

# **Report to the Licensing Sub-Committee**

**Date of meeting: 7 June 2022**

**Subject: Application to vary a Premises Licence in respect of  
Aura, 179-181 High Road, Loughton, Essex, IG10 4LF**



**Epping Forest  
District Council**

**Responsible Officer: Denise Bastick  
Licensing Compliance Officer (01992 564334)**

**Democratic Services: V Messenger (01992 564243)**

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## **Recommendations/Decisions Required:**

**To determine the application for a variation of an existing Premises Licence under the  
Licensing Act 2003**

## **Report:**

### **Application**

1. An application has been made by Umut Demir for a variation to the premises licence in relation to Aura, 179-181 High Road, Loughton, IG10 4LF. The authority received the application on 1 April 2022. A copy of the existing licence for the premises, the application for variation, the new plan and the public notice are attached.
2. The variation is in relation to the plan only.

The plan of the premises has changed in that the location of the toilets, kitchen servery and preparation areas on the ground floor of the premises have been varied within the plan.

On the first floor, the toilets have been reconfigured and the bar servery moved away from the toilet area.

The customer area for licensable activities has not increased or materially changed. The changes to layout relate to the toilet, kitchen, servery and back of house corridor areas.

There is no variation to the hours or conditions of the existing licence.

### **Licensing Act 2003**

3. When considering an application for a licence the licensing authority must have regard to the promotion 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 properly advertised at the premises and in a local newspaper.

6. The authority has received a representation from Loughton Town Council and one representation from a local resident.
7. The representations relate to the prevention of Crime and Disorder and the prevention of public nuisance.

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

8. The Licensing Act 2003 provides that the licensing authority must 'have regard to guidance issued by the Secretary of State under section 182.
9. Sections 2.1 - 2.6 and 2.15 – 2.21 of the Guidance are relevant to this application.

### **Options**

10. 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:
  - to modify the conditions of the licence; or
  - to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

### **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  
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.  
<http://www.eppingforestdc.gov.uk>

### **Attached documents**

- Application for variation of Premises Licence
- New plan
- A copy of the existing Premises Licence
- Copy of the blue notice
- Newspaper advert
- Representations from Loughton Town Council and a local resident
- Map showing the area