



### ***Licensing Sub-Committee Tuesday, 9th January, 2018***

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, 9th January, 2018  
at 10.00 am .**

**Glen Chipp  
Chief Executive**

**Democratic Services  
Officer**

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

**Members:**

Councillors M Sartin (Chairman), N Bedford, K Chana and L Hughes.

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<b>PLEASE NOTE THE START TIME OF THE MEETING</b>
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**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 5 - 10)**

(Director of Governance) To note the agreed procedure for the conduct of business, as attached.

**4. EXCLUSION OF PUBLIC AND PRESS**

Exclusion:

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

amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
5	Hackney Carriage Driver's Licence – Mr Amir Ali	1
6	Private Hire Driver's Licence – Mr Rennocks	1

The Local Government (Access to Information) (Variation) Order 2006, which came into effect on 1 March 2006, requires the Council to consider whether maintaining the exemption listed above outweighs the potential public interest in disclosing the information. Any member who considers that this test should be applied to any currently exempted matter on this agenda should contact the proper officer at least 24 hours prior to the meeting.

Background Papers:

Article 17 - 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 and in respect of executive reports, the advice of any political advisor.

The Council will make available for public inspection for four years after the date of the meeting one copy of each of the documents on the list of background papers.

**5. HACKNEY CARRIAGE DRIVER'S LICENCE - MR AMIR ALI (Pages 11 - 12)**

(Director of Neighbourhoods) To consider the attached report.

**6. PRIVATE HIRE DRIVER'S LICENCE - MR RENNOCKS (Pages 13 - 14)**

(Director of Neighbourhoods) To consider the attached report.

**7. INCLUSION OF PUBLIC AND PRESS**

(Director of Governance) To invite the public and press back into the meeting for the remaining items of business.

**8. NEW PREMISES LICENCE - 109 HIGH STREET, ONGAR (Pages 15 - 54)**

(Director of Neighbourhoods) To consider the attached report.

**9. PREMISES LICENCE VARIATION - NISA LOCAL, 66-70 BORDERS LANE, LOUGHTON (Pages 55 - 92)**

(Director of Neighbourhoods) To consider the attached report.

**10. PREMISES LICENCE VARIATION - WALTHAM ABBEY EXPRESS, 1 FARM HILL ROAD, WALTHAM ABBEY (Pages 93 - 132)**

(Director of Neighbourhoods) To consider the attached report.

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## **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 Appendix 1, and the legislation listed in Appendix 2, a Subcommittee consisting of no more than any three Councillors drawn from the members of the full Committee shall be formed. Any such Subcommittee shall include, by rota, one of the six Licensing Subcommittee Chairmen appointed at each Annual Council meeting.
- (3) The Quorum for the Committee is set out in the Rules set out in Part 4 of this Constitution save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.
- (4) The Committee and Subcommittees shall have full authority to hear and determine licensing applications.
- (5) The Committee and Subcommittees shall be further empowered to determine appeals made against the decisions of the Director of Neighbourhoods taken under delegated authority on licensing applications. (See Council delegation schedule for more details)
- (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 Appendix 3 (Conduct of Business by Licensing Committee and Subcommittees).
- (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 Appendix 2 to this Article.
- (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).

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

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

## **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  
Scrap Metal Dealers Act 2013  
The Game Act 1831  
Town Police Clauses Act 1847  
Town Police Clauses Act 1889  
Zoo Licensing Act 1981

## **PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUBCOMMITTEES**

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

### **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.

### **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 Subcommittee 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.

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

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of the Local Government Act 1972.

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## ***Report to the Licensing Sub-Committee***

***Date of meeting: 9 January 2018***



**Epping Forest  
District Council**

**Subject: New Premises Licence - 109 High Street Ongar CM5 9DX.**

**Responsible Officer: Nuala Clark (01992 564340).**

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

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### **Decision Required:**

**(1) To determine the application for a new Premises Licence under the Licensing Act 2003.**

### **Report:**

#### Application

1. An application has been made by Sivananthan Kandasamy for a new premises licence at 109 High Street Ongar Essex CM5 9DX, the application is for the sale of alcohol Monday to Sunday 07:00 to 23:00. The application was received on 6 November 2017.

2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

#### Licensing Act 2003

3. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote 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.

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

#### Consultation

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

6. All residences and businesses within 150 meters radius of the premises were individually consulted.

7. The authority has received one representation from the Ongar Town Council and five representations from local residents, which are also attached. Responses have been received from the Essex Fire Service and the Public Health Team who have no objections.

8. The Objections relate to the prevention of public nuisance and the protection of children from harm, public nuisance and prevention of crime and disorder.

#### 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 2.1 to 2.31 of the Guidance are relevant to this application.

#### 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:

- (a) to grant the licence as applied for subject to:
  - the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives; and
  - the mandatory conditions specified in the Licensing Act 2003; or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates; or
- (c) refuse to specify a person as the premises supervisor; or
- (d) reject the application.

#### Determination

12. 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

13. 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
- Epping Forest District Council's statement of licensing policy.  
<http://www.eppingforestdc.gov.uk>



**Attached Documents:**

- Application for premises licence which includes the plan of the premises
- Newspaper advert
- Map of the area
- 2 letters from Essex Fire Service and Public Health.
- 1 objection from Ongar Town Council and 5 from local residents.

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**Application for a premises licence to be granted under the Licensing Act 2003**

**PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST**

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

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

I/We SIVANANTHAN KANDASAMY

(Insert name(s) of applicant)

apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003

**Part 1 – Premises details**

Postal address of premises or, if none, ordnance survey map reference or description 109 HIGH STREET			
Post town	ONGAR	Postcode	CM5 9DX
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 7,300	

**Part 2 - Applicant details**

Please state whether you are applying for a premises licence as appropriate

Please tick as

- a) an individual or individuals \* ☒ please complete section (A)
- b) a person other than an individual \*
- i as a limited company/limited liability partnership ☐ please complete section (B)
- ii as a partnership (other than limited liability) ☐ please complete section (B)

- iii as an unincorporated association or ☐ please complete section (B)
- iv other (for example a statutory corporation) ☐ please complete section (B)
- c) a recognised club ☐ please complete section (B)
- d) a charity ☐ please complete section (B)
- e) the proprietor of an educational establishment ☐ please complete section (B)
- f) a health service body ☐ please complete section (B)
- g) a person who is registered under Part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales ☐ please complete section (B)
- ga) a person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 (within the meaning of that Part) in an independent hospital in England ☐ please complete section (B)
- h) the chief officer of police of a police force in England and Wales ☐ please complete section (B)

\* If you are applying as a person described in (a) or (b) please confirm (by ticking yes to one box below):

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

**(A) INDIVIDUAL APPLICANTS (fill in as applicable)**

Mr <input checked="" type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname KANDASAMY			First names SIVANANTHAN		
Date of birth over		I am 18 years old or over		<input checked="" type="checkbox"/> Please tick yes	
Nationality SRI LANKAN					
Current residential address if different from premises address					
Post town	LONDON			Postcode	
Daytime contact telephone number			VIA MY AGENT		
E-mail address (optional)					

**SECOND INDIVIDUAL APPLICANT (if applicable)**

Mr <input type="checkbox"/>	Mrs <input type="checkbox"/>	Miss <input type="checkbox"/>	Ms <input type="checkbox"/>	Other Title (for example, Rev)	
Surname			First names		
Date of birth		I am 18 years old or over		<input checked="" type="checkbox"/>	Please tick yes
Nationality					
Current postal address if different from premises address					
Post town				Postcode	
Daytime contact telephone number					
E-mail address (optional)					

**(B) OTHER APPLICANTS**

Please provide name and registered address of applicant in full. Where appropriate please give any registered number. In the case of a partnership or other joint venture (other than a body corporate), please give the name and address of each party concerned.

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

**Part 3 Operating Schedule**

When do you want the premises licence to start?

DD	MM	YYYY
A	S	A P - - -

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

DD	MM	YYYY
-	-	- - - -

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

FAMILY CONVENIENCE STORE AND POST OFFICE

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

N/A

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

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

Provision of regulated entertainment (please read guidance note 2)

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 MA

Plays Standard days and timings (please read guidance note 7)			Will the performance of a play take place indoors or outdoors or both – please tick (please read guidance note 3)	
			Indoors	<input type="checkbox"/>
			Outdoors	<input type="checkbox"/>
			Both	<input type="checkbox"/>
Day	Start	Finish	Please give further details here (please read guidance note 4)	
Mon				
Tue				
Wed				
			State any seasonal variations for performing plays (please read guidance note 5)	

			<p><b>Non standard timings</b> Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list (please read guidance note 6)</p>
Thur			
Fri			
Sat			
Sun			

B

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

C

<b>Indoor sporting events</b> Standard days and timings (please read guidance note 7)			<p><b>Please give further details</b> (please read guidance note 4)</p>
Day	Start	Finish	

Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 4)
Wed			
Thur			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 6)
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 7)			Will the boxing or wrestling entertainment take place indoors or outdoors or both - please tick (please read guidance note 3)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for boxing or wrestling entertainment (please read guidance note 5)		
Thur					
Fri			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 (please read guidance note 6)		
Sat					
Sun					



E

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

Fri			Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list (please read guidance note 6)
Sat			
Sun			

G

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

H

Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 7)	Please give a description of the type of entertainment you will be providing

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

Late night refreshment Standard days and timings (please read guidance note 7)			Will the provision of late night refreshment 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				Both	<input type="checkbox"/>
			Please give further details here (please read guidance note 4)		
Tue					
Wed			State any seasonal variations for the provision of late night refreshment (please read guidance note 5)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list (please read guidance note 6)		

Sat			
Sun			

J

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input checked="" type="checkbox"/>
Day	Start	Finish	Both <input type="checkbox"/>		
Mon	07.00	23.00	State any seasonal variations for the supply of alcohol (please read guidance note 5)		
Tue	07.00	23.00			
Wed	07.00	23.00			
Thur	07.00	23.00	Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6)		
Fri	07.00	23.00			
Sat	07.00	23.00			
Sun	07.00	23.00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor  
(Please see declaration about the entitlement to work in the checklist at the end of the form):

Name SIVANANTHAN KANDASAMY	
Date of birth	
Address [REDACTED]	
Postcode	
Personal licence number (if known) [REDACTED]	
Issuing licensing authority (if known) [REDACTED]	

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>State any seasonal variations</b> (please read guidance note 5)
Day	Start	Finish	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 6)
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	
Sat	07.00	23.00	
Sun	07.00	23.00	

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

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

1. The Licensee shall ensure that a 'Challenge 25' scheme is operated, whereby any person who appears to be under 25 years of age is required to produce means of identification proving they are over 18 years of age. The only authorised means of identification shall be passport, UK photo driving licence, UK military ID or 'PASS' accredited card.
  
2. The Licensee shall ensure that signage is displayed advising customers that a 'Challenge 25' policy is in force.
  
3. The Licensee shall ensure that all engaged in the sale or supply of alcohol on the premises shall have received training in relation to the protection of children from harm

(including under-age sales), how to recognise drunkenness and the duty not to serve drunk persons. Refresher training shall be carried out at least every six months. The training shall be given to a new member of staff before they are permitted to sell alcohol. Training records shall be kept on the premises for a minimum of 12 months and made immediately available to authorised police or licensing authority staff upon reasonable request. Those holding an appropriate licensing qualification and/or a Personal Licence shall be exempt from this requirement.

4. The Licensee shall ensure that a refusal book is maintained at the premises which details all refusals to sell age restricted products. Each entry shall, as a minimum, record the date and time of the refusal and the name of the staff member refusing the sale. All entries shall be made as soon as possible. The refusal book shall be made available to the Police/Licensing Authority upon request.

5. The premises shall install and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

i. CCTV shall be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions, particularly facial recognition;

ii. CCTV cameras shall cover all public areas including all public entrances and exits

iii. CCTV Equipment shall be maintained in good working order, be correctly time and date stamped. Recordings shall be kept for a minimum period of 28 days;

iv. At all times, whilst the premises is open for licensable activities, there shall be members of staff on call who is able to provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;

v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;

vi. An operational daily log report shall be maintained, endorsed by signature, indicating the system has been checked is compliant: in the event of any failings these are to be recorded. Any failure of the CCTV system which cannot be rectified within 4 hours of discovery shall be reported to the Police via e-mail as soon as possible.

6. The Licensee shall ensure that an incident log is maintained on the premises and made immediately available to authorised police or licensing authority staff upon request. The log shall be completed as soon as is possible and shall record the following:

(a) All crimes reported to the venue

(b) All ejections of patrons

(c) Any complaints received concerning crime and disorder

(d) Any incidents of disorder

7. The Licensee shall ensure that a written record is kept on the premises of all persons authorised by the DPS or a personal licence holder to sell or supply alcohol in their name. such records shall be made available to the Police/Licensing Authority upon request.

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

Please see attached schedule of conditions offered above

**c) Public safety**

Please see attached schedule of conditions offered above

**d) The prevention of public nuisance**

Please see attached schedule of conditions offered above

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

Please see attached schedule of conditions offered above

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee. ☒
- I have enclosed the plan of the premises. ☒
- I have sent copies of this application and the plan to responsible authorities and others where applicable. ☒
- I have enclosed the consent form completed by the individual I wish to be designated premises supervisor, if applicable. ☒
- I understand that I must now advertise my application. ☒
- I understand that if I do not comply with the above requirements my application will be rejected. ☒
- ☐ [Applicable to all individual applicants, including those in a partnership which is not a limited liability partnership, but not companies or limited liability partnerships] I have included documents demonstrating my entitlement to work in the United Kingdom (please read note 15).

IT IS AN OFFENCE, UNDER SECTION 15B OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.

IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED.

**Part 4 – Signatures (please read guidance note 11)**

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

<b>Declaration</b>	<ul style="list-style-type: none"><li>• [Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15)</li><li>• The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)</li></ul>
--------------------	--

Signature	[REDACTED]
Date	6 <sup>th</sup> November 2017
Capacity	Licensing Consultant, duly authorised to sign on behalf of the applicant

For joint applications, signature of 2<sup>nd</sup> applicant or 2<sup>nd</sup> 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 postal address for correspondence associated with this application (please read guidance note 14)			
Mr P E West, 21st Century Licensing, [REDACTED]			
Post town	[REDACTED]	Postcode	[REDACTED]
Telephone number (if any)	[REDACTED]		
If you would prefer us to correspond with you by e-mail, your e-mail address (optional)			
[REDACTED]			



[www.21stcenturylicensing.com](http://www.21stcenturylicensing.com)

Professional, Affordable Licensing Solutions

Please ensure all correspondence and the final licence documents are returned to 21<sup>st</sup> Century Licensing. No correspondence should go directly to the applicant or application site. This will enable us to check documents on behalf of the applicant.

In the event that you consider the application is defective in any way we respectfully request that you contact 21<sup>st</sup> Century Licensing to see if matters can be resolved before rejecting it.

Notes for Guidance



- 1 Describe the premises, for example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies, you must include a description of where the place will be and its proximity to the premises
- 2 In terms of specific regulated entertainments please note that
  - Plays no licence is required for performances between 08 00 and 23 00 on any day, provided that the audience does not exceed 500
  - Films no licence is required for 'not-for-profit' film exhibition held in community premises between 08 00 and 23 00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises, and (b) ensures that each such screening abides by age classification ratings
  - Indoor sporting events no licence is required for performances between 08 00 and 23 00 on any day, provided that the audience does not exceed 1000
  - Boxing or Wrestling Entertainment no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08 00 and 23 00 on any day, provided that the audience does not exceed 1000 Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event
  - Live music no licence permission is required for
    - a performance of unamplified live music between 08 00 and 23 00 on any day, on any premises
    - a performance of amplified live music between 08 00 and 23 00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
    - a performance of amplified live music between 08 00 and 23 00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500
    - a performance of amplified live music between 08 00 and 23 00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
    - a performance of amplified live music between 08 00 and 23 00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital
  - Recorded Music no licence permission is required for
    - any playing of recorded music between 08 00 and 23 00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500
    - any playing of recorded music between 08 00 and 23 00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises
    - any playing of recorded music between 08 00 and 23 00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital
  - Dance no licence is required for performances between 08 00 and 23 00 on any day, provided that the audience does not exceed 500 However, a performance which amounts to adult entertainment remains licensable
  - Cross activity exemptions no licence is required between 08 00 and 23 00 on any day, with no limit on audience size for
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority,
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider,
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor, and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates

the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days

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

**15 Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who

- does not have the right to live and work in the UK, or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this by providing with this application copies or scanned copies of the following documents (which do not need to be certified)

**Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK (please see note below about which sections of the passport to copy)
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK
- A current passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK
- A current Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer

- A full birth or adoption certificate issued in the UK which includes the name(s) of at least one of the holder's parents or adoptive parents, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A current passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A current Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A current Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- A current Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity when produced in combination with an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, less than 6 months old, issued by the Home Office under regulation 17(3) or 18A (2) of the Immigration (European Economic Area) Regulations 2006, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity – such as a passport,
  - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

If the document is not a passport, a copy of the whole document should be provided.

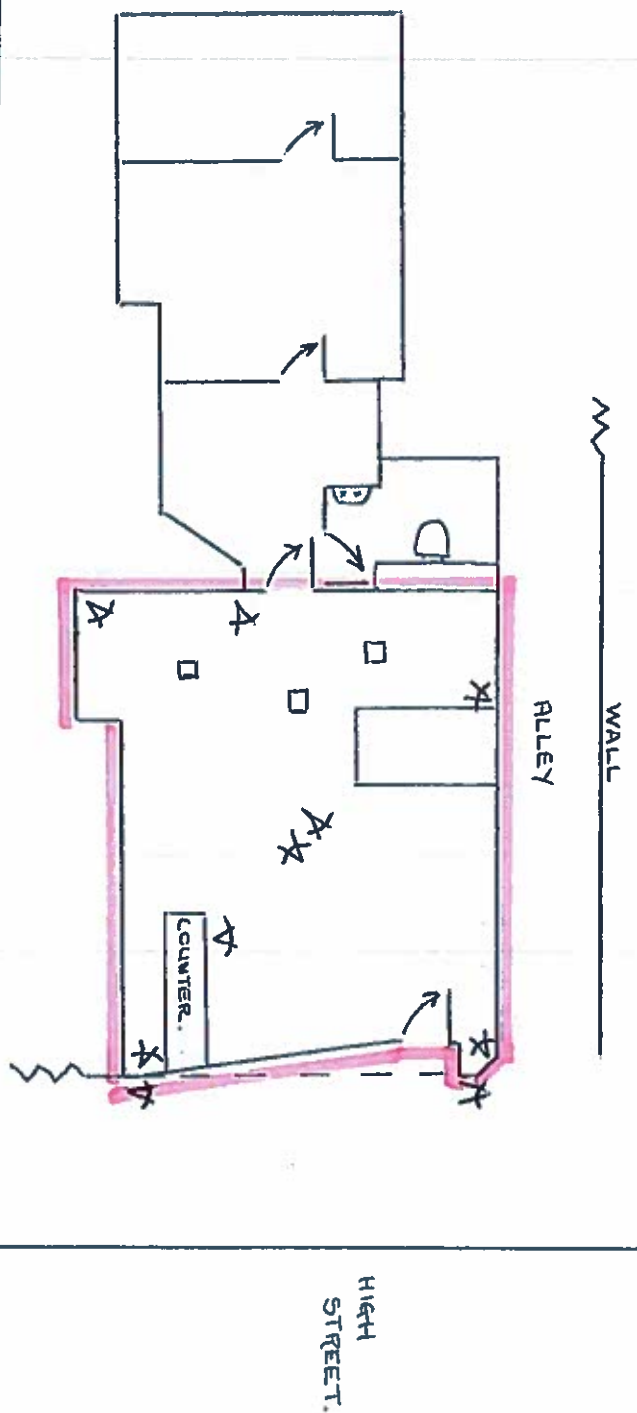
Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

**PLEASE NOTE THE APPLICATION POSTERS WILL BE DISPLAYED FROM MONDAY 6<sup>th</sup> NOV MEANING CONSULTATION CLOSES ON 4<sup>th</sup> DEC 2017**

109 HIGH STREET

ONGAR, ESSEX, CM5 9DX.

30<sup>th</sup> OCTOBER 2017



LEGEND

 C.C.T.V

 LICENSED AREA

SCALE 1 to 100



## CONSENT OF INDIVIDUAL TO BEING SPECIFIED AS PREMISES SUPERVISOR

I, Mr. Sivananthan KANDASAMY.

*[full name]*

Of, [REDACTED]

here by confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

Type of application, New Premises Licence.

relating to premises licence number, Awaits.

For, 109, High Street, Ongar, Essex, CM5 9DX

*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by,

Mr. Sivananthan KANDASAMY.

*[name of applicant]*

concerning the supply of alcohol at the above address. I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal Licence number [REDACTED]

Personal Licence issuing authority, Waltham Forest District Council

*[insert name and address and telephone number of personal licence issuing authority, if any]*

Signed, [REDACTED]

Name (please print) Sivananthan KANDASAMY.

Date: 2/11/17

Date of birth dd/mm/yy [REDACTED]

Place of birth [REDACTED]



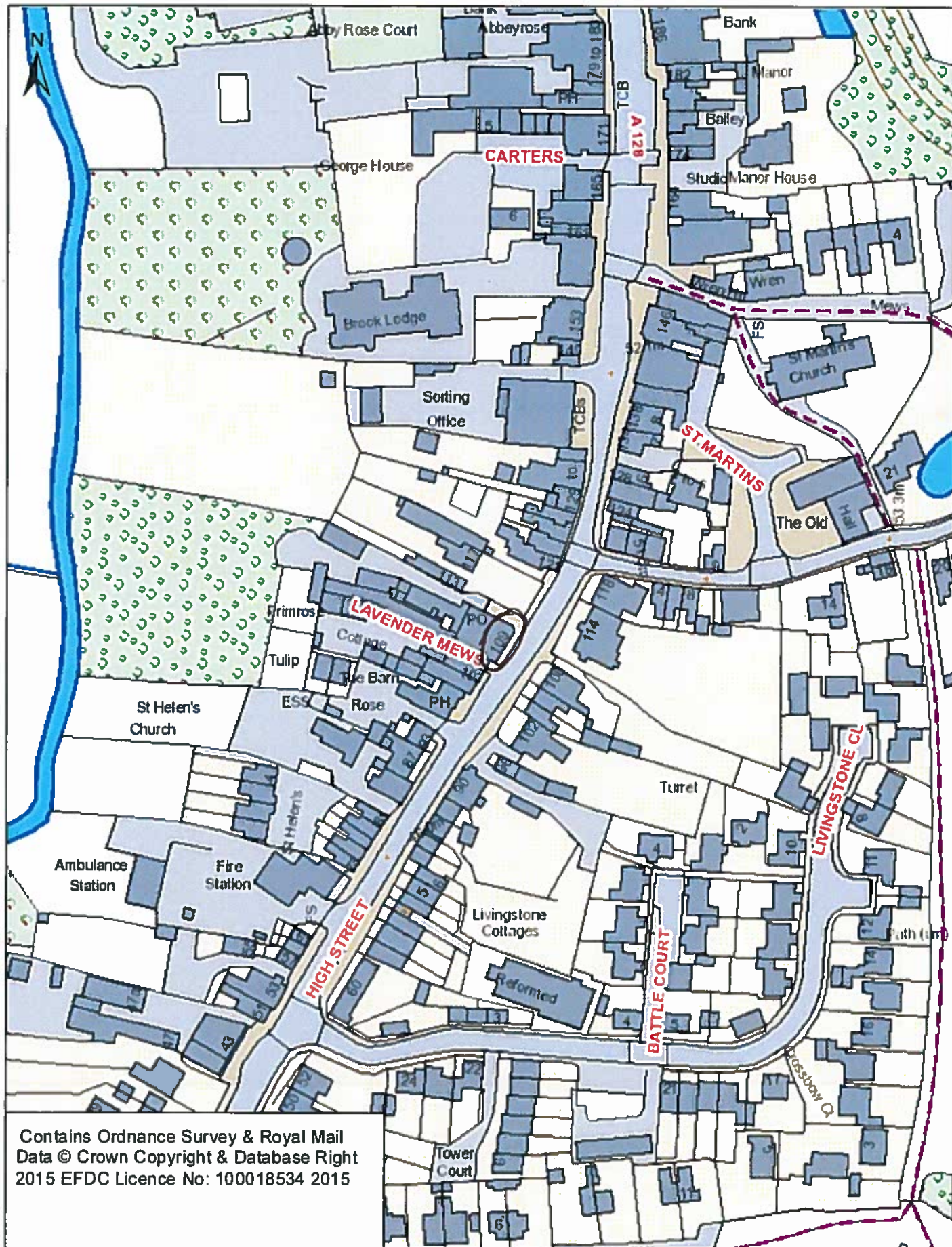
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Professional, Affordable Licensing Solutions

**Essex County Council**

[illegible]





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**Nuala Clark**

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**From:** Brian Stalabrass  
**Sent:** 28 November 2017 16:52  
**To:** Nuala Clark  
**Subject:** RE: New Premises licence 109 High Street Ongar CM5 9DX

Hi Nuala  
From the information provided we have no representations to make.  
Regards

**Brian Stalabrass EHO**  
**Public Health Team Manager**

Tel 01992 564063

**T**  
Epping Forest DC  
Neighbourhoods Directorate  
Civic Offices  
323 High Street  
Epping  
Essex  
CM16 4BZ

---

**From:** Nuala Clark  
**Sent:** 07 November 2017 11:46  
**To:** Brian Stalabrass; David Baker; Essex Fire & Rescue; Home Office; Jackie Renn; Licence Applications CYP; Police Licensing applications; Richard Gardiner; TS Business (tradingstandards@essex.gov.uk)  
**Subject:** New Premises licence 109 High Street Ongar CM5 9DX

[REDACTED] [clerk@ongartowncouncil.gov.uk](mailto:clerk@ongartowncouncil.gov.uk)

Good morning,

Please find attached a new premises licence application for the above mentioned address, the application is for the sale of alcohol as follows:



# Essex County Fire & Rescue Service



Mrs. N. Clark  
Licensing Compliance Officer  
Licensing Department  
Epping Forest District Council,  
Civic Offices, High Street,  
EPPING,  
Essex. CM16 4BZ

Mr Adam Eckley, MBA, M.I.Fire.E

Acting Chief Fire Officer and Acting Chief Executive

NORTH WEST GROUP SDP

Harlow Service Delivery Point

Fourth Avenue

HARLOW

CM20 1DU

☎ 01376 576800

✉ northwestgroupsdpsdp@essex-fire.gov.uk

Date: 9<sup>th</sup> November 2017  
Our Ref: CAS-611020  
Your Ref:  
Enquiries to: Geoff Marler  
Fire Safety Officer

Dear Madam,

## **LICENSING ACT 2003**

### **THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**

**Premises: 109 High Street, Ongar, CM5 9DX**

**Application: New Premises Licence**

Receipt is acknowledged of the above consultation, which will be audited by the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority.

Should there be any significant concerns regarding the application you will be notified in due course.

Yours faithfully



Geoff Marler  
Fire Safety Officer

**Nuala Clark**

---

**From:** Assistant <assistant@ongartowncouncil.gov.uk>  
**Sent:** 24 November 2017 12:42  
**To:** Licensing  
**Cc:** Lawrence Mendoza  
**Subject:** 109 HIGH STREET, ONGAR - REGISTER OF LICENCE APPLICATION

Could you please note that the Council objects to the above licence application at 109 High Street, Ongar as follows:-

At Ongar Town Council's Planning, Environment, Public Relations and Open Spaces meeting held on the 16<sup>th</sup> November 2017 it was Resolved that the Council objects to the application on noise and disturbance resulting from use and hours of opening. Proposed Cllr Cole, seconded Cllr Reynolds. Carried with one against.

Regards.  
Eileen

Page 4

**Eileen Gough**  
Administration Assistant  
Ongar Town Council  
Tel: 01277 365348  
[www.ongartowncouncil.gov.uk](http://www.ongartowncouncil.gov.uk)

2

High Street  
Ongar

21.11.17

The Licensing Team  
Epping D.C.

**Application for premises licence 109 High St Ongar**

no 109 and am making a representation against the above application and set out below the grounds under the limitations allowed. However first I wish to clarify the premises. 109 was, up to the 9<sup>TH</sup> November, a convenience store and Post Office but after a consultation the Post Office has moved to No 21. So I am assuming that this application is just for a convenience store, selling alcohol.

**Prevention of crime and disorder**

Incidence of crime is generally low level which the Police rarely respond to. However it is often fuelled by alcohol. Broken shop windows or damaged cars occur late at night. I have had several cars damaged in this way.

The few burglaries at commercial premises have been related to the theft of cigarettes or alcohol. No doubt the applicant would want to mitigate this by putting up metal shutters, but this is a Grade 2 listed building so would need planning permission and a Heritage statement. This has previously been unsuccessful as the residents and Parish Council object as it would not be in keeping with the Heritage appearance of a conservation area.

I believe another premise in the Town centre selling alcohol is unnecessary and would increase the likelihood of crime.

**Prevention of Public Nuisance**

There is already the following selling alcohol, all in close proximity.

Sainsbury, open 8.00 – 8.00

Tesco – open 6.30 – 11.00

Londis.. open 7.30 – 8.00

And three public Houses in the centre bit of the High Street.

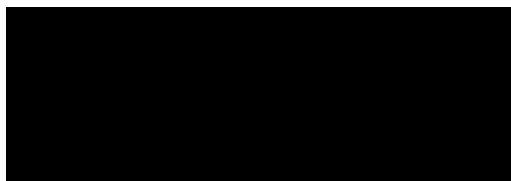
Three doors away from no 109 is the Royal Oak P.H. which has an in force Noise Abatement order for causing public disturbance to the residents living on the opposite side of the road. However it has tables outside and people often sit there when the pub has closed, which causes noise for us. Being able to buy alcohol close by will I think increase the number of people coming into the town centre and lingering around at these tables, and will include the people banned from the pub. I have witnessed people urinating in the alleyways alongside no 107 and 109.

I believe that selling alcohol and being open until late at night seven days a week will greatly increase the incidence of public nuisance throughout the town and especially to those of us who live opposite.

**Public Safety**

There are bollards on the pavement either side of No 109 and on the opposite side of the road. However there are no bollards outside no 109 which means people park up on to the pavement. There is already a problem with the amount of parking outside no 107, the Fish and Chip shop and another shop open until late will increase this and present a problem with the safety of walking along the pavement. All the other premises selling alcohol have available off road parking.

I strongly urge that this application is refused.



Mrs R Monaghan

3

[redacted] High Street  
Ongar  
[redacted]  
[redacted]

22.11.17

24 NOV 2017

The Licencing Team  
Epping D. C.

Application for premise licence 109 High Street Ongar

[redacted] 109 and I am objecting to the application on the grounds set out below

Prevention of crime and disorder

At this moment in time crime is not an issue however, there are often groups of youths hanging about and are noisy very late at night. If this store were to be open for alcohol then I believe these people would buy it and drink it in the street outside. We already have youths throwing cans and urinating in the alley beside the shop. Cars in the car park at the back have been vandalised and this could become worse. A motorbike was taken by youths from the alley approximately 9 months ago. People that are banned from the pub will buy alcohol and sit on the tables which are outside the pub when it is closed, which is only 3 shops along.

Prevention of public nuisance

If alcohol is sold I believe that it will cause problems for the residents that live very close. The Royal Oak already has a noise abatement order against it because of the intolerable noise from drinkers outside.

Why do we need another convenience store selling alcohol when there are already three places where it can be bought. Tesco's, Sainsbury's and Lloyds.

Chipping Ongar is a historic and picturesque place and is a conservation area and the use of metal shutters would not be allowed which you would need if selling alcohol and cigarettes.

Public safety

There is already an enormous problem with parking on the pavement and mothers with pushchairs and invalid carriages having to go into the road. The pavement is narrow and there are no bollards to prevent this happening.

I urge that you refuse this application

Mrs Sheila Bundy

②  
**Nuala Clark**

---

**From:** Nuala Clark  
**Sent:** 29 November 2017 07:52  
**To:** 'roger.joseph.mculty'  
**Subject:** RE: My representation against Application WK/201739456

Good morning Mr McNulty,

I have duly noted your comments and can confirm that your relevant objections will be put forward to committee. As previously explained I will send you a formal letter to attend shortly, this will outline the process on the day. The meeting is scheduled for the 9.1.2018, there are 3 other items on that day and I am unable to advise when this item will be heard.

The public agenda will be published I believe on the 21.12.2017 which will give us an indication of the order on the day.

Kind regards

Nuala

Mrs N Clark  
Licensing Compliance Officer  
Tel: 01992 564340  
E-mail: [nclark@eppingforestdc.gov.uk](mailto:nclark@eppingforestdc.gov.uk)

-----Original Message-----  
**From:** roger.joseph.mculty [redacted]  
**Sent:** 28 November 2017 19:31  
**To:** Nuala Clark  
**Subject:** My representation against Application WK/201739456

Dear Mrs Clark,

Thank you for your telephone call this afternoon.

I understand from your call the legal position regarding disclosure. Irrespective of my covering letter dated 26th November 2017 please proceed with allowing any personal information required by law in relation to my representation to be disclosed to the applicant.

Regards

Roger McNulty

Roger McNulty, [REDACTED] High Street, Ongar, Essex, [REDACTED]

Epping Forest District Council  
Licensing Unit Civil Offices  
High Street  
Epping  
Essex  
CM164BZ

26<sup>th</sup> November 2017-11-26

Dear sir or madam

**REPRESENTATION AGAINST THE APPLICATION REFERENCE  
WK/201739456. 109 HIGH STREET ONGAR.**

Please find attached my detailed grounds making representation objecting to the above premises licence application.

I would ask that my address is not disclosed to the applicant as I do not have details of his address and I do not wish to be approached directly by the applicant or his agents regarding this representation prior to the Council Licencing Sub-committee meeting.

Yours sincerely

[REDACTED]  
Roger McNulty



**Representation Against the application reference WK/201739456 at 109 High Street, Ongar, Essex, CM5 9DX for a new premises licence for a family Convenience store and Post Office which will require the sale of alcohol: Monday to Sunday 07:00 to 23:00:**

I would ask this application to be denied on the basis of miss-information to Epping Forrest District Council. The Licence application submitted for a 'Family Convenience Store and Post Office that will require the sale of alcohol' will **not** in fact be a 'Post Office'. The Post Office which was based at these premises has re-located several hundred yards down the High Street to number 21.

If however the Licencing Sub-Committee decides to consider this Application, I would wish to make a representation against the Premises Licence on the following grounds.

### **Background**

The section of the Ongar High Street within the conservation area south of "the narrows" (i.e. between the Bell Pub and the Flower shop) to Bushy Lea is primarily residential. There is one retail outlet on the east side of the road and five small retail outlets and a Public House on the West Side.

### **The prevention of crime and disorder. (including anti social behaviour adversely affecting the local environment)**

No.109 and the Fish and chip shop at 107 form a part of the same listed building. There is a narrow entrance north of this building leading to commercial units and flats at the back of these properties, and to the south the narrow entrance to Lavender Mews (a recent development of five domestic properties). The Public House is on the same side some 200 yards south.

The combination of a Public House, fish and chip shop and Licenced convenience store opening until late evening in such close proximity in a residential area is a recipe for anti social behaviour that will adversely affect the local environment. There have already been recorded disturbances at the Public house, a high volume of passing vehicles already stop for the fish and chip shop frequently committing traffic offences such as ; illegally driving on to the pavement; parking on the pavement where bollards do not exist or have been removed; obstructing drives and entrances; and trespassing by parking on private drives. Public urinating, loitering , suspected drug dealing and obstruction have also been observed in both of the narrow entrances on either side of the property and the previous business owners at 109 have had windows smashed. The other retail outlets all close at c. 6pm as did the Post Office at 109 High Street.

***The addition of a licenced premises with opening hours to 11pm and opening on Saturday and Sunday will add to these problems.***

**Attached are examples of the inconsiderate and motoring offences all taking place during a one our period on two separate days.**

## **Public Safety**

This premises is very close to a narrow section of the High Street ('The narrows') In fact a sign on the lamppost outside 109 warns of this. After 6pm parking on the either side of the High Street is not restricted. Previous businesses at 109 have closed at c.6pm. By granting a licence for the sale of alcohol with opening hours from 7am to 11pm Monday to Sunday the Authority will in fact be encouraging increasing the operating hours at this premises. This would not be doing all it can to reasonably prevent the crime and disorder issues referred to above and would also *increase the danger to the public.*

### **Congestion as a result of parking**

This traffic on Chipping Ongar High Street is heavy. Parking on both sides of the road particularly to the South of 'the narrows' causes traffic congestion. There is just not enough space for parking on both sides of the road while enabling two lanes of traffic. This causes danger to the public and pedestrians.

**Illegal driving on to, and parking on sections of the pavement where bollards do not exist or have been removed.** This happens at all hours while the fish and Chip shop is open and would be increased by another shop with the same or more extensive opening hours. This is illegal causes a danger to pedestrians and prevents prams and mobility scooters using the pavement. Frequently cars also cross the road to park facing the oncoming traffic often with lights on. This is an added danger to other drivers.

## **Public Nuisance**

**Parking obstructing access to and trespass by parking on;** private drives at 108, 113 vehicle and public access to commercial premises and flats at the back of 109; vehicle and public access to the five private houses at the back of 107. This combination of inconsiderate behaviour and trespass is a public nuisance and has lead to abusive behaviour and extensive use of vehicle horns.

## **Summation**

My representation is that a licence a. to sell alcohol and b. as an effect of that, licence to open in the evenings to 11 pm including Sundays could only increase the level of crime and disorder, danger to public safety and public nuisance in this vicinity. There is already access to alcohol at the Public House and the convenience store at the Post Office at 21 High Street and an additional licenced facility is an **unfair burden on local residents that the council can reasonably prevent.**



26<sup>th</sup> November 2017



24 NOV 2017

Neil & June Willoughby  
High Street, Chipping Ongar

20/11/17

Epping Forest District Council  
Licensing Unit Civic Offices  
High Street  
Epping  
Essex  
CM164BZ

**Re: Licence Application for 109 High Street, Ongar Essex, CM59DX**  
**Application for sale of Alcohol Monday to Sunday 07:00-23:00**

Dear Licencing Team

We would like to register our opposition to Epping District Council approving the licencing application allowing the property 109 High Street, Ongar. Being allowed to firstly, sell alcohol and secondly to be allowed to be open between the hours of 7:00 and 23:00.

We understand that currently the shop is licenced to be open up till 6:00 in the evening and does not have an alcohol licence.

The grounds of our objections are as follows:-

1, Prevention of crime and disorder. We have seen crime rise in Ongar in recent years, including a knife crime last year outside a local Tesco express, which also sells alcohol until 23:30. Youths using drugs is on the increase, and we believe another shop selling alcohol late at night will add to this problem within Ongar. ✓

2, Public Safety.

There is no easy off street parking nearby, resulting in customers parking on the road and on the pavement. The road outside is not wide, with a bottle neck less than 50 meters away. In the past where cars/lorries have been parked on both sides of the road, emergency vehicles have found it difficult to pass. A shop opening till these hours can only increase this problem.

Because the road is narrow at this point, cars currently parked on the pavement, are causing pedestrians with prams and elderly using mobility scooters, out onto the road. ✗

3, The prevention of Public Nuisance.

Due to the shop selling alcohol, especially at night, I believe that public nuisance will occur from youths gathering/hanging about outside the shop when purchasing alcohol.

Customers to the fish and chip shop next door, already cause a traffic nuisance by parking either side of the road, stopping the traffic; another late night shop will exasperate the situation due to more visitors in this area in the evening. ✓

4, The Protection of children from harm.

I believe these premises will encourage children to purchase alcohol as mentioned above.

We have witnessed mothers having to push prams out into the road to get around cars parked on the pavement, not leaving a gap wide enough to pass. ✓

Thank you for taking consideration of the points we have raised and presenting our objections to the Licencing Sub Committee.

Yours Faithfully

Neil & June Willoughby

⑥

2 NOV 2017

EFAC  
Licensing Unit  
Circ Offices  
High Street  
Epping  
ESSEX CH16 4BZ  
Your Refn WK/201739456

J.H. Crick  
High Street  
Chipping Ongar  
Essex

18<sup>th</sup> November 2017

re 109 High Street, Ongar

---

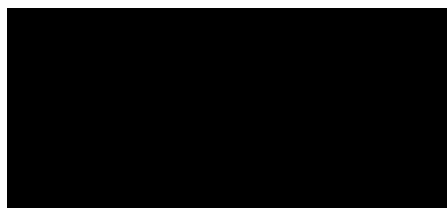
Re licensing application for property above I wish to make the following representation:-

I prefer to alter the closing time from 23:00 to say 20:00 for the following reason:

Prevention of potential public nuisance in a residential area.

In particular keen to avoid the congregation of people drinking in bona vacantia strip of land to side of No 90 High Street.

Many Thanks for your consideration



Jonathan Harvey CRICK

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## ***Report to the Licensing Sub-Committee***



**Epping Forest  
District Council**

**Date of meeting: 9 January 2018**

**Subject: Nisa Local, 66-70 Borders Lane, Loughton, IG10 3QX**

**Responsible Officer: Handan Ibrahim (01992 564153)**

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

---

### **Decisions Required:**

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

### **Report:**

#### Application

1. An application has been made by Mr Mustafa Ates for a variation of his premises Licence at Nisa Local, 66-70 Borders Lane, Loughton, IG10 3QX, The application seeks to amend the opening times from 07:00-23:00 Monday to Sunday and change the premises lay out, incorporating numbers 66, 68 and 70 into one large premises. The application was received on 17 November 2017.

2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

#### Licensing Act 2003

3. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote 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.

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

#### Consultation

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

6. All residences and businesses within 150 metres radius of the premises were individually consulted.

7. The authority has received representations from Loughton Town Council and local

residents, which are also attached. Responses have been received from The Police who agreed conditions via the email dated 30 November 2017 (attached) and the Essex Fire Service and Child Protection Team who have no objections.

8. The Objections relate to the prevention of crime and disorder (2.1-2.6), the prevention of public nuisance (2.15-2.21) and the protection of children from harm (2.22-2.32).

#### 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 2.1-2.6, 2.15-2.21, 2.22-2.32 of the Guidance are relevant to this application

#### 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:

- (a) to grant the licence as applied for subject to:
  - the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives; and
  - the mandatory conditions specified in the Licensing Act 2003; or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates; or
- (c) refuse to specify a person as the premises supervisor; or
- (d) reject the application.

#### Determination

12. 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

13. 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
- Epping Forest District Council's statement of licensing policy.  
<http://www.eppingforestdc.gov.uk>



**Attached Documents:**

- Application for premises licence
- Plan of the premises
- Newspaper advert
- Blue Notice
- Map of the area
- Letters from Essex Police with agreed conditions
- Three letters of objections from Loughton Town Council, Cllr Christopher Roberts and a local resident.

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~~201740847~~  
201740879

**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~~ <sup>M</sup> Mr Mustafa Ates

(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/210001543

**Part 1 – Premises Details**

Postal address of premises or, if none, ordnance survey map reference or description  
Nisa Local  
66-68-70 Borders Lane

Post town	Loughton	Postcode	IG10 3QX
-----------	----------	----------	-------------

Telephone number at premises (if any)

Non-domestic rateable value of premises £27800

**Part 2 – Applicant details**

Daytime contact  
telephone number

E-mail address (optional)

Current postal address if  
different from premises  
address

Unity Road

Post town	Enfield	Postcode	
-----------	---------	----------	--

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			
1	1	1	1	1	1	1	1

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)

Lay out has Change and Premises 66-68-70 converted to join to one shop.

+  
Opening times have changed.

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

--

#### Part 4 Operating Schedule

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

**Provision of regulated entertainment (Please see guidance note 3) 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)

x  
☒

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

A

Plays Standard days and timings (please read guidance note 8)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 5)		
Tue					
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 6)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Sat					
Sun					

# B

Films Standard days and timings (please read guidance note 8)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick (please read guidance note 4)</u>	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
Day	Start	Finish		Both	<input type="checkbox"/>
Mon			<u>Please give further details here (please read guidance note 5)</u>		
Tue					
Wed			<u>State any seasonal variations for the exhibition of films (please read guidance note 6)</u>		
Thur					
Fri			<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 (please read guidance note 7)</u>		
Sat					
Sun					

## C

Indoor sporting events Standard days and timings (please read guidance note 8)			Please give further details (please read guidance note 5)
Day	Start	Finish	
Mon			
Tue			State any seasonal variations for indoor sporting events (please read guidance note 6)
Wed			
Thur			
Fri			Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list (please read guidance note 7)
Sat			
Sun			



# D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 8)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 4)	Indoors	<input type="checkbox"/>																																					
				Outdoors	<input type="checkbox"/>																																					
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			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 6)																																							
			<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> (please read guidance note 7)																																							

## E

Live music Standard days and timings (please read guidance note 8)			Will the performance of live music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue					
			<u>State any seasonal variations for the performance of live music</u> (please read guidance note 6)		
Wed					
Thur					
			<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 7)		
Fri					
Sat					
Sun					

## F

Recorded music Standard days and timings (please read guidance note 8)			Will the playing of recorded music take place indoors or outdoors or both – please tick (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 5)		
Mon					
Tue			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 6)		
Wed			<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 7)		
Thur					
Fri					
Sat					
Sun					

# G

<b>Performances of dance</b> Standard days and timings (please read guidance note 8)			<b>Will the performance of dance take place indoors or outdoors or both – please tick</b> (please read guidance note 4)		Indoors	<input type="checkbox"/>
					Outdoors	<input type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b>Please give further details here</b> (please read guidance note 5)			
Mon						
Tue						
			<b>State any seasonal variations for the performance of dance</b> (please read guidance note 6)			
Wed						
Thur						
			<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 7)			
Fri						
Sat						
Sun						

# H

<b>Anything of a similar description to that falling within (e), (f) or (g)</b> Standard days and timings (please read guidance note 8)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	<b>Will this entertainment take place indoors or outdoors or both – please tick</b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<b>Please give further details here</b> (please read guidance note 5)		
Wed					
Thur			<b>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</b> (please read guidance note 6)		
Fri					
Sat			<b>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Sun					

# I

<b>Late night refreshment</b> Standard days and timings (please read guidance note 8)			<b><u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u></b> (please read guidance note 4)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<b><u>Please give further details here</u></b> (please read guidance note 5)		
Tue					
Wed			<b><u>State any seasonal variations for the provision of late night refreshment</u></b> (please read guidance note 6)		
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 7)		
Sat					
Sun					

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 8)			<b>Will the supply of alcohol be for consumption – please tick</b> (please read guidance note 9)		On the premises	<input type="checkbox"/>		
					Off the premises	x <input type="checkbox"/>		
					Both	<input type="checkbox"/>		
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 6) N/A					
Mon	8:00a m	11:00 pm						
Tue	08:00a m	11:00 pm						
Wed	08:00 am	11:00 pm						
Thur	08:00a m	11:00 pm					<b><u>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 7) N/A	
Fri	08:00a m	11:00 pm						
Sat	08:00 am	11:00 pm						
Sun	10:00 am	10:30 pm						

K

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 10).**  
N/A

L

<b>Hours premises are open to the public</b> <b>Standard days and timings (please read guidance note 8)</b>			<b>State any seasonal variations (please read guidance note 6)</b> N/A
<b>Day</b>	<b>Start</b>	<b>Finish</b>	<b>Non-standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 7)</b> N/A
<b>Mon</b>	07:00	23:00	
<b>Tue</b>	07:00	23:00	
<b>Wed</b>	07:00	23:00	
<b>Thur</b>	07:00	23:00	
<b>Fri</b>	07:00	23:00	
<b>Sat</b>	07:00	23:00	
<b>Sun</b>	07:00	22:30	



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.

N/A

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

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

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

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

Applicant will take all reasonable steps to ensure that crime and disorder of the premises will does not occur on the premises. Any incidences of criminal nature that may occur on the premises will be reported to the police. CCTV Covering the interior of the premises will be installed and will be kept operational at all times. A member of staff trained & capable of downloading images shall be provided to the police or authorised council officers on request.

**The standard practices listed below c) Public safety**

A Fire Risk assessment and emergency plan will be prepared & regularly reviewed. Staff will be Given Appropriate Fire Safety Training.

**d) The prevention of public nuisance**

All customer are asked to respect neighbours and leave quietly. Notices will clearly and prominently displayed to remaining customers leave quietly. Trade refuse agreement to be arranged and maintained at all times.

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

The challenge 25 Proof of age policy will be operated and only a photographic driving licence, A valid passport, HM Forces photographic Identity document or proof of age card with the bearer's photograph & The pass Logo/hologram on it will be accepted as proof of age. A Written refusals record will be kept as part of the incident book and made available to police or authorised officers on request. No alcohol may be supplied to or consumed by any person under 18. Relevant notices will be prominently displayed by the entry/exit door and point of sale as appropriate. All staff will be trained for their role on induction and given refresher training at regular intervals of six months thereafter. Writing training records will be kept for all staff members and made available to police or authorised officers on request.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or x
- 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. x  
☒
- I understand that I must now advertise my application. x  
☒
- I have enclosed the premises licence or relevant part of it or explanation. x  
☒
- I understand that if I do not comply with the above requirements my application will be rejected. x  
☒

**IT IS AN OFFENCE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION. THOSE WHO MAKE A FALSE STATEMENT MAY BE LIABLE ON SUMMARY CONVICTION TO A FINE OF ANY AMOUNT.**

**Part 5 – Signatures** (please read guidance note 12)

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

Signature	
Date	13/11/2017
Capacity	Agent

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **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 15)**

Cohan Zedek

Clisold House

Lordship Road

**Post town** London

**Post code**

**Telephone number (if any)**

**If you would prefer us to correspond with you by e-mail, your e-mail address (optional)**

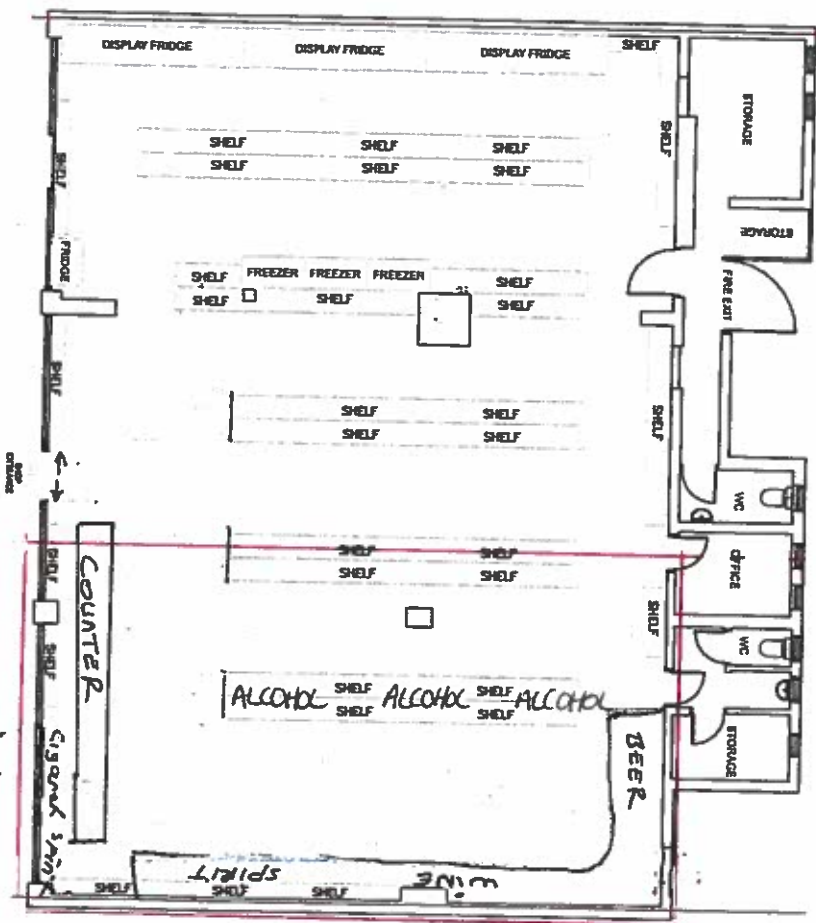
#### Notes for Guidance

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

1. 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 for the late night levy
2. 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 of consumption of these off-supplies of alcohol, you must include a description of where the place will be and its proximity to the premises.
3. In terms of specific regulated entertainments please note that:
  - Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
  - Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
  - Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
  - Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
  - Live music: no licence permission is required for:
    - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.

- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
  - Recorded Music: no licence permission is required for:
    - any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
    - any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
    - any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.
  - Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
  - Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
    - any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
    - any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
    - any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
    - any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.
4. Where taking place in a building or other structure please tick as appropriate (indoors may include a tent).
  5. For example state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.
  6. For example (but not exclusively), where the activity will occur on additional days during the summer months.
  7. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

8. Please give timings in 24 hour clock (e.g. 16.00) and only give details for the days of the week when you intend the premises to be used for the activity.
9. If you wish people to be able to consume alcohol on the premises, please tick 'on the premises'. If you wish people to be able to purchase alcohol to consume away from the premises, please tick 'off the premises'. If you wish people to be able to do both, please tick 'both'.
10. Please give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups or the presence of gaming machines.
11. Please list here steps you will take to promote all four licensing objectives together.
12. The application form must be signed.
13. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
14. Where there is more than one applicant, each of the applicants or their respective agents must sign the application form.
15. This is the address which we shall use to correspond with you about this application.



RevNo	Revision note	Date	Itemref	Quantity	Title/Name, designation, material, dimension etc	Reference
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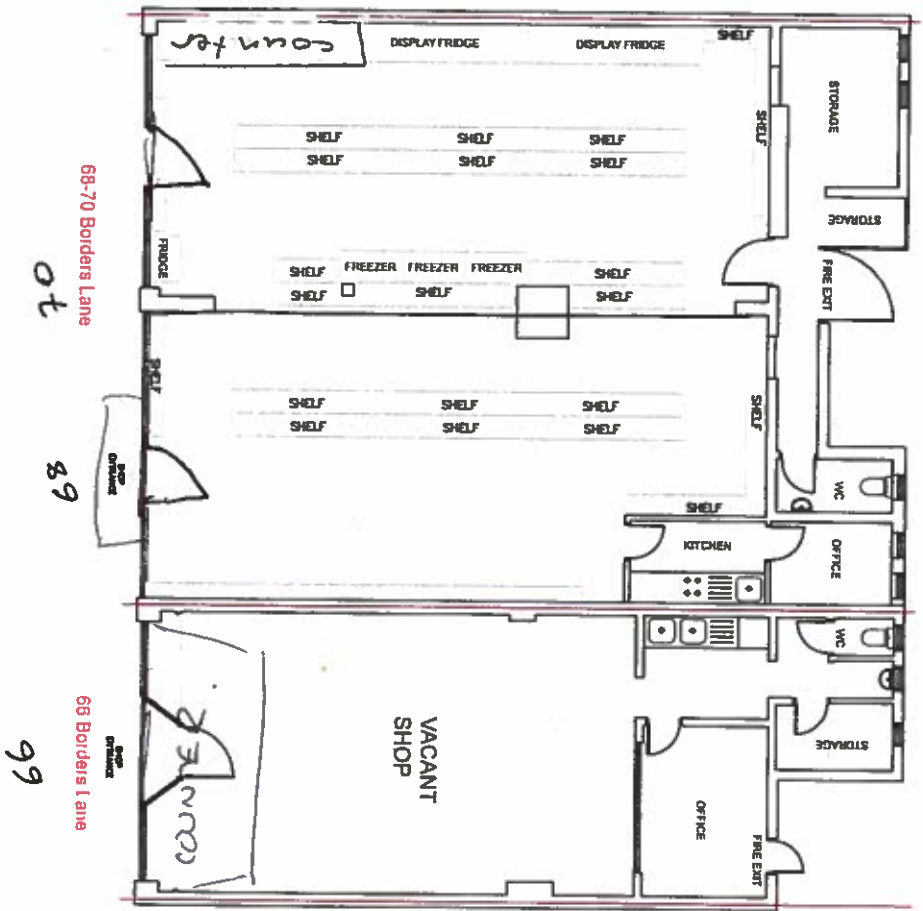
Designed by	Checked by	Approved by - date	Filename
ABD	RMZ	16/08/16	667072BL

# PROPOSED GROUND FLOOR PLAN

GF PLAN	Total Area	Sheet	Scale
	N/A	1/1	1:100

66-68-70 BORDERS LANE,  
IG10 3QX

IT WAS PREVIOUSLY 3 SEPERATE SHOPS



Rev/No	Revision note	Date	Itemref	Quantity	Title/Name, designation, material, dimension etc.	Reference
			Designed by ABD	Checked by RMZ	Approved by - date 18/09/16	Filename 667072BLL
EXISTING GROUND FLOOR PLAN						
			Date 18/09/16			
GF PLAN			Total Area N/A	Sheet 1/1	Scale 1:100	

66-68-70 BORDERS LANE,  
IG10 3QX





**Notice of Application to a Vary of a Premises Licence made under Section 17 of the Licensing Act 2003**

Please take notice that I **MR Mustafa Ates**, Have made application to the local licensing authority for a Vary of a Premises Licence in respect of

**Nisa Local, 66-68-70 Borders Lane Loughton IG10 3QX**

**The Details of Proposed Variation and proposed times to be carried OFF the premises are:**

**Lay out has changed and amended number 66-68 to join 70 both premises converted to join one shop.**

	Days	Start Time	Finish Time
<b>The supply of alcohol consumption OFF the premises</b>	<b>Monday to Saturday</b>	<b>08:00</b>	<b>23:00</b>
	<b>Sunday</b>	<b>10:00</b>	<b>22:30</b>
<b>Opening Hours</b>	<b>Monday to Saturday</b>	<b>07:00</b>	<b>23:00</b>
	<b>Sunday</b>	<b>07:00</b>	<b>22:30</b>

A register of all applications made within the area is maintained by **Licensing Team, Neighbourhoods Directorate, Epping Forest District Council, Civic Offices, High Street, Epping, Essex CM16 4BZ**. A record of this application may be inspected by visiting the office during normal office hours.

It is open to any interested party to make representations about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Representations must be made in writing to the Licensing Service at the office address given above and be received by the Service within a period of 28 days. Representations must be received by: 15 December 2017.

Note: It is an offence to knowingly or recklessly make a false statement in connection with an application. A person guilty of such offence is liable on summary conviction to a fine not exceeding level 5 on the standard scale.

**OPEN**  
**MON - SAT**







## Handan Ibrahim

---

**From:** Licensing Epping and Brentwood  
<licensing.epping.and.brentwood@essex.pnn.police.uk>  
**Sent:** 30 November 2017 10:05  
**To:** Licensing  
**Subject:** Nisa Local, 66-70 Borders Lane, Loughton  
**Attachments:** Nisa Local - Agreement.pdf; ATT00001.txt

Good morning,

Further to the attached correspondence where the applicant has agreed all conditions recommended by Essex Police, I can advise that subject to these being inserted to any licence granted; Essex Police make no representations.

Kind regards,

Peter  
**Peter Jones MIOL, ABII (7706)**  
Epping & Brentwood Licensing Officer  
Epping Forest & Brentwood Local Policing Hub  
West LPA

<http://www.essex.police.uk>  
Loughton Police Station, [REDACTED] High Road, Loughton, Essex, [REDACTED]

To find out what is happening in your neighbourhood and all about your local neighbourhood policing team visit [www.essex.police.uk/yourarea](http://www.essex.police.uk/yourarea) and enter your postcode.



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## Licensing Epping and Brentwood

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**From:** Cohan Zedek [REDACTED]  
**Sent:** 29 November 2017 19:57  
**To:** Licensing Epping and Brentwood  
**Subject:** Re: Nisa Local, 66-70 Borders Lane, Loughton

Dear Peter,

All conditions you are requesting accepting by the applicant(Mr.Mustafa Ates).you can add to premises licence all conditions you requested.Many Thanks for your co-operation.

With Regards,

Cohan Zedek (Agent)  
[REDACTED]

Sent from my iPhone

On 29 Nov 2017, at 17:57, Licensing Epping and Brentwood <[licensing.epping.and.brentwood@essex.pnn.police.uk](mailto:licensing.epping.and.brentwood@essex.pnn.police.uk)> wrote:

Good Afternoon,

I am contacting you regarding the application served by yourself on behalf of Mr Mustafa Ates, to vary the Premises Licence for Nisa Local, 66-70 Borders Lane, Loughton.

Increasing the size of the premises increases the chance of crime, with this in mind Essex Police would ask that appropriate measures be in place to promote the licensing objectives. With that in mind, I would ask you to consult your client on the following conditions with a view to agreeing them.

1. The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:
  - i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
  - ii. CCTV cameras shall cover all public areas including all entrances and exits;
  - iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;
  - iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
  - v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
  - vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failings these are to be recorded immediately.
2. Signs must be displayed at all entrances advising customers that CCTV is operating at the premises.

3. A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement and is either a:
  - Passport;
  - European Union photocard driving licence;
  - Ministry of Defence Identity Card;
  - Proof of age card bearing the PASS Hologram;
  - National identity card issued by a member of the European Economic Area or Switzerland; or
  - Biometric immigration document.
4. The premises shall clearly display signs at the point of sale and in areas where alcohol is displayed advising customers that a Challenge 25 policy is in force. Such signs shall be a minimum size of 200 x 150mm.

Furthermore, by the premises opening whilst licensable activity is not licensed, then Alcohol must not be available for sale. To this end the premises should take steps to cover alcohol, or remove from display outside of the licensable hours. I would like assurances from your client that measures will be in place along with detail of what they are.

I look forward to hearing from you.

Kind Regards,

Peter

**Peter Jones MIOL, ABII (7706)**

Epping & Brentwood Licensing Officer  
Epping Forest & Brentwood Local Policing Hub  
West LPA  
Tel. 101 (Ext. 313604) or 01279 625405

[REDACTED] High Road, Loughton, Essex, [REDACTED]

To find out what is happening in your neighbourhood and all about your local neighbourhood policing team visit [www.essex.police.uk/yourarea](http://www.essex.police.uk/yourarea) and enter your postcode.

<image001.jpg> <image002.jpg> <image003.jpg> <image004.jpg> <image005.png> <image006.png>  
<image007.png> <image008.jpg>

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**From:** Debra Paris <[REDACTED]>  
**Sent:** 06 December 2017 12:42  
**To:** Licensing  
**Subject:** Re: Application for a Variation of a premises licence under the Licensing Act 2003 - Nisa Local, 68 Borders Lane, IG10 3QX

Dear Licensing,

Please see below the comments of the Planning & Licensing Committee, from the meeting held on 4 December 2017, regarding the above application:

**Notice of application for a variation of a premises licence under the Licensing Act 2003 in respect of Nisa Local, 68 Borders Lane, Loughton IG10 3QX.**

The Committee NOTED the contents of a letter of objection.

The Committee OBJECTED to this application on the grounds of prevention of public nuisance and the protection of children from harm.

Members agreed that 07:00 was too early for the sale of alcohol in a residential area. The Committee's recommendation for licensing hours at these premises was:

Monday – Saturday 08:00 to 23:00  
Sundays 10:00 to 22:30

The Committee further raised the following concern, which had been brought to their attention. The Standard Gastro Pub, 126 High Road, Loughton IG10 4BE – the Committee have been advised that this establishment is serving alcohol to customers at the bar without the purchase of food, which they understand is contrary to the licence that has been granted for this premises.

I would be most grateful if you could investigate this matter.

Kind regards,

Please note our change of address shown below.

Debra Paris  
Planning and Licensing Committee Clerk  
Loughton Town Council  
Loughton Library & Town Hall, Traps Lane, Loughton, Essex IG10 1HD  
Tel: [REDACTED]  
Fax: [REDACTED]  
E-mail: [REDACTED]  
Web: [www.loughton-tc.gov.uk](http://www.loughton-tc.gov.uk)



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## Handan Ibrahim

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**From:** Christopher Roberts <[REDACTED]>  
**Sent:** 17 November 2017 13:29  
**To:** Handan Ibrahim  
**Subject:** Re: Application to Vary a Premises Licence - Nisa Local, 66-68-70 Borders Lane, Loughton, IG10 3QX

Dear Mr Ibrahim

The prevention of public nuisance;

I feel that the Borders Lane shops provide a vital service to the local residents however we must remember they are nestled within the housing estate.

When the mini market was first opened years ago it was not supposed to be in competition with the little newsagents which opened early, because the market never sold "news".

Since that time and due to overlap of trade with the market the newsagents has closed.

During the last days of the news agents being open I had a conversation with the newsagents manager and he told me that the competition with the market was a significant factor but that the main reason for him closing was the reduction in demand for newspapers and magazines.

I could not support the revised opening hours of the market on the basis of need, as it has been proven that these days most people collect their news online, I don't recall the last time anyone I know buying and reading a newspaper preferring instead on line publications.

so Balancing this reduced need against the added public nuisance/disturbance factor to residents in the early a.m. would prove difficult.

In addition the development of the bakers into a large cafe/restaurant with opening times very early in the morning I feel that the access road which is always fully parked and overflowing on to and destroying the grass the area has reached its parking limit causing further public nuisance and to further intensify the early morning activity by delivery and staff arrivals would increase public nuisance in this predominantly residential area would need very careful consideration as we are teetering on the edge of allowing an increase in the public nuisance/disturbance of what is left of the very minimal quiet time left to residents in this area.

I also have a concern about the increasing amount of traffic using the slip road from Borders Lane as this often causes problems for traffic using Colson Road, predominantly due to poor parking reducing the visibility of drivers on the much used junction Nisa delivery vehicles regularly park in Colson Road blocking the junction this is currently a problem and is only set to increase the nuisance to residents and traffic.

In conclusion and taking into consideration all the above in my opinion there should be no increase in opening times.

Kind Regards



Chris Roberts

Alderton Ward District Councillor

Epping Forest District Council

Tel: [REDACTED]

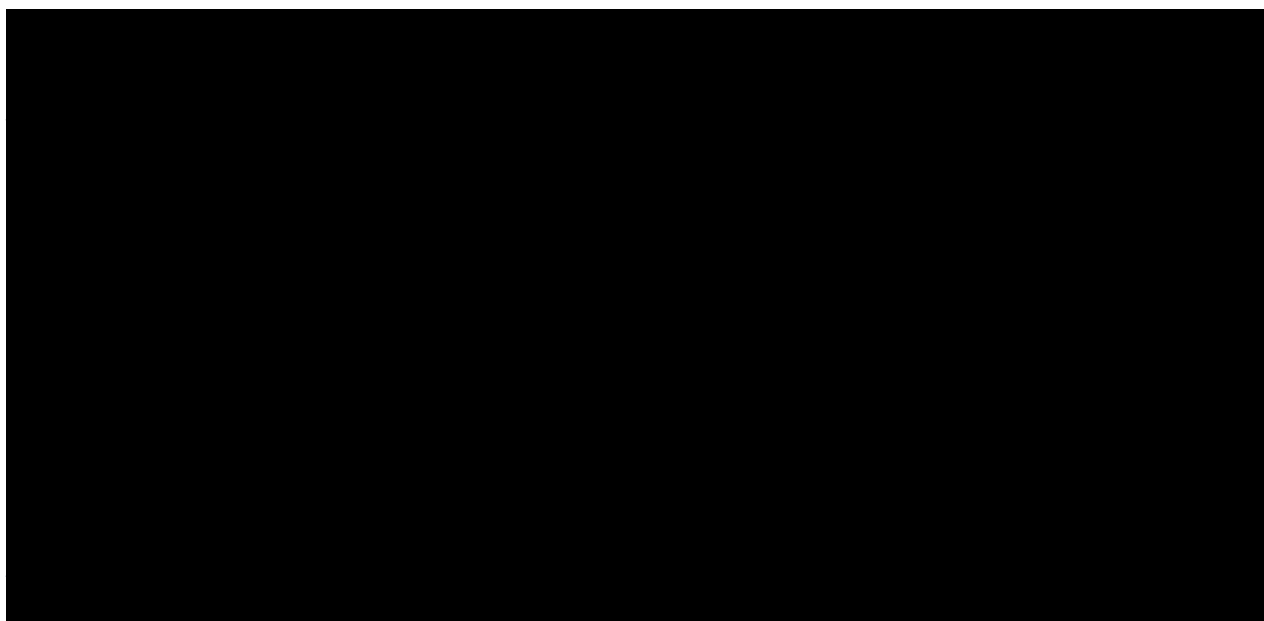
Email: [REDACTED]

Sent from Yahoo Mail for iPad

On Friday, November 17, 2017, 1:07 pm, Handan Ibrahim <hibrahim@eppingforestdc.gov.uk> wrote:

*Dear Cllr Chris Roberts,*

*Thank you for your response regarding the new application to vary a premises licence for the above premises.*



I trust the above explains, however if you have any further queries please do not hesitate to contact me.

Thank you

## Handan Ibrahim

---

**From:** Stella Nolan <[REDACTED]>  
**Sent:** 30 November 2017 13:46  
**To:** Handan Ibrahim  
**Cc:** [REDACTED]  
**Subject:** Fwd: NOTIFICATION OF CONSULTATION - AN APPLICATION IN RESPECT OF PREMISES LICENCES WHICH MAY EFFECT US

Sent from my iPad

Begin forwarded message:

**From:** Stella Nolan <[REDACTED]>  
**Date:** 26 November 2017 at 15:22:09 GMT  
**To:** [REDACTED]  
**Subject:** NOTIFICATION OF CONSULTATION - AN APPLICATION IN RESPECT OF PREMISES LICENCES WHICH MAY EFFECT US

Dear Sir/Madam,

We are responding to a letter we have received from Epping Forest District Council dated 17 November 2017 (Licence Unit (01992) 564034.

This is in respect of an application made by Mr Mustafa Ates of Nisa Local, 68 Borders Lane, Loughton, Essex, IG10 3QX.

The nature of the application is to vary a Premise Licence. The proposed variation is for the following:

- 1) OpeningTimes: Monday - Saturday 07:00 - 23:00 and Sunday 07:00 - 22:30
- 2) Layout to Premises has changed. Joining properties 66-68-70 into one larger premise.

We object most strongly to these proposals and wish to make representation within the Act limits itemised below:

- 1) The prevention of crime and disorder;  
The extended licence hours allowing the selling of alcoholic drinks in this location will inevitably attract people who will be drinking; resulting in irresponsible loud behaviour with it's ensuing problems.
- 2) Public Safety;  
Many elderly people live within this residential area. There are Health and Safety concerns resulting from discarded bottles and cans.
- 3) The prevention of public nuisance; and
- 4) The protection of children from harm  
Will entice children to collect which will intimidate residents.  
This will give the wrong idea to impressionable youngsters.

The Layout of these premises has already had a detrimental effect on this shopping parade, eg closure of newsagents and bakers. Changing the face of what was once a valuable benefit to the community.

I hope these objections will be seriously considered.

Yours faithfully

Mrs Stella Nolan.  
[REDACTED] St Nicholas Place  
Loughton, [REDACTED]

Sent from my iPad

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## ***Report to the Licensing Sub-Committee***

**Date of meeting:** 9 January 2018



**Epping Forest  
District Council**

**Subject:** Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex EN9 1NE

**Responsible Officer:** Sarah Moran (01992 564270)

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

---

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

**(1) To determine the application to vary a Premises Licence under the Licensing Act 2003.**

### **Report:**

#### Application

1. An application has been made by Erdal Hazar trading as Waltham Abbey Express to vary a Premises licence for the above premises. The authority, received the application on 8 November 2017. The application sets out the relevant licensing activities applied for and times requested:

#### Proposed Operating Schedule:

Convenience store seeking to extend licensable hours for the sale of alcohol:

Monday to Thursday 09:00 – 01:00 hrs

Friday to Saturday 09:00 – 02:00 hrs

Sunday 09:00 – 00:00 hrs

2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

#### Licensing Act 2003

3. 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.

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

### Consultation

5. The Responsible Authorities have received a copy of the application, it was properly advertised at the premises and in a local newspaper
6. The Licensing authority have received one representation from the responsible authorities – Peter Jones – Essex Police
7. The Licensing unit have received 11 representations from interested parties.
8. The representations relate to the prevention of crime and disorder, public safety, 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. Crime and Disorder 2.1 – 2.6, Public Safety 2.7 – 2.14 and Public Nuisance 2.15 – 2.21, and Protection of Children from Harm 2.22 – 2.31 of the Guidance are relevant to this application.

### Options

10. 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.

11. 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

12. 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

13. 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 to Vary a Premises licence.
- Newspaper notice.
- 1 Representation from responsible authority – Essex Police.
- 11 Representations from Interested Parties.
- 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 ERDAL HAZAR  
(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/210004230

### Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description WALTHAM ABBEY EXPRESS 1 FARM HILL ROAD			
Post town	WALTHAM ABBEY	Postcode	EN9 1NE
Telephone number at premises (if any)			
Non-domestic rateable value of premises		£ 4,850.00	

### Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)			
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
<input type="text"/>	<input type="text"/>	<input type="text"/>

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)

The premises is a convenience store which has been trading under Mr Hazar's management for over 5 years. There has been requests from the customers to extend his licensing hours for the sale of alcohol off the premises. No Variations will be made to the layout. No additions will be made to the current conditions unless specifically requested by the responsible authorities.

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

### Part 4 Operating Schedule

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

#### Provision of regulated entertainment

Please tick all that apply

- |   |                          |
|---|--------------------------|
| (a) Plays (if ticking yes, fill in box A)   | <input type="checkbox"/> |
| (b) Films (if ticking yes, fill in box B)   | <input type="checkbox"/> |
| (c) Indoor sporting events (if ticking yes, fill in box C)  | <input type="checkbox"/> |
| (d) Boxing or wrestling entertainment (if ticking yes, fill in box D)   | <input type="checkbox"/> |
| (e) Live music (if ticking yes, fill in box E)  | <input type="checkbox"/> |
| (f) Recorded music (if ticking yes, fill in box F)  | <input type="checkbox"/> |
| (g) Performances of dance (if ticking yes, fill in box G)   | <input type="checkbox"/> |
| (h) Anything of a similar description to that falling within (e), (f) or (g)<br>(if ticking yes, fill in box H) | <input type="checkbox"/> |

J

<b>Supply of alcohol</b> Standard days and timings (please read guidance note 7)			<b><u>Will the supply of alcohol be for consumption</u></b> <b><u>– please tick</u></b> (please read guidance note 8)		Indoors	<input type="checkbox"/>
					Outdoors	<input checked="" type="checkbox"/>
					Both	<input type="checkbox"/>
Day	Start	Finish	<b><u>State any seasonal variations for the supply of alcohol</u></b> (please read guidance note 5)			
Mon	09.00	01.00				
Tue	09.00	01.00				
Wed	09.00	01.00				
Thur	09.00	01.00				
Fri	09.00	02.00				
Sat	09.00	02.00				
Sun	09.00	00.00				
<b><u>Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</u></b> (please read guidance note 6)						

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)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon	09.00	01.00	
Tue	09.00	01.00	
Wed	09.00	01.00	<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)
Thur	09.00	01.00	
Fri	09.00	02.00	
Sat	09.00	02.00	
Sun	09.00	00.00	

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

CURRENT CONDITIONS WILL REMAIN

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)**

THE EXISTING CONDITIONS WILL REMAIN UNLESS ADDITIONAL CONDITIONS ARE REQUESTED TO BE ADDED BY THE RESPONSIBLE AUTHORITIES

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

THE EXISTING CONDITIONS WILL REMAIN UNLESS ADDITIONAL CONDITIONS ARE REQUESTED TO BE ADDED BY THE RESPONSIBLE AUTHORITIES

**(c) Public safety**

THE EXISTING CONDITIONS WILL REMAIN UNLESS ADDITIONAL CONDITIONS ARE REQUESTED TO BE ADDED BY THE RESPONSIBLE AUTHORITIES

**(d) The prevention of public nuisance**

THE EXISTING CONDITIONS WILL REMAIN UNLESS ADDITIONAL CONDITIONS ARE REQUESTED TO BE ADDED BY THE RESPONSIBLE AUTHORITIES

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

THE EXISTING CONDITIONS WILL REMAIN UNLESS ADDITIONAL CONDITIONS ARE REQUESTED TO BE ADDED BY THE RESPONSIBLE AUTHORITIES

**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	SUNA HAZAR
Date	07/11/2017
Capacity	SOLICITOR

**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)**

SUNA HAZAR  
IVY SOLICITORS  
669 HIGH ROAD

Post town	Tottenham	Postcode	N17 8EY
Telephone number (if any)	020 86179630		
If you would prefer us to correspond with you by email, your email address (optional) <a href="mailto:suns@ivysolicitors.co.uk">suns@ivysolicitors.co.uk</a>			

# PREMISES LICENCE

## Part A



Corporate  
Support  
Services

Premises licence number:

LN/210004230

### Part 1 – Premises details:

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

Waltham Abbey Express  
1 Farm Hill Road

Post Town: Waltham Abbey Post code: EN9 1NE

Telephone number: 01992 717567

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 to Saturday 09.00hrs – 00.30hrs  
Sunday 09.00hrs – 00.00

The opening hours of the premises:

Monday to Saturday 09.00hrs – 00.30hrs  
Sunday 09.00hrs – 00.00hrs

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

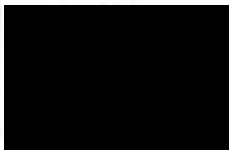
Name, (registered) address, telephone number and e-mail (where relevant) of holder of premises licence:

Erdal Hazar  
Waltham Abbey Express  
1 Farm Hill Road  
Waltham Abbey  
Essex  
EN9 1NE  
Tel: 01992 717567

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:**

**Erdal Hazar**



**Mob**



**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/200501043**  
**Erdal Hazar**



#### **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. Each individual at the premises who carry out a security activity, 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.

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

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

- Signs are to be clearly posted informing customers of a 'Challenge 25' scheme, and to be reinforced with acceptance of photo ID only.
- All staff must have a Personal licence.
- Challenge register to be kept at the till and signed off by the DPS on a weekly basis and to be available for inspection by a responsible authority on request.
- CCTV will be focused on the counter to clearly show the seller and the customer. And additional CCTV be directed to record the perimeter of the premises. The system should be able to be operated by every member of staff. These staff should therefore be competent in making recordings of video and sound available for inspection by Police or Trading Standards upon request. That the period of recording be retained for no less than 32 days.

### **Public Safety**

- All fire safety equipment is to be regularly checked and maintained as per manufacture's recommendations.

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

No additional steps identified

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

No additional steps identified (covered in The Prevention of Crime and Disorder)

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

Panel Hearing date: 24<sup>th</sup> September 2013

**Opening Hours:**

Monday to Saturday	09.00hrs – 00.30hrs
Sunday	09.00hrs – 00.00hrs

**Sale of Alcohol:**

Monday to Saturday	09.00hrs – 00.30hrs
Sunday	09.00hrs – 00.00hrs

**Annexe 4 – Plans:**

**Plans held at Epping Forest District Council**





**Sarah Moran**

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**From:** Licensing Epping and Brentwood  
<licensing.epping.and.brentwood@essex.pnn.police.uk>  
**Sent:** 05 December 2017 15:22  
**To:** Licensing  
**Cc:** suna@ivysolicitors.co.uk  
**Subject:** RE: Application to vary Premises Licence - Waltham Abbey Express, 1 Farm Hill Road

Good Afternoon,

Further to the below email, I have just spoken to the applicants solicitor. Unfortunately the applicant wasn't happy to agree measures that met with Essex Police approval.

For that reason, my representations stand, and will attend the hearing in due course.

Regards,

Peter

**Peter Jones MIOL, ABII (7706)**

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

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**From:** Licensing Epping and Brentwood  
**Sent:** 17 November 2017 13:38  
**To:** 'suna@ivysolicitors.co.uk'  
**Cc:** EFDC Licensing  
**Subject:** Application to vary Premises Licence - Waltham Abbey Express, 1 Farm Hill Road

Good Afternoon,

I write in respect of the application to vary the Premises Licence for Waltham Abbey Express, 1 Farm Hill Road.

The premises is on a main road in close proximity to residential premises. A high percentage of passing trade in the early hours is likely to be people on their way home from licensed premises in the town centre, many of which close at midnight and 1am. If the applied hours were granted, alcohol at off-licence prices would be available to those who had already consumed a large amount, and there would be a tendency for groups to meet and consume alcohol on the street. The consequential noise and disturbance would cause a public nuisance, and potential crime and/or disorder.

As such, Essex Police would accept an amended terminal licensed time of 0100 Monday to Saturday, with the addition of the following conditions. Some of which are updated versions of those on the current Premises Licence.

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

The premises shall have installed and maintain a closed circuit television surveillance (CCTV) system which at all times complies with the below requirements:

- i. CCTV will be provided in the form a recordable system, capable of providing pictures of evidential quality in all lighting conditions particularly facial recognition;
- ii. CCTV cameras shall cover (all public areas including all entrances and exits);
- iii. Equipment must be maintained in good working order, be correctly time and date stamped, recordings must be kept in good working order and kept for a minimum period of 31 days;



- iv. At all times, whilst the premises is open for licensable activities, there are members of staff able to immediately provide viewable copies of recordings to the police or licensing authority staff upon reasonable request;
- v. The recording equipment and data storage devices shall be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with;
- vi. An operational daily log report must be maintained endorsed by signature, indicating the system has been checked and is compliant: in the event of any failings these are to be recorded immediately.

#### **Prevention of Public Nuisance**

No beer, lager, cider or spirit mixers with an alcohol by volume content above 6% will be sold or offered for sale.

No single cans or bottles of beer or cider or spirit mixtures shall be sold at the premises.

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

The premises shall display prominent signage indicating at point of sale, at the entrance to the premises and in all areas where alcohol is located that it is an offence for a person under the age of 18 to buy or attempt to buy alcohol or buy, or attempt to buy, alcohol for a person under the age of 18.

A Challenge 25 scheme shall be operated, whereby any person who appears to be under the age of 25 years of age is required to produce on request an item which meets the mandatory age verification requirement **and** is either a:

- Passport;
- European Union photocard driving licence;
- Ministry of Defence Identity Card;
- Proof of age card bearing the PASS Hologram;
- National identity card issued by a member of the European Economic Area or Switzerland; or
- Biometric immigration document.

The premises shall clearly display signs at the point of sale and in areas where alcohol is displayed advising customers that a Challenge 25 policy is in force. Such signs shall be a minimum size of 200 x 150mm.

Should the applicant be happy to accept the amended operating schedule offered, Essex Police will not raise a formal objection.

I look forward to hearing from you.

Kind regards,

Peter

**Peter Jones MIOL, ABII (7706)**

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

Tel. 101 (Ext. 313604) or 01279 625405

<http://www.essex.police.uk>

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

To find out what is happening in your neighbourhood and all about your local neighbourhood policing team visit [www.essex.police.uk/yourarea](http://www.essex.police.uk/yourarea) and enter your postcode.





**Sarah Moran**

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**From:** Chloe Price [REDACTED]  
**Sent:** 23 November 2017 09:05  
**To:** Licensing; [REDACTED]  
**Subject:** Waltham Abbey Express Application

Dear Sir/Madam,

I would like to oppose the application for Waltham Abbey Express to extend their licensing hours for the sale of alcohol.

We live opposite this store and feel that this could affect the goings on in the area late at night. We don't want the sale of alcohol late in to the night where it could bring noise and nuisance after hours. We also worry about the level of crime and disorder it could bring to the streets where alcohol is readily available. We have a young daughter and don't want any disruption into these late hours.

Many Thanks

Chloe Price  
[REDACTED]

Waltham Abbey  
EN9 1PF

Sent from Outlook

EPPING FOREST DISTRICT COUNCIL  
Licensing Unit  
Civic Offices, High Street  
Epping, Essex CM16 4BZ

Cllr. Helen Kane  
■ Farm Hill Road  
Waltham Abbey  
Essex, EN9 1NN

**Ref: WK/201739747**

**Variation of Premises licence- Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex EN9 1NE**

First of all, let me inform you that we found out about this application by accident, through the dentists at 20 Farm Hill Road, where the immediately affected premises Nos: 4,6,8,10 (opposite the road) or 3,5,7 (next door) had no notification at all. The system has not worked in this instance as, if we have not had the luck to find out, then we would have had no opportunity to send our objections or comments.

This establishment has been a nightmare since it changed hands and it started with the completely out of character for the area blue signs around the shop. The deliveries have been legendary, with vans parked dangerously on the pavement on the corner, and have been reported to the police numerous times with pictures as evidence. – Please see enclosed photograph to show you the negligence of these people – having no consideration for Public Safety, on the pavement and on the corner of the most busy traffic lights junction in the district.

The police have been informed that this establishment has been supplying to minors and it has proven that there is no consideration for the protection of children.

In 2013 they put an application for the same hours and we made our representation and the panel decided – against the increasing hours. It is fair to say that at the time we asked the owner how many people he employs in order to justify the extensive opening hours. He declared that it will be himself and one part-timer. We found this very strange and issues with illegal employment were raised but we did not take it any further. Now in 2017 he has put the same application again, and here are my objections:

- Waltham Abbey has a lot of establishments like restaurants and pubs that sell alcohol so there is no need or justification for any extensive hours
- Waltham Abbey has had a history of drunken disorder, that is why there is a curfew around Sun Street. So, there is a lot of concern for the prevention of Crime and Disorder
- Prevention of public nuisance. This has a lot of impact to the neighbours, hours of operation, noise emanating from the premises, lighting and litter. Our front gardens are forever filled with litter and the door slamming is a continuing harassment

- Protection of children from harm. This establishment has been found guilty for supplying minors, so there is big question when it relates to protecting children from the activities carried out on these premises.
- We have a lot of older generation living by, who are terrified of going out late at night, or walk on their own, we have due care to protect these people or anyone who is vulnerable and the thought of people buying alcohol so late has upset a lot of them.

Regards



Cllr Helen Kane



**Sarah Moran**

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**From:** Cllr Sam Kane [REDACTED]  
**Sent:** 29 November 2017 14:56  
**To:** Sarah Moran  
**Subject:** Variation of Premises licence- Waltham Abbey Express - Ref: WK/201739747

The requested Application to Vary premises licence

Proposed licence is for the supply of alcohol for consumption Off the premises.

Monday to Thursday 09:00 – 01:00 hrs

Friday to Saturday 09:00 – 02:00 hrs

Sunday 09:00 – 00.00 hrs

is identical to that made at the Meeting of Licensing Sub-Committee, Tuesday, 24th September, 2013

At that meeting the committee heard objections from a number of objectors, with the representative from Essex Police noting

- nuisance caused by drunken people
- the area had anti-social behaviour problems and these were mainly due to alcohol
- none of the bigger named stores had requested an extension to their license and saw this as a sign that the demand was not necessarily there
- that the variation to the licensing hours requested were still excessive for the premises and location
- If the variation was allowed it would set precedence in the area where problems already existed

In their summary, the committee noted

- the right of the owner to make a living should be balanced against the right of the residents not to suffer public nuisance

In the intervening 4 years, anti-social behaviour in the town has increased.

There are no material changes to the evidence on offer

- there is still no demand for late-night sales of alcohol
- the immediate neighbours still suffer door-slamming, drunken shouting and occasional fighting on their doorsteps.
- Increased access to alcohol will only aggravate the problems being encountered on a daily basis

In light of the above, as one of the affected residents I urge the committee to refuse the application.

Mr S J Kane  
[REDACTED] Farm Hill Road  
Waltham Abbey  
Essex  
EN9 1NN

Regards

[REDACTED]

Cllr. Sam Kane  
Safer, Greener & Transport Portfolio Holder  
Epping Forest District Council

**From:** Menno Martens [REDACTED]  
**Sent:** 29 November 2017 16:55  
**To:** Licensing  
**Subject:** Variation of Premises Licence - Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE

Dear Sir / Madam

I refer to your public consultation letter regarding subject convenience store wishing to extend its licensing hours for the sale of alcohol.

As the occupier of [REDACTED] Farm Hill Road I hereby make a representation against the application on the following grounds:

- Prevention of crime and disorder:

Extending the licensing hours will undoubtedly result in an increased flow of noisy and possibly rowdy pedestrians walking home alongside Farm Hill Road in the early hours with possible littering, vandalism and/or theft as a result. We frequently find empty liquor bottles and beer cans on our drive already, which poses a health & safety hazard and is simply annoying.

- Public safety:

The Waltham Abbey Express is located on the corner of Sewardstone Road and Farm Hill Road. There are no parking options in front of the shop and people result in parking immediately round the corner on Farm Hill Road obstructing the bus stop and private driveways and creating a bottle neck for the flow of traffic coming round the corner from the traffic lights. As the street lights switch off automatically after midnight any such parked cars would be dangerous. In addition we fear that extended opening hours will result in an increase of motorised traffic past midnight, which clearly is sleep disturbing in itself.

- The prevention of public nuisance:

Further to point 1 above we fear that extended licensing hours of Waltham Abbey Express will make it a gathering point for (intoxicated) customers coming from nearby pubs after closing time likely resulting in littering, noisy / rowdy behaviour or worse.

Waltham Abbey does not have a permanent police force patrolling the town at night to prevent any such behaviour or quickly crack down it, making extended licensing hours a very unwise decision indeed.

I trust you find above points to be fair and concise and thank you in advance for your consideration. Please note that I do not intend on attending the actual hearing and would much prefer if my personal details would not be made public but hereby authorise the occupiers of 3 Farm Hill Road to speak on our behalf.

Best regards,

Menno Martens  
[REDACTED] Farm Hill Road

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

Mrs Daniella Emery  
■ Farm hill Road  
Waltham Abbey  
Essex  
EN9 1NE

4<sup>th</sup> December 2017

**YOU'RE REFERENCE: WK/201739747**

FAO: The licencing department

I am writing to you further to the variation of premises licence application you have received for the following premises -Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE.

I live at ■ Farm hill Road, Waltham Abbey which is the first house on the road after Waltham Abbey Express.

We are constantly subjected to problems that have arisen since these premises opened for business and I strongly appeal against this application being approved and granted to the licence holders on the following grounds:

**The prevention of crime & disorder**

I have witnessed on regular occasions large groups of (under age) teenagers hanging outside the shop and outside my property drinking alcohol and being very loud and abusive. I know that the alcohol was purchased from there as they have this in the blue bags that are provided by the shop.

On regular occasions we have witnessed men sitting on the front wall of our elderly next-door neighbour's property drinking alcohol and smoking.

We have had to deal with men urinating up our cars and on our driveway.

There have been several arguments/fights that have occurred outside these premises that I'm sure that the police would have records of.

I am regularly picking up empty cans & clearing the glass from smashed bottles found on our driveway and outside on the pavement area in front of our home, which has caused me to have regular punctures.

**Public Safety**

Every night we have cars parking directly outside our home and across our dropped kerb and driveway. This prevents access & departure from our home and on several occasions, we have politely asked the drivers to move only to be subjected to abuse.

We have many people using Farm Hill Road especially in the day which many are mums with their toddlers and children walking to school which causes great concern with the broken glass on the pathway.

A serious safety concern is also where the cars park to go into the shop they also park in the bus stop so that the bus cannot drop or collect customers from, quite often causing the bus to double park and where it is located just after the bend this causes traffic congestion and is an accident waiting to happen.

#### **The prevention of public nuisance**

Our bedroom is located at the front of the house and we are constantly being woken by the cars pulling up to go into the shop with their stereos blaring out music and doors slamming, which prevents us from having our windows open of a night time, which during the summer months is intolerable at times however, this dies down when Waltham Abbey Express closes. I have also been woken up several times by the loud noise of the shutter being pulled down on the shop when closing and staff opening and shutting the metal door on the shops lock up where he stores his stock, this is located right next to our house and my bedroom.

We simply could not take any further noise and disturbance, this would infact cause us extreme stress and would affect my job due to constant broken sleep & worry.

The constant stress of it all has made myself & husband even consider moving home.

I have noticed that there have been large groups of youngsters pulling up in the petrol garage across the road and going into the shop and then they stay parked there for long periods of time, revving their engines and shouting across at each other's cars.

I do not believe under any circumstances that the small town of Waltham Abbey that has an alcohol curfew in place needs or requires this shop to stay open any later than previously granted. There is a known problem for drug & alcohol problems in Waltham Abbey and to keep this open any later would in fact be like a moth to light

If this is application is granted this will undoubtedly encourage more of the factual points I have raised and I feel incredibly concerned this will only be extremely detrimental to the local community & area.

Yours sincerely

Mrs Daniella Emery



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

Mr Lee Emery  
■ Farm hill Road  
Waltham Abbey  
Essex  
EN9 1NE

5<sup>th</sup> December 2017

**YOU'RE REFERENCE: WK/201739747**

FAO: The licencing department

I am writing to you further to the variation of premises licence application you have received for the following premises -Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE.

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I have witnessed on regular occasions large groups of (under age) teenagers hanging outside the shop and outside my property drinking alcohol and being very loud and abusive. I know that the alcohol was purchased from there as they have this in the blue bags that are provided by the shop.

On regular occasions we have witnessed men sitting on the front wall of our elderly next-door neighbour's property drinking alcohol and smoking.

We have had to deal with men urinating up our cars and on our driveway.

There have been several arguments/fights that have occurred outside these premises that I'm sure that the police would have records of.

I am regularly picking up empty cans & clearing the glass from smashed bottles found on our driveway and outside on the pavement area in front of our home, which has caused me to have regular punctures.

**Public Safety**

I am a blue badge holder and have had difficulty at times trying to gain access to my own driveway where the kerb is dropped for access as there are cars left parked blocking this

whilst they have gone into the shop, on several occasions, I have politely asked the drivers to move only to be subjected to foul language.

We have many people using Farm Hill Road especially in the day which many are mums with their toddlers and children walking to school which causes great concern with the broken glass on the pathway.

A serious safety concern is also where the cars park to go into the shop they also park in the bus stop so that the bus cannot drop or collect customers from, quite often causing the bus to double park and where it is located just after the bend this causes traffic congestion and is an accident waiting to happen.

Also, the owner & staff frequently park on the pavement preventing members of the public to pass by and means that they have to walk in the road (I have attached photos of this and you can quite clearly see that a cyclist has had to come off his bike to get around the car).

#### **The prevention of public nuisance**

Our bedroom is located at the front of the house and we are constantly being woken by the cars pulling up to go into the shop with their stereos blaring out music and doors slamming, which prevents us from having our windows open of a night time, which during the summer months is intolerable at times however, this dies down when Waltham Abbey Express closes. I have also been woken up several times by the loud noise of the shutter being pulled down on the shop when closing and staff opening and shutting the metal door on the shops lock up where he stores his stock, this is located right next to our house and my bedroom.

We simply could not take any further noise and disturbance, this would infact cause us extreme stress and would affect my job due to constant broken sleep & worry.

The constant stress of it all has made myself & wife even consider moving home.

I have noticed that there have been large groups of youngsters pulling up in the petrol garage across the road and going into the shop and then they stay parked there for long periods of time, revving their engines and shouting across at each other's cars.

I do not believe under any circumstances that the small town of Waltham Abbey that has an alcohol curfew in place needs or requires this shop to stay open any later than previously granted. There is a known problem for drug & alcohol problems in Waltham Abbey and to keep this open any later would in fact be like a moth to a light

If this application is granted this will undoubtedly encourage more of the factual points I have raised and I feel incredibly concerned this will only be extremely detrimental to the local community & area.

Yours sincerely

Mr Lee Emery











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

■ Farm Hill Road  
Waltham Abbey  
Essex  
EN9 1NE

5<sup>th</sup> December 2017

REFERENCE: WK/201739747

FAO: The licencing department

I am writing to you further to the variation of premises licence application for the following premises -Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE.

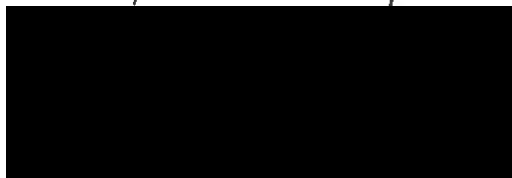
I live at ■ Farm hill Road and would like to appeal against this application being approved and granted to the licence holders.

We often experience loud noise from cars pulling up late at night with music playing extremely loud we also have found many empty cans and beer bottles that have been thrown into our front garden and on the pathway.

I feel that if the shop is allowed to open later than it does this will cause this to worsen.

I have children and feel that this would not be good for the local community.

Yours sincerely

A large black rectangular box redacting the signature of the sender.

Licensing Unit Civic Offices, Epping Forest District Council  
High Street, Epping  
Essex CM16 4BZ  
**REFERENCE: WK/201739747**

Mr Peter Byrd  
[REDACTED] Woollard Street  
Waltham Abbey  
Essex  
EN9 1HB

5<sup>th</sup> December 2017

Dear Licencing Department

I would like to appeal to the variation of premises licence application I saw in the window of Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE.

I frequently walk my dogs up to Larson's Park at the top of Farm Hill Road Waltham Abbey and on many occasions, have witnessed large groups of youngsters hanging about the front drinking alcohol, which is very intimidating when passing.

I find that often there are empty cans and bottles that have been dumped on the pathway on my way to the park, on one occasion my dog actually cut his pad on a smashed beer bottle in the street.

I don't think that this should be allowed to open any later as this would bring unwanted customers out onto the streets.

Waltham Abbey used to be a quiet little town which has changed dramatically and I think this is all adding to the cause.

Yours faithfully

Mr P Byrd  
[REDACTED]

23.11.2017

EFDC  
Licensing Unit  
High St  
Eppinmg  
Essex  
CM16 4BZ

Michael Meaney  
■ Farm Hill Road  
Waltham Abbey  
EN9 1NE

Dear Sir,

Your Ref: WK/201739747

It has been brought to my attention that an application has been made to you for a Variation of Premises Licence by Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE. The deadline for representations is 5.12.17.

I should like to make a representation against any extension of licensing hours at those premises.

My objections are based on the following criteria:

- The prevention of crime and disorder;
- Public safety;
- Prevention of public nuisance.

I have been a resident near this shop since 2013. I have noticed on numerous occasions, incidences of late night noise, loud/aggressive shouting in the street, inconsiderate/dangerous driving and parking, slamming car doors, breaking glass and littering.

I associate those matters with the existing late night opening of this off-licence/shop. I believe that any extension of opening hours late into the night would only prolong the nuisance connected with this shop.

Yours sincerely,

Michael Meaney  
23.11.17.



24 NOV 2017

EFDC  
Licensing Unit  
High St  
Eppinmg  
Essex  
CM16 4BZ

Veronica Meaney  
Farm Hill Road  
Waltham Abbey  
[REDACTED]

Dear Sir,

Your Ref: WK/201739747

It has been brought to my attention that an application has been made to you for a Variation of Premises Licence by Waltham Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex, EN9 1NE. The deadline for representations is 5.12.17.

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I associate those matters with the existing late night opening of this off-licence/shop. I believe that any extension of opening hours late into the night would only prolong the nuisance connected with this shop.

Yours sincerely,

[REDACTED]

Veronica Meaney  
23.11.17.

\* WHY DID I NOT RECEIVE THIS NOTICE  
FROM YOU - INSTEAD A NEIGHBOUR  
GAVE ME A COPY?

Our Ref: WK/201739747



**Epping Forest  
District Council**

www.eppingforestdc.gov.uk  
Neighbourhoods Directorate

Name

JOANNE CHADWICK



FARM HILL RD

WALTHAM ABBEY

EN9 1NE

Civic Offices High Street  
Epping Essex CM16 4BZ

Telephone: 01992 564608  
DX: 40409 Epping

Director of Neighbourhoods  
and Deputy Chief Executive  
Derek Macnab

Enquiries to:

Date: 14th November 2017  
Licensing Unit (01992) 564270

Dear Occupier,

**NOTIFICATION OF CONSULTATION – Variation of Premises licence – Waltham  
Abbey Express, 1 Farm Hill Road, Waltham Abbey, Essex EN9 1NE**

**GUIDE TO MAKING REPRESENTATIONS UNDER THE LICENSING ACT 2003**

Epping Forest District Council is undertaking a public consultation details of which are set out in the notice enclosed. The consultation involves advertising in the local newspaper, site notices and advertisement on the Council's website. We encourage members of the public and local businesses to be involved in the licensing process and so we are notifying occupiers of nearby properties of this consultation.

This letter explains how you can make representations either for or against the application and how you can take part in any meeting where you have submitted a written representation.

**WHAT CAN I SAY?**

The Act limits the grounds upon which you may make a representation in respect of an application. These are:

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

You should state which of the above grounds you are making a representation on, the reasons for each representation and send any evidence you may have. **Please do not include representations on any other issues such as planning, as the Authority is prohibited by statute from taking these into account.**

It is important that your written representation makes the points which you wish to raise as the Council cannot hear new issues at the hearing.

Please note that if you submit a representation the Authority will inform the Applicant of your name and address. If you have concerns about this you must let the Senior Licensing Officer know your reasons for not disclosing your details or withdraw any representation.



**Epping Forest  
District Council**

Waltham Abbey Express

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Date: 13/12/2017

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