

## **J26 – Application to vary the premises licence**

### **Bundle for hearing on the 13<sup>th</sup> May 2021**

- Application for the variation of the premises licence
- Copy of current licence (excluding mandatory conditions)
- Plan of the premises
- Blue Notice
- Newspaper advert
- Objection from Essex Police
- Objection from Waltham Abbey Town Council
- Response from Essex County Fire & Rescue Service
- Photos from officers site visit on 26/03/21
- Map of the area

# Application for the variation

## Application to vary a premises licence under the Licensing Act 2003

### PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form. If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.

You may wish to keep a copy of the completed form for your records.

I/We Nick Thompson

*(Insert name(s) of applicant)*

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

#### Premises licence number

LN210005085

#### Part 1 – Premises Details

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

J26 Diner  
Skillet Hill Farm  
Honey Lane

Post town	Waltham Abbey	Postcode	EN9 3QU
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Telephone number at premises (if any)

Non-domestic rateable value of premises £ 39,250.00

#### Part 2 – Applicant details

Daytime contact telephone number	[REDACTED]		
E-mail address (optional)	[REDACTED]@aol.com		
Current postal address if different from premises address			
Post town		Postcode	



**Part 4 Operating Schedule**

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

**Provision of regulated entertainment (Please see guidance note 3) Please tick all that apply**

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment (if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performances of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H)

**Provision of late night refreshment** (if ticking yes, fill in box I)

**Supply of alcohol** (if ticking yes, fill in box J) x

**In all cases complete boxes K, L and M**

J

Supply of alcohol Standard days and timings (please read guidance note 8)			Will the supply of alcohol be for consumption – please tick (please read guidance note 9)	On the premises	<input checked="" type="checkbox"/>	
Day	Start	Finish		Off the premises	<input type="checkbox"/>	
Mon	12	23	<b>State any seasonal variations for the supply of alcohol</b> (please read guidance note 6)	Both	<input type="checkbox"/>	
Tue	12	23				
Wed	12	23				
Thur	12	23		<b>Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list</b> (please read guidance note 7)		
Fri	12	23				
Sat	12	23				
Sun	12	23				

K

<p><b>Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children</b> (please read guidance note 10).</p> <p>None</p>
--

L

<b>Hours premises are open to the public</b> Standard days and timings (please read guidance note 8)			<b>State any seasonal variations</b> (please read guidance note 6)
Day	Start	Finish	
Mon	6	23	<b>Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list</b> (please read guidance note 7)
Tue	6	23	
Wed	6	23	
Thur	6	23	
Fri	6	23	
Sat	6	23	
Sun	6	23	

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

We seek to remove the condition limiting 40 people and increase to 150. Due to Covid we have increased our tables outside and from 12<sup>th</sup> April we can serve the drivers on plates and we expect most to want to sit down to eat as they have been on take away dinners for long time.

**M** Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

**a) General – all four licensing objectives (b, c, d and e) (please read guidance note 11)**

1. The Licensee, that is the person in whose name the premises licence is issued, shall ensure that all times when the premises are for any licensable activity, there are sufficient competent staff on duty at the premises for the purpose of fulfilling the terms and conditions of the licence and for preventing crime and disorder. The Licensee shall ensure that all staff will undertake training in their responsibilities in relation to the sale of alcohol, particularly with regard to drunkenness and underage persons.

**b) The prevention of crime and disorder**

1. Any incidents of a criminal nature that may occur on the premises will be reported to the Police.  
We have CCTV coverage at the premises and it is operated and maintained at the premises.

**c) Public safety**

Appropriate fire safety procedures are in place including fire extinguishers (foam, H2O and CO2), fire blanket. All appliances are inspected annually.

All emergency exits shall be kept free from obstruction at all times.

**d) The prevention of public nuisance**

1. All customers will be asked to leave quietly.

**e) The protection of children from harm**

1. We do not have children on the site.
2. The licensee and staff will ask persons who appear to be under the age of 25 for photographic ID such as proof of age cards.

All staff will be trained for UNDERAGE SALES PREVENTION regularly.

**Checklist:**

**Please tick to indicate agreement**

- I have made or enclosed payment of the fee; or
- I have not made or enclosed payment of the fee because this application has been made in relation to the introduction of the late night levy.
- I have sent copies of this application and the plan to responsible authorities and others where applicable.
- I understand that I must now advertise my application.
- I have enclosed the premises licence or relevant part of it or explanation.
- I understand that if I do not comply with the above requirements my application will be rejected.

**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.**

**Part 5 – Signatures** (please read guidance note 12)

**Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent** (please read guidance note 13). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	10/3/21
Capacity	

**Where the premises licence is jointly held, signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent** (please read guidance note 14). **If signing on behalf of the applicant, please state in what capacity.**

Signature	
Date	
Capacity	



Copy of current licence (excluding mandatory conditions)

**PREMISES LICENCE**

**Part A**



Premises licence number:

LN/210005127

**Part 1 – Premises details:**

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

J26 Diner  
Honey Lane

Post Town: Waltham Abbey      Post code: EN9 3QU

Telephone number: 01992 809 100

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

Licensable activities authorised by the licence:  
Supply of Alcohol

The times the licence authorises the carrying out of licensable activities:  
Monday to Sunday 12:00 – 23:00

The opening hours of the premises:  
Monday to Sunday 06:00 – 23.00

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

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

Nick Thompson  
■ Connaught Hill  
Loughton  
Essex  
IG10 4DU  
[REDACTED]

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

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

Nick Thompson  
■ Connaught Hill  
Loughton  
Essex  
IG10 4DU  
[REDACTED]

Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol: Epping Forest District Council LN/210005085

**Annex 2 – Conditions consistent with the Operating Schedule:**

**The Prevention of Crime and Disorder.**

- The site will have closed circuit TV
- The site will have security fencing in place
- Under 18's will not be allowed to use the café rest facilities.

**Public Safety**

- The Premises will restrict the number of customers to 40 at any one time.
- All fire safety equipment is to be regularly checked and maintained as per the manufacturer's recommendations.

**Prevention of Public nuisance**

No conditions identified

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**The Protection of children from harm**

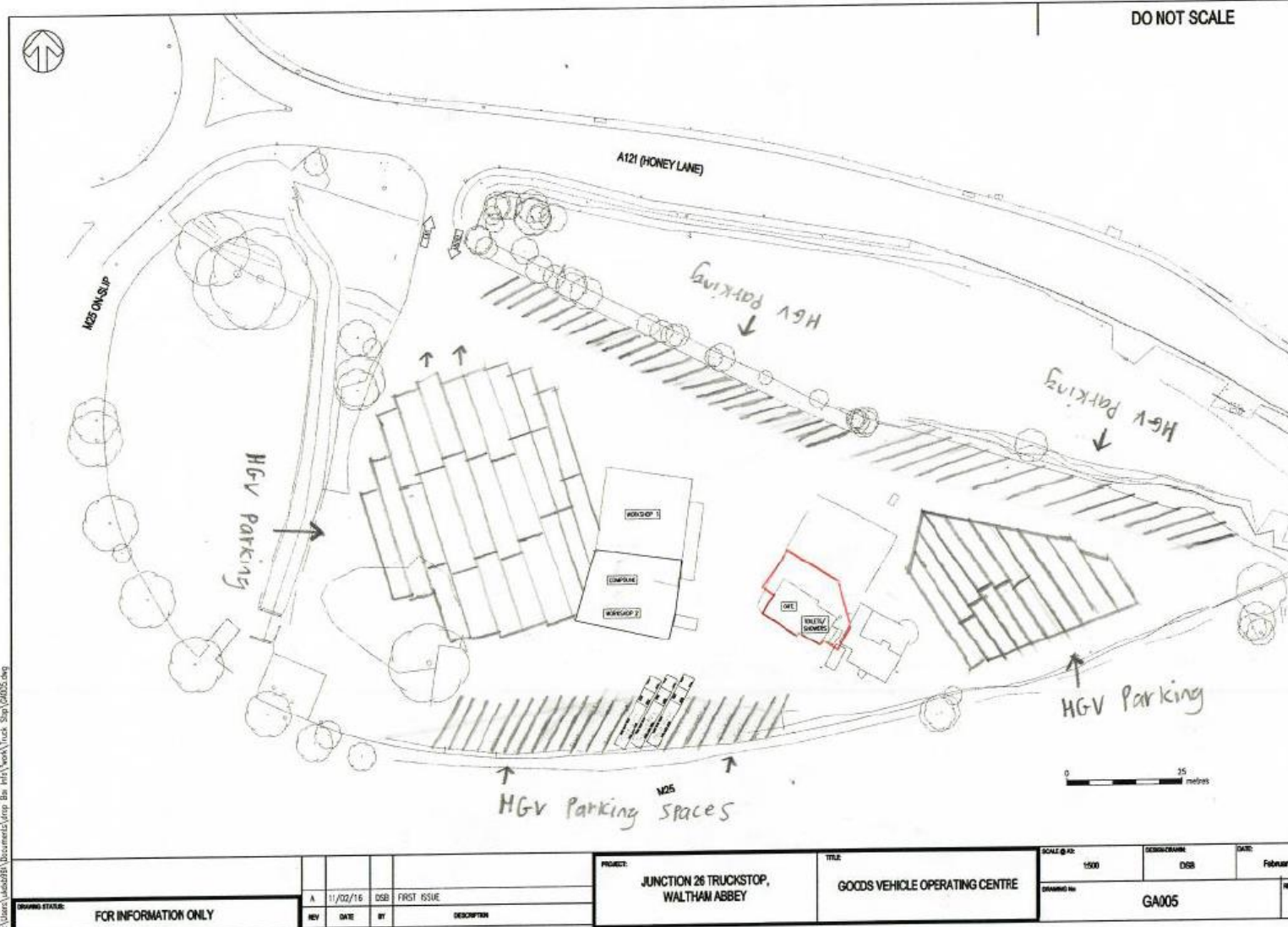
- Children under the age of 18 years old are not permitted on the site.
- The Challenge 21 scheme has been adopted to ensure that alcohol will not be sold on the premises to those under the age of 18 years. Only approved proof of age identification will be accepted, such as a passport, photo driving licence and a pass accredited card.

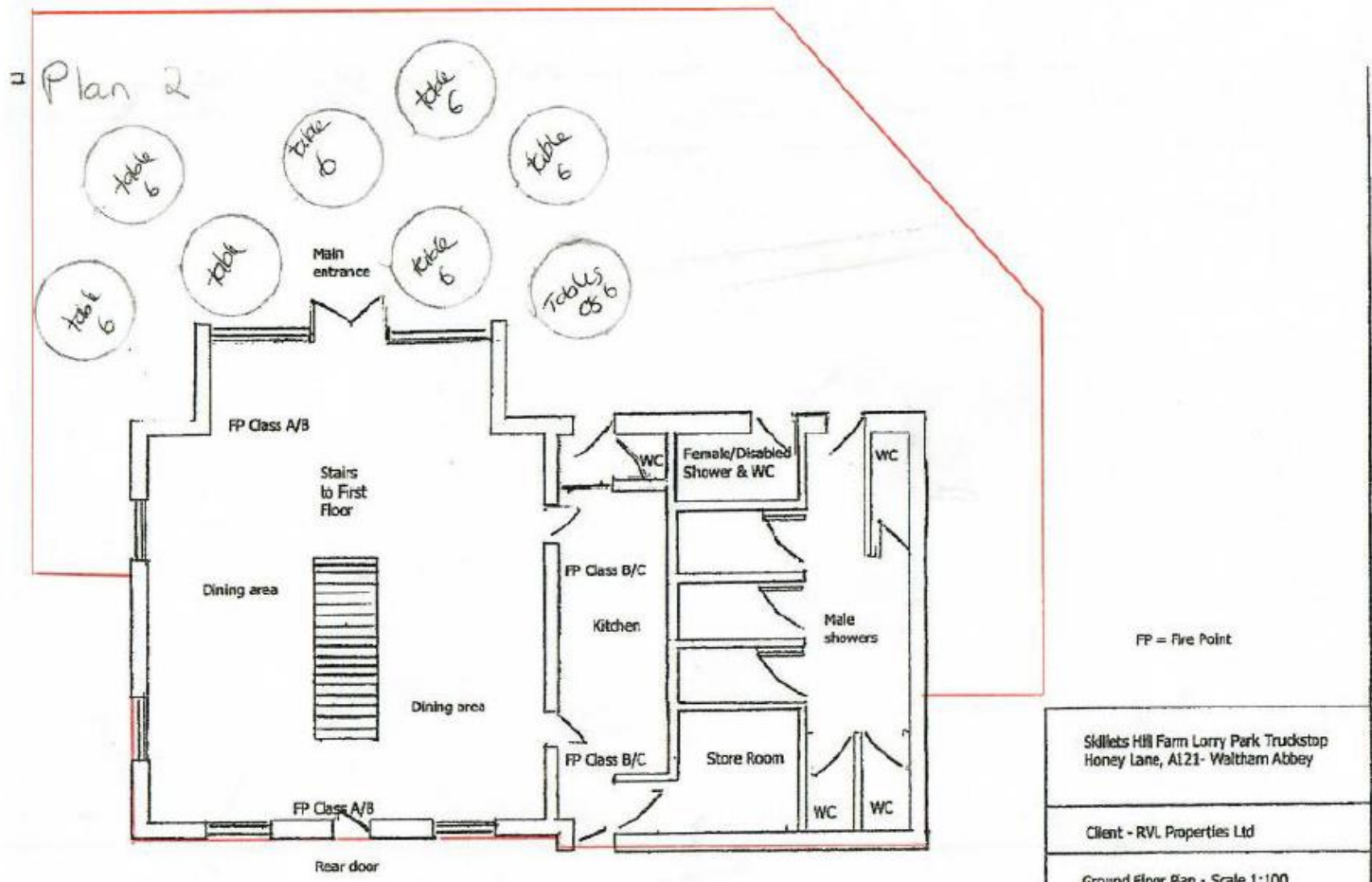
**Annexe 3 – Conditions attached after a hearing by the licensing authority:**

Refused at Licensing Sub-committee on 6<sup>th</sup> August 2009

Granted at Essex Magistrates Court 1<sup>st</sup> & 3<sup>rd</sup> February 2010  
Case number 0900463805

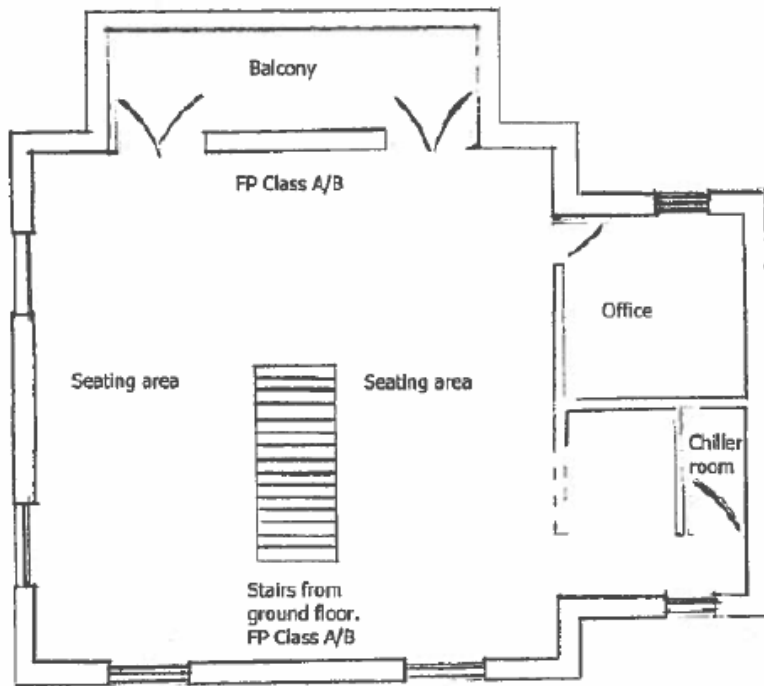
# Plan of the premises





Ground Floor Plan - Rest Facilities

Sidlets Hill Farm Lorry Park Truckstop Honey Lane, A121- Waltham Abbey
Client - RVL Properties Ltd
Ground Floor Plan - Scale 1:100
Doc - Version GF1.0
RVL Design Team - 15/06/2009



First Floor Plan - Rest Facilities

FP = Fire Point

Skillets Hill Farm Lorry Park Truckstop  
Honey Lane, A121- Waltham Abbey

Client: RVL Properties LTD

First Floor Plan - Scale 1:100

Doc - Version 1st fl.0.

RVL Design Team - 15/06/2009

## Copy of blue notice

### Notice of application for a full variation to a premises licence under the Licensing Act 2003

Notice is given this day 18/03/21 that *Nick Thompson of Connaught Hill, Loughton, Essex, IG10 4DU* has applied to the Licensing office at Epping Forest District Council for a full variation on the Premises Licence in respect of *J26 Diner, Skillet Hill Farm, Honey Lane, Waltham Abbey, Essex, EN9 3QU*

The proposed variation looks to:

- Remove a condition imposed on the current premises licence under Annex 2, which restricts the number of customers to 40 at any one time.
- Increase the limit of people to 150 to sit both inside and out.

The register of licensed premises is maintained at the Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ.

Applications for premises licences may be inspected at this office during office hours. Anyone wishing to oppose this application must give written notice to the Licensing Office within 28 days of this notice.

It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000)

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Any item any price free online

**Public Notices**

**Notice of application for a full variation to a premises licence under the Licensing Act 2003**

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The proposed variation looks to:

- Remove a condition imposed on the current premises licence under Annex 2, which restricts the number of customers to 40 at any one time.
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It is an offence knowingly or recklessly to make a false statement in connection with an application which could lead to a fine on summary conviction (maximum £5000)

**LICENSING ACT 2003 APPLICATION TO VARY A PREMISES LICENCE**

I, Kat Harter of Ware Town Council, hereby give notice that I have applied for the VARY for a Premises Licence in respect of Ware Diner as follows:

**LICENSING ACT 2003 NOTICE OF APPLICATION FOR VARIATION OF A PREMISES LICENCE**

Notice is hereby given that Michelle Davis intends to apply for a variation of a Premises Licence in respect of premises known as the Coach 61 Newgate Street Village, New Hertford, SG13 8RA. The proposed variation is as follows:- 1. To vary the licensing plan in accordance with the accompanying drawing which accompanies the application to permit the sale of alcohol outside bar service; 2. Extend the hours to allow the premises to be open daily from 08:00 to 01:00; 3. Permit late night refreshment on Monday to Thursday from midnight, and on Friday & Saturday from 23:00 to 01:00; 4. Add non-alcohol refreshment as a condition of the application; 5. Remove certain Annex 2 conditions and add new conditions as detailed in the application. A copy of the application can be inspected at the Licensing Office, Welwyn Hatfield Council, Council Offices, T1 Welwyn Garden City, AL8 1JF, normal office hours. 01707 777777 [licensing@welhat.gov.uk](mailto:licensing@welhat.gov.uk)

This application was lodged with Welwyn Hatfield Borough Council on 23/03/21. Any representations must be made to Welwyn Hatfield Borough Council at the above address no later than 10:00am on 29/03/21. It is an offence under Section 139 of the Licensing Act 2003 to make a false statement in or in connection with an application. Those who make a false statement may be liable on conviction to a fine of any amount not exceeding £5,000.

Dated 24/03/21  
 Filed Bishop LLP,  
 St. Michael's Court, St. Michael's DE1 3HQ Solicitors for the Applicant

**LICENSING ACT 2003 NOTICE OF APPLICATION FOR VARIATION OF A PREMISES LICENCE**

Notice is hereby given that Michelle Davis intends to apply for a variation of a Premises Licence in respect of premises known as the Coach 61 Newgate Street Village, New Hertford, SG13 8RA. The proposed variation is as follows:- 1. To vary the licensing plan in accordance with the accompanying drawing which accompanies the application to permit the sale of alcohol outside bar service; 2. Extend the hours to allow the premises to be open daily from 08:00 to 01:00; 3. Permit late night refreshment on Monday to Thursday from midnight, and on Friday & Saturday from 23:00 to 01:00; 4. Add non-alcohol refreshment as a condition of the application; 5. Remove certain Annex 2 conditions and add new conditions as detailed in the application. A copy of the application can be inspected at the Licensing Office, Welwyn Hatfield Council, Council Offices, T1 Welwyn Garden City, AL8 1JF, normal office hours. 01707 777777 [licensing@welhat.gov.uk](mailto:licensing@welhat.gov.uk)

## Objection from Essex Police

Objection : EPP EXTERNAL - RE: J26 Diner, EN9 3QU - premises lice...



Licensing Epping and Brentwood <licensing.epping.and.brentwood@essex.gov.uk>  
To Hannah Gould



15/04/2021

You replied to this message on 15/04/2021 14:15.

**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.**

Good afternoon Hannah ,

I have awaited the outcome of the TENS for J26 before highlighting Essex Police concerns my objections are under Crime & disorder , Public safety .

- Sun 30 Aug 2020 17:3hrs - Police were called to an unlicensed music event at the location with 100 people in attendance . Officers discovered that people were dancing in the car park and there was signs of drug abuse . DPS presented Police with Public performance licence (Civil Licence to permit music to be played and not impact on copy right )The premises car park is not licensed, and no TEN was completed by the premises .EFDC informed and warning letter sent to DPS.
- This venue is a Truck Stop and it is felt that at the weekend should the licence be varied that having 150 people attending the outside area is of concern .
- The outside area marked and photographs does not provide any protection for customers ( traffic cones noted as currently being used )
- The limits currently set at 40 people had been set by magistrates previously as appropriate.
- Nothing has changed to the fabric of the building i.e building extensions that would support a 375% increase people permitted to attend .
- Conversation held with the applicant , they want to try and develop the site particularly at weekends . It is Essex Police view point that this would become a regular crime & disorder hotspot given the previous incident in August 2020.
- Essex Police do not wish to have the outside area licensed, current conditions are appropriate for this location.

Thank you



**Ronan McManus (80692)**

County Licensing Officer

101 (Ext: 406363)

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



## Objection from Waltham Abbey Town Council

**From:** Jodie Law <[REDACTED]@walthamabbey-tc.gov.uk>

**Sent:** 15 April 2021 09:27

**To:** Hannah Gould <hgould@eppingforestdc.gov.uk>

**Subject:** RE: J26 Diner, EN9 3QU - premises licence full variation application - responsible authorities & Cllrs

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Dear Hannah,

The own Council wishes to object to this application on the basis of the following objectives:

- The prevention of Crime and Disorder
- Public Safety
- The Prevention of Public Nuisance

The councillors wished for the licence to remain as it currently is.

The reasons they gave were that the change of use would promote anti-social behaviour (there were illegal raves on site during the lockdown and they have just had a large scale event TEN declined) and that the vehicular access to the site is not only right on top of the M25 junction which would increase congestion at what is already a very busy junction and also there lack of parking means that visitors to site would be parking on local access roads which cause issues for residents of those roads.

Kind regards

Jodie Law  
Town Clerk  
Waltham Abbey Town Council  
Town Hall  
Highbridge Street  
Waltham Abbey  
EN9 1DE

## Response from Essex County Fire & Rescue Service

RE: J26 Diner, EN9 3QU - premises licence full variation application ...



Joanna Lisowska-Dyer <[REDACTED]@essex-fire.gov.uk>

To Hannah Gould



29/03/2021

TO DO

You replied to this message on 31/03/2021 11:46.

Good Afternoon Hannah,

Thank you for your email regarding J26 Diner premises licence variation application.

I just wanted to share a comment in relation to number of people in the premises from the fire safety perspective.

We will **not be making representation** in relation to this application, however we would like to add the following comment:

*Upon receiving clarification from the premises owner/responsible person regarding capacity and opening direction of exit doors, number of **people inside the premises** should be restricted to maximum **60 persons** at any one time ( including staff and customers ). Our recommendation for responsible person is to establish appropriate mechanism of control the occupancy numbers inside the premises.*

If there are any questions in relation to the above comment, please do not hesitate to contact me on my mobile [REDACTED]

The license letter will be actioned in due course.

Kindest Regards

Joanna Lisowska-Dyer  
Fire Safety Officer  
Protection-South West  
Mobile: [REDACTED]

South West Area Command  
Essex County Fire and Rescue Service  
Basildon & Brentwood Service Delivery  
Fire Station  
Broadmayne  
Basildon  
SS14 1EH



Essex County  
Fire & Rescue Service

Jo Turton  
Chief Fire Officer / Chief Executive



Nick Thompson  
J26 Diner  
Skilletts Hill Farm  
Honey Lane  
Waltham Abbey  
Essex  
EN9 3QU

South West Group Service Delivery Point  
Basildon Fire Station  
Broadmayne  
Basildon  
SS14 1EH

Enquiries to: Joanna Lisowska-Dyer  
Fire Safety Officer

[southwestgroupsdp@essex-fire.gov.uk](mailto:southwestgroupsdp@essex-fire.gov.uk)

Our Ref: 68575  
Date: 29<sup>th</sup> of March 2021

Dear Sir,

**LICENSING ACT 2003**  
**THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**  
**Premises: J26 Diner, Skilletts Hill Farm, Honey Lane, Waltham Abbey, Essex, EN9 3QU**

Receipt is acknowledged of the above consultation(s), which will be audited by the Essex Police, Fire and Crime Commissioner Fire and Rescue Authority.

Should there be any significant concerns regarding the application(s) you will be notified in due course.

Please quote our reference number in any future correspondence.

Yours faithfully

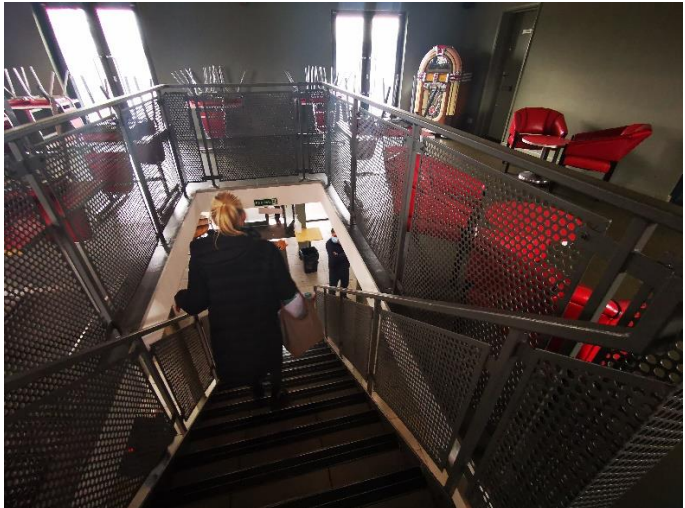


Joanna Lisowska-Dyer  
Protection

Our vision is to make Essex a safe place to live, work and travel

ECFRS/V9  
L1

Photos from officer site visit on 26/03/21





Map of the area

