

Report to the Licensing Sub-Committee

Date of meeting: 9th July 2019

**Subject: New Premises Licence application – Wo Fat
Restaurant, 270-272 High Road, Loughton, Essex,
IG10 1RB**



**Epping Forest
District Council**

**Responsible Officer: Denise Bastick
Licensing Compliance Officer**

Democratic Services:

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 Vital Foods Ltd for a new premises licence at 270-272 High Road, Loughton, Essex, IG10 1RB. The application is for a new premises licence to include the sale of alcohol Monday to Saturday 12:00 to 14:30 and 17:00 to 00:00 and Sunday 12:00 to 23:30. The provision of recorded music Monday to Saturday 12:00 to 14:30 and 17:00 to 00:00 and Sunday 12:00 to 23:30. Late Night refreshment Monday to Saturday 23:00 to 00:00 and Sunday 23:00 to 23:30. The opening hours of the premises are Monday to Saturday 12:00 to 14:30 and 17:00 to 00:00 and Sunday 12:00 to 23:30. The application was received on the 18th May 2019.
- 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 one representation from Essex Police and one representation from Loughton Residents Association, which are also attached. Responses have been received from Essex County Fire & Rescue Service and Environment & Neighbourhoods, who have no objections.

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

- The authority has also received a response from Councillor Judy Jennings. Although this is not a representation, Councillor Jennings would like to make a comment on this application. A copy is attached to this report.

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 2.1 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
- Map of the area
- Public Notice
- One letter of objection from Essex Police
- One letter of objection from Loughton Town Council
- Response received from Councillor Judy Jennings