

Report to the Licensing Committee

Date of meeting: 4th April 2023

Subject: Application to vary a Premises Licence in respect of Il Vino, 28 Queens Road, Buckhurst Hill, Essex, IG9 5BY



**Epping Forest
District Council**

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

Democratic Services:

Recommendations/Decisions Required:

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

Report:

Application

1. An application has been made by Dello Spirito Ltd for a variation to the premises licence in relation to Il Vino, 28 Queens Road, Buckhurst Hill, IG9 5BY. The authority received the application on 17th February 2023. A copy of the existing licence for the premises, the application for variation and the public notice are attached.
2. The application is to remove the restriction relating to the On Sales of alcohol to pre booked tasting events; and allow the sale of alcohol for consumption on and off the premises at any time authorised by the licence (Monday to Sunday 10:00-23:00)

Licensing Act 2003

3. When considering an application for a licence the licensing authority must have regard to the promotion 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 properly advertised at the premises and in a local newspaper. A copy of the Blue Notice and Newspaper advert is attached to this report.
6. All residences and businesses within 150 metres radius of the premises were individually consulted.
7. The authority has received one representation from a local resident and one letter in support of the application. Essex Police Licensing have agreed conditions with the

applicant, copies of which are also attached.

8. The representation relates to the prevention of Crime and Disorder and the prevention of public nuisance.

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 - 2.6 and 2.15 – 2.21 of the Guidance are relevant to this application.

Options

11. 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 modify the conditions of the licence; 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
<https://www.gov.uk/government/publications/explanatory-memorandum-revised-guidance-issued-under-s-182-of-licensing-act-2003/revised-guidance-issued-under-section-182-of-the-licensing-act-2003-december-2022-accessible>
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents

- Application for variation of Premises Licence
- A copy of the Premises Licence
- Copy of the blue notice
- Newspaper advert
- Email from Essex Police Licensing with agreed conditions

- Representation from a local resident
- Map showing the area