



Agenda

Licensing/Appeals Sub-Committee

Tuesday, 5 July 2016 at 10.00 am

Council Chamber - Town Hall

Membership (Quorum – 3)

Cllrs Mrs Hubbard, Mrs Middlehurst and Newberry

Agenda Item	Item	Wards(s) Affected	Page No
1.	Appointment of Chair		
2.	Administrative Function Members are respectfully reminded that, in determining the matters listed below, they are exercising an administrative function with the civil burden of proof, i.e. 'on the balance of probabilities'. The matter will be determined on the facts before the Sub-Committee and the rules of natural justice will apply.		
3.	Application for Premises Licence - Ingatestone Post Office, High Street, Ingatestone CM4 9ET	Ingatestone, Fryerning and Mounnessing	5 - 44

P. L. Russell

Head of Paid Service

Town Hall
Brentwood, Essex
27.06.2016

Information for Members

Substitutes

The names of substitutes shall be announced at the start of the meeting by the Chair and the substitution shall cease at the end of the meeting.

Where substitution is permitted, substitutes for quasi judicial/regulatory committees must be drawn from Members who have received training in quasi- judicial/regulatory decision making. If a casual vacancy occurs on a quasi judicial/regulatory committee it will not be filled until the nominated member has been trained.

Rights to Attend and Speak

Any Members may attend any Committee to which these procedure rules apply.

A Member who is not a member of the Committee may speak at the meeting. The Member may speak at the Chair's discretion, it being the expectation that a Member will be allowed to speak on a ward matter.

Members requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting.

Point of Order/ Personal explanation/ Point of Information

Point of Order

A member may raise a point of order at any time. The Chair will hear them immediately. A point of order may only relate to an alleged breach of these Procedure Rules or the law. The Member must indicate the rule or law and the way in which they consider it has been broken. The ruling of the Chair on the point of order will be final.

Personal Explanation

A member may make a personal explanation at any time. A personal explanation must relate to some material part of an earlier speech by the member which may appear to have been misunderstood in the present debate, or outside of the meeting. The ruling of the Chair on the admissibility of a personal explanation will be final.

Point of Information or clarification

A point of information or clarification must relate to the matter being debated. If a Member wishes to raise a point of information, he/she must first seek the permission of the Chair. The Member must specify the nature of the information he/she wishes to provide and its importance to the current debate. If the Chair gives his/her permission, the Member will give the additional information succinctly. Points of Information or clarification should be used in exceptional circumstances and should not be used to interrupt other speakers or to make a further speech when he/she has already spoken during the debate. The ruling of the Chair on the admissibility of a point of information or clarification will be final.

Information for Members of the Public

Access to Information and Meetings

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Webcasts

All of the Council's meetings are webcast, except where it is necessary for the items of business to be considered in private session (please see below).

If you are seated in the public area of the Council Chamber, it is likely that your image will be captured by the recording cameras and this will result in your image becoming part of the broadcast. This may infringe your Human Rights and if you wish to avoid this, you can sit in the upper public gallery of the Council Chamber.

Guidelines on filming, photography, recording and use of social media at council and committee meetings

The council welcomes the filming, photography, recording and use of social media at council and committee meetings as a means of reporting on its proceedings because it helps to make the council more transparent and accountable to its local communities.

Where members of the public use a laptop, tablet device, smart phone or similar devices to make recordings, these devices must be set to 'silent' mode to avoid interrupting proceedings of the council or committee.

If you wish to record the proceedings of a meeting and have any special requirements or are intending to bring in large equipment then please contact the Communications Team before the meeting.

The use of flash photography or additional lighting may be allowed provided it has been discussed prior to the meeting and agreement reached to ensure that it will not disrupt proceedings.

The Chair of the meeting may terminate or suspend filming, photography, recording and use of social media if any of these activities, in their opinion, are disrupting proceedings at the meeting.

Private Session

Occasionally meetings will need to discuss some of its business in private. This can only happen on a limited range of issues, which are set by law. When a Committee does so, you will be asked to leave the meeting.

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Access

There is wheelchair access to the Town Hall from the Main Entrance. There is an induction loop in the Council Chamber.

Evacuation Procedures

Evacuate the building using the nearest available exit and congregate at the assembly point in the North Front Car Park.

5 July 2016

Licensing and Appeals Committee

Licensing Sub-Committee Hearing in respect of an Application for a Premises Licence – Licensing Act 2003

INGATESTONE POST OFFICE , HIGH ST, INGATESTONE CM4 9ET

Report of: Gary O'Shea – Principal Licensing Officer

Wards Affected: Ingatestone, Fryerning & Mounthnessing

This report is: Public

1. Executive Summary

- 1.1 This report provides information of an application for a variation to the premises licence in respect of **Ingatestone Post Office, High Street, Ingatestone CM4 9ET**
- 1.2 Members are requested to determine the application having regard to the operating schedule, the representations received, the Council's Statement of Licensing Policy and the four Licensing objectives.

2. Recommendation

- 2.1 **Each application must be considered on its individual merits and, therefore, no recommendations may be made. However, the available options are:**
 - i) **To grant the application in full on the terms and conditions contained in the operating schedule along with any applicable mandatory conditions;**
 - ii) **To grant the application, modified to such extent as considered appropriate in order to satisfy any relevant representations and to promote the licensing objectives; or**
 - iii) **To reject the application**

3. Introduction and Background

- 3.1 An authorisation is required in respect of any premises where it is intended to conduct one or more of the four licensable activities, these being:

- Sale of alcohol
- Supply of alcohol (in respect of a club)
- Regulated Entertainment
- Provision of Late Night Refreshment

3.2 An appropriate authorisation is either, a premises licence, a club premises certificate or a Temporary Event Notice.

3.3 Licence holders are required, when offering any licensable activity, to ensure that they promote the licensing objectives at all times. The operating schedule of the application contains details of the activities applied for and the control measures that the applicant will have in place in order to promote these objectives. Such measures will, where appropriate, be converted into enforceable conditions on any licence issued. Those pertaining to this particular application are reproduced in paragraphs 4 and 5 of this report.

3.4 The four licensing objectives are;

- Prevention of crime and disorder
- Prevention of public nuisance
- Public safety
- Protection of children from harm

No objective carries any more weight than any other.

3.5 Any representation must be able to demonstrate that on the balance of Probability the application in its current form will fail to adequately promote one or more of the licensing objectives. No other matters may be considered.

4. The Application

4.1 This application was received on 11 May 2016 from Mr Kathatharan Ponnampalam in respect of Ingatestone Post Office, High Street, Ingatestone CM4 9ET.

A copy of the application is attached at **Appendix 1**.

4.2 The applicant describes the premises as a post office and convenience store set in a primarily residential area and next to a public library. A map of the location is also attached at **Appendix 3**.

4.3 The applicant seeks a premises licence for the provision of the sale of alcohol for the following hours; **08:00hrs-20:30hrs daily**.

4.4 The following conditions have been proposed by the applicant in the operating schedule;

- *CCTV shall be installed with 21 recording facility*
- *Staff training shall be recorded and updated every 6 months. Training shall cover the requirements for ID as part of age verification and the responsibilities of staff*
- The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale of alcohol
- The refusal register shall be inspected on a regular basis (at least weekly) by the DPS and signed by the DPS to that effect
- At least 12 months of refusal register details shall be retained and made available upon request by an authorised officer
- The premises shall adopt a 'Challenge 25' policy at all times
- Signage of the 'Challenge 25' policy shall be prominently displayed on the premises
- Acceptable forms of photographic identification include;
 - a) Photo card Driving Licence
 - b) Passport
 - c) a 'PASS' accredited proof of age card
- Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly
- Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years

The applicant has also agreed to operate to the following after consultation and mediation with Essex Police Licensing Officer, Peter Jones. Agreement to these conditions effectively amends the application as though they were included as part of it. This means that any licence granted under the recommendations 2.1 i) or ii) will automatically include these. This does not affect the rights of the sub committee to impose further conditions or amend any part of the application, where this is permitted in law and where merited on the individual circumstances of the application once having considered all relevant facts.

- Staff training shall be carried out and documented. These training records will be kept for a minimum of 12 months and be made available to Police and responsible authorities for inspection upon request. The training should include as a minimum; sale of alcohol to underage persons, persons over 18 purchasing for underage, drunkenness, and age verification.
- The premises shall install and maintain a comprehensive CCTV system covering the internal and external of the premises which is

of evidential quality. It will also cover all entry and exit points enabling full frontal identification of every person entering in any light condition.

- The CCTV system shall continually record whilst the premises is open to the public and during all times when customers remain on the premises.
- All recordings will be kept in an unedited format for a period of not less than 31 days with correct time and date stamping.
- Recording shall be made available immediately upon lawful request of Essex Police or other Responsible Authority. Download or export of CCTV should be in the native file format with the native player.
- A staff member from the premises who is conversant with the operation of the CCTV system shall be available at all times when the premises are open to the public. This staff member must be able to show Essex Police or other Responsible Authority recent data or footage with the absolute minimum of delay.

The conditions proposed by the applicant relating to CCTV usage and staff training and highlighted in italics will be superseded by the agreed Police recommendations should the Licensing Sub-Committee see fit to grant the premises licence. All proposals will be converted into conditions on any licence as may be granted.

5. Reasons for Recommendation

If Members are minded to grant the application:

- 5.1 No recommendation is made as this matter is required to be considered on merit but Members of the Sub-Committee in isolation, having considered all relevant facts.
- 5.2 Any application granted will automatically contain conditions from paragraph 4. The additional conditions contained in this paragraph may be added by members if granting and considered appropriate for the promotion of the licensing objectives.

All such proposals will be converted into conditions on a licence if granted.

6. Consultation

- 6.1 The regulations of the Licensing Act 2003 outline the requirements for the advertising of applications. These require the applicant to advertise the application:

- a) For a period of no less than 28 consecutive days starting on the day after the day on which the application is given to the relevant licensing authority or display a notice ... prominently at or on the premises to which the application relates where it can be conveniently read from the exterior of the premises...
 - b) By publishing a notice in a local newspaper ... on at least one occasion during the period of ten working days starting on the day after the day on which the application was given to the relevant licensing authority.
- 6.2 Regulations also require that the applicant give a copy of the application to each responsible authority on the same day upon which it is given to the licensing authority.
- 6.3 There are no other statutory requirements for advertising of any application, however, the relevant Ward Councillors are notified and details of all applications received along with the time limit for receipt of representations is posted on the Council website.
- 6.4 Officers from the licensing authority have made checks on the display of notices on several occasions. On each visit a single blue advertising notice was correctly displayed in the front window.
- 6.5 One representation was initially received from the Responsible Authorities However, this representation from, Essex Police (Licensing), was subsequently addressed by the applicant and withdrawn as a result.
- 6.6 There have been 4 valid representations received from interested parties. All are made by residents of Post Office Road living in close proximity to the premises. Whilst all have concerns that traffic congestion will increase, it must be pointed out that this does not fall within the promotion of the four licensing objectives. The post office currently closes by ?pm and this raises potential public nuisance and anti-social behaviour concerns emanating from the additional hours the applicant is intending to operate. These representations are attached at **Appendix 2**.
- 6.7 An OS Street Map and frontage images to better identify the location are attached at **Appendix 3**.

7. Statement of Licensing Policy

- 7.1 There are no specific issues arising from this application in relation to the Councils' Statement of Licensing Policy.
- 7.2 The following extracts from the Councils' Statement of Licensing Policy are brought to the general attention of Members:

(1.4) *Nothing in this Statement of Policy should be regarded or interpreted as an indication that any requirement of law may be overridden; each application will be considered and treated on its own merits.*

(7.1) *When considering applications, the Licensing Authority will have regard to:-*

- (a) The Licensing Act 2003, as amended and the licensing objectives.*
- (b) Government guidance issued under Section 182 of the Licensing Act 2003, as amended.*
- (c) Any supporting regulations.*
- (d) This Statement of Licensing Policy.*

(9.1) *Licensing is about the appropriate control of licensed premises, qualifying clubs, temporary events and the people who manage them or hold personal licences within the terms of the 2003 Act. Where relevant representations are made, the Licensing Authority will seek to make objective judgments as to whether conditions may need to be attached to various authorisations in order to secure achievement of the licensing objectives. Any conditions arising from the operating schedule or as a result of representations will primarily focus on the direct impact of the activities taking place at licensed premises on those attending the premises and members of the public living, working or otherwise engaged in normal activity in the area concerned. These conditions will cover matters that are within the control of individual licensees and others with relevant responsibilities.*

(9.2) *The Licensing Authority acknowledges that the licensing function cannot be used for the general control of nuisance or the anti-social behaviour of individuals once they are beyond the direct control of the licensee of any premises concerned. However, other mechanisms may be utilised, where appropriate, to tackle unruly or unlawful behaviour of consumers when beyond the control of the individual, club or business holding the licence, certificate or authorisation concerned. These include:*

- (a) Planning controls.*
- (b) Positive measures to create a safe and clean town environment in partnership with local businesses, transport operators and other services within the Local Authority.*
- (c) The provision of CCTV surveillance in town centres, ample taxi ranks, street cleaning and litter patrols.*
- (d) Powers of Local Authorities to restrict consumption of intoxicating liquor in designated public places other than Premises licensed for 'on' sales.*
- (e) Police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices.*
- (f) The prosecution of any personal licence holder or member of staff at such premises who is selling alcohol to people who are drunk.*
- (g) The confiscation of alcohol from children and adults in designated areas.*

(h) The power of the Police, other responsible authorities or a local resident or business to seek a review of the licence or certificate in question.

(i) Action under the Violent Crime Reduction Act 2006.

(11.1) There can be confusion about the difference between “need” and the “cumulative impact” of premises on the licensing objectives. “Need” concerns the commercial demand for another pub or restaurant or hotel. This is not a matter for a licensing authority in discharging its licensing functions or for its Statement of Licensing Policy.

(16.6) *The Licensing Authority considers the effective and responsible management of the premises, instruction, training and supervision of staff and the adoption of best practice to be amongst the most essential control measures for the achievement of all the licensing objectives. **For this reason, these elements should be specifically considered and addressed within an applicant’s operating schedule.***

8. Relevant Sections of the Secretary of State’s Guidance

8.1 The following extract of the section 182 guidance as published by the Secretary of State are brought to the attention of Members.

(9.41) Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case-by-case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

(9.42) The authority’s determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

(9.43) Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. Whilst this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that the condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and

the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

9. Legal Considerations

- 9.1 Conditions may be attached to the grant of any licence, the hours or activities may be amended as appropriate, or in some cases the application may be refused. However, any action taken must be appropriate and relevant to promotion of the licensing objectives having considered the full details of the application and representations including testimony from any interested party present at the hearing.
- 9.2 The justification behind any decision to grant or refuse a licence application or the attachment of conditions, or variation of terms applied for must be recorded and given to the applicant and any person that has made representation.
- 9.3 There is a right of appeal to Magistrates Court by any person or party aggrieved by any decision made by the Sub-Committee.

Appendices to this report

- Appendix 1 - Application Form
- Appendix 2 - Representations – Interested Parties
- Appendix 3 - OS Street Plan & frontage images

Report Author Contact Details:

Name: Dave Leonard

Telephone: 01277 312523

E-mail: dave.leonard@brentwood.gov.uk

INGATESTONE POST OFFICE, HIGH STREET, INGATESTONE CM4 9ET

APPENDIX 1

APPLICATION FORM

5 JULY 2016

THE UNIVERSITY OF MICHIGAN LIBRARY

APR 19 1954

ANN ARBOR MICHIGAN

5, 1954

Application for a Premises Licence to be granted under the Licensing Act 2003

Please note: You must provide online payment for this licence after completing the form. After clicking the submit button at the end of the form you will be taken to our secure online payment website. You can then make the required payment using either a credit or a debit card.

Before completing this form, please read the guidance notes:

Premises Licence Application Guidance Notes

You should keep a copy of the completed application for your records, this will be attached (PDF format) to your acknowledgement email which you will receive upon completion of this application. By completing this application online, you will automatically be notifying the Responsible Authorities.

Cost of licence

The fee you pay for your licence is based on the rateable value of the premises and if the premises is used exclusively or primarily for the supply of alcohol for consumption on the premises. If you do not know what the rateable value of your premises is, you can find this on the [Valuation Office Agency](#) website.

What is the Non-domestic rateable value of the premises?*

Cost of licence: £190.00

I/we (name of applicant)* KATHATHARAN PONNAMPALAM
apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in Part 1 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.

Part 1 – Premises details

Does the premises have a postal address, or would you like to enter ordnance survey map references, or a description of its location?*

Yes, it has a postal address.

Premises Address

Flat Number (if any)
House / Building Name or Number* INGATESTONE POST OFFICE
Road Name* HIGH STREET
Town INGATESTONE
County
Post Code* CM4 9ET

Daytime contact telephone number (if any):

Premises email address (optional)

Email address
Re-enter email address

Please state whether you are applying for a Premises Licence as* (a) an individual or individuals

I am* carrying on or proposing to carry on a business which involves the use of premises for licensable activities

Individual Applicants

Title*
First name(s)* Mr
Surname* KATHATHARAN
PONNAMPALAM

I am 18 years old or older* Yes
Applicant Address

Flat Number (if any)
 House / Building Name or Number* 27A
 Road Name* BURNTHOUSE LANE
 Town MOUNTNESSING
 County
 Post Code* CM4 9AN
 Daytime contact telephone number* 07815144318
 Applicant email address (optional)
 Email address
 Re-enter email address

Second individual applicant (if applicable)

Title Nothing selected
 First name(s)
 Surname
 I am 18 years old or older Nothing selected
 Applicant address

Flat Number (if any)
 House / Building Name or Number
 Road Name
 Town
 County
 Post Code
 Daytime contact telephone number
 Applicant email address
 Email address
 Re-enter email address

OccupancyCost
 LicenceCost
 AlcCost

Part 3 - Operating Schedule

When do you want the premises licence to start?* 08 Jun 2016

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

Please give a general description of the premises. (Please POST OFFICE AND CONVENIENCE STORE read guidance note 1):*
 If 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend.

What licensable activities do you intend to carry on from the premises?

(please see section 1 and section 14 of the Licensing Act 2003 and Schedule 1 and Schedule 2 to the Licensing Act 2003)

Provision of regulated entertainment:

- (a) plays
- (b) films
- (c) indoor sporting events
- (d) boxing or wrestling entertainment
- (e) live music
- (f) recorded music
- (g) performances of dance
- (h) anything of a similar description to that falling within (e), (f) or (g)

Provision of late night refreshment

Supply of alcohol

(j) Supply of alcohol

Will the supply of alcohol be for consumption on the premises or off the premises or both? (please read guidance note 2).*

Off the premises

Standard days and timings (Please read guidance note 6)

Day	Start	Finish
Monday	08:00:00	20:30:00
Tuesday	08:00:00	20:30:00
Wednesday	08:00:00	20:30:00
Thursday	08:00:00	20:30:00
Friday	08:00:00	20:30:00
Saturday	08:00:00	20:30:00
Sunday	08:00:00	20:30:00

Please give further details here (please read guidance note 3)*

NONE

State any seasonal variations for the supply of alcohol (please read guidance note 4)*

NONE

Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed above, please list (please read guidance note 5)*

NONE

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

Name* kathatharan ponnampalam

Address

House / Flat Name or Number*

Road Name*

Town

County

Post Code

Personal licence number (if known)

Issuing licensing authority (if known)

(n) Adult entertainment and services

Please highlight any adult entertainment or services, none activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)*

(I) Hours premises are open to the public

Standard days and timings
(Please read guidance note 6)

Day	Start	Finish
Monday	08:00:00	20:30:00
Tuesday	08:00:00	20:30:00
Wednesday	08:00:00	20:30:00
Thursday	08:00:00	20:30:00
Friday	08:00:00	20:30:00
Saturday	08:00:00	20:30:00
Sunday	08:00:00	20:30:00

State any seasonal variations (please read guidance note 4)*

Non-standard timings. Where you intend to use the none premises to be open to the public at different times to those listed above, please list (please read guidance note 5)*

(o) Promoting licensing objectives

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

a) General – all four licensing objectives (b, c, d, e) (please read guidance note 9)*

CCTV shall be installed with 21 day recording FACILITY
Staff training shall be recorded and updated every 6 months Training shall cover the requirements for ID as part of age verification, and other relevant matters relating to the licensing objectives, and the responsibilities of staff
The licence holder shall ensure that a refusals register is kept on the premises and that this shall be immediately available upon request of an authorised officer. The register shall record any refused sale OF ALCOHOL. The refusal register shall be inspected on a regular basis (at least weekly) by the DPS and signed by the DPS that they have checked the register
At least 12 months of refusal register details shall be

retained and made available upon request by an authorised officer

The premises licence holder shall ensure that a 'challenge 25' policy is adopted on the premises at all times. Signage of the 'challenge 25' policy shall be prominently displayed on the premises. Acceptable identification accepted by the premises licence holder, DPS, or other staff members shall be a passport, photo driving licence or PASS accredited identity card. Signage shall be displayed in a prominent position on the premises requesting that customers leave quietly. Signage shall be prominently displayed warning customers of the legal penalties for purchasing alcohol for any person under the age of 18 years

- | | |
|--|---------------|
| b) The prevention of crime and disorder* | as in a above |
| c) Public safety* | As in a above |
| d) The prevention of public nuisance* | As in a above |
| e) The protection of children from harm* | As in a above |

Declaration

I agree to submit a plan of the premises* Please attach a plan of the premises	I agree BRENTWOOD-INGATESTONE P.O..pdf
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Alternatively, these should be sent by post to: Licensing, Brentwood Borough Council, Town Hall, Ingrave Road, Brentwood, Essex CM15 8AY. Please include the reference number for this form, which will be produced when you submit it.

I will send copies of this application and the plan to the relevant authorities and others where applicable* I agree

I will submit a consent form completed by the individual I wish to be designated premises supervisor, if applicable (available as a separate online form on our website)* I agree

I understand that I must now advertise my application* I agree
A copy of the Prescribed Form of Notice is available here:
[Public Notice of Application](#)

I understand that if I do not comply with the above requirements my application will be rejected* I agree

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

Part 4 - Signatures (please read guidance note 10)

Signature of applicant or applicant's solicitor or other duly authorised agent (see guidance note 11). If signing on behalf of the applicant, please state in what capacity.

Signature (Print name):*	ROBERT JORDAN PR RETAIL CONSULTANTS
Date*	11 May 2016
Capacity:	AGENT

For joint applications, signature of 2nd applicant or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). If signing on behalf of the applicant, please state in what capacity

Signature (Print name)

Date

11 May 2016

Capacity

BISHOPS STORTFORD

Contact name (where not previously given) and postal address for correspondence associated with this application (please read guidance note 13)

Correspondence name

Telephone number

01279850753

Mobile telephone number

01279850753

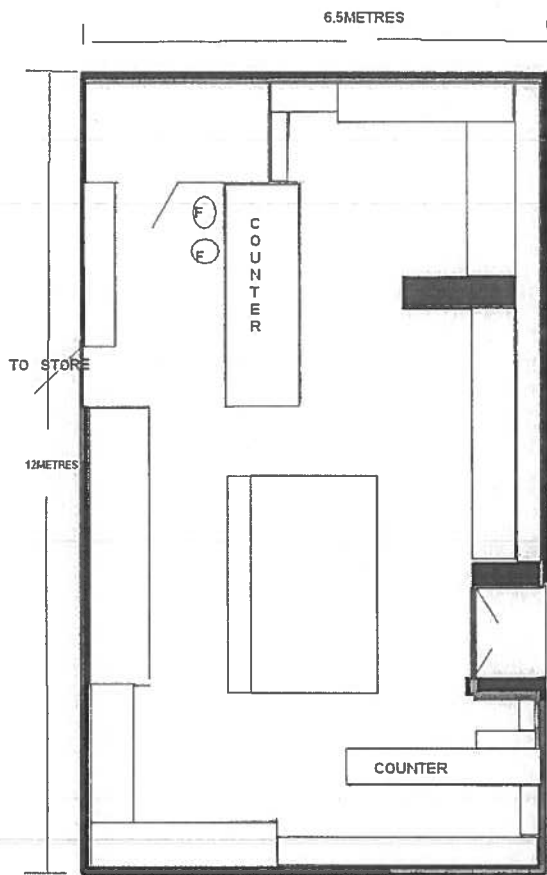
To receive email acknowledgement of your application and confirmation of your payment, please provide a correspondence email address*

Email address*

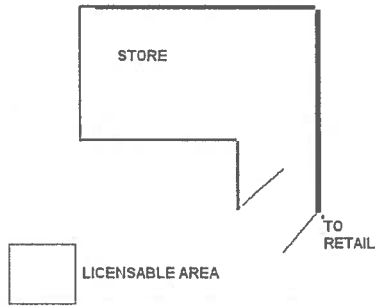
robertjordan01@btinternet.com

Re-enter email address*

robertjordan01@btinternet.com



PREMISES:
 POST OFFICE
 HIGH STREET
 INGATESTONE
 CM4 9ET



WHOLE OF LICENSED AREA
 TO BE LICENSED FOR
 DISPLAY OF ALCOHOL

F FIRE EXTINGUISHER

SCALE 1:100

Date	Description	Debit	Credit
1998-01-01	Balance		1000.00
1998-01-15	Cash	500.00	
1998-01-20	Bank	200.00	
1998-01-25	Sales		300.00
1998-01-30	Expenses	100.00	
1998-02-01	Total	800.00	1300.00

Dave Leonard

From: ROBERT JORDAN [robertjordan01@btinternet.com]
Sent: 11 May 2016 16:03
To: Licensing
Subject: PREMISES LICENCE
Attachments: PREMISES-BRENTWOODingatestone dps all.pdf

Follow Up Flag: Follow up
Flag Status: Completed

I attach dps form for new premises licence submitted

Undersand you serve notice on responsible authorities

Please confirm last date for consultation is 8th June 2016

Many thanks
Robert Jordan
PR Retail Consultants Ltd
The Pump House,
Old Mead Road
Henham
Bishops Stortford
Herts CM22 6JG 01279 850753

Click [here](#) to report this email as spam.

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Consent of individual to being specified as premises supervisor

I KATHATHARAN PONNAMPALAM
(full name of prospective premises supervisor)

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

A PREMISES LICENCE
(type of application)

by

KATHATHARAN PONNAMPALAM
(name of applicant)

relating to a premises licence
(number of existing licences, if any)

for

POST OFFICE
HIGH STREET
INGATESTONE
CM4 9ET
(name and address of premises to which the application relates)

and any premises licence to be granted or varied in respect of this application made by

KATHATHARAN PONNAMPALAM
(name of applicant)

concerning the supply of alcohol at

POST OFFICE
HIGH STREET
INGATESTONE
CM4 9ET

(name and address of premises to which application relates)

I also confirm that I am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

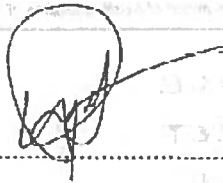
Personal licence number

NOT OBTAINED YET
(insert personal licence number, if any)

Personal licence issuing authority

(insert name and address and telephone number of personal licence issuing authority, if any)

Signed



Name (please print)

KATHATHARAN PONNAMPALAM

Date

10-5-16

APPENDIX 2

Representations

Interested Parties

Matthew Taylor

Pam & Paul Langford

Brian Dennis (Residents' Association)

BRENTWOOD B.C.
2 JUN 2016
Received

BRENTWOOD BOROUGH COUNCIL
02 JUN 2016
ENVIRONMENTAL HEALTH & LICENSING

MATTHEW TAYLOR

POST OFFICE ROAD
INGATESTONE
ESSEX CM4 9ES

JUNE 1ST 2016

Dear Mrs,

Re: POST OFFICE, INGATESTONE, ESSEX.
LICENSING APPLICATION
OBJECTION.

As a close neighbour of Ingatestone Post office I write to object to the above licensing application on the following grounds:

- Post office Road is a private, quiet residential road. There are minimal parking facilities and the site is unsuitable for additional usage. Additional traffic presents a safety risk.
- There is a very real risk of unwelcome gatherings outside the Post office. This will present a public nuisance.

BRENTWOOD B.C.
2 JUN 2016
Received

BRENTWOOD BOROUGH COUNCIL
2 JUN 2016
ENVIRONMENTAL HEALTH & LICENSING

MATTING 24-04-04
POST OFFICE ROAD
ENHARTON
E22 2JZ
020 300 11 010

POST OFFICE, ENHARTON, E22 2JZ
LICENSING APPLICATION
OBJECTION

As a close neighbour of the subject of the application I wish to object to the above licensing application on the following grounds:

The subject of the application is a public house, which is situated on a residential street. There are several licensed premises in the area and the site is a convenient location for the public house. The public house is a popular risk. There is a real risk of increased anti-social behaviour. This will increase the noise nuisance.

With extended hours and additional usage the potential increase in litter and anti-social behaviour is a real possibility. This is a threat to crime and disorder.

This application does nothing for the villagers of Ingatestone and is likely to be unwelcome and disruptive to a quiet residential area.

Yours faithfully

Alvahu Taylor.

The following information is provided for your information. The information is provided for your information.

The information is provided for your information. The information is provided for your information.

Information provided

Information provided

The Licensing Officer
Brentwood Borough Council
Town Hall
Ingrave Road
Brentwood
Essex
CM15 8AY



5 Post Office Road
Ingatestone
Essex
CM4 9ES

5th June 2016

Dear Sir

Licensing Application to sell Alcohol at
The Post Office, High Street Ingatestone, Essex

Following the application for an alcohol license at the Post Office, my wife & I would like to object to the application for the following reasons:

There are already problems of traffic congestion with the junction of the High Street and Post Office Road and the addition of a license will encourage greater use of our private road for vehicles parking, turning in our driveways and damaging gardens and properties.

There has also been a problem of youths gathering outside of the Post Office drinking, smoking and generally misbehaving and the sale of alcohol will only encourage further disruption.

Ingatestone has a number of retail outlets where alcohol can be purchased and we feel another one is excessive for the size of the village.

Yours faithfully

Pam & Paul Langford

RECEIVED
FEB 20 1964
LIBRARY OF CONGRESS
PHOTODUPLICATION SERVICE

Post Office Road Residents Association

6, Post Office Road
Ingatestone
Essex
CM4 9ES

The Licensing Officer
Town Hall
Engrave Road
Brentwood
CM15 6AY

01 June 2016

Ref: Application from Ingatestone Post Office

Dear Sirs,

With respect to the application from Kathatharan Poonampalam for an licence to sell alcohol at Ingatestone Post Office, High Street, Ingatestone, CM4 9ET. The Post Office Road Residents Association wish to make representations.

The Association comprises of 17 properties all of whom are affected by this application. The objections are as follows:

Increased congestion preventing residents accessing their homes - Post Office Road residents already suffer considerable problems with congestion at the top of the road, Post Office customers turning in private drives and damaging gardens and property as well as speeding in the road. Efforts to reduce these problems have not been successful so far and the residents **object** to the licence on the basis that the additional trade from a licence would risk making this problem worse.

The risks of disorderly behaviour - There have been problems in the past with youths congregating around the seat on the pavement at the top of Post Office Road outside of the Post Office smoking, drinking and generally misbehaving. This problem has been solved but residents are very concerned that the sale of alcohol in the immediate vicinity will encourage this problem to return and, accordingly, **object** on this basis.

The proliferation of alcohol licences in Ingatestone - As you are aware, for a village of this size, there are numerous licences to sell alcohol in Ingatestone. Whilst this is not a ground for objection (it is a matter for the licensing authority) the residents feel that by refusing a licence to the Post Office the village is not being disadvantaged in any way and the risks to the residents are being avoided.

In addition to this representation from the Residents Association, properties in Post Office Road that suffer disproportionately will be sending individual objections.

Post Office Road Residents Association

I would be pleased to provide any further information or evidence that you require. (Photographs of the congestion have been provided to councillors in the past). If you wish to visit Post Office Road to discuss the matters further, I am available during the day for most days.

I should be grateful if you would acknowledge receipt of this letter.

Yours faithfully,

Brian Dennis
Chairman
Post Office Road Residents' Association

INGATESTONE POST OFFICE, HIGH STREET, INGATESTONE CM4 9ET

APPENDIX 3

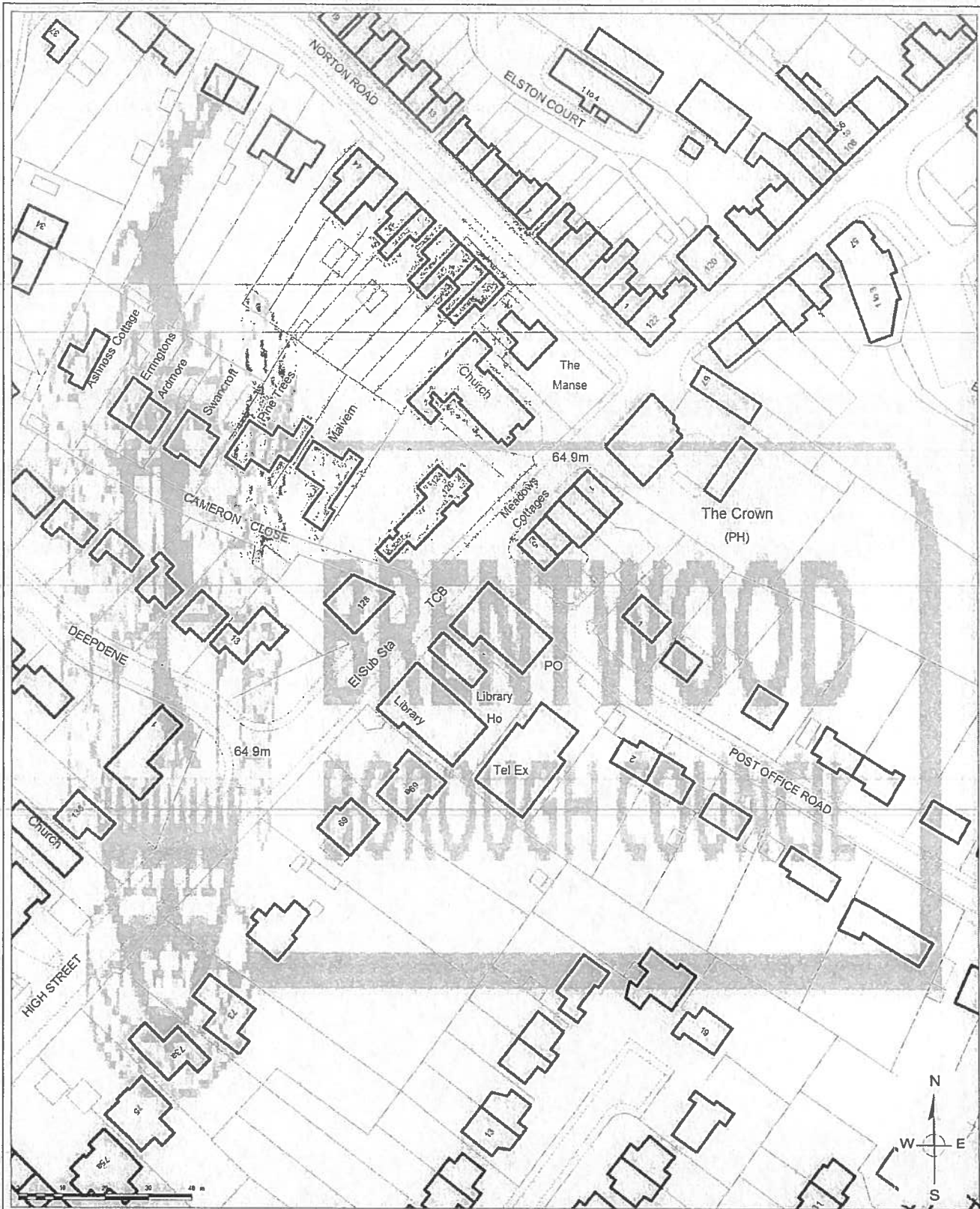
OS Map & Images

5 JULY 2016

WATERSTONE FOOT OFFICE HIGH STREET, WATERSTONE CV47 9ET

APPENDIX 3

02 Maps & Images



Ingatestone Post Office, High Street

Location Map

Drawing No. :
 Scale at A4 : 1:1250
 Drawn by : OSJ
 Service : ICT
 Date : 15th June 2016

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Philip Ruck
 Chief Executive
 Brentwood Borough Council
 Town Hall, Ingrave Road
 Brentwood, CM15 8AY
 Tel.: (01277) 312500











Members Interests

Members of the Council must declare any pecuniary or non-pecuniary interests and the nature of the interest at the beginning of an agenda item and that, on declaring a pecuniary interest, they are required to leave the Chamber.

- **What are pecuniary interests?**

A person's pecuniary interests are their business interests (for example their employment trade, profession, contracts, or any company with which they are associated) and wider financial interests they might have (for example trust funds, investments, and asset including land and property).

- **Do I have any disclosable pecuniary interests?**

You have a disclosable pecuniary interest if you, your spouse or civil partner, or a person you are living with as a spouse or civil partner have a disclosable pecuniary interest set out in the Council's Members' Code of Conduct.

- **What does having a disclosable pecuniary interest stop me doing?**

If you are present at a meeting of your council or authority, of its executive or any committee of the executive, or any committee, sub-committee, joint committee, or joint sub-committee of your authority, and you have a disclosable pecuniary interest relating to any business that is or will be considered at the meeting, you must not :

- participate in any discussion of the business at the meeting, of if you become aware of your disclosable pecuniary interest during the meeting participate further in any discussion of the business or,
- participate in any vote or further vote taken on the matter at the meeting.

These prohibitions apply to any form of participation, including speaking as a member of the public.

- **Other Pecuniary Interests**

Other Pecuniary Interests are also set out in the Members' Code of Conduct and apply only to you as a Member.

If you have an Other Pecuniary Interest in an item of business on the agenda then you must disclose that interest and withdraw from the room while that business is being considered

- **Non-Pecuniary Interests**

Non –pecuniary interests are set out in the Council's Code of Conduct and apply to you as a Member and also to relevant persons where the decision might reasonably be regarded as affecting their wellbeing.

A 'relevant person' is your spouse or civil partner, or a person you are living with as a spouse or civil partner

If you have a non-pecuniary interest in any business of the Authority and you are present at a meeting of the Authority at which the business is considered, you must disclose to that meeting the existence and nature of that interest whether or not such interest is registered on your Register of Interests or for which you have made a pending notification.

Licensing Sub-Committees

To hear and determine applications that do not sit within the scope of delegation to officers, usually where representations have been received either by a third party against grant of a license, or from the applicant against intended refusal or revocation of a license/registration.

The Planning and Licensing Committee has delegated all functions other than relevant policies and fees setting to officers, with the exception of those other matters as indicated below, which are heard by licensing sub-committee unless otherwise indicated:

Licensing Act 2003 and Gambling Act 2005

- (a) Determination of any application type where a representation has been received in accordance with the legislation.
- (b) Determination of applications for review or expedited review.

Hackney Carriage vehicles and drivers (including enforcement of ranks) and Private Hire vehicles, drivers and operators, with the exception of:

- (a) Suspension or revocation of drivers' licenses (save for initial suspension under provision of Local Government (Miscellaneous Provisions) Act 1976 S61 (2B) if it appears that the interests of public safety require the suspension to have immediate effect).
- (b) Where representation has been submitted by the applicant/license holder against refusal of any application.
- (c) Where representation has been received from an applicant to vary a licensing or pre-licensing condition.

Scrap Metal Dealing

- (a) Determination of applications where representations have been received against refusal in accordance with legislative requirements; and
- (b) Consideration of revocation of a license where representations have been received in accordance with legislative requirements

Street Collections and House to House Collections

- (a) Appeals against refusal to grant or renew a license.

Licensing of sex establishments

- (a) Determination of all applications, revocations and appeals.

Street Trading

- (a) Determination of applications where representation(s) has been received.
- (b) Determination of applications that fall outside of current policy.
- (c) Determination of matters relating to revocation of a license.

Acupuncture, Tattooing, Skin and Ear Piercing and Electrolysis

- (a) Appeals against refusal to grant or renew a registration.
- (b) Revocation of a registration.

Animal Welfare and Security, except for the following:

- (a) Appeals against refusal to grant or renew a license.
- (b) Revocation of a license.

Exercise of Powers under Caravan Sites and Control of Development Act 1960, except for:

- (a) Refusal and revocation of licenses, (other than urgent refusals which are delegated to officers)

Mobile Homes

- (a) Appeals against revocation of a license and/or conditions attached to the grant of a license.