

Report to the Licensing Committee

Date of meeting: 5th April 2011

**Subject: The Broadway Express, 74 The Broadway Loughton
Essex IG10 3ST**



**Epping Forest
District Council**

**Responsible Officer: Kim Tuckey 01992 564034
Senior Licensing Officer**

Democratic Services: Adrian Hendry

Recommendations/Decisions Required:

To determine the application for a Premises Licence under the Licensing Act 2003

Report:

Application

1. An application has been made by NARTS licensing agents on behalf of Mr Guner Islek for a premises licence for the above premises. The application was received on the 17th February 2011 and the application is attached to this report. The application sets out the relevant licensing activities applied for and times requested.
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

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 application has been consulted on in accordance with the requirements of the Licensing Act 2003. The Sub-committee must only take account of any representation must relate to a particular premise and must be relevant to the promotion of one or more of the four licensing objectives.
6. The authority has received one representation from Loughton Town Council on behalf of Katie Nicholson a Town Councillor who lives in the vicinity of the premises. A copy of the letter is attached

Options

7. 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

- 8. 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 necessary to the licensing objectives.

Appeal

- 9. If any party is aggrieved with the decision they can appeal to Magistrates court. Such appeals are by way of re-hearing. The appeal period is 21 days from notification of the decision.

Attached documents

- Application for premises licence
- Representation from Loughton Town Council
- Map showing the area