

Report to the Licensing Committee

Date of meeting: 3rd March 2020

Subject: Application to vary a Premises Licence for T & G's Tapas Bar and Bistro, 154 High Road, Loughton, Essex, IG10 4BE



**Epping Forest
District Council**

**Responsible Officer: Denise Bastick
Licensing Compliance Officer (01992 564334)**

Democratic Services: J Leither

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 Tom and Georgies Ltd for a variation to the premises licence for the above premises. The authority received the application on 23rd January 2020. A copy of the present licence for the premises, the application for variation and the public notice are attached.
2. The applicant is requesting an extension to the current hours for the sale of alcohol from 11:00 to 23:30 Monday to Sunday and to add the Provision of Late Night Refreshment from 23:00 to 23:30 Monday to Sunday.

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.
6. The authority has received one representation from Loughton Town Council, one representation from the Ward Councillor and two representations from local residents.
7. The representations relate to the prevention of Crime and Disorder, Public Safety and the prevention of public nuisance.

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 - 2.21 of the Guidance are relevant to this application.

Options

10. 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
<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

- Application for variation of Premises Licence
- A copy of the Premises Licence
- Public Notice
- Copy of the blue notice
- Newspaper advert
- Representations from the Ward Councillor, Loughton Town Council and local residents
- Map showing the area