

PART B - Application to vary a premises licence under the Licensing Act 2003

We Punch Taverns Plc being the proposed premises licence holder of an existing licence to be converted under the terms of Schedule 8 to the Licensing Act 2003 apply to vary it under section 34/section 37 of the Licensing Act 2003 (delete as applicable) for the premises described in Part A above.

Part B1 - Variation

Victoria Tavern

Please tick

Do you want the proposed variation to have effect from the second appointed day?

If not when do you want the variation to take effect from

Day	Month	Year

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

n/a

Please describe briefly the nature of the proposed variation. (please read guidance note 8)

- An additional hour every Thursday, Friday and Saturday.
- A further additional hour into the morning following every Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend.
- A further additional hour into the morning following every Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend.
- A further additional hour every Christmas Eve.
- A further additional hour every Boxing Day.
- To reflect existing New Year's Eve/Day hours.
- Drinking up time - an additional 10 minutes, to allow 30 minutes drinking up time, after the last permitted sale of alcohol.

All of the above to be for the sale of alcohol, recorded music and live music, limited to 2 entertainers

As permitted by the Licensing Act 2003, we wish to present Epping Forest District Council with our views about Punch Taverns' requested amendments to the license for The Victoria Tavern, 165 Smart's Lane, Loughton, Essex, IG10 4BP.

We oppose the request for extended hours for the purpose of live music; we ask Epping Forest District Council to deny both extended hours and music at these premises. Our reasons are as follows:

- Smart's Lane and Forest Road are very much residential areas which will be unduly affected by live music.
- This opinion is based on the painful experience afforded us by the previous landlord to whom a Public Entertainments License was granted. The terms of the license were severely abused and ultimately, Epping Forest District Council were obliged to prosecute the landlord.

We wish to prevent any possibility of a recurrence of this situation. In this instance, we believe that prevention is better than cure.

- The Victoria Tavern lies adjacent to The Royal Oak which is currently licensed for extended hours and for music. We understand that The Royal Oak is subject to complaints from local residents on account of the noise. Providing a further music license to a pub in the immediate vicinity can only exacerbate the problems being experienced by local residents.

Also, the beer garden for The Victoria is adjacent to houses on Smart's Lane. Recent works in The Victoria have seen the inclusion of additional tables in - and the removal of the trees from the perimeter of - the beer garden. Since these works, the noise levels in the immediate area have been noticeably higher on the days that the beer garden is used.

It should also be added that The Victoria Tavern is an old building that has little (if any) sound-proofing and is single-glazed; this is the same for most of the houses close by.

- At present, on Friday and Saturday evenings, the increased traffic from patrons of both The Victoria Tavern and the Royal Oak make the traffic and parking situation in Smart's Lane difficult. There have been many instances of badly parked cars rendering Smart's Lane, which is a very narrow, one way route, almost impossible to pass, particularly for larger vehicles such as fire engines and ambulances.

At closing time (currently 11 to 11.20), the increase in traffic – which is largely forced down Smart's Lane – is simply inconvenient. At 12.20, this would be more than inconvenient.

Very few other pubs in the Loughton area have a license for extended hours. Should the application for The Victoria Tavern be granted, we believe that our traffic problems will increase.

The Victoria Tavern

We oppose The Victoria Tavern's application for extended hours and the music license:

Name	Address	Signed
S SCOTT	118 SMARTS LANE	
MARTIN WRIGHT Reth Woodon	62 - HIGH BEECH RD 60 " " "	 R. Woodon
Shila Sutton C. HALL	7, Forest View Road 9 FORESTVIEW ROAD	 S. Sutton
R LOUING L LOUING	19 FORESTERS DRIVE RD. 19 " " " "	 R. Louing
B.W. MOORE	6 FOREST VIEW ROAD 1910 4DX	 B.W. Moore.
M.G. MOORE M.P. CLARK	" " " " 194 FOREST ROAD	 M.G. Moore
A. HARRIS	153 FOREST RD	 A. Harris
R MAXX	137 Smarts Lane Loughton 1910 4BP	 R. Maxx
T Grant M. GORDON	98 Smarts Lane Loughton 96 SMARTS LANE	 T. Grant M. Gordon
Y. Demby	66 High Beech Road -	 Y. Demby.
R.G. BIRD	164 HIGH BEECH ROAD.	 R.G. Bird.
K Jacobson	65 High Beech Rd	 K. Jacobson
P. COLLIN	" " " "	 P. Collin
S BAKER	78 High Beech Road	 S. Baker
C BAKER	" " " "	 C. Baker
R. Owen	189 Smarts Lane	 R. Owen
R T MOORE	118 FOREST RD.	 R. T. Moore
D M MOORE	118 Forest Rd.	 D. M. Moore.
M. McSWENEY	133 SMARTS LANE	 M. McSweney
M. Cole	85 SMARTS LANE	 M. Cole
M. Doreby	145 Smarts Lane	 M. Doreby
J.R. WOODMAN	164 FOREST RD 1910160.	 J.R. Woodman
N. TAYLOR	114 " " " 19101EQ	 N. Taylor
S. TAYLOR	" " " " " "	 S. Taylor
N. Long	53 HIGH BEECH ROAD	 N. Long
A. Long	53 High Beech Road	 A. Long
H FORSTER	141 SMART LANE LOUGHTON	 H. Forster

114 E
116 N
120
T

The Victoria Tavern

We oppose The Victoria Tavern's application for extended hours and the music license:

Name	Address	Signed
B. Nash.	196 Forest R.D.	B. Nash.
J. Gago	132 FOREST RD	J. Gago
J. McCRAE	128, FOREST RD	J. McCrae.
C. Howe	130 FOREST RD	C. Howe
C Nanton	124 Forest Road	C. Nanton
D MARRIS	83 FOREST RD	D. Marris
K BRYANT	122 Forest Rd	K. Bryant
B. Bryant	122 Forest Road	B. Bryant
L NANTON	124 FOREST RD	L. Nanton
P. Hawk	130 FOREST RD	P. Hawk
J. WELLYN	93 FOREST ROAD.	J. Wellyn
L. JOURNAL	103 FOREST ROAD	L. Journal
R. WINGFIELD	105 FOREST RD	R. Wingfield
J. P. WILSON	107 FOREST RD	J. P. Wilson
M. DUCLOS	117 FOREST RD	M. Duclos
R GILBEN	131 FOREST ROAD	R. Gilben
L GILBEN	131 FOREST ROAD	L. Gilben
S. ADAM	103 FOREST RD.	S. Adam
B. HAY (ed)	137 Forest Rd.	B. Hay (ed)
B. SAKE	147 Forest Rd	B. Sake
L. SCOTT	118 SMARIS LANE.	L. Scott
M. SWEETIFFE	16, SMARIS LANE	M. Sweetiffe
R. LUBEGA	77 HIGH BEECH ROAD	R. Lubega
J. POLHITT	51. High Beech Road.	J. Polhitt
K MALCOLMSON	57. HIGH BEECH ROAD	K. Malcolmson
L. BARRINGTON	59 HIGH BEECH RD.	L. Barrington
S. BARRINGTON	59 High Beech Rd	S. Barrington
J. DUDMAN	61 HIGH BEECH RD	J. Dudman
J. STONE	67 HIGH BEECH RD	J. Stone
J. HAYES	69 High Beech Rd.	J. Hayes
J. RALPH	70 High Beech Rd.	J. Ralph
M. DEMBAY	66 HIGH BEECH ROAD	M. Dembay
JON WRIGHT	62 HIGH BEECH ROAD	Jon Wright
MARIE WRIGHT	62. HIGH BEECH ROAD, HOUGHTON.	Marie Wright

The Victoria Tavern

We object to the application for extended hours and the music license for the above:

Name	Address	Signed
Paul DAVIES-JAMES	157 SMARTS LANE, IG10 4BP	Paul Davies-James
Kare Danby-Jones	157 Smarts Lane IG10 4BP	Kare Danby-Jones
P. Grayson	9 Beech Terrace IG10 4BT	P. Grayson
D. Copeman	155 Smarts Lane IG10 4BP	D. Copeman
J. Willett	153 SMARTS LANE IG10 4BP	J. Willett
R. Garvey	143 Smarts Lane IG10 4BP	R. Garvey
L. Hamley	106 SMARTS LANE IG10 4BS	L. Hamley
L. HAMLEY	106 SMARTS LANE IG10 4BS	L. Hamley
J. Lawrence	104 Smarts Lane, IG10 4BS	J. Lawrence
J. BURMAN	114 SMARTS LANE, IG10 4BS	J. Burman
W. PHILLIPS	38 HATLEY AVE ILLCOB 1656X 16J	W. Phillips
P. HERD	159, SMARTS LANE, LOUGHTON	P. Herd
S. Wright	159 Smarts Lane Loughton	S. Wright
Mark Williams	112 Smarts Lane Loughton	Mark Williams
K. Latta	116 Smarts Lane Loughton	K. Latta
D. HISCORE	110 SMARTS LANE LOUGHTON	D. Hiscore
B. HISCORE	110. SMARTS LANE LOUGHTON	B. Hiscore
P. PHEOT	138 FOREST ROAD LOUGHTON	P. Pheot
S PHILPOT	138 FOREST ROAD LOUGHTON	S. Philpot
R PHILPOT	138 FOREST ROAD LOUGHTON	R. Philpot
L.R. BARTON	215 SMARTS LANE	L.R. Barton
B. French	211 Smarts Lane	B. French
R. Williams	"	R. Williams
P. REID	209 SMARTS LANE	P. Reid
J. Arthur	209 Smarts Lane	J. Arthur
M. Doming	207 Smarts Lane	M. Doming
M.W. COPPIN	203 SMARTS LANE	M.W. Coppin
G. FRENCH	177 Smarts Lane	G. French
C. FRENCH	" " "	C. French
I. WOZNICKI	175 SMARTS LANE	I. Woznicki
D. WOZNICKI	" " "	D. Woznicki
J. WILLIAMS	112 Smarts Lane	J. Williams
J. Williams	" " "	J. Williams
S. L. LARK	139 "	S. L. Lark

**R Bryant
122 Forest Road
LOUGHTON
Essex
IG10 IEG**

17 June, 2005

Licensing Department
Epping Forest District Council
Civic Offices
Epping
CM16 4BZ

For the attention of Kim Tuckey

Victoria Tavern, Smarts Lane, Loughton, Essex

I shall be obliged if the Committee could take into account the following when considering applications from the owners of the above.

I am aware that the above is for sale and that the owners, presumably to give a free hand to any incoming tenant, have applied for a licence to enable them to have late opening hours on a number of evenings, for a music licence and for permission to have live entertainers performing in their premises.

I wish to object to the grant of any of the above permissions/licences on the grounds that this is a residential area and that late hours and music would cause a public nuisance and disturb the peace of the residents. We already have to endure a great deal of nuisance, particularly late at night, from the Royal Oak, Forest Road.

The Victoria is situated in the middle of a residential area and within a very short distance of the nearest private houses. It is adjacent to the Royal Oak. The main entrance of the Victoria is located on the side of the premises and faces onto the gardens of two rows of private houses in Forest Road and Smarts Lane. My own house is one of these and is within some 75 yards of the Victoria.

If a music and/or a performing licence were granted it is absolutely inevitable that there would be serious noise pollution and disturbance and late hours would compound the disturbance. There is a large number of elderly people and some very small children in the immediate vicinity but in fact the peace of not just them but of everyone would be disturbed. In summer the windows and doors of the pub would inevitably be open and thus the noise would not be confined to the Victoria but would pervade the whole area with the houses forming a channel to funnel the sound. Such noise would force the area's residents to keep their own doors and windows closed to try to escape the nuisance. I am, as I write, having to keep all my windows closed despite the hot weather, and still to put up with the noise pollution from the Royal Oak which was granted facilities to celebrate Ascot Day. I could not sit in my garden because of the very loud music. This noise has been going on for some hours and will no doubt

continue until late in the evening, so I am experiencing the potential nuisance of the Victoria.

I have no doubt that you will take into account in your deliberations of Article 8 of the Human Rights Act which I believe gives a qualified right for me and my neighbours to have our homes (including our gardens) and family life respected within the limits of what is best for the community as a whole. In my view the number of residents likely to be affected by any noise and other pollution would outnumber those who sought to enjoy the pollution itself - I am sure that there are fire and health safety limits on the number who might be reasonably admitted to this comparatively small public house.

In addition there are any number of establishments already available in the Loughton area where those so minded can go to enjoy their choice of noisy entertainment away from residential areas. Patrons of the Victoria would be there only comparatively fleetingly. Not so the residents. Their disturbance would be for every night affected by any licence without any let up. I thus feel that the question of proportionality covered in the above Act is on the side of the residents.

I have discussed these matters with a number of my neighbours and I shall be glad if you will consider what I have written above and will refuse the applications before you relating to the Victoria Tavern.

A handwritten signature in black ink, appearing to read 'R Bryant', written in a cursive style.

R Bryant, MBE

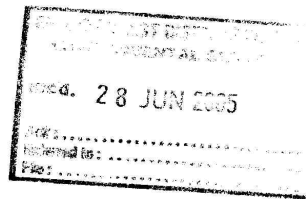
To: Consumer Protection Team- FAO Kim
Tuckey/Jim Nolan
From: Planning Service, Emily Rouse
Date: 27/6/05

Your ref:

Our ref: PL/779/ER



**Epping Forest
District Council**



**Premises Licence Application
Victoria Tavern, 165 Smarts Lane, Loughton**

I refer to the above application received by Planning Services as a Responsible Authority on 31/5/05.

This pub is located in a quiet residential locality with car parking for some 8-10 cars. This application seeks to serve alcohol from 10am –11pm Monday to Wednesday, from 10am – midnight Thursday to Saturday and from 12pm –10:30pm on Sunday. Closure would be half an hour after alcohol ceases to be served. There would also be live music on some nights inside the pub until 11pm or midnight. There is a large beer garden which adjoins residential properties.

Conclusion. Although there may be a degree of nuisance caused by patrons leaving late at night, the proposed opening hours of the pub are considered reasonable. However, Planning Services do make representations to this application on grounds that a) the use of the beer garden is likely to cause noise nuisance to adjoining residents late at night and that b) the playing of live music until midnight is also likely to cause noise disturbance.

I am copying these comments to the applicant's solicitors.

Please contact me or David Baker on x4514 if you have any queries.

Emily Rouse

Emily Rouse
Trainee Planning Assistant

m e m o

To: Environmental Services
Licensing Section
Kim Tuckey

From: Environmental Services
Mr. R. Gardiner
Technical Team Co-ordinator

Date: Date: 7 July 2005

Your ref:

Our ref: WK/200337863



**Epping Forest
District Council**

**Licensing Act 2003
The Victoria Tavern, 165 Smarts Lane, Loughton Essex, IG10 4BP**

I refer to an application made under the Licensing Act 2003 regarding the above mentioned premises that I received on 16th June 2005.

I would like to make the following representation(s) with regard to the Licensing objective – prevention of public nuisance, as detailed in the attached letter to the applicant dated 7 July 2005

If you wish to discuss any of my comments please contact me on (01992) 564089.

Mr. R. Gardiner
Technical Team Co-ordinator

14/7/05

KT Space

Date: 7 July 2005

Our Ref: WK/200337863

Your Ref:

TLT Solicitors
One Redcliff Street
Bristol
BS1 6TP

Mr. R. Gardiner (01992) 564089
email:rgardiner@eppingforestdc.gov.uk

Dear Sir or Madam:

Licensing Act 2003
The Victoria Tavern, 165 Smarts Lane, Loughton Essex, IG10 4BP

On behalf of the Council's Environmental Protection Team, I confirm receipt of a copy of your application dated 28 April 2005 that I received on 16 June 2005 regarding the above mentioned property. I have made the following representations to the Council's Licensing Section with regard to the Licensing objective – Prevention of Public nuisance:

1. Live and recorded music

- a) To prevent public nuisance, I believe that the variation to include live music (albeit restricted to 2 performers), for the extended hours requested (an additional hour on Thursday, Friday and Saturday) should not be permitted i.e. the existing limitation on hours should apply for any live music.**

Reason

- b) In June 2000 noise abatement notices were served on the licencees of the premises at that time due to noise from live music at the property. The noise abatement notices were subsequently breached on three occasions due to noise from live music.
- c) There have been no noise complaints since April 2001 and no noise complaints against the current licencees. I understand that the current licencees do not have live music.
- d) Previous visits to the property in the year 2000 established that the property was not suitable for loud music due to the close position of neighbouring residential premises and lack of sound insulation provided by the structure of the building (single glazed windows and no lobby with double doors).
- e) A recent visit to the property confirmed that this situation had not changed. The windows of the property facing towards the nearest residential premises are single glazed and the property only has one exit door, therefore noise can easily escape through the structure of the building and whenever customers enter and leave the premises. In conclusion the property remains unsuitable for playing loud music.
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- f) I have similar reservations about extending the hours for recorded music. However, because the applicant can simply reduce the volume of any recorded music to an acceptable level, if necessary turning it off, I am willing to accept this variation for recorded music only.

2. Use of garden

- a) **In order to prevent public nuisance due to disturbance caused by customer noise outside the building, I believe that the request for additional hours should be rejected unless the operating schedule is amended or conditions imposed in order to control the use of the garden.**

e.g.

The garden and any other area outside the building must not be used by customers outside of 10.00 to 23.00 hours Monday to Saturday and 10.00 to 22.30 hours on Sunday.

Reason:

- b) The applicant has asked for an additional hour every Thursday, Friday and Saturday. I am concerned that if these hours are authorised the garden at the front of the premises that backs onto neighbouring residential premises will be used by customers, and if busy will cause an unacceptable level of disturbance simply from the normal customer noise.

If you would like to discuss the matter or have any written comments, please do not hesitate to contact me. I should be happy to withdraw the representation(s) if the operating schedule is amended accordingly or if our discussions lead to the conclusion that there is a valid reason for withdrawal of the representation.

Yours sincerely



Mr. R. Gardiner
Technical Team Co-ordinator

c.c. Mrs K Tuckey – Licensing Section
