

Report to the Licensing Sub-Committee

Date of meeting: Tuesday 6th November 2018

Subject: New Premises Licence application for Ongar Community Sports Trust, Jubilee Park Pavilion, Love Lane, Ongar, Essex, CM5 9BL

Responsible Officer: Debbie Houghton, Licensing Officer

Democratic Services: Adrian Hendry



**Epping Forest
District Council**

Decisions Required:

To determine the application for a new Premises Licence under the Licensing Act 2003

Report:

Application

An application has been made by Ongar Community Sports Trust, for a new premises licence at Jubilee Park Pavilion, Love Lane, Ongar, Essex, CM5 9BL.

The application is for the following licensing activities,

1. The Provision of Live Music

Monday to Thursday 10.00 – 23.00pm
Friday to Saturday 10.00 to 00.00am
Sunday 10.00 to 22.00pm

The Provision of Recorded Music

Monday to Thursday 10.00 – 23.00pm
Friday to Saturday 10.00 – 00.00am
Sunday 10.00 – 22.00pm

Supply of Alcohol on the premises only

Monday to Thursday 11.00 – 23.00pm
Friday to Saturday 11.00 – 00.00am
Sunday 11.00 to 23.00pm

2 The application was received on the 26th September 2018.

The Operating Schedule sets out conditions which will be attached to the licence if this application is granted.

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 have all received a copy of the application, it was also advertised at the premises and in a local newspaper.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received 8 representations from residents, see emails and copies of letters attached.
- 8 There were also responses from Health and Safety and Essex Police with no representations to make.
- 9 The Objections relate to the Prevention of Crime and Disorder, Prevention of Public Nuisance, and Public Safety and The Protection of Children from Harm.
- 10 The newspaper advert and the Blue Notice both state that Regulated Entertainment has been applied for, however, there is no requirement for an applicant to apply for Regulated Entertainment under the Live Music Act 2012 which deregulated the requirement of this activity.
- 11 There is already a current premises licence at the Jubilee Pavilion in the name of Ongar Town Council.

Guidance Issued by the Secretary of State

- 12 The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
- 13 Sections 2.15 to 2.21 of the Guidance are relevant to this application

Options

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

Determination

The Sub-committee is asked 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

If any party is aggrieved with the decision they can appeal to 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 for Club Premises Certificate.
- Plan of the premises
- Newspaper advert and Public Notice
- Map of the area
- 4 emails and 4 letters of objections from residents.
- Responses from Essex Police and Health and Safety