

Supplementary Committee Agenda - 2

Licensing Sub Committee Tuesday 20th August 2024

Place: Council Chamber - Civic Offices

Time: 10.15 am

Democratic Services Officer: T Larsen, Democratic Services (Direct Line 01992 564243)
Email: democraticservices@eppingforestdc.gov.uk

6. SUPPLEMENT 2 - TEMPORARY EVENT NOTICE - BLISS HEIGHTS, 140 LONDON ROAD, ABRIDGE RM4 1XX (Pages 2 - 6)

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

Agenda Item 6

Report to the Licensing Sub Committee

Date of meeting: 20th August 2024

**Subject: Report for Temporary Event Notice – Bliss Heights,
140 London Road, Lambourne, RM4 1XX**

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



**Epping Forest
District Council**

Democratic Services:

Decisions Required:

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

Report:

Application

1. An application has been made by Mr Umar Hussain for a new Temporary Event Notice for the following premises: Bliss Heights, 140 London Road, Lambourne, RM4 1XX. The event is for a groom henna pre-wedding party to take place on 28th August 2024 between 14:00 to 23:00 and 29th August 2024 between 14:00 to 18:00 for a maximum of 100 people. The licensable activity applied for is as follows:
 - The provision of regulated entertainment

The application was received on the 12th August 2024.

Licensing Act 2003

- 2 If the licensing authority receives an objection notice from the Police or Environmental Health that is not withdrawn, it must hold a hearing to consider the objection unless all parties agree that this is unnecessary. When considering a Temporary Event Notice the licensing authority must have regard to steps that are appropriate to promote 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.
- 3 It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

- 4 The Responsible Authorities for Essex Police, the Environment Enforcement/Community Resilience Team and Environmental Health Team were consulted.

- 5 The authority has received objection notices from Essex Police and the Environment Enforcement/Community Resilience Team, via email, copies are attached.

Guidance Issued by the Secretary of State

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

Options

- 7 In determining this Temporary Event Notice, the Sub-Committee may take any of the following steps as it considers necessary for the promotion of the licensing objectives, namely:
- Allow the licensable activities to go ahead as stated in the Temporary Event Notice
 - Impose one or more of any existing licence conditions on the Temporary Event Notice (insofar as such conditions are not inconsistent with the event)
 - Reject the Temporary Event Notice and issue a counter notice.

Determination

- 8 The Sub-committee is asked to determine the Temporary Event Notice having regard to
- (a) the content of this report and objection notice
 - (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

- 9 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. An appeal may not be brought later than five working days from the day of the planned event.

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

- Temporary Event Notice
- Objection from Essex Police
- Objection from the Environment Enforcement/Community Resilience Team



14/08/2024

Umar Hussain
Bliss Heights
140 London Road
Abridge
Essex
RM4 1XX

**POLICE OBJECTION NOTICE To a Temporary Event Notice (TEN)
Section 104 Licensing Act 2003**

Name of Premises User: Umar Hussain
Address of Premises: Bliss Heights, 140 London Road, Abridge, Essex, RM4 1XX
Date required for TENs 28th – 29th August 2024

On 12th August 2024 Essex Police received the above Notice.

Essex Police are satisfied that allowing the premises to be used in accordance with the notice would undermine one or more of the licensing objectives.

The licensing objectives, under the Licensing Act 2003, of relevance to this objection notice is:

- Prevention of Crime and Disorder
- Public Safety

Essex Police are satisfied the licensing objectives mentioned above will be undermined due to numerous complaints being made to Essex Police during a similar event in August 2023. During the last event there was no traffic management and a disproportionate amount of traffic caused by vehicles attending the premises. This caused issues which Essex Police were alerted too. As such Essex Police have concerns under the Public Safety licensing objective due to there being no traffic management previously, cars being stuck in traffic for long periods of time and the likelihood that this could cause a public safety risk. Currently, Essex Police still have concerns regarding traffic and the risks this could cause in relation to Public Safety.

The premises is on various wedding sites advertising that people can hire the premises for their weddings/parties. This goes against the crime and disorder objective as the premises does not have a licence to hold events of this nature. Essex Police are aware that Epping Forest District Council Licensing issued a warning letter regarding the premises operating



unlicensed and so therefore Essex Police suspect that the premises has gone against the Licensing Act 2003. Due to the premises already breaching a legal requirement, Essex Police do not feel that the premises would uphold the crime and disorder licensing objective, or any licensing objectives, if the TEN was granted.

Lastly, due to the premises not having a premises licence and local authority not being able to attach conditions to a TEN there are no licensing conditions to abide by that will promote the Crime and Disorder, Public Nuisance and Public Safety licensing objectives. Therefore, Essex Police object to this Temporary Event Notice.

A copy of this objection notice has been served upon the premises user (or agent making application), the local Environmental Health Department and the relevant licensing authority.

On receipt of this notice the licensing authority will issue a 'Counter Notice' and provide further information on related procedures.

Yours faithfully,

Kelsey Dott
Essex Police Licensing Officer

To: Licensing Section

From: Nicki Glasscock
Environmental Enforcement Officer

Date: 15 August 2024

Your ref:

Our ref: WK/202430747



**Licensing Act 2003 – Application for Temporary Event Notice
Bliss Heights, 140 London Road, Lambourne, RM4 1XX**

I refer to an application for a Temporary Event Notice made under the Licensing Act 2003 regarding the above-mentioned premises that I have received.

The application seeks the provision of regulated entertainment on 28 August 2024 from 14:00pm until 23:00pm and on 29 August 2024 from 14:00pm until 18:00pm.

We have previously had issues with the premises in terms of complaints received due to loud music and as a result the premises was served with a Noise Abatement Notice in August 2023 which remains in force.

In recent times we have been working with the premises to set a level at which they could have music without causing a nuisance. Despite this, shortly after setting the level we still received a complaint regarding loud music emitting from the premises.

We have agreed with the premises to a previous TEN after which we can fully assess whether events of this nature can be held without causing a nuisance. Unfortunately, prior to this event occurring the premises have submitted further applications.

To date, the only evidence we have is that the premises causes a statutory noise nuisance due to loud music and could therefore breach the noise abatement notice. Until such a time where we have satisfactory evidence to suggest these events can take place without causing a nuisance to residents, we have little choice but to object to the current application on the grounds of Prevention of Public Nuisance.

I can confirm that I have spoken with the Licensing Agent for the applicant and informed him that we will be submitting a representation.

If you wish to discuss any of my comments, please contact me on 01992 [REDACTED]

[REDACTED]

**Nicki Glasscock
Environmental Enforcement Officer**