

# Report to the Licensing Committee

**Date of meeting: 1<sup>st</sup> October 2024**

**Subject: Application to vary a Premises Licence in respect of  
Metro Superstore, 785 Chigwell Road, IG8 8AU**



**Epping Forest  
District Council**

**Responsible Officer: Peter Jones, Licensing Compliance Officer**

**Democratic Services:**

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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 Nadia Junaid of Metro Superstore for a variation to the Premises Licence in relation to Metro Superstore 785 Chigwell Road, Woodford Green, IG8 8AU. The Authority received a valid application on 6<sup>th</sup> August 2024.

This application was made following a compliance visit where no concerns were highlighted, but upon going through the licence the applicant expressed a desire for the restriction of alcohol sales in the middle of the day being removed.

2. The application seeks the following:
  - a) To amend the layout of the premises as detailed on the new plan. This is to add a counter at the rear of the premises for serving items such as cakes and coffee.
  - b) To amend the licensed hours at the premises to start one hour earlier Monday to Saturday at 07:00 as opposed to 08:00 as currently permitted and to reduce the terminal hour on a Sunday from 23:00 to 22:00.
  - c) To remove conditions attached to the Premises Licence in 2010 restricting the sale of alcohol between 16:00 and 19:00 daily. This restriction was placed by a sub-committee following representations from Essex Police. The representations related to an earlier licence being revoked following complaints of anti-social behaviour and criminal damage and the presence of two schools in the vicinity.

It is worthy to note that neither the reviewed Premises Licence, nor the application in 2010 were made by this applicant who has been operating here since 2012.

## **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. A copy of the Blue Notice and Newspaper adverts are attached to this report.
6. The authority has received six representations from local residents. No representations have been made by the responsible authorities, Ward Councillor's, or Town or Parish Council.
7. The representations relate to all four of the licensing objectives.

## **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 to 2.31 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**

11. 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 - <https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible>
- Epping Forest District Council's statement of licensing policy - <https://www.eppingforestdc.gov.uk/licensing/licensing-act/>

### **Attached documents**

- Application for variation of Premises Licence including the new plan
- A copy of the existing Premises Licence and plan
- Copy of the Blue Notice
- Newspaper Public Notice
- Copies of the representations