

# **Report to the Licensing Committee**

**Date of meeting: 1<sup>st</sup> August 2017**

**Subject: Application to vary a premises Licence for Eight Rocks Deli And Wine, 238 High Road, IG10 1HA**



**Epping Forest  
District Council**

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

**Democratic Services: Jackie Leither**

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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**

1. An application has been made by Eight Rocks LTD, the Premises Licence Holder for a variation to the premises licence for the above premises. The authority received the application on 16<sup>TH</sup> June 2017. The application sets out [the varied licensing activities applied for and times requested]. A copy of the present licence for the premises, detailed plans, the application for variation; public notice and newspaper advertisement are attached.
2. The applicant is requesting the following Licensable Activities:  

Recorded Music -	Monday - Sunday	07:00-23:00
Supply of alcohol -	Monday - Sunday	09:00-23:00
3. Section [E, F& J] of the application for variation amends the Operating Schedule of the premises licence [and sets out some new conditions which will be attached to the licence if this application is granted.

#### **Licensing Act 2003**

4. 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.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

## Consultation

6. The Responsible Authorities have received a copy of the application, it was properly advertised at the premises and in a local newspaper
7. The authority has received two representations one from Loughton Town Council and one from a local resident. Mr Peter Jones (Epping & Brentwood Local Police Licensing Officer) has requested conditions to be added to the licence which has been agreed by the applicant, this is attached.
8. The representations relate to: The prevention of Crime and Disorder, The prevention of Public Nuisance and The protection of children from harm.

## 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, 2.15-2.21 and 2.22-2.31 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  
<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**

- A copy of the premises Licence
- Application for premises licence
- Detailed Plans
- Copy of the notice
- Newspaper advert
- Representation from Loughton Town Council and local resident
- Agreed conditions from Mr Peter Jones (police licensing officer)
- Map showing the area