

Report to the Licensing Sub-Committee

Date of meeting: 6th September 2022

Subject: Licensing Act 2003 – Application for a Premises Licence for Toot Hill Golf Club, School Road, Ongar, Epping, Essex, CM5 9PU



**Epping Forest
District Council**

Responsible Officer: Debbie Houghton, Licensing Officer 01992 564336

Democratic Services Officer: V Messenger 01992 564243

Decisions Required:

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

Report:

Application

An application has been made by Sazzad Ullah for a new premises licence at Toot Hill Golf Club, School Road, Ongar, Essex, CM5 9PU.

The application is for the following licensing activities:

1. The Provision of Live Music Monday to Sunday 17.00 – 00.00am

The Provision of Recorded Music Monday to Sunday 12.00 – 00.00am

The Sale by Retail of Alcohol Monday to Sunday 12.00 – 00.00am On and Off sales

Opening Times requested, Monday to Sunday 12.00 – 00.00am

2 The application was received and valid on the 6th July 2022

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 are 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 of objection from the Stanford Rivers Parish Council, please see email attached.
- 8 A response from Essex Police with recommendations has been agreed by the applicant, these conditions are attached to this report
- 9 Essex Fire and Rescue responded with a general letter regarding the application, letter attached
- 10 A copy of the previous surrendered licence is attached to the report
- 11 The Objection relates to Crime and Disorder and the Prevention of Public Nuisance.

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.
- Plans of the premises
- Newspaper advert and Public Notice
- A copy of the representation of Objection
- A copy of agreed conditions with Essex Police
- Letter from Essex Fire and Rescue
- A copy of the previous surrendered licence