

# **Report to the Licensing Sub-Committee**

**Date of meeting: 22 September 2020**

**Subject: Licensing Act 2003- Application for a Premises Licence for Blakes Golf Club, Epping Road, North Weald Bassett, Epping, Essex CM16 6RZ**



**Responsible Officer: Debbie Houghton, Licensing Officer (01992 564336)**

**Democratic Services Officer: V Messenger (01992 564265)**

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## **Decisions Required:**

- (1) To consider an application for a Premises Licence under the Licensing Act 2003**

## **Report:**

### **Application**

An application has been made by Blakes Corporation Licence Ltd, 71-75 Shelton Street, Covent Garden, London, WC2H 9JQ, for a new premises licence at Blakes Golf Club, Epping Road, North Weald Bassett, Epping, Essex, CM16 6RZ.

The application is for the following licensing activities:

- 1 The Provision of Live Music**

Monday to Sunday 00.00 – 00.00 (midnight)

- The Provision of Recorded Music**

Monday to Sunday 00.00 – 00.00 (midnight)

- The Provision of the Performance of Dance**

Monday to Sunday 00.00 – 00.00 (midnight)

- The Provision of Late Night Refreshment**

Monday to Sunday 00.00 – 00.00 (midnight)

- The Sale by Retail of Alcohol**

Monday to Sunday 11.00-00.00 (midnight) on sales only

- Opening Times of the premises**

Monday to Sunday 07.00 – 00.00 (midnight)

- 2** The application was received on the 29<sup>th</sup> July 2020.

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. A copy of the Blue Notice and Newspaper advert is attached to this report.
- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received 1 representation from Moreton Bobbingworth and the Lavers Parish Council, please see email attached.
- 8 There was a response from Essex Police who having agreed recommendations with the applicant, a response from Essex Fire and Rescue, Public Health, and Environmental Health, all of who have no comments to make, please see letters and emails attached to the report. There was a response from the Planning department the response is also attached.
- 9 The Objection relates to the Prevention of Public Nuisance.
- 10 There was a licence previously at this premise but Blakes Leisure went into administration in November 2019 therefore the licence lapsed, Epping Forest District Council were not informed. A copy of this is attached to the report,
- 11 A copy of the previous licence is attached to this report.

### **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 a Premises Licence.
- Plan of the premises
- Newspaper advert and Public Notice
- Copies of the representation in the form of email
- Copy of agreed recommendations by Essex Police
- Copies of all responses from the Essex Fire and Rescue, Public Health, Environmental Health, and Planning
- Copies from Companies House
- Copy of Previous Premises Licence.