

# **Report to the Licensing Sub Committee**

**Date of meeting: Tuesday 18<sup>th</sup> December 2018**

**Subject: New Premises Licence application for Fred and Dougs, 4 Station Road, Epping, Essex, CM16 4HA**

**Responsible Officer: Debbie Houghton, Licensing Officer**

**Democratic Services: Jackie Leither**

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**Epping Forest  
District Council**

## **Decisions Required:**

**To determine the application for a new Premises Licence under the Licensing Act 2003**

## **Report:**

### **Application**

An application has been made by George Douglas Properties Ltd, for a new premises licence at 4 Station Road, Epping, Essex, CM16 4HA.

The application is for the following licensing activities,

#### **1. The Supply of Alcohol**

Monday to Sunday 09.00 – 23.00 hrs.  
(non standard timings Halloween and Christmas Eve to 0.00am, New Years Eve to 00.30am)

##### **Live Music**

Thursday to Saturday only 17.00 – 22.00

##### **Recorded Music**

Monday to Friday 07.00 – 23.00  
Saturday 08.00 – 23.00  
Sunday 09.00 – 23.00

##### **Opening times of the Premises**

Monday to Sunday 07.00 – 23.00 hrs.

As a result of deregulatory changes from 6<sup>th</sup> April 2015, no licence is required for the following activities,

Live Music between the hours of 08.00 – 23.00  
Recorded Music between the hours of 08.00 – 23.00

#### **2 The application was received on the 4<sup>th</sup> November 2018.**

The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

- 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 all received a copy of the application, it was also advertised at the premises and in a local newspaper. The Blue notice and the newspaper advert are attached to the report.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received 2 representations from residents, see copies of letters attached.
- 8 There was a response from Essex police with no representation to make but has agreed conditions with the applicant, copy of email is attached.
- 9 The Objections relate to the Prevention of Crime and Disorder, Prevention of Public Nuisance, and Public Safety 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 2.15 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 and Public Blue Notice
- 2 letters of representations from residents.
- Response from Essex Police with agreed conditions