

Section 17 Licensing Act 2003

Licensing Act 2003: Application for a new Premises Licence

Notice is hereby given that *CK Entertainments Ltd* has applied to the Epping Forest District Council on 3 July 2020 for a new time limited premises licence for Play House and Essex Roof Garden, 195-190 Cottis Lane, CM16 4BL.

The proposed application is to permit the provision of live music, recorded music, performance of dance, anything of a similar description and the sale by retail of alcohol Monday to Thursday 11:00 to 22:00 and Friday and Saturday 11:00 to 03:00 (following day) and late night refreshment Friday and Saturday 23:00 to 03:00 (following day) on such conditions and such other times as set out in the application.

Any person who wishes to make a representation in relation to this application must give notice in writing of his/her representation by 31 July 2020 stating the grounds for making said representation to: Licensing Service, Epping Forest District Council, Civic Offices, 323 High Street, Epping, CM16 4BZ.

Applications for premises licences may be inspected at this office during office hours. The register of licensed premises is maintained at the licensing office address above.

The Licensing Authority must receive representations by the date given above. The Licensing Authority will have regard to any such representation in considering the application. It is an offence, under section 158 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application for premises licence and the maximum fine on being convicted of such an offence is of an unlimited amount.



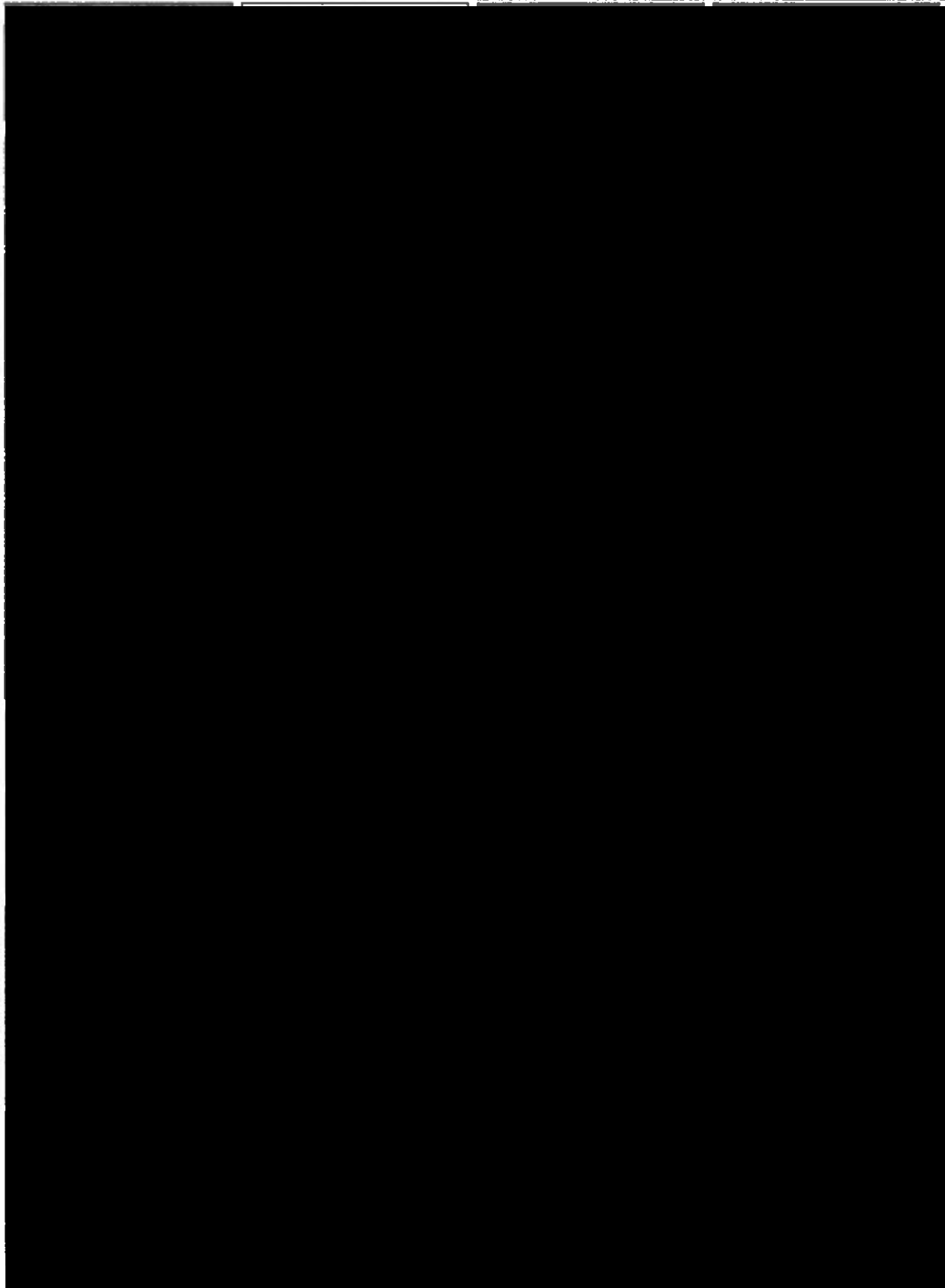
**COMPLETE
LICENSING**

hello@completelicensing.co.uk
0330 6002122

Tuition

Garden Maintenance

Public Notices



Licensing Act 2003
 Application for a new Premises Licence
 Notice is hereby given that CJC Enterprises Ltd has applied to the Epping Forest District Council on 3 July 2020 for a new Premises Licence for Play House and Essex Roof Garden, 195-199 Colles Lane, CM16 4BL.
 The proposed application is to permit the provision of live music, recorded music, performance of dance, singing or a similar description and the sale by retail of alcohol Monday to Thursday 11.00 to 22.00 and Friday and Saturday 11.00 to 03.00 (following day) and late night refreshment Friday and Saturday 22.00 to 03.00 (following day) on each condition and such other terms as set out in the application.
 Any person who wishes to make a representation in relation to the application must give notice in writing of such representation by 31 July 2020 using the grounds for making said representation to Licensing Services, Epping Forest District Council, Civic Centre, 223 High Street, Epping, CM16 4BL.
 Applications for premises licences may be inspected at the office during office hours. The register of licensed premises is maintained at the Licensing office address above.
 The Licensing Authority must receive representations by the date given above. The Licensing Authority will have regard to any such representation in considering the application. It is an offence under section 156 of the Licensing Act 2003, to knowingly or recklessly make a false statement in or in connection with an application for premises licence and the maximum fine on being convicted of such an offence is of an unlimited amount.

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



Essex Police
Licensing Department
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

27th July 2020

Dear Mrs Tuckey,

OBJECTION TO APPLICATION FOR A PREMISES LICENCE (LICENSING ACT 2003)

In respect of a premises licence application for 'Play House & Essex Roof Garden' Essex Police make representations under the licensing objectives of, prevention of crime & disorder and prevention of public nuisance.

The location of this premises previously traded as Club 195, a licensed premises whereby the premises licence holder was a company called KAC Entertainment Ltd; one of the directors of which was; and remains to be Scott CUMMINS.

This licence was subject to a section 53 summary review, applied for by Essex Police following serious crime and serious disorder in the early hours of 1st January 2019.

As a result of this summary review interim steps were imposed; suspending the premises licence; and subsequently being revoked at a licensing sub-committee hearing on 29th January 2019.

The evidence Essex Police produced in support of the review is as relevant to this application as it was to the review. The premises operated predominantly on a Saturday evening into Sunday morning. Essex Police evidenced that on these nights there were numerous occasions where crime, disorder and public nuisance occurred at and within the vicinity of the premises; and those which occurred on a Sunday morning after 02:00hrs when no other premises were open deducing that it was reasonable to assume those involved were directly linked to Club 195 by way of patronage or association to.

Since the suspension and subsequent revocation there has been NO reported crime, disorder or public nuisance within the same geographical area and time scales.

At the review hearing the sub-committee made their decision which included:

'The lack of confidence in the management in how they have implemented their policies and procedures' and

'The lack of faith in management being able to successfully implement additional conditions.'

In June 2019, following the revocation CK Entertainment applied for a premises Licence in respect of this premises seeking a licence to trade until 03:00 on a Friday and Saturday.

Essex Police objected to this licence; and a sub-committee granted a licence until 01:00 on these days. In their decision notice they stated:

'By granting a premises licence, we have taken into account the applicant's right to apply for temporary event notices which would give them an opportunity to road test their new model to a later hour and the possibility of making an application to vary the licence we have granted, to extend the hours of operation, if the applicant can demonstrate that doing so would not undermine the licensing objectives.'

This application for a Limited Time Premises Licence seeks to take advantage of that statement as it will cover a longer period than temporary event notices would allow. The applicant seeks to have a night club element in the existing building on a Friday and Saturday evening until 03:00hrs the following morning.

The premises have not operated in any capacity since the licence being granted in July 2019; and so they have not been able to road test the new management and therefore unable to demonstrate how they promote the licensing objectives in any way other than their intent as shown within their application and attached documentation.

Essex Police maintain their position of last year that since the licence of Club 195 was revoked, crime, disorder and public nuisance has decreased in the early hours of a Saturday and Sunday morning.

Essex Police believe that on the balance of probabilities there will be an increase in crime, disorder and public nuisance on Friday and Saturday nights into the following mornings.

The Chief Officer of Police hereby objects to the proposed application and proposes to adduce further documentary and other material ahead of the hearing date in accordance with the statutory guidance and the relevant Hearing Regulations.

Please advise when the Licensing Panel will be meeting to hear this so representatives of the Chief Officer of Police can be in attendance.

Yours sincerely,



Mr Peter Jones MIOL, MBII (on behalf of the Chief Officer of Essex Police)
Essex Police Licensing Officer

CC. CK Entertainments Ltd

c/o Complete Licensing Limited
(via email hello@completelicensing.uk)

Re: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195)

Received: ↩️ Monday, 27 July 2020 09:41

From: Holly Whitbread [REDACTED]

To: Debbie Houghton dhoughton@eppingforestdc.gov.uk

CC: 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, Brian Stalabross BStalabross@eppingforestdc.gov.uk, Michael Richardson MRichardson@eppingforestdc.gov.uk, licenceapplications@essex.gov.uk licenceapplications@essex.gov.uk, Contact Planning contactplanning@eppingforestdc.gov.uk, Trading.Standards@Essex.gov.uk Trading.Standards@essex.gov.uk, The Home Office Alcohol@homeoffice.gsi.gov.uk, Democratic Services democraticservices@eppingforestdc.gov.uk, Richard Thomason RThomason@eppingforestdc.gov.uk, brumsey@eppingtowncouncil.gov.uk brumsey@eppingtowncouncil.gov.uk, info@eppingtowncouncil.gov.uk info@eppingtowncouncil.gov.uk, Cllr.L Burrows cllr.lburrows@eppingforestdc.gov.uk, Cllr.C Whitbread cllr.cwhitbread@eppingforestdc.gov.uk, hello@completelicensing.uk hello@completelicensing.uk

Dear Debbie

I would like to submit my strong objection to CK Entertainment Limited's application at 195-199 Cottis Lane, Epping, Essex, CM16 4BL.

Opening Hours and times

I am concerned by the increased opening hours. Historically the venue was a Friday/ Saturday evening only venue. This application proposes that there is live music Live Music Monday to Thursday 11.00 – 22.00 which will mean there will be noise across the whole week.

The weekend (Friday-Saturday) are far to late (11.00 – 03.00am and extended to 3.30am on some occasions). There are no other businesses with these late opening hours in Epping and this is not suited to the character of the town.

The club is surrounded by residential properties - the late night use and the new use of roof terraces would have a negative impact on the day to day life of these residents in the locality.

Use as a night club

I have significant concerns about this venue reopening as a night club. I am worried that the proposed use would have the potential to cause ASB and criminal activity, which was historically the case.

I would like stronger reassurances around what work the proprietor would do to prevent this. I feel like the proposed increased capacity may aggregate the issues.

The use as a night club does not fit in with the nature of Epping High street which does not have any other late night

uses.

Noise

The noise from the venue will have a negative impact on the surrounding residential area both late at night/ early in the morning at the weekend and spread across the week. The roof terrace area is a new addition and is likely to lead to greater noise and disturbance.

Litter

In the past following the opening of the club there was significant amounts of rubbish. What action would the owner take to alleviate this and ensure the extra pressure doesn't fall on the council?

COVID

If COVID restrictions remain in place in the coming months and years how does the applicant propose safe operation for both the gym and the club? Will there be space for social distancing? Limited capacity? Will the premises be sanitised and anti-bac available for customers?

In summary, I strongly object to this application which I believe is out of character with Epping and would have a negative impact on residents. Since the closure of the previous club, residents have noted a marked improvement in night time ASB and other activity, I fear the new premises would start this again.

Kind Regards
Holly

District Councillor for Epping Lindsey and Thornwood Common and Cabinet Member for Housing and Community Services

From: Geraldine Vallis (mailto:gvallis@eppingtowncouncil.gov.uk)

Sent: 17 July 2020 09:21

To: Debbie Houghton

Subject: FW: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195)

Hi Debbie

Thanks for the update with this licence application which I forwarded to the Epping Town Council's Planning Committee.

The Committee have objected to this application with the following details from Tuesday's Planning meeting.

Committee CONSIDERED the above consultation and DECIDED to make a representation objection against the application under the Licensing Act 2003 on the grounds of the licensing objectives regarding the prevention of crime and disorder and prevention of public nuisance.

The reasons for this representation objection are that the hours for the sale of alcohol, late night refreshment, live and recorded music, performance of dance and related activities until 3.30am on Fridays and Saturdays is too late in a residential area and would cause noise, possible crime and nuisance.

Please can you let me know if the Town Council would be able to send a representative to the EFDC's Licensing Committee when the application is being heard.

Many thanks

Kind Regards

Geraldine

Geraldine Vallis

Planning & Events Officer

Epping Town Council

Epping Hall | St Johns Road | Epping | CM16 5JU | Tel: 01992 579444

www.eppingtowncouncil.gov.uk

Follow us on twitter: @eppingtown



From: Alison Anderson

Sent: 14 July 2020

10:13

To: Contact Us <ContactUs@eppingforestdc.gov.uk>

Subject: 195.reopening

To whom it may concern. This is the last thing we as a small town needs, no police station to control the violence this place brings, every time it reopens there is trouble every time, there other place in chingford Essex house which has just reopened had a mass brawl this weekend. This really needs to stay closed down as it is, it opens, there is a stabbing or fight then gets closed then the reopens and it continues like this !!!

Mrs. A Anderson

Sent from my iPhone

From: Colin blencowe [REDACTED]
Sent: 14 July 2020 14:28
To: Contact Us <ContactUs@eppingforestdc.gov.uk>
Subject: Objection to licence for Club 195

Good afternoon

Could you please pass my email to licensing as I wish to object to the extended hours too 03.00 at the weekends 195

My reasons are:

Historically the spill out at closing time caused havoc to local business with windows being smashed, vomit over the pavements and glass shards from broken drinking glasses and bottles everywhere.

Our dogs suffered badly when walking them at the weekend by broken glass embedding in their paws.

The noise from revellers leaving was disturbing and walking through the high street home from the station was really frightening for many as there was abusive behaviour in the town from customers of 195.

The town has been a much safer and cleaner environment whilst 195 remained closed. Why does the town have to go back to suffering from this again?

I fully object to the re-opening of 195 and a licence being granted.

Regards

Colin Blencowe

St. John's Road
Epping
Essex

28 July 2020

Licence Application
Play House and Essex Roof Garden
195-199 Cottis Lane, Epping, CM16 4BL

Dear Sir,

We are writing this representation regarding the licence application made on the address above.

The prevention of crime and disorder

There have been a number of incidents outside the club over the years including stabbing and other fights. We feel that re-opening this club with a late night on and off sale licence may well increase the likelihood of these incidents happening again.

The prevention of public nuisance

When the club was open previously we could hear the music from our house. As the licence application specifically states "Late Night Refreshments Friday to Saturday 11.00 to 03.00 indoors and outdoors" we feel this will cause a nuisance to the public and residents.

When the club was previously open we would be woken up in the early hours by people shouting, screaming and swearing after they left the club. As local residents and members of the public, we are worried that this will start again should the club be given their licence.

Yours sincerely,

Clive and Elizabeth Hall



Limited Time Premises Licence Application July 2020

**Play House & Essex Roof Gardens
195-199 Cottis Lane, Epping, CM16 4BL**

Supplementary documentary information in support of objection.



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POLICE**

Protecting and serving Essex

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1.0 Outline of circumstances leading to the objection to the grant of a Premises Licence

- 1.1 The grounds for objection are that the location sought to be licensed was previously licensed at Club 195. Which in January 2019 was subject of a summary review following serious crime and disorder. This licence was suspended by way of interim steps; and subsequently revoked at a licensing sub-committee hearing on 29th January 2019.
- 1.2 The evidence Essex Police produced in support of the summary review is as relevant to this application for a premises licence as it was to the summary review. The premises operated predominantly on a Saturday evening into Sunday morning. Essex Police evidenced that on these nights there were at least twenty incidents in 2018 including New Years' Day 2019 where crime, disorder and public nuisance occurred at and within the vicinity of the premises.]
- 1.3 Of those twenty; twelve occurred within the immediate vicinity on a Sunday morning after 02:00hrs when no other premises were open deducing that it was reasonable to assume those involved were directly linked to Club 195 by way of patronage or association to.
- 1.4 Whilst crime data websites, such as police.uk detail the level of crime in an area; those data sources cannot break down the information to specific times. Since the suspension and subsequent revocation there have been **NO** reported incidents of crime, disorder or public nuisance within the same geographical area and time scales.
- 1.5 The application seeks a premises licence for:
- | | |
|---|---------------|
| Sale of Alcohol, Live Music, Recorded Music, Performance of Dance, and Anything Similar | |
| Monday – Thursday | 11:00 – 22:00 |
| Friday – Saturday | 11:00 – 03:00 |
| Late Night Refreshment | |
| Friday – Saturday | 23:00 – 03:00 |
- 1.6 Whilst the previous revoked Premises Licence for Club 195 permitted these activities Monday to Sunday 08:00 – 03:00; they were never used. As mentioned in 1.2 the premises operated predominantly on a Saturday evening into Sunday morning.
- 1.7 Following the revocation of the premises licence, an application for a new premises licence was made in June 2019, and in the July following a sub-committee hearing the following licence was granted:
- | | |
|--|---------------|
| Live Music, Recorded Music, Performance of Dance, and Anything Similar | |
| Thursday – Sunday | 23:00 – 01:00 |
| Late Night Refreshment | |
| Monday – Wednesday | 23:00 – 00:00 |
| Thursday – Sunday | 23:00 – 01:00 |
| Sale of Alcohol | |
| Sunday – Wednesday | 11:00 – 00:00 |
| Thursday – Saturday | 11:00 – 01:00 |
- 1.8 The application seeks the premises to be licensed daily until 1st January 2021. It is intended to be used weekday evenings having a roof garden; and a nightclub on a Friday and Saturday. This nightclub element seeks a licence akin to that which previously led to summary review mentioned in 1.1 above.
- 1.9 It is also proposed that the nightclub area is intended to be used as a fitness studio during the daytime.

- 1.10 In the High Court case of *Luminar Leisure Ltd v Wakefield Magistrates' Court* [2008] EWHC 1002 (Admin) it was determined that it was open to a court (and thus a sub-committee) to take into account evidence of crime and disorder in areas beyond the operator's control and that it could be reasonable to conclude that a premises would give rise to such problems and thereby undermine the licensing objectives and that it could be a proportionate response to refuse the licence rather than impose conditions on it.
- 1.11 As such the crime and disorder that took place when Club 195 was in operation; and the subsequent lack of crime and disorder since its closure; it is reasonable to extrapolate the Crime and Disorder that took place one night a week to take place two nights a week should this temporary licence be granted.
- 1.12 This applicant for this Premises Licence is CK ENTERTAINMENTS LTD; the directors of this company are Mr David KING and Mr Scott CUMMINS. They are the sole shareholders with Mr KING being the majority shareholder. **DOCUMENT 1** is a report from Companies House detailing this and the company's activities.
- 1.13 Mr David KING and Mr Scott CUMMINS are also directors of KAC ENTERTAINMENT LTD. This company being the Premises Licence holder for the revoked Premises Licence issued to Club 195. **DOCUMENT 2** is a report from Companies House detailing this and the company's activities.
- 1.14 At the review hearing the sub-committee made their decision which included:

'The lack of confidence in the management in how they have implemented their policies and procedures' and

'The lack of faith in management being able to successfully implement additional conditions.'

DOCUMENT 3 is a copy of the decision notice of the sub-committee from 29th January 2019.

- 1.15 As there is no change to the top level management Essex Police submit that there is no change of management and so the lack of confidence remains.
- 1.16 In fact one area of concern at the review which remains is dispersal. It was clear that patrons were leaving the premises and remaining in the area leading to crime, disorder and public nuisance. Epping is a Market Town with residential premises surrounding the premises. Public Transport links are good during the day however there is little if not any at the times the premises proposes to close.
- 1.17 As referenced 1.7 a new licence application was made. Following objections made, a sub-committee met on 29th July 2019, whereby a licence was granted, not to the 03:00 sought but to 01:00.

- 1.18 In making their decision the committee said: In their decision notice they stated:
'By granting a premises licence, we have taken into account the applicant's right to apply for temporary event notices which would give them an opportunity to road test their new model to a later hour and the possibility of making an application to vary the licence we have granted, to extend the hours of operation, if the applicant can demonstrate that doing so would not undermine the licensing objectives.'

DOCUMENT 4 is a copy of the decision notice of the sub-committee from 29th July 2019.

- 1.19 This application for a Limited Time Premises Licence seeks to take advantage of that statement as it will cover a longer period than temporary event notices would allow. The applicant seeks to have a night club element in the existing building on a Friday and Saturday evening until 03:00hrs the following morning.
- 1.20 The premises have not operated in any capacity since the licence being granted in July 2019; and so they have not been able to road test the new management and therefore unable to demonstrate how they promote the licensing objectives in any way other than their intent as shown within their application and attached documentation.
- 1.21 Essex Police maintain their position of last year that since the licence of Club 195 was revoked, crime, disorder and public nuisance has decreased in the early hours of a Saturday and Sunday morning.
- 1.22 Essex Police believe that on the balance of probabilities there will be an increase in crime, disorder and public nuisance on Friday and Saturday nights into the following mornings.
- 1.23 The applicant has placed within their application a number of policies; one of these being a dispersal strategy. In this they state peak dispersal times are 02:00 – 02:45 on Friday and Saturday. Essex Police contend that this is not accurate, as is common, patrons don't leave premises until the entertainment and/or bars close. Therefore, the peak will extend beyond 03:00.
- 1.24 Within this document they acknowledge that public transport links are sparse late at night, including the last train from Epping would not be usable if one was to stay at the premises until closing as on a Friday and Saturday the last train from Epping is 0120; after which there is a night tube service from Loughton.
- 1.25 Similarly, there are a number of buses that run through Epping but again they cease at or around 2000 during the week and earlier on a Saturday and Sunday.
- 1.26 Therefore, the only way that patrons can disperse the area is via private vehicles, private hire vehicles and hackney carriages, regardless of whether carriages are pre-booked or hailed; patrons will likely meet their transport in High Street, Epping, meaning that once again the area is likely to see a throng of intoxicated persons and a return of crime, disorder and public nuisance in the early hours of the morning.
- 1.27 It is difficult to envisage or entertain how any dispersal policy can; or will; deal with potentially in excess of 700 people in these circumstances; a figure taken from the applicants 'proposed operating schedule'.

- 1.28 There is also confusion of whether this 'Limited Time Premises Licence' will supersede the current Premises Licence for the period sought; or whether they intend to 'choose' which one to use. An example taken from the 'proposed operating schedule'; where the times specified alcohol consumption will cease suggests at 00:00 Sunday to Thursday and 03:00 Friday and Saturday. Whilst consumption is not licensable; the times suggest a two hour period where alcohol cannot be sold; but can be consumed during the week. It also suggests alcohol can be consumed on a Sunday but not purchased, and finally that on a Friday and Saturday, you can buy your last drink at 03:00, but not consume it.

2.0 Background and events leading to the Summary Review

- 2.1 On 1st January 2019 at 01:21hrs emergency services were called to Club 195 following an argument at the bar which resulted in a 19 year old male being stabbed on the dance floor within the premises suffering a deep two inch wide wound to the side of his body. He was conveyed by ambulance to hospital to receive medical treatment. 16 police officers attended and carried out extensive searches for the suspects and weapons. CCTV from within Club 195 was viewed by officers, which did not capture the incident due to the location within the premises having insufficient camera coverage and lighting.

Police were informed by Club 195 that CCTV footage from the premises showed the suspects enter via a back door and not the main entrance, bypassing all entry requirements set out as conditions of the premises licence at the time; searching requirements (condition 15), and proof of age (condition 27); which was supported by using ID scan technology. This security lapse compromised public safety, allowing weapons to enter the premises.

- 2.2 At 03:30 on 1st January 2019; the same trading day; a second incident was reported outside the premises. A male was knocked unconscious, losing teeth, and sustaining a punctured lip. 13 police officers attended. In immediate response Police stopped a minibus with 9 persons on board; identified by witnesses as being involved in the disorder leading to the assault.
- 2.3 As a result of these serious and shocking violent incidents. Essex Police took the necessary step of applying for a summary review, as authorised by Supt Craig Saunders.
- 2.4 Within the text of the supplementary review submission Essex Police evidenced eight incidents where violence and disorderly behaviour could directly attributable to Club 195 throughout 2018. It further evidenced a document of twelve incidents that occurred within the vicinity of Club 195 and Essex Police felt were attributable to Club 195 by the fact they occurred within a time frame when they were the only premises open; or recently closed. Of these twelve incidents eleven involved elements of violence.

3.0 Statutory Guidance (s182 LA 2003) and Case Law

3.1 Whilst this is an objection to a grant of a Premises Licence, Essex Police believes that part of the guidance relating to reviews is appropriate in considering whether allowing this licence to be granted would undermine the licensing objective of preventing crime and disorder. In particular;

a) Paragraph 11.26

It is important to recognise that certain criminal activity or associated problems may be taking place or have taken place despite the best efforts of the licence holder and the staff working at the premises and despite full compliance with the conditions attached to the licence. In such circumstances, the licensing authority is still empowered to take any appropriate steps to remedy the problems. The licensing authority's duty is to take steps with a view to the promotion of the licensing objectives and the prevention of illegal working in the interests of the wider community and not those of the individual licence holder.

b) Paragraph 11.23

(...) However, it will always be important that any detrimental financial impact that may result from a licensing authority's decision is appropriate and proportionate to the promotion of the licensing objectives and for the prevention of illegal working in licensed premises. But where premises are found to be trading irresponsibly, the licensing authority should not hesitate, where appropriate to do so, to take tough action to tackle the problems at the premises and, where other measures are deemed insufficient, to revoke the licence (our emphasis).

3.2 Furthermore, case law provides additional guidance on balancing financial considerations and the need to promote the licensing objectives, viz:

a) In the case of R (on application of Hope and Glory Public House Ltd) v City of Westminster Magistrates' Court and Others (2011) EWCA Civ 312, Lord Justice Toulson said:

"Licensing decisions often involve weighing a variety of competing considerations: the demand for licensed establishments, the economic benefit to the proprietor and to the locality by drawing in visitors and stimulating the demand, the effect on law and order, the impact on the lives of those who live and work in the vicinity, and so on. Sometimes a licensing decision may involve narrower questions, such as whether noise, noxious smells or litter coming from premises amount to a public nuisance. Although such questions are in a sense questions of fact, they are not questions of the 'heads or tails' variety. They involve an evaluation of what is to be regarded as reasonably acceptable in the particular location. In any case, deciding what (if any) conditions should be attached to a licence as necessary and proportionate to the promotion of the statutory licensing objectives is essentially a matter of judgment rather than a matter of pure fact."

The decision is important because it illustrates that licensed premises, and the activities that take place in those premises, exist in a dynamic environment and should not be looked at entirely in isolation. The effect on a range of factors such as crime and the quality of life for residents and visitors must be considered and not just the narrow consideration of the premises itself.

b) In the case of East Lindsey District Council v Abu Hanif (t/a Zara's Restaurant)(2016) Mr Justice Jay said:

The prevention of crime and disorder requires a prospective consideration of what is warranted in the public interest, having regard to the twin considerations of prevention and deterrence.

3.3 In the High Court case of *Luminar Leisure Ltd v Wakefield Magistrates' Court* [2008] EWHC 1002 (Admin) where it was determined that it was open to a court (and thus a sub-committee) to take into account evidence of crime and disorder in areas beyond the operator's control, that it could be reasonable to conclude that a premises would give rise to such problems and thereby undermine the licensing objectives and that it could be a proportionate response to refuse the licence rather than impose conditions on it.

4.0 Outcome Sought

4.1 Essex Police invites the licensing sub-committee to refuse the grant of this premises licence, which is the only step sufficient to safeguard the public from harm and prevent crime and disorder.

4.2 The premises has yet to trade under its new identity and management structure, by remaining untested, the concerns remain unchanged.

4.3 Essex Police as part of the earlier mentioned summary review offered a 'no revoke option' to the sub-committee. This was a set of recommendations that Essex Police sought the sub-committee to consider in the event they felt the licence should not be revoked. The applicant has offered a number of these as part of their proposed operating schedule either as Essex Police recommended or edited by them.



Companies House

CK ENTERTAINMENTS LTD 11951826

Created: 13 July 2020 12:28:56

Companies House does not verify the accuracy of the information filed

Overview

- Registered office address: 195-199 Cottis Lane Rear Of Epping High Street, Epping, Essex, CM16 4BL
- Company type: Private limited company
- Incorporated on: 17 April 2019
- Status: Active

Key filing dates

- Accounting reference date: 30 April
- Next accounts due: 17 April 2021
- Next confirmation statement due: 30 April 2020

Nature of business (SIC)

- 56302 Public houses and bars

People

Officers:

2 officers / 1 resignations

- Director CUMMINS, Scott Anthony ACTIVE
 - Nationality: British
 - Appointed: 17 April 2019
 - Date of birth: December 1971
 - Correspondence address: Rear Of 195-199, High Street, Epping, United Kingdom, CM16 4BL
 - Country/State of Residence: United Kingdom
 - Occupation: Director
-

- Director KING, David Ernest RESIGNED
 - Nationality: British
 - Appointed: 17 April 2019
 - Date of birth: June 1967
 - Resigned: 18 July 2019
 - Correspondence address: Rear Of 195-199, High Street, Epping, Essex, United Kingdom, CM16 4BL
 - Country/State of Residence: United Kingdom
 - Occupation: Director
-

Persons with significant control:

2 active person with significant control / 0 active statements

- Mr David Ernest King ACTIVE
- Correspondence address: Rear Of 195-199, High Street, Epping, Essex, United Kingdom, CM16 4BL
- Notified on: 17 April 2019
- Date of birth: June 1967

- Nationality: British
- Country of residence: United Kingdom

Nature of control:

- Ownership of shares – 75% or more

- Mr Scott Anthony Cummins ACTIVE
- Correspondence address: Rear Of 195-199, High Street, Epping, United Kingdom, CM16 4BL
- Notified on: 17 April 2019
- Date of birth: December 1971
- Nationality: British
- Country of residence: United Kingdom

Nature of control:

- Has significant influence or control

Recent Filing History

Date	Form	Description
3 Dec 2019	AD01	Registered office address changed from Playhouse Cottis Lane Cottis Lane Epping Essex CM16 4BL England to 195-199 Cottis Lane Rear of Epping High Street Epping Essex CM16 4BL on 3 December 2019
18 Jul 2019	TM01	Termination of appointment of David Ernest King as a director on 18 July 2019
17 Apr 2019	NEWINC	

Date	Form	Description
		Incorporation Statement of capital on 2019-04-17 GBP 2 <ul style="list-style-type: none">• MODEL ARTICLES model-articles-adopted



Companies House

KAC ENTERTAINMENT LTD 10591345

Created: 13 July 2020 12:37:08

Companies House does not verify the accuracy of the information filed

Overview

- Registered office address: 3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QA
- Company type: Private limited company
- Incorporated on: 30 January 2017
- Status: Active

Key filing dates

- Accounting reference date: 29 March
- Last accounts made up to: 31 March 2018
- Next accounts due: 20 May 2020
- Last confirmation statement date: 5 December 2019
- Next confirmation statement due: 16 January 2021

Nature of business (SIC)

- 56302 Public houses and bars

People

Officers:

3 officers / 1 resignations

- Director CUMMINS, Scott Anthony ACTIVE
 - Nationality: British
 - Appointed: 4 December 2018
 - Date of birth: December 1971
 - Correspondence address: 3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QA
 - Country/State of Residence: United Kingdom
 - Occupation: Administrator Of Nightclubs
-

- Director KING, David Ernest ACTIVE
 - Nationality: British
 - Appointed: 4 December 2018
 - Date of birth: June 1967
 - Correspondence address: 3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QA
 - Country/State of Residence: United Kingdom
 - Occupation: Nightclub Administrator
-

- Director CUMMINS, Kevin Anthony RESIGNED
 - Nationality: British
 - Appointed: 30 January 2017
 - Date of birth: June 1943
 - Resigned: 4 December 2018
 - Correspondence address: 3rd Floor, Lawford House, Albert Place, London, United Kingdom, N3 1QA
 - Country/State of Residence: United Kingdom
 - Occupation: Director
-

Persons with significant control:

2 active person with significant control / 0 active statements

- Mr Scott Anthony Cummins ACTIVE
- Correspondence address: 3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QA
- Notified on: 4 December 2018
- Date of birth: December 1971
- Nationality: British
- Country of residence: United Kingdom

Nature of control:

- Ownership of shares – More than 25% but not more than 50%
 - Ownership of voting rights - More than 25% but not more than 50%
-

- Mr David Ernest King ACTIVE
- Correspondence address: 3rd Floor Lawford House, Albert Place, London, United Kingdom, N3 1QA
- Notified on: 4 December 2018
- Date of birth: June 1967
- Nationality: British
- Country of residence: United Kingdom

Nature of control:

- Ownership of shares – More than 25% but not more than 50%
 - Ownership of voting rights - More than 25% but not more than 50%
-

- Mr Kevin Anthony Cummins CEASED
- Correspondence address: 3rd Floor, Lawford House, Albert Place, London, United Kingdom, N3 1QA
- Notified on: 30 January 2017
- Ceased on: 4 December 2018
- Date of birth: June 1943
- Nationality: British
- Country of residence: United Kingdom

Nature of control:

- Ownership of shares – 75% or more
 - Ownership of voting rights - 75% or more
 - Right to appoint and remove directors
-

Recent Filing History

Date	Form	Description
20 Feb 2020	AA01	Previous accounting period shortened from 30 March 2019 to 29 March 2019
16 Dec 2019	CS01	Confirmation statement made on 5 December 2019 with no updates
16 Dec 2019	AA01	Previous accounting period shortened from 31 March 2019 to 30 March 2019
5 Dec 2018	CH01	Director's details changed for Mr David Ernest King on 5 December 2018
5 Dec 2018	PSC04	Change of details for Mr David Ernest King as a person with significant control on 5 December 2018
5 Dec 2018	CS01	Confirmation statement made on 5 December 2018 with updates
4 Dec 2018	AP01	

Date	Form	Description
		Appointment of Mr Scott Anthony Cummins as a director on 4 December 2018
4 Dec 2018	SH01	Statement of capital following an allotment of shares on 4 December 2018 GBP 2
4 Dec 2018	PSC01	Notification of David King as a person with significant control on 4 December 2018
4 Dec 2018	PSC01	Notification of Scott Cummins as a person with significant control on 4 December 2018
4 Dec 2018	AP01	Appointment of Mr David Ernest King as a director on 4 December 2018
4 Dec 2018	PSC07	Cessation of Kevin Anthony Cummins as a person with significant control on 4 December 2018
4 Dec 2018	TM01	Termination of appointment of Kevin Anthony Cummins as a director on 4 December 2018
29 Oct 2018	AA	Micro company accounts made up to 31 March 2018

Date	Form	Description
30 Jan 2018	CS01	Confirmation statement made on 29 January 2018 with updates
30 Jan 2018	PSC04	Change of details for Mr Kevin Anthony Cummins as a person with significant control on 3 January 2018
31 Jan 2017	AA01	Current accounting period extended from 31 January 2018 to 31 March 2018
30 Jan 2017	NEWINC	Incorporation Statement of capital on 2017-01-30 GBP 1 <ul style="list-style-type: none">• MODEL ARTICLES model-articles-adopted-amended-provisions

30th January 2019



**Epping Forest
District Council**

www.eppingforestdc.gov.uk
Neighbourhoods Directorate

Rainer Hughes
182 Hutton Road
Shenfield
Essex
CM15 8NR

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:

Dhoughton 01992 564336
email:
dhoughton@eppingforestdc.gov.uk

Dear Sirs,

KAC Entertainment Ltd, Re: Club 195 Cottis Lane, Epping, Essex, CM16 4BL- Summary Review from Essex Police.

I am writing to formally inform you of the decision of the Licensing Sub-Committee held on 29th January 2019

The application has been treated on its own merits, and this Sub-Committee has taken its decision based upon:

- The application for a summary licence review
- The certificate under S53A of the Licensing Act 2003
- The policy of the Licensing Authority
- Guidance issued
- The licensing objectives

1.

Article 1 of the First Protocol of the Human Rights Act 1988 that every person is entitled to the peaceful enjoyment of his possessions,(in this case the Licence). No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

2. That any decision made in respect of the premises licence, Club 195, Cottis Lane, Epping, Essex CM16 4BL must be necessary and proportionate.

The decision of this sub-committee is that the premises licence for Club 195, Cottis Lane Epping is revoked.

This decision was arrived at in the light of the evidence presented at the hearing, namely:

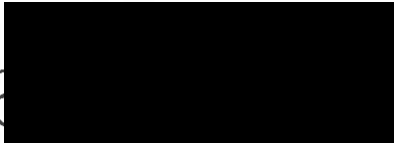
- The repeated and very serious crime and disorder associated with the premises.
- The lack of confidence in the management in how they have implemented their current policies and procedures.
- The lack of confidence that the DPS has proper control of the premises.
- The lack of faith in management being able to successfully implement additional conditions.



That the interim step i.e. the suspension imposed on 4th January 2019, under Section 53 (B) of the Licensing Act 2003 shall remain in effect until the hearing of the appeal against the revocation (if there is one).

The applicant or premises licence holder or any other person who made relevant representations to the application are reminded of their right of appeal to the Magistrates' Court within 21 days of the date of the written notification of this decision.

The decision will not have effect until after the end of the period given for appealing against the decision, or if the decision is appealed against, the time the appeal is disposed of. The suspension shall remain in effect until the time for appealing the review has expired and any appeal has been determined



Debbie Houghton
Licensing Officer

Date: 12 August 2019

Civic Offices
High Street
Epping
Essex
CM16 4BZ
Our Ref WK/201918146
Your Ref:

Dear Sir Madam,

**Licensing Act 2003 – CK Entertainments Ltd, Playhouse, Cottis Lane Epping Essex
CM16**

Further to a meeting of this Authority's Licensing Sub-Committee on Monday 29th July 2019 the above application was granted.

The application was treated on its own merits and the Sub-Committee based its decision on the following:

The merits of the application
The promotion of the four licensing objectives
The policy of the licensing authority
The guidance issued by the Secretary of State for Culture, Media & Sport under section 182 of the licensing act 2003
The relevant representations received

Members concluded that the application for a new premises licence was granted; subject to "please see attached decision"

The Premises has been granted the following:

"please see attached decision"

You are advised that under the Licensing Act 2003, you have the right to appeal against this decision and it should be made to a Magistrates Court. Any appeal should be made within 21 days of the date of this letter.

I trust this clarifies the decisions made, but if you would like to discuss them further I can be contacted on the number above.

Yours sincerely

Debbie Houghton
Licensing Officer
Licensing (01992) 544336
Email: licensing@eppingforestdc.gov.uk

**Licensing Sub- committee – decision sheet for an application for a
Premises Licence under the Licensing Act 2003**

**Premises Address: PLAYHOUSE AND ESSEX ROOF GARDENS
195 – 199 COTTIS LANE EPPING**

Chairman to read out in open session.

We are grateful to the parties for their excellent presentations to us this morning. We have taken these and the written material submitted to us into account. We have considered what is appropriate to promote the four licensing objectives and the relevant parts of the Council's Licensing Policy and the Home Office's guidance.

During our deliberations in private session our legal adviser gave us advice that our options are (1) to grant the licence subject to the conditions proposed in the operating schedule (modified to such extent as we consider appropriate for the promotion of the licensing objectives), (2) to exclude a licensable activity from the scope of the licence, (3) to refuse to specify the proposed DPS or (4) to reject the application altogether.

He also gave us advice that we cannot grant a time-limited licence but that it would be open to the applicant to apply for temporary event notices and what activities a temporary event notice may permit.

Granted

The decision of this sub-committee is that the application for a premises licence in respect of: **PLAYHOUSE AND ESSEX ROOF GARDENS
195 – 199 COTTIS LANE EPPING**

Be granted subject to the conditions as submitted by the applicant on 28 July 2019 and which were admitted as evidence with the agreement of all parties at the hearing this morning – subject to the following modifications:

- (1) on Fridays, Saturdays and Sundays all licensable activities on the premises shall cease by 0100;

- (2) on Fridays, Saturdays and Sundays the premises shall be closed to the public by 0130; and
- (3) the maximum number of persons permitted on the Garden Terrace at any one time shall not exceed 30 persons.

Our reasons are as follows.

- (1) We were impressed by the evidence given on behalf of the applicant, in particular the evidence of Mr Hoffelner. We are satisfied that there has been a sufficient change of management of the premises which reduces the risk of the previous failures from recurring.
- (2) We have noted from the police evidence that the majority of the previous incidents of crime and disorder occurred between 0100 and 0300. However, we did not agree with the police's suggestion that there had been a stark reduction in crime since the closure of the premises.
- (3) We acknowledge that the applicant has accepted that the decision to revoke the Club 195 licence was correct as a result of a wholesale operational management failure.
- (4) However we are concerned that this application proposes to significantly intensify the use of the premises, compared to its operation as Club 195. Club 195 previously opened just one night a week whereas this proposal seeks to open three nights a week.
- (5) We would like to give the applicant an opportunity to make good on the promises made to us at the hearing. We acknowledge their collective experience but also have taken into account that the applicant is proposing a brand new business model with new personnel and with a greater number of nights of operation.
- (6) Taking all of this into account, we consider that requiring all licensable activities to cease at 0100, with the premises closing at 0130, strikes a fair balance and is appropriate for the promotion of the licensing objectives, in particular the crime and disorder and public safety objectives.
- (7) By granting a premises licence, we have taken into account the applicant's right to apply for temporary event notices which would give

them an opportunity to road test their new model to a later hour and the possibility of making an application to vary the licence we have granted, to extend the hours of operation, if the applicant can demonstrate that doing so would not undermine the licensing objectives.

(8) For completeness we have also considered whether to curtail the hours during which the Garden Terrace may be used, and whether this would cause a public nuisance. We accept the applicant's evidence that with appropriate mitigation measures, the use of this Terrace by no more than 30 smokers after 11pm will not undermine the public nuisance licensing objective.

We are also attaching the mandatory conditions contained in Sections 19 -21 of the Licensing Act 2003.

Right of appeal

The applicants and the objectors are reminded of their right of appeal to the Magistrates Court within 21 days of date of the written notification of this decision.

Signed

A solid black rectangular box redacting the signature of the Chairman.

Chairman

Dated 29 July 2019

NTIA | NIGHT TIME INDUSTRIES ASSOCIATION

29 July 2020

Debbie Houghton

Licensing Officer
Epping Forest District Council
Civic Offices
323 High Street
Epping
CM16 4BZ

Dear Sir / Madam

**Reference: Premises Licence application for Play House
195-199, Cottis Lane, Rear of Epping High Street, Epping, Essex CM16 4BL**

The NTIA is an Industry Association, which celebrates the unique contribution that the night time economy represents across the UK. We have worked on many campaigns including the #SaveFabric London Campaign, #Save24kitchenStreet Liverpool, national campaigns such as #SaveNightLife and #LetUsDance, and many more.

Our purpose is to protect and safeguard businesses with licenses, by proactively engaging with the authorities as a collective, and creating a dialogue which generates realistic operational best practice and allows businesses to trade within the agreed guidelines whilst consistently maintaining the four licensing objectives.

It has been brought to our attention that CK Entertainments Ltd, which currently holds the Licence under Six Chaps Ltd is re applying for their Premises Licence for their new business, the proposed license will commence on the 1st September 2020 until 1st January 2020, for the Play House and Essex Roof Gardens.

We believe the substantial measures presented by the new operators, will give the Police and Local Authorities confidence that the venue's primary focus is the safety and welfare of their patrons and staff.

We know that the authorities are consistently working to reduce the level of crime and anti-social behaviour with limited resource, as part of this we encourage businesses to work collaboratively with authorities in support of the licensing objectives.

We are keen to work together with all parties to continue dialogue on how we can start to manage the current portfolio of licensed businesses within Epping, including the facilitation of late-night entertainment venues, serving the community.

In the current climate under Covid, it is imperative that we ensure businesses like Play House & Essex Roof Gardens are given an opportunity to survive, on the basis they can demonstrate that they commit to providing a safe and secure environment for customers to enjoy and for staff to work.

The Night Time economy is worth £66 Billion to the UK economy, and employs over 1.3 million people. If we were to lose these businesses, it would detrimentally impact on the cultural and economic recovery of the area.

We must ensure that we give every opportunity for cultural spaces to rebuild.

Yours faithfully

Mike Kill
CEO, NTIA

CC:

Licensing Service,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping, CM16 4BZ.

Wednesday 15th July 2020

Dear Licensing Officer

I felt that it was only right that I write to you as I would like to offer my full support for the 3am license application for play house night club at 195 to 199 Cottis lane Epping.

I live in Theydon and was a regular customer of the previous venue Club 195. Myself and friends would use the bars and restaurants in Loughton and Epping at the weekends before moving on to club 195 to finish our evening. Since the club has closed there are no late-night venues in the area so we have to go in to London for our nights out which is a shame on the local late-night venues. So now it's only on rare occasions when we travel into London that we are able to get together and have fun past 1am.

I also have an 18-year-old son who is getting to the age where he wants to go to get out and go to nightclubs, the thought of him going in to London scares me so having a late-night venue in our area will be much safer for him and his group of friends. As a parent it would give me great piece of mind knowing that he is local.

I am in full support not only for myself but for the son and his friends, they should be able to enjoy themselves in their local area.

Thanks in advance.

Kind regards

Ann-Marie Hackett

Tracey Thomas
Spring Pond Meadow
Hook End
Brentwood

Epping Forest District Council Civic Offices
323 High Street
Epping
CM16 4BZ

Wednesday, 29 July 2020

Dear Sir,

I am a former Epping Forest District councillor, and I am a current Councillor for Blackmore Hook end Wyatts Green.

I originally wrote supporting the new licensing application for Playhouse in 2019, and I would like to further lend my support to this application.

I think this a novel approach for the venue to prove it can successfully operate until 3am. I am well aware that the venue already has a 1am licence and the Chairman suggested that they use their TEN's to show that they could operate till 3am, however I think this approach should be commended. Mainly because TEN's do not allow everyone the opportunity to have their say. As the authority well knows TEN's only allow the police to object, however this approach allows all members of the public and other authorities the ability to help craft a licence that is not only appropriate for the venue but also for the community.

I know that the venue has not traded using it 1am licence yet and would go ahead trading on their new 3am licence straight away. I have seen many licences change their terminal hour and fail, to put it simply just because you can successfully operate until 1am does not mean you can operate to 3am, these are very different types of operations. The time limited licence will show whether the operates can make good on their promises that they can operate this venue to three. No matter how many times they operate till 1am this does not show they can to 3am.

I fully support this application for a time limited licence and look forward to seeing if the operators can make good on their promises.

Kind regards

[Redacted signature]

Tracey Thomas

[Redacted contact information]

T: 020 3906 1650
E: info@tieronecontracts.co.uk
W: www.tieronecontracts.co.uk

Universal House
88-94 Wentworth Street
London, E1 7SA

Company Reg: 10377293



Licensing Service

EFDC
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

Dated: 28th July 2020

Dear Sir / Madam,

I am writing this letter to fully support the application for a 3am license at 195/199 Cottis Lane for Play House Night Club.

I have lived in Epping Forest my whole life and been a resident in Epping for the last 7 years.

I run a recruitment business and it involves entertaining clients. I would regularly use the local restaurants and bars to do such entertaining in. We would always finish our nights at Club 195 as it was a safe and enjoyable late-night venue.

Since its closure and as there are now no other late-night venues in Epping, I now no longer use the local restaurants for entertaining as I am forced to go into London for my nights out.

I feel this is taking business out of the local economy, so I welcome the idea of having something like this back in our town as it will enable me to get back to supporting local businesses – which in today climate is even more paramount than it has ever been.

Yours faithfully,

Lee Cummins
Director
Tier Once Contracts

Tel: 020 7426 0322

Fax: 020 3582 4581

Email: info@pristinelondon.co.uk

Web: www.pristinelondon.co.uk

Address: 19-20 Bourne Court

Woodford Green

Essex IG8 8HD

Licensing Service,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping, CM16 4BZ

Dear Sirs,

RE: Play House Night Club 3am Application

I am writing this letter to offer my full support for the application at 195 Cottis lane for a 3am license for the Play House Night Club.

I have lived in the local area all of my adult life and this little corner of Essex used to have a vibrant night life, over the last few years we have lost most of these venues with Club 195 being the final one.

My business entails entertaining my clients and I would often bring them to Epping for a nice meal in one of the restaurants and then go on to finish our night at Club 195. My clients had never been to Epping before and really loved to come out to such a beautiful little town for a different experience.

Since 195 has not been open I have nowhere to go after our dinner so now we go to other areas or to London for our nights out. I know several restaurateurs and publicans and they have all expressed that with no late-night local venues it has been having a negative impact on their trade and livelihoods.

I would be grateful if this application could therefore be looked upon favourably as I know it has the support of a lot of local businesses and residents alike.

Yours faithfully,

Spencer Walshe
Director



Tempest Mead
North Weald
Epping

26th July 2020
Ref: PJC/playhouse a

EFDC Licensing Service
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

License Application for the Playhouse and Epping Roof Gardens

Dear Sirs/Madam,

With reference to my letter of support dated 28th June 2019, I would like to add an additional letter supporting an application for extended hours or a later license.

I was pleased to learn the venue is going to reopen and Mr. Scott Cummins mentioned that the current licensing hours that have been approved provides the venue with a closing time of 1am. Unfortunately after taking my clients locally for dinner, this is far too early to enjoy the facilities of the proposed Playhouse and maximize the social time spent entertaining my customers.

I know this has been expressed in my previous letter but to reiterate from a business standpoint I own, hold shares or on the executive board of the following companies globally:

1. Aquarion - Switzerland
2. H+E Water - Germany
3. H+E Asia - Singapore, Malaysia, Philippines
4. H+E UK
5. Gemwater - Milan
6. H2 Oil & Gas - Scotland
7. Helipad Company

Apart from General Management activities I am largely responsible for developing sales for each of the businesses and networks for the above is extremely important. For the companies above this involves a great deal of entertaining and client visits to the UK.

If the closing time is not extended I fear that I will continue the need to entertain clients in London, away from Epping. This is detrimental to other businesses, the community and revenue generation, they are not benefiting from any pre-venue

activities or cultural experiences of having people from overseas in the local community.

The late license to 3am for the proposed Playhouse and Epping Roof Gardens is an essential asset to my business and the area.

Please kindly support this application for a later license and do not hesitate to contact me if you have any questions. Given the importance of this new venture to my companies, network and future business I would be more than happy to meet the council in person.

Yours faithfully,



Paul J Coe

zaikaa
THE ART OF INDIAN FOOD

01992175122
mailto:zaika@zaikaa.com

201 High Street
Epping
Essex
CM16 4BL

09/07/2020

Epping forest district council
Licensing Section
323, High Street
Epping
Essex
CM16 4BZ

Dear Licensing Officer,

It is exciting to learn that the old 195 is about to reopen under a new name Playhouse.

I wanted to take the time to offer a letter supporting a late license application to 3am. We understand the current application has been approved to 1am but unfortunately this does not offer the restaurant any advantage of getting late booking namely, 10pm to 11pm.

When 195 was open we would get many clients in the restaurant before going to the night club.

Every business is suffering at the moment and it would be very beneficial to my restaurant if the closing hours is extended from 1am to 3am on every Friday and Saturday.

Thank you for considering this letter, your help is greatly appreciated.

Yours Faithfully


Shuhel Ullah (Director)

CINNAMON



Authentic Indian Cuisine

23rd July 2020
Ref: playhouse

EFDC
Licensing Office
Civic Offices
323 High Street
Epping
Essex
CM16 4BZ

Late License Application for the Playhouse Night Club

Dear to whom it may concern,

I was pleased to hear the venue is going to reopen very soon.

Given the current situation regarding COVID we need to do everything in the community to rebuild and re-establish our businesses. Since the closure of 195 we experienced a lower level of late bookings, now with COVID we have never experienced such a difficult period.

When the club was opened many of our customers came to the restaurant before going to the club. We are aware the license has been given to 1am but unfortunately this does not fully help us. If there is a later license we will get a later restaurant trade who dine before going to the club.

Agreeing a later license to 3am will help our business tremendously and therefore we fully support this application.

In these times we must do everything possible to aid recovery.

Yours faithfully,



**Sadlers Taxis Ltd
4 Station Road
Epping
Essex**

**Licensing Services
EFDC
Epping
CM164BZ**

30th July 2020

Dear Sirs

Re Licensing for Playhouse

I write to present my support of the license application of Play House to extend the licence until 3am.

I employ over 100 taxi drivers working mostly within the Epping Forest District although at least 70 of them are still not working due to Covid 19 which has obviously caused health risks for the drivers but has also meant there is not the same level of work, so all the help possible is required to get the local economy kick started again. I believe if we can help this nightclub get launched, so long as it is operated in a professional manor as promised by the management team it will be a huge asset to the night time economy.

Kind regards

Paul Nelson

Paul Nelson

**Sadlers Taxi Group
Sadlers Taxis- Loughton
Elite Taxis-Epping
Advance Taxis-Sawbridgeworth**



Platinum Security

Electronic Security Specialists

125 Albany Road
Hornchurch
Essex
RM12 4AQ

Tel: 01708 733264
01708 744868

Fax: 01708 744868

Email: office@platinumsec.co.uk

www.platinumsec.co.uk

Epping Forest District Council
Civic Offices
High Street
Epping
CM16 4BZ

Ref. playhouse/DB

27/07/2020



Dear Sir/Madam,

Re: Playhouse Night Club in Epping

Platinum Security Limited are supporting the licence application and we are extremely excited about the project. We have a few staff members who live in the Epping area and after discussing this upcoming project with them, they are just as excited.

As a local business it is only with contracts like these that we can operate as it is a very challenging business climate. Epping Forest district council must understand that when they grant a licence like this it not only creates direct employment at the venue but helps with supporting business like ours that supply the night time industry. This is why we are fully behind this licence application.

Regards

Darren Bowers
Director

Platinum Security
Electronic Security Specialists

DD: [REDACTED]



CCTV : Alarms : Access : Intercoms : PA : Surveillance : Tagging : Tracking : Multi-Room Audio : PAT : Smoke Cloak

Platinum Security Limited. Registered in England & Wales No. 05027185 VAT No. 836 0017 56

Thursday, 9th July 2020

Stewart Bowles
[REDACTED]

Gaynes Park Estate
Coopersale
[REDACTED]

Licensing Service
Epping Forest District Council
Civic Offices
323 High Street, Epping
CM16 4BZ

To whom it may concern, we fully support the application at the premises 195 – 199 Cottis Lane, Epping for the Playhouse including their application for a 3am licence.

Over the past 15 years me and my wife would regularly go into Epping at the weekend and have a meal out and a few drinks in one of the local restaurants/pubs and then always walk over to Club 195 and have a few more drinks and a dance. It was an ideal night out supporting our local businesses including the local taxi firms. However, since Club 195 has been closed we have had to travel into London if we wanted to have a late night out for a drink and dance.

We also have 3 children, one who is turning 18 this year and it terrifies me that if he wants to have a night out in a nightclub he will have to travel to London. It would be absolutely ideal if there was a nightclub in Epping again, so that he could go there and like me and my wife support the local businesses.

Any questions please feel free to email me [REDACTED]

Kind regards,

Stewart Bowles

Bar 195

Received: ↗ Friday, 17 July 2020 22:53

From: Laila Choufa [REDACTED]

To: james@completelicensing.uk

Good evening James, I am writing to you in support of the application for a late license at bar195 I manage the George and Dragon Epping in the high street and we would love to have the weekend trade we used to have when 195 was open. We used to get a lot of guests here for dinner and a few drinks before they head over there when we stop serving at 23.00 but now it's very quiet and it's been the case since 195 closed. Don't get me wrong I am aware of the issues over there and I was assured that security will get tightened. I am also happy that it will be only for Friday and Saturday night as it is a residential area. Speaking to a lot of the business owners around Epping I can assure your everyone has lost some trade because of it being shut down. I hope we can see it open again in the future with better security and management which I have been told will happen.

Thank you for your time

Laila Choufa Carvalho

General Manager

Sent from my iPhone

Fwd: Play House night club

Received: ↗ Monday, 20 July 2020 09:37

From: Lucy Ager [REDACTED]

To: james@completelicensing.uk james@completelicensing.uk

>>>

>>> Dear sirs

>>>

>>> I am writing this letter to fully support that license application for Play House night club at 195/199 Cottis lane Epping to 3am

>>>

>>> I have lived in Epping for 5 Years and was a customer of the previous venue Club 195. We have a large group of friends that would regularly get together, because we had a late night venue in Epping my group of friends would start our night at one of the pubs or restaurants in the town then go on to finish the night at 195. Since it's closure my friends no longer wish to come to Epping for a night out so we go to other areas or in to London I feel this has taken customers away from the local business

>>>

>>> Kindest regards

>>>

>>> Lucy Ager

>>>

>>> Sent from my iPhone

Licensing Service

Received: ↗ Wednesday, 15 July 2020 00:23

From: brian smith [REDACTED]

To: James@completelicensing.uk James@completelicensing.uk

Hello james ,

Licensing Service,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping, CM16 4BZ.

I am a local DJ and I was given my first DJ set at Club 195 and then regularly played there. Since the club has closed it has been hard for me to get DJ work locally so I am writing this letter to support the 3:00 license application at the Play House. It would be great to have a late night venue back in Epping

Kind regards brian smith

Sent from my iPhone

Playhouse

Received: ↗ Tuesday, 28 July 2020 09:07

From: Stacey [REDACTED]

To: james@completelicensing.uk

Hi,

I am writing to fully support the license application for Play House night club at 195/199 Cottis lane Epping to 3am

I have lived in Epping for 7 years and always went to Club 195, in fact I used to go even when I lived outside of the area. Since it's closure my friends and I no longer stay in Epping for nights out as there is no where nice to go after a meal. I believe the cocktail bar will be lovely for groups to go after mid week meals (school mums nights out etc). The idea of the gym during the day is just brilliant and I believe they are trying to bring something new and fresh to Epping which is very much needed.

All in all I'm in huge favour for the later licence and look forward to many nights out there in the future.

Stacey

Sent from my iPhone

Playhouse email of support

Received:  Tuesday, 14 July 2020 16:27

From: Mike Younger 

To: james@completelicensing.uk james@completelicensing.uk

Licensing Service,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping, CM16 4BZ.

Dear Licensing Service,

I just wanted to send you an email to express my support for the 3am license for Playhouse the new venue opening in Epping.

I used to DJ at Club 195 regularly and since it's closure, myself and other DJs have lost regular work. I have a young family to support, and in what has been a terrible time for the hospitality industry, a new multi purpose venue such as this is exactly what the sector needs. Not just for DJs, but the hundreds of other people who'll benefit from this both socially and economically in the local community.

Many thanks,

Michael younger

Get [Outlook for iOS](#)

From: Danny Swallow [REDACTED]

Date: 30 July 2020 at 10:44:39 BST

I am writing this to offer my full support for the 3:30am license application for playhouse night club at 195/199 Cottis lane.

I am the owner of centre force radio station and we have a contract in place to run every Friday night at the above venue.

Our brand is based around House and Disco music with our clientele of an age range between 30 and 50 years of age.

If you require anything further from me please do not hesitate to contact me on

[REDACTED]

From: Amber Thomas [REDACTED]

Date: 30 July 2020 at 22:35:23 BST

Licensing Service,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping, CM16 4BZ.

Dear Sirs,

My name is Amber Thomas I have lived in Epping for 15 Years at 4 The Pavillions
I am writing this email to offer my full support for the new license application until 3:30am at the playhouse at 195
to 199 Cottis lane Epping

Since the club has been closed, mine and my friends nights out have not been the same.

There are not any good clubs like this one in the area or even close that holds events, plays good music until 3am
and invites a wide range of people of all different ages.

The owners are warm and welcoming, they look after their staff and customers the best they can and have always
made me and my friends feel safe and looked after.

The cab fairs from Epping to the closest clubs are between £30 - £60 which is a lot of money to spend before the
night has even started for one way, when I had a club on my front doorstep that I could get an £8 cab home from.

When myself and my friends go to clubs like Faces in Ilford, we do not feel safe due to the type of area and people
that live there, then if you go in the opposite direction to Chelmsford, Brentwood or Romford we equally don't feel
safe because we do not know anyone in the vicinity.

I think it should be taken into consideration the safety risks other young girls and boys like myself and my friends
are put into by having to travel half an hour to an hour journey to visit a nightclub with the possibility of getting
stuck or being taken advantage of whereas we had somewhere to go which was well run and close to home.

I also worked in 195 for 3 and a half years, since the club has been closed I have not been able to find any other
work in late night venues on the weekends. The journey from my house to 195 was convenient and cost effective
as opposed to driving all the way to Gants Hill, Ilford to work in a similar club (faces) the extra time and money to
work at that venue does not benefit me at all.

This has also affected my income which has caused excess pressure and stress. I relied on the wages from 195
for things like my car insurance, I worked full time Monday to Friday whilst working in 195 on a Saturday and the
change in my budget since the club has been closed is very noticeable.

Yours sincerely

Amber Thomas

Playhouse application

From: Frankie Major [REDACTED]

Date: 29 July 2020 at 13:37:21 BST

[REDACTED] Theydon Bower
Bower Hill
Epping
Essex
[REDACTED]

Dear Sir/Madam,

I am writing this letter to offer my full support for the application for a 3am licence at Coltis Lane, Epping for the Playhouse club.

I have lived in Epping for 30 years and would like to think I have an understanding of the local community. Epping is a fantastic place to live but it is alarming how little there is to do for the younger people of the town, especially when it comes to pubs or bars or any semi decent social outlet which younger people need. Even the older residents like me and my friends have nowhere to go locally, all we have is coffee shops, restaurants and a couple of really bad pubs. I was a regular at the old Club 195 and I had many wonderful nights there and also took many friends, family and business associates with me for nights out. The local area certainly needs something like that as there is literally nowhere to go for a late drink or to listen to music and have fun. It would also bring further revenue to local businesses on weekends as people would use the restaurants or pubs prior to going to the club and local business need more support now than ever. It has also concerned me that there has been an obvious increase in illegal parties in Epping and the surrounding forest areas recently which can be a catalyst for violence and drug use as well as the copious amounts of litter I have seen left at places like Stonards Hill after the weekends. I feel this will only get worse if the town doesn't offer more options for entertainment on weekends or for late night socialising. Therefore, I am offering my full support for the 3am licence and hope this comes into fruition.

Yours sincerely,

Frankie Major.

[REDACTED]
Epping resident and local business owner.

Letter to council

Dear Sir/Madam,

I am writing to offer my support for the application for a 3am licence at Cottis Lane, Epping on the site formerly known as Club 195.

I am a local resident who lives on Nichol Road and as a 23-year-old male, I find it quite hard to go out and enjoy myself with my friends locally as our options are severely limited. Groups of younger people need to have somewhere to go with their friends and drink and dance and it seems Essex in general has just shut down every busy bar or pub or club over the past couple of years. Epping has a few pubs but the demographic of customers in the Black Lion or Duke of Wellington is about 50 and the Merry Fiddlers and The George are now predominantly restaurants which leaves nowhere, literally. I don't drink coffee or skate so what are my options? People I know have been hosting illegal parties in our beautiful countryside which is becoming more common and will only get worse. I drove through High Beech a few weeks ago on a Thursday night, not even a weekend, and there were about 300 people there playing music and drinking totally unsupervised and the mess that was left the next day was disgusting. This would not happen if people had somewhere to go with a good atmosphere, decent music and entertainment which The Playhouse will no doubt provide. I understand the people making the decisions will probably be a lot older than me but I ask you to remember what it was like to be young and want to go out and listen to current music/DJs and chat to members of the opposite sex. It is something that the area needs and I for one would hope they get the permissions they have asked for.

Dylan Pitts
Epping resident

██████████
██████████ Nichol Road
Epping
Essex
██████████

PLAY HOUSE EPPING LICENCE APPLICATION

From: Paul v7 [REDACTED]

Date: 29 July 2020 at 12:13:38 BST

FAO:
Licensing Service,
Epping Forest District Council,
Civic Offices,
323 High Street,
Epping, CM16 4BZ.

Dear Sir/Madam,

I write to you both personally and in the capacity of my business Vision 7 Media, we would like to offer our full support for the 3.30am license application by "Play House Epping".

As a local business and supplier to the leisure industry, we provide photographers and videographers to leisure related venues and thus see this as a positive.

With the addition of the only late-night venue in the area this will enable us to employ more local freelancers to work at Play House on an ongoing basis. With the current state of the economy we can only see this as both beneficial to

the people who would like leisure activities and the jobs it would create helping the local economy.

Additionally this will also provide young adults a legal / managed alternative to the illegal forest parties that have started taking place in Epping and surrounding areas and somewhere for younger people to go rather than drawn into taking Laughing Gas in their cars antisocially.

Previously, we had been working at the long established Club195 since ~2012, for 2/3 nights a week which enabled us to employ 10's of photographers and videographers many of whom were based locally and some employed from Epping College. Since the closure we've had to cut that back considerably in this area.

I also imagine for the broader local economy, especially with local small businesses struggling or closing, the knock on effect could potentially be a life line of help e.g. direct staff, suppliers, hairdressers, barbers, beauty salons, tanning shops, as well as local the restaurants, other bars, taxi drivers and probably many more that people would use for a night out.

I hope a favorable response can be reached that would benefit Epping and the surrounding areas.

Kind Regards,

Paul

Director, Vision 7 Media



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**Essex County
Fire & Rescue Service**

Jo Turton
Chief Fire Officer / Chief Executive

Miss Debbie Houghton
Licensing Officer
Epping Forrest District Council
Civic Offices
323 High Street
Epping CM16 4BZ

**South West Group Service Delivery
Point**

Basildon Fire Station
Broadmayne
Basildon
SS14 1EH

☎ 01376 576700

✉ southwestgroupsdp@essex-fire.gov.uk

Our Ref: CAS-671008
Your Ref:

Date: 7th July 2020

Dear Miss Houghton,

LICENSING ACT 2003

THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005

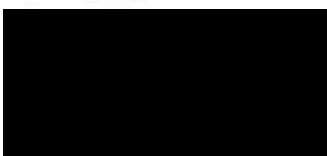
Premises: The Play House and Essex Roof Garden, 195-199 Cottis lane, Epping. CM16 4BL

Receipt is acknowledged of the above consultation(s), 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(s) you will be notified in due course.

Please quote our reference number in any future correspondence.

Yours sincerely



Angus Neale
Fire Safety Office
Technical Fire Safety



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Check, consider, record to protect yourself and reduce fly-tipping by rogue traders.

From: Michael Richardson

Sent: 09 July 2020 12:49

To: 'hello@completelicencing.uk'

Cc: Licencing; Debbie Houghton

Subject: RE: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195) - WK202002336

Dear Mr Hoffelner

Thanks for the notification of the above application.

I hope that I am correct in saying that this application is looking to extend the terminal hour from 01.00 hours to 03.00 hours on Saturday and Sunday mornings, until January 2021, and no other variation to the licence is being sought.

The concerns that were initially raised at the previous licencing hearing, which resulted in conditions being added to the licence regarding the use of the Roof Garden area are not to be changed from the current licence.

I note, however, that the current licence condition (and proposed operating schedule) state that general access to the "Garden Terrace" shall cease at 23.00 hours, except for smokers. I note also that there is a dedicated ground floor smoking area.

Can it be confirmed if the Garden Terrace will be used by a maximum of 30 smokers after 23.00 hours, or if the customers will directed to the downstairs smoking area after 23.00 hours. If the latter, I have no objection to the licence, however if the former I have concerns that this area will be opened until 03.00 hours, and therefore the noise from customers is likely to be more noticeable as the evening progresses. As such, representations may need to be made, as my concerns mirror those raised by Richard Thomason in his memo to the licencing team on 1 July 2019 regarding disturbance from customers on the Roof Garden into the very early hours.

Mr Hoffelner – can you please confirm your intentions for this area, and if you would be welcome to restricting the use of the Roof Garden after 23.00 hours, or that no drinks to be taken outside to the Roof Garden after 23.00 hours to reduce the likely occurrence of a public nuisance from this area. If you have any suggested amendments to the operating schedule which you think will be workable, please do not hesitate to contact me.

Regards

Mike

Michael Richardson
Senior Environmental Enforcement Officer
Community Resilience Team
Communities & Partnerships Directorate

Debbie Houghton

From: Michael Richardson
Sent: 10 July 2020 10:21
To: 'hello@completelicensing.uk'
Cc: Licensing; Debbie Houghton
Subject: RE: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195) - WK202002336

Dear James

Thanks for clarifying the layout of the "smoking area" in the "Garden" yesterday. I note that you intend to have up to 50 people in the "garden" on the ground floor, protected by the close boarded fence, and a maximum of 15 people "transitioning" through the terrace and down the stairs at any one time.

As such, I feel that the noise from these activities should not cause a public nuisance, and I have no representations to make concerning the proposed extension to the hours.

Can you please ensure that Debbie and the other consultees are aware of the discrepancy between what was originally submitted and your amendment to the operating schedule.

Regards

Mike

Michael Richardson
Senior Environmental Enforcement Officer
Community Resilience Team
Communities & Partnerships Directorate
Epping Forest District Council
High Street
Epping
Essex
CM16 4BZ

(01992) 564422
mrichardson@eppingforestdc.gov.uk



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Check, consider, record to protect yourself and reduce fly-tipping by rogue traders.

From: Michael Richardson
Sent: 09 July 2020 12:49
To: 'hello@completelicensing.uk'
Cc: Licensing; Debbie Houghton

Check, consider, record to protect yourself and reduce fly-tipping by rogue traders.

From: Debbie Houghton <doughton@eppingforestdc.gov.uk>
Sent: 13 July 2020 08:46
To: Michael Richardson <MRichardson@eppingforestdc.gov.uk>
Subject: RE: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195) - WK202002336

Morning Mike,

Are you aware of what the changes are, as I haven't received clarification on this to be able to forward to all the RA's I have emailed James but as of yet I have not had a reply,

Thanks
Debbie

Miss Debbie Houghton
Licensing Officer
Licensing Team,
Commercial and Regulatory Directorate
Tel: 01992 564336 remotely working until further notice
E-mail: doughton@eppingforestdc.gov.uk

From: Michael Richardson
Sent: 10 July 2020 10:21
To: 'hello@completelicensing.uk'
Cc: Licensing; Debbie Houghton
Subject: RE: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195) - WK202002336

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Regards

Mike

Michael Richardson
Senior Environmental Enforcement Officer
Community Resilience Team
Communities & Partnerships Directorate
Epping Forest District Council
High Street
Epping
Essex
CM16 4BZ

(01992) 564422

Debbie Houghton

From: Michael Richardson
Sent: 13 July 2020 09:22
To: Debbie Houghton
Subject: RE: CK Entertainments Ltd 195-199 Cottis Lane, Epping, Essex, CM16 4BL Play House and Essex Roof Garden (formerly club 195) - WK202002336

Basically, instead of 30 in the "Garden" which was on the balcony, there are 50 in the "Garden" (on the ground floor) and 15 "transitioning" to walk from the balcony to the ground floor smoking area.

He said it was on the high res link he sent through.

Mike

Michael Richardson
Senior Environmental Enforcement Officer
Community Resilience Team
Communities & Partnerships Directorate
Epping Forest District Council
High Street
Epping
Essex
CM16 4BZ

(01992) 564422
mrichardson@eppingforestdc.gov.uk



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PREMISES LICENCE

Part A



Neighbourhoods

Premises licence number:

LN/000004109

Part 1 – Premises details:

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

Play House and Essex Roof Garden, 195-199 Cottis Lane,

Post Town: Epping

Post code: CM16 4BL

Telephone number:

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

Licensable activities authorised by the licence:

Live Music

Recorded Music

Performance of Dance

Anything of a Similar Description to Live Music, Recorded Music and the Performance of Dance

Late Night Refreshment

The Sale by Retail of Alcohol

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

Live Music Thursday to Sunday 23.00 – 01.00am

Recorded Music Thursday to Sunday 23.00 – 01.00am

Performance of Dance Thursday to Sunday 23.00 – 01.00

Anything of a Similar Description Thursday to Sunday 23.00 – 01.00

Late Night Refreshment Monday to Wednesday 23.00 – 00.00 Thursday to Sunday 23.00 – 01.00

The Sale by Retail of Alcohol Sunday to Wednesday 11.00 – 00.00 Thursday to Saturday 11.00 – 01.00

New Year's Eve from 11.00 – 01.00 New Year's Day, Sundays before Bank Holidays 23.00 – 01.00

The opening hours of the premises:

Monday to Wednesday 11.00 – 00.30, Thursday to Sunday 11.00 – 01.30am

New Year's Eve from 11.00 – 01.00 New Year's Day, Sundays before Bank Holidays 23.00 – 01.00

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

On only

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

CK Entertainments Ltd, Playhouse, Cottis Lane, Epping, Essex, CM16 4BL

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

11951826

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

James –Carl Hoffeiner, [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.

(iii)

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 – All licensing Objectives

AT ALL TIMES

There will be a personal licence holder on duty at the premises from 17:00 until close daily when the premises are open for licensable activities.

The premises licence holder will supply a direct telephone number for the designated premises supervisor to the Responsible Authorities.

A direct telephone number at the premises will be publicly available at all times when the premises are open for licensable activities. This telephone number will allow the caller to speak directly with the manager through a call management system or call handler.

Non-intoxicating beverages, including drinking water, will be available in all parts of the premises where alcohol is sold or supplied for consumption on the premises

No licensable activities will take place at the premises until the premises have been assessed as satisfactory by the Police Licensing Officer and Licensing Authority at which time this condition will be removed from the premises licence by the Licensing Authority.

The premises licence holder will ensure that all staff are trained commensurate with their roles at the premises in:

- The Licensing Act 2003, responsibilities in supporting the four key objectives.
- Dealing with incidents and the prevention of crime and disorder
- Sale of alcohol (to underage persons, drunks etc.)
- The Premises' policies in respect of drugs, weapons, dispersal etc.
- Forensic awareness.
- Effects of drunkenness and how to prevent drunkenness on premises and support the Licensing objectives.

The premises licence holder will ensure that records of staff training are kept and made available to Responsible Authority Officers on request.

The premises licence holder will ensure that refresher training is provided every 6 months.

The premises licence holder will devise and maintain the following policies:

- Dispersal
This policy will include but not limited to:
 - i. How patrons leaving the premises will be directed away from the premises;
 - ii. How patrons will be informed of the services of taxi and private hire operators;
 - iii. What staff will be responsible for supervising those leaving the premises and how they will supervise such persons;
 - iii. Any 'wind' down periods;
 - iv. Methods to prevent re-entry to the premises;

- v. How bottles and glasses will be prevented from being removed from the premises at closing time.

- **Security**

This policy will include but not limited to:

- i. Clear expectations of staff roles (including the DPS, managers/supervisors and door supervisors);
- ii. Staff training regarding identification of suspicious activity and what action to take;

- **Drugs, this will be a zero-tolerance policy with regard to the use/possession of controlled drugs and psychoactive substances**

Including but not limited to:

- i. Dealing with patrons suspected of using drugs on the premises;
- ii. Scrutiny of spaces including toilets or outside areas;
- iii. The handling of items suspected to be illegal drugs or psychoactive substances.
- vi. Steps taken to discourage and disrupt drug use on the premises
- v. Steps to be taken to inform patrons of the premises drug policy/practice

- **Weapons this will be a zero-tolerance policy with regard to the use/possession of weapons**

The policy will Including but not limited to:

- i. Dealing with patrons suspected of having possession of weapons;
- ii. Scrutiny of spaces including toilets or outside areas;
- iii. The handling of items suspected to be weapons;
- iv. Steps to be taken to inform patrons of the premises weapons policy/practice

- **Entry:**

Including but not limited to

Searching practices upon entry;

Copies of each of these policies will be kept at the premises and made available to Responsible Authority Officers on request. A copy of each of these policies will be lodged with the Licensing Authority. In the event that changes are made to any of the policies a further copy will be lodged with the Licensing Authority within 7 days of the changes taking effect.

The premises licence holder will not trade in breach of planning permission.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

There will be no admittance or re-admittance to the premises (save for smokers) for a period of one (1) hour prior to the premises closing to the public

The Prevention of Crime and Disorder.

AT ALL TIMES

The premises will install and maintain a comprehensive CCTV system as follows:

- (a) All entry and exit points will be covered enabling frontal identification of every person entering in any light condition.
- (b) The CCTV system will continually record whilst the premises is open for licensable activities and during all times when customers remain on the premises.
- (c) All recordings will be stored for a minimum period of 31 days with date and time stamping.
- (d) Viewing of recordings will be made available immediately upon the request of Police or Authorised officer throughout the preceding 31 day period.
- (e) All searches will be recorded on the CCTV system
- (f) There will be external CCTV (installed and operated) which monitors the queue
- (g) The CCTV system will cover all persons that pass through the search arch when the club is open
- (h) A staff member from the premises who is conversant with the operation of the CCTV system will be on the premises at all times when the premises are open. This staff member will be able to provide Police or Authorised council officer copies of recent CCTV images or data with the absolute minimum of delay when requested.
- (i) The CCTV system will be checked daily to confirm that it is working.
- (j) The CCTV system will be maintained bi-annually and details of maintenance will be made available upon request to the council.
- (k) The licence holder will ensure that at all times there is a sufficient supply of portable media (USB sticks, DVDs or similar) to be provided to the police in the event of copy CCTV footage being requested.
- (l) The recording equipment and data storage devices will be kept in a secure environment and fitted with security functions (such as passwords) to prevent recordings being tampered with.

Signs will be displayed at all entrances and exits advising customers that CCTV is operating at the premises and will be a minimum size of 200 x 148 mm and clearly legible at all times when the premises conducts licensable activities.

Where SIA licenced door supervisors are used at the premises a record will be maintained (on the premises) which is legible and details:

- (a) The day and date when the door supervisors were deployed;
- (b) The full name and SIA registration number of each door supervisor on duty at the premises; and
- (c) The start and finish time of each door supervisors work duty period.

This record will be retained on the premises for 31 days and be immediately provided to Responsible Authority Officers upon request

Any person employed as a door supervisor at the premises either directly or by way of a third party will be required to undertake a refresher course in physical intervention skills (provided by a trainer who themselves has been trained by an SIA endorsed awarding organization and has an SIA required qualification for trainers). Such training will have been received within the last 12 months.

When engaged, all SIA licensed door supervisors will:

- a) wear their SIA badges;
- b) be equipped with closed circuit radios;
- c) be equipped with "body worn video" camera devices that will record both sound and images. All recordings will be stored for a minimum of 31 days with date and time stamping. Viewing of recordings will be made available immediately upon request of the Police or Responsible Authority Officer throughout the preceding 31 day period; and
- d) when stationed outside the premises, wear high visibility jackets or vests.

The premises licence holder will employ additional SIA licensed door supervisors on a risk-assessed basis.

The premises licence holder will ensure that a minimum of 2 SIA licensed door supervisors are on duty at the premises from 21:00 until 30 minutes after the premises closes to the public, and a log will be kept at the premises and made available to Responsible Authority Officers which will 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 including items found or abandoned);
- (f) any faults in the CCTV system or searching equipment or scanning equipment;
- (g) daily inspection of the CCTV system
- (h) any refusal of the sale of alcohol; and
- (i) any visit by a relevant authority, Police Service, Ambulance Service or Fire Brigade.
- (j) The full name and registration number of any SIA door person who has been involved in dealing with any of the above matters (a to g).

The log will be completed as soon as possible, and, in any case within 12 hours of the occurrence or at the end of the Door Supervisors shift which ever is sooner.

The log will either be electronic or maintained in a bound document with individually numbered pages and will be retained for at least 12 months from the date of the last entry.

In the event that a serious assault is committed on the premises (or appears to have been committed) the management will immediately ensure that:

The police (and, where appropriate, the Ambulance Service) are called without delay;

- (a) All measures that are reasonably practicable are taken to apprehend any suspects pending the arrival of the police;
- (b) The crime scene is preserved so as to enable a full forensic investigation to be carried out by the police; and
- (c) Such other measures are taken (as appropriate) to fully protect the safety of all persons present on the premises.

As soon as possible, and in any event within 1 month from the grant of this licence, the premises will join the local Pubwatch or other local crime reduction scheme approved by the police, and local radio scheme if available

The Designated Premises Supervisor will actively seek to be a member of any active local Pub Watch and attend pub watch meetings on a regular basis.

The premises Licence Holder will participate and support the 'banned from one, banned from all' principle in respect of disorderly conduct, as promoted by Pub Watch.

A drugs safe and log system will be employed at the premises to account for the seizure of drugs from customers. The premises management will liaise with police for regular collection of seized drugs.

The management will instruct security staff and other staff members to assist police or local authority officers with any enquiries they make.

No person found with or using a weapon or illegal drugs may enter or remain on the premises.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

In addition to the 2 x SIA licensed door supervisors employed from 20:00 until 30 minutes after the premises closes to the public the premises licence holder will employ additional SIA licensed door supervisors as follows:

- Thursday – at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 20:00 until 30 minutes after the premises closes to the public.
- Friday - at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 21:00 until 30 minutes after the premises closes to the public.
- Saturday - at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 21:00 until 30 minutes after the premises closes to the public.
- Non-standard timings - at least a further six (6) SIA licensed door supervisors making a total of at least (8) SIA licensed door supervisors from 21:00 until 30 minutes after the premises closes to the public.

The premises licence holder will employ additional SIA licensed door supervisors on a risk-assessed basis.

The premises licence holder will ensure that at least four (4) SIA licensed door supervisors remain outside the premises for at least 30 minutes after the premises has closed to the public to assist with the dispersal of customers.

No patrons, DJ's, performers, (along with their guests and entourage) or guests of staff will be admitted (or re-admitted) to the premises after 21:00 unless:

- (a) They have had their ID scanned on entry;
- (b) They have passed through a functioning metal detecting search arch and been physically searched in accordance with the Premises' entry policy which will include a full bag search and;
- (c) The searching will be supplemented by the use of two functional metal detecting wands operated by a male and (so far as reasonably possible) female door supervisor dedicated to that duty either until the end of permitted hours or until there are no further admissions. Where a female Door Supervisor is not available this shall be logged.

Notwithstanding the above patrons, DJs, performers (along with their guests and entourage) or guests of staff may be admitted to the premises if:

- (a) they are attending a private, pre-booked event (when a list of attendees will be kept at the premises for a minimum of 31 days after the event); or
- (b) a biometric scanning systems is in place (where fingerprint scanning is required for all customers) and they have had their ID scanned previously; or

(c) they are one of a maximum number of 20 guests per night who may be admitted at the manager's discretion without ID being scanned and recorded. A legible record of the 20 guests per night will be recorded and retained at the premises for inspection by the Responsible Authorities for a minimum period of 31 days. The name of the manager (who must hold a personal licence) authorising entrance without scanning will also be recorded; or

(d) with the written agreement of the police, a copy of which will be kept at the premises.

The premises licence holder will not permit entry to any person who refuses to be searched.

The log will also record

(a) the hourly capacity of the premises

No less than two weeks' notice will be given to the Police where any outside promoter is to be used at the premises, and the details of the promoter are to be given to the Police.

Public Safety

AT ALL TIMES

All exit doors (other than the main entrance) will be alarmed so that a visual indication is provided (of doors opening) to those staff working in the main body of the venue and a visual and audible notification is also generated which is capable of being seen/heard by door supervisors working at the main entrance. In addition;

- i. The rear fire doors are to be alarmed and kept closed at all times except for (1) emergency use; or (2) use by staff to access the cellar and for deliveries.
- ii. No customers are to use the fire doors as a general exit/entry.
- iii. Installation of a rear door sensor which activates and records the time of opening and closing of the rear door and which transmits the data to a storage device. This storage device to be capable of downloading relevant data in a useable form. The data will be stored for a minimum of three months. This data to be provided immediately upon the reasonable request of police or local authority authorised persons.

The approved arrangements at the premises, including means of escape provisions, emergency warning equipment, the electrical installation and mechanical equipment, will at all material times be maintained in good condition and full working order.

The means of escape provided for the premises will be maintained unobstructed, free of trip hazards, be immediately available and clearly identified in accordance with the plans provided.

The edges of the treads of steps and stairways will be maintained so as to be conspicuous.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings all drinking vessels used in the premises shall be polycarbonate. All drinks in glass bottles are to be decanted into polycarbonate containers or carafes prior to being served, with the exception of champagne bottles or bottles of spirits with a minimum size of 70cl supplied by waiter/waitress service to tables. Staff shall clear away all empty champagne and spirit bottles promptly from tables. Customers shall not be permitted to leave their table carrying any such glass bottles or to drink directly from the bottle.

Notwithstanding the above, with the written agreement of the police licensing officer, a copy of which will be kept at the premises the premises licence holder may use glass drinking vessels for private or pre-booked events.

From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings the premises licence holder shall designate at least one (1) staff member as responsible for customer welfare.

From 21:00 until close every Thursday, Friday, Saturday and at any other non-standard timings the premises licence holder shall employ a medic until at least 30 minutes of the premises closes to the public.

Prevention of Public nuisance

AT ALL TIMES

No noise generated on the premises, or by its associated plant or equipment, will emanate from the premises nor vibration be transmitted through the structure of the premises which gives rise to a nuisance.

All windows and external doors will be kept closed after 22:00 hours, or at any time when Regulated Entertainment takes place, except for the immediate access and egress of persons.

Notices will be prominently displayed at all exits requesting patrons to respect the needs of local residents and businesses and leave the area quietly.

Notices will be prominently displayed at any area used for smoking requesting patrons to respect the needs of local residents and use the area quietly.

During the hours of operation of the premises, the licence holder will ensure sufficient measures are in place to remove and prevent litter or waste arising or accumulating from customers in the area immediately outside the premises, and that this area will be swept and or washed, and litter and sweepings collected and stored in accordance with the approved refuse storage arrangements by close of business.

No collections of waste or recycling materials (including bottles) from the premises will take place between:

18:30 and 07:30 the day following Monday to Friday
14:00 and 08:00 the day following on Saturday
At any time on Sundays or Bank Holidays

The premises licence holder will not permit the filling of bottle bins between 22:00 and 08:00 the day following Monday to Sunday

The licence holder will enter into an agreement with a taxi service to provide transport for customers, with contact numbers made readily available to customers who will be encouraged to use such services.

No deliveries to the premises will take place between:

18:30 and 07:30 the day following Monday to Friday
14:00 and 08:00 the day following on Saturday
At any time on Sundays or Bank Holidays.

The premises licence holder will ensure that any patrons drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway.

No fumes, steam or odours will be emitted from the licensed premises so as to cause a nuisance to any persons living or carrying on business in the area where the premises are situated.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

The licence holder will ensure that any queue to enter the premises which forms outside the premises is orderly and supervised by door staff so as to ensure that there is no public nuisance or obstruction to the public highway

All staff engaged outside the entrance to the premises, or supervising or controlling queues, will wear high visibility yellow jackets or vests

An attendant will be on duty in the cloakroom during the whole time that it is in use.

The premises licence holder will inform patrons by way of an announcement 15 minutes before the premises close to respect the needs of local residents and to leave the area quickly and quietly.

Notices will be prominently displayed at all exits requesting patrons to respect the needs of local residents and leave the area quietly and door staff will remind patrons when leaving the premises to do so quietly.

General access to the Garden Room external first floor area shall cease at 23:00hrs when the external area will only be used by smokers. No drinks will be allowed in this area after this time and the maximum number of persons in the area will be controlled.

The Protection of children from harm

AT ALL TIMES

A Challenge 25 proof of age scheme will be operated at the premises where the only acceptable forms of identification are recognised photographic identification cards, such as a driving licence, passport or proof of age card with the PASS Hologram.

WHEN NIGHTCLUB ELEMENT OPEN TO MEMBERS OF THE PUBLIC

Should the premises licence holder organise any event for persons under the age of 18, the premises will have in place the following practices:

- (a) An admission policy; and
- (b) A code of conduct for staff; and
- (c) Child Protection/Safeguarding policy
- (d) Protection of vulnerable people – Welfare and first aid provision.

The premises licence holder will designate a member of staff responsible for welfare for the duration of the event.

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

Licensing Sub Committee Hearing 29th July 2019.

Granted, subject to the conditions as submitted by the applicant on the 28th July 2019 and which were admitted as evidence with the agreement of all parties at the above hearing and attached - subject to the following modifications;

(1) On Thursdays, Fridays, Saturdays and Sundays all licensable activities on the premises shall cease by 01.00am.

(2) On Thursdays, Fridays, Saturdays and Sundays the premises shall be closed to the public by 01.30am

(3) The maximum number of persons permitted on the Garden Terrace at any one time shall not exceed 30 persons.

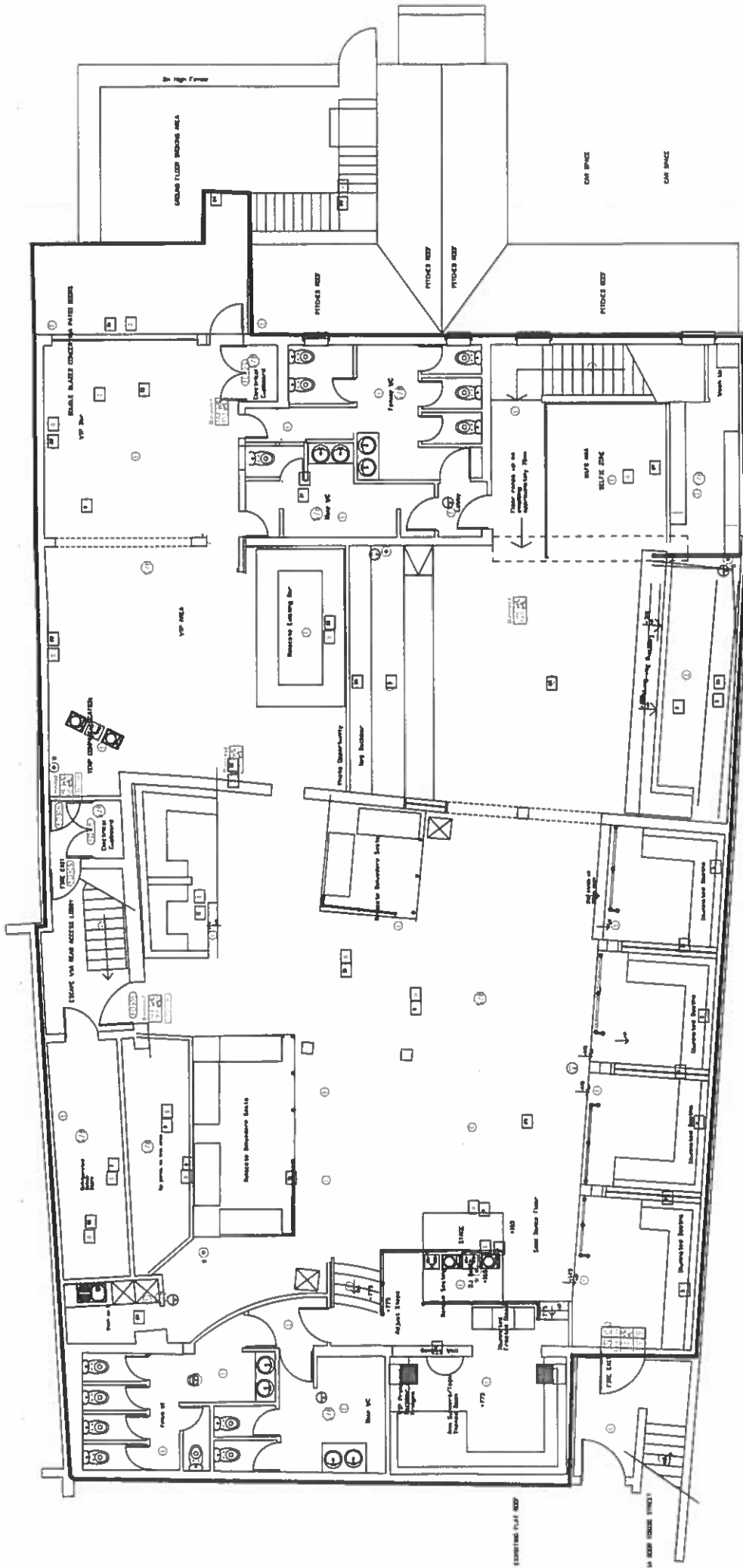
Minor Variation 1st November 2019 agreed by EFDC

(1) A change to the layout and design of the premises in accordance with drawing numbers 7335/02J and 7335/03J.

(2) To remove the condition on the premises licence that reads " A direct telephone number for the manager at the premises will be publicly available at all times when the premises are open for licensable activities. A notice giving this telephone number is to be displayed at the entrances to the premises"

Being replaced with under General all Licensing Objectives,

" A direct telephone number at the premises will be publicly available at all times when the premises are open for licensable activities. This telephone number will allow the caller to speak directly with the manager through a call management system or call handler."



1st Floor

PROJECT TITLE: Club 195 - Epping

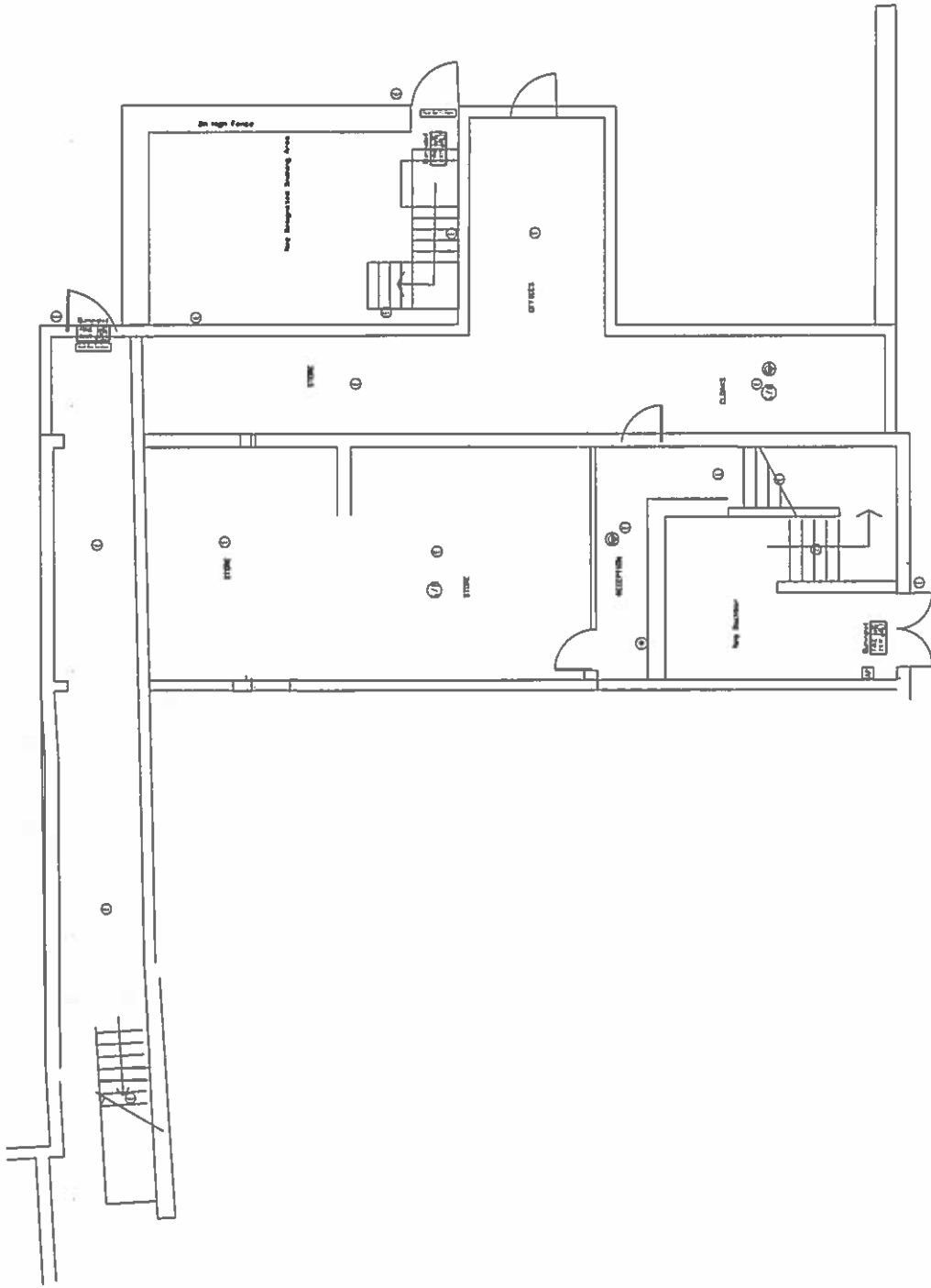
DRAWING NUMBER: Proposed FF Plan - Rev J 7335/02J

DESIGNER: S CUMMINGS

DATE: 1:50 @ A1 Jul '19

APPROVED BY: NM

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Ground Floor

PROJECT TITLE: Club 195 - Epping

DRAWING TITLE: Proposed Plan - Rev J
DRAWING NUMBER: 7335/03J

CLIENT: S CUMMINGS
COUNTRY: NM

DATE: Jul '19
APPROVED BY: 1:50 @ A1

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Annexe 4 – Plans:

Plans held at Epping Forest District Council

Minor Variation plans held at EFDC

Date: 4th January 2019

Our ref: Club 195

Club 195
KAC Entertainment Limited
Lawford House
Albert place
London
N3 1QA

 **Epping Forest
District Council**
www.eppingforestdc.gov.uk
Neighbourhoods Directorate

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:

Mrs K Tuckey (01992) 01992 564034
email: @eppingforestdc.gov.uk

Dear Sir/Madam

Club 195-199 Cottis Lane Epping Essex CM16 4BL

I am writing to inform you of the decision of the Licensing Sub-Committee held on 4th January 2019 to consider a review of the above premises licence. This was carried out by way of a meeting that took place at 2.00pm today.

The application has been treated on its own merits, and this Sub-Committee has taken its decision based upon:

- The application for a summary licence review from Essex Police
- The certificate under S53A(1)(b) of the Licensing Act 2003
- The policy of the Licensing Authority
- Guidance issued
- The licensing objectives

RESOLVED:

In consultation the three members decided that the premises, trading as Club 195 Cottis Lane Epping Essex CM16 4BL, licence should be suspended with **immediate effect** until the full review of the premises licence can take place (within 28 days) and was of the opinion that this is an appropriate and proportionate response to the case put by the Police.

The reasons given for the Licensing Sub-Committee decision were that:

- The Sub-Committee considers that the decision it has taken is appropriate, proportionate and in the public interest in the promotion of the licensing objectives under the Licensing Act 2003 with regards to the prevention of crime and disorder, public safety and the prevention of public nuisance based.

You may appeal against this decision to Epping Forest District Council, you have 48 hours to do this from the time of service of this decision letter, however, this does not include the weekend. . If you do so, a further hearing before a Licensing Sub-Committee will need to take place within 48 hours from the time you send in your appeal against this does not include the weekend.

Yours faithfully

Mrs K Tuckey
Licensing Manager

cc. Essex Police
cc. David King 10 Epping Way Chigwell Essex IG7 5BY



30th January 2019

Rainer Hughes
182 Hutton Road
Shenfield
Essex
CM15 8NR

Dhoughton 01992 564336
email:
dhoughton@eppingforestdc.gov.uk

Dear Sirs,

KAC Entertainment Ltd, Re: Club 195 Cottis Lane, Epping, Essex, CM16 4BL- Summary Review from Essex Police.

I am writing to formally inform you of the decision of the Licensing Sub-Committee held on 29th January 2019

The application has been treated on its own merits, and this Sub-Committee has taken its decision based upon:

- The application for a summary licence review
- The certificate under S53A of the Licensing Act 2003
- The policy of the Licensing Authority
- Guidance issued
- The licensing objectives

1.

Article 1 of the First Protocol of the Human Rights Act 1988 that every person is entitled to the peaceful enjoyment of his possessions,(in this case the Licence). No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

2. That any decision made in respect of the premises licence, Club 195, Cottis Lane, Epping, Essex CM16 4BL must be necessary and proportionate.

The decision of this sub-committee is that the premises licence for Club 195, Cottis Lane Epping is revoked.

This decision was arrived at in the light of the evidence presented at the hearing, namely:

- The repeated and very serious crime and disorder associated with the premises.
- The lack of confidence in the management in how they have implemented their current policies and procedures.
- The lack of confidence that the DPS has proper control of the premises.
- The lack of faith in management being able to successfully implement additional conditions.

That the interim step i.e. the suspension imposed on 4th January 2019, under Section 53 (B) of the Licensing Act 2003 shall remain in effect until the hearing of the appeal against the revocation (if there is one).

The applicant or premises licence holder or any other person who made relevant representations to the application are reminded of their right of appeal to the Magistrates' Court within 21 days of the date of the written notification of this decision.

The decision will not have effect until after the end of the period given for appealing against the decision, or if the decision is appealed against, the time the appeal is disposed of. The suspension shall remain in effect until the time for appealing the review has expired and any appeal has been determined

Debbie Houghton
Licensing Officer

Date: 13 August 2020

Civic Offices
High Street
Epping
Essex
CM16 4BZ
Our Ref WK/201918146
Your Ref:

Dear Sir Madam,

**Licensing Act 2003 – CK Entertainments Ltd, Playhouse, Cottis Lane Epping Essex
CM16**

Further to a meeting of this Authority's Licensing Sub-Committee on Monday 29th July 2019 the above application was granted.

The application was treated on its own merits and the Sub-Committee based its decision on the following:

The merits of the application
The promotion of the four licensing objectives
The policy of the licensing authority
The guidance issued by the Secretary of State for Culture, Media & Sport under section 182 of the licensing act 2003
The relevant representations received

Members concluded that the application for a new premises licence was granted; subject to "please see attached decision"

The Premises has been granted the following:

"please see attached decision"

You are advised that under the Licensing Act 2003, you have the right to appeal against this decision and it should be made to a Magistrates Court. Any appeal should be made within 21 days of the date of this letter.

I trust this clarifies the decisions made, but if you would like to discuss them further I can be contacted on the number above.

Yours sincerely

Debbie Houghton
Licensing Officer
Licensing (01992) 544336
Email: licensing@eppingforestdc.gov.uk

**Licensing Sub- committee – decision sheet for an application for a
Premises Licence under the Licensing Act 2003**

**Premises Address: PLAYHOUSE AND ESSEX ROOF GARDENS
195 – 199 COTTIS LANE EPPING**

Chairman to read out in open session.

We are grateful to the parties for their excellent presentations to us this morning. We have taken these and the written material submitted to us into account. We have considered what is appropriate to promote the four licensing objectives and the relevant parts of the Council's Licensing Policy and the Home Office's guidance.

During our deliberations in private session our legal adviser gave us advice that our options are (1) to grant the licence subject to the conditions proposed in the operating schedule (modified to such extent as we consider appropriate for the promotion of the licensing objectives), (2) to exclude a licensable activity from the scope of the licence, (3) to refuse to specify the proposed DPS or (4) to reject the application altogether.

He also gave us advice that we cannot grant a time-limited licence but that it would be open to the applicant to apply for temporary event notices and what activities a temporary event notice may permit.

Granted

The decision of this sub-committee is that the application for a premises licence in respect of: **PLAYHOUSE AND ESSEX ROOF GARDENS
195 – 199 COTTIS LANE EPPING**

Be granted subject to the conditions as submitted by the applicant on 28 July 2019 and which were admitted as evidence with the agreement of all parties at the hearing this morning – subject to the following modifications:

- (1) on Fridays, Saturdays and Sundays all licensable activities on the premises shall cease by 0100;

- (2) on Fridays, Saturdays and Sundays the premises shall be closed to the public by 0130; and
- (3) the maximum number of persons permitted on the Garden Terrace at any one time shall not exceed 30 persons.

Our reasons are as follows.

- (1) We were impressed by the evidence given on behalf of the applicant, in particular the evidence of Mr Hoffelner. We are satisfied that there has been a sufficient change of management of the premises which reduces the risk of the previous failures from recurring.
- (2) We have noted from the police evidence that the majority of the previous incidents of crime and disorder occurred between 0100 and 0300. However, we did not agree with the police's suggestion that there had been a stark reduction in crime since the closure of the premises.
- (3) We acknowledge that the applicant has accepted that the decision to revoke the Club 195 licence was correct as a result of a wholesale operational management failure.
- (4) However we are concerned that this application proposes to significantly intensify the use of the premises, compared to its operation as Club 195. Club 195 previously opened just one night a week whereas this proposal seeks to open three nights a week.
- (5) We would like to give the applicant an opportunity to make good on the promises made to us at the hearing. We acknowledge their collective experience but also have taken into account that the applicant is proposing a brand new business model with new personnel and with a greater number of nights of operation.
- (6) Taking all of this into account, we consider that requiring all licensable activities to cease at 0100, with the premises closing at 0130, strikes a fair balance and is appropriate for the promotion of the licensing objectives, in particular the crime and disorder and public safety objectives.
- (7) By granting a premises licence, we have taken into account the applicant's right to apply for temporary event notices which would give

them an opportunity to road test their new model to a later hour and the possibility of making an application to vary the licence we have granted, to extend the hours of operation, if the applicant can demonstrate that doing so would not undermine the licensing objectives.

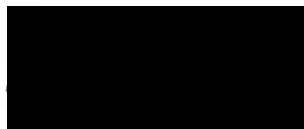
(8) For completeness we have also considered whether to curtail the hours during which the Garden Terrace may be used, and whether this would cause a public nuisance. We accept the applicant's evidence that with appropriate mitigation measures, the use of this Terrace by no more than 30 smokers after 11pm will not undermine the public nuisance licensing objective.

We are also attaching the mandatory conditions contained in Sections 19 -21 of the Licensing Act 2003.

Right of appeal

The applicants and the objectors are reminded of their right of appeal to the Magistrates Court within 21 days of date of the written notification of this decision.

Signed



Chairman

Dated 29 July 2019