

Committee Agenda



Epping Forest District Council

Licensing Sub Committee Tuesday, 7th March, 2023

You are invited to attend the next meeting of **Licensing Sub Committee**, which will be held at:

Council Chamber - Civic Offices
on **Tuesday, 7th March, 2023**
at **10.15 am**

Georgina Blakemore
Chief Executive

**Democratic Services
Officer:**

A Hendry, Democratic Services (Direct Line 01992 564243)
Email: democraticservices@eppingforestdc.gov.uk

Members:

Councillors R Morgan (Chairman), A Lion, M Sartin and D Stocker

PLEASE NOTE THE START TIME OF THE MEETING

WEBCASTING/FILMING NOTICE

Please note: this meeting may be filmed for live or subsequent broadcast via the Council's internet site – at the start of the meeting the Chairman will confirm if all or part of the meeting is being filmed.

You should be aware that the Council is a Data Controller under the Data Protection Act. Data collected during this webcast will be retained in accordance with the Council's published policy.

Therefore, by participating in this meeting, you are consenting to being filmed and to the possible use of those images and sound recordings for webcasting and/or training purposes.

If you have any queries regarding this, please contact the Corporate Communications Manager on 01992 564542.

1. **WEBCASTING INTRODUCTION**

1. This virtual meeting is to be webcast. Members are reminded of the need to unmute before speaking.

2. The Chairman will read the following announcement:

“I would like to remind everyone present that this meeting will be broadcast live to the internet (or filmed) and will be capable of repeated viewing (or another use by such third parties).

If you are seated in the lower public seating area it is likely that the recording cameras will capture your image and this will result in the possibility that your image will become part of the broadcast.

This may infringe your human and data protection rights and if you wish to avoid this you should move to the upper public gallery.”

2. **APOLOGIES FOR ABSENCE**

3. **DECLARATIONS OF INTEREST**

To declare interests in any item on this agenda.

4. **PROCEDURE FOR THE CONDUCT OF BUSINESS (Pages 5 - 12)**

To note the adopted procedure for the conduct of business by the Sub-Committee.

5. **EXCLUSION OF PUBLIC AND PRESS**

Exclusion: To consider whether, under Section 100(A)(4) of the Local Government Act 1972, the public and press should be excluded from the meeting for the items of business set out below on grounds that they will involve the likely disclosure of exempt information as defined in the following paragraph(s) of Part 1 of Schedule 12A of the Act (as amended) or are confidential under Section 100(A)(2):

Agenda Item No	Subject	Exempt Information Paragraph Number
6	Application for a Hackney Carriage Driver's Licence	1
	— Mr R Parkinson	

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

Background Papers: Article 17 - Access to Information, Procedure Rules of the Constitution define background papers as being documents relating to the subject matter of the report which in the Proper Officer's opinion:

- (a) disclose any facts or matters on which the report or an important part of the report is based; and
- (b) have been relied on to a material extent in preparing the report and does not include published works or those which disclose exempt or confidential information and in respect of executive reports, the advice of any political advisor.

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

6. APPLICATION FOR A HACKNEY CARRIAGE DRIVER'S LICENCE - MR R PARKINSON (Pages 13 - 18)

To consider a new application for a Hackney Carriage Drivers' Licence.

7. INCLUSION OF PUBLIC AND PRESS

To invite the public and press back into the meeting for the remaining items of business.

8. LICENSING ACT 2003- APPLICATION FOR A PREMISES LICENCE FOR BARBAROSSA, 275 HIGH STREET, EPPING, ESSEX, CM16 4DA (Pages 19 - 62)

To consider an application for a new Premises Licence under the Licensing Act 2003.

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Regulatory Committees

(a) Licensing Committee

Terms of Reference

- (1) The full Committee shall comprise 15 Councillors appointed by the Council at its annual meeting, including a Chairman and Vice-Chairman.
- (2) For the functions set out in Appendix 1, and the legislation listed in Appendices 2 and 3, a sub-committee consisting of no more than any three Councillors drawn from the members of the full Committee shall be formed. Any such sub-committee shall include, by rota, one of the six Licensing Sub-Committee Chairmen appointed at each Annual Council meeting.
- (3) The Quorum for the Committee is set out in the Rules set out in Part 4 of this Constitution save that no business shall be transacted unless either the Chairman or Vice-Chairman of the Committee is present.
- (4) The Committee and sub-committees shall have full authority to hear and determine licensing applications.
- (5) The Committee and sub-committees shall be further empowered to determine appeals made against the decisions of the Service Director (Commercial and Regulatory Services) taken under delegated authority on licensing applications. (See Council delegation schedule for more details).
- (6) The Committee shall at all times carry out its duties solely within the policy from time to time determined by the Council and shall conduct its proceedings in accordance with the requirements set out in Appendix 4 (Conduct of Business by the Licensing Committee and Sub-Committees).
- (7) The Licensing Committee shall take no part in the production or revision of the statement of licensing policy made under Section 5 of the Licensing Act 2003, however, they may determine policy under the legislation listed in Appendices 2 and 3 to this Article.
- (8) To be responsible for the consideration and approval of Designation Orders under Section 13 of the Criminal Justice and Police Act 2001 (Exercise of Controls over the consumption of alcohol in Public Places).

LICENSING ACT 2003 – LIST OF FUNCTIONS AND DELEGATED AUTHORITY

Matter to be dealt with	Full Committee	Sub Committee	Officers
Application for personal licence		If a police objection	If no objection made
Application for personal licence with unspent convictions		All cases	
Application for premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application for provisional statement		If a relevant representation made	If no relevant representation made
Application to vary premises licence/club premises certificate		If a relevant representation made	If no relevant representation made
Application to vary designated premises supervisor		If a police objection	All other cases
Request to be removed as designated premises supervisor			All cases
Application for transfer of premises licence		If a police objection	All other cases
Applications for interim Authorities		If a police objection	All other cases
Application to review premises licence/club premises certificate		All cases	
Decision on whether a complaint is irrelevant frivolous vexatious etc			All cases
Decision to object when local authority is a consultee and not the relevant authority considering the application		All cases	
Decision to object when local authority is acting as a Responsible Authority			All cases
Determination of an objection to a temporary event notice		All cases	
Decision whether to consult other responsible authorities on minor variation			All cases
Determination of minor variation			All cases

All policy matters except the formulation of the Statement of Licensing policy	All cases		
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LIST OF STATUTORY POWERS

Those functions pertaining to licensing and registration and permits, and consents contained in the following legislation and any regulations, orders, byelaws or other subsidiary legislation made under the above Acts:

The Animal Welfare (Licensing activities involving animals) (England) Regulations 2018
The Animal Welfare Act 2006
Dangerous Wild Animals Act 1976
Food Safety Act 1984 Part 3
Gambling Act 2005
House to House Collections Act 1939
Licensing Act 2003
Local Government (Miscellaneous Provisions) Act 1976
Local Government (Miscellaneous Provisions) Act 1982
Safety of Sports Grounds Act 1975
Scrap Metal Dealers Act 2013
Town Police Clauses Act 1847
Town Police Clauses Act 1889
Wildlife and Countryside Act 1981
Zoo Licensing Act 1981

PART A – CONDUCT OF BUSINESS BY LICENSING COMMITTEE AND SUB-COMMITTEES

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

1. General Conduct

- 1.1 All hearings of the Licensing Committee under the Licensing Act 2003, are to be held in accordance with the Personal Licences, Hearings, Premises Licences and Club Premises Certificates, and Licensing Register Regulations, made under the Licensing Act 2003.
- 1.2 The Council's Constitution shall regulate the conduct of and debate at meetings.
- 1.3 In the case of hearings under the Licensing Act 2003, the Committee shall only consider those matters relevant to the licensing objectives as set out in the Licensing Act 2003 and the statement of licensing policy adopted by the Council.

2. Declarations of Interest

- 2.1 Members of the Committee are subject to the Council's Code of Conduct.

3. Participation in the Hearing

- 3.1 Debate shall be restricted to members of the Licensing Committee. Where a local ward member, not being a member of the Committee, wishes to participate in the hearing, they may do so only with the permission of the Chairman and their participation shall be subject to the same rules as are applied to any other witnesses to the application.
- 3.2 In hearings other than those under the Licensing Act 2003, where a ward member is a member of the Committee, and wishes to object to the application, the member shall give 14 days' notice of their intention, and shall play no part in the decision-making process of the Committee. In hearings under the Licensing Act 2003, those named as responsible authorities and interested parties in the Act may only make representations within the time limits set out in the relevant statutory provisions.
- 3.3 All persons participating in the hearing shall be made aware of the limitations or scope of statements that will be acceptable and, in particular, that statements should be factual or a fair statement on a matter of public interest.
- 3.4 In the case of any hearing pursuant to the summary review procedure under the Violent Crime Reduction Act 2006, the membership of any Subcommittee adjudicating on such a review shall comprise any three members drawn from the Licensing Committee subject to the proviso that no member should serve more than one hearing.

4. Attendance of the Public

- 4.1 The Council's Constitution and relevant statutory provisions relating to the admission or exclusion of the public shall apply to all meetings of the Licensing Committee.

5. Natural Justice

- 5.1 There are two elements to natural justice:

(a) Fairness

- (i) All persons affected by the decision or in the case of matters associated with the Licensing Act 2003, those named as responsible authorities and interested parties in the Act, will be allowed a hearing before a decision is made.
- (ii) Only objectors who can show clearly that they are affected by a decision shall be afforded the right to be heard or, in the case of hearings under the Licensing Act 2003, only those named in the Act as responsible authorities or interested parties.
- (iii) All information shall be made available, where possible in advance, to the applicant and the Committee.
- (iv) All members of the Committee shall be present throughout the hearing of a particular application. Where a member arrives late or leaves during a hearing of a particular application, that member shall play no part in the decision-making process. Where an application is adjourned it shall be continued by the same members only, and no others.
- (v) The Committee shall have discretion in respect of 'late' objections. Such objections shall be clearly marked on the agenda as such and the Committee shall decide on their acceptability. The applicant shall be advised of any late objections. In the case of representations made in relation to the Licensing Act 2003 applications, these shall only be accepted in accordance with the relevant statutory provisions.

(b) Prevention of Bias

- (i) The rules on the declarations of interest shall be firmly applied.
- (ii) If the Committee moves into private session to consider its decision, it shall be accompanied only by its advising officers, none of whom shall have taken a substantive part in the hearing, and shall play no substantive part in the decision-making process.

6. General Procedures for Hearings

- 6.1 The following procedural requirements shall be followed at all times:

- (a) There shall be no recommendation from officers on the agenda;
- (b) The Committee shall be supplied with copies of all relevant documentation and the process and order of procedure shall be as follows:

- (i) The Chairman will open the meeting and introduce persons as appropriate asking applicants and representatives to identify themselves.
- (ii) The Chairman will outline the procedure to be followed.
- (iii) The Lead Officer will outline the matter in hand.
- (iv) The applicant or representative will present his/her case, with or without witnesses, and be questioned by members or any objectors/persons making representations present.
- (v) Any objectors/persons making representations may then present their objections/representation, with or without witnesses, and be questioned by members or the applicant/s or their representative.
- (vi) The objectors/persons making representations may make a final statement (without introducing new issues).
- (vii) Finally, the applicant has the right to make a final statement (without introducing new issues).
- (viii) All evidence/disclosures are to be made in the presence of all persons, unless someone voluntarily excuses themselves from the proceedings.
- (ix) Committee members shall restrict themselves to questions and not discussion or comment.
- (x) The applicant, objectors/persons making representations shall be allowed to ask officers questions of a technical/factual nature at any time during the proceedings.
- (xi) An adjournment should be granted where to do otherwise would deny a fair hearing.
- (xii) The Committee may resolve to decide upon the application in private session, however, if it becomes necessary to recall anyone for additional information, everyone shall be invited to return to the Hearing.
- (xiii) The decision shall be given in the presence of all parties that wish to be present and confirmed in writing as soon as possible thereafter. If legal advice is given to members this advice will be repeated in summary form.

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

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Report to the Licensing Sub-Committee

Date of meeting: 7th March 2023

Subject: Licensing Act 2003- Application for a Premises Licence for Barbarossa, 275 High Street, Epping, Essex, CM16 4DA



**Epping Forest
District Council**

Responsible Officer: Debbie Houghton, Licensing Officer 01992 564336

Democratic Services Officer: A Hendry (01992 56 4246)

Decisions Required:

To consider an application for a new Premises Licence under the Licensing Act 2003

Report:

Application

An application has been made by Gulcan Pelut, for a new premises licence at 275 High Street Epping Essex CM16 4DA.

The application is for the following licensing activities,

1. **The Provision of Late Night Refreshment**
Sunday to Thursday 23.00 – 23.30, Friday to Saturday 23.00 – 00.30
 - **The Sale by Retail of Alcohol**
 - Sunday to Thursday 11.30 – 23.00, Friday and Saturday 11.30 – 00.00am
 - **Alcohol for consumption with food only**

2. The application was received and valid on the 20th January 2023

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

3. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote of the licensing objectives.
These are—
 - (a) the prevention of crime and disorder;
 - (b) public safety;
 - (c) the prevention of public nuisance; and
 - (d) the protection of children from harm.

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

Consultation

- 5 The Responsible Authorities have all received a copy of the application, it was also advertised at the premises and in a local newspaper. A copy of the Blue Notice and Newspaper advert are attached to this report.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received 2 representations of objection 1 from a local business and 1 from a local resident, please see emails attached.
- 8 A response from Essex Police with recommendations has been agreed by the applicant, these conditions are attached to this report and listed below

a) A staff member will be on duty during the hours of business who can download images, b) Refusal register is to remain at the premises for inspection, c) Register to include staff training dates, what training topics were provided & refresher date required

- 9 The Objections relates to Public Safety, Prevention of Public Nuisance, and Crime and Disorder, Copies of the objections are attached to this report
- 10 Comments from our Planning department are included below, the applicant has agreed to the reduction of hours as per the restricted planning condition below

It appears that this premises is subject to a planning condition restricting the hours of use between 08:00 to 22:00 M-F, 08:00 to 23:00 Sat and 08:00 to 21:00 Sun and BH (cond 6 of EPF/1245/21), so they will need to apply to vary this condition if they want to open later.

Guidance Issued by the Secretary of State

- 11 The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
- 12 Sections 2.15 to 2.21 of the Guidance are relevant to this application

Options

In determining this application the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:

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

Determination

The Sub-committee is asked to determine the application having regard to

- (a) the content of this report and representations
- (b) any additional information obtained from the hearing
- (c) the Council's statement of licensing policy
- (d) Guidance issued by the Secretary of State, and
- (e) the steps appropriate to promote the licensing objectives.

Appeal

If any party is aggrieved with the decision they can appeal to Magistrates court. The appeal period is 21 days from notification of the decision.

Background Papers Used in Preparing This Report:

- The Licensing Act 2003
<http://www.legislation.gov.uk/ukpga/2003/17/contents?view=plain>
- The Secretary of State's Guidance issued under Section 182 Licensing Act 2003
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents

- Application for a Premises Licence.
- Plan of the premises
- Newspaper advert and Public Notice
- Copies of the representations/comments in the form of emails

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* required information

Section 1 of 21

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	<input type="text" value="Not Currently In Use"/>	This is the unique reference for this application generated by the system.
Your reference	<input type="text" value="KAPLAN"/>	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

Other telephone number

Include country code.

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.

Continued from previous page...

Address

* 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

Other telephone number

Include country code.

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.

Your Address

* Building number or name

* Street

District

* City or town

County or administrative area

* Postcode

* Country

Address official correspondence should be sent to.

Section 2 of 21

PREMISES DETAILS

Continued from previous page...

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

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	<input type="text" value="275"/>
Street	<input type="text" value="HIGH STREET"/>
District	<input type="text"/>
City or town	<input type="text" value="EPPING"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CM16 4DA"/>
Country	<input type="text" value="United Kingdom"/>

Further Details

Telephone number	<input type="text"/>
Non-domestic rateable value of premises (£)	<input type="text" value="30,250"/>

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

Confirm The Following

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

Section 4 of 21

INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

Is the applicant 18 years of age or older?

- Yes No

Continued from previous page...

Current Residential Address

Is the address the same as (or similar to) the address given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes

No

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Yes

No

E-mail

Telephone number

Other telephone number

* Date of birth

* Nationality

Documents that demonstrate entitlement to work in the UK

Right to work share code

Right to work share code if not submitting scanned documents

Add another applicant

Section 5 of 21

OPERATING SCHEDULE

When do you want the premises licence to start?

dd mm yyyy

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

dd mm yyyy

Provide a general description of the premises

Continued from previous page...

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.

SEAFOOD & GRILL RESTAURANT

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

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PROVISION OF PLAYS

See guidance on regulated entertainment

Will you be providing plays?

Yes No

Section 7 of 21

PROVISION OF FILMS

See guidance on regulated entertainment

Will you be providing films?

Yes No

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PROVISION OF INDOOR SPORTING EVENTS

See guidance on regulated entertainment

Will you be providing indoor sporting events?

Yes No

Section 9 of 21

PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

See guidance on regulated entertainment

Will you be providing boxing or wrestling entertainments?

Yes No

Section 10 of 21

PROVISION OF LIVE MUSIC

See guidance on regulated entertainment

Will you be providing live music?

Yes No

Section 11 of 21

PROVISION OF RECORDED MUSIC

See guidance on regulated entertainment

Continued from previous page...

Will you be providing recorded music?

Yes

No

Section 12 of 21

PROVISION OF PERFORMANCES OF DANCE

See guidance on regulated entertainment

Will you be providing performances of dance?

Yes

No

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

See guidance on regulated entertainment

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes

No

Section 14 of 21

LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes

No

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

SATURDAY

Start 23:00

End 00:30

Start

End

SUNDAY

Start 23:00

End 23:30

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 tick 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.

State any seasonal variations

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

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

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

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes

No

Standard Days And Timings

Continued from previous page...

MONDAY

Start

End

Start

End

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

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 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-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

Continued from previous page...

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

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

Name

First name

Family name

Date of birth / /

Enter the contact's address

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Personal Licence number (if known)

Issuing licensing authority (if known)

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Continued from previous page...

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

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

THERE WILL BE NO 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.

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

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

Continued from previous page...

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

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

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LICENSING OBJECTIVES

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

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

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

This application seeks permission for alcohol consumption with food only, on the premises, from 11:30 till 23:00 from Sunday to Thursday, and from 11:30 till 00:00 on Friday and Saturday.

All necessary steps have been taken to ensure that the application and proposed operation will promote the licensing objectives without adding any cumulative impact to the area.

b) The prevention of crime and disorder

The premises shall have sufficient cameras located within the premises to cover all public areas including outside of the premises covering the entrance and exit. The system will be able to cope with strobe lighting (where used) and all levels of illumination throughout the premises as well as outside area.

The CCTV system must be operating at all times whilst the premises are open for licensable activity. All equipment shall have a constant and accurate time and date generation. CCTV recorded footage must be securely retained for a minimum of 31 days. Images are kept to be made available to the Police, PCSO's, Licensing Authority Officers, and Trading Standards Officers on request. Images will have time and date recorded.

In the event of a technical failure resulting in the whole of the CCTV system being inoperable, the premises licence holder/DPS shall report the failure to the Police Licensing Unit within 24 hours.

On all other occasions, proactive steps will be taken by the premises to rectify any technical failure of the CCTV system.

An incident log book shall be kept on the premises and made available on request to an authorised officer of the Council or Police which will record the following:

- any incident of disorder
- any seizures of drugs or offensive weapons
- any rejections of patrons
- any ID seizures

All refusals are to be recorded promptly, including the reason i.e. too intoxicated, barred suspicion of drugs etc. If a person is rejected from the premises by a member of staff, a record must be made of the incident including details of the staff members involved and a summary of the circumstances. This must be completed as soon as practicable but prior than the end of that persons shift. All staff will be trained in order to promote four licensing objectives, and comply with the premises licence fully.

All customers who want to buy alcohol shall be asked to produce photographic identification, such as a valid passport, valid driving licence, and international identity document or PASS card, by considering "Challenge 25", if they look under 25 years of age. Alcohol shall not be taken off the premises in an open container.

Continued from previous page...

The licence holder shall operate a 'zero tolerance' position on the use/ possession of controlled drugs and psychoactive substances and seek for Police help in case.

c) Public safety

A minimum of two people will be present on the shop floor during the opening hours after 10pm. The staff working between these hours will be a minimum of 21 years of age.
Alcohol will be served with a consumption of food to prevent excessive alcohol consumption. Customers, who are already drunk and may cause any problems, will be rejected to buy or to be served alcohol. Any customers or people who cause public disorder will be reported to the Police immediately.
The licence holder will show zero tolerance to any illegal activity, and seek for Police help in case. Staff will be trained to check toilets regularly for any illegal activity, or any other safety issues that might occur in the premises. Alcohol won't be sold out as take-away.

d) The prevention of public nuisance

Barbarossa Restaurant is placed in High Street. There are other shops, cafes and restaurants nearby, and it is also a residential area. However, notices shall be displayed at the premises exit requesting customers to leave quietly especially from 11pm. There is no outside seating area, and people will not allowed to group outside to prevent public nuisance. The premises will operate and enforce a 'Challenge 25' proof of age policy where by all persons appearing to be under the age of 25 will be required to provide proof of age. The only forms of ID accepted will be Passports and photographic ID cards such as Driving Licences and validated and approved hologram ID cards.

e) The protection of children from harm

There will be no adult entertainment take place in the premises.

The premises will operate and enforce a 'Challenge 25' proof of age policy where by all persons appearing to be under the age of 25 will be required to provide proof of age document. The only forms of ID accepted will be Passports and photographic ID cards such as Driving Licences and validated and approved hologram ID cards. The management shall make sure that if any adult attempts to buy alcohol for someone who is under 18 years old of age, in order to refuse the sale.

A minimum of two people will be present on the shop floor during the opening hours after 9pm, and the staff working between these hours will be a minimum of 21 years of age. A log book shall be kept for any incident that may also affect children.

All staff will be trained in order to promote all four licensing objectives fully to provide a good business in a safe manner, while meeting customers' expectations.

Section 19 of 21

NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

Continued from previous page...

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

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

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

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

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

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

Continued from previous page...

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

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

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

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

Continued from previous page...

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

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

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

Section 20 of 21

NOTES ON REGULATED ENTERTAINMENT

Continued from previous page...

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

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
 - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
 - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

Continued from previous page...

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

Section 21 of 21

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.

Premises Licence 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

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

190.00

DECLARATION

1

Continued from previous page...

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK. The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate

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

* Capacity

* Date / /
dd mm yyyy

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

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

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

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

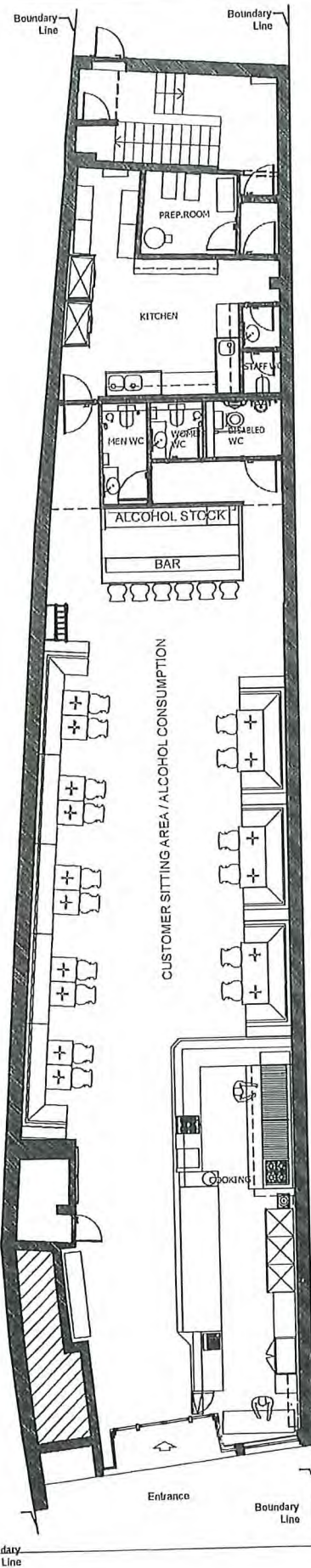
IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

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

OFFICE USE ONLY

Applicant reference number	KAPLAN
Fee paid	
Payment provider reference	
ELMS Payment Reference	
Payment status	
Payment authorisation code	
Payment authorisation date	
Date and time submitted	
Approval deadline	
Error message	
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) Next >



FLOOR PLAN FOR

BARBAROSSA

275 , High Street, Epping,
CM16 4DA

METRIC SCALE

1 : 100

DRAWING BY

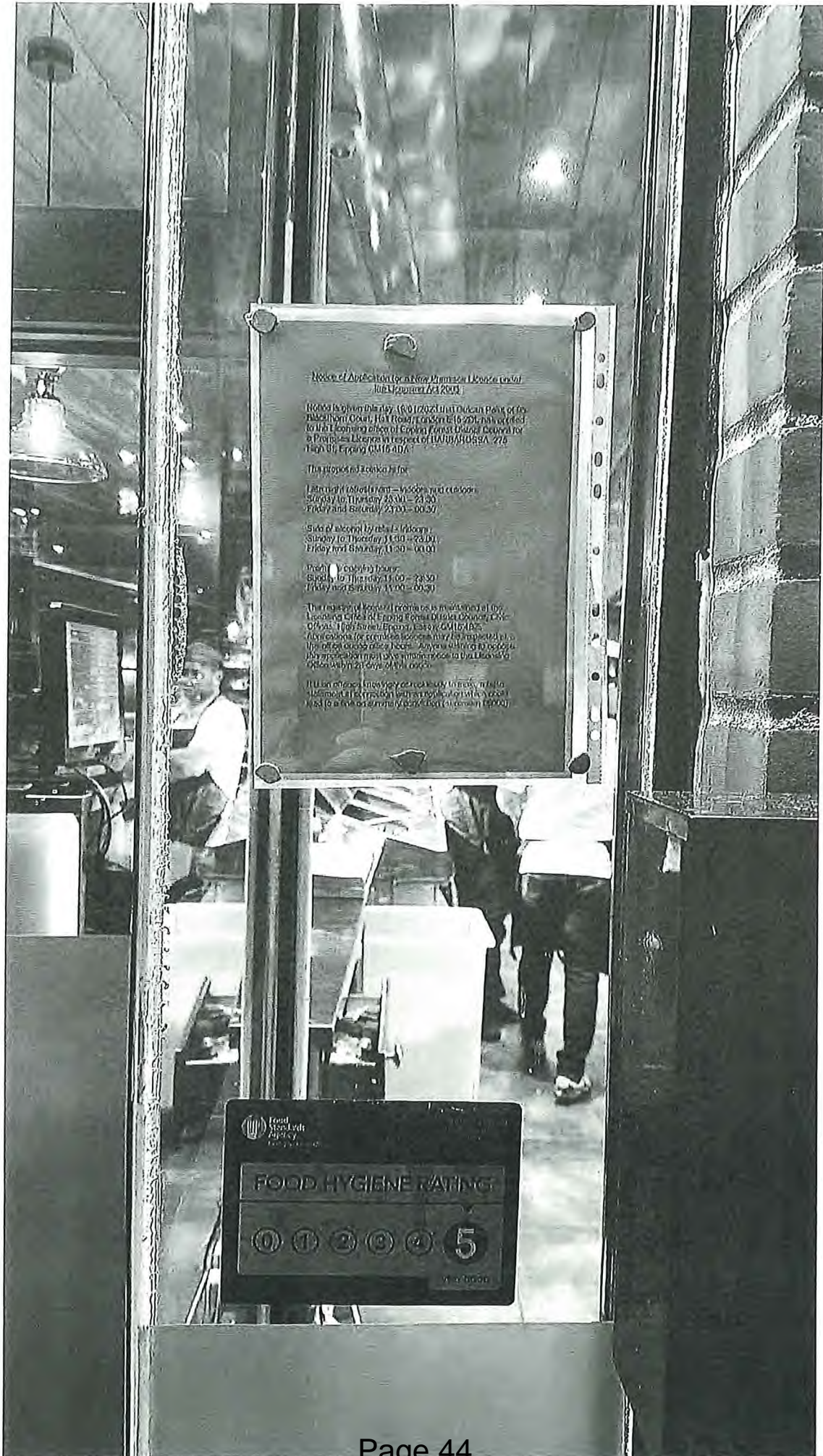
KAPLAN CONSULTING LTD

Mobile : 07742 013 801

Email: kaplanconsultinguk@gmail.com

DATE

19/01/2023



Notice of Application for a Temporary Licence under the Food Hygiene Regulations 2006

Notice is given that the following premises are proposed to be used for the temporary sale of food for consumption on the premises in respect of the proposed licence under the Food Hygiene Regulations 2006.

The proposed licence is for:
1. Sale of food for consumption on the premises
 Monday to Thursday 11.00 – 23.00
 Friday and Saturday 11.00 – 00.30

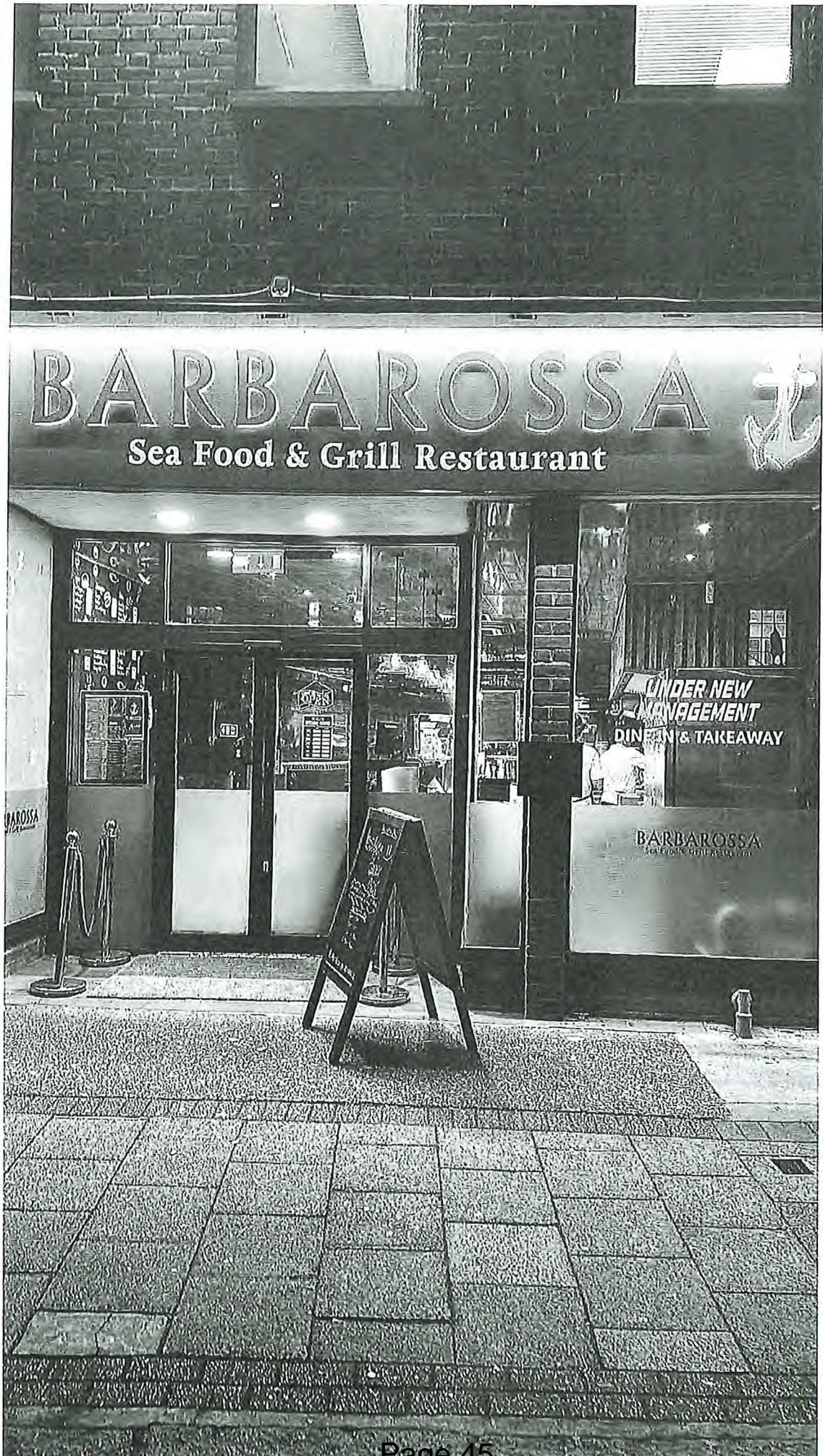
2. Sale of alcohol by retail
 Monday to Thursday 11.00 – 23.00
 Friday and Saturday 11.00 – 00.30

3. Sale of food for consumption on the premises
 Monday to Thursday 11.00 – 23.00
 Friday and Saturday 11.00 – 00.30

The holder of a licence under the Food Hygiene Regulations 2006 is required to comply with the Food Hygiene Regulations 2006. Applications for a licence should be made to the relevant authority. Any person who is found to be in breach of the regulations may be liable to prosecution and/or a fine.

If you are in any doubt as to the requirements of the regulations, please contact the relevant authority for further information.

Food Hygiene Agency
FOOD HYGIENE RATING
 0 1 2 3 4 **5**
 10/10/2006



LOCAL PUBLIC

To advertise telephone:
01923 216232

or email:
wahmed@localiq.co.uk

Planning Notices | Traffic Notices | Legal Notices | Probate Notices | Other Notices | Church and Religious Notices | Tenders and Contracts | Goods Vehicle Operator Licences

OTHER

ALCOHOL & Licensing

Notice of Application for a New Premises Licence under the Licensing Act 2003
Notice given by s.49(1)(b) 13/01/2023 at 10:30 AM at the Licensing Court, Hall Road, London E15 2JL has applied to the Licensing Officer of Epping Forest District Council for a Premises Licence in respect of 885300265A, 275 High St, Epping CM16 4BA. The proposed licence is for late night refreshment - indoors and outdoors Sunday to Thursday 20.00 - 23.30 Friday and Saturday 23.00 - 00.30 Sale of alcohol by retail - indoors Sunday to Thursday 11.30 - 23.00 Friday and Saturday 11.30 - 00.00 Premises opening hours: Sunday to Thursday 11.00 - 23.30 Friday and Saturday 11.00 - 00.30 The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4SE. Applications for premises licences may be inspected at this office during office hours. Any person wishing to oppose an application must give written notice to the Licensing Officer within 28 days of this notice. It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £500).



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t: 01268 533933
e: Se-sales@localiq.co.uk

www.redbridge.gov.uk

Debbie Houghton

From: Dilek T. ALAGOZ <kaplanconsultinguk@gmail.com>
Sent: 26 January 2023 13:58
To: Ronan McManus 42080692
Subject: EXTERNAL - Re: Barbarossa Premises Licence application.

CAUTION: This email originated from outside of the organization. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good afternoon Ronan,

Ms Gulcan Pelut wanted me to do the application as soon as possible, and we did not have time to discuss the application in detail. I will explain the conditions to her when we meet, or over the phone.

The conditions are agreeable, I also informed my client.

Kind regards,

On Thu, 26 Jan 2023 at 13:43, Ronan McManus 42080692 <Ronan.McManus@essex.police.uk> wrote:

Good afternoon ,

I have attempted to contact you on your mobile but there was no answer .

In relation to the premises application for the above premises , I conducted a site visit and spoke with the applicant . The applicant was not aware of the proposed conditions offered in her application.

Can I ask that the conditions proposed are ingrained in the daily operation of the premises . Having reviewed the proposed conditions can the following conditions be considered :

Crime & Disorder

- A staff member will be on duty during the hours of business who can down load images .
- Refusal register is to remain at the premises for inspection
- Register to include staff training dates , what training topics were provided & refresher date required .

If these conditions are agreeable and you reply to this email so that I may update the application .

Thank you



Ronan McManus (80692)

Senior Licensing Officer

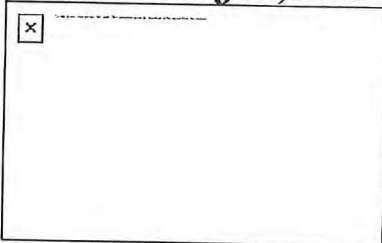
☎ 101 (Ext: 406363) ☎ 07815 000889

📍 Braintree Police Station, Blyth's Meadow, Braintree. CM7 3DJ

[Local Policing Support Unit - Home \(sharepoint.com\)](#)

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Dilek T. Alagoz, ACIEH



Debbie Houghton

From: Graham Courtney
Sent: 30 January 2023 16:37
To: Debbie Houghton
Cc: Contact Planning
Subject: RE: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)

Hi Debbie,

It appears that this premises is subject to a planning condition restricting the hours of use between 08:00 to 22:00 M-F, 08:00 to 23:00 Sat and 08:00 to 21:00 Sun and BH (cond 6 of EPF/1245/21), so they will need to apply to vary this condition if they want to open later.

Kind regards,

Graham

From: Contact Planning <contactplanning@eppingforestdc.gov.uk>
Sent: 20 January 2023 10:30
To: Graham Courtney <GCourtney@eppingforestdc.gov.uk>
Subject: FW: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)

From: Debbie Houghton <doughton@eppingforestdc.gov.uk>
Sent: 20 January 2023 08:49
To: Essex Police (Licensing.Applications@essex.police.uk) <licensing.applications@essex.police.uk>; Essex Fire Rescue (SouthWestGroupSDP@essex-fire.gov.uk) <southwestgroupsdp@essex-fire.gov.uk>; Environmental Health <EnvironmentalHealth@eppingforestdc.gov.uk>; Brian Stalabrass <BStalabrass@eppingforestdc.gov.uk>; Head Of Child Protection (licenceapplications@essex.gov.uk) <LicenceApplications@essex.gov.uk>; Contact Planning <contactplanning@eppingforestdc.gov.uk>; TradingStandards@Essex.gov.uk; enquiries@environment-agency.gov.uk; enquiries@environment-agency.gov.uk; The Home Office <alcohol@homeoffice.gsi.gov.uk>
Cc: DemocraticServices <DemocraticServices@eppingforestdc.gov.uk>; Tracy Latham <tlatham@eppingforestdc.gov.uk>; Christopher Smith <CSmith@eppingforestdc.gov.uk>; info@eppingtowncouncil.gov.uk <info@eppingtowncouncil.gov.uk>; Cllr.L Burrows <cldr.lburrows@eppingforestdc.gov.uk>; Cllr.C Whitbread <cldr.cwhitbread@eppingforestdc.gov.uk>; Cllr.H Whitbread <cldr.hwhitbread@eppingforestdc.gov.uk>; Dilek T. ALAGOZ <kaplanconsultinguk@gmail.com>
Subject: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)

Good morning,

Please find attached a copy of a new premises application and plans for a restaurant submitted for the above location, the application is for the following,

Late Night Refreshment Sunday to Thursday 23.00 – 23.30, Friday and Saturday 23.00 – 00.30am,

The Sale by Retail of Alcohol Sunday to Thursday 11.30 – 23.00, Friday and Saturday 11.30 – 00.00am, On sales only, the consumption of alcohol is with food only,

Opening times Sunday to Thursday 11.00 – 23.30, Friday to Saturday 11.00 – 00.30am

The consult period for this starts **20th January 2023** and ends **16th February 2023**, any comments or representations must be submitted within this time period,

The documents attached may contain personal and sensitive information this is not for sharing or 3rd party use,

Regards

Debbie

Miss Debbie Houghton

Licensing Officer

Licensing Team,

Commercial and Regulatory Directorate

Tel: 01992 564336 Mobile 07704073743 remotely working until further notice

E-mail: dhoughton@eppingforestdc.gov.uk

Subject: Re: FW: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)
Date: 07/02/2023 19:19
From: "Dilek T. ALAGOZ" <kaplanconsultinguk@gmail.com>
To: "Debbie Houghton" <dhoughton@eppingforestdc.gov.uk>

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 Debbie,

My client is ok to accept the new premises licence hours same as the hours stated on planning condition. So, it won't create a confusing situation in the future.

Regards,

On Tue, 7 Feb 2023 at 10:40, Debbie Houghton <dhoughton@eppingforestdc.gov.uk> wrote:

FYI

Please be mindful of the comments from Planning

Regards

Debbie

Miss Debbie Houghton

Licensing Officer

Licensing Team,

Commercial and Regulatory Directorate

Tel: 01992 564336 Mobile 07704073743 remotely working until further notice

E-mail: dhoughton@eppingforestdc.gov.uk

My working days are Tuesday, Wednesday and Thursday,

From: Graham Courtney <GCourtney@eppingforestdc.gov.uk>

Sent: 30 January 2023 16:37

To: Debbie Houghton <dhoughton@eppingforestdc.gov.uk>

Cc: Contact Planning <contactplanning@eppingforestdc.gov.uk>

Subject: RE: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)

Hi Debbie,

It appears that this premises is subject to a planning condition restricting the hours of use between 08:00 to 22:00 M-F, 08:00 to 23:00 Sat and 08:00 to 21:00 Sun and BH (cond 6 of EPF/1245/21), so they will need to apply to vary this condition if they want to open later.

Kind regards,

Graham

From: Contact Planning <contactplanning@eppingforestdc.gov.uk>
Sent: 20 January 2023 10:30
To: Graham Courtney <GCourtney@eppingforestdc.gov.uk>
Subject: FW: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)

From: Debbie Houghton <dhoughton@eppingforestdc.gov.uk>
Sent: 20 January 2023 08:49
To: Essex Police (Licensing.Applications@essex.police.uk) <licensing.applications@essex.police.uk>; Essex Fire Rescue (SouthWestGroupSDP@essex-fire.gov.uk) <southwestgroupsdp@essex-fire.gov.uk>; Environmental Health <EnvironmentalHealth@eppingforestdc.gov.uk>; Brian Stalabrass <BStalabrass@eppingforestdc.gov.uk>; Head Of Child Protection (licenceapplications@essex.gov.uk) <LicenceApplications@essex.gov.uk>; Contact Planning <contactplanning@eppingforestdc.gov.uk>; Trading.Standards@Essex.gov.uk; 'enquiries@environment-agency.gov.uk' <enquiries@environment-agency.gov.uk>; The Home Office <alcohol@homeoffice.gsi.gov.uk>
Cc: DemocraticServices <DemocraticServices@eppingforestdc.gov.uk>; Tracy Latham <tlatham@eppingforestdc.gov.uk>; Christopher Smith <CSmith@eppingforestdc.gov.uk>; 'info@eppingtowncouncil.gov.uk' <info@eppingtowncouncil.gov.uk>; Cllr.L Burrows <cllr.lburrows@eppingforestdc.gov.uk>; Cllr.C Whitbread <cllr.cwhitbread@eppingforestdc.gov.uk>; Cllr.H Whitbread <cllr.hwhitbread@eppingforestdc.gov.uk>; Dilek T. ALAGOZ <kaplanconsultinguk@gmail.com>
Subject: New premises application at 275 High Street Epping Essex CM16 4DA Barbarossa (old Captain Tom's premises)

Good morning,

Please find attached a copy of a new premises application and plans for a restaurant submitted for the above location, the application is for the following,

Late Night Refreshment Sunday to Thursday 23.00 – 23.30, Friday and Saturday 23.00 – 00.30am,

Debbie Houghton

From: Glyn Crawley <g.crawley@stace.co.uk>
Sent: 16 February 2023 15:27
To: Licensing
Cc: John Noble; Matthew Whitehead; Gareth Sinnamon; Kelly Scott
Subject: Application for License 275 High Street Epping Essex.
Attachments: Representation to Epping Forest District Council in connection with License Application made by Gulcan Pelut for 275 High street Epping Essex CM16 4DA.docx

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.

We enclose our representation as an adjoining occupier to the license application for 275 High Street Epping Essex.

We confirm that we ask that this application is refused by Epping Forest District council on the grounds set down in our attached document.

Yours faithfully

Glyn Crawley on behalf of Stace LLP.

Glyn Crawley

Partner

Pronouns:He/Him

DL:+44 (0)20 7377 4081

M: +44 (0)7803 893793

E: g.crawley@stace.co.uk

Stace LLP, 1 Finsbury Avenue, London, EC2M 2PF, United Kingdom

T:+44 (0)20 7377 4080



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Representation to Epping Forest District Council in connection with License Application made by Gulcan Pelut for 275 High Street Epping Essex CM16 4DA by Stace LLP.

Our History and Background in making this representation.

I write this response on behalf of Stace LLP. Stace LLP who are an immediate neighbour to Barbarossa. I note that the Application refers to Captain Toms which was the name for the first year or so of trading but for some reason has now been re-named Barbarossa.

Stace LLP are a firm of Chartered Quantity Surveyors, Building Surveyors, Health and Safety Advisors and Project Managers. The business was started by Leonard Stace who was a resident in Epping and who started the business in Epping in 1959. The head office has remained here ever since.

Since that time, we have grown as a company to one that now employs 220 staff nationwide. We have not forgotten our roots and have to date continued to remain in Epping with an office that provides both professional services, as well as being the Administrative Head office.

We are proud to have grown within our Epping base and we employ 90 people at 273 High Street. Our offices operate at the first and second floors above McColl's and the fish and chip shop and restaurant (currently called Barbarossa – who have made the License Application). Our offices also extend at first floor over Nat West.

Being that we have 90 staff based in Epping, we understand that we are probably the largest employers in Epping and have continued to contribute to the economy in terms of the employment of staff who live in the Epping Forest District as well as during the day and evenings by adding to the economy of Epping (relating to the High Street shops and leisure facilities) in the order of £400,000 per annum.

Our current building at 273 High Street has been occupied by us for 50 years. Historically Abbey National/Santander were our landlords and fellow occupiers and were always very good adjoining occupiers in the way the building and car parking to the rear were used and we respected each other's requirements and needs.

With the sale of the building and Santander also vacating the premises, we had some trepidation as to whether new owners would affect or harm our enjoyment of our space. Initially there were no issues.

However, the granting of a change in use class under the Planning classifications, approved by Epping Forest District Council Planning Committee has changed this significantly as it has enabled the previous banking/financial services provision on the ground floor to become designated as Sui Generis which has enabled a tenant, (the fish and chip shop and restaurant) to operate within our building. Regrettably in the period since their occupation many of our initial our concerns and fears have now materialised, resulting in the need for us to make a representation to the new license application being made by now.

Our Representation on the Application made by Barbarossa to extend the hours of operation and the provision of an off license.

We note that Captain Tom have made the Application under the Licensing Act to further extend their operational hours to an even later time for every evening as well as adding an off license.

On a point of detail, we note that the Application has been made under the name of Captain Tom, however the management team that were operating the restaurant for the first 12 months have now completely changed and since the change of the management team a change of name to the restaurant to Barbarossa. We are unclear as to whether the two businesses are the same or whether Captain Tom as a business is still involved in the operation of the business or whether it is now Barbarossa.

Having experienced first-hand, major challenges arising directly from Captain Toms originally and now Barbarossa's operation, we would like to record that both Captain Toms and now Barbarossa's occupation has resulted in a substantial negative impact to our business operation in our tenanted premises.

The operation of the Fish and Chip shop has resulted in an extreme challenge to us and all of our staff and has affected our operational enjoyment of our offices and has certainly created a significant strain upon our relationship with our new landlord Riverway Investments.

We are making this representation because we perhaps feel that Epping Forest District Council may not fully understand how their previous decision to change the Planning designation has seriously affected one of its oldest occupiers and after over 60 years it has for the first time raised the question to us as to whether we should remain as a business in Epping in the longer term.

Consequently, we would like to confirm that we confirm that we are strongly opposed to this application and ask that it is refused and provide the historical position and reasons below based upon the criteria set.

To assist Epping Forest District Council to understand the position, we feel it appropriate to note some of the key issues that we have experienced since the operation of the fish and chip restaurant began .

- Environmental Health -smells and hygiene. The deterioration of the overall hygiene, cleanliness, and smells within our shared means of escape staircase is an ongoing

major problem. The rear staircase from our car park is no longer publicised to visitors or clients who use our car park because it does not reflect well upon our business.

The staircase which is carpeted for use by office staff and visitors now constantly smells of fish, vegetable fat and decayed waste food from the restaurant which is both within the air and the fat and liquids that result from delivery and removal of waste become ingrained into the carpets, balustrades and finishes to the staircase.

- Fire Safety - the operatives on the ground floor will regularly “wedge open” fire doors on to the staircase from their ground floor kitchen with fire extinguishers from their premises to ease the ventilation deficiencies in their areas and /or for deliveries of food and removal of waste. This creates a serious breach of the fire regulations and affects the safety of our occupation of our offices as the staircase ceases to be a protected means of escape. This staircase serves as one of the two means of escapes from our first and second floors above and where our 90 staff are located.

Apart from the fire contravention issue, the wedging of the doors also exacerbates the unpleasant smells, as it allows the smells to percolate from the restaurants back of house areas up the protected means of escape staircase and penetrate on to our office floors, resulting in complaints from our staff.

- Fire Safety. The restaurant operators also wedge open the external secure fire exit door to the rear car park by either using a piece of wood or by turning the snib lock on the lock to prevent it shutting. Despite being told not to do it, and shutting the floor and removing and disposing of the piece of wood we are ignored. The reason behind doing this is the operatives on the ground floor do this for deliveries, removal of food waste and for going outside to smoke or to have their work breaks outside within the car park and do this so as to not need to use the keycode number lock to re-enter the building. This can remain wedged for hours and only becomes shut when we do it.

In the event of a fire resulting from the ground floor restaurant and with a wedged open door, the wedging of the rear door would simply fuel the fire into the remaining areas and prevent the rear escape staircase being used by our staff. This is a serious issue given the fire door from their kitchen can also be wedged open at the same time.

- Safety of individuals and security. After our office staff leave the premises, the office cleaner arrives and works in our premises on her own. Our cleaner is in the building during the opening hours of the fish and chip shop. Whilst she works, her safety is placed at risk during the evening because of their continued wedging of the doors resulting in the risk that someone could enter the building and come up to our floors placing our cleaner’s safety and our business security at risk.

The seriousness of this has become even more serious at times , when on a number of occasions when our property is not used at weekends, that we have experienced that the door to the rear car park has not been closed at all and when the restaurant shift has been completed late evening ,that the rear door remains wedged open overnight until our staff arrive on Monday morning at 7am the following morning or a couple of days later. For us this is a major breach of security and seriously detrimental to our business.

- Environmental health. We have experienced that fresh fish deliveries have frequently been arriving between 8am and 9 am in the morning. Restaurant staff do not arrive until between 11 am and 12 noon. The fresh fish is then left by the supplier behind our rubbish bins outside until the kitchen staff arrive. We have made representation to EFDC Environmental Health in connection with this and to date have not received a response. This we see as an issue for both the food standards as well as the risk of increase rodent infestation in our and any adjacent domestic premises.
- Overflowing food refuse bins – the fish and chip shop refuse bins are often not able to be closed because they are overfull. This results in further smells and a further risk of rodent infestation in our and adjacent domestic premises.
- Using the pavement area to provide bright red rope boundary definitions for the fish and chip shop. Over the last period these rope boundaries are now being left on the Pavements owned by the Council. These are immediately outside our front door of our offices. Anyone who has decided to place these here have a complete disregard of the occupiers of adjoining properties. Not only have they significantly harmed our rear entrance, they are now trying to do the same to our front entrance. It will not be long before there will be tables and chairs in front of our front door also. This is totally unacceptable, and we ask that the council enforces its removal as it is not land that either the Landlord (Riverway Foods) nor the Tenant (Captain Tom/Barbarossa) has a right to use but once more harms our business.

The above items are all examples and are atypical of extremely poor care and consideration by the restaurants operators to its neighbours and demonstrating no regard or respect to adjoining occupiers or adjacent residential properties. For Epping Forest District Council to even consider approving something which will result in a further substantial deterioration of the environment for existing occupiers must surely result in this application being refused by Epping Forest District Council.

Whilst accepting that Epping Forest District Council may not be able to consider all of the content noted above, due to the restrictions under the Act for which an affected party is able to comment, we do feel that consideration to the present operation and management

challenges that we are experiencing on a day-to-day basis cannot and should not be ignored by Epping Forest District Council.

In reference to Epping Forest District Councils notice, and making specific reference to the areas that we are allowed to comment, we comment as follows.

1. Extending the bar hours of opening and thereby selling more alcohol and allowing for it to be consumed both within and outside the premises is only going to exacerbate the risks of poor management and control that are already being experienced and that are set down above.
2. Allowing the restaurant to become an Alcohol retailer from 11.30 AM until 11.00 PM Sunday to Thursday and 23.00 -00.30 on Friday to Saturday. The approval to this will result in the surrounding areas becoming a gathering place and destination for many people and one assumes it will particularly become attractive for particular local gangs or groups for afterhours drinking which will inevitably result in greater disturbance and damage to property of those immediate neighbours affected.

Our private car parking facility to the rear of our building which accommodates 30 spaces overall will simply become a large gathering point and “track” and no doubt will result in broken glasses, bottles, and anything else intended to be sold for off-site consumption to be left or thrown to the ground in our car park. This will not be acceptable to our business. The attraction of this space will result in the residential properties suffering greatly also particularly through rubbish and noise amassing in the area.

We are also concerned that our front door facing the high street which is recessed and adjacent to the Barbarossa fish and chip shop/ restaurant/off license will become a gathering point and no doubt a urinal for those who have had too much to drink and with no access to proper facilities late at night. This will be terrible for our business and will also be a public nuisance.

The comment that the selling of alcohol will be for selling with food only provides no protection whatsoever. Ordering a portion of chips to go with your 6 pints of beer is a way of simply trying to deceive and conceal the true outcome. Adding the word “food” provides no protection whatsoever.

Summary

Any consideration that could suggest that increasing the licensing hours and the provision of an extended hours off license is not going to impact the level of crime or disorder or have a positive impact upon public safety is being totally unrealistic !

We also cannot believe how the creation of an extended hours drinking destination both inside or outside, the restaurant/chip shop, to the car park areas facing on to the High Street or to Buttercross Lane or our car park are going to do anything but increase public nuisance both to us and the surrounding residential area.

We have had a 60-year commitment to Epping which has been (apart from the circumstances we have experienced in the last couple of years) good. However, since the approval by Epping Forest District Council for the change of use of the ground floor retail banking unit to Sui Generis which allowed the current Fish and Chip restaurant to operate, our previous positive position has declined rapidly.

The circumstances we are now presented with as a business are significantly different and with the knowledge that the circumstances could soon become even worse. There will be a point where we will consider enough is enough and whether Epping is still able to provide the appropriate environment and support for our business to remain, grow and flourish and to continue to attract the right staff to our offices.

This position is currently in doubt and if Epping Forest District Council were to approve this license then the doubt will simply increase further which from the Partnerships perspective will be a great shame given our mutual history. However our decision making is after all of these years no longer within our control but is with Epping Forest District Council . If Epping Forest District Council are not able or disinclined to make the correct decision then regrettably our long-term history with Epping may come to an end.

We would like to reiterate that we confirm that we are strongly opposed to this application and ask that it be refused

Debbie Houghton

From: Charlie Biss <[REDACTED]>
Sent: 16 February 2023 17:40
To: Licensing
Subject: FW: 275 High Street, Epping. Licencing Application.

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.

I write on behalf of an Epping resident, Harry Grimleys, and wish to make the following objections to the proposal for an extension of the licencing hours.

- a) It will generate further harm the residential amenity of the neighbouring residential properties. The consent granted in 2021, PL/EPF/1245/21, specifically states that the operating hours should be restricted.....*to minimise disturbance to local residents in accordance with policies RP5A, DBE9, DBE21 and the NPPF.*
- b) It will further encourage on street drinking, both in the High Street and surrounding areas.

Your sincerely

Charles Biss
[REDACTED]

Debbie Houghton

From: Charlie Biss <[REDACTED]>
Sent: 21 February 2023 17:25
To: Debbie Houghton
Subject: RE: 275 High Street, Epping. Licencing Application.

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.

Hi Debbie – thanks for your note.

I can confirm that the information you have asked for is:

Harry Grimleys, [REDACTED] Theydon Bower, Bower Hill, Epping, Essex [REDACTED]

Regards,

Charlie.

From: Debbie Houghton <dhoughton@eppingforestdc.gov.uk>
Date: 21 February 2023 at 07:59:40 GMT
To: Charlie Biss <[REDACTED]>
Subject: RE: 275 High Street, Epping. Licencing Application.

Good morning,

Thank you for your email, in order to accept this as a valid representation we will need to know the details of the objector Harry Grimleys, such as his full address as a copy of the representation of objection will be forwarded to the agent/applicant as a legal requirement under the Licensing Act 2003, if Mr Grimleys does not want to provide this information then he has the right to withdraw his representation of objection.

The application is going to a Licensing Sub Committee hearing to be determined as a result of other representations received, please can you advise asap Mr Grimleys decision,

Regards
Debbie

*Miss Debbie Houghton
Licensing Officer
Licensing Team,
Commercial and Regulatory Directorate
Tel: 01992 564336 Mobile 07704073743 remotely working until further notice
E-mail: dhoughton@eppingforestdc.gov.uk
My working days are Tuesday, Wednesday and Thursday,*

From: Charlie Biss [REDACTED]
Sent: 16 February 2023 17:40
To: Licensing <Licensing@eppingforestdc.gov.uk>
Subject: FW: 275 High Street, Epping. Licencing Application.

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2. It will further encourage on street drinking, both in the High Street and surrounding areas.

Your sincerely

Charles Biss
[REDACTED]

Epping Forest District Council
www.eppingforestdc.gov.uk



Safer spaces is a council-led programme to help kickstart the local economy and reopen high streets in the Epping Forest district [Click Here to have your say on social distancing and safer spaces](#)