

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

**Date of meeting: 1<sup>st</sup> December 2020**

**Subject: Licensing Act 2003- Application for a Premises Licence for Churchgate Farm Foods Ltd, Unit 5 Mayfields Farm, Sheering Road, Harlow, Essex, CM17 0JP**



**Epping Forest  
District Council**

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

**Democratic Services Officer: V Messenger (01992 564265)**

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## **Decisions Required:**

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

## **Report:**

### **Application**

An application has been made by Churchgate Farm Foods Ltd, Unit 5, Mayfields Farm, Sheering Road, Harlow, Essex, CM17 0JP, for a new premises licence at Unit 5, Mayfields Farm, Sheering Road, Harlow, Essex CM17 0JP.

The application is for the following licensing activities,

- 1. The Sale by Retail of Alcohol**

Monday to Saturday 09.00 – 23.00, Sunday 10.00 – 14.00 **on and off sales.**

- The Provision of Recorded Music**

Saturday 10.00 – 16.00, Sunday 10.00 – 14.00 **indoors only**

- Opening Times of the premises**

Monday to Saturday 09.00 – 23.00, Sunday 10.00 – 14.00

- 2** The application was received on the 5<sup>th</sup> October 2020.

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 is attached to this report.

- 6 All residences and businesses within 150 meters radius of the premises were individually consulted.
- 7 The authority has received 3 representations from businesses/ residents, please see emails attached.
- 8 There was a response from Essex Police who having agreed recommendations with the applicant, a copy of the email and recommendations are attached to this report. There is also a response from Essex Fire and Rescue, see letter of response attached with this report.
- 9 The Objections relates to the Prevention of Crime and disorder, Prevention of Public Nuisance, and Public Safety and The Protection of Children from Harm.

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

- 10 The Licensing Act 2003 provides that the licensing authority must 'have regard to' guidance issued by the Secretary of State under section 182.
- 11 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
- Plan of the premises
- Newspaper advert and Public Notice
- Copies of the representation in the form of emails
- Copy of agreed conditions by Essex Police
- Copy of response from the Essex Fire and Rescue