

* required information

Section 1 of 18

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

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

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

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

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

Applicant Details

* First name

* Family name

* E-mail

Main telephone number Include country code.

Other telephone number

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

Is the applicant:

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

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

Applicant Business

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

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

Registration number

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

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

Legal status

Continued from previous page...

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Agent Details

* First name

* Family name

* E-mail

Main telephone number

Include country code.

Other telephone number

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

Are you:

- ☒ An agent that is a business or organisation, including a sole trader
☐ A private individual acting as an agent

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

Agent Business

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

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

Registration number

Business name

If your business is registered, use its registered name.

VAT number

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

Legal status

Continued from previous page...

Your position in the business

Home country

The country where the headquarters of your business is located.

Agent Registered Address

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Section 2 of 18

APPLICATION DETAILS

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

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

* Premises Licence Number

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

☒ Address ☐ OS map reference ☐ Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Premises Contact Details

Telephone number

Continued from previous page...

Non-domestic rateable
value of premises (£)

34,250

Section 3 of 18

VARIATION

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

☒ Yes

☐ No

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

☐ Yes

☒ No

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

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

Describe Briefly The Nature Of The Proposed Variation

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

To Extend the permitted Hours on Friday & Saturdays only from 01:00 to 02:00

Section 4 of 18

PROVISION OF PLAYS

See guidance on regulated entertainment

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

☐ Yes

☒ No

Section 5 of 18

PROVISION OF FILMS

See guidance on regulated entertainment

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

☐ Yes

☒ No

Section 6 of 18

PROVISION OF INDOOR SPORTING EVENTS

Continued from previous page...

See guidance on regulated entertainment

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

☐ Yes ☒ No

Section 7 of 18

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

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

☐ Yes ☒ No

Section 8 of 18

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

Continued from previous page...

SUNDAY

Start 11:00

End 00:00

Start

End

Will the performance of live music take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Live music in line with operation as a night club/Bar

State any seasonal variations for the performance of live music

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

Non

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

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

Non

Section 9 of 18

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 11:00

End 00:00

Start

End

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

TUESDAY

Start 11:00

End 00:00

Start

End

Continued from previous page...

WEDNESDAY

Start 11:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 00:00

Start

End

FRIDAY

Start 11:00

End 02:00

Start

End

SATURDAY

Start 11:00

End 02:00

Start

End

SUNDAY

Start 11:00

End 00:00

Start

End

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

☒ Indoors

☐ Outdoors

☐ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Live music in line with operation as a night club/bar

State any seasonal variations for playing recorded music.

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

non

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

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

Non

Continued from previous page...

Section 10 of 18

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 11:00

End 00:00

Start

End

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

TUESDAY

Start 11:00

End 00:00

Start

End

WEDNESDAY

Start 11:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 00:00

Start

End

FRIDAY

Start 11:00

End 02:00

Start

End

SATURDAY

Start 11:00

End 02:00

Start

End

SUNDAY

Start 11:00

End 00:00

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

Performance of dance in line with operation as a night club/bar

Continued from previous page...

State any seasonal variations for the performance of dance.

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

Non

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

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

Non

Section 11 of 18

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

See guidance on regulated entertainment

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

Continued from previous page...

FRIDAY

Start 11:00

End 02:00

Start

End

SATURDAY

Start 11:00

End 02:00

Start

End

SUNDAY

Start 11:00

End 00:00

Start

End

Provide a description of the type of entertainment that will be provided.

In line with operation as a Bar & night club

Will this entertainment take place indoors or outdoors or both?

☒ Indoors

☐ Outdoors

☐ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

non

State any seasonal variations for entertainment.

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

non

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

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

non

Continued from previous page...

PROVISION OF LATE NIGHT REFRESHMENT

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

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

☒ Indoors ☐ Outdoors ☐ Both

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

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

In line with operation as a bar & night club

Continued from previous page...

State any seasonal variations.

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

non

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

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

non

Section 13 of 18

SUPPLY OF ALCOHOL

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

☒ Yes ☐ No

Standard Days And Timings

MONDAY

Start 11:00

End 00:00

Start

End

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

TUESDAY

Start 11:00

End 00:00

Start

End

WEDNESDAY

Start 11:00

End 00:00

Start

End

THURSDAY

Start 11:00

End 00:00

Start

End

FRIDAY

Start 11:00

End 02:00

Start

End

Continued from previous page...

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the sale of alcohol be for consumption?

☐ On the premises ☐ Off the premises ☒ Both

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

State any seasonal variations.

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

Non

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

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

Non

Section 14 of 18

ADULT ENTERTAINMENT

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

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

Non

Section 15 of 18

HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

Continued from previous page...

MONDAY

Start 10:30

End 00:30

Start

End

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

TUESDAY

Start 10:30

End 00:30

Start

End

WEDNESDAY

Start 10:30

End 00:30

Start

End

THURSDAY

Start 10:30

End 00:30

Start

End

FRIDAY

Start 10:30

End 02:30

Start

End

SATURDAY

Start 10:30

End 02:30

Start

End

SUNDAY

Start 10:30

End 00:30

Start

End

State any seasonal variations.

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

Non

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

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

Non

Continued from previous page...

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

Non

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

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

Electronically issued

Section 16 of 18

LICENSING OBJECTIVES

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

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

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

Conditions as per attached documents and previous conditions

b) The prevention of crime and disorder

Conditions as per attached documents and previous conditions

c) Public safety

Conditions as per attached documents and previous conditions

d) The prevention of public nuisance

Conditions as per attached documents and previous conditions

e) The protection of children from harm

Conditions as per attached documents and previous conditions

Section 17 of 18

NOTES ON REGULATED ENTERTAINMENT

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08:00 and 23:00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08:00 and 23:00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08:00 and 23:00 on any day, on any premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08:00 and 23:00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08:00 and 23:00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08:00 and 23:00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

Section 18 of 18

PAYMENT DETAILS

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

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00*

Band E - £125001 and over £635.00*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

315.00

ATTACHMENTS

AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

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

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

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

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

[Add another signatory](#)

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

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

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

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

Licensing Act 2003: Variation for a Premises Licence

Notice is hereby given that **CK Entertainments Ltd** has applied to the Epping Forest District Council on **9 September 2021** for a new time limited premises licence for **Play House and Essex Roof Garden, 195-199 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 Sunday to Thursday 11:00 to 00:00 and Friday and Saturday 11:00 to 02:00 (following day) and late night refreshment Friday and Saturday 23:00 to 02:00 (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 **07 October 2021** stating the grounds for making said representation to: Licensing Service, Epping Forest District Council, Civic Offices, 323 High Street, Epping, CM16 4BZ. www.eppingforestdc.gov.uk/licensing

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.uk
0330 8082122

Debbie Houghton

From: debbie Houghton [REDACTED]
Sent: 05 October 2021 11:48
To: Debbie Houghton

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Licensing Act 2003: Variation for a Premises Licence

Notice is hereby given that CK Entertainment Ltd (112) (referred to as the Epping Forest District Council on 9 September 2021) for a new time limited premises licence for Play House and Essex Road Caravan, 194-198 Cecil Lane, CM16 4BL.

The proposed application is to permit the provision of live music, recorded music, performance of drama, anything of a similar description and the sale by retail of alcohol Sunday to Thursday 11.00 to 00.00 and Friday and Saturday 11.00 to 03.00 (following day) and live night refreshment Friday and Saturday 23.00 to 03.00 (following day) on each condition and such other times 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 06 October 2021 (being the ground for making said representation) to Licensing for Epping Forest District Council, One Office, 323 High Street, Epping, CM16 4BL, www.eppingforest.gov.uk/licensing

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 or in conviction with an application for premises licence and the maximum fine on being convicted of such an offence is of an unlimited amount.



COMPLETE
LICENSING

licensing@eppingforest.gov.uk
0206 882123

Sent from my iPhone

September 16, 2021

LOCAL LISTINGS PUBLIC

To advertise telephone:
or email: wahmed@

Planning Notices | Traffic Notices | Lo
Church and Religious Notices | Tender

► Legal Notices ► Planni

**Licensing Act 2003: Variation
for a Premises Licence**
Notice is hereby given that CK Enter-
tainment Ltd has applied to the Epping
District Council on 9 September
2021 for a new premises licence
licence for Play House and Esher Road
Garden, 195-199 Ceme Lane Epping
CM16 4L. 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 Sunday to
Thursday 11:00 to 24:00 and Friday and
Saturday 11:00 to 02:00 (following day)
and late night refreshment Friday and
Saturday 23:00 to 02:00 (following day)
on such conditions and such other terms
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 their repre-
sentation by 04 October 2021 stating the
grounds for making said representation
to Licensing Services, Epping District
Council, Civic Offices, 123
High Street, Epping, CM16 4BZ.
www.applyforalcl.gov.uk/submit
Applications for previous 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 138 of the
Licensing Act 2003, to knowingly or
recklessly make a false statement or an
application with an application for
premises licence and the applicant firm
can being convicted of such an offence
be fined an unlimited amount.



hello@completeofficersing.uk
0330 862112

► Other Notices



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



Licensing Department
Braintree Police Station
Blyths Meadow
Braintree
CM7 3DJ

6TH October 2021

OBJECTION NOTICE TO FULL VARIATION

In respect of the full variation application for 'Playhouse & Playroom' Essex Police make representations under the licensing objectives of; prevention of crime & disorder and prevention or public nuisance.

The location of this premises previously traded as Club 195, a licensed premises that 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.

During the time that Playhouse was not operating as a nightclub, crime, disorder and public nuisance had decreased in the early hours of a Saturday and Sunday morning. This has subsequently increased due to them being open and operating TENs.

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.'

The premises have not operated at full capacity, since re-opening, until 02:00 due to being limited by the TENs to only 499 people. Their capacity is a lot more than this 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 by what has already been demonstrated by them. There have been incidents of crime and disorder that are linked to the premises while they have been operating under Temporary event notices.

The premises has been running at full capacity until 01:00 and this is the time that Essex Police feel is most appropriate. This is due to that fact that when operating as Club 195 and having their licence until 03:00 there were numerous incidents of crime and disorder which has now been reduced due to the premises operating until 01:00.

Essex Police believe that on the balance of probabilities, and the fact that there have been incidents of crime and disorder, there will be an increase in crime further as well as disorder and public nuisance on Friday and Saturday nights (into the following mornings).

The Chief Officer of Police hereby objects to the proposed application to vary their times to sell alcohol.

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,

Kelsey Dott

Essex Police Licensing Officer.

Cc Licensing, Epping Forest District Council, Civic offices, High street, Epping CM16 4BZ

PLEASE NOTE:

The address of the Chief Officer of Police, to whom all correspondence and applications must be sent is: Licensing Department (Alcohol & Gambling). Essex Police. Blyth's Meadow. Braintree. Essex. CM7 3DJ or Licensing.applications@essex.police.uk

OBJECTION TO FULL VARIATION APPLICATION (LICENSING ACT 2003)

Playhouse & Playroom 195-199 Cottis Lane, Epping, CM16 4BL

1.0 Outline of circumstances leading to the objection to the full variation – club to serve alcohol until 02:00am.

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 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

1.3 The application seeks to extend the sale of alcohol from 01:00 to 02:00 on Fridays and Saturdays. This nightclub element seeks a licence akin to that which previously led to summary review mentioned in 1.1 above.

1.4 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 as evidenced in the point below on officer's body worn. 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.

1.5 Link to officer's body worn video showing persons causing disorder on the High Street after premises closed:

https://kep.uk.evidence.com/axon/evidence?evidence_id=d6750727a006412f9fa712afb9f50043&partner_id=a93da615854047c79ef0a29f2034ce3c

1.6 Member of the public filmed the patrons of the club congregated in the streets after the premises close: https://youtu.be/SWO_QuSOUJQ

1.7 Essex Police maintain their position that during the time that Playhouse was not operating as a nightclub, crime, disorder and public nuisance had decreased in the early hours of a Saturday and Sunday morning. This has subsequently increased due to them being open and operating TENs.

1.8 Evidence of increase:

Calls to police recorded on STORM within 0.5 mile radius of the Playhouse between 00:00-03:30 on each day:

Weekends before Playhouse was open:

3rd – 4th July: 3

- 03/07/2021 at 00:18. Nuisance vehicle. Informant reported in that 3-4 cars were in the car park behind Epping Library doing hand brake turns and beeping their horns.
- 03/07/2021 at 01:25. Concern for safety. Informant called police stating that they don't feel safe.
- 04/07/2021 at 01:34. Concern for safety. Informant called police stating he needed police as he had concerns for his partner.

10th – 11th July: 1

- 10/07/2021 at 03:29 – Informant called police stating they had lost their bank card.

17th – 18th July: 0

Weekends Playhouse was open:

24th - 25th July: 3

- 25/07/2021 at 01:51. Abandoned 999 call. Caller did not respond to call backs.
- 25/07/2021 at 02:17. Assault ABH. Fight at the Playhouse. ABH where victim had 2 teeth knocked out.
- 25/07/2021 at 03:24. Dissatisfy. Informant called police because he wanted to make a complaint about how he was treated. An officer looked into this and to prevent breach of the peace the male was detained and arrested due to a heated public order incident that took place outside of the playhouse. He was then de-arrested shortly after.

7th - 8th August: 1

- 08/08/2021 at 02:38. Theft of motor vehicle.

14th – 15th August: 2

- 14/08/2021 at 03:10. Theft of motor vehicle.
- 15/08/2021 at 00:36. Nuisance. Informant reported people urinating up against the pub wall and doing balloons. This happened at another licensed premises.

21st – 22nd August: 3

- 21/08/2021 at 02:40. Domestic. DV offences disclosed.
- 22/08/2021 at 02:14. Assault Common or ABH. Male on Epping Highstreet had been assaulted. Victim's nose was bleeding and his face was quite badly damaged. This victim had previously been at the Playhouse.
- 22/08/2021 at 02:47. Nuisance. Informant reported that an intoxicated male was shouting verbal abuse from a balcony.

4th – 5th September (No TEN): 1

- 05/09/2021 at 01:13. Assault common or ABH. Informant called police stating that customer wouldn't leave and had assaulted a member of staff. This happened at another licensed premises.

11th – 12th September (No TEN): 0

Investigations on Athena within 0.5 mile radius from Playhouse between 00:00-03:30 on each day

Weekends before Playhouse was open:

3rd – 4th July: 0

10th – 11th July: 0

17th-18th July: 0

Weekends Playhouse was open:

24th – 25th July: 3

- 25/07/2021 at 02:17. Assault occasioning actual bodily harm (ABH). Victim has been punched to the face by unknown suspect causing his teeth to be knocked out and a cut to his face. This happened outside of the Playhouse.
- 25/07/2021 at 02:00. Domestic Abuse Investigation. Suspect named has called the victim's mobile and home phones causing the victim to feel harassed.
- 25/07/2021 at 02:00. Malicious Communications. Suspect named has called victim and said things has upset the victim.

31st July – 1st August: 1

- 01/08/2021 at 02:57. Assault occasioning actual bodily harm (ABH). Victim was pushed over and banged her head on the pavement causing a large lump and the victim losing consciousness. Large lump to head only.

7th - 8th August: 0

- 1.9 Essex Police believe that on the balance of probabilities, and the fact that there have been incidents of crime and disorder while operating under Temporary event notices, there will be an increase in crime, disorder and public nuisance on Friday and Saturday nights (into the following mornings).
- 1.10 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. However we have seen from officer's body worn video that crowds of people still congregate on the high street past 03:00.
- 1.11 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 01:20; after which there is a night tube service from Loughton. However the night tube service from Loughton is not currently running due to COVID-19 and won't be back up and running until 27th November 2021. <https://www.cityam.com/tfl-moves-to-open-night-tube-next-month-on-central-and-victoria-lines/>
- 1.12 Similarly, there are a number of buses that run through Epping but again they cease at or around 2000 hours during the week and earlier on a Saturday and Sunday.
- 1.13 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 have been meeting their transport in High Street, Epping, meaning that once again the area has seen a throng of intoxicated persons and a return of crime, disorder and public nuisance in the early hours of the morning.

- 1.14 Sadlers Taxi's (Epping) do have taxi's if they have been pre-booked (20 taxis). Office closes at 1am.
Lawlor Taxis shut at 01:30am so wouldn't have any cars at 2am.
Epping Forest Taxis open 24 hours. They have 5-6 drivers on during the weekend.
Taxi's would need to be pre-booked in advance.
Sadlers Taxi's (Loughton) do have taxi's if they have pre-booked (20 taxis). People would ideally have to come back towards Loughton way though and if they don't it could cause a problem (spoke to someone who works there). Office will be open 24 hours again by the 27th November (in line with nigh tube running again). Currently closes at 1am.
V.I.P taxis (Loughton) close at 1am and so wouldn't have any cars at 2am.
- 1.15 Having reviewed the premises dispersal document, concerns arise with the lack of transport at 02:00 and 700 patrons most of whom will be under the influence of alcohol can successfully disperse into the local area.

2.0 Incidents that have taken place to date

- a) **EP-20210725-0192 Sun 25 Jul 2021 02:17** - Fight between unknown males whereby victim had some teeth knocked out. Police reported there was another male on the floor. Police reported security had detained one male for fighting. Recorded as ABH. Body worn video footage shows a few altercations while people were hanging around Epping. Body worn also shows people still outside in the streets at 03:10 even though the premises closed at 02:00. Link to this is in point 1.5.
- b) **Crime reference 42/172066/21 Sun 08 Aug 2021 23:30** – Victim assaulted having had an object strike her while on to the dance floor. Victim sustained head injury requiring stitches. Victim had been left with a large scar on her face through her eyebrow close to her eye. Door staff ejected suspect without knowing injuries inflicted. Victim report this crime on 18/08/2021. Minor wound without intent (s20) was recorded.
- c) **Crime reference 42/176168/21 22/08/2021 01:50 to 22/08/2021 02:10** - Police were flagged down by door staff (from the Playhouse) saying that a customer from the Playhouse was found on the floor after being beaten up. Door staffs body cams were not recording. Victim had swelling around his nose and eye, a cut on his nose and potentially cuts to his lips. This happened by the George and Dragon but the victim had been drinking at the Playhouse.
- d) **EP-20211009-0065 - 09/10/2021 00:46:03** – Victim reported she was slapped and kicked by a female suspect whilst inside the premises. Victim reported her disapproval of how the security had managed the incident. Common assault crime reference 42/224041/21.

3.0 Outcome Sought

- 3.1 Essex Police feel that by having a licence until 02:00 there will be increased crime and disorder. Essex Police would suggest that a 01:00 is maintained and not extended to 02:00
- 3.2 The Guidance issued under section 182 of the Act provides useful guidance:
- 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.

- 3.3 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.

- 3.4 Essex Police wish for the committee to view the evidence presented and see if Essex Police's viewpoint is in line with those on the committee that the premises should remain trading until 01:00 Friday and Saturday nights and not until 02:00.

Debbie Houghton

From: Geraldine Vallis <gvallis@eppingtowncouncil.gov.uk>
Sent: 29 September 2021 12:57
To: Licensing
Cc: Debbie Houghton
Subject: FW: Full Variation of Premises Licence for Playhouse and Playroom 195-199 Cottis Lane Epping Essex CM16 4BL

Importance: High

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear EFDC Licensing

Please find Epping Town Council's representation objection to this variation of premises licence application on the email below.

Please can you let me know if Epping 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
My work days are Tues, Weds Thurs Fri 9am to 5pm

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From: Geraldine Vallis <gvallis@eppingtowncouncil.gov.uk>
Date: Wednesday, 29 September 2021 at 12:52
To: Debbie Houghton <doughton@eppingforestdc.gov.uk>
Cc: Beverley Rumsey <brumsey@eppingtowncouncil.gov.uk>, Jo-Ann Lewis <jlewis@eppingtowncouncil.gov.uk>

Subject: Full Variation of Premises Licence for Playhouse and Playroom 195-199 Cottis Lane Epping Essex CM16 4BL

Dear Debbie

Epping Town Council's Planning & General Purposes Committee discussed this variation of premises licence for Playhouse and Playroom 195-199 Cottis Lane Epping at the meeting last night.

The Committee has objected to this application with the following details from last night'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 2.00am and opening hours of 2.30am 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 Epping 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
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From: Debbie Houghton <doughton@eppingforestdc.gov.uk>

Sent: 09 September 2021 14:24

To: Essex Police (Licensing.Applications@essex.police.uk) <Licensing.Applications@essex.police.uk>; Essex Fire Rescue (SouthWestGroupSDP@essex-fire.gov.uk) <SouthWestGroupSDP@essex-fire.gov.uk>; Brian Stalabross <BStalabross@eppingforestdc.gov.uk>; Richard Thomason <RThomason@eppingforestdc.gov.uk>;

'licenceapplications@essex.gov.uk' <licenceapplications@essex.gov.uk>; Contact Planning <contactplanning@eppingforestdc.gov.uk>; TradingStandards@Essex.gov.uk; The Home Office <Alcohol@homeoffice.gsi.gov.uk>
Cc: DemocraticServices <DemocraticServices@eppingforestdc.gov.uk>; James Hoffelner <james@completelicensing.uk>; Epping Info <info@eppingtowncouncil.gov.uk>; Beverley Rumsey <brumsey@eppingtowncouncil.gov.uk>; Cllr.L Burrows <cllr.lburrows@eppingforestdc.gov.uk>; Cllr.C Whitbread <cllr.cwhitbread@eppingforestdc.gov.uk>; Cllr.H Whitbread <cllr.hwhitbread@eppingforestdc.gov.uk>
Subject: Full Variation of Premises Licence for Playhouse and Playroom 195-199 Cottis Lane Epping Essex CM16 4BL

Good morning,

Please find attached a copies of the application and supporting documents for the above premises, the variation is for

The Provision of Live Music Sunday to Thursday 11.00 – 00.00am, Friday to Saturday 11.00 – 02.00am Indoors

The Provision of Recorded Music Sunday to Thursday 11.00 – 00.00am, Friday to Saturday 11.00 – 02.00am Indoors

The Provision of the Performance of Dance Sunday to Thursday 11.00 – 00.00am, Friday to Saturday 11.00 – 02.00am Indoors

The Provision of anything of a Similar description to Live Music, Recorded Music or Performance of Dance, Sunday to Thursday 11.00 – 00.00am, Friday to Saturday 11.00 – 02.00am, Indoors

The Provision of Late Night Refreshment Sunday to Thursday 23.00 – 00.00am, Friday to Saturday 23.00 – 02.00am Indoors

The Sale by Retail of Alcohol Sunday to Thursday 11.00 – 00.00am, Friday to Saturday 11.00 – 02.00am On and Off sales

The Proposed Opening Hours Sunday to Thursday 10.30 – 00.30am, Friday to Saturday 10.30 – 02.30am,

These Variations are in line with the Operation as a Night Club/Bar, the plans and current licence are within the bundle submitted

The Consultation period starts 9th September 2021 and ends 6th October 2021 any representations or comments must be submitted within this time period,

Miss Debbie Houghton

Licensing Officer

Licensing Team,

Commercial and Regulatory Directorate

Tel: 01992 564336 Mobile 07704073743 remotely working until further notice

E-mail: dhoughton@eppingforestdc.gov.uk

Debbie Houghton

From: Jon Whitehouse [REDACTED]
Sent: 06 October 2021 16:47
To: Licensing
Subject: Play house and Play Room, 195-199 Cottis Lane, Epping, CM16 4BL

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Dear Sir or Madam,

Thank you for writing to me about the above licensing application. As well as being a resident in the vicinity of the premises I am also a district councillor representing the Epping Hemnall ward. This ward includes the south-eastern side of the High Street where there are a significant number of residential flats above shops opposite and close to the premises.

I object to the application on the basis of:

The prevention of crime and disorder

Previous experience has demonstrated that nightclubs in this location are extremely difficult to operate without being the source of crime and disorder. When the review of the previous Club 195 took place the police presented compelling evidence of a history of crime and disorder associated with the premises. This was despite the imposition on the club of very onerous and detailed conditions. The police also provided significant evidence of this in relation to the application considered by the Licensing Sub-Committee on 29th July 2019.

Most of the previous incidents of crime and disorder in the vicinity of the club while the club was operating took place between 0100 and 0300, as noted by the Licensing Sub-Committee on 29 July 2020. I therefore particularly object to the proposed 2.30am closing time on Fridays and Saturdays.

The prevention of public nuisance

Noise and disturbance from the smoking area and from patrons leaving the club and members of the public milling around outside the club is likely to be audible at nearby residential properties including St Johns Road. This goes beyond what can normally be expected in a residential area early in the morning even close to the town centre. Experience of the club when previously open demonstrates that noise carries from outside the club to residential properties. No plans are available on the council website but if use of a roof terrace is proposed it should be subject to conditions relating to the number of people permitted on the terrace, and noise mitigation measures.

There is no public transport available in Epping at the proposed closing time which will mean departing customers will have to rely on taxis, minicabs, or cars to depart. This activity is associated with the noise of engines idling and revving, doors slamming, and raised voices. Alternatively customers on foot will disperse via the High Street and Bakers Lane past residential properties. Noise and disturbance which is acceptable earlier in the evening is a public nuisance at 2.30am in the morning when it is not masked by the ambient noise of traffic etc. and can carry a considerable distance.

I note from the council's website the premises have an existing license [LN/000004109](#) which already permits opening until 1.30am on Thursdays to Sundays.

On 1 September 2020 the council's licensing sub-committee concluded:

- (1) That the Sub-Committee had regard to the reasons for granting of the premises license on 29 July 2019. As explained on that occasion the Sub-Committee were satisfied that ceasing trading at 01:00 was a fair balance to promote the licensing objectives but that the premises had an opportunity to road test trading until 03:00 via a Temporary Event Notice.*
- (2) That the Sub-Committee heard today the premises had not traded since that license was granted and that no Temporary Event Notices have been submitted.*
- (3) That the Sub-Committee therefore remain of the view that there was inadequate evidence to demonstrate the premises can be satisfactorily operated, in line with the licensing objectives, until 03:00.*
- (4) That the Sub-Committee also remained of the view that the premises could seek a Temporary Event Notice to road test the later opening hours.*

I am not aware of any new circumstances that should lead the committee to decide differently now or which justify a closing time of 2.30am when 3am has been agreed to be unacceptable.

Kind regards

Jon Whitehouse

--

Jon Whitehouse
[REDACTED] St John's Road
Epping
[REDACTED]

Debbie Houghton

From: Joanne Knight [REDACTED]
Sent: 15 September 2021 14:39
To: Debbie Houghton
Subject: Fwd: Application change to licensing CK Entertainment PRevention of Public Nuisance

CAUTION: This Message originated outside of Epping Forest District Council. Do not click links or open attachments unless you recognise the sender and know the content is safe.

Sent from my iPhone

Begin forwarded message:

From: Joanne Knight [REDACTED]
Date: 15 September 2021 at 14:36:16 BST
To: licensing@eppingforestdc.gov.uk
Subject: Application change to licensing times CK Entertainment

I would like to submit an objection to the above application siting it being a public nuisance. Traffic noise and revellers voice noise passing my bedroom window at 2.30 in the morning I believe is a nuisance. It also affects my health with broken sleep. There are many residence including children live in the area close to the venue. Especially those who live in old timber dwellings with limited soundproofing.

Thanks

Jo Knight

Sent from my iPhone

St.John's Road
Epping
Essex

4th October 2021

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 public nuisance

Owing to the location of the club and neighbouring residents, all of the music etc. should be behind closed doors not just indoors.

Secondly we are not convinced that the club needs to sell Off Sales alcohol especially at 2 o'clock in the morning.

Yours sincerely,

Clive and Elizabeth Hall

JAN 2021

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 Playroom , 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 Hofferer,

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."

Minor Variation 19th January 2021 agreed by EFDC

Change to original layout of plans for the above Minor Variation dated 1st November 2019, new plans submitted.

Change to name of premises from Playhouse and Essex Roof Garden to Playhouse and Playroom

Annexe 4 – Plans:

Plans held at Epping Forest District Council

Minor Variation plans held at EFDC

PREMISES LICENCE SUMMARY

Part B



Premises licence number:

LN/000004109

Premises details:

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

Play House and Playroom, 195-199 Cottis Lane,

Post Town:
Epping, Essex

Post code:
CM16 4BL

Telephone number:

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

Licensable activities authorised by the licence:

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

James –Carl Hoffeiner,

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

Dated: 19th January 2021

Assistant Director of Environment & Neighbourhoods

Application for Summary Licence Review

Meeting Place: Cabinet Room

Date: 4th January 2019

Start: 14.00 **End:** 14.10

Members in attendance: Councillors R Morgan (Chairman); J Jennings and M Sartin

Officers in Attendance: D Macnab, D Houghton, L Cole, A Hendry, J Leither and V Messenger

Application for review of a Premises Licence under Section 53A (1) (b) of the licensing Act 2003 (premises associated with serious crime or disorder) for Club 195, 195-199 Cottis Lane, Epping CM16 4BL

1. An application from Essex Police (dated 4th January 2019) had been received by the EFDC Licensing Section, for a review of the premises licence for the above mentioned venue.
2. This had resulted from incidents that took place on the morning of 1st January 2019, when at 01.21hrs an incident was reported where a male patron on the dance floor was stabbed once causing a deep and 2 inch-wide knife wound.
3. Later on that morning, the police were called to a large fight within the vicinity of Club 195 at 03.30; where they found an unconscious person with missing teeth and punctured lip. At the time of the incident no other premises within the vicinity were open
4. Also on the same night it had been reported that a male had been attacked by a male with a belt, also in the vicinity of the club.
5. Several other serious incidents were also logged by the police going back to February 2018 occurring when other licensed premises were not open and were within reasonable proximity to the premises. It was therefore a reasonable assumption that these persons had been patrons of the venue.
6. In order to consider the Police application for a review, three members of the Licensing Committee were consulted on 4th January 2019. They were Councillors R Morgan, J Jennings and M Sartin. They were sent the Police application form and the Superintendent's certification stating Superintendent's C Saunders belief that the activity at Club 195 was directly linked with the serious assault.

RESOLVED:

That the three members decided that the Club 195 licence should be suspended with immediate effect until the full review of the premises licence could take place (within 28 days) because they were satisfied that there was serious crime and disorder associated with the Premises.

The reason given was that the incident demonstrated that the licensing objective 'Prevention of Crime and Disorder' was being severely undermined and that it was necessary to protect the public by taking immediate action.

Signed:

Councillor R Morgan
Chairman of the EFDC Licensing Committee

4th January 2019

EPPING FOREST DISTRICT COUNCIL COMMITTEE MINUTES

Committee: Licensing Sub-Committee **Date:** 29 January 2019

Place: Council Chamber, Civic Offices, **Time:** 10.00 am - 1.56 pm
High Street, Epping

Members Present: P Keska (Chairman), J Jennings, S Neville and M Sartin

Other Councillors:

Apologies:

Officers Present: A Hendry (Senior Democratic Services Officer), K Tuckey (Licensing Manager), D Houghton (Licensing Compliance Officer), J Nolan (Service Director (Commercial & Regulatory Services)), R Ferriera (Assistant Solicitor) and S Devine (Service Manager Regulatory)

36. DECLARATIONS OF INTEREST

There were no declarations of interest made pursuant to the Members Code of Conduct.

37. PROCEDURE FOR THE CONDUCT OF BUSINESS

The Sub-Committee noted the agreed procedure for the conduct of business and the terms of reference.

38. FULL SUMMARY REVIEW OF PREMISES LICENCE - CLUB 195, COTTIS LANE, EPPING, ESSEX, CM16 4BL

The three Councillors that presided over this item were Councillors P Keska, S Neville and M Sartin.

The Chairman introduced the Members and Officers present and outlined the procedure that would be followed for the determination of the summary review. The Chairman welcomed the participants and requested that they introduce themselves to the Sub-Committee. In attendance on behalf of the applicant was P Jones (Essex Police Licensing Officer), R Hanstock (Counsel for Essex Police) and G Ashford (Licensing Manager for Essex Police). On behalf of the License premises were R Bhose (Counsel), S Panesar (Solicitor), N Wood, M Younger, S Pembury (Sentra Solutions Ltd.), S Cummings and D King (the premises DPS) (Directors of KAC Entertainment Limited). Also in attendance was Councillor N Avey, Town Mayor of Epping Town Council.

The Chairman mentioned that he had been approached by a Town Councillor who had wished to speak at today's hearing. However having taken advice from officers he had agreed that the request had come in after the consultation period and was therefore inadmissible.

(a) The Application before the Sub-Committee

The Licensing Compliance Officer, D Houghton, explained that this hearing was to hear an application for a summary review brought by Essex Police for Club 195, Cottis Lane, Epping, CM16 4BL. This was made on 4th January 2019 in accordance with Section 53B of the Licensing Act 2003. The Licensing Authority after reading Essex Police's review application made the decision to implement the following interim step to take affect immediately: "To suspend the Premises Licence until the Review hearing as there was a danger of further serious crime and serious disorder."

The application for the full review was advertised in accordance with the legislation inviting representations from Responsible Authorities and Interested Parties.

(b) Presentation of the Applicant's Case

Mr Hanstock, on behalf of the Police said that they had called this review because of crime and disorder matters arising from Club 195. They were asking revocation of the licence in this case as evidence justified these steps and was not to be taken lightly.

He outlined the incidents that took place on 1st January 2019 in or around Club 195, when a man got stabbed on the dance floor inside the club; this incident was not covered by CCTV. The person who carried out this assault had entered illegally as the club had failed to secure that entrance. No staff had witnessed the incident. In the Companies submission, paragraphs 43 to 46 there was no acceptance of responsibility here, even after reflection. This was wilful blindness and reinforced the Police's position.

Other later incidents had also occurred outside the premises that night, at 03.03hrs, a male was being knocked unconscious, losing teeth and sustaining a punctured lip. Thirteen police officers attended and a GBH investigation was on-going. There was also large scale disorder happening at the same time out on the streets spilling out from Cottis Lane onto the High Street. This was at a time when no other establishment was open in that area and showed a pattern of disturbance happening at this time over the preceding year. Again there had been no acceptance of responsibility for this by the management.

CCTV footage from this incident would be shown to the meeting and there were statements covering this in the document pack.

Similar incidents happened on 23, 22 and 2 December, 14 October, 15 April, 4 March and 4 February 2018. All these incidents (and others) were documented in their document pack.

He noted that the Police had used a stepped approach in their handling of these incidents and referred the meeting to the Police letter dated 14 February 2018 which was a final warning letter which set out breaches in conditions and resulting recommended variations in their conditions. Since this warning letter, the incidents had continued and things did not get better. Finally, revocation of the licence was the only step left.

The Licensee had said that the door company should not be removed and this was a choice for the licensee as the Police does not direct them to any particular company and did not recommend any company.

Since the suspension of their licence there had been no reported incidents of disorder in the High Street.

The case for suspension of the licence was clear and this proved the case for revocation. There was case law for this (case of East Lindsey District Council v Abu Hanif (2016)), and this would be a clear message that this Sub-committee would not stand for this type of behaviour

Following this submission CCTV footage was shown to the attendees at the meeting showing incidents during the mornings of 1st January 2019, 23rd, 22nd and 2nd December 2018 as illustrative of the incidents occurring on the High Street and Cottis Lane.

(c) Questions for the Applicant from the Premises Holder

There were no questions to the applicant.

(d) Questions for the Applicant from the Sub-Committee

The Sub-Committee asked about the differences of the high-viz tops worn by the Police and the door security people as in the CCTV footage it was confusing telling one from the other. The Sub-Committee were told that the door staff had longer fluorescent bands on their tabard and the Police had thinner bands on their jackets.

(e) Presentation of the Premises Holder's Case

Mr Bhose opened by saying he did not understand why the Sub-committee had suspended the licence after the 1st January 2019 incident. This was not indicative of what happened at the Club and was a one-off incident.

The problem was with the dispersal policy and they were seeking to put more door supervisors into Cottis Lane and the High Street. With the further conditions that have been offered this would ensure that the Licensing conditions would be satisfied and would create a safer club. If you were satisfied we would welcome changes in conditions to the licence. There was no need to reduce opening times or revoke the licence. Revocation would cause the loss of 28 jobs in this area.

This is a well run premises which has been there for 15 years, but has had a few recent issues. It should be recognised the role the Club has played in the economy of the town. The Police have relied on incidents that have happened over the last year.

Mr Bhose then asked the Sub-Committee to consider the plan of the inside of the Club, showing a plan of the first floor and indicating the steps up to the flat. It also showed the main entrance, the smoking area towards the rear car park surrounded by 3 foot metal fencing. There was a small gap at the end of the fencing, used to escort people from the club. A supervisor was constantly stationed at the door supervising patrons who go in up the stairs into the club.

The club opens only one evening a week, on a Saturday and had been operating like this for the last 3 years. They currently have plans for refurbishment.

Mr Cummings and Mr King were experienced licensees and it was Mr King who set up 'Pubwatch' in the area. In their documents bundle there were letters from the business community in the area supporting them. He also noted that this was not a residential area, but he also had a letter of support from the nearest resident, Councillor Church.

His clients' focus was on running a safe and successful nightclub. They would operate with a minimum of 7 door supervisors and a maximum of 16, in excess of

what was required. They wanted to run a safe and comfortable club. At the front door would be stationed 3 door staff supervising two queues and carrying out searches. Inside they would scan the documents/IDs of the people before they go in.

The Door company has been operating here for 11 years and he noted that the Police had recommended them to other venues and say that they do not have a problem with this company and state in their documents that they have, at times, been helped by the security people.

My clients will search everyone who enters the premises, not just the recommended 4 out of 10. Every night staff will remove any bottles from the high street to keep their patrons safe. This is over and above what they need to do.

There has been no violence in the Club except for this recent incident on new year's day when a group did evade the security and got in through the smoking area. The supervisors acted appropriately and split up the people arguing. They did not know at the time that there had been a stabbing. The victim had been given first aid and an ambulance called.

It should be noted that the CCTV is a state of the art system and complies with the Essex Police Standards.

The Licensee also proposed that in addition to the security officer stationed at the smoking area an additional member of staff will be stationed there. They also propose to put in new 6 foot high fencing around the smoking area and operate a system of wrist bands when going out to smoke. Because of these additional measures he was confident that there would be no repetition of this type of incident.

As for dispersal at closing time. It was unfair to blame his clients for everything that went on outside. They needed a more robust presence in Cottis Lane and the High Street. At present there was no condition for this and they go further than asked for.

Near the end of the night the DJ would play softer music and by 2am put it to a background level; at 3am the door supervisors would encourage clients to leave. Once the club is empty they would go out onto the High Street to marshal people into the taxis. From 1.30am 2 door supervisors would be outside patrolling Cottis lane and the High Street, their sole function being to patrol area and disperse people. From 2am there will be 2 supervisors at the front door, 3 inside and the others outside helping dispersal. There can be up to 11 door supervisors patrolling and they were satisfied that this would more than meet the concerns of the Police and ensure that problems did not reoccur.

The new conditions, listed in their documents, would be more than satisfactory and there would be no need for revocation of the licence. He quickly went through the proposed police conditions noting that police's proposed metal detecting arch was, in their view, unnecessary as no customers had sought to come in with metal implements and their proposed search was quicker and as efficient. Given this they would accept all the conditions except condition 7.

They did not agree to the amending of closing times to earlier as they thought it was unnecessary because of the counter measures they had proposed to put in place. Also 5 other premises in that area close at 1 to 1.30am and this would increase the amount of people and stress in the area at that time. They would also cease to be a destination venue and would not be financially viable.

It was also unclear why the Police want them to close for 3 months. They have been closed for 3 weeks already and it would take time to implement any new procedures.

(f) Questions to the Premises Holder from the Sub-Committee

The Sub-committee noted that their trading hours were from 22.00 to 03.00 and their capacity was 653 persons, what was the average number of people that attended the club? They were told that it was between 250 and 325.

Following on from this they asked when the management would put on extra staff? They were told that they would monitor ticket sales during the week and by Friday would know how many door staff would be needed.

The Sub-committee then asked what were the various roles of the staff in the club. They were told that the majority were bar staff / glass collectors, with reception staff and waitresses and were all appropriately trained.

They were then asked if any food was served and were told that no food was provided.

The Sub-committee noted that the recent incident happened when some people came in through the smoking area. How many ways were there for getting into the club? They were told that there were 5 exits, all manned. The front ones had 2 or 3 persons stationed there, 1 by the staircase and between 1 and 2 for each other exit.

The Sub-committee asked what was 'Clubscan', as it was mentioned in the documentation. They were told that 'Clubscan' was an automatic system used to check IDs; it was used as a deterrent and the police used it as an audit tool.

Asked if they had female door staff they said that they did, they always had at least one female member of the door staff to conduct female searches.

The Sub-Committee asked if drinks were served in glass or plastic containers. They were told that they used plastic glasses, but they could buy cans, but not bottles.

The Sub-Committee then asked how frequently were their policies revisited and were told that they were reviewed regularly with occasional small changes being made, but no major ones.

The Sub-Committee then asked about the incident in February 2018 when there were some inappropriate staff occurrences. They were told that this was a bad incident with bricks being thrown at the doormen, who then handled it inappropriately.

The Sub-committee then asked what was the gender balance of the patrons, did males dominate? They replied that generally they liked to have 65% female there and have at time refused admission to males if this proportion was not being met.

(g) Questions from the Applicant to the Premises Holder

The applicant's counsel noted that the club had been open for 14 years and had a review in 2009 when the previous licence had been revoked and then Mr King took it over. Mr King agreed that he had taken over after this.

The applicant asked was it right that after numerous incidents the venue is to open Friday and Saturday nights. Mr King said this was a long term plan once

refurbishment took place and they would review the nights they were to open. There were no plans for the near future.

The applicant's counsel noted that Mr King was involved with another premises in Chingford where at a recent review 2 conditions had been added; one that Sentra not be used and secondly that Mr King be there on Friday and Saturday nights. Mr King replied that he would employ a new DPS here to free him up.

The applicant noted that the premises holder's policies were all dated 2009, with no new or renewed ones. Under their dispersal policy the third to last bullet point that starts 'it is acknowledged that a degree of cooperation...' how did this provide any assurance to the Sub-committee. Also under their fire notice and procedures they refer to a draft notice on responsibility of summoning the fire brigade but this notice was not included in the bundle. The drugs policy page refers to another venue and the CCTV policy on its second page is the only places where lighting is referred to and does nothing to address the concerns raised by the police and their drunkenness policy seems to be taken from another venue.

Mr King replied that the policies were reviewed in 2009 and some have since been changed and reviewed, they have not been cut and pasted from elsewhere. The dispersal policy referred to the 'Pubwatch' scheme and there was a system in place we use to evacuate the premises. We also have regular checks made by our CCTV company. Unfortunately the area where this incident happened was not covered by our CCTV. And the drunkenness policy was drawn up for the club. The Counsel for the premises holders added that they would be reviewing all their policies in conjunction with the police.

The applicant's counsel noted that the dispersal policy referring to the door staff patrolling Cottis Lane, these policies were to be reviewed. But, the updated policies that the Club worked under were needed here at this committee but, despite the time they have been closed they could have updated it then. The Counsel for the premises holders said that they would need amending but it did have an existing dispersal policy and it will be reviewed.

The Sub-Committee asked Mr King to tell them about 'Pubwatch' and the use of walkie-talkies with different venues and when did it stop. Mr King said that other venues did not want to continue this scheme and people stopped coming or responding to them.

(h) Statement of the Objector

Councillor N Avey spoke on behalf of Epping Town Council. He relied on their written objection reproduced in the paperwork it was a straight forward matter supported by a number of residents. This type of establishment will always attract 'bad' people. Epping was a small market town and not the place for a night club.

(i) Closing Statement from the Premises Holder

Mr Bhose had nothing further to add to his statement.

(j) Closing Statement from the Applicant

Mr Hanstock had nothing further to add to his statement.

(k) Consideration of the Summary Review by the Sub-Committee

The Sub-Committee withdrew from the meeting to consider the application in private. During their deliberations the Sub-committee received the following advice from the officers present:

1. Article 1 of the first protocol of 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 for Club 195, Cottis Lane, Epping, Essex CM16 4BL must be necessary and proportionate.

RESOLVED:

1. The decision of this sub-committee is that the premises licence for Club 195, Cottis Lane Epping is revoked.
2. 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 had proper control of the premises.
 - The lack of faith in management being able to successfully implement additional conditions.
3. 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).
4. 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.
5. 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

CHAIRMAN

**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.

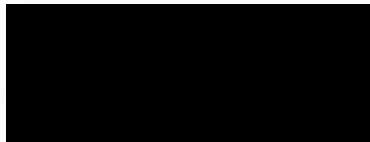
(8) For completeness we have also considered whether to curtail the hours during which the Garden Terrace may be used, and whether this would cause a public nuisance. We accept the applicant's evidence that with appropriate mitigation measures, the use of this Terrace by no more than 30 smokers after 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

Licensing Sub- committee – Decision sheet for an application for a premises licence under the Licensing Act 2003

Premises Address: PLAY HOUSE AND ESSEX ROOF GARDEN 195 – 199 COTTIS LANE EPPING ESSEX CM16 4BL

Chairman to read out in open session.

We consider that the application satisfies the necessary requirements in order to be considered as it is on the prescribed form, it has been advertised and relevant notifications given.

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 advisory officers gave us no advice.

609

Refusal

The decision of this sub-committee is that the application for a premises licence in respect of **PLAY HOUSE AND ESSEX ROOF GARDEN 195 – 199 COTTIS LANE EPPING ESSEX CM16 4BL**

Be refused

I will now outline the reasons which we consider are reasonable and proportionate for refusal in relation to the licensing objectives.

- (1) We had regard to our reasons for the grant of the premises license on 29 July 2019. As we explained on that occasion we were satisfied that ceasing trading at 0100 was a fair balance to promote the licensing objectives but that the premises had an opportunity to road test trading until 0300 via a Temporary Event Notice.
- (2) We heard today that the premises has not traded since that license was granted. We also heard that no Temporary Event Notices have been submitted.
- (3) We therefore remain of the view that there is inadequate evidence to demonstrate the premises can be satisfactorily operated, in line with the licensing objectives, until 0300.
- (4) We also remain of the view that the premises could seek a Temporary Event Notice to road test the later opening hours.

REFUSAL

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: Councillor C P Pond

Dated: 1st September 2020