

## TRAFFORD COUNCIL

**Report to:** Licensing Sub-Committee  
**Date:** 17 May 2019  
**Report for:** Decision - Determination of Application  
**Report of:** Head of Regulatory Services, Place Directorate

### Report Title

**OBJECTION FROM GREATER MANCHESTER POLICE TO TEMPORARY EVENT NOTICES ISSUED FOR BARRINGTON HOTEL, ALTRINCHAM, WA14 1HH.**

### Summary

Members are requested to consider whether or not to accept the objection notice from Greater Manchester Police and to determine whether to issue a counter notice under section 105 of the Licensing Act 2003.

### Recommendations

Having regard to the objection notice, consider whether it is appropriate to accept the objection, and if the authority does accept the objection, to give the Premises User a counter notice under section 105 of the Licensing Act 2003.

If the Licensing Sub-Committee decides not to give a counter notice under this section, to give the Premises User and Greater Manchester Police a notice of the decision.

It is not possible for the Licensing Sub-Committee to impose conditions on the Temporary Event Notice because the Premises Licence was surrendered in March 2018.

### Contact person for access to background papers and further information:

**Name:** Keiran Hinchliffe, Senior Licensing Officer.  
**Extension:** 2593

**Background Papers:** None.

**Appendices:**

- A) Temporary Event Notices
- B) Objection Notice from Greater Manchester Police
- C) Historic Premises Licence
- D) Notification of Surrender of Premises Licence
- E) S104A Counter Notices

## **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. 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 Licensing 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 submits an objection notice, the licensing authority must hold a hearing to determine whether or not it accepts the objections, unless all parties agree that a hearing is not necessary. Where the Licensing Sub-Committee 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 09 May 2019, Mr Barry Hogan served two Late Temporary Event Notices and two standard Temporary Event Notices on the Licensing Authority for premises known as Barrington Hotel, 2 Barrington Road, Altrincham WA14 1HH. These have been attached as **Appendix A**.
8. The Licensing Sub-Committee is determining the standard Temporary Event Notices, at point 11 and point 12 of this report, for 28 May–02 June and 04–09 June only.
9. Details of Late Temporary Event Notice 1:  
Date: 17 May, 18 May and 19 May 2019  
Times: 12:00 to 00:00  
Location: Whole of premises  
Activities:
  - Sale of Alcohol
  - Regulated Entertainment
  - Late Night Refreshment

Nature of Event:  
Sale of Alcohol pending premises licence application

10. Details of Late Temporary Event Notice 2:  
Date: 21 May – 26 May 2019  
Times: 12:00 to 00:00  
Location Barrington Hotel, 2 Barrington Road, Altrincham  
Activities:
  - Sale of Alcohol
  - Regulated Entertainment
  - Late Night RefreshmentNature of Event:  
Sale of alcohol/music pending premises licence application
11. Details of standard Temporary Event Notice 1:  
Date: 28 May – 02 June 2019  
Times: 12:00 to 00:00  
Location Barrington Hotel, 2 Barrington Road, Altrincham  
Activities:
  - Sale of Alcohol
  - Regulated Entertainment
  - Late Night RefreshmentNature of Event:  
Sale of alcohol/music pending premises licence application
12. Details of standard Temporary Event Notice 2:  
Date: 04 June – 09 June 2019  
Times: 12:00 to 00:00  
Location Barrington Hotel, 2 Barrington Road, Altrincham  
Activities:
  - Sale of Alcohol
  - Regulated Entertainment
  - Late Night RefreshmentNature of Event:  
Sale of alcohol/music pending premises licence application
13. The Licensing Authority received an objection notice from Greater Manchester Police on 10 May 2019, a copy of which is attached at **Appendix B**.
14. The Premises is not currently licensed. The last licence for the premises was surrendered by Mr James Leach in March 2018.  
A copy of the historic premises licence is attached as **Appendix C**.  
A copy of notification of surrender is attached as **Appendix D**.
15. The Late Temporary Event Notices for 17-19 May and 21-26 May 2019 have not been authorised by the Licensing Authority, a Counter Notice was served on the Premises User under S104A of the Licensing Act 2003, attached as **Appendix E**.
16. Mr Barry Hogan has submitted an application for a new Premises Licence to the Licensing Authority; this is currently in the consultation period.

## **RECOMMENDATIONS**

17. The Sub-Committee is requested to consider the objection notice, 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 S105 of the Licensing Act 2003.