

Report to the Licensing Sub-Committee



**Epping Forest
District Council**

Date of meeting: 6 July 2021

Subject: Licensing Act 2003- Application for a Club Premises Certificate, Matching Green Cricket Club, The Cricket Pavilion, The Green, Matching Green, Essex, CM17 0PZ

Responsible Officer: Debbie Houghton, Licensing Officer 01992 564336

Democratic Services Officer: R Perrin

Decisions Required:

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

Report:

Application

1. An application has been made by Martin Figg, of Matching Green Cricket Club, Cricket Pavilion, The Green, Matching Green, Ess0065, CM17 0PZ a new Club Premises Certificate at the above location.

The application is for the following licensing activities,

The Supply of Alcohol on the Premises only

Monday to Friday 17.00 – 22.00

Saturday 12.00 – 23.00, Sunday 12.00 – 22.00

Opening Times of the premises

Monday to Friday 17.00 – 22.00

Saturday 12.00 – 23.00, Sunday 12.00 – 22.00

The licence is for the months of April to September when the pavilion is open.

2. The application was received on the 8th May 2021.

The Operating Schedule sets out conditions which will be attached to the Club Premises Certificate 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. A copy of the Blue Notice and Newspaper advert is attached to this report.
7. All residences and businesses within 150 meters radius of the premises were individually consulted.
8. The authority has received 17 representations against the application from residents and businesses, 1 representation of support from North Weald Parish Council, please see emails and letters attached.
9. There was a response from Essex Police agreeing recommendations with the applicant, which if agreed will be added to their Operating Schedule, please see attached email link with this report.
10. The Objections relates to The Prevention of Crime and Disorder, Public Safety, The Prevention of Public Nuisance and the Protection of Children from Harm.

Guidance Issued by the Secretary of State

11. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
12. 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 Licensing Act 2003- Application for a Club Premises Certificate, Matching Green Cricket Club, The Cricket Pavilion, The Green, Matching Green, Essex, CM17 0PZ 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 Club Premises Certificate.
- Plan of the premises
- Newspaper advert and Public Notice
- Cricket Club Constitution and Rules
- Copies of the representations against and in support in the form of email/letters
- Copies of response from Essex Police.