

REPORT OF THE DEPUTY CHIEF EXECUTIVE

LICENSING SUB COMMITTEE – 18 JUNE 2013

LICENSING ACT 2003 – CONSIDERATION OF AN OBJECTION NOTICES GIVEN WITH REGARD TO TEMPORARY EVENT NOTICES

**Mr Stanley Shawn Reeves
S&D Leisure Europe Ltd
1 Chadwicks Depot
Collingham Street
Cheethamhill
Manchester
M8 8RQ**

1.0 PURPOSE OF THE REPORT

- 1.1 To consider objection notices given by Northumbria Police with regard to two temporary event notices.

2.0 DESCRIPTION OF DECISION

- 2.1 The Sub-Committee is requested to consider the objection notices and, having regard to them, give the premises user counter notices if they consider it necessary for the promotion of the crime prevention objective to do so.

3.0 INTRODUCTION/BACKGROUND

- 3.1 Mr Reeves has given the Council two temporary event notices outlining his intention to use Herrington Country Park for :-

the sale by retail of alcohol and the provision of late night refreshment;

during the periods of:-

Friday 21 June 2013 to Tuesday 25 June between the hours of 12 noon and 02:00; and

Wednesday 26 June 2013 to Monday 1 July 2013 between the hours of 12 noon and 02:00

Copies of the temporary event notices are attached at Appendix 1

- 3.2 Northumbria Police have objected to the temporary event notices. Their objections are based on the licensing objective of the prevention of crime and disorder and are detailed below:-

'I have spoken with the applicant Stanley Shawn Reeves this morning and explained that the Police will be objecting to the application, based on the licensing objective crime and disorder.

Large scale public events like the one planned bring a strong risk of criminal and anti social behaviour, alcohol being available to the public has proved in the past to make these issues more problematic. Alcohol can change the personality of an individual, it clouds judgement and brings about behaviour that can spoil the enjoyment of others.

A fairground environment needs to be as safe as possible alcohol can influence persons perception of danger and risk and without strong measures to manage this can cause criminal and anti social behaviour to flourish.

Northumbria Police has policed events like the one planned "The Hoppings" for many years the event has passed off in the past without any major incidents, alcohol has never been on sale during times the public have access.

The application states the "TEN" would be covered by Public Liability Insurance, if the event was non Policed which is rumoured to be the case, would this insurance still be viable.

The application states that the bar will open at 12 midday till 22:00 for members of the public, then from 22:00 till 02:00 for showmen only, how does the applicant propose to remove the public before commencing the showmen's bar.

The application refers to SIA certified personnel, but does not mention numbers.

How does the applicant propose to record the number of persons allowed inside his temporary structure and fenced beer garden, and no mention of the type of drinking vessel is highlighted i.e. Polycarbonate/Plastic etc.'

4.0 CURRENT POSITION

- 4.1 The Council must hold a hearing to consider the objection notices and, having regard to them, give the premises user counter notices if it considers it necessary for the promotion of the crime prevention objective to do so. Counter notices will prevent the temporary event notices from being used.

5.0 REASONS FOR THE DECISION

- 5.1 To comply with the requirements of Section 105 of the Licensing Act 2003.

6.0 ALTERNATIVE OPTIONS

- 6.1 None.

7.0 RELEVANT CONSIDERATIONS/CONSULTATIONS

7.1 There are no other considerations.

8.0 GLOSSARY

8.1 No acronyms or abbreviations have been used in this report.

9.0 APPENDICES

9.1 Appendix 1 – Temporary Event Notices.

BACKGROUND PAPERS

10.1 None.

Appendix 1

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)			
1. Your name			
Title	Mr <input checked="" type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	Reeves		
Forenames	Stanley Shawn		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth		Day <input type="checkbox"/>	Month <input type="checkbox"/> Year <input type="checkbox"/>
4. Your place of birth			
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
S&D Leisure Europe Ltd, 1 Chadwicks Depot, Collingham Street, Cheethamhill,			
Post town	Manchester	Postcode	M8 8RQ
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			
8. Alternative address for correspondence (if you complete the details below, we will use this address to correspond with you)			
S&D Leisure Europe Ltd, Clarendon Enterprise Centre, Bristol & West House, Post Office Road,			
Post town	Bournemouth	Postcode	BH1 1BL

9. Alternative contact details (if applicable)	
Telephone numbers: Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Herrington Country Park. Chester Road, Penshaw. Sunderland. Tyne & Wear. DH4 7EL	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
The premises will be a mobile bar. It will be an enclosed area and supervised by SIA qualified staff to make sure alcohol is kept within the footprint of the enclosure.	
Please describe the nature of the premises below. (Please read note 4)	
A trailer based mobile bar with external and internal serving areas. Fixed seating inside for up to 60 and standing room for up to 40. External fenced beer garden to seat up to 100. Internal and external recorded CCTV and SIA certified personnel	
Please describe the nature of the event below. (Please read note 5)	
To provide drink and refreshments to fairground workers after hours of fairground set-up and operation	




3. The licensable activities	
Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)	
The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)	
Friday 21st June –Monday 24th June	
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)	
Daily; 12midday to 22.00h operating a strict Challenge 25 policy 22.00h to 02.00h bar open to showmen only	
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)	206
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only <input checked="" type="checkbox"/>
	Off the premises only <input type="checkbox"/>
	Both <input type="checkbox"/>
4. Personal licence holders (Please read note 12)	
Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	Bournemouth Borough Council
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

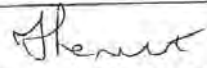
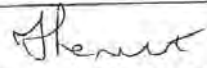
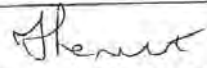
6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)		
Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

<p>8. Condition (Please read note 16)</p> <p>It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.</p>

<p>9. Declarations (Please read note 17)</p> <p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is an offence:</p> <p>(i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and</p> <p>(ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.</p>						
<table border="1"> <tr> <td>Signature</td> <td></td> </tr> <tr> <td>Date</td> <td>22/05/2013</td> </tr> <tr> <td>Name of Person signing</td> <td>Stanley Reeves</td> </tr> </table>	Signature		Date	22/05/2013	Name of Person signing	Stanley Reeves
Signature						
Date	22/05/2013					
Name of Person signing	Stanley Reeves					

For completion by the licensing authority

<p>10. Acknowledgement (Please read note 18)</p> <p>I acknowledge receipt of this temporary event notice.</p>						
<table border="1"> <tr> <td>Signature</td> <td> On behalf of the licensing authority</td> </tr> <tr> <td>Date</td> <td>7 JUNE 2013</td> </tr> <tr> <td>Name of Officer signing</td> <td>THOMAS TURNER</td> </tr> </table>	Signature	 On behalf of the licensing authority	Date	7 JUNE 2013	Name of Officer signing	THOMAS TURNER
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Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
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8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)			
S&D Leisure Europe Ltd, Clarendon Enterprise Centre, Bristol & West House, Post Office Road,			
Post town Bourmemouth		Postcode BH1 1BL	

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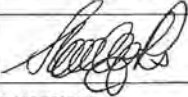
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Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>	
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
Wednesday 26 th June – Sunday 30 th June		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
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Do you currently hold a valid personal licence? (Please tick)	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>	
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I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
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Signature	
Date	22/05/2013
Name of Person signing	Stanley Reeves

For completion by the licensing authority

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Signature	 On behalf of the licensing authority
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Name of Officer signing	THOMAS TERRETT