

REPORT OF THE DIRECTOR OF LEGAL AND DEMOCRATIC SERVICES

REPORT TO LICENSING COMMITTEE

DATE : 20th November 2006

SUBJECT : Temporary Event Notice – The New Inn - 68 Otley Road, Leeds, LS6 4BA

Electoral Wards Affected	Specific Implications For :
Weetwood	Ethnic Minorities Women <input type="checkbox"/> Disabled People <input type="checkbox"/> Green Strategy <input type="checkbox"/>

1.0 PURPOSE OF REPORT

To advise Members that Entertainment Licensing have received notification of three proposed temporary events (“the Notice”) made under the Licensing Act 2003 (“the Act”).

2.0 BACKGROUND

- 2.1 Members should note that the most important aspect of the system of temporary events is that no authorisation as such is required for these events from the Licensing Authority.
- 2.2 In general, only the Police may intervene to prevent such an event taking place or to agree a modification of the arrangements for such an event. The system of temporary event notices are characterised by “an exceptionally light touch bureaucracy”.
- 2.3 Such a light touch is possible because of the limitations directly imposed on the use of the system by the Act. The limitations apply to:
- the number of times a person (the “premises user”) may give a temporary event notice. In this case it is 50 times per year for a personal licence holder and 5 times per year for those without a personal licence
 - the number of times a temporary event notice may be given in respect of any particular premises is limited to 12 times in a calendar year
 - the length of time a temporary event may last

- the maximum aggregate duration of the period covered by temporary event notices at any individual premise (15 days); and
- the scale of the event in terms of the maximum number of people attending at any one time. This is limited to less than 500.

3.0 THE TEMPORARY EVENT NOTICE

- 3.1 Mr Peter John Grantham, the premises user, has given notice of his intention to hold three separate temporary events at The New Inn, 68 Otley Road, Leeds, LS6 4BA.. The premises can be seen on the map provided, members attention is drawn to **Appendix A**.
- 3.2 Mr Grantham has given notice of the temporary event under s.100 of the Act. A copy of the Notice is attached as **Appendix B** to this report.

Proposed Licensable Activities:

The applicant proposes to carry out those licensable activities at the premises identified at **section 3** of the Notice.

Proposed hours of licensable activities:

The premises user proposes that three separate events will take place at the premises. The first event is proposed to begin at 00:00 on Thursday the 23rd of November, running until 11:00 on Saturday the 25th of November. The second event begins at 00:00 on Wednesday the 1st of December, and is to run until 11:00 on Friday the 3rd. Finally, Mr Grantham proposes to hold a third event, running from 00:00 on the 14th of December, until 11:00 on the 16th of December, 2006.

4.0 Police Objections to the notice

- 4.1 The West Yorkshire Police have received a copies of Mr Grantham's Notices. They consider that allowing the premises to be used in the manner set out in the Notice will undermine the crime prevention objective. The police have therefore given Mr Grantham and the licensing authority an objection notice.
- 4.2 A copy of this objection notice is attached to this report at **Appendix "C"**:-

5.0 MATTERS RELEVANT TO THE TEMPORARY EVENT NOTICE

- 5.1 Members of the Licensing Sub Committee must make decisions with a view to promoting the crime prevention licensing objective.
- 5.2 In making their decision Members are obliged to have regard to the national guidance and the Council's Licensing Policy. Members will be aware they must also have regard to the objection notice and evidence they hear.

6.0 OPTIONS AVAILABLE TO MEMBERS

- 6.1 If having heard the evidence Members are satisfied that the event will undermine the crime prevention objective the Licensing Sub Committee must issue the premises user with a counter notice.
- 6.2 Issuing the counter notice has the effect of preventing the event from taking place.
- 6.3 Having heard the evidence, Members are advised that they may allow the event to go ahead, as proposed, if they are satisfied that the event will not undermine the crime prevention objective.

6.3 Members of the Licensing Sub Committee are asked to note that they may not modify, restrict or seek to attach conditions to the proposed licensable activities.

BACKGROUND PAPERS

- Guidance issued under s182 Licensing Act 2003
- Leeds City Council Licensing Policy