

# **Report to the Licensing Sub Committee**

**Date of meeting: 9 May 2017**

**Subject: The Lazeppe 74-76 High Street Epping Essex CM16 4AE**



**Epping Forest  
District Council**

**Responsible Officer: Nuala Clark  
Licensing Compliance Officer  
Democratic Services: 0199256 4340**

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## **Decisions Required:**

**To determine the application for a new Premises Licence under the Licensing Act 2003**

## **Report:**

### **Application**

1. An application has been made by Mustafa Temez for a new premises licence at The Lazeppe 74-76 High Street Epping Essex CM16 4AE, the application is for The sale of alcohol Monday to Saturday 09:30 to 23:00 and Sunday 12:00 to 22:30. The application was received on the 15<sup>th</sup> March 2017.
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

### **Licensing Act 2003**

- 3 When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote of the licensing objectives. These are—
  - (a) the prevention of crime and disorder;
  - (b) public safety;
  - (c) the prevention of public nuisance; and
  - (d) the protection of children from harm.
- 4 It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

### **Consultation**

- 5 The Responsible Authorities have received a copy of the application; it was also advertised at the premises and in a local newspaper.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received two representations from local residents, which are also attached. Responses have been received from The Police and The Planning department who have negotiated conditions for this licence that the applicant has accepted and will be added to the licence if granted. Epping Town Council responded with no comment. No other comments were received from any of the other responsible authorities.

8 The Objections relate to the prevention of public nuisance and public safety.

### **Guidance Issued by the Secretary of State.**

9 The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.

10 Sections 2.7 to 2.9 and 2.15 to 2.21 of the Guidance are relevant to this application

### **Options**

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

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

### **Determination**

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

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

### **Appeal**

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

### **Background Papers Used In Preparing This Report:**

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

### **Attached documents**

- Application for premises licence
- Plan of the premises
- Newspaper advert
- Map of the area
- Letters of objection from two local