

Licensing Sub-Committee

3 April 2023

Temporary Event Notice – Closet, Weymouth

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 the Closet in Weymouth. The Notice has been considered by the Police and Environmental Protection. Environmental Protection have served Objection Notice. A Licensing Sub-Committee must consider the Notice and the Objection Notice at a public hearing.

Recommendation: The Sub-Committee considers the Temporary Event Notice in the light of the objection notice made by Environment 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. Details of the TEN

- 1.1 A Temporary Event Notice (TEN) has been served on the Licensing Authority by Mr Jamie Craig for The Closet 38A Maiden Street, Weymouth.
- 1.2 The TEN covers a period from 0300 hours until 0400 hours on Friday 7, Saturday 8 April and Sunday 9 April. The Notice covers the sale of alcohol, regulated entertainment and late-night refreshment and is for 300 attendees. Although the box “are you giving a late temporary event notice” is ticked, the TEN is not a late temporary event notice. The TEN is attached at Appendix 1.
- 1.3 The Objection Notice has been correctly served by the Environmental Protection within the statutory three working days consultation period. The Objection Notice is attached at Appendix 2.
- 1.4 The TEN is to extend the operational hours, as under condition 29 of the Closet’s premises licence, the bar side must have a cooling down period from 0200 hours with the area to close at 0300 hours. Under the TEN, Mr Craig would like to have the cooling down period to start at 0300 hours with the area to close at 0400 hours. The timings on the TEN form, 0300 hours to 0500 hours, refer to the night club area, which can run until 0500 hours (Monday to Sunday) and 0600 hours on bank holiday weekends, Mr Craig does not need this area and does not fall under this Temporary Event Notice. A copy of their current licence is at Appendix 3.

2. Considerations

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

3. 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.

4. Climate Implications

None

5. Well-being and Health Implications

None

6. Other Implications

None

7. Risk Assessment

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

Current Risk: High

Residual Risk: High

8. Equalities Impact Assessment

Not applicable

9. Appendices

Appendix 1 – Temporary Event Notice

Appendix 2 – Objection Notice

Appendix 3 – Current premises licence

10. Background Papers

[Licensing Act 2003](#)

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

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