

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

**Date of meeting: 8 November 2022**

**Subject: Licensing Act 2003- Application for a Premises Licence for Ongar Station, Station Approach, High Street, Ongar, Essex, CM5 9BN**



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

**Democratic Services Officer: R Perrin**

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## **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 Epping-Ongar Railway Holdings Ltd, for a new premises licence at Ongar Station, Station Approach, High Street, Ongar, Essex, CM5 9BN.

The application is for the following licensing activities,

#### **1. The Sale by Retail of Alcohol**

**Friday 9.30 – 17.00, Saturday 9.30 – 21.30 and Sunday 9.30 – 17.00, On and Off Sales**

#### **Seasonal timings are, SUMMER SCHEDULE**

The standard timings apply from February to October only.

The timings 0930-2130 apply to any Bank Holiday in England falling within these months

#### **Non Standard WINTER SCHEDULE**

In November to January the supply hours are as follows:

Wednesday-Sunday 1630 – 2130

When not covered by the above days, 19,20,21,22,23 December 1630-2130

#### **Opening Times are**

**Friday 9.00 – 17.00, Saturday 9.00 – 22.00, Sunday 9.00 – 17.00**

#### **Seasonal timings are, SUMMER SCHEDULE**

The standard timings apply from February to October only.

The timings 0900-2200 apply to any Bank Holiday in England falling within these months

#### **Non Standard timings are**

**WINTER SCHEDULE**

In November to January the premises are open as follows:

Wed-Sunday 1630 – 2200

#### **2 The application was received and valid on the 16 September 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 9 representations of objection from local residents, please see emails attached.

8 A response from Essex Police with recommendations has been agreed by the applicant, these recommendations are,

9 ***The Premises shall clearly display signs at each point of sale and in areas where alcohol is displayed advising customers that a "Challenge 25" policy is in force. At the point of Sale such signs shall be a minimum size of 200mm x 148mm,*** this agreement is also attached to this report

10 The Objections relates to The Prevention of Crime and Disorder, The Protection of Children from Harm, Public Safety and the Prevention of Public Nuisance, Copies of the objections are attached to this report .

### **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 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
- Copies of the representations comments in the form of emails
- Copy of Essex Police agreed recommendations