

# **Report to the Licensing Sub-Committee**

**Date of meeting: 12<sup>th</sup> November 2020**

**Subject: New Breed Bottle Shop, 287 High Road, Loughton, Essex, IG10 1AH**



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

**Democratic Services: Laura Kirman**

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## **Decisions Required:**

**To determine the application for a new Premises Licence under the Licensing Act 2003**

## **Report:**

### **Application**

1. An application has been made by New Breed Bottle Shop Ltd for a new premises licence at 287 High Road, Loughton, Essex, IG10 1AH, the application is for a specialist off-licence with a local & UK focus on independent producers of craft beer, wine & spirits. They propose to sell bottles, cans and have 6-8 draft lines for beer and wine. As well as traditional off trade they will offer the opportunity for customers to sample products in store and refill. Main revenue stream is to serve products to be consumed off site not as a bar, although they will provide a small seating area for customers to consume onsite.

2. The applicant is asking for the following licensable activities:  
Supply of Alcohol (both on & off the premises)\_Monday to Saturday 12:00-20:00,  
Sunday 12:00-17:00.

Provision of recorded music, Monday to Saturday 12:00-20:00, Sunday 12:00-17:00.  
Hours

Premises will be open to the public. Monday to Saturday 12:00-20:00, Sunday 12:00-17:00

The application was received on the 29<sup>th</sup> September 2020.

The Operating Schedule sets out conditions which will be attached to the license if this application is granted.

### **Licensing Act 2003**

1. 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.

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

## **Consultation**

3. The Responsible Authorities have received a copy of the application, it was also advertised at the premises and in a local newspaper.
4. All residences and businesses within 150 meters radius of the premises were individually consulted.
5. The authority has received one representation from a local resident, which have been attached. Responses have been received from The Police and the Essex Fire Service, environmental enforcement team who have no objections.
6. The Objection received relates to the prevention of public nuisance.

## **Guidance Issued by the Secretary of State**

7. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
8. Sections 2.15 to 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:

- (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 premises 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
- One letter of objections from a local resident