



**REPORT of  
DIRECTOR OF SERVICE DELIVERY**

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to  
**LICENSING SUB-COMMITTEE**  
**24 MAY 2022**

**LICENSING ACT 2003 - TO CONSIDER AN APPLICATION FOR A FULL VARIATION TO  
A PREMISES LICENCE - IN THE PARK, PROMENADE PARK, PARK DRIVE, MALDON,  
ESSEX, CM9 5JQ**

**1. PURPOSE OF THE REPORT**

1.1 To consider an application for a full variation to a 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**

That the Licensing Sub-Committee determines the application for a Full Variation of a Premises 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 application has been received from a Mr Steven Cochrane who is the current licence holder of In The Park.

3.2 In the Park Premises Licence has been held by Mr Cochrane since 15 June 2021 which authorises the sale or supply of alcohol, regulated entertainment and performance of dance from:

Friday	18:00 – 22:00
Saturday	12:00 – 23:00
Sunday	12:00 - 22:00

Regulated entertainment and performance of dance are licensed until 23:30 on Saturdays and until 22:30 on Sundays.

3.3 The complete application was received on 31 March 2022.

3.4 The proposed variation is to extend the licensable hours by bringing forward the start time of the event from 18:00 – 14:00 on each day.

- 3.5 As part of the licensing process, a complete copy of the application was sent out to responsible authorities for consultation. Closing date for consultation was 27 April 2022.
- 3.6 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**.
- 3.7 The application was correctly advertised in a locally circulated newspaper within the timescale allocated under legislation, and on Maldon District Council's website.
- 3.8 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.
- 3.9 During the course of the consultation period a representation was received from a member of the public which referred to the prevention of public nuisance as listed in section 1.1 above. A copy of the representation is attached to this report as **APPENDIX B**.
- 3.10 A plan indicating the location of the premises is attached as **APPENDIX C**.

#### **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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