



LICENSING SUB-COMMITTEE

Friday 11 September 2020

ENVIRONMENTAL HEALTH OBJECTION TO TEMPORARY EVENT NOTICE

Notice Giver's Name	Mr Adam Lee Coulson		
Premises Address	Lowestoft & Yarmouth Rugby Club, Old Lane Corton, Lowestoft, NR32 5HE	Ward	Lothingland
Date Application Received	2 September 2020	Determination by	16 September 2020

SUMMARY OF NOTICE

- A valid Temporary Event Notice (TEN) has been received by the Authority.
- The premises user wishes to have an Ibiza Brunch and Legends Event at the above premises which is currently licensed. They would be using the pitch which does not make up part of the licensed premises.
- The Notice is to allow the sale by retail of alcohol (on sales only) and regulated entertainment between the hours of 12.00 to 19:00 on Saturday 3rd October 2020 and 12.00 to 19.00 on Sunday 4th October 2020.

Cabinet Member:	Councillor Mary Rudd, Cabinet Member with responsibility for Community Health
Supporting Officer:	Leonie Hoult Licensing Officer 01502 523624 Leonie.Hoult@eastssuffolk.gov.uk

REASONS FOR SUB-COMMITTEE MEETING

- Environmental Health have raised objections to the TEN given by Mr Adam Coulton (the premises user).
- The objection notices were received from East Suffolk Council Environmental Health within the prescribed consultation period after receipt of the TEN, as specified in the Licensing Act 2003, and are based upon the licensing objective of the prevention of public nuisance.

POINTS FOR CONSIDERATION

- The system of permitted temporary activities gives the Police and Environmental Health the opportunity to consider whether they should object to a TEN based on any of the licensing objectives.
- No objection has been received from the Police to this TEN

CONCLUSION

- The premises user has been advised of the objections that have been made and there may be mediation between the premises user and Environmental Health before the hearing in order to achieve agreement and dispense with the need for a hearing.
- In the event that this is not possible, the Sub-Committee will be asked to consider the objection notice.
- It should be noted that as the TEN has been given in respect of a licensed premises the ability to impose conditions applies (however, the pitch is not covered by the premises licence).

RECOMMENDATIONS

That the Sub-Committee be asked to consider the objection notices and determines this matter based on the options below:

- a) Allow the licensable activities to go ahead as stated in the notice.
- b) If the notice is in connection with licensable activities at licensed premises, (if there is a licence or certificate in relation to at least a part of the premises in respect of which the TEN is given) the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives.
- c) Issue the premises user with a counter notice, if it decides that the event would undermine the licensing objectives.

Depending on the decision of the Sub-Committee, the premises user and the Responsible Authorities as objectors have rights of appeal to the Magistrates' Court.

When announcing its decision, the Sub-Committee is asked to state its reasons.

APPENDICES
Appendix A – Temporary Event Notice (Exempt)
Appendix B – Environmental Protection Objection Notice
Appendix C – The premises licence for Lowestoft & Yarmouth Rugby Football Club (Exempt)

BACKGROUND PAPERS (all available from Leonie.Hoult@eastsuffolk.gov.uk)

<p>The East Suffolk Council Statement of Licensing Policy</p> <p>The Licensing Act 2003 (“the Act”)</p> <p>The current Guidance issued under section 182 of the Act.</p>
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