

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

***Date of meeting: 10 October 2013***

**Subject: The White House, Market Place, Abridge,  
Romford, Essex, RM4 1UA**

**Responsible Officer: Kim Tuckey (01992 564034)  
Senior Licensing Officer**

**Democratic Services: Mark Jenkins (01992 56 4607)**

---



**Epping Forest  
District Council**

### **Decisions Required:**

**To determine the application for a Premises Licence under the Licensing Act 2003**

### **Report:**

#### **Application**

1. An application has been made by Mr & Mrs Mathialagan for a new premises licence for the above premises. The application was received on the 19<sup>th</sup> August 2013 and is attached to this report. The application sets out the relevant licensing activities applied for and times requested.
2. The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

#### **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 have received a copy of the application; it was properly advertised at the premises and in a local newspaper.

6. The authority has received a letter from Essex Police stating that they have no representations to make should the applicant agree to the condition stated in the letter, in writing.
7. The authority received an acknowledgement from Essex County Fire and Rescue Service, an acknowledgement from Essex County Council Trading Standards and a letter confirming Children's Safeguarding Service have no objection.
8. The authority received six representations in total; from Ruth Spiller on behalf of Lambourne Parish Council, Mr Paul Mills, Miss Beverley Fennell, Mrs W Collins, Mr David Bermange and Mr Gary Love.
9. The Objections relate to; the prevention of crime and disorder, public safety and the prevention of public nuisance.

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

10. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
11. Sections 2.1 – 2.24 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 premises licence
- Newspaper notice
- Letter from Essex Police
- Letter from Essex County Fire & Rescue Service
- Email from Essex County Council Trading Standards
- Letter from Children's Safeguarding Service
- Representations from Ms Ruth Spiller on behalf of Lambourne Parish Council, Mr Paul Mills, Miss Beverley Fennell, Mrs W Collins, Mr David Bermange and Mr Gary Love
- Map showing the area