

# Report to the Licensing Sub Committee



**Epping Forest  
District Council**

## Date of meeting:

**Subject: Application for a New Premises Licence in respect of New Restaurant, Lounge and bar, 179-181 High Road, Loughton, Essex, IG10 4LF**

**Responsible Officer: Denise Bastick  
Licensing Compliance Officer  
Democratic Services: Laura Kirman (01992 564273)**

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## 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 Mr Umut Demir for a new premises licence at 179-181 High Road, Loughton, IG10 4LF, the application is for a new restaurant, lounge and bar. The application was received on the 24<sup>th</sup> December 2020.

The applicant is applying for the following licensable activities:

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

Monday to Thursday	10:00 to 00:00
Friday and Saturday	10:00 to 00:30
Sunday	10:00 to 00:00

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

Monday to Thursday	10:00 to 00:00
Friday and Saturday	10:00 to 00:30
Sunday	10:00 to 00:00

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

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

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

Monday to Thursday	10:00 to 00:30
Friday and Saturday	10:00 to 01:00
Sunday	10:00 to 00:30

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 metre radius of the premises were individually consulted.
- 7 The authority has received a representation from Loughton Town Council, and 14 representations from local residents, which are also attached. Chris Smith, Environmental Enforcement Officer, has agreed conditions with the applicant and these are also attached. A response has been received from Essex Fire Service, which is also attached, together with the response from the applicant's solicitor.
- 8 The Objections relate to the prevention of 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 2.31 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
- Public Notice
- Blue Notice
- Map of the area
- Letter of objection from Loughton Town Council
- 14 letters/emails of objections from local residents.
- email from Chris Smith, Environmental Enforcement Officer with agreed conditions
- Response received from Essex Fire Service, together with response from the applicant's solicitor