

MINUTES

of the

LICENSING COMMITTEE HEARING

held on 30th March 2026 at 11am

Present:

Councillor D. Clark (Chair of Hearing)

Councillors J. Lardge, R. Lee and J. Potter

1. **Apologies for Absence**

No apologies for absence were received.

2. **Declaration of Interests**

All Members were reminded to declare any interests where appropriate in any items of business on the meeting's agenda. None were made.

3. **Minutes**

The minutes of the hearing held on 28th November 2025 were approved as a correct record.

4. **Licensing Act 2003 – Application to vary a Premises Licence – Boom Battle Bar, 106-108 Bond Street, Chelmsford, Essex, CM1 1GH**

The Committee considered an application to vary a premises licence made under Section 34 of the Licensing Act 2003 and had regard to the representations made during the consultation period. These related to the promotion of the below Licensing objectives.

- a) The prevention of crime and disorder
- b) Public safety
- c) The prevention of public nuisance
- d) The protection of children from harm

The Committee were informed that the application had sought the removal of condition 24 from their existing licence, which had prevented customers from consuming alcohol prior to engaging in 'high-risk' activities and required staff to refuse participation where alcohol had been consumed, and replaced with a condition that customers are 'risk assessed' throughout their visit as to whether or not they are fit to partake in the axe throwing activity. The application also sought an extension to the permitted hours for licensable activities, to include 10am to 12pm on Saturday's and Sunday's.

It was noted by the Committee that there were three options namely;

- Grant the application, on the terms and conditions applied for.
- Grant the application, on the terms and conditions applied for, modified to such extent as considered appropriate to promote the licensing objectives.
- Refuse the application in whole or in part.

The below parties attended and took part in the hearing:

- Applicant – Legal Representative, Operations Director, General Manager
- City Councillor, representing the Ward Councillor who had made a representation against the application.

Officers informed the Committee that in response to the application, one representation had been received from a Ward Councillor. No representations had been received from Responsible Authorities or Members of the Public. [The Committee was reminded of the green sheet of amendments, available here, which detailed additional conditions agreed between the applicant and the City Council's Business Compliance Team.](#)

The applicant gave an overview of why they had made the request to remove condition 24 and substitute with another condition and to increase the hours of operation at weekends. They stated that they wanted a consistent and safe customer experience across their venues, that their venues offered something unique to customers, where alcohol was part of the offer but not the sole aspect of their offer. They also stated that their venues were not a generator of crime, the Chelmsford branch had not experienced any police call outs and that the changes would not alter that. They provided the Committee with detailed information about how the axe throwing was a safe activity, with processes in place to protect customers and staff and that it was a managed and risk assessed activity, that was risk assessed whilst taking place, not just prior.

The applicant summarised to the Committee that there had been no objections from any responsible authorities, the key bodies that the Committee was required to have due regard to when making decisions. They noted that instead key meetings had taken place between the applicant and responsible authorities, that had led to the amended risk assessment and agreed conditions with the City Council's Business Compliance team. They also reminded the Committee that decisions needed to be evidence based, not concern based and that they operated over 20 venues across the country, with the improved and updated condition, which was evidence that the Committee should consider.

The Committee heard the representations made on behalf of the Ward Councillor. The Committee were informed that they had not been trying to prevent the business from operating and that instead there was a difference of opinion on the consumption of alcohol whilst taking part in high-risk activities. It was noted that it appeared to be a move from a preventative measure that was quite absolute, to a more subjective measure, especially given how people responded differently to alcohol. The Committee was informed that it was not always easy to assess how intoxicated someone might be and that the proposed condition was not as black and white as the existing one. They also stated that they were not implying that the area was high-risk, by objecting to the increased hours, instead that, with more hours available for

alcohol consumption, the risk of intoxication on the site would increase. They summarised by asking the committee to refuse the removal of the condition and the extension of hours.

In response to the points raised by the Councillor and members of the Committee, it was confirmed by the applicant that:

- The change in condition had been requested as the current condition, prohibiting the consumption of alcohol whilst taking part in the axe throwing was a sub-optimal way to operate and that other venues within their estate had changed to the new condition without issues.
- Conditions placed upon a licence should be appropriate and that what was appropriate was the agreed conditions and revised risk assessment, via discussions with the responsible authorities.
- They were already open for 14 hours, but this did not mean customers would consume alcohol for 14 hours, so being open for 16 did not mean anyone would consume alcohol for 16 hours, as they would follow the requirements placed upon them, regarding the responsible consumption of alcohol.
- If the variation was approved, they would be able to serve alcohol from 10am.
- Terms and conditions and training for those taking part, was designed to ensure the safety of those nearby, with regard to distances from the individual throwing the axe etc.
- They were happy to amend condition 6 on the green sheet of further agreed conditions, to also read within 48 hours as detailed in condition 5.
- They were also happy for a condition to be added, that only single measures of drinks, i.e a 25 or 35ml spirit, should be served to those taking part in the axe throwing, rather than doubles, i.e a 50ml spirit.
- Dynamic risk assessments would take place with individuals who were looking to book the axe throwing when already in the venue, to see if they were in a fit state to take part in the axe throwing.
- Staff were well trained and experienced in assessing the intoxication levels of individuals and would take longer to assess those who hadn't pre-booked and that the risk assessment detailed aspects, such as suitable footwear, age restrictions and other matters.
- In the past a group had been removed from the axe throwing area, as it had become clear that they had become more intoxicated whilst taking part than originally appeared and that staff would be looking out for this issue.
- In 21 other venues, they were already utilising the amended condition without issue.
- Extending the hours for alcohol consumption would provide the ability to sell alcohol to those visiting before 12pm, therefore increasing profits and affordability of the business and that it was a lawful request, backed up by the fact that they did not have any crime or disorder issues with alcohol consumption at other times in the day, therefore there was no evidence to suggest any negative impacts of an earlier sale.

The Committee's legal advisor and licensing officer sought clarification on the change in licensable hours request for, the applicant confirmed that they were requesting an increase in the playing of recorded music for the hours between 10am and 12pm on weekends and that the axe throwing activity was not a licensable activity

The Committee thanked the attendees and officers for their input and advised that the decision would be made during the deliberation after the meeting. It was noted that due to the remote nature of the meeting, the decision would be circulated to all parties within a few working days via email.

The Committee gave careful consideration to this application for a premises licence and to all relevant representations both written and as expanded on in the course of the hearing. In addition, the Committee had due regard to the statutory guidance issued by the Secretary of State under section 182 of the Licensing Act 2003 and to the Council's own Licensing Policy.

RESOLVED that

A). Removal of condition 24 and substitution with the condition proposed by the applicant (below).

The Director of Sustainable Communities be authorised to GRANT the variation, modified as agreed at the Committee hearing and set out below at (2) and (3);
1. The new condition 24 (which followed pre -application consultation with Essex Police) will read as follows;

"The suitability of participants in high-risk activities will be assessed by a dedicated member of staff before and continuously throughout their participation. Staff will continuously monitor participants and have the authority to immediately stop any activity and remove participants if they exhibit signs of intoxication or inability to safely participate. Staff retain absolute discretion to refuse alcohol service or exclude any participant deemed unfit to participate safely. Records will be maintained of any guests refused permission to participate in axe throwing, together with a copy of the Standard Operating Procedure and risk assessment for the activity."

The conditions to be added to the licence were agreed with the applicant at the hearing (as deemed appropriate for the promotion of the relevant licensing objectives) are as follows;

2. "Spirits shall only be served to customers who are participating in axe throwing as a single 25ml measure (for the duration of the axe throwing)."

3. The conditions as agreed by the Chelmsford City Council Business compliance team (Public Health and Protection Services) (as per the Green sheet to the Agenda pack, save for condition 6 has 'within 48 hours' added to the end of it. This is to bring it in line with the other agreed conditions.

B). Vary the start time for the supply of alcohol and the playing of recorded music from 12pm to 10am on Saturdays and Sundays. (the applicants legal representative confirmed at the hearing that they are not applying for the axe-throwing to be extended as they considered it not to be a regulated activity)

The Director of Sustainable Communities be authorised to GRANT the variation as applied for.

In reaching its decision on both of the above decisions, the Committee gave careful consideration to the application and the relevant representations both

written and made during the hearing. The Committee had regard to its statutory duty to take such steps as it considers necessary to promote the licensing objectives. The Committee also took into account section 34 of the Licensing Act 2003, the current Statutory Guidance under section 182 and Chelmsford City Council's licensing policy.

The Committee was mindful of the fundamental requirement (as set out in paragraph 9.43 of the section 182 guidance and reiterated by case law) that any decision made by it on licensing applications must be evidence-based and justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

The Committee gave due weight to the fact that there were no objections to the application from any of the Responsible Authorities, particularly the Police. The Committee heard from the Applicant that they conduct a robust and rigorous operation and that across their 24 bars across the Country, there have been zero incidents since opening.

At the time of the hearing there was no evidence before the Committee on which it could properly conclude that, if the variation application were to be granted, (with the above modifications) that any of the licensing objectives would be undermined.

The meeting closed at 12.01pm

Chair