

Report to the Licensing Sub-Committee

Date of meeting: 27th October 2015

**Subject: Nazeingbury Parade Nazeing Road, Waltham Abbey
Essex EN9 2JL**



**Epping Forest
District Council**

Responsible Officer: Kim Tuckey 01992 564034

Democratic Services:

Decisions Required:

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

Report: To consider a New Premises licence for the above

Application

1. An application has been made by Robert Jordon on behalf of Rashesh Patel for a Premises licence for the above premises. The application was received on the 8th September 2015 and 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, and a full consultation was carried out and an advert was placed in the local newspaper.
6. The authority has received a representation from Essex police which requested a modification of the application and as a result an agreement between Essex Police and the applicant was met. (the correspondence of which is attached)
7. The authority also received three representations from local residents.

Guidance Issued by the Secretary of State

8. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
9. Sections 2.14 to 2.20 & 2.21 & 2.30 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>
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Attached documents

- Application for premises licence
- Letter & all correspondence from Essex Police
- Three representation's from local residents
- Map showing the area