

Report to the Licensing Committee

Date of meeting: 16th May 2022

**Subject: Application to vary a Premises Licence in respect of
New Breed Bottle Shop, 287 High Road, Loughton, Essex,
IG10 1AH**



**Epping Forest
District Council**

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

Democratic Services: A Hendry (01992 564243)

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 New Breed Bottle Shop Ltd for a variation to the premises licence for the above premises. The authority received the application on 1st April 2022. 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 of the hours for the sale of alcohol at the premises to:

Monday to Wednesday 12:00 - 22:00
Thursday to Saturday 12:00 - 00:00
Sunday 12:00 - 18:00

The opening hours of the premises will be:

Monday to Wednesday 12:00 - 22:00
Thursday to Saturday 12:00 - 00:00
Sunday 12:00 - 18:00

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.

6. The authority has received a representation from Loughton Town Council and one representation from a local resident. Essex Police Licensing have agreed a condition with the applicant, copies of which are also attached.

7. The representations relate to the prevention of Crime and Disorder 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 - 2.6 and 2.15 – 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
- Copy of the blue notice
- Newspaper advert
- Email from Essex Police Licensing with agreed condition
- Representations from Loughton Town Council and a local resident
- Map showing the area