



**FOR THE CHAIR AND MEMBERS OF
THE LICENSING SUB-COMMITTEE
FOR 2 OCTOBER 2006**

OBJECTION TO TEMPORARY EVENT NOTICE

Premises User: Mark Phillips

Ref.No.MBRO/PR350

Premises: Ignite, Wilson Street, Middlesbrough TS1 1SF

Application received : 20 September 2006

Summary of the nature of the proposed event:

Chart Topping Headline Entertainment and Club Reunion Night

Summary of proposed date and time of event:

8 October 2006 3am to 5am, venue to close at 5.30am to allow 30 mins drinking up time.

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

1. Notification to Police:

A copy of the Temporary Event Notice was faxed to Cleveland Police by the Licensing Section on 20 September 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 consists of a Night Club 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 21 September 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, 8.13A
and Para 8.16

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

8. Members' Options

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 2 October 2006

For admin use only:

Decision:

Reasons: