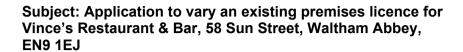
Report to the Licensing Sub Committee

Date of meeting: 17th January 2023





Responsible Officer: Hannah Gould, Licensing Compliance Officer

Democratic Services: A Hendry

Recommendations/Decisions Required:

To determine the application for a variation of an existing Premises Licence under the Licensing Act 2003

Report:

Application

La Regina Restaurant Limited have applied to the Licensing office at Epping Forest District Council for a variation to their Premises Licence in respect of Vince's Restaurant & Bar, 58 Sun Street, Waltham Abbey, EN9 1EJ.

The application was received on the 30th November 2022 and seeks to vary the existing hours as follows:

Supply of alcohol;

Monday to Wednesday	11:00 to 01:30 (currently 11:00 to 00:00)
Thursday to Saturday	11:00 to 02:30 (currently 11:00 to 01:00)
Sundays	12:00 to 01:30 (currently 12:00 to 00:00)
Live and recorded mus	<u>ic</u> ;
Sunday to Wednesday	12:00 to 23:00 (currently 12:00 to 22:00)
Thursday	12:00 to 00:00 (currently 12:00 to 23:00)
Friday to Saturday	
Late night refreshment;	
Sunday to Wednesday	23:00 to 01:30 (currently 23:00 to 00:00)
Thursday to Saturday	23:00 to 02:30 (currently 23:00 to 01:00)
Opening hours ;	
Monday to Wednesday	11:00 to 01:30 (currently 11:00 to 00:00)
Thursday to Saturday	11:00 to 02:30 (currently 11:00 to 01:00)
Sunday	11:00 to 01:30 (currently 12:00 to 00:00)

An additional hour Christmas Eve and Boxing Day, New Year's Eve / day to start of permitted hours on the following day. (as before)

Licensing Act 2003

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.

It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

The consultation period ran from the 1st December 2022 to the 28th December 2022.

All Responsible Authorities have received a copy of the application.

It was advertised at the premises and in the local newspaper. All residents and businesses within 150 metre radius were also informed by letter.

The authority has received:

- 3 objections from local residents
- 1 objection from the Council's Safer Communities Department
- 1 objection from Essex Police

All details are attached.

Guidance Issued by the Secretary of State

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

Sections 2.1-2.6 and 2.15-2.21 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:

- To grant the variation as applied for
- To modify the variation submitted; or
- to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

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 http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary
- Epping Forest District Council's statement of licensing policy. http://www.eppingforestdc.gov.uk

•

Attached documents

- Existing premises licence
- Application to vary the premises licence
- Plan of the premises
- Blue Notice
- Newspaper advert
- Objections from residents
- Objection from Safer Communities
- Applicant response to objection from Safer Communities
- Objection from Essex Police
- Map of the area