

Report to the Licensing Sub Committee

Date of meeting: 1st December 2020

**Subject: Abbey Bar & Grill, 18 Sun Street, Waltham Abbey,
Essex, EN9 1EE**



**Epping Forest
District Council**

**Responsible Officer: Hannah Gould, Licensing Compliance Officer
(01992 654000 x 2974)**

Democratic Services: V Messenger (01992 564265)

Decisions Required:

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

Report:

Application

An application has been made by Licenses-r-us Limited on behalf of the applicant Mr Hasan Parlak of Arin Restaurant Limited for a new premises licence at Abbey Bar & Grill, 18 Sun Street, Waltham Abbey, Essex, EN9 1EE.

The application is for a new Premises Licence at this Restaurant & Bar serving Turkish cuisine for the sale of alcohol for consumption on/off the premises and for providing late night refreshment during the following hours:

Monday to Sunday 10:00 hours to 00:00 hours
New Year's Eve 10:00 hours to New Year's Day 01:00 hours

The opening hours are as follows:

Monday to Sunday 10:00 hours to 00:30 hours
New Year's Eve 10:00 hours to New Year's Day 01:30 hours

- 1** The application was received on the 2nd October 2020.
- 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—
the prevention of crime and disorder;
public safety;
the prevention of public nuisance; and
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.

6 It was advertised at the premises and in the local newspaper.

All residences and businesses within 150 meters radius of the premises were individually consulted also.

7 The authority has received one objection from Essex Police which relates the prevention of crime and disorder and the public safety objectives. Details attached.

A response was received from Environmental Health highlighting recent complaints made by the public concerning Covid safety. Details are also attached.

Essex County Fire & Rescue Service have no objections but did visit the site and discussed The Regulatory Reform (Fire Safety) Order 2005 with the applicant. Details attached.

Guidance Issued by the Secretary of State

8 The Licensing Act 2003 provides that the licensing authority must 'have regard to guidance issued by the Secretary of State under section 182.

9 Sections 2.1 to 2.31 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 the premises licence
- DPS consent
- Plan of the premises
- Blue Notice
- Newspaper advert
- Objection from Essex Police
- Response from Environmental Health
- Response from Essex County Fire & Rescue Service
- Map of the area