

TEMPORARY EVENT NOTICE

Alcohol and Gambling Licensing Sub-Committee

Thursday 22nd August 2019

1.0 Purpose of Report

- 1.1 To consider the proposed Temporary Event Notice in relation to the Umbrella Fair Pavilion, Racecourse Northampton.

2.0 Summary

- 2.1 An online application was received for a standard temporary event notice from Ian Bates on the 9 August 2019. The application is for the ground floor of the Racecourse Pavilion and the garden tea lawn outside area of the Pavilion. A copy of the temporary event notice is attached as **Appendix A**.
- 2.2 A Temporary Event Notice can be used to extend alcohol sales and the regulated entertainment hours of an existing licensed premises, or it can be used for an unlicensed premises.
- 2.3 The Umbrella Pavilion is currently an unlicensed premises that usually operates using the temporary event notice entitlement.
- 2.3 There are restrictions to the number of permitted temporary event notices, being up to 15 events per year held under this provision at a particular premises. These events may each last for up to 168 hours provided the maximum persons attending at any one time does not exceed 499 and the number of days used for these events does not exceed 21 per annum.

3.0 Application Details

- 3.1 The application requested the dates from the 30 August 2019 to the 1 September 2019, however the applicant subsequently emailed and amended the application to confirm that the intended dates to be between the 24 August 2019 to the 26 August 2019.

The licensable activities and times requested on the application are for the following;

Maximum Number of People at any one time

150

Event Dates & Times

From 14:00 on Saturday 24 August 2019 to 01:00 on 25 August 2019

From 12:00 on Sunday 25 August 2019 to 23:00 on 25 August 2019

From 12:00 on Monday 26 August 2019 to 22:00 on 26 August 2019

Sales of Alcohol for consumption on the premises:

From 14:00 to 00:30 hrs on Saturday/Sunday 24/25 August 2019

From 14.00 hrs to 22.30 hrs on Sunday 25 August 2019

From 14.00 until 21.30 hrs on Monday 26 August 2019.

Provision of Regulated Entertainment:

Live music on a stage situated in the garden of our building - 14.00 to 23.00 hrs on 24/08/19, 12.00 noon to 23.00 hrs on 25/08/19 and 12.00 noon to 22.00 on 26/08/19.

Recorded music from 23.00 hrs Saturday 24/08/19 until 1.00am Sunday 25/08/19 in our function room.

4.0 Consultations/Representations

- 4.1 When a standard temporary event notice is given to the Council online the local authority is required to serve a copy of the application on the police and environmental health officer (known as relevant persons) within 1 working day. The local authority served a copy of this application by email on the 12th August 2019
- 4.2 No other parties are entitled to object or make representations in respect of a temporary event notice application.
- 4.3 The relevant persons can object to such an application on any of the four licensing objectives. The relevant person making the objection must serve an 'Objection notice' on the Licensing Authority and the applicant within 3 working days following receipt of the notice.
- 4.4 Environmental Health have considered the application and objected on the basis that it contains insufficient information to demonstrate that appropriate measures will be in place to prevent public nuisance due to noise from the proposed regulated entertainment. An objection notice in respect of this temporary event notice application was received from Environmental Health on the 12 August 2019 as detailed in **Appendix B**.

5.0 Attendance

- 5.1 The local authority is required to send a notice of hearing to all interested parties and request confirmation of attendance. A notice of hearing was sent by email to the following persons on the 16 August 2019.

Ian Bates – confirmation of attendance confirmed during telephone conversation on Friday 16 August 2019.

Ruth Austen – confirmation of attendance confirmed.

6.0 Plan of Premises Layout & Location

The event is to be held in the function room of the ground floor of the Racecourse Pavilion and adjacent garden area.

The premises does not hold a Premises Licence and for a temporary event notice application, there is no requirement for the applicant to provide a floor plan showing the internal layout of the premises.

A plan of where the premises is located in the town is included at **Appendix C**.

7.0 Options

7.1 At the end of the consultation period the licensing authority must hold a hearing. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and,
- the protection of children from harm.

The steps the Sub-Committee can take are to:

- allow the temporary event, or
- serve a counter notice, preventing the event from going ahead, if it considers it appropriate for the promotion of a licensing objectives to do so.

7.2 If, before the hearing, the person who has given the objection modifies the temporary event notice and the premises user consents, the objection is taken as being withdrawn from the time the notice was modified. The notice then has effect as if it was originally given in the modified form. If the notice is modified in that manner and served on the Council before the hearing the Sub-committee will no longer be able to take any of the steps set out in paragraph 7.1 in relation to the notice.

8.0 Policy Considerations

8.1 Statement of Licensing Policy

8.2 s.182 Guidance Licensing Act 2003

Part 7 gives guidance for determination of this application.

9.0 Committee

Section 105 of the Licensing Act 2003 states that a licensing authority must hold a hearing to consider any objections from the police or environmental health unless:

- the parties agree that a hearing is unnecessary;

- the notice is modified in accordance with paragraph 7.2 above;
or
- the premises user decides to withdraw the temporary event notice.

It must be noted that each application is to be considered on its own merits.

Appendix No	Title
A. B. C.	Temporary Event Notice Environmental Health Objection Location Map
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