

# Licensing Sub-Committee

20 December 2022

## Temporary Event Notice – Chic Bar & Club

### For Decision

**Portfolio Holder:** Cllr L Beddow, Culture, Communities and Customer Services

**Local Councillor(s):** Cllr J Orrell

**Executive Director:** J Sellgren, Executive Director of Place

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**Report Status:** Public

**Brief Summary:** A Temporary Event Notice has been served on the Council to extend the hours of Chic Bar and Club in Weymouth. The Notice has been considered by the Police and Environmental Protection. Both the Police and Environmental Protection have served Objection Notices. A Licensing Sub-Committee must consider the Notice and the Objection Notices at a public hearing.

**Recommendation:** The Sub-Committee considers the Temporary Event Notice in the light of the objection notices made by Environmental Protection 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. Details of the TEN**

- 1.1 A Temporary Event Notice (TEN) has been served on the Licensing Authority by Mr Parviz Panjalizadeh-Marseh for Chic Bar and Club at 3-5 Maiden Street, Weymouth.
- 1.2 The TEN covers a period from 0200 hours on Sunday 1 January 2023 until 04:00 hours on Sunday morning. The Notice covers the sale of alcohol, regulated entertainment and late night refreshment, and is for 440 attendees. The TEN is attached at Appendix 1.
- 1.3 Objection Notices have been correctly served by the Police and Environmental Protection within the statutory three working days consultation period. The Objection Notices are attached at Appendix 2.

## **2. History of the Premises**

- 2.1 The premises was formally known as Actors and had its licence revoked after a summary review that had been brought by the police in December 2021.
- 2.2 Mr Panjalizadeh-Marseh appealed that decision, and this was settled by way of a consent order on the 6 June that reduced the times on the license and added a suite of conditions to allow the premises to trade again. The current licence is attached at Appendix 3.
- 2.3 The premises re-opened for business on 28 July.

## **3. Considerations**

- 3.1 Paragraph 7.28 of the Section 182 Guidance sets how the Authority should decide what actions are appropriate.

If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection unless all parties agree that this is unnecessary. The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice. If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence conditions on the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions (a "notice (statement of conditions)") and provide a copy to each relevant party. Alternatively, it can decide that the event would undermine the

licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

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

- a) Issue counter notices for the event which will not allow it to occur.
- b) Not to issue counter notices and allow the event as applied for.
- c) Attach one or more of the conditions of the premises licence.

#### **4. Financial Implications**

An applicant has the right to appeal the decision of the Licensing Sub Committee to the Magistrate's Court if the decision is to refuse the application.

#### **5. Climate Implications**

None

#### **6. Well-being and Health Implications**

None

#### **7. Other Implications**

None

#### **8. Risk Assessment**

HAVING CONSIDERED: the risks associated with this decision; the level of risk has been identified as:

Current Risk: High

Residual Risk: High

#### **9. Equalities Impact Assessment**

Not applicable

#### **10. Appendices**

Appendix 1 – Temporary Event Notice

Appendix 2 – Objection Notices

Appendix 3 – Current premises licence

#### **11. Background Papers**

[Licensing Act 2003](#)

[Home Office Guidance issued under Section 182 of the Licensing Act 2003](#)

[Dorset Council Statement of Licensing Policy 2021](#)