

# **Report to the Licensing Committee**

**Date of meeting: 4<sup>th</sup> September 2012**

**Subject: White Bull 2 Centric Parade ,Loughton Essex**

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



**Epping Forest  
District Council**

**Democratic Services: Adrian Hendry**

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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 Lee Hoddinott of James Motion on behalf of White Bull (Loughton) Ltd, the Premises Licence Holder for a variation to the premises licence for the above premises. The authority received the application on 27<sup>th</sup> July 2012. The application sets out the varied licensing activities applied for and times requested. A copy of the present licence for the premises, a detailed plan, the application for variation and the public notice and plan are attached.

2. The applicant is requesting to add live music and the extend times for the following:

**Live Music:** Monday to Thursday 20:00 to 24:00, Friday & Saturday 20:00 to 01:30, Sundays 20:00 to 24:00

**Recorded Music:** Monday to Thursday 20:00 to 24:00, Friday & Saturday 20:00 to 01:30, Sundays 20:00 to 24:00

**Provision of facilities for dancing:** Monday to Thursday 20:00 to 24:00 Friday & Saturday 20:00 to 01.30 & Sundays 20:00 to 24:00

**Late Night refreshment:** Monday to Thursday 23:00 to 24:00 Friday & Saturdays 23:00 to 01:30 & Sundays 23:00 to 24:00

**Sale of Alcohol:** Monday to Thursday 11.00 to 24.00, Friday & Saturday 11.00 to 01.30, Sundays 11.00 to 24:00

**Opening hours:** Monday to Thursday 11.00 to 24:30, Friday & Saturday 11.00 to 02.00, Sundays 11.00 to 24.30

3. Section E, F,J, L,M O of the application for variation amends the Operating Schedule of the premises licence and sets out some new conditions on page 19 of the application which will be attached to the licence if this application is granted.

4. The Applicant has applied to re-configure the premises internal layout to provide extended bar facilities and reduce dining commitment. A plan has been included with the Application.

5. The name of the premises is to be changed to "WHITES"

## **Licensing Act 2003**

6. 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.

7. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

### **Consultation**

8. The Responsible Authorities have received a copy of the application, it was properly advertised at the premises and in a local newspaper.

The authority has received a representation from the following:

- Essex police who have agreed new conditions with the applicant and are attached
- The Environmental Health & Neighbourhood team who have agreed conditions
- Essex Fire Service have made no representation
- Environmental Health Brian Stallabrass has made no representation
- Loughton Town Council objected on the grounds of public nuisance and public safety.
- Loughton Residents Association on behalf of local resident listed on the grounds of crime and disorder, public nuisance and the protection of children from harm
- Six further representations have been received from eight named people.

### **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. Section 8.70 of the Licensing Act guidance applies to the Variation of a licence

### **Options**

11. 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

- (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

<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>

### **Attached documents**

- Application for premises licence
- A copy of the Premises Licence
- Detailed Plans
- Copy of the notice
- Map showing the area
- Representation from Responsible Authorities & Interested party's