

Report to the Licensing Sub Committee

Date of meeting: 18th June 2024

Subject: Application for a New Premises Licence in respect of Debden House, Debden Green, Loughton, IG10 2NZ

Responsible Officer: Mrs Handan Ibrahim
Licensing Compliance Officer

Democratic Services:



**Epping Forest
District Council**

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 The London Borough of Newham for a new Premises Licence in respect of Debden House, Debden Green, Loughton, IG10 2NZ. The applicant is applying for the following licensable activities:

Provision of film - 10:00 to 00:00 Monday to Sunday

Provision of live music (outside) - 10:00 to 23:00 Monday to Sunday

Provision of live music (inside) - 10:00 to 01:00 Monday to Sunday

Provision of recorded music (outside) - 10:00 to 23:00 Monday to Sunday

Provision of recorded music (inside) - 10:00 to 01:00 Monday to Sunday

Provision of late night refreshment - 23:00 to 01:00 Monday to Sunday

Sale of alcohol (on and off sales) - 11:00 to 00:00 Monday to Sunday

The opening hours of the premises - 09:00 to 01:00 Monday to Sunday

2. The application was received on the 27th April 2024.
3. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.
4. The proposed DPS, Mr Bruce Shaw, has submitted an application for a Personal Licence to Waltham Forest and is awaiting the issue of the licence. If the application for a Premises Licence is granted before the Personal Licence is received, then we will not issue the Premises Licence until such time as Waltham Forest confirm that the Personal Licence has been issued to Mr Shaw.

Licensing Act 2003

5. 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.
6. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

7. The Responsible Authorities have received a copy of the application, it was also advertised at the premises and in a local newspaper.
8. The authority has received representations from The City of London, Epping Forest Office, Loughton Town Council and 16 residents, which are also attached.
9. The objections relate to:
 - a. the prevention of crime and disorder;
 - b. public safety;
 - c. the prevention of public nuisance; and
 - d. the protection of children from harm

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 2.1 to 2.32 of the Guidance are relevant to this application

Options

12. 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

13. 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
- Blue Notice
- Map of the area
- Objection received from The City of London, Epping Forest Office
- Objection received from Loughton Town Council.
- 16 objections received from residents