

Report to the Licensing Committee



**Epping Forest
District Council**

Date of meeting: 3 May 2016

Subject: Summary Review of Premises Licence - Nu bar High Road
Loughton Ig10 4LF

Responsible Officer: Kim Tuckey (01992 564034) – Licensing Manager

Democratic Services Officer: Rebecca Perrin (01992-564532)

Decision Required:

1. To determine an application for a Summary Review of the Premises Licence and in particular:
 - Consider what steps it considers appropriate for the promotion of the licensing objectives;
 - Decide if the interim step imposed ceases to have effect altogether or if the licence should become subject to any step(s) which the Licensing Authority considers are appropriate when making it's determination on the review; and
 - To consider relevant representations as a result of the review application.

Report:

1. On 11th April 2016 an application for an Expedited Summary Review of a Premises Licence under Section 53A of the Licensing Act 2003 was received from Essex Police in respect of a Premises Licence issued to The Nu Bar Loughton Essex IG10 4LF.
2. A copy of the application for a summary review and the certificate under Section 53A(1)(b) was served on the holder of the Premises Licence and all responsible authorities. The certificate stated that in the opinion of Superintendent Trevor Roe of Essex Police, the Premises were associated with both serious crime and disorder.
3. On 12th April 2016, in accordance with Section 53B of the Licensing Act 2003, the Licensing Authority after reading the Essex Police's review application determined within the 48 hour statutory time frame to implement the following interim step to take effect immediately:

To suspend the Premises Licence until the Review hearing as there was a danger of further serious crime and serious disorder.
4. On 12th April 2016 Premises Licence Holder submitted representations against the interim step imposed by the Licensing Authority. A hearing was held on 14th April 2016 to consider the representations and having considered them, the Licensing Authority determined that the suspension would remain in place until the full hearing

on the 3rd May 2016 as they felt the original decision of the panel on the 12th April was proportionate & reasonable under the circumstances.

5. The application for the full review was advertised in accordance with Section 53(A)(3)(c) of the Licensing Act 2003 and Regulation 38 of the Licensing Act 2003 (Premises Licences and Club Premises Certificates) Regulations 2005, thereby inviting representations to be made by responsible authorities and interested parties. Any representations had to be received by the Licensing Authority by 25th April 2016.
6. The following appendices will be sent out separately:
 - Appendix A - Application for Review and Superintendents certificate.
 - Appendix B - Map of local Area.
 - Appendix C - Interim steps decision letter.
 - Appendix D - Copy of Premises Licence.
 - Appendix E – Public notice.
 - Appendix F - Relevant Representations received.

Grounds for Review

7. In support of the application Essex Police have supplied a list of incidents, and these will be sent out separately in a supplementary document.

Relevant Representations

8. Any relevant representation received will be provided at the meeting.
9. The Premises Licence Holder, the applicant for the review and all interested parties have been invited to attend this hearing.

Legal Considerations

10. Any decision must be taken following consideration of the representations received with and taking into consideration the four licensing objectives which are:
 - Prevention of crime and disorder.
 - Public safety.
 - Prevention of public nuisance.
 - Protection of children from harm.

Options

11. The Licensing Sub-Committee has the following options:
 - (a) To modify the Conditions of the Premises Licence and/or attach new conditions;
 - (b) To exclude from the Licence a licensable activity;
 - (c) To remove the Designated Premises Supervisor;
 - (d) To suspend the Licence for a period not exceeding 3 months;
 - (e) To revoke the Licence; and/or

(f) To leave the Licence in its existing state.

Background Papers:

- Licensing Act 2003.
- Licensing Act 2003 (Summary Review of Premises Licences) Regulation 2007.
- Licensing Act 2003 (as amended by the Violent Crime Reduction Act 2006).
- Expedited/Summary Licence Reviews Guidance – October 2007.
- The Authority's Licensing Policy.
- The Human Rights Act 1998.