

# **Report to the Licensing Sub Committee**

**Date of meeting: Tuesday 1<sup>st</sup> December 2020**



**Epping Forest  
District Council**

**Subject: Application for a New Premises Licence in respect of Café Caribbean, 262 High Road, Loughton, Essex, IG10 1RB**

**Responsible Officer: Handan Ibrahim, Licensing Compliance Officer (01992 564153)**

**Democratic Services: V Messenger (01992 564265)**

---

## **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 Café Caribbean (Loughton) Ltd for a new premises licence at 262 High Road, Loughton, IG10 1RB. The application is for a café/restaurant serving Caribbean food. The applicant is applying for the following:

#### **Supply of Alcohol (both on & off the premises)**

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

#### **Provision of Live Music**

Friday and Saturday 23:00 to 00:00

#### **Provision of Recorded Music**

Friday and Saturday 23:00 to 00:00

#### **Provision of Late Night Refreshment**

Monday to Thursday 23:00 to 23:30  
Friday and Saturday 23:00 to 00:30  
Sunday 23:00 to 23:30

#### **Hours Premises will be open to the public**

Monday to Thursday 11:00 to 23:30  
Friday and Saturday 11:00 to 00:30  
Sunday 11:00 to 23:30

2. The application was received on the 9<sup>th</sup> October 2020.
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. All residences and businesses within 150 meters radius of the premises were individually consulted.
8. The authority has received 1 representation from Cllr. Judy Jennings, 1 representation from Loughton Town Council, 1 representation from Chris Smith, Environmental Enforcement Officer, 1 representation from Loughton Residents Association Plans Group and 9 representations from local residents, which are also attached. The representation received from Jyoti Lakhani attached audio files, please disregard the reference to these files, as the audio relates to a different premises and is not relevant to this application. Responses have been received from Trading Standards, Essex Fire Service and Essex Police and they have no comments.
9. The objections relate to the prevention of crime and disorder and the prevention of public nuisance.

### **Guidance Issued by the Secretary of State**

10. The Licensing Act 2003 provides that the licensing authority must 'have regard to guidance issued by the Secretary of State under section 182.
11. Sections 2.1 to 2.6 and 2.15 to 2.21 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**

- Application for premises licence
- Plan of the premises
- Newspaper advert
- Blue Notice
- Map of the area
- Representation from Cllr Judy Jennings
- Representation from Loughton Town Council
- Representation from Chris Smith, Environmental Enforcement Officer
- Representation from Loughton Residents Association Plans Group
- 9 representations from local residents