

# Licensing Sub-Committee

## Date 07 March 2022

### Objection to 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: Roy Keepax  
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**Report Status:** Public

**Recommendation:** The Sub-Committee considers the Temporary Event Notice in the light of the objection notice made by Environmental Protection 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 one Objection Notice to a Temporary Event Notice (TEN) for Bredy Gate, Bredy Farm in Burton Bradstock.

#### 2. Financial Implications

Any decision of the Sub-Committee could lead to an appeal by any of the parties involve that could incur costs.

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

None

4. **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: Low

Residual Risk: Low

7. **Equalities Impact Assessment**

Not applicable

8. **Appendices**

Appendix 1 - Temporary Event Notice

Appendix 2 - Temporary Event Notice – Submitted Plan

Appendix 3 - Premises licence for Bredy Gate, Bredy Farm

Appendix 4 - Modification of Temporary Event Notice request

Appendix 5 - Environmental Protection Objection

Appendix 6 - Submitted Noise Management Plan

9. **Background Papers**

[Licensing Act](#)

[Section 182 Guidance](#)

[Dorset Council Licensing Policy](#)

10. **Details**

10.1 A Temporary Event Notice (TEN) was served on the Licensing Authority on 21 February 2022 for an event at Bredy Gate, Bredy Farm, Bredy Lane, Burton Bradstock, Dorset, DT6 4ND by Charles Harris. The Notice is attached at Appendix 1. A plan was also submitted with the application, the plan is attached at Appendix 2.

- 10.2 The main part of the weekend event is covered by the premises licence for Bredy Gate which runs from noon on Fridays to 02:00 on Sundays on bank holiday weekends throughout the year. The premises licence is attached at Appendix 3.
- 10.3 The TEN is required as there is an additional Thursday for the extended bank holiday to mark the Queens Jubilee. The TEN is for the sale of alcohol on and off the premises, regulated entertainment and late-night refreshment. The times notified on the TEN are; -

Thursday 2<sup>nd</sup> June 10:00 to 23:59  
Friday 3<sup>rd</sup> June 00:00 to 15:59.

- 10.4 The TEN was modified on Thursday 24 February 2022 to reduce the time on the Friday to 11:59 to tie in with live music activity on the premises licence. The request for the modification is attached at Appendix 4.

- 10.5 The Premises Licence currently allows for; -

**Performance of live music (outdoors)**

Friday to Sunday: 12:00 to 23:45

**Playing of recorded music (outdoors)**

Friday to Sunday: 09:00 to 02:00

**Late night refreshment (outdoors)**

Friday to Sunday: 23:00 – 01:00

**Supply of alcohol for consumption on and off the premises**

Friday to Sunday: 11:00 to 02:00

- 10.6 The numbers attending will be 499 people including any staff, performers or organisers.
- 10.7 The Notice was served on the Dorset Police and Environmental Protection on the 21 February 2022.
- 10.8 An Objection Notice was served on Mr Harris by Environmental Protection within the statutory three working days consultation period. The Objection Notice related to adding conditions onto the TEN from the premises licence. The notice is attached at Appendix 5.
- 10.9 A Noise Management Plan was submitted to Environmental Protection by Mr Harris following the objection. The Noise Management Plan is attached at Appendix 6.

## 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.