

Report to the Licensing Sub Committee

Date of meeting: 13 May 2021

Subject: Panel Report For Temporary Event - Junction 26 Diner, Skillet Hill Farm, Honey Lane, Waltham Abbey, EN9 3QU



**Epping Forest
District Council**

Responsible Officer: Denise Bastick, Licensing Compliance Officer

Democratic Services: R Perrin (01992 56 4532)

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 Nicholas Thompson for a new Temporary Event Notice, for a music event outside to include live music, food and drink on Saturday 26th June 2021 at Junction 26 Diner, Skillet Hill Farm, Honey Lane, Waltham Abbey, EN9 3QU. The application is for the sale by retail of alcohol and provision of regulated entertainment. The application was received on the 28th April 2021.
2. A Temporary Event Notice for this event was previously submitted on 31st March 2021 and was refused at the hearing held on 14th April 2021.

It is noted that all applications are considered on their own merits.

Licensing Act 2003

3. When considering an application for a licence the licensing authority must have regard to steps that are appropriate to promote 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 for the police, the Environment and Neighbourhood team and public health Unit were consulted.
6. The authority has received a representation from Essex police, via email which has been attached.

Guidance Issued by the Secretary of State

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

Options

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:

- approve the Licence applied for
- add conditions to the Licence or
- reject the application

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
- Epping Forest District Council's statement of licensing policy.
<http://www.eppingforestdc.gov.uk>

Attached documents

- Application form for TEN
- Event Plan (plus 2 site plans)
- Event Safety Plan
- H&S Risk Assessment
- Site Management Plan
- Banksmen certificates
- Banksmen ID cards
- Drugs/Weapons Policy
- Objection Notice from Essex Police