

Report to the Sub-Licensing Committee

Date of meeting: 7th February 2012

Subject: Loughton BBQ, 171 High Road Loughton IG10 4LF

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



**Epping Forest
District Council**

Democratic Services: Adrian Hendry, (01992 564246)

Recommendations/Decisions Required:

To consider the variation of the Premises Licence of the above named premises.

Report:

Application

1. An application has been made by Sal & Co Solicitors on behalf of Hasan Dagdelen the Premises Licence Holder for a variation to the premises licence for the above premises. The authority received the application on 21/11/2011 .The application sets out the varied licensing activities applied for and times requested. A copy of the present licence for the premises, the application for variation and the public notice are attached.
2. This application was presented to the licensing sub-committee on the 10th January 2012, where the sub-committee agreed to defer the application to the 7th February 2012 at the request of the applicant's solicitor
3. The applicant is requesting an extension of the licensable hours for the sale of late night refreshment
4. Section L and O of the application for variation amends the Operating Schedule of the premises licence .A brief explanation of the variation is set out on page two of the Application for a extension of the late night refreshment for an extra half an hour Thursdays until 01.30 and on Friday & Saturday until 02.30am..

Licensing Act 2003

5. 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.
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 properly advertised at the premises and in a local newspaper

8. The authority has received representations the representations from the following interested parties
- (a) Loughton Residents Association – all of the licensing objectives
 - (b) Karen Mold – crime and disorder and public nuisance
 - (c) Christine Gray – public nuisance
 - (d) Leslie Perry – crime and disorder and public nuisance
 - (e) Mr and Mrs Pidgeon - crime and disorder and public nuisance and letter confirming their objection
 - (f) Cllr James Hart- crime and disorder and public nuisance

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.

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

- (b) the content of this report and representations
- (c) 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

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>
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Attached documents

- Application for premises licence
- A copy of the Premises Licence
- Copy of the newspaper notice
- Representation from Interested Parties
- Map showing the area