

Report to the Licensing Sub-Committee



Date of meeting: 1st August 2023

Subject: Licensing Act 2003 – Application for a Premises Licence for Bliss Heights, 140 London Road, Abridge, RM4 1XX

**Epping Forest
District Council**

Responsible Officer: Peter Jones, Licensing Compliance Officer 01992 564721

Democratic Services Officer:

Decisions Required:

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

Report:

Application

An application has been made by Umar Hussain for a new premises licence at Bliss Heights, 140 London Road, Abridge, RM4 1XX.

1. The application is for:
Live Music, Recorded Music, and Anything of a similar description to Live Music, Recorded Music or Performance of Dance. All activities to take place Both Indoors and Outdoors.

Monday to Wednesday	12:00 – 23:00;
Thursday	10:00 – 23:00;
Friday and Saturday	09:00 – 00:00; and
Sunday	10:00 – 23:00

Opening Hours

Monday to Thursday	09:00 – 23:00;
Friday and Saturday	09:00 – 02:00; and
Sunday	10:00 – 23:00

2. The application was received on 7th June 2023.
3. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.
4. 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.
5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

Consultation

6. All Responsible Authorities have 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 is attached to this report.
7. The authority has received seventy five (75) valid representations in total. These are from EFDC Community Resilience; EFDC Environmental Health; Lambourne Parish Council; Abridge Park Residents Association; and Seventy-one (71) from local residents.

8. There were also responses from Essex Police, Essex County Fire and Rescue Service, and Essex County Council Safeguarding; all of whom have no comments to make.

Copies of all of these letters and emails are attached to the report.

9. The objections relate to all four (4) of the licensing objectives.
10. The applicant prepared a letter to share with those making comments and objections during the consultation period. This was shared as requested and all parties have seen this. A copy is attached to the 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.
12. 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) 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.
- Plan of the premises.
- Newspaper advert and Public Notice.
- Copies of the representations and responses.
- Copy of Applicant Statement.