

# **Report to the Licensing Sub Committee**

**Date of meeting: 10<sup>th</sup> July 2012**

**Subject: The Academy Football & Sports Ltd, Langston Road, Loughton Essex IG10 3TQ**

**Responsible Officer: Kim Tuckey 01992 564034  
Senior Licensing Officer**



**Epping Forest  
District Council**

**Democratic Services:**

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**Recommendations/Decisions Required:**

**To determine the application for a Premises Licence under the Licensing Act 2003**

**Report:**

**Application**

1. An application has been made by The Academy Football and Sports Limited for a premises licence at land situated Langston Road, Loughton shown on the attached plan. The application was received on the 4<sup>th</sup> May 2012 and is attached to this report. The application sets out the relevant licensing activities applied for and times requested. The sections of the application and activities requested are:
  - Section E – Live Music
  - Section F – Recorded Music
  - Section G – Performances of dance
  - Section H – Anything of a similar description to that falling within (e), (f) and (g)
  - Section J – Provision of Facilities for Dancing
  - Section L – Late night refreshment
  - Section M - Supply of Late night refreshment – on premises
  - Section O – Hours premises open to the public.
2. The Operating Schedule (Section P) sets out conditions which the Applicant considers necessary to meet the four licensing objectives and which will be attached to the licence if this application is granted.

**Licensing Act 2003**

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 received a copy of the application; it was properly advertised at the premises and in a local newspaper. A copy of the notice is attached.
- 6 The authority has received two representations, one from Essex Police and the other from another party.
- 7 The Objection from the Police is on all four of the Licensing Objectives and refers to a request for information regarding the Designated Premises Supervisor. The other parties states that he is objecting on behalf of the Bank of England on the grounds of prevention of crime and disorder and public nuisance. The planning Service replied but made no objections.

## Guidance Issued by the Secretary of State

8. The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
9. Section 2 of the guidance relate to all of the licensing objectives.

## 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>

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**Attached documents**

- Application for premises licence
- Representation from one of 22 interested party's
- One representation from Theydon Bois Parish Council
- One representation from EFDC Planning Department
- Map showing the area