

Report to the Licensing Sub-Committee



**Epping Forest
District Council**

Date of meeting: 13th May 2021

**Subject: Licensing Act 2003 - Application for a Premises
Licence for The Blue Boar, Market Place, Abridge, RM4 1UA**

Responsible Officer: Peter Jones, Licensing Officer 01992 564721

Democratic Services Officer: L Kirman (01992 56 4243)

Decisions Required:

To consider an application for a Premises Licence under the Licensing Act 2003

Report:

Application

An application has been made by Dadds LLP on behalf of ADO Catering Ltd for a new premises licence at The Blue Boar, Market Place, Abridge.

The application is for the following licensing activities,

**1. Provision of Live and Recorded Music (Indoors),
Provision of Performances of Dance (Indoors), and
The Sale of Alcohol (For consumption both on and off)**

Sunday – Wednesday	10:00 – 00:00
Thursday	10:00 – 01:00
Friday – Saturday	10:00 – 02:00

For statutory bank holiday weekend periods (Friday Saturday Sunday & Monday) the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Late Night Refreshment (Indoors)

Sunday – Wednesday	23:00 – 01:00
Thursday	23:00 – 02:00
Friday – Saturday	23:00 – 03:00

For statutory bank holiday weekend periods (Friday Saturday Sunday & Monday) the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

Opening Hours

Sunday – Wednesday	09:00 – 01:00
Thursday	09:00 – 02:00
Friday – Saturday	09:00 – 03:00

For statutory bank holiday weekend periods (Friday Saturday Sunday & Monday) the Thursday before Good Friday and Christmas Eve, the finish time will be extended by one hour beyond these times. On occasions of local, national or international significance or for charitable events, the finish time will be extended by one hour, with seven days' notice and agreement with the police.

2. The application was received on the 11th March 2021.

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

This application is for a premises licence identical to the one already granted to Blue Boar Holding Ltd at the same location.

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 metres radius of the premises were individually consulted.
7. The authority has received twenty-nine (29) representations in total copies of these are attached.
 - One (1) from Lambourne Parish Council, and
 - Twenty-eight (28) from residents and businesses in the area.
8. There were also responses from Community Resilience, Essex County Fire and Rescue Service, Environmental Health, and Essex Police all of whom have no comments to make, please see letters and emails attached to the report.
9. The objections relate to all four of the licensing objectives.

Guidance Issued by the Secretary of State

10. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
11. 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 premise's 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.
- Letter to residents from applicant's solicitor with the Existing Premises Licence.
- Copies of the representations.
- Copies of all responses from Community Resilience, Essex County Fire and Rescue Service, Environmental Health, and Essex Police.