

TRAFFORD COUNCIL

Report to: Licensing Sub-Committee
Date: 12th June 2024
Report for: Decision for determination
Report of: Head of Regulatory Services

Report Title

OBJECTION FROM ENVIRONMENTAL HEALTH TO A TEMPORARY EVENT NOTICE ISSUED FOR THE TRAFFORD, 699 CHESTER ROAD, STRETFORD, M16 0GW.

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, Senior Licensing Officer
Contact: Licensing@trafford.gov.uk

Appendices: A) Temporary Event Notice
B) Current Premise Licence
c) Objection from Environmental Health

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 5th June 2024, the Premises Licence holder Blind Tiger Inns on behalf of Mr Christopher Ramsden served a Temporary Event Notice on the Licensing Authority for premises known as The Trafford, 699 Chester Road, Stretford, M16 0GW, a copy of which is attached as **Appendix A**.
- 2.2 Part of the premises currently benefits from a Premise Licence, PL000249 attached as **Appendix B**.
- 2.3 Details of Temporary Event Notice:

Date: 22nd June 2024

Times: 12:00 – 01:00

Location: 699 Chester Road, Stretford, M16 0GW

Activities: Sale of Alcohol (On, Recorded Music

2.4 On 5th June 2024 an objection was received from Environmental Health. A copy of which is attached at **Appendix C**.

3.0 **OPTIONS**

3.1 The TEN can be modified at any time before a hearing is held with the agreement of the premise user and the relevant authority which has objected 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. The Licensing Authority can impose conditions to a TEN from the existing conditions on the premises licence or club premises certificate at the venue. The licensing authority can only do so:

- if the police or the EHA have objected to the TEN;
- if that objection has not been withdrawn;
- if there is a licence or certificate in relation to at least a part of the premise and in respect of which the TEN is given;
- and if the licensing authority considers it appropriate for the promotion of licensing objectives to impose one or more conditions.

3.3 The Sub-Committee can impose conditions to a TEN to the extent that they are on the existing premises licence.

3.4 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 objection; and if the Licensing Authority does accept the objections, to issue the premises user a counter notice under section 105 of the Licensing Act 2003.