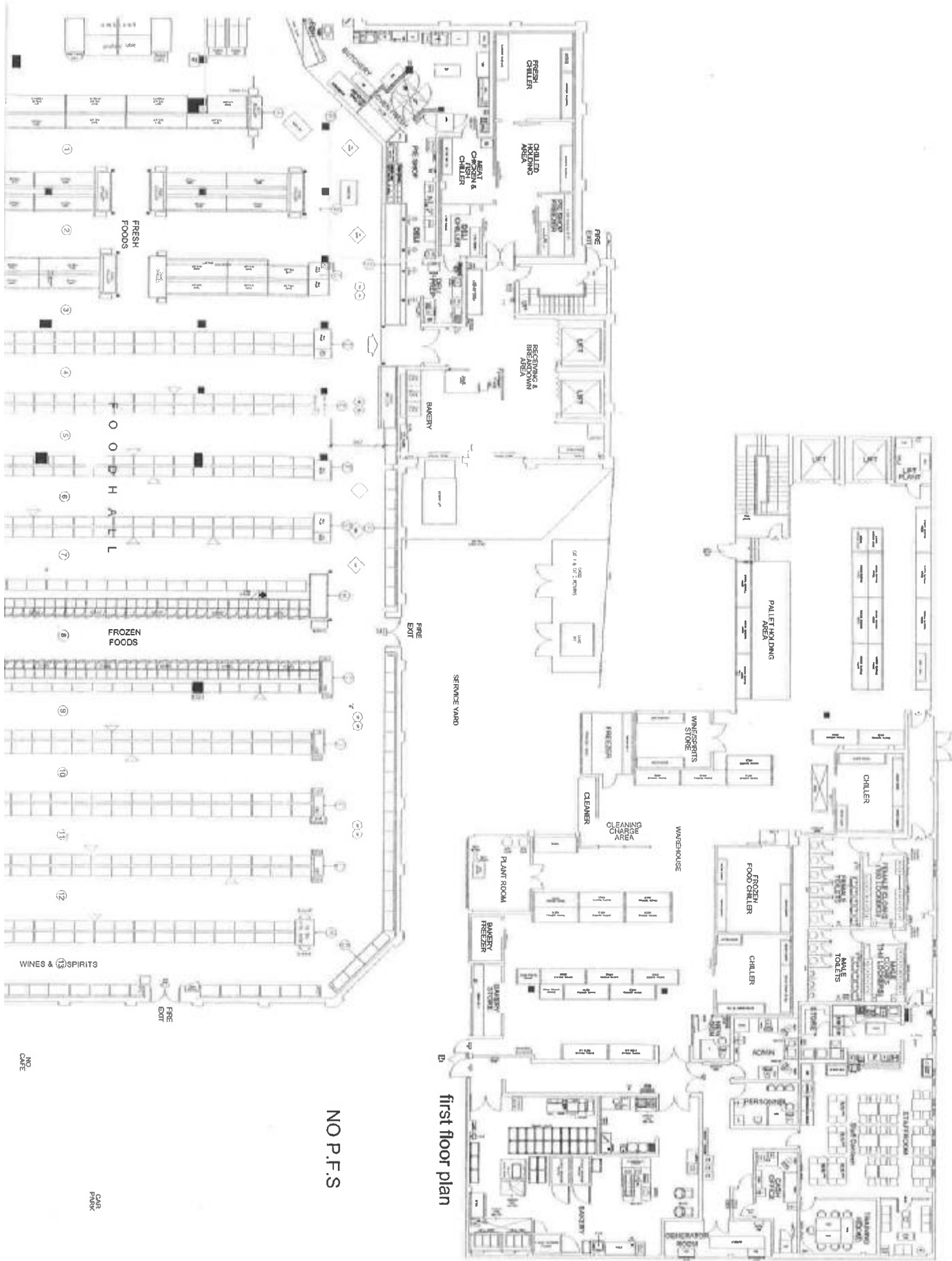
State whether access to the premises by children is restricted or prohibited:

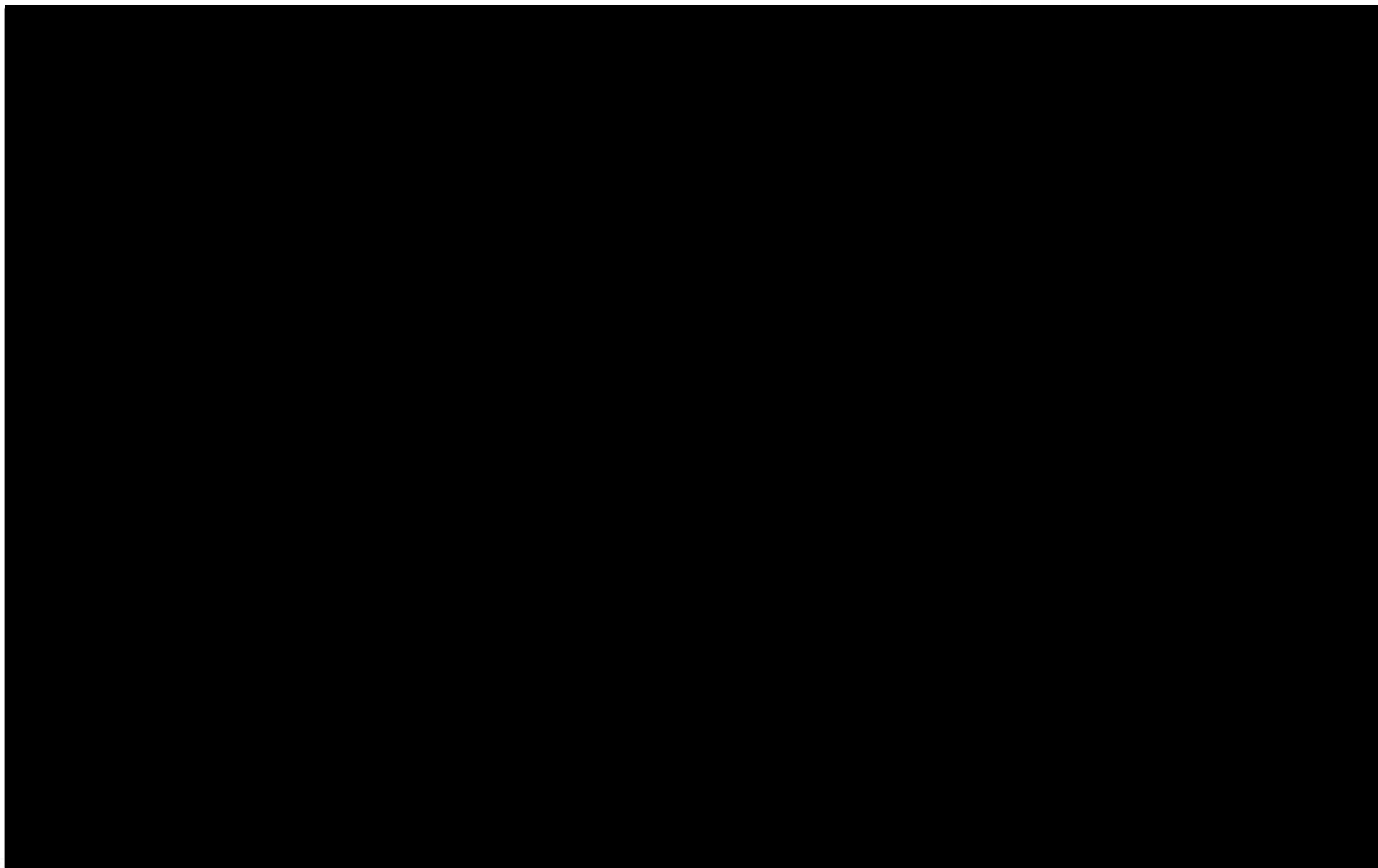
N/A

Dated: 24<sup>th</sup> November 2005

1

Director of Neighbourhood Services





TO ADVERTISE: 01923 216232  
Email: classifiedads@london.newsquest.co.uk

## Public Notices

### Public Notices

**WIMMERLEY ROAD, EPPING, ESSEX**

Notice is hereby given that on the 13 January 2016 **Wm Morrison Supermarkets PLC** applied to Epping Forest District Council for a variation of the Planning Permission in respect of **Wimmerley, 246-250 High Road, Epping, IC10 1B3**. The proposed variations are: 1. To vary the hours to permit the sale by retail of a total of 0000 to 2400 on Mondays to Sundays from January to December inclusive. 2. To remove the restrictions on Christmas Day and Good Friday. 3. To add conditions. Any representations by a responsible authority or any other person regarding this application must be received in writing by Licensing Department, Epping Forest District Council, Civic Offices, High Street, Epping, Essex CM16 4B3 no later than the 12 February 2016 stating the grounds for representations. The register of Epping Forest District Council and the record of the application may be inspected at the above address during normal office hours. It is an offence knowingly or recklessly to make a false statement in connection with an application. The fine for which a person is liable on summary conviction for the offence is unlimited.

Mrs K Tuckey  
Licensing Department  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
CM16 4BZ



Licensing Department  
Loughton Police Station  
158 High Road  
Loughton  
IG10 4BE  
Tel: 01279 625 405  
Email: [7706@essex.pnn.police.uk](mailto:7706@essex.pnn.police.uk)  
01 February 2016

Dear Mrs Tuckey,

#### LICENSING ACT 2003 – PREMISE LICENCE VARIATION S.34

**PREMISE: Morrisons, 246-250 High Road, Loughton**

**APPLICANT: WM Morrison Supermarkets Plc via Gosschalks Solicitors**

Further to the Variation received on 15 January 2016, I write to inform you that Essex Police will be making representations to this variation for the following reasons:

The premises have two entrances. The first is on a busy high street, with heavy footfall. The second is from the car park, which has several residential dwellings in close proximity.

It is the concern of Essex Police that by increasing the licensable hours, persons visiting the premises may have an adverse effect on those residential dwellings both in the earlier and late hours. Furthermore, by making the alcohol more readily available, may attract underage persons to the premises to attempt purchases. This would likely cause crime, disorder & public nuisance.

The applicant has offered measures to promote the licensing objectives, yet we feel that these are not comprehensive and further measures could be made.

Therefore, Essex Police seek the following conditions on the Premises Licence.

1. The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less than 28 days with time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.

---

In an emergency always dial **999**. For non emergencies dial **101**.

[www.essex.police.co.uk](http://www.essex.police.co.uk)

Page 78

3. SIA security shall be employed at the premises from opening to 0800 and 2200 to close on days when licensable activities take place during those hours.
4. Notices shall be displayed at all exit points and in the car park requesting customers to respect the neighbours and to leave quietly.

Please advise me of when the Licensing Panel will be meeting to hear this so I can be in attendance.

Yours sincerely,



Mr Peter Jones MIOL, ABII  
Epping & Brentwood Licensing Officer  
West LPA

**Cc. Gosschalks Solicitors**  
**Via email – victoria\_turner@gosschalks.co.uk**

Our Ref: L.1.1/VRM/PB



**LOUGHTON**  
TOWN COUNCIL

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

Ms Lindsey Turner  
Licensing Compliance Officer  
Epping Forest District Council  
Civic Offices  
Epping CM16 4BZ  
(Emailed: [lturner@eppingforestdc.gov.uk](mailto:lturner@eppingforestdc.gov.uk))

10 February 2016

Dear Ms Turner

**Re: Notice of Application for a variation of the Premises Licence in respect of Morrisons, 246-250 High Road, Loughton IG10 1RB**

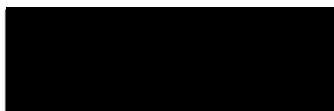
The Planning and Licensing Committee considered this licensing application at its meeting on 8 February 2016 and objected to this application as detailed below.

The Committee OBJECTED to this application. Members were concerned that if the licensable activities hours were extended and the restrictions over Christmas and Good Friday were removed by the variation sought, this could lead to an increase in anti-social behaviour and disturbance to neighbouring properties, and therefore be in breach of the four of the licensing objectives below:

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

I would be grateful if you can advise the Town Council at which District Licensing Sub-Committee meeting this will be determined.

Yours sincerely



Vivienne Messenger  
Planning Committee Clerk



**Lindsey Turner**

---

**From:** Julie Belton <julie.belton@live.co.uk>  
**Sent:** 11 February 2016 21:48  
**To:** Licensing  
**Subject:** Ref:WK/201602154

■ Habgood Road  
Loughton  
Essex IG10 1HE

11/2/2016 Dear K Tuckey,

Regarding the application from Morrisons to vary their opening hours to permit the sale of alcohol to 06:00 to 24:00 also to remove restrictions in respect of Christmas Day and Good Friday.

We are against the application from Morrisons on the grounds of prevention of public nuisance, our property at 66 Habgood Road backs on to Morrisons car park. We already have noise from Morrisons customers shouting and slamming car doors, car alarms, our bedrooms back on to their car park. Also staff park their vehicles in our road outside our property we would also have to put up with them talking and slamming car doors later than 24:00 and before 6:00.

Yours sincerely,  
Mr and Mrs Belton



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Web AppBuilder for ArcGIS

Date: 15/02/2016

Scale: 1:1,000

Name: arcgis

██████████  
Licensing Department  
Epping Forest District Council



Licensing Department  
Loughton Police Station  
158 High Road  
Loughton  
IG10 4BE  
Tel: 01279 625 405  
Email: [7706@essex.pnn.police.uk](mailto:7706@essex.pnn.police.uk)

16 February 2016

Dear Mrs Tuckey,

#### LICENSING ACT 2003 – PREMISE LICENCE VARIATION S.34

**PREMISE: Morrisons, 246-250 High Road, Loughton**

**APPLICANT: WM Morrison Supermarkets Plc via Gosschalks Solicitors**

Further to the Variation received on 15 January 2016, and my letter dated 01 February 2016 I write to inform you that after further consultation with the applicant, and their agreement to amended versions of my proposed conditions Essex Police formally withdraw their representation. The agreed conditions should read:

1. The premises shall install and maintain a comprehensive CCTV system covering the internal and external entrance of the premises. It will also cover all entry and exit points. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less than 28 days with time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or Responsible Authority. Download or export of CCTV should be in the native file format with the native player.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.
3. The premises licence holder will continually risk assess the need for SIA guards and act accordingly.
4. Notices shall be displayed at all exit points and in the car park requesting customers to respect the neighbours and to leave quietly.

I enclose copies of the correspondence emails for reference.

[REDACTED]

[REDACTED]

[REDACTED]

ABII

Epping & Brentwood Licensing Officer  
West LPA

Enc.

**Cc. Gosschalks Solicitors**  
**Via email – MCJ@gosschalks.co.uk**

**Peter Jones 42007706**

---

**From:** Clare Johnson <MCJ@gosschalks.co.uk>  
**Sent:** 03 February 2016 15:59  
**To:** Peter Jones 42007706  
**Subject:** RE: Morrisons, 246-250 High Road, Loughton GTE:00211762

Dear Peter

I refer to your representation upon which I have taken Morrison's instructions. Morrisons would be agreeable to the following amended conditions:-

1. The premises shall install and maintain a comprehensive CCTV system covering the internal and external entrance of the premises. It will also cover all entry and exit points. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less than 28 days with time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or Responsible Authority. Download or export of CCTV should be in the native file format with the native player.
2. A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.
3. The premises licence holder will continually risk assess the need for SIA guards and act accordingly.

I would be grateful if you would advise as to whether the above conditions are acceptable.

Kind regards.

Clare

**Clare Johnson** | Partner | Licensing

Gosschalks, Queens Gardens, Kingston Upon Hull, HU1 3DZ

**DD:** 01482 590243 | **F:** 0870 600 5947 | **M:** 07949 132927 | **Switch:** 01482 324252 | [www.gosschalks.co.uk](http://www.gosschalks.co.uk)

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---

**From:** Peter Jones 42007706 [<mailto:Peter.Jones@essex.pnn.police.uk>]  
**Sent:** 01 February 2016 12:59  
**To:** EFDC Licensing  
**Cc:** Victoria Turner  
**Subject:** Morrisons, 246-250 High Road, Loughton

Good Afternoon,

Further to the application to vary the above Premises Licence, please find attached the response of Essex Police.

Kind Regards,

Peter

**Peter Jones ABII (7706)**

Epping & Brentwood Licensing Officer  
Epping Forest & Brentwood Local Policing Hub  
West LPA

 Tel. 101 (Ext. 313604) or 01279 625405

 Mobile. 07870 909762

 [Peter.Jones@essex.pnn.police.uk](mailto:Peter.Jones@essex.pnn.police.uk)

 [www.essex.police.uk](http://www.essex.police.uk)

 Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

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**Peter Jones 42007706**

---

**From:** Peter Jones 42007706  
**Sent:** 15 February 2016 12:20  
**To:** 'Clare Johnson'  
**Cc:** EFDC Licensing  
**Subject:** RE: Morrisons, 246-250 High Road, Loughton GTE:00211762

Good Afternoon Clare.


Apologies for the delay, I have been out of the office quite a bit.


I am happy with the amendments below in relation to proposed conditions 1,2 & 3 in my letter dated 01 February 2016. I note no reference to proposed condition 4, before considering withdrawing could you advise your clients position regarding this.

Many Thanks

**Peter Jones ABII (7706)**

Epping & Brentwood Licensing Officer  
 Epping Forest & Brentwood Local Policing Hub  
 West LPA

 Tel. 101 (Ext. 313604) or 01279 625405

 Mobile. 07870 909762

 [Peter.Jones@essex.pnn.police.uk](mailto:Peter.Jones@essex.pnn.police.uk)

 [www.essex.police.uk](http://www.essex.police.uk)

 Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

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---

**From:** Clare Johnson [mailto:MCJ@gosschalks.co.uk]  
**Sent:** 03 February 2016 15:59  
**To:** Peter Jones 42007706  
**Subject:** RE: Morrisons, 246-250 High Road, Loughton GTE:00211762

Dear Peter

I refer to your representation upon which I have taken Morrison's instructions. Morrisons would be agreeable to the following amended conditions:-

1. The premises shall install and maintain a comprehensive CCTV system covering the internal and external entrance of the premises. It will also cover all entry and exit points. The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises. All recordings will be kept in an unedited format for a period of not less than 28 days with time and date stamping. Recording shall be made available immediately upon lawful request of Essex Police or Responsible Authority. Download or export of CCTV should be in the native file format with the native player.

2. A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.

3. The premises licence holder will continually risk assess the need for SIA guards and act accordingly.

I would be grateful if you would advise as to whether the above conditions are acceptable.

Kind regards.

Clare

**Clare Johnson** | Partner | Licensing

Gosschalks, Queens Gardens, Kingston Upon Hull, HU1 3DZ

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**From:** Peter Jones 42007706 [<mailto:Peter.Jones@essex.pnn.police.uk>]

**Sent:** 01 February 2016 12:59

**To:** EFDC Licensing

**Cc:** Victoria Turner

**Subject:** Morrisons, 246-250 High Road, Loughton

Good Afternoon,

Further to the application to vary the above Premises Licence, please find attached the response of Essex Police.

Kind Regards,

Peter

**Peter Jones ABII (7706)**

Epping & Brentwood Licensing Officer

Epping Forest & Brentwood Local Policing Hub

West LPA

 Tel. 101 (Ext. 313604) or 01279 625405

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 [Peter.Jones@essex.pnn.police.uk](mailto:Peter.Jones@essex.pnn.police.uk)

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 Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

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**Peter Jones 42007706**

---

**From:** Clare Johnson <MCJ@gosschalks.co.uk>  
**Sent:** 15 February 2016 16:29  
**To:** Peter Jones 42007706  
**Subject:** Morrisons, 246-250 High Road, Loughton GTE:00211797

Dear Peter

I have now taken Morrisons instructions on your e-mail of today's date and confirm that Morrisons would be agreeable to adding the condition "Notices shall be displayed at all exit points and in the car park requesting customers to respect the neighbours and to leave quietly".

Are you happy for me to write to the Licensing Authority to confirm that Morrisons is agreeable to this condition and the conditions referred to in my e-mail of 3 February being attached to the premises licence and that we understand that on that basis your representation will be withdrawn?

I look forward to hearing from you.

Kind regards.

Clare

**Clare Johnson** | Partner | Licensing

Gosschalks, Queens Gardens, Kingston Upon Hull, HU1 3DZ

**DD:** 01482 590243 | **F:** 0870 600 5947 | **M:** 07949 132927 | **Switch:** 01482 324252 | [www.gosschalks.co.uk](http://www.gosschalks.co.uk)

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**Peter Jones 42007706**

---

**From:** Peter Jones 42007706  
**Sent:** 16 February 2016 13:42  
**To:** 'Clare Johnson'  
**Cc:** EFDC Licensing  
**Subject:** RE: Morrisons, 246-250 High Road, Loughton GTE:00211797

Clare,

Thank you for this, If you would confirm to the Council that your client is in agreement to conditions 1,2 & 4, and an amended condition 3.


I will do the same, as part of my withdrawal letter.

Trust okay

**Peter Jones ABII (7706)**

Epping & Brentwood Licensing Officer  
Epping Forest & Brentwood Local Policing Hub  
West LPA

 Tel. 101 (Ext. 313604) or 01279 625405

 Mobile. 07870 909762

 [Peter.Jones@essex.pnn.police.uk](mailto:Peter.Jones@essex.pnn.police.uk)

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 Loughton Police Station, 158 High Road, Loughton, Essex, IG10 4BE

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**Sent:** 15 February 2016 16:29  
**To:** Peter Jones 42007706  
**Subject:** Morrisons, 246-250 High Road, Loughton GTE:00211797

Dear Peter

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Are you happy for me to write to the Licensing Authority to confirm that Morrisons is agreeable to this condition and the conditions referred to in my e-mail of 3 February being attached to the premises licence and that we understand that on that basis your representation will be withdrawn?

I look forward to hearing from you.

Kind regards.

Clare

**Clare Johnson** | Partner | Licensing

Gosschalks, Queens Gardens, Kingston Upon Hull, HU1 3DZ

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