

Licensing Sub Committee

11 October 2023

Temporary Event Notice – Patson Hill Farm, Sherborne

For Decision

Portfolio Holder: Cllr L Beddow, Culture and Communities

Local Councillor(s): Cllr R Legg

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 for a Halloween event at Patson Hill Farm in Sherborne. The Notice has been considered by the Police and Environmental Protection. Environmental Protection has served an 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 notices made by Environmental Health 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 any oral submissions 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. Samuel Cabell to cover a Halloween Event at Patson Hill Farm, Sherborne, DT9 4SY.

- 1.2 The TEN is for a one evening starting at 12:00 on Friday 28 and extending to 03:00 on Saturday 29 October 2023.
- 1.3 The Notice covers the sale of alcohol, regulated entertainment and late-night refreshment, and is for 499 attendees, 450 of which will be ticketed guests, with the remainder 49 for staff, performers and traders. The TEN is attached at Appendix 1 with a location plan at Appendix 2.
- 1.4 An Objection Notice has been correctly served by Environmental Protection (EP) within the statutory three working days consultation period. The Objection Notice is attached at Appendix 3.
- 1.5 Mr. Cabell has submitted an Event Management Plan (EMP) containing measures to prevent causing a public nuisance, but EP are maintaining their objection. The EMP is attached at Appendix 4 with further correspondence between EP and Mr Cabell at Appendix 5.
- 1.6 The Police have no objection to the event.
- 1.7 There is one other TEN for a hot chocolate van at this event that has not been objected to.

2. History of the Premises

- 2.1 There have been no previous TENs or any licence on this premises.

3. Section 182 Guidance

- 3.1 Paragraph 7.2 of the Guidance states that; -

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”).

- 3.2 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.

4. Options

4.1 As there is no licence in place at this premises the steps that the Sub-Committee may take are to:

- a) Issue counter a notice for the event which will not allow it to occur.
- b) Not to issue counter notices and allow the event to happen as applied for.

5 Financial Implications

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

6 Natural Environment, Climate & Ecology Implications

None.

7 Well-being and Health Implications

None.

8 Other Implications

None

9 Risk Assessment

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

Current Risk: Low

Residual Risk: Low

10 Equalities Impact Assessment

Not applicable

11 Appendices

Appendix 1 – Temporary Event Notice

Appendix 2 – Location Plan

Appendix 3 – Objection Notice

Appendix 4 – Event Management Plan

Appendix 5 – Further Correspondence

12 Background Papers

[Licensing Act 2003](#)

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

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