

Report to the Licensing Sub Committee



**Epping Forest
District Council**

Date of meeting: 17th August 2021

**Subject: Abbey's Local, 15 Market Square, Waltham Abbey,
Essex, EN9 1DS.**

Responsible Officer: Hannah Gould, Licensing Compliance Officer

Democratic Services: Adrian Hendry, Democratic Services

Decisions Required:

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

Report:

Application

An application has been made by Arka Licensing Consultants on behalf of Pathmanathan Pathmakaran for a new premises licence at Abbey's Local, 15 Market Square, Waltham Abbey, Essex, EN9 1DS which has an A1 use category (general retail). Mr Pathmakaran will operate the shop as a local convenience store.

The proposed licence looks to include:

The sale of alcohol for consumption off the premises during the following hours:
Monday to Sunday 06:00 hours to 00:00 hours

This is in line with the opening hours.

- 1** The application was received on the 29th June 2021.
- 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—
the prevention of crime and disorder;
public safety;
the prevention of public nuisance; and
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.
- 6** It was advertised at the premises and in the local newspaper. All residents and businesses within 150 metre radius were also informed by letter.

- 7 The authority has received 1 objection from a local business owner with concerns relating to the prevention of public nuisance objective.

Responses were received from Essex County Fire and Rescue Service, Essex Police and Environmental Health who have no objections.

All details are attached.

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 2.1 to 2.31 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 premise's 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 the premises licence
- DPS consent
- Plan of the premises
- Blue Notice
- Newspaper advert
- Objections from local business owner
- Response from Essex County Fire and Rescue Service, Essex Police and Environmental Health
- Map of the area