

Report to the Licensing Sub Committee

Date of meeting: 5th January 2021

Subject: Gods Own Pizza, 155 High Road, Loughton, Essex, IG10 4LF

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

Democratic Services: Laura Kirman



**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 TD&H Restaurants Ltd for a new premises licence at 155 High Road, Loughton, Essex, IG10 4LF, the application is for The application is for a new pizza restaurant, the applicant is applying for the following licensable activities:

Live Music (indoors)

Monday to Saturday 11:00-00:00

Sunday 11:00-23:00

Season variations to include Christmas Eve, Christmas Day, Boxing Day, New Year's Day and the day preceding any bank holidays timings 11:00-00:30 and New Year's Eve 11:00-02:00

Provision of recorded music (both indoors and outdoors)

Monday to Saturday 11:00-00:00

Sunday 11:00-23:00

Season variations to include Christmas Eve, Christmas Day, Boxing Day, New Year's Day and the day preceding any bank holidays timings 11:00-00:30 and New Year's Eve 11:00-02:00

Late Night Refreshments (both indoors and outdoors)

Sunday to Wednesday 23:00-00:00

Thursday-Saturday 23:00-00:30

Season variations to include Christmas Eve, Christmas Day, Boxing Day, New Year's Day and the day preceding any bank holidays timings 11:00-01:00 and New Year's Eve 11:00-02:30

Supply of Alcohol (both on and off the premises)

Sunday to Wednesday 11:00-00:00

Thursday to Saturday 11:00-00:30

Season variations to include Christmas Eve, Christmas Day, Boxing Day, New Year's Day and the day preceding any bank holidays timings 11:00-01:00 and New Year's Eve 11:00-02:30

Hours Premises will be open to the public

Monday to Saturday 11:00-01:00

Sunday 11:00-00:00

Season variations to include Christmas Eve, Christmas Day, Boxing Day, New Year's Day and the day preceding any bank holidays timings 11:00-01:30 and New Year's Eve 11:00-03:00

1. The application was received on the 18th November 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—
 - (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 five representations from Loughton Town Council, Connaught Avenue Essex Ltd and local residents, which are also attached. Responses have been received from The Police and the Environment and Noise Enforcement Team regarding conditions that have been agreed to be added to the license if granted. These conditions which have been agreed have been attached to the report.
- 8 The Objections relate to the prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm.

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 2.32 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 premise's 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
- Conditions agreed by Essex Police and Environment and Noise Enforcement Team
- Five letters of objections from Loughton Town Council, Connaught Avenue Essex Ltd and local residents.