



**REPORT of
DIRECTORS OF CUSTOMERS AND COMMUNITY**

to
LICENSING SUB-COMMITTEE
31 JULY 2019

**LICENSING ACT 2003 - TO CONSIDER AN APPLICATION FOR A PREMISES
LICENCE - PROMENADE PARK AND HYTHE QUAY, PARK DRIVE, MALDON,
ESSEX, CM9 5JQ**

1. PURPOSE OF THE REPORT

- 1.1 To consider an application for a new premises licence under section 17 of the Licensing Act 2003, having regard to representations received and the requirement to promote the four licensing objectives:
1. the prevention of crime and disorder
 2. public safety
 3. the prevention of public nuisance
 4. the protection of children from harm

2. RECOMMENDATIONS

That the Licensing Sub-Committee determines the application for a Premise Licence taking into consideration the options that are available as detailed in paragraph 4.1 below.

3. SUMMARY OF KEY ISSUES

- 3.1 Promenade Park is a public open space owned and managed by Maldon District Council. The Events team at Maldon District Council have submitted this application with the intention to hold certain events throughout the year in Promenade Park.
- 3.2 Maldon District Council has held a licence at Promenade Park since 19 May 2006. The new application applied for will allow them to cover the sales of alcohol, longer licensing times for some activities and the licence would cover Hythe Quay.
- 3.3 The complete application was received on 30 May 2019.
- 3.4 As part of the licensing process, a complete copy of the application was sent out to responsible authorities for consultation.

- 3.5 The application has been properly made in accordance with the Licensing Act 2003 and all procedures correctly followed. The completed application form is attached as **APPENDIX A**.
- 3.6 The application was correctly advertised in a locally circulated newspaper within the time scale allocated under legislation, and on Maldon District Council's website.
- 3.7 Members are asked to note that as this report is published publicly, personal details have been redacted from some documents; however, the licensing authority and the applicant have received complete copies of all documents
- 3.8 On 4 July 2019 conditions were agreed upon by both the environmental services and the events team as detailed in **APPENDIX B**. A list of all agreed Licensable Activities and times are detailed below:

Sale or Supply of Alcohol	Monday - Saturday 11:00 - 00:00	Sunday 11:00 - 22:00
Boxing or Wrestling	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00
Performance of Dance	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00
Exhibition of a Film	Monday - Saturday 09:00 - 00:00	Sunday 10:00 - 22:00
Indoor Sporting Event	Monday - Saturday 09:00 - 00:00	Sunday 10:00 - 22:00
Performance of Live Music	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00
Performance of Recorded Music	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00
Performance of a Play	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00
Late Night Refreshment	Monday - Saturday 23:00 - 00:00	
Provision of anything similar	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00
Indoor Sporting Events	Monday - Saturday 09:00 - 23:00	Sunday 10:00 - 22:00

Opening Hours of the Premises	Monday - Saturday 07:00 - 00:00	Sunday 07:00 - 22:00
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- 3.9 During the course of the consultation period representations were received from three members of the public covering all four of the licensing objectives as listed in section 1.1 above. Copies of all representations received are attached to this report as **APPENDIX C**.
- 3.10 A plan indicating the location of the premises is attached as **APPENDIX D**.

4. CONCLUSION

- 4.1 Members are advised that they have the following options when determining the application.
- (i) Grant the application, on the terms and conditions applied for.
 - (ii) Grant the application, on the terms and conditions applied for modified to such extent as considered appropriate to promote the Licensing Objectives.
 - (iii) Refuse the application in whole or in part.
- 4.2 Members are reminded that the applicant and/or any person making representation in relation to this matter may appeal the decision of the Council to the Magistrates' Court.

5. IMPACT ON STRATEGIC THEMES

- 5.1 The strategic themes of Place, Community and Prosperity underpin the Council's vision for the District.
- 5.2 This report supports the strategic themes of Community and Prosperity.

6. IMPLICATIONS

- (i) **Impact on Customers** – None.
- (ii) **Impact on Equalities** – None.
- (iii) **Impact on Risk** – None.
- (iv) **Impact on Resources (financial)** – None.
- (v) **Impact on Resources (human)** – None.
- (vi) **Impact on the Environment** – None.

Background Papers:

1. Statutory Guidance issued in accordance with S.182 of the Licensing Act 2003.
2. Maldon District Council's Statement of Licensing Policy.
3. The Licensing Act 2003.
4. Application file held by Licensing Authority.

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