

# **Report to the Licensing Sub-Committee**



**Epping Forest  
District Council**

**Date of meeting: 7 March 2017**

**Subject: Summary Review of Premises Licence - Nu Bar, 153 High Road,  
Loughton IG10 4LF**

**Responsible Officer: Kim Tuckey (01992 564034).**

**Democratic Services: Gary Woodhall (01992 564470).**

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## **Recommendations/Decisions Required:**

- (1) To consider whether the interim step is necessary for the promotion of the licensing objectives;**
- (2) To decide if the interim steps imposed ceases to have effect or the licence should become subject to any steps(s) which the licensing authority considers are appropriate when making its determination on the review;**
- (3) To consider relevant representations as a result of the review application; and**
- (4) To determine whether the interim step should be withdrawn or modified, and/or revoke the licence.**

## **Report:**

1. The report provides details of an application for a summary review of a Premises Licence under Section 53A of the Licensing Act 2003 made by Essex Police, received by the authority on 9 February 2017. It outlines the conditions the Licensing Authority has imposed on the Premises Licence as an interim measure until the matter can be dealt with by way of a full hearing on 7 March 2017.

### Introduction

2. An application for a Summary Review of the Premises Licence issued to Nu Bar 153 High Road Loughton under Section 53A of the Licensing Act was made on 9 February 2017.

3. In accordance with Section 53A(3)(a) of the Licensing Act 2003 a copy of the application and 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 the premises were associated with serious crime and serious disorder.

4. In accordance with Section 53B of the Licensing Act 2003, the Licensing Authority after reading Essex Police review application members determined within the 48 hour statutory time frame to implement the following interim step to take effect immediately on 10 February 2017:

- To suspend the Premises Licence until the full Review hearing.

5. The Sub-Committee found that if the Premises Licence was not suspended there was a danger of further serious crime and serious disorder ( A copy of the members decision is also attached in appendix D).

6. The application 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 have to be received by the Licensing Authority by 22 February 2017.

7. A copy of the application for review and the certificate are attached at Appendix A. Also attached at Appendix B is a copy of the Premises Licence and location map showing the premises and surrounding area.

8. Under Section 53(B)(6) of the Licensing Act 2003 the Premises Licence holder may make representations in relation to any interim steps which are imposed.

9. Under Section 53(B)(6) the Licensing Authority must, within 48 hours of the time of receipt of the representations, hold a hearing to consider these representations.

10. In making its decision the Licensing Sub-Committee must:

(a) consider whether the interim steps are necessary for the promotion of the licensing objectives; and

(b) determine whether to withdraw or modify the steps taken;

having regard to the certificate that accompanied the application, any representations made by the Police and any representations made by the holder of the Premises Licence.

11. The four licensing objectives are:

(a) Prevention of Crime and Disorder;

(b) Public Safety;

(c) Prevention of Public Nuisance; and

(d) Protection of Children from Harm.

12. At the full hearing members will need to consider any representation made by all of the responsible authorities and interested parties.

13. The authority received representation from two interested parties, attached at Appendix C.

14. Members may take the following measures:

(a) the modification of the conditions to the premises licence;

(b) the exclusion of a licensable activity from the scope of the licence;

(c) the removal of the designated premises supervisor from the licence;

(d) the suspension of the licence for a period of not exceeding three months; or

(e) the revocation of the licence.

15. Supporting supplementary documents to follow from Essex Police & Green King.