

Report to the Licensing Committee



**Epping Forest
District Council**

Date of meeting: 30th May 2017

Subject: Full Summary Review of Premises Licence - Luxe Essex 126 High Road Loughton IG10 4BE

Responsible Officer: Jim Nolan/Kim Tuckey (01992 564034) – Licensing Manager

Democratic Services Officer: Adrian Hendry (01992-564246)

Decision Required:

To determine an application for an Expedited Summary Review of the Premises Licence and to consider relevant representations as a result of the review application.

Report:

1. An application for an Expedited Summary Review of a Premises Licence under Section 53A of the Licensing Act 2003 was received from Essex Police in respect of a Premises Licence issued to Luxe Essex, Loughton Essex IG10 4BE.
2. On 5th May 2017 in accordance with Section 53B of the Licensing Act 2003, the Licensing Authority after reading Essex Police's review application made the decision to implement the following interim step to take effect immediately:
 - (a) To suspend the Premises Licence until the Review hearing, as there was a danger of further serious crime and serious disorder.
3. A copy of the application for a summary review and the certificate under Section 53A(1)(b) was served on the holder of the Premises Licence and all responsible authorities. The certificate stated that in the opinion of Superintendent A Mariner, the Premises were associated with both serious crime and disorder.
4. The application was advertised in accordance with Section 53(A)(3)(c) of the Licensing Act 2003 and Regulation 38 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, thereby inviting representations to be made by responsible authorities and interested parties. Any representations had to be received by the Licensing Authority by 17 May 2017.
5. A copy of the application for review is attached at Appendix A. Also attached at Appendix B is a location map showing the premises and surrounding area.
6. On 5th May 2017 Premises Licence Holder submitted a statement to the panel members, which was considered when they made the first interim steps, however members felt that the decision to suspend the licence should remain in force until the full hearing on the 30th May 2017.

Current Premises Licence

7. A copy of the current Premises Licence which includes conditions is attached at Appendix C.

Grounds for Review

8. In support of the application Essex Police have supplied a list of incidents, and these are attached with the application at Appendix A.

Relevant Representations

9. The Licensing Authority has received a representations from Loughton Town Council, the responsible authority for Planning matters and numerous objections from Loughton residents relating to the licensing objectives.

There is one email in support of the premises.

10. The Premises Licence Holder, the applicant for the review and all interested parties have been invited to attend this hearing and will be given the opportunity to address Members.

Legal Considerations

11. Members are asked to make their decision based on consideration of the representations received with a view to promoting the four licensing objectives which are:

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

Options

12. In the case of a review of a Premises Licence the Licensing Sub-Committee has the following options:

- (a) To modify the Conditions of the Premises Licence and/or attach new conditions;
- (b) To exclude from the Licence a licensable activity;
- (c) To remove the Designated Premises Supervisor;
- (d) To suspend the Licence for a period not exceeding 3 months;
- (e) To revoke the Licence;
- (f) To leave the Licence in its existing state.

Background Papers:

- Application for Review. – Appendix A
- Map of local Area – Appendix B
- Premises Licence – Appendix C
- Bundle and CCTV DVD from Essex Police Appendix D
- Relevant Representations received