



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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**To  
LICENSING SUB-COMMITTEE  
13 OCTOBER 2021**

**LICENSING ACT 2003 – TO CONSIDER AN APPLICATION FOR A NEW PREMISES  
LICENCE – CHUTNEY HOUSE, 116 HIGH STREET, MALDON, ESSEX, CM9 5ET**

**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. RECOMMENDATION**

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

**3. SUMMARY OF KEY ISSUES**

3.1 Chutney House is a restaurant for fine dining and private parties. It is located on Maldon High Street surrounded by other commercial properties as well as residential properties above the premises in question.

3.2 The Completed application was received on 18 August 2021 for the following licensable activities:

- Sale or Supply of Alcohol

Sunday	11:00 - 22:30
Monday - Saturday	11:00 - 00:00
  
- Performance of Dance

Sunday	11:00 - 23:00
Monday - Saturday	11:00 - 00:30
  
- Exhibition of a Film

Every Day	11:00 - 00:30
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- Performance of Live Music
 

Sunday	11:00 - 23:00
Monday - Saturday	11:00 - 00:30
  
- Performance of Recorded Music
 

Sunday	11:00 - 00:30
Monday - Saturday	11:00 - 00:30
  
- Late Night Refreshment
 

Every Day	23:00 - 00:00
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The premises will be open to the public as detailed below:

- Premises open to the public details
 

Every Day	11:00 - 00:30
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- 3.3 As part of the licensing process, a complete copy of the application was sent out to responsible authorities for consultation.
- 3.4 The application has been properly made in accordance with The Licensing Act 2003 and all procedures correctly followed. The Proposed Designated Premises Supervisor (DPS) is also the applicant who has obtained a personal licence from London Borough of Newham in order to authorise sales of alcohol on a licensed premises. The completed application form and consent to specify an individual as a DPS is attached as **APPENDIX A**
- 3.5 The application was correctly advertised in a locally circulated newspaper within the time scale allocated under legislation, and on Maldon District Council's website.
- 3.6 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.
- 3.7 During the course of the consultation period representations were received from 15 members of the public covering all 4 grounds of the licensing objectives as listed in section 1.1. Copies of all representations received are attached to this report as **APPENDIX B**.
- 3.8 A plan indicating the location of the premises is attached as **APPENDIX C**.
- 3.9 During the course of the consultation, the applicant agreed to conditions requested by Essex Police. These are attached as **APPENDIX D**.
- 4.0 During the course of the consultation, the applicant agreed to conditions requested by Environmental Services. These are attached as **APPENDIX E**.

#### **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 following underpins the Council's vision for the District:

- Enabling, supporting and empowering communities to be safe, active and healthy;
- Protecting and shaping the District and balancing the future needs of the community;
- Meeting the housing needs of the District; and
- To be an organisation which delivers good quality, cost effective and valued services in a transparent way.

5.2 This report supports the Council's strategic themes of, 'Enabling, supporting and empowering communities to be safe, active and healthy'.

## 6. IMPLICATIONS

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

### 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

### Appendices

- Appendix A Application and Consent form
- Appendix B Representations from local residence
- Appendix C Plans of the premise
- Appendix D Conditions agreed with Essex Police
- Appendix E Conditions agreed with Environmental Services.

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