

Report to the Licensing Sub-Committee

Date of meeting: Tuesday 9 May 2017

**Subject: Waltham Abbey Driving Range, Brooker Road
Waltham Abbey, EN9 1JH**



**Epping Forest
District Council**

Responsible Officer: Sarah Moran 01992 564270 Licensing Compliance Officer

Democratic Services Officer: Rebecca Perrin 01992 564532

Recommendations/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 **Mr. Harry Paris** trading as **Waltham Abbey Driving Range Ltd**, for a New Premises licence for the above premises.

The authority received the application on **27th March 2017**. The application sets out the relevant licensing activities applied for and times requested: -

Proposed Operating Schedule.

To License the supply of alcohol to a Lounge Area within Waltham Abbey Golf range,
Also to include the outside patio area, as per plan.

Supply of alcohol – On & Off

Monday – Sunday 12.00 – 23.00

Hours open to the Public

Monday - Saturday 07.00 – 23.00

Sunday 7.30 – 23.00

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

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 Licensing authority have received **no** representation from the responsible authorities.
7. The Licensing unit have received **1** representation from an interested party.
8. The representations relate to. The Prevention of Crime and Disorder, Public Safety & Public Nuisance.

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. Crime and Disorder 2.1 – 2.6, Public Safety 2.7 – 2.14 and Public Nuisance 2.15 – 2.21 and Protection of children from harm 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

- On-line application for a New Premises licence
- DPS Consent form
- Plan and Pictures of the Premises.
- Newspaper notice.
- 1 Representations from Interested Parties – Waltham Abbey Town Council
- Map showing the area.