

Report to the Licensing Sub Committee

Date of meeting: 17th July 2017

Subject: The Sun Inn Nazeing Common Nazeing EN9 2DE

**Responsible Officer: Kim Tuckey
Licensing Manager**

Democratic Services:



**Epping Forest
District Council**

Decisions Required:

To determine the application for a Temporary Event Notice under the Licensing Act 2003

Report:

Application

1. An application has been made by Mr Robbie Burgess a Temporary Event Notice at The Sun Inn, Common Road, Nazeing, EN9 2DE. The application is for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. The application was received on the 28th June 2017.
2. The Application form sets out the following.
3. For the sale of alcohol, the provision of regulated entertainment and late night refreshment in the garden area of the premises from 12:00 to 23:30. The garden area of these premises currently falls outside the licensed area.

Introduction

The council has received an objection notice from the Responsible Authority for Environmental Health against the grant of the TEN. The licensing authority must hold a hearing to consider the objection notice under section 105 of the Licensing act 2003.

Consultation

Essex police and the Responsible Authority for Environmental Health were consulted.

The authority has received a representation from the environment and neighbourhoods manager (Mr Richard Gardinder), which are attached in annex 1.

Guidance Issued by the Secretary of State

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

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.

Options

The Panel have three options:

- allow the notice
- allow the notice and duplicate conditions on the premises licence (if they are deemed relevant to the objection)
- reject the notice

Guidance and Policy

The Panel should consider the application in line with:

- The Licensing Act
- Guidance issued under Section 182 of the Licensing Act 2003
- Regulations issued under the Licensing Act 2003
- The Councils Statement of Licensing Policy

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
- Copy of existing licence
- Map of the area
- Objection from Richard Gardiner