

Report to the Licensing Sub Committee

Date of meeting: 15th August 2017

**Subject: New Premises Licence Application
160 Queens Road
Buckhurst Hill**



**Epping Forest
District Council**

**Responsible Officer: Joanne Owen
Licensing Compliance Officer**

Democratic Services: Jackie Leither

Decisions Required:

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

Report:

Application

1. A new application has been made by Andreea Michela Mosteanu for a new premises licence at 160 Queens Road, Buckhurst Hill, Essex, the application is for a new premises licence. The application was received on the 23rd June 2017.
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

ON/OFF sale of alcohol. Live and Recorded music Monday to Sunday
11:00hrs to 23:00hrs.

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 representations from Essex Police and have

negotiated conditions with the applicant which are attached. Also representation have been made from Mike Richardson from Epping Forest District Council – Neighborhoods Team. The Authority also received objections from Cllr Gavin Chambers and local residents, which are also attached. We received acknowledgments from Child Protection Services and Essex Fire Service.

- 8 The objections relate to the Prevention of Public Nuisance and the Protection of Children from Harm and Prevention of Crime and Disorder.

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 2.1 to 2.6, 2.15 to 2.21 and 2.22 to 2.31 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
- Correspondence from:
 - Essex Police
 - Epping Forest District Council – Environment and Neighbourhoods
 - Child Protection Services
 - Essex Fire Service
- 18 letters/emails of objections from local residents