

Report to the Licensing Sub-Committee

Date of meeting: 2nd November 2021

Subject: Licensing Act 2003 - Application for a Premises Licence for 117 High Road, Chigwell, Essex, IG7 6QQ



Responsible Officer: Peter Jones, Licensing Officer 01992 564721

Democratic Services Officer: J Leither 01992 564243

Decisions Required:

- (1) To consider an application for a Premises Licence under the Licensing Act 2003**

Report:

Application

An application has been made by Mr Ali Naqvi of Foskett Marr Gadsby and Head Solicitors on behalf of 117 Trading Limited for a new premises licence at 117 High Road, Chigwell.

1. The application is for the following licensing activities:

**The Provision of Recorded Music (Indoors); and
The Sale by Retail of Alcohol (for consumption on the premises)**

Monday to Sunday 12:00 – 00:00

Late Night Refreshment (Indoors)

Monday to Sunday 23:00 – 00:00

Opening Times of the premises

Monday to Sunday 12:00 – 00:00

2. The application was received on the 20th September 2021.

The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

The application was made as the previous premises licence for the location lapsed by virtue of the premises licence holder being a company which had dissolved.

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 all received a copy of the application, it was also advertised at the premises and in a local newspaper. A copy of the Blue Notice and Newspaper advert is attached to this report.
6. All residences and businesses within 150 meters radius of the premises were individually consulted.
7. The authority has received fifteen (15) representations;
One (1) from Chigwell Parish Council; and
Fourteen (14) from members of the public; all of which are attached.
8. There were responses from Essex Police, and Epping Forest District Council Community Resilience Team, where several additional measures were agreed along with a reduction in the licensable and opening hours applied for. Copies are attached.
9. There were also responses from Essex Fire and Rescue Service, and Environmental Health, whom have no comments to make, please see letters and emails attached to the report

Guidance Issued by the Secretary of State

10. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
11. Sections 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 premise's 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 a Premises Licence
- Plan of the premises
- Newspaper advert and Public Notice
- Details of the agreed changes to the hours, and additional measures.
- Copies of all responses and representation.