

# Report to the Licensing Sub Committee



**Epping Forest  
District Council**

**Date of meeting: 17<sup>th</sup> January 2023**

**Subject: Application to vary an existing premises licence for Vince's Restaurant & Bar, 58 Sun Street, Waltham Abbey, EN9 1EJ**

**Responsible Officer: Hannah Gould, Licensing Compliance Officer**

**Democratic Services: A Hendry**

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## **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 30<sup>th</sup> 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 music;**

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.....12:00 to 01:30 (*currently 12:00 to 00:00*)

### **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 1<sup>st</sup> December 2022 to the 28<sup>th</sup> 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>
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## **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