

Report to the Licensing Sub Committee



Date of meeting: 2nd February 2020

Subject: We Are The Fair Ltd, Showground Site, Lee Valley Country Park, Waltham Abbey, EN9 1AB

**Epping Forest
District Council**

Responsible Officer: Hannah Gould, Licensing Compliance Officer

Democratic Services: Laura Kirman(01992 564273)

Decisions Required:

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

Report:

Application

An application has been made by Mr Rob Dudley, on behalf of the We Are The Fair Ltd, for a new premises licence at Showground Site, Lee Valley Country Park, Waltham Abbey, EN9 1AB.

The application of this Premises Licence seeks to carry on the following activities:

- Plays
- Films
- Live music
- Recorded music
- Performance of dance
- Supply of alcohol

The licence will permit 1 event per calendar year, taking place for a maximum of 2 days (Sat & Sun only).

Hours of the above licensable activities:

	Applied for	Renegotiated and agreed
Saturday	11:00 to 23:00 hours	11:00 to 22:00 hours
Sunday	11:00 to 22:00 hours	11:00 to 21:30 hours
Sunday preceding bank holiday Mondays	11:00 to 23:00 hours	11:00 to 21:30 hours

Opening hours:

	Applied for	Renegotiated and agreed
Saturday	11:00 to 24:00 hours	11:00 to 23:00 hours
Sunday	11:00 to 23:00 hours	11:00 to 23:00 hours
Sunday preceding bank holiday Mondays	11:00 to 24:00 hours	11:00 to 23:00 hours

The terminal hours have been reduced following advice from the Council's Community Resilience Team and also to alleviate concerns from Hertfordshire Police. Following a successful year one, a variation could be applied for to make small changes to the licensing hours.

In year one of the Licence the maximum capacity of the event will not exceed 15,000 persons on-site.

1 The application was received on the 26th November 2020.

- 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.
- 7 The authority has received one objection from Hertfordshire Police which relates to all 4 of the licensing objectives. Details attached.

Additionally, the authority has received 5 objections from local residents which relate to the prevention of crime and disorder, public safety and the prevention of public nuisance. The applicant has subsequently written a letter to each resident which has been forwarded on to them by the licensing team. Details attached.

Conditions have been agreed between the organisers and Michael Richardson from the Council's Community Resilience Team which include the earlier terminal hour and other points to protect the nearby residents from public nuisance. Details attached.

Responses were received from Child Protection Services, Planning and Trading Standards who had no comment. Essex Police do not wish to make any representations based on the conditions offered by the applicant along with what was discussed in a meeting with the Safety Advisory Group. Details attached.

Aside from the application of the Premises Licence, due to the impacts of this large scale event on both Essex & Hertfordshire, the organisers have been liaising with the responsible authorities from both sides of the border through the Safety Advisory Group. This includes the submission of an event management and safety plan. Discussions will continue and meeting conditions can be set under the licence.

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 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 the premises licence
DPS consent
Plan of the premises
Blue Notice
Newspaper advert
Objection from Hertfordshire Police
Response from Essex Police
Responses from Trading Standards, Planning & Child protection / Safeguarding
Resident objections
Agreed conditions with Community Resilience Team
Letter from organiser to local resident objectors
Map of the area