



Leicester
City Council

WARDS AFFECTED
Castle

FORWARD TIMETABLE OF CONSULTATION AND MEETINGS:
Hearing under the Licensing Act 2003

29 November 2016

Objection notice given for a Temporary Event Notice
Function room, 3-5 Pocklingtons Walk, Leicester LE1 6RN

Report of the Director of Neighbourhood and Environmental Services

1. Purpose of Report

- 1.1. This report provides information for Members about an objection notice received in relation to a temporary event notice (TEN) given under the Licensing Act 2003, to assist them in determining the outcome.

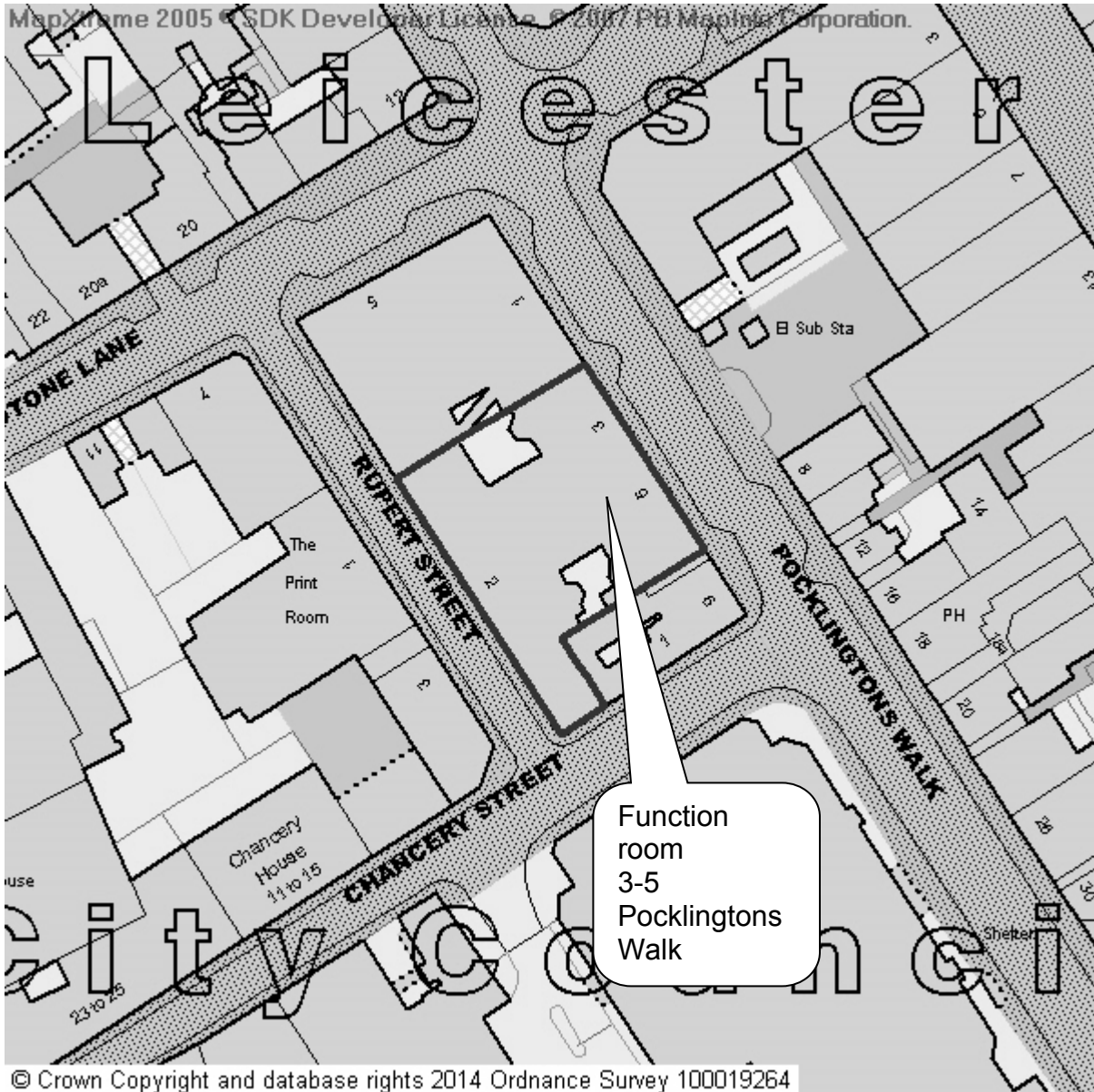
2. Determination to be made

- 2.1. Having considered the temporary event notice and the objection notice, Members must consider whether to
- Give the premises user a counter notice under Section 105 (2) of the Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objective to do so; or
 - Impose one or more conditions on the temporary event notice if:
 - it is appropriate for the promotion of the licensing objectives to do so, and
 - the condition(s) are also imposed on a premises licence or club premises certificate that has effect in relation to all or part of the same premises as the temporary, and
 - the condition(s) would not be inconsistent with the carrying out of the licensable activities under the temporary event notice; or
 - Disregard the objection notice

3. Summary

- 3.1 This report outlines an objection notice given by the Noise team in response to a temporary event notice given by Thomas Bennett for the function room at 3 -5 Pocklingtons Walk Leicester (previously the registry office). It also highlights the licensing objectives, the relevant parts of the guidance and regulations, and the pertinent sections of the Licensing Authority's Licensing Policy.

4. Location Plan



5. Temporary event notice

5.1. A temporary event notice was given on 14 November 2016 by Thomas Bennett for an event at the function room, 3-5 Pocklington's Walk, Leicester. The temporary event notice is for an event on Saturday 17 December 2016 and is attached at Appendix A.

5.2. The temporary event notice is for the following licensable activities:

| Licensable activities | Proposed hours |
|---|----------------|
| The sale by retail of alcohol (for consumption on the premises) and the provision of regulated entertainment. | 21.00 – 4.30am |
| The provision of late night refreshment | 23.00 – 4.30am |

6. Objection notice

- 6.1 An objection notice was received on 18 November 2016 from Leicester City Council Noise team on the grounds of the prevention of public nuisance. A copy of the objection notice is attached at Appendix B.

7. Existing premises licence

- 7.1 There is no premises licence that affects any part of the premises identified in the temporary event notice. This means that no conditions may be applied to the temporary event notice.

8. Statutory Guidance

- 8.1 Any decision made by the Licensing Authority must be in accordance with the licensing objectives. In addition, the government has issued guidance under section 182 of the Licensing Act 2003. The relevant parts of the guidance in this case are as follows:

| Section | Heading |
|-------------|--|
| 7.2 – 7.7 | TEN – General |
| 7.25 – 7.31 | Role of the Licensing Authority |
| 7.32 – 7.35 | Police and Environmental Health intervention |

9. Statement of Licensing Policy

- 9.1 The relevant parts of the Licensing Authority's Statement of Licensing Policy are as follows:

| Section | Heading |
|---------|-------------------------|
| 2 | Fundamental Principles |
| 15 | Temporary Event Notices |

10. Other Implications

| OTHER IMPLICATIONS | YES/ NO | Paragraph/References Within Supporting information |
|-------------------------------|------------|---|
| Equal Opportunities | No | |
| Policy | No | |
| Sustainable and Environmental | No | |
| Crime and Disorder | No | |
| Human Rights Act | No | |
| Elderly/People on Low Income | No | |
| Corporate Parenting | No | |
| Health Inequalities Impact | No | |

11. Background Papers – Local Government Act 1972

a. None

12. Consultations

a. The Licensing Authority is not obliged to consult any parties with regard to temporary event notices. The applicant is required to serve a copy of their temporary event notice on the Police and the Noise Team.

13. Report Author

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| APPENDIX | CONTENT |
|-----------------|------------------------|
| A | Temporary event notice |
| B | Objection notice |