

## **TRAFFORD COUNCIL**

### **LICENSING SUB COMMITTEE – 27 July 2020**

### **REPORT OF THE HEAD OF REGULATORY SERVICES**

#### **REPORT REF. NO.**

**OBJECTION FROM THE ENVIRONMENTAL HEALTH OFFICER TO A TEMPORARY EVENT NOTICE ISSUED FOR ARCHWAY, POMONA STRAND, OLD TRAFFORD, M16 0TT.**

#### **PURPOSE**

To consider whether or not to accept the objections from Environmental Health and to decide whether to issue a counter notice under section 105 of the Licensing Act 2003.

#### **RECOMMENDATIONS**

Having regard to the objection notices, consider whether it is necessary to accept the objection, and if the authority does accept the objections, to give the premises user a counter notice under section 105 of the Licensing Act 2003.

**Nigel Smith  
Head of Regulatory Services**

Further Information From:

Name: Jade Pickup  
Licensing Officer

Proper Officer for the purposes of L.G.A 1972,S.100D  
(background papers):

- Appendix A - Temporary Event Notice
- Appendix B - COVID compliance risk assessment
- Appendix C - Event Risk Assessment
- Appendix D - Objection from Environmental Health

## BACKGROUND

1. Part 5 of the Licensing Act 2003 provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 168 hours) without the need for a premises licence or a club premises certificate.
2. These activities can take place on any premises by the authority of a temporary event notice (TEN) given by an individual, a 'premises user', to the relevant licensing authority.
3. No permission is required from the licensing authority and only the Police and Environmental Health may intervene with a view to preventing such an event going ahead or to modify the arrangements for it.
4. A temporary event notice must be given to the authority at least 10 working days before the event and a copy of the notice must also be given to the Police and Environmental Health.
5. Where the Police or Environmental Health are of the view that allowing the event to proceed would undermine the licensing objectives, they must, within three working days of receiving the TEN, give an objection notice to the premises user and the licensing authority, giving reasons for their decision.
6. If the Police or Environmental Health object to a TEN, the licensing authority must hold a hearing to determine whether or not it accepts the objections. Where the authority accepts the objections, it must issue a counter notice to the premises user in which case the event cannot proceed.

## TEMPORARY EVENT NOTICE

7. On the 15 July 2020 Mr Oliver Ryder served a Temporary Event Notice on the licensing authority for premises known as Archway, Pomona Strand, Old Trafford, M16 0TT, a copy of which is attached as Appendix A.
8. The premises currently does not benefit from a Premises Licence.
9. Details of Temporary Event Notice:

Date: 30 August 2020  
Times: 14:00 – 23:00  
Location: Archway  
Activities: Regulated Entertainment and Sale of Alcohol (On)  
Nature of Event: Occasional Food and Music showcase
10. An objection to the notice was received from Environmental Health, on the 17 July 2020, a copy of which is attached at Appendix D

## RECOMMENDATIONS

11. The Sub-Committee is requested to consider the objection notices, and consider whether it is necessary for the promotion of the licensing objectives to accept the objections; and if the authority does accept the objections, to give the premises user a counter notice under section 105 of the Licensing Act 2003.