

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 6 April 2021
Report for: Decision: Determination of Notice
Report of: Head of Regulatory Services

Report Title

**OBJECTION FROM THE ENVIRONMENTAL HEALTH OFFICER TO A
TEMPORARY EVENT NOTICE ISSUED FOR BOWDON CRICKET & HOCKEY
CLUB, SOUTH DOWNS ROAD, BOWDON, ALTRINCHAM, WA14 3DT**

Summary

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.

Recommendation(s)

Having regard to the objection notice, consider whether it is necessary 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.

Contact person for access to background papers and further information:

Name: Jade Pickup, Licensing Officer
Contact: Licensing@trafford.gov.uk

Background Papers: None.

Appendices: A) Temporary Event Notice
B) Covid Risk Assessment
C) Objection Notice

1.0 BACKGROUND

- 1.1 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.
- 1.2 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.
- 1.3 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.
- 1.4 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.
- 1.5 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.
- 1.6 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.

2.0 TEMPORARY EVENT NOTICE

- 2.1 On the 22 March 2021 Mr Maxwell Eden served a Temporary Event Notice on the licensing authority for premises known as Bowdon Cricket & Hockey Club, South Downs Road, Bowdon, WA14 3DT, a copy of which is attached as **Appendix A**, and supporting COVID-19 risk assessment at **Appendix B**.
- 2.2 The premises currently does not benefit from a Premises Licence.
- 2.3 Details of Temporary Event Notice:

Date: 29-30 May 2021

Times: 16:00 – 21:30

Location: Cricket Pitch and Open Areas

Activities: Regulated Entertainment and Sale of Alcohol (On)

Nature of Event: Community Concert

2.4 An objection to the notice was received from Environmental Health, on the 24 March 2021, a copy of which is attached at **Appendix C**.

3.0 **OPTIONS**

3.1 The TEN can be modified by changing the details of the parts of the premises that are to be used for the event, the description of the nature of the intended activities or their duration.

3.2 The 2003 Act provides that only the Licensing Authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. There is not a premises licence in place, which means conditions cannot be added.

3.3 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.