

# **Report to the Licensing Sub-Committee**

**Date of meeting: 2nd August 2022**

**Subject: Licensing Act 2003- Application for a Premises Licence for Unit K The Maltings, Station Road, Sawbridgeworth Essex CM21 9JX**



**Epping Forest  
District Council**

**Responsible Officer: Debbie Houghton, Licensing Officer 01992 564336**

**Democratic Services Officer: J Leither 01992 564243**

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## **Decisions Required:**

- (1) To consider an application for a new Premises Licence under the Licensing Act 2003**

## **Report:**

### **Application**

An application has been made by Daniel Potter of The Gallery, Unit Z The Maltings Station Road Sawbridgeworth CM21 9JX, for a new premises licence at Unit K The Maltings Station Road Sawbridgeworth Essex CM21 9JX.

The application is for the following licensing activities,

- 1. The Provision of Live Music Friday to Saturday 18.00 – 23.00, Sunday 12.00 – 22.00**

**The Provision of Recorded Music Monday to Tuesday 10.00 – 17.00, Wednesday and Sunday 10.00 – 22.00, Thursday to Saturday 10.00 – 23.00**

**The Sale by Retail of Alcohol Monday to Tuesday 12.00 – 17.00 Wednesday and Sunday 12.00 – 22.00 Thursday to Saturday 12.00 – 23.00, On and Off sales**

#### **Non Standard timings**

**Summer Bank Holidays in August where there is a possibility that live music will take place.**

**This is also to include Easter Monday and May bank holiday. The same timings would be in place for a Sunday session.**

**Live Music Christmas Eve and New Year's Eve until 00.30am**

**Recorded Music may be extended on Christmas Eve and New Year's Eve with the use of a DJ**

**Sale by Retail of Alcohol may be extended on Christmas Eve and New Year's Eve to 00.30am**

**Opening Times may be extended on Christmas Eve and New Year's Eve to 01.00am**

**Opening Times requested, Monday to Tuesday 10.00 – 17.00 Wednesday and Sunday 10.00 – 22.00 Thursday to Saturday 10.00 – 23.00**

- 2 The application was received and valid on the 22<sup>nd</sup> June 2022

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

- 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 have all received a copy of the application, it was also advertised at the premises and in a local newspaper. A copy of the Blue Notice and Newspaper advert are attached to this report.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received 7 representations of objection 2 from local residents, and 5 from nearby businesses, please see emails attached.
- 8 A response from Essex Police with recommendations has been agreed by the applicant, these conditions are attached to this report
- 9 Essex Fire and Rescue responded advising they do not propose to carry out an inspection at this present time, copy of letter attached.
- 10 The Objections relates to Public Safety and the Prevention of Public Nuisance, Copies of the objections are attached to this report

## **Guidance Issued by the Secretary of State**

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

**15** Sections 2.15 to 2.21 of the Guidance are relevant to this application

## **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:

- (a) to grant the licence as applied for subject to
  - the conditions mentioned in the Operating Schedule modified as the Sub-committee considers necessary for the promotion of the licensing objectives, and
  - the mandatory conditions specified in the Licensing Act 2003, or
- (b) to exclude from the scope of the licence any licensable activities to which the application relates, or
- (c) refuse to specify a person as the premises supervisor, or
- (d)** 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 for a Premises Licence.
- Plans of the premises
- Newspaper advert and Public Notice
- Copies of the representations/comments in the form of emails
- Agreed Conditions with Essex Police
- Copy of letter from Essex Fire and Rescue