

TEMPORARY EVENT NOTIFICATION–
Licensing Sub-Committee
Friday 15th December 2017

1.0 Purpose of Report

- 1.1 To consider the proposed Temporary Event Notice in relation to the Swan and Helmet Community Saint Patricks Day Festival 2018.

2.0 Summary

- 2.1 Two notifications for temporary events have been submitted by Teresa McCarthy of T McCarthy Enterprise Ltd and were received by Northampton Borough Council on the 1st December 2017. Ms McCarthy is the licence holder and designated premises supervisor at the premises to which the notices partly relate. **(Appendix 1)(Appendix 2)**

3.0 Application Details

- 3.1 The applications were submitted with the intention to licence the streets surrounding The Swan and Helmet, 67 Grove Road, Northampton in order to hold an outdoor community festival to celebrate Irish heritage and culture on St Patricks Day, 17th March 2018.
- 3.2 The licensable activities and times requested on the application are for the following;

Sales of Alcohol for consumption on the premises:

Outdoor beer tent

Date: 17th March 2018 12:30 –19:00

Provision of Regulated Entertainment:

Live Music and Traditional Irish dancing

Date: 17th March 2018 13:00 – 17:00

4.0 Consultations/Representations

- 4.1 When considering any application the Licensing Authority should be aware of the possible use of Temporary Event Notices to extend regulated or relevant entertainment or hours of operation. Up to 12 events per year can be held under this provision at a particular premises. These events may last for up to 168 hours provided the maximum persons attending at any one time does not exceed 499 and the number of days used for these events does not exceed 21 per annum.
- 4.2 It is a requirement of the Licensing Act 2003 that any notice for a temporary event is served upon the Local and responsible authorities no later than 10 working days prior to the event due to take place.
- 4.4 The responsible authorities can object to such an application on any of the four licensing objectives. The relevant person making the objection must serve an 'Objection notice' on the Licensing Authority and the applicant within 3 working days of receiving the notice.
- 4.3 The Licensing Department has received two objections in regard to the proposed event.
- 4.4 Northamptonshire police have considered the applications and objected to both on the basis that it is not possible for them to properly risk assess the event proposed against the four licensing objectives based on information provided. Requests to the applicant have been made for further information including a full event management plan but until that can be seen and reviewed in the spirit of keeping people safe. **(Appendix 3)**
- 4.5 Environmental protection has submitted an objection to these applications on the grounds of prevention of public nuisance. The reason for this being the event is to take place in a residential area and there is the potential for noise disturbance to occupants of the surrounding properties. The application forms do not contain enough information regarding the arrangements for the live entertainment for me to support this application. **(Appendix 4)**

5.0 Attendance

- 5.1 The local authority is required to send a notice of hearing to all interested parties and request confirmation of attendance. A notice of hearing was sent to the following persons on the 7th December 2017.

Teresa McCarthy, Swan and Helmet – confirmation of attendance pending

Sgt Martin O'Connell, Northamptonshire Police – Confirmed

Louise Marshall, Environmental Protection – confirmation of attendance pending

6.0 Plan of Premises Layout & Location

Please see Location map attached (**appendix 5**)

7.0 Options

7.1 In the event of an objection from a relevant party the licensing authority must hold a hearing. It must take such steps as it considers appropriate for the promotion of the licensing objectives, which are:

- The prevention of crime and disorder
- Public safety
- The prevention of public nuisance
- The protection of children from harm

The steps the Sub-Committee can take are to:

- reject the application; issuing the premises user with a counter notice, if it considers it necessary for the promotion of the licensing objectives, and a notice stating the reasons for its decision.
- Allow the notice to have effect, giving the premises user, Chief Officer of Police and Environmental Health notice of the decision.

8.0 Policy Considerations

8.1 Statement of Licensing Policy

8.2 s.182 Guidance Licensing Act 2003

Section 4 gives guidance for determination of this application.

9.0 Committee

Section 105 of the 203 Licensing Act states that a licensing authority must hold a hearing to consider any objections from the police or Environmental Health unless all the parties agree to withdraw. It must be noted that each application is to be considered on its own merits although both relate to the same proposed event.

Appendix No	Title
1. 2. 3. 4. 5.	Notification of Temporary Event – Grove Road Notification of Temporary Event – Clare Street Northamptonshire Police objection Environmental Protection objection Location Map
Report Author	Eleanor Flannery Licensing Enforcement Officer