

* required information

Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

Yes No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Are you:

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

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

Applicant Business

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

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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APPLICATION DETAILS

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

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

* Premises Licence Number

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

Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

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VARIATION

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

Yes No

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

Yes No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

TO EXTEND OPENING TRADING HOURS TO 10PM MONDAY TO SATURDAY.

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 08:00

End 22:00

Start

End

SATURDAY

Start 08:00

End 22:00

Start

End

SUNDAY

Start 08:00

End 22:00

Start

End

Will the playing of recorded music take place indoors or outdoors or both?

Indoors

Outdoors

Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

CAFE/RESTAURANT WITH RECORDED MUSIC PLAYING AS BACKGROUND MUSIC
NO NIGHT CLUB MUSIC ETC

State any seasonal variations for playing recorded music.

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

NONE

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

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

NONE

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PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

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

Yes

No

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Continued from previous page...

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

See guidance on regulated entertainment

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

Yes

No

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PROVISION OF LATE NIGHT REFRESHMENT

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

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Continued from previous page...

Will the provision of late night refreshment take place indoors or outdoors or both?

Indoors Outdoors Both

Where taking place in a building or other structure select as appropriate. Indoors may include a tent.

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.

CONTINUE TO SERVE GLASS OF WINE OR BEER WITH MEALS

State any seasonal variations.

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

NONE

Non standard timings. Where the premises will be used for the provision of late night refreshment at different times from those listed above, list below.

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

NONE

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SUPPLY OF ALCOHOL

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

Yes No

Standard Days And Timings

MONDAY

Start

End

Start

End

TUESDAY

Start

End

Start

End

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

Continued from previous page...

WEDNESDAY

Start 08:00

End 22:00

Start

End

THURSDAY

Start 08:00

End 22:00

Start

End

FRIDAY

Start 08:00

End 22:00

Start

End

SATURDAY

Start 08:00

End 22:00

Start

End

SUNDAY

Start 08:00

End 22:00

Start

End

Will the sale of alcohol be for consumption?

- On the premises Off the premises Both

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

State any seasonal variations.

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

NONE

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

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

NONE

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ADULT ENTERTAINMENT

Continued from previous page...

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

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

NONE

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations.

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

Continued from previous page...

NONE

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

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

NONE

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

NONE

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

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

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LICENSING OBJECTIVES

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

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

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

GOOD MANAGEMENT PRACTICES AND TRAINING TO STAFF WITH REGARD TO DRUNKENESS AND UNDERAGE DRINKING, AND ADHERING TO THE TERMS OF LICENCE AND OBEYING THE REQUIREMENTS SET OUT IN THE LICENCING ACT 2003.

b) The prevention of crime and disorder

PROVIDE CCTV INSIDE AND OUTSIDE, REPORT ANY INCIDENTS TO POLICE OR RELEVANT AUTHORITIES.

c) Public safety

Continued from previous page...

APPROPRIATE FIRE SAFETY PROCEDURES, EMERGENCY LIGHTING, APPLIANCE INSPECTIONS ANNUALLY

d) The prevention of public nuisance

ASK CUSTOMERS TO LEAVE QUIETLY AND THOUGHTFULLY, WITH RESPECT AND REGARD OF NEIGHBOURS.

e) The protection of children from harm

UNDERAGE DRINKING PREVENTION TRAINING FOR ANY PERSONS DEEMED UNDER 25, WITH PHOTO ID REQUIRED.
ALL STAFF WILL UNDERGO REGULAR TRAINING FOR UNDERAGE SALES PREVENTION.
A REGISTER OF REFUSED SALES WILL BE KEPT AND MAINTAINED ON THE PREMISES.

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NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o 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:
 - o 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.
 - o 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.
 - o 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.

Continued from previous page...

- 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:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

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PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

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

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

Continued from previous page...

* Full name

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

IT IS AN OFFENCE, 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.

OFFICE USE ONLY

Applicant reference number

Fee paid

Payment provider reference

ELMS Payment Reference

Payment status

Payment authorisation code

Payment authorisation date

Date and time submitted

Approval deadline

Error message

Is Digitally signed

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [Next >](#)



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ALCOHOL & Licensing

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

Notice is given this day 25th November 2022 that Belgoue (Theydon) Ltd of 14 Forest Drive, Theydon Bos, Epping CM16 7EY has applied to the Licensing office of Epping Forest District Council for a Premises Licence in respect of bonhomie, 14 Forest Drive, Theydon Bos, Epping CM16 7EY. The proposed licence is for: The Provision of Recorded Music Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.30); The Provision of Late Night Refreshment Monday to Sunday 08.00 – 22.00; The Sale by Retail of Alcohol Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.00); Opening Times of the Premises Monday to Sunday 08.00 – 22.00. The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4EZ. Applications for premises licences may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licensing Office within 28 days of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000)

PLANNING

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Theydon Bois Parish Council

Parish Office, The Village Hall, Coppice Row,
Theydon Bois, Essex CM16 7ER
Clerk to the Council: Mrs Jennifer Endean
Tel:01992 813442

22nd December 2022

Miss Debbie Houghton
Licensing Officer, Licensing Team
Commercial and Regulatory Directorate
Epping Forest District Council
Civic Offices, High Street, Epping
Essex CM16 4BZ

Dear Miss Houghton,

Variation of Premises Licence, 'Bonhomie', 14 Forest Drive, Theydon Bois CM16 7EY

The Parish Council has considered the application for a Variation of Premises Licence at Bonhomie (formerly Belgique), 14 Forest Drive, Theydon Bois CM16 7EY, and has the following concerns and objections.

Situated in the centre of a small parade of shops in Forest Drive, Theydon Bois, 'Bonhomie' is a café selling drinks, pastries and cakes, and brunch/deli-style hot and cold food. The business has the informal atmosphere of a café and is popular with families. The Parish Council has learned, anecdotally, that the intention is for this establishment to operate as a wine bar in the evenings.

The current Premises Licence for Bonhomie has opening times at 08:00 until 18:30 hours Monday to Sunday. The Variation of Premises Licence application seeks to extend opening times from 08:00 until 22:00 hours Monday to Sunday, and also to extend by the same hours the Sale by Retail of Alcohol, the Provision of Late Night Refreshment, and the Provision of Recorded Music – all to 22:00 hours.

The two storey flats above Bonhomie are in residential occupancy and the locality enjoys a quiet ambience both during the daytime and in the evening. Our main concerns and objections relate to the prevention of public nuisance and protecting the amenity of

residents, possible crime and disorder, excessive drinking, and the protection of children from harm. If this Variation of Premises Licence application was to be granted, Bonhomie would be the only establishment on that side of the road to remain open after 6pm. We have, incidentally, noted that the current opening hours of this business appear to be Monday to Saturday 07:30 – 16:30, Sunday – Closed.

The café is currently licensed to serve alcohol from 08:00 to 18:00 hours. There are two dine-in restaurants on the opposite side of Forest Drive: one of these is licensed to open and serve alcohol from 11:00 to 22.30 (Il Bacio restaurant at 19B Forest Drive – to 23.00 Friday and Saturday); the other restaurant is licensed to open and serve alcohol from 12:00 to 23:00 (formerly Kuzine / Mazaca restaurant at 13 Forest Drive, premises are currently closed).

In the interests of the four licensing objectives, including the prevention of public nuisance, the Parish Council objected to Bonhomie's Variation of Premises Licence Application in 2018 to serve alcohol from 08:00 hours. The rationale for that application to serve alcohol so early in the day was, it is understood, to enable Bonhomie to offer a special birthday breakfast (with alcohol). Because the café is currently licenced to operate only during the daytime, the ability to serve alcohol from 08:00 has thankfully not noticeably changed the relaxed café vibe. Coffee, hot chocolate and other non-alcoholic drinks still appear to be the main order of the day.

However, to extend the hours of operating into the late evening – to 22:00 – would change this establishment from a café to a bar. The application is seeking to serve drinks and food both inside the premises, and outside the premises on an outdoor seating area. The disturbance to residents of the flats above, and also to residents of the flats located above premises on the opposite side of the road, would be unacceptable. The whole feel of this predominantly quiet neighbourhood would change.

There have been issues in the past whereby customers of the Il Bacio restaurant at 19B Forest Drive caused a public nuisance through drinking on the forecourt area immediately outside that restaurant. Following a hearing, EFDC Licensing imposed strict conditions on the Il Bacio premises licence whereby no food or drinks can be served outside the restaurant after 16:00 hours, and any doors to the restaurant must remain closed at all times. Smoking immediately outside the restaurant is restricted to 5 people at any time and must be supervised by a member of staff.

The Parish Council is strongly of the view that Bonhomie's Variation of Existing Premises Licence must be refused – for the sake of maintaining public safety, the protection of children, avoiding crime and disorder, and avoiding public nuisance. Noise nuisance in the evening caused by music and customers inside Bonhomie would inevitably reverberate

around several of the residential flats above. Equally, customers eating and drinking outside during the evening, and arriving and leaving by car, would cause a serious disruption to all nearby residents – including those living further along Forest Drive and in Buxton Road.

Other restaurants in Forest Drive do not serve food and drink outside during the evening (the restaurant at 13 Forest Drive does not serve food and drink outside at all). For Bonhomie to do so would be an anomaly and set an extremely unwelcome precedent. It would negatively change the pleasant and predominantly tranquil atmosphere of the village's parade of shops – and the peaceful environment that is returned to its residents in the evening. Lighting of the premises into the evening is also a public safety concern and is in conflict with the Theydon Bois Dark Skies Policy.

The 'Prevention of Public Nuisance' clauses annexed to the current Premises Licence for Bonhomie mandate that: the business must avoid causing disturbance to nearby residents; delivery of goods are carried out at such a time as to prevent nuisance and disturbance to nearby residents; staff who arrive early or depart late when the business is not open for trading must conduct themselves in such a manner to avoid causing disturbance to nearby residents.

If the business was to be open 7 days a week from 08:00 in the morning to 22:00 at night, serving alcohol and playing recorded music, as this application seeks to do, it would be impossible to not cause disturbance to nearby residents, nor to avoid creating a negative impact on the amenity of residents. This quiet location is clearly not suitable for the proposed evening operation, which does not, in the Parish Council's view, have regard to the proximity of residential development. The Parish Council requests that Epping Forest District Council refuses this Variation of Premises Licence application.

Yours sincerely,

Jennifer Endean
Parish Clerk
Theydon Bois Parish Council

Debbie Houghton

From: Graham Courtney
Sent: 28 November 2022 16:25
To: Debbie Houghton
Cc: Contact Planning
Subject: RE: Variation of existing premises licence Bonhomie (formerly Belgique) 14 Forest Drive Theydon Bois CM16 7EY

Hi Debbie,

One of my officers had a look at the planning history of this site and it appears that planning consent ref: EPF/0190/09, which was the proposal for the continuance of use of premises as mixed use (Class A1 shops and Class A3 café), contained the following condition:

"The use hereby permitted shall not be open to customers/members of the public outside the hours of 8.00am to 6.00pm Monday to Saturday, 8.00am to 3.00pm on Sundays and shall remain closed on public holidays."

There appear to be no applications since that suggest any change to this, so the applicants may need to be informed that planning consent is likely going to be required for the change in their opening hours.

Thanks,

Graham

From: Debbie Houghton <dhoughton@eppingforestdc.gov.uk>
Sent: 25 November 2022 08:03
To: Essex Police (Licensing.Applications@essex.police.uk) <licensing.applications@essex.police.uk>; Essex Fire Rescue (SouthWestGroupSDP@essex-fire.gov.uk) <southwestgroupsdp@essex-fire.gov.uk>; Environmental Health <EnvironmentalHealth@eppingforestdc.gov.uk>; TradingStandards@Essex.gov.uk; Contact Planning <contactplanning@eppingforestdc.gov.uk>; Head Of Child Protection (licenceapplications@essex.gov.uk) <LicenceApplications@essex.gov.uk>; The Home Office <alcohol@homeoffice.gsi.gov.uk>; Brian Stalabrass <BStalabrass@eppingforestdc.gov.uk>; Christopher Smith <CSmith@eppingforestdc.gov.uk>; Safercommunities <Safercommunities@eppingforestdc.gov.uk>; Tracy Latham <tlatham@eppingforestdc.gov.uk>; DemocraticServices <DemocraticServices@eppingforestdc.gov.uk>
Cc: parishclerk@theydonbois-pc.gov.uk; Cllr.C Amos <Cllr.CAmos@eppingforestdc.gov.uk>; Cllr.J Philip <cllr.jphilip@eppingforestdc.gov.uk>; cllr.holly.whitbread@essex.gov.uk; LEBONHOMIE3@GMAIL.COM
Subject: Variation of existing premises licence Bonhomie (formerly Belgique) 14 Forest Drive Theydon Bois CM16 7EY

Good morning,

Please find attached a copy of a Variation for the above premises to extend the opening trading hours, this variation is for the following,

The Provision of Recorded Music Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.30)

The Provision of Late Night Refreshment Monday to Sunday 08.00 – 22.00

The Sale by Retail of Alcohol Monday to Sunday 08.00 – 22.00 (Currently Monday to Sunday 08.00 – 18.00)

Opening times of the premises Monday to Sunday 08.00 – 22.00

The Live Music Act 2012 and The Legislative Reform (Entertainment Licensing) Order 2014, brought about deregulatory changes of The Licensing Act 2003 and as such no licence is required for:

- *Unamplified live music between 08.00 and 23.00 on any day, on any premises.*
 - *Amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises*
 - *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*
-

The consultation period for this starts 25th November 2022 and ends 22nd December 2022, any representations or comments must be submitted within this time period,

The application may contain personal information this is not for sharing or 3rd party use,

Regards

Debbie

Miss Debbie Houghton

Licensing Officer

Licensing Team,

Commercial and Regulatory Directorate

Tel: 01992 564336 Mobile 07704073743 remotely working until further notice

E-mail: dhoughton@eppingforestdc.gov.uk

PREMISES LICENCE

Part A



Neighbourhoods

Premises licence number:

LN/000003262

Part 1 – Premises details:

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

Bonhomie, 14 Forest Drive, Theydon Bois, Epping, Essex,

Post Town:

Post code: CM16 7EY

Telephone number: 01992 814430

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

Licensable activities authorised by the licence:

Sale of Alcohol

Provision of Recorded Music

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

Sale of alcohol - Monday to Sunday 08:00 to 18:00

Provision of Recorded Music – Monday to Sunday 08:00 to 18:30

The opening hours of the premises:

Monday to Sunday - 08:00 to 18:30

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

On and Off

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

Belgique (Theydon) Ltd, 14 Forest Drive, Theydon Bois, Epping Essex, CM16 7EY

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

07797649

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

Christopher Keen, [REDACTED]

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

[REDACTED]

Mandatory Conditions

All Premises Licence authorising supply of alcohol

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

1. No supply of alcohol may be made under the Premises Licence –
 - (a) At a time when there is no Designated Premises Supervisor in respect of the Premises Licence; or
 - (b) At a time when the Designated Premises Supervisor does not hold a Personal Licence or his Personal Licence is suspended.

2. Every supply of alcohol under the Premises Licence must be made, or authorised by a person who holds a Personal Licence.

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
 - (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.
 - a) games or other activities which require or encourage, or are designed to require or encourage, individuals to –
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

- d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-
- (a) a holographic mark or
 - (b) an ultraviolet feature.
6. The responsible person shall ensure that –
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures –
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 –
 - (a) “duty” is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) “permitted price” is the price found by applying the formula –
$$P = D + (D \times V)$$
Where –
 - (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) “relevant person” means, in relation to premises in respect of which there is in force a premises licence –
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) “relevant person” means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) “value added tax” means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
4. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day (“the first day”) would be different from the permitted price on the next day (“the second day”) as a result of a change to the rate of duty or value added tax.

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

If the Premises Licence allows Exhibition of Films

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

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

3. Where

(a) The film classification body is not specified in the licence, or

(b) The relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question,

admission of children must be restricted in accordance with any recommendation made by that licensing authority.

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

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

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

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

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

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

3. For the purposes of this section:

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

Annex 2 – Conditions consistent with the Operating Schedule:

General

To promote the four Licensing Objectives, Management will have strong controls and effective training of all staff to ensure awareness of the premises licence and the requirements to meet the four licensing objectives with particular attention to:

- a) no selling of alcohol to underage people
- b) no drunk and disorderly behaviour on the premises area
- c) vigilance in preventing the use and sale of illegal drugs at the retail area
- d) no violent and anti-social behaviour
- e) no any harm to children

- The Designated Premises Supervisor will have day-to-day control of the premises and will provide good training for staff on the Licensing Act (Training Record), to make or authorise each sale

- A Challenge 25 scheme will be operated to prevent the supply of alcohol to under-age drinkers.

- Alcohol will be stored in a lockable cabinet to ensure that it is safe and secure at all times

The DPS will operate the business with a purpose of promoting the four licensing objectives. This will be supported through the operating schedules and other measures (including staff training and qualifications, policies, and strategic partnerships with other agencies).

The Prevention of Crime and Disorder.

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 entrances and exits and the areas where alcohol sales take place;
 - 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. Upon the reasonable request of the police or licensing authority staff, within 48 hours viewable copies of recordings will be provided.

2. An incident log shall be kept at the premises, and made immediately available to police or licensing authority staff upon request. The log must be kept as a bound document with individually numbered pages and be retained for a period of at least 6 months after the last incident recorded. The log must be completed as soon as is possible and within any case within 4 hours of the occurrence 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
 - e) all seizures of drugs or offensive weapons
 - f) any faults in a CCTV system, searching equipment or scanning equipment mandated as a condition of the licence

Public Safety

1. A clear and legible notice to be displayed outside the premises indicating the normal hours of operation during which licensable activities are permitted.
2. Clear and conspicuous notices must be displayed warning of potential criminal activity, such as theft, that may target customers.
3. Alcohol must not be sold to intoxicated customers.
4. Custom must not be sought by means of personal solicitation outside or in the vicinity of the licensed premises.
5. Staff will be trained in asking customers to use the premises in an orderly and respectful manner and prevent drinking alcohol at the retail counter area
6. Alcohol will only be served ancillary to a meal.
7. A refusal log book must be kept at the premises.
8. A Health & Safety Manual must be kept at the premises.

Prevention of Public nuisance

1. Prominent, clear and legible notices must be displayed at the exit to the premises requesting customers to respect the needs of nearby residents and to leave the premises and the area quietly.
2. Deliveries of goods necessary for the operation of the business must be carried out at such a time or in such a manner as to prevent nuisance and disturbance to nearby residents.
3. Management will ensure that staff who arrive early morning or depart late afternoon (eg. for unpacking, pricing newly delivered goods) when the business is not open for trading, must conduct themselves in such a manner to avoid causing disturbance to nearby residents.
4. Customers to be requested not to stand around loudly talking in the street outside the premises.
5. Customers must not be admitted to the premises outside of opening hours.
6. The movement of bins and rubbish outside the premises will be kept to a minimum and there will be no activity after 19:00.

7. Any lighting on or outside the premises must be positioned and screened in such a way so as to not cause a disturbance to nearby residents.

The Protection of children from harm

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:

- Proof of age card bearing the PASS Hologram;
- Photocard driving licence;
- Passport; or
- Ministry of Defence Identity Card.

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

N/A

Annexe 4 – Plans:

Plans held at Epping Forest District Council