

Report to the Licensing Sub-Committee

Date of meeting: 23 August 2018

**Subject: New Premises Licence, Zara Bar & Grill, 30
Barrington Green, Essex, IG10 2BA**



**Epping Forest
District Council**

**Responsible Officer: Handan Ibrahim
Licensing Compliance Officer**

Democratic Services: J Leither

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 Cem Yaman for a new premises Licence at 30 Barrington Grill, Loughton, IG10 2BA, .the application is for:
 - **Late Night Refreshment** Monday to Thursday 23:00-23:30, Friday to Saturday 23:00-00:00 (no late night refreshment for Sunday)
 - **Supply of Alcohol** Monday to Thursday 10:00-23:00, Friday to Saturday 10:00-23:30, Sunday 10:00-22:30 (both on and off the premises)
 - **Hours premises will be open to the public** Monday to Thursday 09:00-23:30, Friday to Saturday 09:00- 00:00, Sunday 09:00-23:00
2. The application was received on 3 July 2018
3. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

Licensing Act 2003

4. 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.

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

Consultation

6. The Responsible Authorities have received a copy of the application, it was also advertised at the premises and in a local newspaper.
7. All residences and businesses within 150 meters radius of the premises were individually consulted.

8. The authority has received representations from Loughton Town Council and 5 local residents, which are also attached. Responses have been received from The Police and Environment and Neighborhoods Team who have both agreed conditions with the applicant. Environmental Health Team and Essex Fire Service have no objections.
9. The Objections relate to crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

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 2.32 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
- Letters from Essex Police Licensing Officer with agreed conditions to be added to the operating schedule
- Letters from Environment and Neighborhoods officer Michael Richardson with agreed conditions to be added to the operating schedule.
- Six letters of objection from Loughton Town Council and local residents.