

Report to the Licensing Sub-Committee

Date of meeting: 19th February 2015

**Subject: Jubilee Park Pavilion, Love Lane, Ongar
Essex CM5 9BL**

**Responsible Officer: Nuala Clark 01992 564340
Licensing Compliance Officer**

Democratic Services: Jackie Leither 01992 564756



**Epping Forest
District Council**

Decisions Required:

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

Report:

Application

1. An application has been made by Ongar Town Council for a new premises licence for the above premises. The application was received on the 12th January 2015 and is attached to this report. Please note that the current club premises licence is non-effective from 11.2.2015

The application is for the following licensable activities:

Provision of Indoor Sporting Event, e.g Darts pool and billiard competitions: Monday to Sunday 09:00 to 23:00

Live Music: Monday to Saturday 09:00 to 24:00 Sunday 10:00 to 22:00

Recorded Music: Monday to Saturday 09:00 to 24:00 Sunday 10:00 to 22:00

Provision of regulated entertainment : Dancing Monday to Saturday 09:00 to 24:00 Sunday 10:00 to 22:00

Late Night Refreshment: Monday to Sunday 23:00 to 01:00 please note the form states 24.00 it should be 23:00.

Sale of Alcohol Monday to Sunday 11:00 to 24.00

2. The Operating Schedule sets out conditions 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 150 metres radius consultation was also undertaken incorporating 71 properties.
- 6** The Licensing Unit received letters from Essex Police, and the Fire Service confirming no objections, the Child Protection Unit advised no objections providing that Challenge 25 is promoted. Cllr Brian Surtees advised that he declared an interest as Vice Chair of Ongar Town Council and would therefore make no comment.
- 7** The Licensing Unit has received 5 separate representations from individual local residents and 1 petition signed by 11 residents from Onslow Gardens.
- 8** The objection relates to all four licensing objectives as outlined above in **3**.

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 to 2.35 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 premises licence
- Newspaper notice
- Map showing the area
- Letter from Essex Police
- Letter from Essex Fire & Recue Service
- E-mail from the Child Protection unit. (supporting)
- Seven representations from local residents.