

Report to the Licensing Sub Committee

Date of meeting: 17 July 2017

Subject: Temporary Event Notice

Address: The Sun Inn, Common Road, Nazeing

Responsible Officer: Handan Ibrahim (01992 564153)

Democratic Services: Gary Woodhall (01992 564470)



**Epping Forest
District Council**

Decisions Required:

(1) To determine the application for a Temporary Event Notice under the Licensing Act 2003.

Report:

Application

1. An application has been made by Mr. Robbie Burgess for a Temporary Event Notice at The Sun Inn, Common Road, Nazeing, EN9 2DE. The application is for the sale of alcohol, the provision of regulated entertainment and the provision of late night refreshment. The application was received on 28 June 2017.

2. The Application form requests the sale of alcohol, the provision of entertainment and late night refreshment from 12:00 to 23:30 on 2 September 2017 at the Sun Inn in Common Road, Nazeing.

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 for the police and the Environment and Neighbourhoods Manager were consulted. The Council has received a representation from the Environment and Neighbourhoods Manager (Mr. Richard Gardiner), which is attached at Appendix 1.

Guidance Issued by the Secretary of State

6. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.

Options

7. 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;
- (c) refuse to specify a person as the premises supervisor; or
- (d) reject the application.

Determination

8. The Sub-Committee is requested 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

9. If any party is aggrieved with the decision then they can appeal to the 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.
- Map of the area.
- Objection from Richard Gardiner.