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FOR THE CHAIR AND MEMBERS OF THE LICENSING SUB-COMMITTEE FOR 30 JANUARY 2006

OBJECTION TO TEMPORARY EVENT NOTICE

Premises User: Phillip Parker Ref.No.MBRO/PR0286

Premises: Blue Bar, Unit 3 Centre North East, Albert Road, Middlesbrough

Application received: 17 January 2006

Summary of the nature of the proposed event:

Post club party for approximately 350 people travelling by bus from Tall Trees, Yarm

Summary of proposed date and time of event:

18 February 2006, 10pm to 10am.

Full details of the application have been reproduced at Appendix 1.

1. Notification to Police:

A copy of the Temporary Event Notice was delivered to Cleveland Police on 18 January 2006

2. Legislation

Section 8.16 of the Government Guidance in relation to The Licensing Act 2003 makes it clear that when considering a Temporary Event Notice, the Licensing Authority is confined in the hearing, to consideration of the crime prevention objective and that it cannot uphold an objection notice on other grounds, such as public nuisance.

3. Background

The premises consist of a Public House in Middlesbrough town centre trading with the benefit of a Premises Licence. A copy of the current Premises Licence summary is reproduced at Appendix 2 of this report.

4. The Objection

On 18 January 2006 an objection notice and accompanying letter was received from Cleveland Police under Section 104 Licensing Act 2003 which objects to the Temporary Event Notice under the grounds of crime and disorder. (see Appendix 3).

5. The Licensing Policy

Members are referred to the following relevant sections of the Council's Licensing Policy.

Crime and Disorder Pages 17 and 18

And any other sections of the Policy which Members consider to be relevant.

7. Guidance to the Licensing Act 2003

Members are referred to the following relevant sections of the Guidance.

Crime and Disorder Starting at para 7.20

Annex D

Temporary Event Notices Starting at Para 8.1, especially Para 8.13

and Para 8.16

And any other sections of the Guidance which Members consider to be relevant.

8. Members' Options

Reasons:

Members may consider the following options:

- 1. To allow the Temporary Event to take place consistent with the application.
- 2. Uphold the objection by the Police on the grounds of the prevention of crime and disorder and issue a counter notice to the premises user under Section 105(3) Licensing Act 2003.

Members are reminded that any aggrieved party (i.e. Premises User, Chief Officer of Police) may appeal any decision of the Licensing Committee to the Magistrates Courts.

Contact Officer: John Hodgson

Senior Licensing Officer

Tel. 728719

Ed Chicken

Head of Community Protection

	Date 30 January 2006
For admin use only: Decision:	