

Report to the Licensing Sub Committee

Date of meeting: 24 August 2015

**Subject: Church Hill Service Station, 117 Church Hill
Loughton IG10 1QR**

**Responsible Officer: Nuala Clark Licensing Compliance Officer
(01992 564340)**

Democratic Services: M Jenkins (01992 56 4607)



**Epping Forest
District Council**

Decisions Required:

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

Report:

Application

1. An application has been made by Rontec Watford Limited for a variation to the above premises, which is to extend the hours of sale of alcohol to 24 hours daily, add late night refreshment from 23.00 to 05.00 7 days a week. Also to remove any embedded restrictions in the premises licence and to remove all the conditions contained in Annex 2 of the premises licence and to include in Annex 2 the conditions in boxes b to e of Section M of the operating schedule. The application was received on the 2/07/2015.
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 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.
- 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 also advertised at the premises and in a local newspaper.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received a response from Essex Fire & Rescue Service who have no objection plus one letter of support from a local resident. A further forty eight (48) objections have been received, one from Essex Police, one from Loughton Town Council and forty six (46) from local residents all of which are

attached to this report.

- 8 The objections relate to crime and disorder public safety, the prevention of public nuisance and 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 2.30 of the Guidance are relevant to this application

Options

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

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

- Current premise licence
- Application for premises licence variation
- Map of the area
- Newspaper advert
- 1 letter from Essex Fire & Rescue and 1 from a local resident in support.
- 48 letters of objection, 1 from the Police, 1 from Loughton Town Council and 46 from local residents.