

# **Report to the Licensing Committee**

**Date of meeting: 7 December 2021**

**Subject: Application to vary an existing premises Licence for The Merry Fiddlers, 4 Fiddlers Hamlet, Epping, Essex, CM16 7PY**



**Epping Forest  
District Council**

**Responsible Officer: Debbie Houghton Licensing Officer  
Licensing@eppingforestdc.gov.uk**

**Democratic Services: R Perrin**

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## **Recommendations/Decisions Required:**

To determine the application for a variation of an existing Premises Licence under the Licensing Act 2003.

## **Report:**

### **Application**

1. An application has been made by Punch Partnerships (PTL) Ltd, the Premises Licence Holder for a variation to the existing premises licence for the above premises. The authority received the application on 22<sup>nd</sup> October 2021. The application sets out the varied licensing activities applied for and times requested. A copy of the present licence for the premises, detailed plans and the application for variation are attached to this report.

2. The applicant is requesting to add Films and Late Night Refreshment

3. Films Monday to Sunday 12.00 – 23.00

Late Night Refreshment Monday to Saturday 23.00 – 00.30am

Amendment to opening times Monday 07.00 – 00.30am, Tuesday to Saturday 08.00 – 00.30, Sunday 08.00 – 23.00

### **Licensing Act 2003**

4. When considering an application for a licence the licensing authority must have regard to the promotion 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.

5. It must also have regard to its Statement of Licensing Policy and any guidance issued by the Secretary of State.

### **Consultation**

6. The Responsible Authorities have received a copy of the application, it was properly advertised at the premises and in a local newspaper, a copy of the newspaper advert and the Public notice are attached to this report.

7. The authority has received 1 representation from Epping Town Council.
8. The representation relates to the Prevention of Public Nuisance. No other representations were received.

### **Guidance Issued by the Secretary of State**

9. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
10. Sections 2.1-2.6 and 2.15-2.21 of the Guidance are relevant to this application.

### **Options**

11. 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:

- To grant the variation as applied for
- To modify the variation submitted; or
- to reject the whole or part of the application.

For the purposes of the Licensing Act 2003 the conditions of the licence are modified if any of them are altered or omitted or a new condition added.

### **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  
<http://www.homeoffice.gov.uk/publications/alcohol-drugs/alcohol/guidance-section-182-licensing?view=Binary>
- Epping Forest District Council's statement of licensing policy.  
<http://www.eppingforestdc.gov.uk>

### **Attached documents**

- A copy of the variation application
- A copy of the existing premises licence.
- Detailed Plans
- Copy of the notice
- Newspaper advert
- Representation from Epping Town Council

