



Licensing Sub-Committee

Date: Thursday, 23 December 2021
Time: 10.00 am
Venue: A link to the meeting can be found on the front page of the agenda.

Membership: (Quorum 3)

Councillors Jon Andrews, Emma Parker and David Taylor

Chief Executive: Matt Prosser, County Hall , Dorchester, Dorset DT1 1XJ

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[Link to live meeting](#)

Link to live meeting Dorset Council is committed to being open and transparent in the way it carries out its business whenever possible. A recording of the meeting will also be available after the event.

A G E N D A

Page No.

1 ELECTION OF CHAIRMAN AND STATEMENT FOR THE PROCEDURE OF THE MEETING

5 - 8

To elect a Chairman for the meeting and the Chairman to present and explain the procedure for the meeting.

2 APOLOGIES

To receive any apologies for absence.

3 DECLARATIONS OF INTEREST

To disclose any pecuniary, other registrable or non-registrable interests as set out in the adopted Code of Conduct. In making their disclosure councillors are asked to state the agenda item, the nature of the interest and any action they propose to take as part of their declaration.

If required, further advice should be sought from the Monitoring Officer in advance of the meeting.

4 URGENT ITEMS

To consider any items of business which the Chairman has had prior notification and considers to be urgent pursuant to section 100B (4) b) of the Local Government Act 1972. The reason for the urgency shall be recorded in the minutes.

5 OBJECTION OF TEMPORARY EVENT NOTICE - NEON

9 - 42

To consider two Objection Notices to a Temporary Event Notice (TEN) for Neon in Bridport

6 OBJECTION OF TEMPORARY EVENT NOTICE - NO 10

43 - 72

To consider two Objection Notices to a Temporary Event Notice (TEN) for No. 10 Café Bar in Bridport.

7 EXEMPT BUSINESS

To move the exclusion of the press and the public for the following item in view of the likely disclosure of exempt information within the meaning of paragraph x of schedule 12 A to the Local Government Act 1972 (as amended).

The public and the press will be asked to leave the meeting whilst the item of business is considered.

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THE LICENSING ACT 2003 (HEARINGS) REGULATIONS 2005

Rights of a Party

1. A party has the right to attend the hearing and may be represented by any person.
2. A party is entitled to give further information where the authority has asked for clarification.
3. A party can question another party, and/or address the authority, with consent of the authority.

Failure to Attend

4. If the authority is informed a party does not wish to attend, the hearing may proceed in their absence.
5. If a party has not indicated their attendance and fails to attend the hearing may be adjourned if considered in the public interest, or hold the hearing ensuring the party's representation is considered.
6. Where the authority adjourns the hearing it shall notify the parties of the date, time and place.

Procedural Information

7. At the start of the hearing, the authority shall explain the procedure which it proposes to follow and shall consider any request for permission for another person to appear at the hearing.
8. A hearing shall take the form of a discussion led by the authority and cross-examination shall not be permitted unless the authority considers that it is required.
9. The authority will allow the parties an equal maximum period of time in which to speak.
10. The authority may require any person behaving disruptively to leave, and may refuse that person to return, but such a person may, before the end of the hearing, submit in writing information they would have been entitled to give orally had they not been required to leave.

FOOTNOTE:

In relation to all other matters governed by the Licensing Act 2003 (Hearings) Regulations 2005 any party or their representative may contact the Licensing Services at Dorset Council and they will be provided with a full copy of the regulations on request.

LICENSING SUB-COMMITTEE PROCEDURE

1. At the start of the meeting the Chairman will introduce:
 - the members of the sub-committee
 - the council officers present
 - the parties and their representatives
2. The Chairman will then deal with any appropriate agenda items.
3. The Licensing Officer will be asked to outline the details of the application, including details of any withdrawn representations.
4. The applicant or their representative is then invited to present their case.
5. Committee members will be invited to ask questions.
6. Where appropriate the Responsible Bodies e.g. representatives of Police, Fire Services, Environmental Services or Trading Standards will be invited to address the sub-committee on any relevant representations they may have.
7. The Chairman may then allow an opportunity for questions.
8. The Chairman will ask any person who has made representations, who have already expressed a wish to do so, to address the sub-committee. The sub-committee will have read all the papers before them, including any letters of representation. Members of the public are asked to keep their comments concise and to the point.
9. All parties will be given the opportunity to “sum up” their case.
10. The Chairman will ask the Legal Advisor if all relevant points have been addressed before advising all parties present that the sub-committee will withdraw from the meeting to consider its decision in private. The sub-committee will be accompanied by the Democratic Services Officer and the Legal Advisor can be called upon to offer legal guidance.
11. On returning the Chairman will:
 - Notify all those present of the sub-committee’s decision (or indicate when it will be made)

- Give brief details of any conditions attached to the licence approval;
- Or
- Outline the reasons for the refusal
 - Inform that detailed reasons will follow in writing (unless given on the day)
 - Inform those present of their right to appeal to the Magistrates' Court

NOTE

The Chairman may vary this procedure, as circumstances require but will have regard to the rules of natural justice and the Licensing Act 2003 (Hearings) Regulations 2005.

The meeting will take place in public. However, the public can be excluded from all or part of the meeting where the sub-committee considers that the public interest in so doing outweighs the public interest in the meeting or that part of the meeting, taking place in public.

Under no circumstances must the parties or their witnesses offer the sub-committee information in the absence of the other parties.

The Chairman and the Sub-Committee have discretion whether to allow new information or documents to be submitted and read at the meeting.

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Licensing Sub-Committee

Date 23 December 2021

Objections of Temporary Event Notice

For Decision

Portfolio Holder: Cllr L Miller, Customer and Community Services

Local Councillor(s): Cllrs D Bolwell, K Clayton and S Williams

Executive Director: J Sellgren, Executive Director of Place

Report Author: Kathryn Miller

Title: Licensing Officer

Tel: 01305 252214

Email: kathryn.miller@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee considers the Temporary Event Notice in the light of the objection notices made by Environmental Health and the Police and any oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must consider the oral representations and information given at the hearing before reaching a decision.

1. Executive Summary

To consider two Objection Notices to a Temporary Event Notice (TEN) for Neon in Bridport.

2. Financial Implications

None as no appeal is possible as the hearing will be less than 5 days before the event.

3. **Well-being and Health Implications**

None

Climate implications

None

5. **Other Implications**

Public Health and Community Safety

6. **Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

7. **Equalities Impact Assessment**

Not applicable

8. **Appendices**

Appendix 1 - Temporary Event Notice

Appendix 2 - Premises licence for Neon

Appendix 3 - Environmental Protection Objection

Appendix 4 - Dorset Police Objection

9. **Background Papers**

[Licensing Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

[LGA Councillors Handbook](#)

10. **Details**

10.1 A Temporary Event Notice (TEN) was served on the Licensing Authority on 14 December 2021 for an event at Neon, 39 East Street, Bridport, DT6 3JX by Michael Long who is one of the licence holders at the premises. The Notice is attached at Appendix 1

10.2 The TEN is for a New Year's Day party on Saturday 1 January 2022 between 02:00 and 10:59 hours. This would be to extend the current premises licence which finishes at 02:00 hours. The premises licence is attached at Appendix 2.

- 10.3 The TEN is for the sale of alcohol on the premises, regulated entertainment and late-night refreshment. The numbers attending will be 120 people including any staff performers or organisers.
- 10.4 The Notice was served on the Dorset Police and Environmental Protection Team on the 15 December 2021.
- 10.5 Objection notices were served on Mr Long by Environmental Health and Dorset Police within the statutory three working days consultation period. The notices are attached at Appendices 3 and 4.

11. **Considerations**

- 11.1 “The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or “TEN”).” Paragraph 7.2 of the Section 182 Guidance (the Guidance).
- 11.2 “The police or EHA (“relevant persons” for the purposes of TENs) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. ... If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives.” (Part of Paragraph 7.6 of the Guidance)
- 11.3 Paragraph 7.34 of the Guidance states “Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue or issue a counter notice to prevent the event going ahead.”

12. Recommendation

12.1 The Sub-Committee considers the notice in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

12.2. The steps that the Sub-Committee may take are:

- a) issue a counter notice for the event which will not allow it to occur.
- b) issue a Statement of Conditions setting out any conditions from the relevant Premises licence that are to be imposed on the TEN
- c) not to issue counter notices and allow the event as applied for.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr
Surname	Long
Forenames	Michael
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	
Surname	
Forenames	
3. Your date of birth	<div style="background-color: black; width: 100px; height: 15px;"></div>
4. Your place of birth	<div style="background-color: black; width: 60px; height: 15px;"></div>
5. National Insurance Number	<div style="background-color: black; width: 80px; height: 15px;"></div>
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
<div style="background-color: black; width: 100%; height: 40px;"></div>	
Post town	<div style="background-color: black; width: 80px; height: 15px;"></div>
Postcode	<div style="background-color: black; width: 60px; height: 15px;"></div>
7. Other contact details	
Telephone numbers	
Daytime	<div style="background-color: black; width: 100px; height: 15px;"></div>

Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[REDACTED]
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
[REDACTED]	
Post town	[REDACTED]
Postcode	[REDACTED]
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	[REDACTED]
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[REDACTED]

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
Neon 39 East Street Bridport DT6 3JX	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	Wdp10729
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

Not rear garden after midnight

Please describe the nature of the premises below. (Please read note 4)

Pub/bar

Please describe the nature of the event below. (Please read note 5)

NYE EXTENSIVE M

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

Event Starts 01/01/2022

Event Ends 01/01/2022

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9):

Sat 01 January 2022 02:00 - 10:59

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

120

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)

On the premises only	<input checked="" type="checkbox"/>
Off the premises only	<input type="checkbox"/>
Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment.

DJ until 4am

4. Personal licence holders (Please read note 12)

Do you currently hold a valid personal licence? (Please tick) Yes No

If "Yes" please provide the details of your personal licence below.

Issuing licensing authority	Dorset
Licence number	Wdpa0303
Date of issue	28/02/2002
Date of expiry	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice? Yes No

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.

Has any associate of yours already given a temporary event notice for the same premises in which the event period:
a) ends 24 hours or less before; or
b) begins 24 hours or less after
the event period proposed in this notice? Yes No

6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	
Name of Person signing	

For completion by the licensing authority

10. Acknowledgement (Please read note 18)

I acknowledge receipt of this temporary event notice.

Signature	
Date	
Name of Officer signing	

NOTES**General**

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);

- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);

the standard scale, currently £1,000);

- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 14 below sets out the definition of an “associate”.

Note 14

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or

d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 16

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 18

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

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Licensing Act 2003
Premises Licence **WDPL0729**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Neon
39 East Street, Bridport, Dorset, DT6 3JX. Telephone 07749368270

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Monday to Sunday	11:00pm	2:00am
F. Playing of recorded music (Indoors)	Monday to Sunday	11:00pm	2:00am
I. Late night refreshment (Indoors)	Thursday to Sunday	11:00pm	2:00am
J. Supply of alcohol for consumption ON the premises only	Monday to Sunday	11:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	11:00am	2:00am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON the premises only

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Michael Andrew Long
[REDACTED ADDRESS]
Telephone [REDACTED]
 Ellen Casselle Choules
[REDACTED ADDRESS]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

Licensing Act 2003
Premises Licence

WDPL0729

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR OR MANAGEMENT COMMITTEE WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Ellen Casselle CHOULES
[REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. WDPA1816

Issued by Weymouth and Portland

ANNEXES

APPENDIX 1 - MANDATORY CONDITIONS

1. Designated Premises Supervisor

No supply of alcohol may be made under this premises licence -

- (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
- (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.

2. Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

3. The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.

(2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises.

- a) games or other activities which require or encourage, or are designed to require or encourage, individuals to -
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);

b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;

c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;

d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).

4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.

5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.

(2) The designated premises supervisor in relation to the premises licences must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.

(3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either:-

- (a) a holographic mark or
- (b) an ultraviolet feature.

Licensing Act 2003 Premises Licence

WDPL0729

ANNEXES continued ...

6. The responsible person shall ensure that -
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures -
 - (i) beer or cider: ½ pint;
 - (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and
 - (c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

Minimum Drinks Pricing

1. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.
2. For the purposes of the condition set out in paragraph 1 -
 - (a) "duty" is to be construed in accordance with the Alcoholic Liquor Duties Act 1979
 - (b) "permitted price" is the price found by applying the formula -

$$P = D + (D \times V)$$

- Where -
- (i) P is the permitted price
 - (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol, and
 - (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;
 - (c) "relevant person" means, in relation to premises in respect of which there is in force a premises licence -
 - (i) The holder of the premises licence
 - (ii) The designated premises supervisor (if any) in respect of such a licence, or
 - (iii) The personal licence holder who makes or authorises a supply of alcohol under such a licence;
 - (d) "relevant person" means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and
 - (e) "value added tax" means value added tax charged in accordance with the Value Added Tax Act 1994.
3. Where the permitted price given by Paragraph (b) of paragraph 2 would (apart from the paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.
 4.
 - (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) of paragraph 2 on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change to the rate of duty or value added tax.
 - (2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.

APPENDIX 2 - OPERATING SCHEDULE

Prevention of crime and disorder

1. No bottles or glasses to be taken from the premises.
2. CCTV recording system installed.
3. A closed circuit television (CCTV) system will be in operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises. The CCTV system will have sufficient storage retention capacity for a minimum of 28 or 31 days continuous footage.
4. A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested, will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or Responsible Authority with the absolute minimum of delay and in any case within 24 hours subject to the provisions of the Data Protection Act.

Licensing Act 2003
Premises Licence

WDPL0729

ANNEXES continued ...

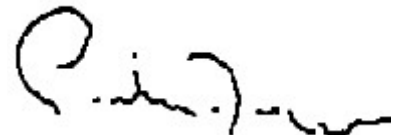
5. A log book or register shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sales, a description of the person refused, why they were refused (eg no ID, fake ID) and the name of the member of staff who refused the sale, This log book is to also record any incidents of anti social behaviour, admission refusal and ejections and any disturbance resulting in violence or injury to customers, staff or members of the public. The log shall be available for inspection at the premises by the Police or an authorised officer of a Responsible Authority under the Licensing Act 2003.
6. The premises licence holder/DPS will be responsible for completing a written risk assessment in relation to the deployment of SIA Doors Supervisors, These risk assessments are to be retained for one calendar year at the premises and made available to Police or an authorised officer of a responsible authority under the Licensing Act 2003.
7. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly or in any case within 30 minutes of being left. Plastic or toughened polycarbonate (or similar) glass is to be used after 2200 hours.
8. Two Challenge 25 AF sized laminated posters are to be displayed at all times in a clearly visible location.

Prevention of public nuisance

1. Customers asked to leave quietly and respect the neighbours in the area.
2. Doors and windows to remain closed except for access and egress when amplified live and/or recorded music/speech is being played after 2300 hours.

Protection of children from harm

1. Staff will be trained in compliance with the law regarding not selling to anyone under 18 years of age.
2. A Challenge 25 Policy is in place with a refusals log of age related restricted products will be maintained.



Business Licensing

From: Jennifer Pickering <jennifer.pickering@dorsetcouncil.gov.uk>
Sent: 20 December 2021 11:57
To: LicensingTeamB <LicensingTeamB@dorsetcouncil.gov.uk>
Cc: Aileen Powell <aileen.powell@dorsetcouncil.gov.uk>; Roy Keepax <roy.keepax@dorsetcouncil.gov.uk>; Police - John Bean <john.bean@dorset.pnn.police.uk>;
gareth.gosling <gareth.gosling@dorset.pnn.police.uk>; Jane Williams <jane.williams@dorsetcouncil.gov.uk>
Subject: Temporary Event Notice, NEON, Bridport, New Year's Eve

Good afternoon,

On behalf of Dorset Council Environmental Health I wish to make a representation against this notice to extend the permitted hours of operation from 02:00hrs to 10:59hrs (1st Jan 2022) on the grounds that this extension to the operating hours could undermine the licensing objective of preventing public nuisance.

The last time a TEN was granted at this venue our department received several complaints which are of an ongoing nature. On the 4th November a warning letter under the Anti-social Behaviour, Crime and Policing Act 2014 was sent because as a Council we were satisfied that there were reasonable grounds to believe that noise from the premises was having a detrimental effect on the quality of life of those in the locality, and is unreasonable, and of a persistent or continuing nature. It made several recommendations including ceasing use of the rear beer garden from midnight except for emergency egress and for persons wishing to smoke.

There was a further complaint this weekend about noise from the garden area after midnight and recordings were made which suggest that either the recommendation is not being effectively complied with or it does not go far enough to control the noise emanating from the premise. We would advise the operator to take action to address this as there is a strong possibility that failure to do so would lead to formal action by this department.

There are very few conditions on the premises license in relation to controlling public nuisance and none are automatically applied to the TEN. The above is a recommendation not a condition and therefore cannot be applied to the TEN. Sergeant Gosling has encouraged the operator to seek a variation of the premises license to enable the extension of licensable activities on certain occasions as a sustainable alternative to applying for Temporary Event Notices. We would encourage the operator to adopt this approach to enable a consultation to take place with all Responsible Authorities, stakeholders and the local community.

Yours sincerely,

Jennifer Pickering
Environmental Health Officer
Place Services
Dorset Council

[01929 557328](tel:01929557328)
dorsetcouncil.gov.uk



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Good Evening,

I write further to the receipt of a Temporary Event Notice (attached) served by Mr Long on behalf of NEON, Bridport in respect of an event for 1st January 2022. On behalf of the Chief Officer of Dorset Police I wish to object to this TEN on the basis that to allow the licensable activity proposed risks undermining the licensing objective to prevent crime and disorder.

I have taken the opportunity to highlight my concerns in the attached Supplementary Report and have attached further appendices in support of that further evidence.

I would be grateful if you could please advise the date and time for the hearing which will be attended by my colleague, John Bean.

Regards,

Gareth Gosling 2551
Sergeant

Drug and Alcohol Harm Reduction Team
Territorial Policing Prevention Department | Bournemouth Police Station, Dorset Police
E: gareth.gosling@dorset.pnn.police.uk | T: 752 2824 (01202 222824) |



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Temporary Event Notice - Objection

.....

NEON

This report is to be considered alongside the e-mail objection submitted to the Licensing Authority in respect of the TEN served for 1st January 2022. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the licensee (or their representative) and members of the Licensing Sub-Committee with additional information, context and evidence in support of the objection. This report is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This premise is located in Bridport, Dorset and enjoys a generous licence which permits a variety of licensable activities between 11.00am and 2.00am, 7 days a week. The premises are one of only two premises that regularly open until the early hours of the morning in this area.

The operators at NEON have in the past applied for and operated under Temporary Event Notices (TENs) for several specific weekends over the past 12 months, extending the operating hours and licensable activity further from 2.00am until 4.00am.

On the 5th October 2021 Dorset Police submitted a letter (attached) to Mr Long recommending that if further events were planned at NEON to extend the operating hours, particularly for regular events and occasions throughout the calendar year, then it would be appropriate to seek a variation to the existing premises licence to ensure that appropriate consultation took place with the Responsible Authorities and the local community. No such variation has been received.

A Counter Notice (attached) was issued on the 18th October 2021 in respect of an event due to take place at NEON on the 31st October 2021 following a Licensing Sub-Committee hearing. Dorset Police are happy to provide further details of the evidence produced during that hearing if required.

Concerns

To permit the TEN as applied for would disapply the Annex 2 conditions that are attached to the existing Premises Licence at NEON. These conditions have been agreed previously with the licence holder to ensure that the licensing objectives are promoted, the safety of the public is maintained and the demand upon emergency services is minimised. Undertakings by the person serving the Temporary Event Notice to uphold the conditions of the Premises Licence are unenforceable and should be avoided where there are existing concerns regarding the premises.

Dorset Police have been advised by the Town Council of Bridport that there is concern amongst residents regarding the frequent applications to extend the licensable activities at NEON, particularly at times that are already busy for the local area, as would be the case on New Year's Eve. As Dorset Police and Environmental Health are the only permitted authorities entitled to make representations in respect of Temporary Event Notices, it would be inappropriate to elaborate further on these concerns.

During the dispersal of NEON following an extension of the licensable activities in July 2021, a serious incident of Assault took place involving customers at NEON. Whilst the applicant has reassured the Sub-Committee previously that he had taken every action possible to prevent the incident, the incident did occur and was associated with the premises.



The most recent Temporary Event Notice that took place at the premises resulted in additional anti-social behaviour being experienced by residents living in close vicinity to the premises. I have had the opportunity to listen to the audio recordings which amount to anti-social behaviour being caused by customers apparently associated to NEON. The behaviour displayed was entirely unacceptable.

As briefly highlighted above, it is clearly the intention of the licence holder to seek extensions of the existing provision during specific occasions throughout the year, this occasion being associated to 'New Year's Eve'. The key benefits to the licence holder applying for a variation, as recommended in the attached letter, are as follows -

- Greater opportunity for the licence holder to plan future events with the use of TENs being scrutinised on a case by case basis.
- Enable an enhanced opportunity for engagement and consultation with key stakeholders in the community who are most affected by the extensions to the existing hours.
- Opportunity for responsible authorities to work with the licence holder to agree tailored conditions to enable the licence holder to better promote the licensing objectives during extended hours. Conditions cannot be attached without a Sub-Committee hearing to a TEN.

The continued use of Temporary Event Notices for extensions to the licensable activities place an additional strain on emergency services, often at short notice. It is always the intention of the Local Inspector to allocate resources pro-actively to locations which present the highest risk of demand and this planning often takes place far in advance of receipt of Temporary Event Notices.

Most crucially, unlike previous occasions, the most recent having been refused by the Licensing Sub-Committee, the applicant has elected to apply for an extension of licensable activity from 0200hrs until 1059hrs on 1st January 2021 rather than an extension of 2 hours until 0400hrs that they have previously submitted.

The Sub-Committee must therefore assume that regulated entertainment and provision of alcohol will continue for this entire duration under this TEN. This additional provision will have a significant impact on the existing Policing resources that have already been allocated to this Local Policing Area for New Year's Eve. There is no option to amend the hours of a TEN that has been served.

Annex 2 Licence Conditions

Please see below conditions that are currently attached Annex 2 – Prevention of Crime & Disorder of the existing Premises Licence at NEON. These conditions are not automatically applied to the TEN.

- 1.No bottles or glasses to be taken from the premises.
2. CCTV recording system in installed.
3. A closed circuit television (CCTV) system will be in operational at the premises at all times when licensable activities are being carried out and at any other times when members of the public are present on the premises. The CCTV system will have sufficient storage retention capacity for a minimum of 28 or 31 days continuous footage.
4. A designated member/members of staff at the premises will be authorised to access the CCTV footage and be conversant with operating the CCTV system. At the request of an authorised officer of the Licensing Authority or a Responsible Authority (under the Licensing Act 2003) any CCTV footage, as requested. will be downloaded immediately or secured to prevent any overwriting. The CCTV footage material will be supplied, on request, to an authorised officer of the Licensing Authority or Responsible Authority with the absolute minimum of delay and in any case within 24 hours subject to the provisions of the Data Protection Act.
5. A log book or register shall be kept detailing all refused sales of alcohol. The log should include the date and time of the refused sales, a description of the person refused, why they were refused (eg no ID, fake ID) and the name of the member of staff who refused the sale, This log book is to also record any incidents of anti social behaviour, admission refusal and ejections and any disturbance resulting in violence or injury to customers, staff or members of the public. The log shall be available for inspection at the premises by the Police or an authorised officer of a Responsible Authority under the Licensing Act 2003.

6. The premises licence holder/DPS will be responsible for completing a written risk assessment in relation to the deployment of SIA Doors Supervisors. These risk assessments are to be retained for one calendar year at the premises and made available to Police or an authorised officer of a responsible authority under the Licensing Act 2003.

7. Drinks, open bottles and glasses will not be taken from the premises at any time. Empty bottles and glasses will be collected regularly and promptly or in any case within 30 minutes of being left. Plastic or toughened polycarbonate (or similar) glass is to be used after 2200 hours.

8. Two Challenge 25 AF sized laminated posters are to be displayed at all times in a clearly visible location.

Summary

The above conditions have been carefully agreed to reflect the operating hours and licensable activities as originally applied. Whilst the majority of these conditions are appropriate to any extension to the premises, some of the conditions would certainly need be enhanced to reflect the increased risk that is associated with extended operating hours.

Available Outcomes for the Sub-Committee

To assist the members of the Sub-Committee, Dorset Police make the following submissions in relation to the available outcome options in respect of this objection to a Temporary Event Notice –

Allow the Temporary Event Notice as applied for

Dorset Police do not consider that this option would be appropriate. This is a licensed premise with generous operating hours, exceeding many of the neighbouring businesses operating in the same sector.

It would be inappropriate for the Temporary Event Notice to take place without any conditions to assist the operator to promote the licensing objectives.

Attach Conditions to the Temporary Event Notice if –

- **Appropriate for the promotion of the licensing objectives**
- **The conditions are also imposed on a premises licence that has effect on this or part of the same premises, and**
- **The conditions would not be inconsistent with the carrying out of the licensable activities under the Temporary Event Notice**

Dorset Police are of the view that if the Sub-Committee were inclined to permit the event with attached conditions, that all conditions of the existing licence should be applied. This is appropriate to enable the operator to promote the licensing objectives.

There are no conditions that are inconsistent with the extension of operating hours.

Please note that to further promote the licensing objectives, Dorset Police would ordinarily encourage conditions for the following areas of concern to be applied to a Premises Licence, to further assist the licence holder to promote the licensing objectives, where they operate into the early hours of the morning –

- Implementation of a dispersal policy to reduce the impact of customers leaving in the early hours of the morning.
- 'Requirement' for a minimum number of SIA Door Supervisors rather than a Risk Assessment being conducted by the licence holder/DPS.
- Time of last admission/re-admission / Queuing policy to prevent adverse disturbance outside premises.
- Search / Drug policy – Late night premises often attract a greater proportion of individuals intent on using/distributing drugs and other illicit substances.
- Welfare procedures/policy to ensure that those most at risk of harm, in particular lone women, are protected from harm as much as possible by the premises operators.

Attaching additional conditions to a Temporary Event Notice is not permitted by the Licensing Act 2003 and this outcome may therefore not be appropriate. It would therefore be inappropriate to elaborate further on these conditions during the hearing.

To reject the Temporary Event Notice as applied for and issue a Counter Notice

Dorset Police remain of the view that to permit the extension of the existing licensable activities to 10.59am risks undermining the licensing objectives. This option remains our preferred outcome.

Conclusion

The operator has been encouraged to seek a variation of the premises to enable the extension of licensable activities on certain occasions as a sustainable alternative to applying for Temporary Event Notices. A variation application will enable a consultation to take place between the operator, Responsible Authorities, stakeholders and the local community.

Dorset Police do not intend to elaborate a great deal on the above during the Sub-Committee hearing, however, we will ensure our availability to answer and queries and provide any further support/advice to the Sub-Committee as required.



Mr Michael Long
Neon
39 East Street
Bridport
Dorset
DT6 3JX

Drug & Alcohol Harm Reduction Team
Bournemouth Police Station
Madeira Rd
Bournemouth
BH1 1QQ
Phone: 01202 227824
Email: licensing@dorset.pnn.police.uk

BY EMAIL

Date: 05/10/2021
Our ref: NEON Letter

Dear Mr Long,

I am the Dorset Police Drug & Alcohol Harm Reduction Team Sergeant and I have responsibility for working with licensees to tackle issues of crime and disorder that are associated with licensed premises, namely public houses, bars, nightclubs and other premises involved in the provision of alcohol.

I know that we met during a recent Licensing Sub-Committee hearing as a result of a representation made by me on behalf of Dorset Police to a Temporary Event Notice that was served by you for an event taking place at NEON between 27-30th August.

I want to put some context behind that objection and to propose an alternative approach in respect of similar Temporary Event Notices that I anticipate you will submit on behalf of NEON in the future.

The fundamental basis for the objection was detailed and explained to the Licensing Sub-Committee; that being the serious assault which could be attributed to your premises. In addition, we have also received concerns from the Town Council via our Neighbourhood Policing Teams regarding frequent extensions in operating hours at NEON, which they consider causes anti-social behaviour and nuisance in the community. You will be aware that only the Police and Environmental Health are permitted to object to a Temporary Event Notice.

Temporary Event Notices were originally conceived to reduce the bureaucracy of applying for a Premises Licence for operators of events and premises wishing to conduct licensable activities. There is of course nothing contained within the Licensing Act 2003 which prevents licensed premises from making use of Temporary Event Notices to extend their operating hours, and indeed responsible use of Temporary Events Notices is encouraged, however, I believe that the frequency and impact of the events that have been held most recently at NEON have caused a disproportionately negative impact on the area.

I am aware of the correspondence recently sent by Environmental Health to you following the extension to your operating hours over the August Bank Holiday

weekend. It is regrettable that this disruption was caused and the reports serve only to support my view that there should be a more sustainable solution which enables there to be consultation, scrutiny and therefore appropriate conditions to ensure that these periods of extension are properly managed and delivered by your team.

Regardless of your decision whether to take the following action, I can assure you that any future Temporary Event Notices received by Dorset Police will be treated on their own merit and an evidence-based approach will be taken when deciding whether to make a representation against the Notice. This is the same approach taken with all Temporary Notices received.

To overcome the challenges that we and the local community encounter with licensed premises that operate extended hours at short notice (considered less than 90 days by Dorset Police due to constraints around resourcing) I propose that you apply for a Variation to the existing licence to enable extensions to the licence during certain weekends each year or for a specific number of occasions per year, whichever suits your operating model.

It is my view that if we can have predictable periods of extension we can collectively ensure that the provision is delivered more responsibly and with the support of the Community and authorities, including Dorset Police, whose Neighbourhood Policing Team will be able to better determine the level of support that may be required to manage demand that may be caused as a result of the temporary increased provision.

The key advantage of this proposal, in addition to reducing the time and financial burden caused through the Temporary Event Notice application process, is that there is the opportunity for you to consult with key stakeholders in Bridport, including local residents and authorities such as the Town Council, to ensure that you can continue to operate with their support and in appreciation of the impact that these extensions of hours can cause, on occasion, in the Bridport community.

I am confident that with an appropriate set of conditions that could be offered/agreed that you will be successful in applying for a variation which will give you the confidence to plan your events in the knowledge that you are doing so having consulted with the wider community and other key stakeholders.

The Dorset Police Drug & Alcohol Harm Reduction Team, via myself and your Licensing Officer, John Bean, will be pleased to discuss this further with you and will assist with preparing a set of conditions to compliment this variation should you see it fit to submit one to the Licensing Authority.

Regards,

Gareth Gosling 2551

Sergeant

Drug and Alcohol Harm Reduction Team
Prevention Department | Bournemouth Police Station, Dorset Police
E: licensing@dorset.pnn.police.uk | T: (01202 222824) |

Notification of Determination

Temporary Event Notice

18 October 2021

Notice Giver: Michael Long

Premises: Neon, 39 East Street, Bridport Dorset DT6 3JX

Objection Notices submitted by: Dorset Police and Dorset Council Environmental Protection Team.

Sub-Committee members: Cllrs E Parker (Chair), S Cocking and D Taylor.

Decision

To ISSUE A COUNTER NOTICE

Reasons for the Decision:

The Sub-Committee carefully considered the documents presented to it, and the oral statements made by the parties attending the hearing. They had regard to the Licensing Objectives, the Section 182 Statutory Guidance, and the Dorset Council Statement of Licensing Policy 2021-2026.

The Sub-Committee heard from Mr Long, who stated that he wanted the additional 2 hours under the TEN for a Halloween event at the premises. Mr Long explained that whilst the event would not necessarily attract greater numbers of people, those who did attend would be likely to stay longer. He advised that although in his view Neon did not have a problem with noise from music, a self-closing apparatus had been installed on the door to the garden area to help reduce the noise breakout. Mr Long accepted that people using the garden area did cause some noise. Mr Long explained that he had not received a second letter from the Environmental Protection Team and although he had been in correspondence with the team previously, he did not respond to the first letter as he anticipated that the noise nuisance complained about would not be substantiated.

The Sub-Committee heard from Sergeant Gosling from Dorset Police, who stated that an objection notice had been submitted due to concern that if the event went ahead the licencing objective of the prevention of crime and disorder would be undermined. Sergeant Gosling explained that problems with crime and disorder got worse in the very early hours of the morning where people had been drinking over an extended period. He referred to a number of issues relating to Neon, which had been reported to the Police and requested that the Sub-Committee prevent the event from going ahead.

The Sub-Committee heard from Jennifer Pickering and Jane Williams from Dorset Council Environmental Protection Team, who stated that an objection notice had been submitted due to ongoing noise complaints received about the premises from people living nearby. Ms Pickering explained that she had visited the premises the previous Friday evening (23.45) and noted the proximity of the garden area to the dwellings and the loud noise levels. She said that noise equipment had been installed that weekend to assess whether a statutory noise nuisance was occurring. The resultant data would need to be reviewed to make this assessment.

The Sub-Committee was concerned about the nine noise complaints received by the Environmental Protection Team covering the August/September period in 2020 and the further 5 complaints relating to the period July/August/September in 2021. The Sub-Committee were particularly concerned to hear about the issues relating to noise following the previous Temporary Event Notice for the August Bank Holiday weekend where Mr Long admitted that the band was too loud and uncontrollable. Whilst Mr Long had explained that he didn't receive the second letter from the Environmental Protection Team, the Sub-Committee was disappointed to hear that Mr Long had not responded to the initial letter, given that this was not the first set of complaints made.

The Sub-Committee considered that given the information put forward by Dorset Police and the Dorset Council Environmental Protection Team, it was appropriate to issue a Counter Notice in this instance. To allow the event to go ahead would undermine the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. The Sub-Committee took account of the comments from Sergeant Gosling that events extending into the early hours often resulted in issues with criminal behaviour due to the extended drinking time. The Sub-Committee considered that there was a high risk that people living in the neighbouring properties would be subject to noise nuisance, particularly from customers using the garden area, into the very early hours of Sunday morning.

Right of Appeal:

Any party who wishes to appeal the decision has 21 days from the date of receipt of this notice to submit an appeal to Weymouth Magistrates Court, Westwey Road, Weymouth, DT4 8BS. But no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

Councillor E Parker
Date: 18 October 2021



Dorset Council, County Hall, Dorchester, Dorset, DT1 1XJ

Counter Notice – Permitted Temporary Activities

Section 105 Licensing Act 2003

On 1 October 2021 the licensing authority received from you, Mr Michael Long of [REDACTED] a temporary event notice (“the notice”) in respect of proposed temporary licensable activities due to take place on 31 October 2021 at Neon, 39 East Street, Bridport, DT6 3JX. The licensing authority has received objection notices under section 104(2) of the Licensing Act 2003 (“the Act”). The Licensing Authority has decided to give you a counter notice under section 105 of the Act.

The objection which applies is indicated by an “X” in the following table.

Objection	Insert “X” as applicable
A chief officer of police for any police area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X
A local authority exercising environmental health functions for the area in which the premises are situated is satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective.	X

Reasons for the decision:

The Sub-Committee carefully considered the documents presented to it, and the oral statements made by the parties attending the hearing. They had regard to the Licensing Objectives, the Section 182 Statutory Guidance, and the Dorset Council Statement of Licensing Policy 2021-2026.

The Sub-Committee heard from Mr Long, who stated that he wanted the additional 2 hours under the TEN for a Halloween event at the premises. Mr Long explained that whilst the event would not necessarily attract greater numbers of people, those who did attend would be likely to stay longer. He advised that although in his view Neon did not have a problem with noise from music, a self-closing apparatus had been installed on the door to the garden area to help reduce the noise breakout. Mr Long accepted that people using the garden area did cause some noise. Mr Long explained that he had not received a second letter from the Environmental Protection Team and although he had been in correspondence with the team previously, he did not respond to the first letter as he anticipated that the noise nuisance complained about would not be substantiated.

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the prevention of crime and disorder would be undermined. Sergeant Gosling explained that problems with crime and disorder got worse in the very early hours of the morning where people had been drinking over an extended period. He referred to a number of issues relating to Neon, which had been reported to the Police and requested that the Sub-Committee prevent the event from going ahead.

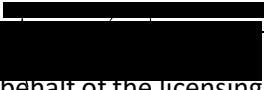
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The Sub-Committee considered that given the information put forward by Dorset Police and the Dorset Council Environmental Protection Team, it was appropriate to issue a Counter Notice in this instance. To allow the event to go ahead would undermine the licensing objectives of the prevention of crime and disorder and the prevention of public nuisance. The Sub-Committee took account of the comments from Sergeant Gosling that events extending into the early hours often resulted in issues with criminal behaviour due to the extended drinking time. The Sub-Committee considered that there was a high risk that people living in the neighbouring properties would be subject to noise nuisance, particularly from customers using the garden area, into the very early hours of Sunday morning.

A copy of this notice will be sent to the chief of police and the local authority exercising environmental health functions for the area in which the premises specified in the temporary event notice you gave is situated.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises otherwise than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be so carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months or to a fine of any amount, or to both.

SIGNATURE	 On behalf of the licensing authority	DATE	18 October 2021
Name of Officer signing	Aileen Powell, Licensing Team Leader		

If you wish to appeal the decision you have 21 days from the date of receipt of this notice to submit an appeal to Weymouth Magistrates Court, Westwey Road, Weymouth, DT4 8BS. But no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

Licensing Sub-Committee Date 23 December 2021 Objections of Temporary Event Notice

For Decision

Portfolio Holder: Cllr L Miller, Customer and Community Services

Local Councillor(s): Cllrs D Bolwell, K Clayton and S Williams

Executive Director: J Sellgren, Executive Director of Place

Report Author: Kathryn Miller

Title: Licensing Officer

Tel: 01305 252214

Email: kathryn.miller@dorsetcouncil.gov.uk

Report Status: Public

Recommendation: The Sub-Committee considers the Temporary Event Notice in the light of the objection notices made by Environmental Health and the Police and any oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) The prevention of crime and disorder
- b) The prevention of public nuisance
- c) Public safety
- d) The protection of children from harm

Reason for Recommendation: The Sub-Committee must consider the oral representations and information given at the hearing before reaching a decision.

1. Executive Summary

To consider two Objection Notices to a Temporary Event Notice (TEN) for No. 10 Café Bar in Bridport.

2. Financial Implications

None as no appeal is possible as the hearing will be less than 5 days before the event.

3. **Well-being and Health Implications**

None

Climate implications

None

5. **Other Implications**

Public Health and Community Safety

6. **Risk Assessment**

Having considered the risks associated with this decision, the level of risk has been identified as:

Current Risk: Medium

Residual Risk: Medium

7. **Equalities Impact Assessment**

Not applicable

8. **Appendices**

Appendix 1 - Temporary Event Notice

Appendix 2 - Premises licence for No 10 Café Bar

Appendix 3 - Environmental Protection Objection

Appendix 4 - Dorset Police Objection

9. **Background Papers**

[Licensing Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

[LGA Councillors Handbook](#)

10. **Details**

10.1 A Temporary Event Notice (TEN) was served on the Licensing Authority on 14 December 2021 for an event at No. 10 Café Bar, 10 East Street, Bridport, DT6 3LF by Craig Horton. The Notice is attached at Appendix 1

10.1 The TEN is for New Year's Day on Saturday 1 January 2022 between 02:00 and 04:00 hours. This would be to extend the current premises licence which finishes at 02:00 hours. The premises licence is attached at Appendix 2.

- 10.2 The TEN is for the sale of alcohol on the premises, regulated entertainment and late-night refreshment. The numbers attending will be 60 people including any staff performers or organisers.
- 10.3 The Notice was served on the Dorset Police and Environmental Protection Team on the 15 December 2021.
- 10.4 Objection notices were served on Mr Horton by Environmental Health and Dorset Police within the statutory three working days consultation period. The notices are attached at Appendices 3 and 4.

11. Considerations

- 11.1 “The system of permitted temporary activities is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on an application. Instead, a person wishing to hold an event at which such activities are proposed to be carried on (the “premises user”) gives notice to the licensing authority of the event (a “temporary event notice” or “TEN”).” Paragraph 7.2 of the Section 182 Guidance (the Guidance).
- 11.2 “The police or EHA (“relevant persons” for the purposes of TENs) may intervene to prevent such an event taking place by sending an objection to the licensing authority, which the licensing authority must consider on the basis of the statutory licensing objectives and decide whether the event should go ahead. ... If a relevant person sends an objection, this may result in the licensing authority imposing conditions on a TEN but only where the venue at which the event is to be held has an existing premises licence or club premises certificate. When giving a TEN, the premises user should consider the promotion of the four licensing objectives.” (Part of Paragraph 7.6 of the Guidance)
- 11.3 Paragraph 7.34 of the Guidance states “Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue or issue a counter notice to prevent the event going ahead.”

12. Recommendation

12.1 The Sub-Committee considers the notice in the light of written and oral evidence and resolves to take such steps as it considers appropriate and proportionate for the promotion of the licensing objectives of;

- a) the prevention of crime and disorder
- b) the prevention of public nuisance
- c) public safety
- d) the protection of children from harm.

12.2. The steps that the Sub-Committee may take are:

- a) issue a counter notice for the event which will not allow it to occur.
- b) issue a Statement of Conditions setting out any conditions from the relevant remises licence that are to be imposed on the TEN
- c) not to issue counter notices and allow the event as applied for.

Footnote:

Issues relating to financial, legal, environmental, economic and equalities implications have been considered and any information relevant to the decision is included within the report.

Temporary Event Notice

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. The personal details of premises user (Please read note 1)	
1. Your name	
Title	Mr
Surname	Horton
Forenames	Craig
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)	
Title	
Surname	
Forenames	
3. Your date of birth	<div style="background-color: black; width: 100px; height: 15px;"></div>
4. Your place of birth	<div style="background-color: black; width: 100px; height: 15px;"></div>
5. National Insurance Number	<div style="background-color: black; width: 200px; height: 15px;"></div>
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
<div style="background-color: black; width: 150px; height: 30px;"></div>	
Post town	<div style="background-color: black; width: 100px; height: 15px;"></div>
Postcode	<div style="background-color: black; width: 100px; height: 15px;"></div>
7. Other contact details	
Telephone numbers	
Daytime	

Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[REDACTED]
8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
[REDACTED]	
Post town	[REDACTED]
Postcode	[REDACTED]
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	[REDACTED]

2. The premises	
Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
No. 10 Cafe Bar 10 East Street Bridport DT6 3LF	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	WDPL0309
Club premises certificate number	

If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)

--

Please describe the nature of the premises below. (Please read note 4)

Daytime - cafe/bar, Night time - latebar with music

Please describe the nature of the event below. (Please read note 5)

New years eve. Three door staff booked on to work. No DJ booked in Just music though the house system and background music from 2am

3. The licensable activities

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)

The sale by retail of alcohol	<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>
The provision of regulated entertainment	<input checked="" type="checkbox"/>
The provision of late night refreshment	<input checked="" type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)	<input type="checkbox"/>

Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)

Event Starts 01/01/2022

Event Ends 01/01/2022

Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9):

Sat 01 January 2022 02:00 - 04:00

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)

60

If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)

On the premises only	<input checked="" type="checkbox"/>
Off the premises only	<input type="checkbox"/>
Both	<input type="checkbox"/>

Please state if the licensable activities will include the provision of relevant entertainment. If so, please state the times during the event period that you propose to provide relevant entertainment.

New years eve. Three door staff booked on to work. All door staff to have a radio and in Hiviz. One will on the door, One out the book and one floating throughout the building. No DJ booked in Just music though the house system and background music from 2am. Food served until 3.30am

4. Personal licence holders (Please read note 12)	
Do you currently hold a valid personal licence? (Please tick)	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If "Yes" please provide the details of your personal licence below.	
Issuing licensing authority	Dorset
Licence number	WDPA2095
Date of issue	08/07/2021
Date of expiry	
Any further relevant details	

5. Previous temporary event notices you have given (Please read note 13 and tick the boxes that apply to you)	
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	2
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

6. Associates and business colleagues (Please read note 14 and tick the boxes that apply to you)

Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.	1
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.	
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

7. Checklist (Please read note 15)	
I have: (Please tick the appropriate boxes)	
Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input type="checkbox"/>
Signed the declaration in Section 9 below	<input type="checkbox"/>

8. Condition (Please read note 16)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

9. Declarations (Please read note 17)

The information contained in this form is correct to the best of my knowledge and belief.

I understand that it is an offence:

- (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and
- (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six months, or to both.

Signature	
Date	
Name of Person signing	

For completion by the licensing authority

10. Acknowledgement (Please read note 18)

I acknowledge receipt of this temporary event notice.

Signature	
Date	
Name of Officer signing	

NOTESGeneral

In these notes, a person who gives a temporary event notice is called a “premises user”.

The police and local authority exercising environmental health functions may intervene on the grounds of any of the four licensing objectives (the prevention of crime and disorder, public safety, the prevention of public nuisance, and the protection of children from harm) to prevent the occurrence of an event at which permitted temporary activities are to take place or to agree a modification of the arrangements for such an event. However, the licensing authority will intervene of its own volition in the cases described below.

First, it will issue a counter notice if there is an objection to a late temporary event notice (see note 7 below).

Secondly, it may issue a notice in relation to its decision to impose conditions on a temporary event notice (see note 2 below).

Thirdly, it will issue a counter notice if the first, second, third and fifth of the limits set out below would be exceeded. If any of the limits below are breached or if a counter notice has been issued, any licensable activities taking place would be unauthorised and the premises user would be liable to prosecution. The limitations apply to:

- the number of times a person may give a temporary event notice (50 times per year for a personal licence holder and 5 times per year for other people);

- the number of times a person may give a late temporary event notice (10 times per year for a personal licence holder and 2 times per year for other people);
- the number of times a temporary event notice may be given in respect of any particular premises (12 times in a calendar year);
- the length of time a temporary event may last for these purposes (168 hours or 7 days);
- the maximum aggregate duration of the periods covered by temporary event notices at any individual premises (21 days per calendar year); and
- the scale of the event in terms of the maximum number of people attending at any one time (a maximum of 499).

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. The limits applying to late temporary event notices are included within the overall limits applying to the total number of temporary event notices. Note 14 below sets out the definition of an “associate”.

When permitted temporary activities take place, a premises user must ensure that either:

- a copy of the temporary event notice is prominently displayed at the premises; or
- the temporary event notice is kept at the premises either in his own custody or in the custody of a person present and working at the premises and whom he has nominated for that purpose.

Where the temporary event notice is in the custody of a nominated person, a notice specifying that fact and the position held by that person must be displayed prominently at the premises.

Where the temporary event notice or a notice specifying the nominated person is not displayed, a constable or an authorised person (for example, a licensing officer, fire officer or environmental health officer) may require the premises user to produce the temporary event notice for examination. Similarly, where the nominated person has the temporary event notice in his custody, a constable or authorised person may require that person to produce it for examination. Failure to produce the temporary event notice without reasonable excuse would be an offence.

It should also be noted that the following, among other things, are offences under the Licensing Act 2003:

- the sale or supply of alcohol to children under 18 years of age (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing the sale of alcohol to children under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- knowingly allowing the consumption of alcohol on the premises by a person aged under 18 (maximum fine on conviction is a fine not exceeding level 5 on the standard scale, currently £5,000);
- allowing disorderly behaviour on the premises (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- the sale of alcohol to a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);
- obtaining alcohol for a person who is drunk (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000);

the standard scale, currently £1,000);

- knowingly allowing a person aged under 18 to make any sale or supply of alcohol unless the sale or supply has been specifically approved by the premises user or any individual aged 18 or over who has been authorised for this purpose by the premises user (maximum fine on conviction is a fine not exceeding level 1 on the standard scale, currently £200); and
- knowingly keeping or allowing to be kept on the premises any smuggled goods which have been imported without payment of duty or which have otherwise been unlawfully imported (maximum fine on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000).

In addition, where the premises are to be used primarily or exclusively for the sale or supply of alcohol for consumption on the premises, it is an offence to allow children under 16 to be present when the premises are open for that purpose unless they are accompanied by an adult. In the case of any premises at which sales or supplies of alcohol are taking place at all, it is an offence for a child under 16 to be present there between the hours of midnight and 5am unless accompanied by an adult. In both instances, the penalty on conviction is a fine not exceeding level 3 on the standard scale, currently £1,000.

Note 1

A temporary event notice may only be given by an individual and not, for example, by an organisation or club or business. The individual giving the notice is the proposed “premises user”. Within businesses, clubs or organisations, one individual will therefore need to be identified as the proposed premises user.

If you include an e-mail address in section 1(7) or 1(9), the licensing authority may send to this the acknowledgement of receipt of your notice or any notice or counter notice it is required to give under sections 104A, 106A or 107 of the Licensing Act 2003.

Note 2

For the purposes of the Licensing Act 2003, “premises” means any place. Premises will therefore not always be a building with a formal address and postcode. Premises can include, for example, public parks, recreation grounds and private land.

If a premises licence or club premises certificate has effect in relation to the premises (or any part of the premises) which you want to use to carry on licensable activities, it is possible that any conditions which apply to the licence or certificate may be imposed on the temporary event notice if certain pre-conditions are met. These pre-conditions are that the police or the local authority exercising environmental health functions object to the notice and the licensing authority decides:

- not to give a counter notice under section 105 of the Licensing Act 2003;
- the conditions apply to the licence or certificate; and
- the imposition of the conditions on the notice would not be inconsistent with the carrying on of the licensable activities under the notice.

Note 3

A temporary event notice can be given for part of a building, such as a single room or a plot within a larger area of land. You should provide a clear description of the area in which you propose to carry on licensable activities. This is important as any licensable activities conducted outside the area of the premises protected by the authority of this temporary event notice would be unlawful and could lead to prosecution.

In addition, when holding the proposed event, the premises user would need to be able to restrict the number of people on the premises at any one time when licensable activities are taking place to less than 500. If more than 499 are on the premises when licensable activities are being carried on, the licensable activities would be unlawful and the premises user would be liable to prosecution. The maximum figure of 499 includes, for example, staff, organisers, stewards and performers.

Note 4

A description of the nature of the premises assists the chief officer of police and local authority exercising environmental health functions in deciding if any issues relating to the licensing objectives are likely to arise. You should state clearly that the premises to be used are, for example, a public house, a restaurant, an open field, a village hall or a beer tent.

Note 5

A description of the nature of the event similarly assists the chief officer of police and local authority exercising environmental health functions in making a decision as to whether or not to make an objection. You should state clearly that the event taking place at the premises would be, for example, a wedding with a pay bar, the supply of beer at a particular farmers' market, a discotheque, the performance of a string quartet, a folk group or a rock band.

Note 6

The licensable activities are:

- the sale by retail of alcohol;
- the supply of alcohol by or on behalf of a club to, or to the order of, a member of a club;
- the provision of regulated entertainment; and
- the provision of late night refreshment.

Please refer to Schedules 1 and 2 to the Licensing Act 2003 for fuller details of the definitions and exemptions relating to regulated entertainment and late night refreshment.

Regulated entertainment, subject to specified conditions and exemptions, includes:

- (a) a performance of a play;
- (b) an exhibition of a film;
- (c) an indoor sporting event;
- (d) a boxing or wrestling entertainment;
- (e) a performance of live music;
- (f) any playing of recorded music;
- (g) a performance of dance; and
- (h) entertainment of a similar description to that falling within (e), (f) or (g).

If you are uncertain whether or not the activities that you propose are licensable, you should contact your licensing authority for further advice.

Note 7

Late notices can be given no later than 5 working days but no earlier than 9 working days before the event in relation to which the notice is given. A late notice given later than 5 working days before the event to which it relates will be returned as void and the activities described in it will not be authorised.

The number of late notices that can be given in any one calendar year is limited to 10 for personal licence holders and 2 for non-personal licence holders. These count towards the total number of temporary event notices (i.e. 50 temporary event notices per year for personal licence holders and 5 temporary event notices for non-personal licence holders).

If there is an objection from either the police or local authority exercising environmental health functions, the event will not go ahead and a counter notice will be issued.

Note 8

The maximum period for using premises for licensable activities under the authority of a temporary event notice is 168 hours or seven days.

Note 9

You should state here the times during the event period, for example 48 hours, when you intend to carry on licensable activities. For example, you may not intend to carry on licensable activities throughout the entire 48 hour event period, and may intend to sell alcohol between 8.00 hrs and 23.00 hrs on each of the two days.

Note 10

No more than 499 may be on the premises for a temporary event at any one time when licensable activities are being carried on. If you intend to have more than 499 attending the event, you should obtain a premises licence for the event. Your licensing authority should be able to advise you. The maximum figure of 499 includes not only the audience, spectators or consumers but also, for example, staff, organisers, stewards and performers who will be present on the premises.

Note 11

If you indicate that alcohol will be supplied only for consumption on the premises, you would be required to ensure that no person leaves the premises with alcohol supplied there. If such a supply takes place, the premises user may be liable to prosecution for carrying on an unauthorised licensable activity. Similarly, if the premises user gives notice that only supplies of alcohol for consumption off the premises will take place, he/she must ensure that alcohol supplied is not consumed on the premises. The premises user is free to give notice that he/she intends to carry on both types of supplies. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 12

The holder of a valid personal licence issued under the Licensing Act 2003 may give up to 50 temporary event notices in any calendar year subject to the other limitations in the 2003 Act. A proposed premises user who holds such a licence should give the details requested.

Note 13

As stated under Note 12, a personal licence holder (issued under the Licensing Act 2003) may give up to 50 temporary event notices (including 10 late notices) in any calendar year. An individual who does not hold a personal licence may only give 5 temporary event notices (including 2 late notices) in England and Wales in any calendar year. A calendar year is the period between 1st January to 31st December inclusive in any year.

If an event straddles two calendar years, it will count against the limits on temporary event notices (12 for each premises, 21 days for each premises, 50 per personal licence holder and 5 for non-holders) for each year. However, only one notice needs to be given.

For the purposes of determining the overall limits of 50 temporary event notices per personal licence holder (in a calendar year) and of 5 for a non-personal licence holder (in a calendar year), temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count towards those totals. Note 14 below sets out the definition of an “associate”.

If a temporary event notice has been given for the same premises, by the same premises user, and would have effect within 24 hours before the start of the event period under the current proposal or within 24 hours after the end of that period, the temporary event notice given would be void and any licensable activities carried on under it would therefore be unlicensed.

For the purposes of determining whether or not the required gap of 24 hours is upheld, temporary event notices given by an associate or a person who is in business with a premises user (and that business involves carrying on licensable activities) count as if they had been given by the premises user. Note 14 below sets out the definition of an “associate”.

Note 14

An “associate” of the proposed premises user is:

- a. the spouse or civil partner of that person;
- b. a child, parent, grandchild, grandparent, brother or sister of that person;
- c. an agent or employee of that person; or

d. the spouse or civil partner of a person within (b) or (c).

For these purposes, a person living with another as that person's husband or wife is to be treated as that person's spouse.

Note 15

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the further police force and local authority exercising environmental health functions.

Note 16

Under the Licensing Act 2003, all temporary event notices are given subject to a mandatory condition requiring that where the licensable activities involve the supply of alcohol, all such supplies must be made by or under the authority of the named premises user. If there is a breach of this condition, the premises user and the individual making the supply in question would be liable to prosecution. For this purpose, the supply of alcohol includes both of the first two licensable activities listed in note 6 above.

Note 17

It is an offence knowingly or recklessly to make a false statement in, or in connection with, a temporary event notice. (A person is to be treated as making a false statement if he produces, furnishes, signs or otherwise makes use of a document that contains a false statement.) To do so could result in prosecution and a fine not exceeding level 5 on the standard scale.

Note 18

You should not complete section 10 of the notice, which is for use by the licensing authority. It may complete this section as one means of giving you written acknowledgement of its receipt of the notice.

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Licensing Act 2003
Premises Licence **WDPL0309**

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

No. 10 Cafe Bar
10 East Street, Bridport, Dorset, DT6 3LF. Telephone 01308 420032

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of a play
- an exhibition of a film
- an indoor sporting event
- a performance of live music
- any playing of recorded music
- a performance of dance
- entertainment of a similar description to that falling within a performance of live music, any playing of recorded music or a performance of dance
- provision of late night refreshment
- the supply of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
A. Performance of a play (Indoors & Outdoors)	Monday to Sunday See conditions	10:00am	11:59pm
B. Exhibition of films (Indoors)	Monday to Sunday	10:00am	11:59pm
C. Indoor sporting event	Sunday to Thursday Friday & Saturday	10:00am 10:00am	11:59pm 2:00am
E. Performance of live music (Indoors & Outdoors)	Sunday to Thursday Friday & Saturday	10:00am 10:00am	11:59pm 2:00am
F. Playing of recorded music (Indoors)	Sunday to Thursday Friday & Saturday	10:00am 10:00am	11:59pm 2:30am
G. Performance of dance (Indoors & Outdoors)	Monday to Sunday Friday & Saturday	8:00am 8:00am	11:59pm 2:30am
H. Entertainment of a similar description to that falling within E, F, or G (Indoors)	Sunday to Thursday Friday & Saturday	10:00am 10:00am	11:59pm 2:30am
I. Late night refreshment (Indoors & Outdoors)	Monday to Sunday	11:00pm	2:00am

Licensing Act 2003
Premises Licence **WDPL0309**

THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
J. Supply of alcohol for consumption ON and OFF the premises	Monday to Sunday	8:00am	2:00am

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Sunday	8:00am	2:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- J. Supply of alcohol for consumption ON and OFF the premises

Part 2

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Peter Ravenscroft
[REDACTED ADDRESS]
 Telephone [REDACTED]

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR OR MANAGEMENT COMMITTEE WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Peter RAVENSCROFT
[REDACTED ADDRESS]
 Telephone [REDACTED]

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No.	Issued by

ANNEXES

APPENDIX 1 - MANDATORY CONDITIONS

1. Designated Premises Supervisor
 No supply of alcohol may be made under this premises licence -
 (i) at a time when there is no designated premises supervisor in respect of the premises licence, or
 (ii) at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended.
 Every supply of alcohol under this premises licence must be made or authorised by a person who holds a personal licence.

2.

- 1) The responsible person shall take all reasonable steps to ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- 2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children-
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to-
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the

Licensing Act 2003 Premises Licence

WDPL0309

ANNEXES continued ...

cessation of the period in which the responsible person is authorised to sell or supply alcohol), or

(ii) drink as much alcohol as possible (whether within a time limit or otherwise);

- (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic (other than any promotion or discount available to an individual in respect of alcohol for consumption at a table meal, as defined in section 159 of the Act);
- (c) provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less;
- (d) provision of free or discounted alcohol in relation to the viewing on the premises of a sporting event, where that provision is dependent on-
- (i) the outcome of a race, competition or other event or process, or
- (ii) the likelihood of anything occurring or not occurring;
- (e) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.

3. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
- (2) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and a holographic mark.
6. The responsible person shall ensure that:
- (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures-
- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25 ml or 35 ml; and
- (iii) still wine in a glass: 125 ml; and
- (b) customers are made aware of the availability of these measures.

2. Door Supervision

Only individuals licensed by the Security Industry Authority (SIA) may be used at the premises to carry out any security activity.

APPENDIX 2 - OPERATING SCHEDULE

Public nuisance

1. All plays that takes place outside shall be unamplified, (no speaker used outside) and shall cease at 2300 hours daily.
2. All live music that takes place outside shall be unamplified, (no speakers used outside) and shall cease at 2300 hours daily.
3. No external speakers shall be used in relation to the for performance of dance outside.

Noise and vibration

1. The volume of amplified music within the premises should be played at a level that is appropriate to the circumstances, such as the time of day and the degree of sound insulation afforded by the buildings in relation to the distance of the premises from dwellings or other noise sensitive premises.

Licensing Act 2003 Premises Licence

WDPL0309

ANNEXES continued ...

2. All external doors and windows must be kept closed, other than for access and egress, when activities involving amplified music or speech are taking place.
3. All doors and windows to rooms in which amplified speech or music is taking place should be kept closed, other than for access and egress.
4. No amplified music or speech shall be relayed via external loudspeakers.
5. Prominent, clear and legible notices must be displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
6. The licensee or a nominated representative shall receive and respond to complaints of noise throughout the duration of all entertainment and during the time that patrons are leaving the premises.
7. Staff must be given adequate training to ensure the customers keep noise levels to a minimum when leaving the premises.
8. The licensee or nominated representative shall monitor the effect of patrons leaving the premises from time to time and at least once a week. A record of the monitoring and of any matters giving rise to concern shall be maintained in a log book.
9. Noise from external areas shall be controlled as this can be the cause of neighbour annoyance. The degree of control that is needed will largely depend upon the disturbance between the facility and the nearest dwellings.

Prevention of crime and disorder

1. The Management of the premises will complete a written Risk Assessment giving the reasons as to why there is no requirement for extra door supervisors other than the minimum of **two** SIA door supervisors stipulated, or the reasoning behind no requirement for door supervisors, giving clear reasons as to why this is the case. Examples of these events are, but this is not an exhaustive list, Saint Days, World Cup and Major National and International Sporting Events. This written Risk Assessment to be kept at the premises and made available for inspection by Police and authorised Licensing Authority Officers.
2. A minimum of **two** SIA registered door supervisors shall be **dedicated** door supervisors on duty on each occasion, one located on the main entrance and one to supervise the outside garden and back area of the premises and also to assist inside the premises when further assistance is required.
3. **All** SIA registered door supervisors on duty to wear High Viz clothing and to clearly identify them as Security staff. (This clothing can be long or short sleeved).
4. For **all** SIA registered door supervisors working at the premises to sign in a book, giving date, start and finishing times, their names and details of their SIA badge numbers and expiry date. For this to be made readily available to Police and authorised Licensing Authority Officers upon request.

APPENDIX 3 - CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

1. The maximum number of persons resorting to the premises at any one time, including staff, shall not exceed 60. The premises licence holder will implement measures to ensure that this limit is strictly adhered to, with a written record kept and checked hourly from 2000 hours until close of business each evening. This log must be made available to the Police or an authorised officer on request.
2. An effective CCTV shall be installed on the premises and maintained in good working order at all times with a minimum of 28 days continuous recordings. There must be sufficient cameras able to cope with operating illumination and located to cover all public areas. The cameras covering the main entrance must be to identification standard, with the remainder capable of recognition. There shall be sufficient members of trained staff available during the hours of operation to be able to copy/download recordings at the request of the police or an authorised officer.
3. There will be a minimum of 2 SIA registered door supervisors deployed at the premises from 2200 hours until the close of business, on every Friday, Saturday, New Year Eve, Carnival Day (from 1700 hours), bank holidays and any other occasion or event where considered necessary to promote the licensing objectives.
4. All staff will be trained upon induction and at least every six months thereafter, regarding their lawful and social responsibilities for the sale of alcohol. A written record of training will be kept and made available upon request to the Police or an authorised officer.

Licensing Act 2003
Premises Licence

WDPL0309



Business Licensing

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From: Jennifer Pickering
Sent: 20 December 2021 12:06
To: envhealthteamb <envhealthteamb@dorsetcouncil.gov.uk>
Cc: Aileen Powell <aileen.powell@dorsetcouncil.gov.uk>; Roy Keepax <roy.keepax@dorsetcouncil.gov.uk>; Police - John Bean <john.bean@dorset.pnn.police.uk>;
gareth.gosling <gareth.gosling@dorset.pnn.police.uk>; Jane Williams <jane.williams@dorsetcouncil.gov.uk>;
Subject: Temporary Event Notice, Café Bar 10, New Year's Eve

Good afternoon,

On behalf of Dorset Council Environmental Health I wish to make a representation against this notice to extend the permitted hours of operation from 02:00hrs to 04:00hrs (1st Jan 2022) on the grounds that this extension to the operating hours could undermine the licensing objective of preventing public nuisance.

The premise was served with an Abatement Notice dated 19th October 2021 because Dorset Council deemed that noise from the premise to be causing a Statutory Nuisance i.e. a material and substantial interference with the use or enjoyment of a home or other premises. There are still unresolved issues with noise emanating from the premise.

There are several conditions on the premise licence in relation to public nuisance however none are automatically applied to a TEN. Sergeant Gosling has encouraged the operator to seek a variation of the premises license to enable the extension of licensable activities on certain occasions as a sustainable alternative to applying for Temporary Event Notices. We would encourage the operator to adopt this approach to enable a consultation to take place with all Responsible Authorities, stakeholders and the local community.

Yours sincerely,

Jennifer Pickering
Environmental Health Officer
Place Services
Dorset Council

[01929 557328](tel:01929557328)
dorsetcouncil.gov.uk



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Good Evening,

I write in respect of a TEN (attached) served by Mr Horton on behalf of No10, Bridport, relating to an event taking place at the premises on the 1st January 2022. On behalf of the Chief Officer of Dorset Police I object to the TEN on the basis that to allow the licensable activity detailed under the TEN would risk undermining the licensing objective to prevent crime and disorder.

I have provided a further Supplementary Evidence document which provides some further context regarding these concerns.

I would be grateful if you could include my colleague, John Bean, in the correspondence detailing the date and time of the Sub-Committee hearing as he will be attending on behalf of Dorset Police.

Regards,

Gareth Gosling 2551
Sergeant

Drug and Alcohol Harm Reduction Team
Territorial Policing Prevention Department | Bournemouth Police Station, Dorset Police
E: gareth.gosling@dorset.pnn.police.uk | T: 752 2824 (01202 222824) |



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Temporary Event Notice - Objection

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No.10

This report is to be considered alongside the e-mail notice of objection submitted to the Licensing Authority. It is the intention of Dorset Police to avoid any repeat of information previously submitted and to provide both the licensee (or their representative) and members of the Licensing Sub-Committee with additional information, context and evidence in support of the objection. This report is being completed and submitted as soon as practicable for the benefit of all parties. Whilst all details are correct at the time of completion, Dorset Police reserve the right to amend / introduce additional information and evidence in advance of the hearing.

Background

This premise is located in Bridport, Dorset and enjoys a generous licence which permits a variety of licensable activities between 8.00am and 11.59pm on weekdays and up to 2.30am at weekends. The premises are one of only two premises that have extended hours permitted in this area.

The operators at No.10 have in the past applied for and operated under Temporary Event Notices (TENs) for several specific weekends over the past 12 months, extending the operating hours and licensable activity further until 4.00am.

The most recent TEN submitted in respect of an event due to take place on the 31st October 2021 was withdrawn by the applicant in advance of a Sub-Committee hearing.

We are aware that the premises have been subject to a recent Noise Abatement Notice, which causes us concern that the premises is not been responsibly managed.

No further engagement has taken place between the operators of the premises and Dorset Police.

Concerns

To permit the TEN as applied for would disapply the Annex 2 and Annex 3 conditions that are attached to the Premises Licence at No. 10. These conditions have been agreed previously with the licence holder to ensure that the licensing objectives are promoted, the safety of the public is maintained and the demand upon emergency services is minimised. Undertakings by the person serving the Temporary Event Notice to uphold the conditions of the Premises Licence is unenforceable and should be avoided where there are existing concerns regarding the premises.

Dorset Police have been advised by the Town Council of Bridport that there is concern amongst residents regarding the frequent applications to extend the licensable activities at No.10, particularly at times that are already busy for the local area. As Dorset Police and Environmental Health are the only permitted authorities entitled to make representations in respect of Temporary Event Notices, it would be inappropriate to elaborate further on these concerns.

It is evidently the intention of the licence holder at No.10 to extend their licensable activity from 2.00am until 4.00am during specific occasions throughout the year, this occasion being New Year's Eve. Dorset Police believe this type of extension, which we know to have a significant impact on the residents in the area, should be applied for under a Variation to the Premises Licence.

The key benefits to this approach would be the following –



- Greater opportunity for the licence holder to plan future events
- Enable an enhanced opportunity for engagement and consultation with key stakeholders in the community who are most affected by the extensions to the hours
- Opportunity for responsible authorities to work with the licence holder to agree tailored conditions to enable the licence holder to better promote the licensing objectives during extended hours.

The continued use of Temporary Event Notices for extensions to the licensable activities place an additional strain on emergency services, often at short notice. It is always the intention of the Local Inspector to allocate resources pro-actively to locations which present the highest risk of demand and this planning often takes place far in advance of receipt of Temporary Event Notices.

Annex 2 Licence Conditions

Please see below conditions that are currently attached at Annex 2 – Prevention of Crime & Disorder of the existing Premises Licence at No.10. These conditions are not automatically applied to the TEN.

1. The Management of the premises will complete a written Risk Assessment giving the reasons as to why there is no requirement for extra door supervisors other than the minimum of two SIA door supervisors stipulated, or the reasoning behind no requirement for door supervisors, giving clear reasons as to why this is the case. Examples of these events are, but this is not an exhaustive list, Saint Days, World Cup and Major National and International Sporting Events. This written Risk Assessment to be kept at the premises and made available for inspection by Police and authorised Licensing Authority Officers.
2. A minimum of two SIA registered door supervisors shall be dedicated door supervisors on duty on each occasion, one located on the main entrance and one to supervise the outside garden and back area of the premises and also to assist inside the premises when further assistance is required.
3. All SIA registered door supervisors on duty to wear High Viz clothing and to clearly identify them as Security staff. (This clothing can be long or short sleeved).
4. For all SIA registered door supervisors working at the premises to sign in a book, giving date, start and finishing times, their names and details of their SIA badge numbers and expiry date. For this to be made readily available to Police and authorised Licensing Authority Officers upon request.

Annex 3 Licence Conditions – Attached after a Hearing by the Licensing Authority

Please see below conditions that are currently attached Annex 3 following a hearing by the Licensing Authority of the existing Premises Licence at No.10. These conditions are not automatically applied to the TEN.

1. The maximum number of persons resorting to the premises at any one time, including staff, shall not exceed 60. The premises licence holder will implement measures to ensure that this limit is strictly adhered to, with a written record kept and checked hourly from 2000 hours until close of business each evening. This log must be made available to the Police or an authorised officer on request.
2. An effective CCTV shall be installed on the premises and maintained in good working order at all times with a minimum of 28 days continuous recordings. There must be sufficient cameras able to cope with operating illumination and located to cover all public areas. The cameras covering the main entrance must be to identification standard, with the remainder capable of recognition. There shall be sufficient members of trained staff available during the hours of operation to be able to copy/download recordings at the request of the police or an authorised officer.
3. There will be a minimum of 2 SIA registered door supervisors deployed at the premises from 2200 hours until the close of business, on every Friday, Saturday, New Year Eve, Carnival Day (from 1700 hours), bank holidays and any other occasion or event where considered necessary to promote the licensing objectives.
4. All staff will be trained upon induction and at least every six months thereafter, regarding their lawful and social responsibilities for the sale of alcohol. A written record of training will be kept and made available upon request to the Police or an authorised officer.

Summary

The above conditions have been carefully agreed to reflect the operating hours and licensable activities as originally applied. Whilst most of these conditions are appropriate to any extension to the premises, some of the conditions would ordinarily be enhanced to reflect the increased concern.

Available Outcomes for the Sub-Committee

To assist the members of the Sub-Committee, Dorset Police make the following submissions in relation to the available outcome options in respect of this objection to a Temporary Event Notice –

Allow the Temporary Event Notice as applied for

Dorset Police do not consider that this option would be appropriate. This is a licensed premise with generous operating hours, exceeding many of the neighbouring businesses operating in the same sector.

It would be inappropriate for the Temporary Event Notice to take place without any conditions to assist the operator to promote the licensing objectives.

Attach Conditions to the Temporary Event Notice if –

- **Appropriate for the promotion of the licensing objectives**
- **The conditions are also imposed on a premises licence that has effect on this or part of the same premises, and**
- **The conditions would not be inconsistent with the carrying out of the licensable activities under the Temporary Event Notice**

Dorset Police are of the view that if the Sub-Committee were inclined to permit the event with attached conditions, that all conditions of the existing licence should be applied. This is appropriate to promote the licensing objectives.

There are no conditions that are inconsistent with the extension of operating hours.

Please note that to further promote the licensing objectives, Dorset Police would ordinarily encourage conditions for the following areas of concern to be applied to a Premises Licence, to further assist the licence holder to promote the licensing objectives, where they operated into the early hours of the morning –

- Implementation of a dispersal policy to reduce the impact of customers leaving at 4.00am.
- Requirement for an enhanced minimum number of SIA Door Supervisors.
- Time of last admission/re-admission / Queuing policy to prevent adverse disturbance outside premises.
- Search / Drug policy – Late night premises often attract a greater proportion of individuals intent on using/distributing drugs and other illicit substances.
- Welfare procedures/policy – To ensure that those most at risk of harm, particularly lone females, are protected from harm as much as possible by the premises operators.

Attaching additional conditions to a Temporary Event Notice is not permitted by the Licensing Act 2003 and this outcome may therefore not be appropriate if the Sub-Committee were inclined to agree with our concerns.

It would therefore be inappropriate to elaborate further on these conditions during the hearing.

To reject the Temporary Event Notice as applied for and issue a Counter Notice

Dorset Police remain of the view that to permit the extension of the existing licensable activities to 4.00am risks undermining the licensing objectives. This option remains our preferred outcome as the premises already enjoy generous operating hours until 0230hrs at weekends.

Conclusion

The operator has previously been encouraged to seek a variation of the premises licence to enable the extension of licensable activities on certain occasions as a sustainable alternative to applying for

Temporary Event Notices. A variation application will enable a consultation to take place between the operator, Responsible Authorities, stakeholders and the local community.

Dorset Police do not intend to elaborate a great deal on the above during the Sub-Committee hearing, however, we will ensure our availability to answer queries and provide any further support/advice to the Sub-Committee as required.