

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

**Date of meeting: 3<sup>rd</sup> September 2024**

**Subject: Application for a New Premises Licence in respect of 42 Station Way, Buckhurst Hill, Essex, IG9 6LN**

**Responsible Officer: Mrs Handan Ibrahim  
Licensing Compliance Officer**

**Democratic Services:**

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**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 Sazzad Miah for a new Premises Licence in respect of a restaurant at 42 Station Way, Buckhurst Hill, Essex, IG9 6LN. The applicant is applying for the following licensable activities:

**Sale of alcohol (on the premises)**

Sunday to Thursday 11:00 to 23:00, Friday and Saturday 11:00 to 00:00

**Late Night Refreshment (on and off)**

Friday and Saturday 23:00 to 00:00

Hours premises are open to the public - Sunday to Thursday 07:00 to 23:00, Friday and Saturday 07:00 to 00:00

2. The application was received on the 11<sup>th</sup> July 2024.
3. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

### **Licensing Act 2003**

4. 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.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

### **Consultation**

6. The Responsible Authorities have received a copy of the application, it was also advertised at the premises and in a local newspaper.

7. The authority has received representations from Buckhurst Hill Parish Council, Councillor E Gabbett and 11 residents, which are also attached.
8. 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**

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 2.32 of the Guidance are relevant to this application

### **Options**

11. 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**

12. 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 Buckhurst Hill Parish Council
- Objection received from Cllr E Gabbett
- 11 objections received from residents