

Report to the Licensing Sub-Committee

Date of meeting: 6th November 2018



**Epping Forest
District Council**

**Subject: New Premises Licence Application
Mr Todiwala at Petiscos
75 Queens Road
Buckhurst Hill
Essex**

**Responsible Officer: Joanne Owen
Licensing Compliance Officer**

Democratic Services: Adrian Hendry

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 Steven Schaffer for a new premises licence at 75 Queens Road, Buckhurst Hill, Essex. The application is for a new premises licence. The application was received on the 13th September 2018
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

ON/OFF sales of alcohol	12:00hrs – 23:30hrs	Monday to Sunday
Opening hours	12:00hrs – 00:00hrs	Monday to Sunday
Provision of recorded music	12:00hrs – 00:00hrs	Monday to Sunday
Provision of late night		
Refreshment	23:00hrs – 00:00hrs	Monday to Sunday

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 4 representations from local residents, which are attached. Responses have been received from The Police, Quality Assurance and Safeguarding and Public Health – Epping Forest District Council who have no objections. Committee members from the Buckhurst Hill Parish Council have not made an objection but have made comment – please see attached.

Michael Richardson – Environment and Neighbourhoods Officer for Epping Forest District Council has agreed conditions with the applicant. See attached.

Acknowledgment to the application has been received by Trading Standards.

- 8 The Objections relate to the prevention of public nuisance and the prevention of crime and disorder.

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 2.15 to 2.21 and 2.1 to 2.6 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
- Map of the area
- Photograph of Blue Notice
- Correspondence from:
 - Essex Police
 - Environment and Neighbourhoods – Epping Forest District Council
 - Public Health – Epping Forest District Council
 - Quality Assurance and Safeguarding
 - Buckhurst Hill Parish Council
 - Trading Standards
- 4 letters/emails of objections from local residents