



**REPORT of
DIRECTOR OF SERVICE DELIVERY**

to
LICENSING SUB-COMMITTEE
6 MARCH 2023

**LICENSING ACT 2003 - TO CONSIDER AN APPLICATION FOR A PREMISES LICENCE -
MRS SALISBURY AT THE MITRE, 2 THE STREET, WICKHAM BISHOPS, CM8 3NN**

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 Premises Licence at Mrs Salisbury at The Mitre, 2 The Street, Wickham Bishops, CM8 3NN taking into consideration the options that are available as detailed in paragraph 4.1 below.

3. SUMMARY OF KEY ISSUES

- 3.1 The complete application for the above premises was received on 16 January 2023 including plans.
- 3.2 As part of the licensing process, a complete copy of the application was sent out to all responsible authorities for consultation.
- 3.3 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** and details of the proposed licensable hours.
- 3.4 The applicant has provided conditions consistent with the operating schedule intended to promote the four licensing objectives which are included as part of the application form.
- 3.5 The application was correctly advertised in a locally circulated newspaper, on the premises within the time scale allocated under legislation, and on Maldon District Council's website.

- 3.6 The closing date for consultations was midnight on 12 February 2023. We received a total of 22 representations for this application. 13 of these were in support of the application, as attached to this report as **APPENDIX B** and 9 were opposed to the application. These are attached to the report as **APPENDIX C**.
- 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 There were no representations made by responsible authorities.
- 3.9 Conditions imposed by Essex Police were agreed by the applicant should the licence be granted. These are attached as **APPENDIX D**.
- 3.10 The nominated Designated Premises Supervisor (DPS) is Mark Salisbury who has obtained a Personal Licence with Maldon District Council that he has held since January 2006.
- 3.11 The land at the proposed licensed premises is primarily a residential area of house with a couple of commercial shops next to the premises. Please see **APPENDIX E** that details the local area around the premises.

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 21 days of the notification given by the Licensing Sub-Committee.

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.
- (vii) **Impact on Strengthening Communities** – None.

Background Papers:

1. Statutory Guidance issued in accordance with Section 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.

Enquiries to: Simon Parnham, Licensing Officer.