

# PREMISES LICENCE

## Part A



Corporate  
Support Services

Premises licence number:

LN/000000352

### Part 1 – Premises details:

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

Il Bacio  
19B Forest Drive, Theydon Bois, Epping, Essex, CM16 7EX

Post Town: Post code: CM16 7EX

Telephone number:

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

Licensable activities authorised by the licence:

Sale of Alcohol

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

Monday to Sunday 11.00 to 23.00

The opening hours of the premises:

Monday to Sunday 11.00 to 23.00

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

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

Mr Luigi Funedda  
19B Forest Drive, Theydon Bois, Epping, Essex CM16 7EX

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

N/A

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

**Mrs Andreea Michela Mosteanu**

[Redacted]

**Personal licence number and issuing authority of personal licence held by designated premises supervisor where the premises licence authorises for the supply of alcohol:**

[Redacted]

## **Annex 1 – Mandatory conditions:**

1. No supply of alcohol may be made under the premises licence:-
  - a) at a time when there is no designated premises supervisor in respect of the premises licence, or
  - b) at a time when the designated premises supervisor does not hold a personal licence or when the designated supervisor has a licence suspended
2. Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence (see section 19 Licensing Act 2003)
3. Where a condition applies requiring a person to carry out a security activity at the premises, those individuals must be licensed by the Security Industry Authority (see section 21 Licensing Act 2003)
4. Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film is to be restricted in accordance with section 20 Licensing Act 2003.

**Conditions 5, 6, 7 and 9 do not apply to premises licences where it authorises only the sale by retail off the premises.**

5.—(1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children—

(a) games or other activities which require or encourage, or are designed to require or encourage, individuals to—

- (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
- (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

(b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);

(c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;

(d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on—

- (i) the outcome of a race, competition or other event or process, or

(ii) the likelihood of anything occurring or not occurring;  
(e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

6. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).

7. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.

8.—(1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.

(2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.

9. The responsible person shall ensure that—

(a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures—

(i) beer or cider: ½ pint;

(ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and

(iii) still wine in a glass: 125 ml; and

(b) customers are made aware of the availability of these measures.

For the purposes of these conditions a responsible person is

- the holder of a premises licence in respect of the premises,
- the designated premises supervisor (if any) under such a licence, or
- (any individual aged 18 or over who is authorised for the purposes of this section by such a holder or supervisor,

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

### **The Prevention of Crime and Disorder.**

- The Premises Licence Holder will install CCTV which follows DCMS guidelines; the cameras will cover all licensed areas of the premises.
- The system will record for 31 days at a time and all recording will be made available to the police upon request, the system will be monitored by a trained member of staff.
- Signage will be in place to inform the public that CCTV is in operation.
- There will be a Personal Licence holder on the premises throughout the time that licensable activity is taking place to authorise any sales of alcohol.
- All alcohol sales will be ancillary to a full table meal.

### **Public Safety**

- All public areas will be monitored by CCTV to ensure there are no risks to health and safety.
- The DPS will be responsible for health and safety risk assessment checks and will ensure that suitable public notices are on display.
- The Premises Licence Holder and DPS will ensure that the premise operates and adheres to the existing health and safety legislation.

### **Prevention of Public nuisance**

- The Premises Licence holder and DPS will be responsible for ensuring that the premises do not cause any nuisance to the local residents, other business operators or the general public.
- They will monitor the external areas of the premises in relation to public nuisance or antisocial behaviour.
- Deliveries and rubbish collections will only take place during normal business hours and are at the rear of the premises.
- The DPS and Premises Licence holder will make available to the police any antisocial behaviour CCTV recordings.
- All alcohol sales will be ancillary to a full table meal.

### **The Protection of children from harm**

- The Premises Licence holder and DPS will ensure that all staff are fully trained in relation to Challenge 25 and the licensing objectives.
- The Premises Licence holder and DPS will ensure that a refusal book will be kept on the premises for inspection by the authorities all necessary signage will be displayed with regard to Challenge 25 and the fact that No ID No Sale policy is in place.

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

N/A

**Annexe 4 – Plans:**

Plans held at Epping Forest District Council

\* required information

**Section 1 of 17**

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

Not Currently In Use

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

Your reference

ntadtheydon

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

MR LUIGI

\* Family name

FUNEDDA

\* E-mail

[REDACTED]

Main telephone number

[REDACTED]

Include country code.

Other telephone number

[REDACTED]

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

NOEL

\* Family name

SAMAROO

\* E-mail

info@ntad.co.uk

Main telephone number

[REDACTED]

Include country code.

Other telephone number

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

Are you:

An agent that is a business or organisation, including a sole trader

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

A private individual acting as an agent

### Agent Business

\* Is your business registered in the UK with Companies House?

Yes

No

\* Is your business registered outside the UK?

Yes

No

\* Business name

NTAD CONSULTANTS

If your business is registered, use its registered name.

\* VAT number

-

NONE

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

\* Legal status

Sole Trader

\* Your position in the business

CONSULTANT

Home country

United Kingdom

The country where the headquarters of your business is located.

Continued from previous page...

### Agent Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

* Building number or name	<input type="text" value="2"/>
* Street	<input type="text" value="SPRINGFIELD ROAD"/>
District	<input type="text"/>
* City or town	<input type="text" value="CRAWLEY"/>
County or administrative area	<input type="text" value="WEST SUSSEX"/>
* Postcode	<input type="text" value="RH11 8AD"/>
* Country	<input type="text" value="United Kingdom"/>

## Section 2 of 17

### APPLICATION DETAILS

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

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

\* Premises Licence Number

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

Address     OS map reference     Description

### Postal Address Of Premises

Building number or name	<input type="text" value="IL BACIO"/>
Street	<input type="text" value="19B FOREST DRIVE"/>
District	<input type="text" value="THEYDON BOIS"/>
City or town	<input type="text" value="EPPING"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text" value="CM16 7EX"/>
Country	<input type="text" value="United Kingdom"/>

### Premises Contact Details

Telephone number	<input type="text" value="REDACTED"/>
Non-domestic rateable value of premises (£)	<input type="text" value="18,000"/>

## Section 3 of 17

### VARIATION

Continued from previous page...

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

Yes  No

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

Yes  No

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

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

#### Describe Briefly The Nature Of The Proposed Variation

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

- a) TO INCLUDE THE FRONT and SIDE TERRACE OF THE RESTAURANT TO COME WITHIN THE AREA FOR LICENSABLE ACTIVITY.  
b) TO UPDATE THE EXISTING LICENSING PLAN TO REFLECT THE ADDITIONAL LICENSABLE AREA.

#### Section 4 of 17

##### PROVISION OF PLAYS

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

Yes  No

#### Section 5 of 17

##### PROVISION OF FILMS

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

Yes  No

#### Section 6 of 17

##### PROVISION OF INDOOR SPORTING EVENTS

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

**Section 7 of 17**

**PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS**

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

Yes

No

**Section 8 of 17**

**PROVISION OF LIVE MUSIC**

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

Yes

No

**Section 9 of 17**

**PROVISION OF RECORDED MUSIC**

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

Yes

No

**Section 10 of 17**

**PROVISION OF PERFORMANCES OF DANCE**

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

Yes

No

**Section 11 of 17**

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

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

Yes

No

**Section 12 of 17**

**PROVISION OF LATE NIGHT REFRESHMENT**

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

Yes

No

**Section 13 of 17**

**SUPPLY OF ALCOHOL**

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

Yes

No

Continued from previous page...

### Standard Days And Timings

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

Will the 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.

ON THE FRONT AND SIDE TERRACE THIS AREA IS OWNED BY THE PREMISES LICENCE HOLDER AND IS FULLY INCLUDED ON THE LEASE OF THE PREMISES.

Continued from previous page...

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

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

**Section 14 of 17**

**ADULT ENTERTAINMENT**

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

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

NONE

**Section 15 of 17**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

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

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

Continued from previous page...

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.

FRONT AND SIDE TERRACE AREA

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

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

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

I have enclosed the premises licence

I have enclosed the relevant part of the premises licence

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

## Section 16 of 17

### 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.

**Continued from previous page...**

The Premises Licence Holder and DPS are not seeking any additions to the licence originally granted by the committee but only to correct an oversight on the original application. However they are aware of the potentially sensitivity of this application and have therefore in asking for this application to be considered they are also offering additional conditions to the existing conditions to add comfort to their friends and neighbors. these can be viewed under the PREVENTION OF PUBLIC NUISANCE.

b) The prevention of crime and disorder

c) Public safety

d) The prevention of public nuisance

1. The premises licence holder shall ensure that any patrons eating, drinking and/or smoking outside the premises do so in an orderly manner and are supervised by staff so as to ensure that there is no public nuisance or obstruction of the public highway. A member of staff be stationed outside on the front terrace when in use from the hour of 21.30 until all customers have left the premises. This would help remind customers should it be necessary to keep their voices down and when leaving to do so leave quietly and be respectful of our neighbors.
  2. At Present the terrace will hold 20 diners this can be restricted to a max 14 seated diners this will keep any chatter noise down to a more reasonable level.
  3. At present there is no restriction on the number of Smokers this can also be limited to 5 at any one time this will also help to keep any chatter to a minimum.
  4. The outside seating area to be clear of customers by 23.00
  5. No food or drink to be consumed on the patio area after 23.00
- 6 We have made an agreement with a local taxi company and have instructed them in a pick-up and set down policy. No double Parking no beeping of horns and to call the restaurant when 5mins from pick up to reduce waiting times

e) The protection of children from harm

**Section 17 of 17**

**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.



**Continued from previous page...**

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

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

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £8700 £315.00

Band D - £87001 to £12500 £450.00\*

Band E - £125001 and over £635.00\*

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

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

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

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

190.00

**ATTACHMENTS**

**AUTHORITY POSTAL ADDRESS**

**Address**

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

**DECLARATION**

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

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

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

\* Full name

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*Continued from previous page...*

\* Capacity

Date (dd/mm/yyyy)

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Add another signatory

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

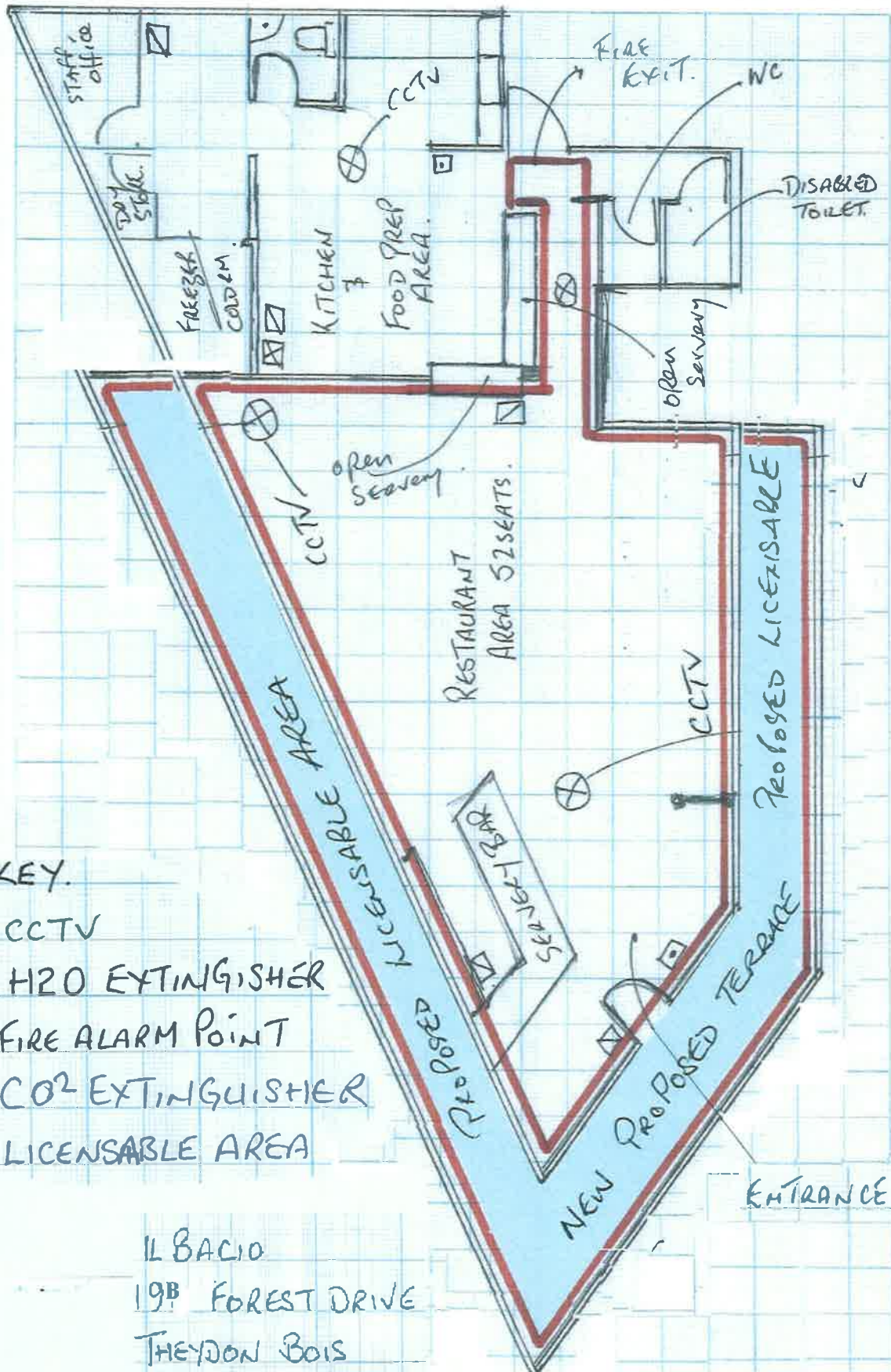
1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/epping-forest/change-1> to upload this file and continue with your application.

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

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**IT IS AN OFFENCE, LIABLE ON SUMMARY CONVICTION TO A FINE NOT EXCEEDING LEVEL 5 ON THE STANDARD SCALE, UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

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KEY.

- ⊗ CCTV
- ⊗ H2O EXTINGUISHER
- ◻ FIRE ALARM POINT
- ⊗ CO2 EXTINGUISHER
- ⚡ LICENSABLE AREA

IL BACIO  
 19B FOREST DRIVE  
 THEYDON BOIS  
 EPPING  
 CM16 7EX

SCALE 1:100 A3

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

Notice is hereby given that **MR LUIGI FUNEDDA**  
Has applied to the Licensing Authority of Epping Forest District Council for a  
Variation to an existing Premises Licence to:

**a) TO INCLUDE THE FRONT and SIDE TERRACE OF THE RESTAURANT TO COME  
WITHIN THE AREA FOR LICENSABLE ACTIVITY.**

**b) TO UPDATE THE EXISTING LICENSING PLAN TO REFLECT THE ADDITIONAL  
LICENSABLE AREA.**

for the premises. **IL BACIO**

*situated at* **19C FOREST DRIVE, THEYDON BOIS, EPPING. CM16 7EX**

A register of licensing applications can be inspected at **The Licensing Office  
of Epping Forest District Council, Civic Offices, High Street, Epping,  
Essex, CM16 4BZ.** during normal office hours.

It is open to any interested party to make representations about the likely  
effect of the grant of the premises licence on the promotion of the licensing  
objectives. Representations must be made in writing to the Licensing Service  
at the office address given above and be received by the Service within a  
period of 28 days starting the day after the date shown below.

**Representations must relate to one or more of the four Licensing  
Objectives: the prevention of crime and disorder, public safety, the  
prevention of public nuisance and the protection of children from harm.**

It is an offence liable on conviction to a fine up to £5000 under section 158 of  
the Licensing Act 2003 knowingly or recklessly to make a false statement in  
connection with an application.

**Dated 17 November 2015**

LICENSING ACT 2003  
NOTICE OF APPLICATION TO VARY A PREMISES  
LICENCE

It is hereby given that **MR LUIGI FUNEDDA**  
has applied to the Licensing Authority of Epping Forest District Council for a  
variation to an existing Premises Licence to:

- a) TO INCLUDE THE FRONT and SIDE TERRACE OF THE RESTAURANT TO COME WITHIN THE AREA FOR LICENSABLE ACTIVITY.
- b) TO UPDATE THE EXISTING LICENSING PLAN TO REFLECT THE ADDITIONAL LICENSABLE AREA.
- c) TO REMOVE THE CONDITION REGARDING THE SOUND LIMITER.

for the premises, **IL BACIO**

situated at 19 [REDACTED] FOREST DRIVE, THEYDON BOIS, EPPING, CM16 7EX

A register of licensing applications can be inspected at The Licensing Office of Epping Forest District Council, Civic Offices, High Street, Epping, Essex, CM16 4BZ, during normal office hours.

It is open to any interested party to make representations about the likely effect of the grant of the premises licence on the promotion of the licensing objectives. Representations must be made in writing to the Licensing Service at the office address given above and be received by the Service within a period of 28 days starting the day after the date shown below.

Representations must relate to one or more of the four Licensing Objectives: the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

It is an offence liable on conviction to a fine up to £5000 under section 158 of the Licensing Act 2003 knowingly or recklessly to make a false statement in connection with an application.

Dated 17 November 2015





# Essex County Fire & Rescue Service

Mr Adam Eckley, MBA, M.I.Fire.E  
Acting Chief Fire Officer and Acting Chief Executive



Licensing Dept  
EFDC  
Civic Offices  
High Street  
Epping  
CM16 4BZ

WEST AREA COMMAND  
Harlow Service Delivery Point  
Fourth Avenue  
HARLOW  
CM20 1DU  
☎ 01376 576800  
✉ westareacommand@essex-fire.gov.uk

Date: 18 November 2015  
Our Ref: 89/100091437555  
Your Ref: PL/NoLN21000430  
Enquiries to: Steve Nicholl

Dear Sir,

**LICENSING ACT 2003**  
**THE REGULATORY REFORM (FIRE SAFETY) ORDER 2005**  
**Premises: Il Bacio19B Forest Drive Theydon Bois Epping CM16 7EX**

Receipt is acknowledged of the above consultation, which will be audited by the Essex Fire Authority (The Authority).

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

Yours faithfully

[Redacted Signature]  
S. W. Nicholl  
Fire Safety Officer

C.C.  
Noel Samaroo  
NTAD Consultants  
2 Springfield Road  
Crawley  
West Sussex  
RH11 8AD



Date: 1 December 2015

Our Ref: WK/201549523

Your Ref:

Mr N Samaroo  
Springfield Road  
Crawley  
West Sussex  
Essex  
[REDACTED]

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

Dear Mr Samaroo

**Licensing Act 2003**  
**Il Bacio, 19B Forest Drive, Theydon Bois, Epping, Essex, CM16 7EX**

On behalf of the Council's Neighbourhoods Directorate, I confirm receipt of a copy of your application to extend the licensed area for the above mentioned property.

I have made the following representation to the Council's Licensing Section with regard to the Licensing objective – Prevention of Public nuisance.

The Council's Environment & Neighbourhoods team have received a number of noise complaints in relation to licensed activities at the property. Officers have visited the area in the evenings and are aware of the potential impact from the normal use of the outside areas for licensed activities and related consumption of alcohol.

Il Bacio, Forest Drive is located on the boundary of the commercial area in Forest Drive and residential properties. It is at the end of the commercial parade. The outside areas subject to the proposed licence extension are at the front and side of the property, directly visible from the nearest residential property.

The character of the area between Il Bacio and the nearest residential properties (20m to 21 Forest Drive & 32m to 28 Forest Drive) is residential rather than commercial, and as such is generally very quiet in the evening, if there is no activity at Il Bacio.

The introduction of outside licensed areas, with the **normal** level of noise from customers, talking, laughing etc is likely to have an adverse impact on the occupiers of neighbouring residents. In general the later the activity is permitted the more likely that the noise will cause significant disturbance, as the normal noise level increases and the background noise level drops.

It is noted that the applicant has provided conditions at section 16(d) of the application to try and control the level of noise. However, we are concerned that the normal level of noise inherent with customers enjoying a meal and alcoholic drink outside will still cause significant disturbance later in the evening and it is unrealistic to expect the applicant to impose an abnormal level of control on customers i.e. to stop normal socialising, laughing, joking, talking loudly.

The application seeks to permit use of the outside areas in line with the existing hours of the licence until 23.00 hours. We believe that our concerns about noise from the outside areas can be overcome by restricting the use of outside areas to 21.00 hours i.e. the application approved but with the following condition:

**No food or drink to be consumed on the outside patio areas after 21.00 hours.**

If you would like to discuss the matter or have any written comments, please do not hesitate to contact me.

I should be happy to withdraw the representation if the operating schedule is amended accordingly or if you agree to a suitable condition(s) being imposed as part of the licence, or if you provide sufficient evidence to confirm that the representation can be withdrawn.

Please confirm your comments in writing (by letter or email). I will inform the Council's Licensing Section if satisfied that the representation can be withdrawn.

Yours sincerely

Richard Gardiner  
**Environment & Neighbourhoods Manager**

c.c.

Licensing Section

Mr Funedda  
Il Bacio  
19B Forest Drive  
Theydon Bois  
Epping  
Essex  
CM16 7EX

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



Licensing Department  
Loughton Police Station  
158 High Road  
Loughton  
IG10 4BE  
Tel: 01279 625 405  
Email: [7706@essex.pnn.police.uk](mailto:7706@essex.pnn.police.uk)

02 December 2015

Dear Mrs Tuckey,

**LICENSING ACT 2003 – PREMISE LICENCE VARIATION S.34**

**PREMISE: Il Bacio, Theydon Bois**

**APPLICANT: Mr Luigi Funedda via Noel Samaroo, NTAD Consultants**

Further to the Variation received on 17 November 2015, I write to inform you that as the premises are located within close proximity of residential dwellings Essex Police would like the following points taken into consideration to prevent public nuisance.

1. We do not oppose the increase of licensed area for the sale of alcohol to the external areas.
2. We do oppose the hours for the sale of alcohol for consumption in the outside areas.

We therefore would suggest the following:

- A) The external areas of the premises to be closed to customers from 20:00 daily save for smokers using the bonafide smoking area.
- B) The number of persons permitted to use the smoking area after 20:00 daily shall be restricted to 5 at any time.
- C) No drinks or glassware to be permitted in any outside area after 20:00 daily.

Please advise me of when the Licensing Panel will be meeting to hear this so I can be in attendance.

Yours sincerely,



Mr Peter Jones MIOL, ABII  
Epping & Brentwood Licensing Officer  
West LPA

Cc. **Mr N Samaroo**  
**NTAD Consultants**  
**2 Springfield Road**  
**Crawley**  
**West Sussex**  
**RH11 8AD**

## Nuala Clark

---

**From:** James Skinner [REDACTED]  
**Sent:** 15 December 2015 14:58  
**To:** Licensing  
**Subject:** Objection to terrace of il Bacio

James Skinner  
[REDACTED] Slade End  
Theydon Bois  
[REDACTED]

I'm a writing to object to the license extension to the terrace of il Bacio in Theydon Bois as I feel it will contribute to unwanted noise and nuisance in the village.

Sent from my iPhone

## Nuala Clark

---

**From:** Skinner, Glen <[REDACTED]>  
**Sent:** 15 December 2015 16:11  
**To:** Licensing  
**Subject:** Il Baco Licensing

Mrs Clark

My Name is Glen Skinner and I am the property owner of [REDACTED] Forest Drive , Theydon Bois , Essex , [REDACTED]

I'm writing to you to OBJECT to the proposed licensing of the terrace area outside l'l Baco , 19b Forest Drive , Theydon Bois , CM16 7EX.

I will be moving in to [REDACTED] Forest Drive at the beginning of March with my partner , my 3 year old son and my new born baby. The bedroom overlooking the road will be used as a nursery for our new born child.

I fear the noise in and around l'l Baco will become a lot worse with the licensing of an outside terraced area, I am objecting to the proposed licensing on the grounds of public nuisance.

I fail to see how allowing the proposed license to go through will enhance village or the lives of local residents in anyway.

Yours sincerely

Glen Skinner

Please feel free to contact me at any time.  
[REDACTED]

<http://www.bgcpartners.com>

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For any issues arising from this email please reply to the sender.

The FCA register appears at <http://www.FCA.org.uk/register/>.

Buxton Court  
Theydon Bois  
Essex

The Licensing Team  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
ESSEX  
CM16 4BZ

9<sup>th</sup> December 2015,

Your ref: WK/201547910 Il Bacio licence application


Dear Sirs,

With regard to the above application, I would like to object to the granting of licensing to include the front, but more specifically with my location, the side terrace of the restaurant.

The area has become extremely congested, especially at weekends since the opening of the restaurant two years ago. Whilst this is irritating, especially with regard to being able to park in the road that I have lived for almost seven years, I have been able to live with it whilst the activity has remained inside. However I have concerns that if the pavement area which I have to use to access the flat (it is immediately next door) is allowed to become an outside drinking area it will create unwanted noise, littering and affect the safety of the pavement area, and will just generally reduce the enjoyment of living in that spot. I hear the bottles crashing into the recycling bins outside my front door as it is most mornings, so increasing the amount of alcohol being sold will just add to that routine.

Whilst the restaurant has stretched what it should do / should have done etc. with regard to the various business protocols, I have turned a blind eye and not allowed myself to get too worked up about it. However I believe if the area is allowed to become a drinking area unchecked it will be to the detriment of not only the flat that I live in, but to Buxton Road as a whole.

Yours faithfully

  
Stuart Hegan

Mr Martin Backham

 Buxton Court

Theydon Bois

12<sup>th</sup> December 15

The licensing team Epping Forest Council reference number: WK/201547910 E11  
Bacio 19B Forest Drive CM167EX.

To whom it may concern,

I wish to object to this application on the grounds of the history of the neighbour disturbances from this restaurant. For example, loud music of an evening, people standing and smoking outside from the back area and drinking alcohol outside the prohibited 9pm cut off time which goes on until 12am, constant coming and going of customers from the restaurant, children playing outside in the summer, customers using the back door instead of the front door which then creates extra noise as I am the closest resident. People parking outside on the verge and generally using our street as a car park with no consideration as to blocking drive ways, which also brings noise because of people going back late at night to their cars and shouting their goodbyes and slamming car doors and beeping horns. The kitchen door and the restaurant back door is constantly open and therefore you can hear everything from the kitchen including loud conversations from staff and the sound of plates slamming.

I hope you understand my concerns.

Martin Backham



## Nuala Clark

---

**From:** Peter Gooch <[REDACTED]>  
**Sent:** 14 December 2015 17:18  
**To:** Nuala Clark (GCSX)  
**Cc:** [REDACTED]  
parishclerk@theydon.org.uk  
**Subject:** RE: II BACIO THEYDON VARIATION APP 17.11.15  
**Attachments:** Leasehold title 19B Forest Drive.pdf

Dear Mrs Clark,

Theydon Bois Parish Council would like to register a **strong objection** to the above application to vary the Premises License for the Il Bacio Restaurant.

The restaurant is situated in a semi-residential area with flats above and opposite and houses to the side in close proximity of the site. Unfortunately, the restaurant has been the subject of a number of complaints since it opened in October 2013, particularly with regard to noise disturbances and in fact a Noise Abatement Order is currently in place. Furthermore, there is an upcoming court case where Epping Forest District Council are prosecuting the applicant for breaching the conditions laid down when planning permission was granted. These conditions were aimed at protecting the residents from noise disturbance and included that the bi-fold doors should not be open after 21.00 and that no amplified music should be played when the bi-fold doors are open. These have been breached on several occasions. Clearly any varying of the Premises License to allow alcohol to be served and consumed outside the restaurant can only add to the noise disturbance and would be grossly unfair to the nearby residents.

The Parish Council would also like to point out that the front terrace mentioned in the application is **not** owned by the Premises Licence owner and is **not** included in the lease of the premises. I attach a Land Registry Search which clearly shows that the terrace is not part of the lease. The Council are considering action to have the terrace removed as it was built without permission.

In view of the above the Parish Council respectfully asks that the application to vary the Premises Licence for the Il Bacio Restaurant is refused.

I would be grateful if you could acknowledge receipt of this email.

Thank you.

Yours Sincerely,  
Cllr. Peter Gooch  
Vice Chairman, Theydon Bois Parish Council.

**From:** Nuala Clark (GCSX) [mailto:nclark@eppingforestdc.gcsx.gov.uk]  
**Sent:** 17 November 2015 15:12  
**To:** 'Peter Jones 42007706'; David Baker; Essex Fire & Rescue; Highways; Jackie Renn; Licence Applications CYP; Police Licensing applications; Richard Gardiner; Steven Harcher; TS Business  
**Cc:** [REDACTED]  
**Subject:** FW: II BACIO THEYDON VARIATION APP 17.11.15  
**Importance:** High

My apologies,



Title Number : [REDACTED]

This title is dealt with by Land Registry, Peterborough Office.

The following extract contains information taken from the register of the above title number. A full copy of the register accompanies this document and you should read that in order to be sure that these brief details are complete.

Neither this extract nor the full copy is an 'Official Copy' of the register. An official copy of the register is admissible in evidence in a court to the same extent as the original. A person is entitled to be indemnified by the registrar if he or she suffers loss by reason of a mistake in an official copy.

This extract shows information current on 3 MAR 2014 at 18:41:24 and so does not take account of any application made after that time even if pending in the Land Registry when this extract was issued.

REGISTER EXTRACT

Title Number : [REDACTED]

Address of Property : 19b and [REDACTED] Forest Drive, Theydon Bois, Epping (CM16 7EX)

Price Stated : Not Available

Registered Owner(s) : LUIGI FUNEDDA of [REDACTED]  
[REDACTED]

[REDACTED]

Title number [REDACTED]

This is a copy of the register of the title number set out immediately below, showing the entries in the register on 3 MAR 2014 at 18:41:24. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

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### A: Property Register

This register describes the land and estate comprised in the title. Except as mentioned below, the title includes any legal easements granted by the registered lease but is subject to any rights that it reserves, so far as those easements and rights exist and benefit or affect the registered land.

ESSEX : EPPING FOREST

1 (09.07.2013) The Leasehold land shown edged with red on the plan of the above title filed at the Registry and being 19b and 19c Forest Drive, Theydon Bois, Epping (CM16 7EX).

2 (09.07.2013) The title includes any legal easements referred to in clause LR11.1 of the registered lease but is subject to any rights that are granted or reserved by the lease and affect the registered land.

3 (09.07.2013) The Conveyance dated 4 October 1935 referred to in the Charges Register contains the following provision:-

AGREEMENT that Company and all persons deriving title under it should not become entitled to any right of light or air which would affect prejudicially the use by Vendor or persons deriving title under him of any adjoining or neighbouring lands of Vendor for building or any other purpose.

4  
5  
6 [REDACTED]

### B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

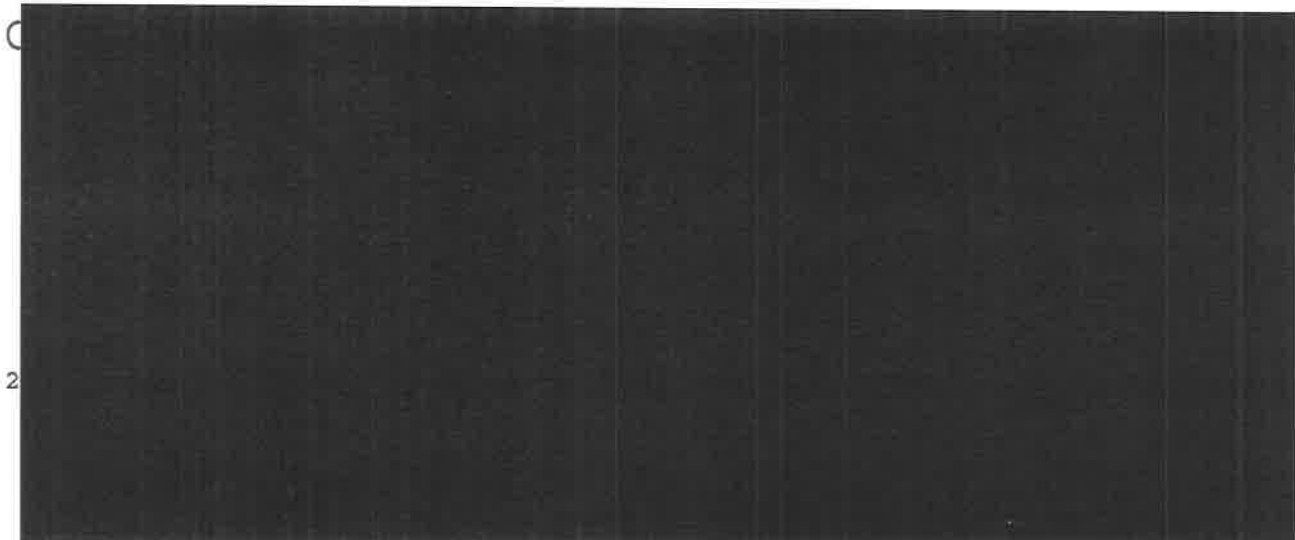
Title absolute

1 (09.07.2013) PROPRIETOR: LUIGI FUNEDDA of [REDACTED]

### C: Charges Register

This register contains any charges and other matters that affect the land.

1 [REDACTED]



Schedule of restrictive covenants

1 (09.07.2013) The following are details of the covenants contained in the Conveyance dated 4 October 1935 referred to in the Charges Register:-

2. COVENANT by Company and its successors in title to intent that covenant should be binding so far as can be on owner for the time being of land thereby conveyed with Vendor and his successors in title owner or owners for time being of such part of said Baldocks Farm Estate as was retained by him or them that Company would at all times thereafter observe and perform restrictions and stioulations set out in First Schedule thereto and would indemnify Vendor and his successors in title from and against all claims and demands in respect thereof but so that obligation of that covenant should be personally binding upon Company and its successors in title only during time of its seisin of or title to land thereby assured.

3. AGREEMENT that Vendor or his successors in title owners for time being of such part of said Baldocks Farm Estate as was retained by him might at request of Company or persons deriving title under it release or vary any of said restrictions and stipulations set forth in the first Schedule thereto and nothing therein contained shall operate to impose any restrictions in manner in who Vendor or persons deriving title under him might deal with such part of said Estate as was retained by him or otherwise deemed to create a building scheme for said Estate of any part thereof.

THE FIRST SCHEDULE above referred to

1. FENCES. The Company shall hereafter maintain the boundary fences erected or to be erected next the roads indicated on said plan the fences next the said roads and the fences between said roads and the building line being not more than 4 feet high and the fences between the building line and the rear of the said pieces of land being not more than 6 feet high.

2. BUILDING LINE. Nothing to be erected within 25 feet of any of said roads except fences of not more than 4 feet in height and except bays porches or minor projections.

3. DESCRIPTION OF BUILDINGS. Subject as hereinafter mentioned private and professional dwellinghouse only shall be erected except on the land coloured red hatched black on said plan No house or building shall be erected except in accordance with elevations previously submitted to and signed as approved by Vendor at no expense to Company.

4. CAPACITY OF BUILDINGS. Without prejudice to provisions of the last clause no house or building shall be erected of less ground floor or superficial capacity than 600 square feet.

5. TRADES PROHIBITED. No building is to be erected or used as a workshop or factory except for Company's building operations nor shall any trade business or manufacture be carried on upon any plot nor shall

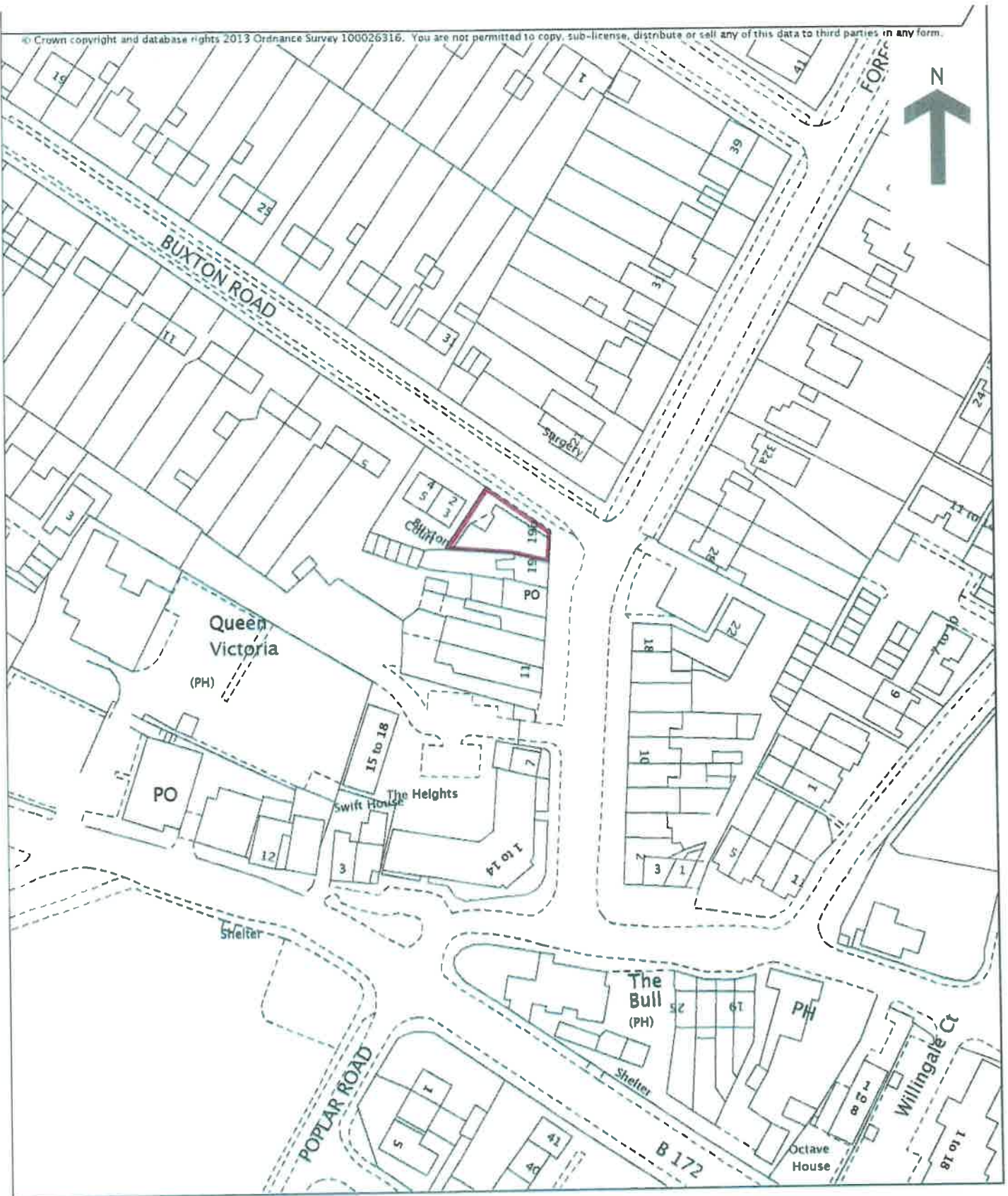
Title number [REDACTED]

## Schedule of restrictive covenants continued

any operative machinery be fixed or placed upon any plot except as before mentioned No hut shed caravan house on wheels or other chattel intended for use as a dwelling or sleeping apartment nor any booth show swing or roundabout shall be erected or placed or used or be allowed to remain upon any plot and the Vendor or his agents or servants or the owner or owners of any plot may remove and dispose of any such erection or other thing and for that purpose may break fences and forcibly enter into any plot upon which a breach of these stipulations shall occur and remove such erection and shall not be responsible for the safe keeping of anything so removed or for the loss thereof or any damage thereto PROVIDED ALWAYS that this stipulation shall not preclude the Company from erecting a school on any portion of land thereby conveyed.

NOTE: No plan was supplied on First registration.

End of register



This is a copy of the title plan on 3 MAR 2014 at 18:41:25. This copy does not take account of any application made after that time even if still pending in the Land Registry when this copy was issued.

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The Land Registry endeavours to maintain high quality and scale accuracy of title plan images. The quality and accuracy of any print will depend on your printer, your computer and its print settings. This title plan shows the general position,

Buxton Rd  
Theydor Bar  
Essex

5.12.15

Dear Sir

Re: Application for license Mr L. Furelda

I am strongly opposed to the granting of  
the license.

We already have to put up with a lot of  
noise from the restaurant, I'm sure this will only add to  
more noise.

We also have the problem of parking in  
Buxton Rd.

I feel this would cause a public nuisance.

Yours faithfully

Buxton Road  
Theydon Bois

7 Dec 2015

Dear Sir/Madam

Re:- Mr Luigi Funedda - 12 BACIO  
19c Forest Drive, Theydon Bois  
PUBLIC SAFETY / PUBLIC NUISANCE

As residents of Buxton Road, we strongly oppose the extension of the restaurant to include the side terrace to come within the area for licensing activity.

Reasons of public safety include inconsiderate parking on the current terrace area, corner of Buxton Road and both sides of Buxton Road where an accident has already occurred (a child). Pedestrians are unable to

walk on the public footpath  
as cars are parking on the  
pavement areas, and on the  
grass.

Public NUISANCE - when the  
clientele leave the restaurant  
there is noise from them  
walking to their cars. There  
is noise from them outside  
the restaurant too. As we have  
no street lights having cars  
parked in the street leaving  
late is not considerate as  
there are many young families  
and elderly people in the street.  
On several occasions we, and  
other residents of Buxton Road  
have been unable to drive to  
their homes as cars have double  
parked and there is no space  
to get a car down between  
them. We have on two separate  
occasions had to drive onto the  
pavement to get through.



I know for sure other neighbours  
have had the same problems.  
The clientele also park across  
the driveways which makes it  
difficult to get off your drive.  
I hope you look favourably to  
our objections and consider  
carefully before making any  
decisions.

Yours faithfully



(MRS. E A HUTTON)

Buxton Road  
Theydon Bois  
Epping  
Essex

MyRef:DJJ/Let/1234  
27<sup>th</sup> November, 2015

The Licensing Team  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

For attention of the Licensing Manager  
Ref: WK/201547910 dated 17<sup>th</sup> November, 2015

**Reference Notice of Application to vary a premises licence under the Licensing Act 2003  
re the premises IL BACIO 19C FOREST DRIVE, THEYDON BOIS, EPPING. CM16 7EX**

I am writing to make my representations re the above application.

**1. The prevention of public nuisance.**

I believe that by allowing this licensing application to go ahead will increase noise levels and traffic disruption to an unacceptable level for those residents of Theydon Bois living in Forest Drive and Buxton Road. I also think that there will be more incidents of Public Nuisance as a result of allowing people to drink outside the restaurant in a residential area.

The restaurant is currently open till late on most evenings of the week. As a result there are regularly a large number of cars parked illegally on double yellow lines and on the corner of Forest Drive and Buxton Road. These cars belong to some of the customers in the restaurant. This regularly causes traffic congestion and additional noise when cars need to access Buxton Road from Forest Drive and Forest Drive to Buxton Road. This does not appear to be monitored by either the Police or Parking Authority which could possibly alleviate the problems caused. In addition the noise level caused by the people leaving the restaurant at night and during the day can be significant. Cars belonging to customers of the restaurant are parking over people's drives in Buxton Road, or on the grass verge, which has made access almost impossible at times. This has been reported to the Police on several occasions, but is still continuing on a regular basis.

Any outside licensing, which includes alcohol, will, in my opinion, cause more incidents of Public Nuisance and the level of noise will increase causing more discomfort to local residents in Forest Drive and Buxton Road. Parking issues will become more of an issue should this application be allowed to proceed. I personally have had to clear broken glass bottles, which I believe have been dropped by customers of the restaurant who have spilled out into the street. This will increase if the current licensing plan is allowed to be updated, which allows people to be able to drink alcohol outside of the restaurant.

Continued P2

**2. Public Safety**

Allowing customers to drink outside using the front and side terraces will increase the problems of access for those people wishing to walk safely past the restaurant. Public Safety will be compromised as a result of reduced access to the pavement, especially by the side terrace. Sometimes it has been almost impossible to walk past the side terrace of the restaurant due to cars parked illegally and customers spilling out of the restaurant. The general public should not have to walk in the road as a result of any of these issues.

Public Safety has been affected very badly as a result of the parking issues mentioned above. During the day and night people are having to walk around illegally parked cars to cross roads and pavements which is a problem for all members of the public, including those with push chairs, wheel chairs and motability scooters.

Changing the licensing arrangements to incorporate the front and side terrace's will only serve to increase the problems which currently exist.

**3. The Protection of children from harm.**

Currently during the summer children, whose parents are using the restaurant, regularly play in Buxton Road, causing noise and disruption for the residents of Buxton Road and Forest Drive.

There is a real danger that a child or children will be seriously injured in Buxton Road and Forest Drive. This danger to the children will increase if customers are allowed to drink outside on the front and side terrace of the restaurant. These children are in danger of being hit by cars travelling up and down Buxton Road and Forest Drive.

I would therefore like to submit my representations as detailed above re this licensing application which I recommend is rejected.

I look forward to hearing from you in due course.



Kind regards

David Jolly

**CC THEYDON BOIS PARISH COUNCIL**

The Licensing Team  
Epping Forest District Council  
Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

26th November, 2015

Dear Sir or Madam,

**Re: Your reference WK/201547910 Application to vary premises licence for Il Bacio,  
19B Forest Drive, Theydon Bois CM16 7EX**

We write in conjunction with the above and your letter of 17th November.

We wish to strongly object to this application. As you are no doubt aware, there is a history of local neighbourhood disturbances which have been caused by this restaurant.

Specifically, we wish to object on the following grounds:

#### **Public Nuisance**

There is a well documented history of noise issues emanating from this establishment. The proprietor has already been in receipt of one noise abatement order, and it seems only a matter of time before another is on its way to him. As well as live music events (which continue to happen, despite promises to the council that they would not occur in the future), there is a lot of general noise, especially in the summer months. Diners already sit outside, where we are confident alcohol has been served ever since the restaurant opened, despite the lack of a license for this area, and despite the proprietor being reminded of this on more than one occasion by officers of EFDC (incidentally, this has been witnessed by Jim Gordon of the EFDC Planning Enforcement Section). Even when there are only people indoors, the restaurant refuses to make any effort to keep the noise down by simply closing their doors. In addition we have the sounds of people shouting their goodbyes as they get into cars to leave, beeping to say goodnight to each other, deliberately revving car engines, laughing and yelling, regularly swearing – often well after midnight. On one occasion a neighbour caught someone who had just left the restaurant, clearly inebriated, urinating on the wall of the block of flats next door to us.

Clearly, the official licensing of the outdoor area will only make this problem a hundred times worse, and it is already unbearable in the summer as it is. The proprietor has consistently shown no regard at all for the peace of his neighbours and I dread to think how much worse this might become if people were to be officially allowed to be served alcohol outside.

There are planning conditions in place on the property which are supposed to help reduce the likelihood of noise nuisance – for example, the closing of the bi-folding doors at the front by 9pm. The proprietor has consistently disregarded all of these conditions, and indeed a court case is in progress regarding this matter. Therefore, please do not assume for one moment if there were conditions put upon the licensing of outdoor activities that they would be adhered to. From the evidence of our own eyes and ears since this place opened, we can assure you they will be completely ignored.

### **Public safety and the protection of children from harm**

Anything which increases the size and activity of this establishment will only increase the number of diners and exacerbate problems which already exist and cause issues for public safety, namely:

The diners and indeed, the proprietor of this restaurant have always and continue to park very dangerously on the double yellow lines on Buxton Road and Forest Drive. This illegal parking greatly reduces visibility of approaching vehicles and pedestrians, blocking driveways and access to Buxton Road, and sometime blocking the dropped kerbs for Reduced Mobility Access. The problem is worsened as a result of this junction being used as an unofficial "turning circle". We have countless photographs showing this illegal parking (often including the owner's vehicles, one of which helpfully has a personalised number plate showing his name) that happens on virtually a daily basis. We know this is a direct result of this restaurant coming to the area, as for the ten years we lived here before the restaurant opened, this was only a very occasional problem. We have a three year old son so you can understand our concern at any dangerous driving on our door step which could occur as a result of someone parking on these double yellow lines.

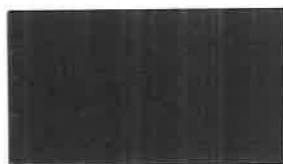
In addition, we are aware of a problem whereby diners allow their children (sometimes very young children) to play in the street, kicking footballs and fooling about on bicycles, while the parents are eating and socialising in the restaurant. The problem is that the children often play in the road itself, which is extremely dangerous for all the reasons previously mentioned. Being children they are more focussed on the game and each other than on the traffic and other possible dangers. We heard anecdotally that one such child did actually get hit by a car earlier this year. The road is hardly a suitable playground and we are concerned that increasingly moving the activity of the restaurant outdoors would cause this sort of irresponsible activity to increase.

We sincerely trust that the Council will see sense and not allow this licence extension to go ahead.

Yours faithfully,



Derek and Julia Hirst



Date: 15/12/15

Our ref: PL/6066/DB

Your ref:



Mr. Noel Samaroo  
NTAD Consultants,  
2, Springfield Road  
Crawley, West Sussex  
RH11 8AD,

**Directorate of Planning &  
Economic Development**

Civic Offices  
High Street  
Epping  
Essex CM16 4BZ

Telephone: 01992 564514

Facsimile: 01992 564229

email: [dbaker@eppingforestdc.gov.uk](mailto:dbaker@eppingforestdc.gov.uk)

Dear Mr. Samaroo

**Application to vary premises licence for Il Bacio, 19b Forest Drive, Theydon Bois – by inclusion of front and side outside terraces to form part of the licensable area.**

As a responsible authority under the 2003 Licensing Act 2003 this planning department offers the following representations on this application for a variation of the premises licence at the above address.

There are flats above this restaurant and other ground floor shops in this small shopping parade, and houses lie close by in Buxton Road and opposite at numbers 21 and 23 Forest Drive. Use of the outside seating areas for consumption of alcohol to 11pm is likely to cause noise and nuisance to residents living in these adjoining and nearby dwellings. The planning authority therefore objects to this application because it would cause a public nuisance to adjoining and nearby residents. The planning authority would withdraw this objection if the application were amended so that serving of alcohol on the outside terraces ceased at 9pm.

Should you have any queries on the above please call David Baker on the above number.

Yours faithfully,

David Baker, Planning Officer

Cc Mr. L. Funedda  
35, Woodlands Way  
Woodford Green  
Essex IG8 9QQ