

Leicester
City Council

WARDS AFFECTED
New Parks

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

19th March 2014

Objection notice given for a Temporary Event Notice
The Sportsman, 43 Park Rise, Western Park, Leicester LE3 6SG

Report of the Director of 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.

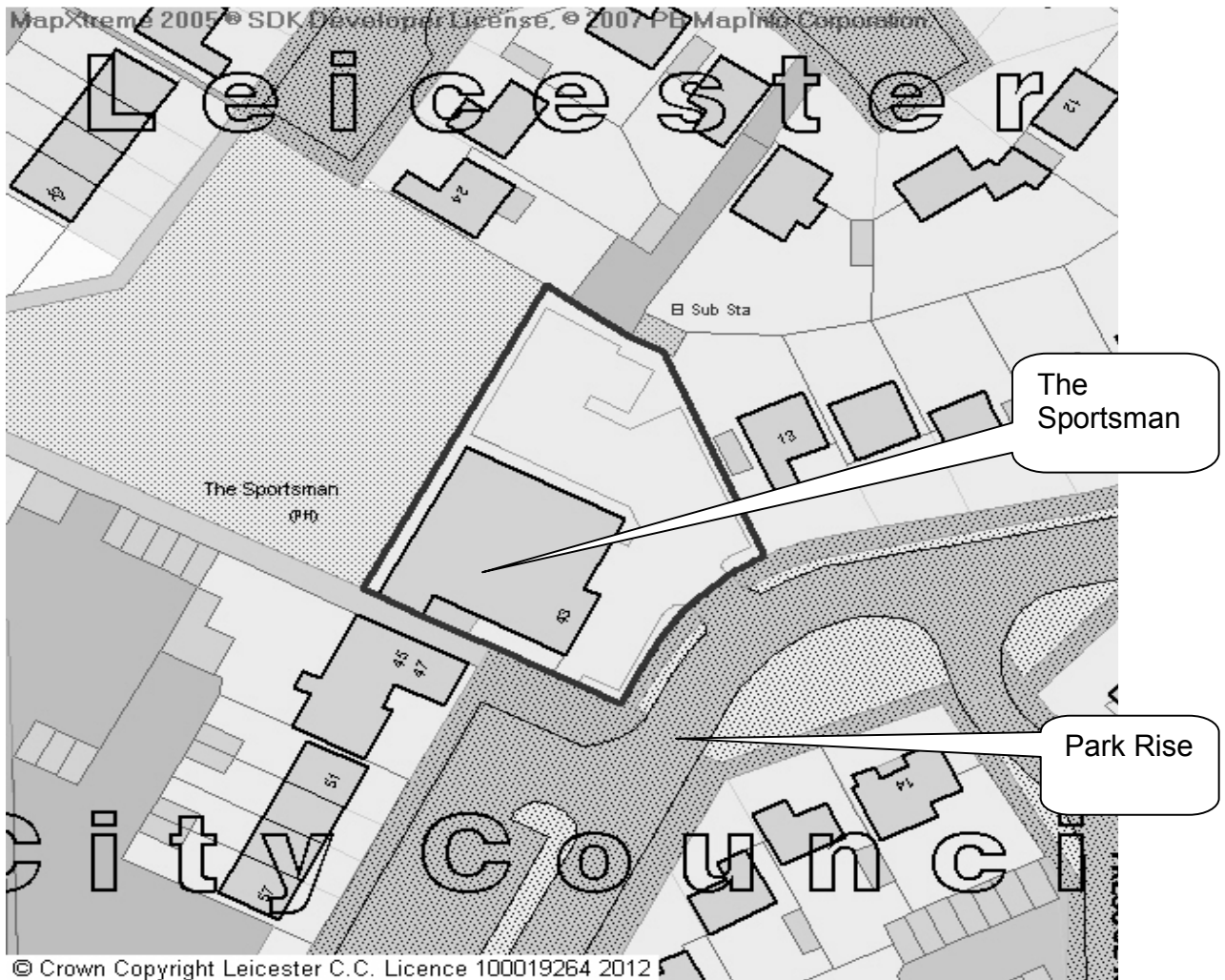
2. Determination to be made

- 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 Mr Richard Gillespie for The Sportsman, 43 Park Rise, Western Park, Leicester, LE3 6SG. 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 11th March 2014 by Mr Richard Gillespie for an event at The Sportsman, 43 Park Rise, Western Park, Leicester, LE3 6SG. The temporary event notice is for an event on 28th, 29th and the 30th March 2014 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 and off the premises)	Friday to Saturday 1200 until 0600
Provision of regulated entertainment	Sunday 1200 until 2300
Provision of late night refreshment	

6. Objection notice

- 6.1 An objection notice was received on 12th March 2014 from the 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 The premises identified in the temporary event notice is fully covered by an existing premises licence. One or more of the conditions on this premises licence may be applied to the temporary event notice if Members consider it appropriate for the promotion of the licensing objectives, and insofar as the conditions are not inconsistent with the carrying on of licensable activities under the notice. A copy of the existing premises licence, including the conditions are attached at Appendix C.

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 – 7.6	TEN – General
7.24 – 7.30	Role of the Licensing Authority
7.31 – 7.35	Police and Environmental Health intervention
7.37 – 7.38	Applying conditions to a TEN

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
C	Existing premises licence