

Report to the Licensing Sub Committee

Date of meeting: 7 August 2018



**Epping Forest
District Council**

Subject: New Premise Licence The Hub, 32 Barrington Green, Loughton, Essex, IG10 2BA

Responsible Officer: Handan Ibrahim (01992 564153)

Democratic Services Officer: Rebecca Perrin (01992 564532)

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 Dawn Chappell for a new premises Licence at 32 Barrington Green, Loughton, Essex, IG10 2BA. The application is for the following:

- **The provision of recorded music** – Sunday to Thursday 10:00-23:00, Friday and Saturday 10:00-00:00 .
- Additional hours to 00:30 Christmas Eve, and till 01:00 New Years Eve into New Years Day
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- **Provision of Anything of a similar description to Live Music, Recorded Music or performances of dance-** – Sunday to Thursday 10:00-23:00, Friday to Saturday 10:00-00:00.
- Additional hours to 00:30 Christmas Eve, and till 01:00 New Years Eve into New Years Day
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- **Supply of Alcohol-** – Sunday to Thursday 10:00-23:00, Friday to Saturday 10:00-00:00.
- Additional hours to 00:30 Christmas Eve, and till 01:00 New Years Eve into New Years Day
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- **Hours Premises will be Open To The Public-** Monday to Thursday 08:00-23:30, Friday 08:00-00:30, Saturday 09:00-00:30, Sunday 09:00-23:30
 - .The application was received on the 26th June 2018.

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 meters radius of the premises were individually consulted.

7 The authority has received representations from the Council's Environment & Street Scene Directorate, Loughton Town Council and from three local residents, which are also attached. Responses have been received from Essex Police with agreed conditions to be added to the operating schedule.

8 Essex Fire Service and Environmental Health Team have no objections.

9 The Objections relate to the prevention of crime and disorder and 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
- Email from Essex Police with agreed conditions
- Representation from Environment Health Team
- Representation from Loughton Town Council
- Three letters of objections from local residents