

Licensing and Gambling Act Sub-Committee

3 November 2025

**Temporary Event Notice – Marks and Spencer, 4-8
St Thomas Street, Weymouth, DT4 4PF**

For Decision

Cabinet Member and Portfolio Holder:

Cllr G Taylor, Health and Housing

Local Councillor(s):

Cllr J Orrell

Executive Director:

S Crowe, Director of Public Health and Prevention

Report Author: Kathryn Miller

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Report Status: Public

Brief Summary: A Temporary Event Notice has been served on the Council to extend the hours for sale of alcohol Marks and Spencer in Weymouth. The Notice has been considered by the Police and Environmental Protection. The Police have 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 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 for Marks and Spencer in Weymouth. Mr Nathan Baddeley who is the Designated Premises Supervisor is notice giver. John Gaunt and Partners are the solicitors acting on behalf of Marks and Spencer and Mr Baddeley.
- 1.2 The TEN covers a period from 0600 hours to 2300 hours daily from Thursday 18 December until 24 December. The Notice covers the sale of alcohol for consumption off the premises and is for 499 attendees. The TEN is attached at Appendix 1.
- 1.3 The Objection Notice has been correctly served by Dorset Police within the statutory three working days consultation period. The objection is made under the licensing objective of Crime and Disorder, this is due to the store being subject to multiple alcohol thefts which are contributing to ASB in the area. The store is already permitted to sell alcohol between the hours on 0800 and 2300 hours each day and the premises has few security measures in place to deter crime and disorder through theft. The Objection Notice is attached at Appendix 2.
- 1.4 Mr John Wallsgrove a solicitor with John Gaunt and Partners, responded to the Objection Notice, explaining that they cannot apply for a TEN just for two hours that the premises wants to open earlier, if they did, they would have to leave 24 hours between each TEN and this would mean that the week before Christmas could only cover four days instead of seven which would be confusing for the customers. A copy of the current premises licence is attached at Appendix 3.
- 1.5 Mr Wallsgrove also asked if the Police could confirm the data they have regarding the alcohol thefts and whether the Police have engaged with anyone at the store concerning this. The solicitor's response can be found at Appendix 4.
- 1.6 A TEN can be issued for a premises that already holds a Premises Licence. In such cases, the Licensing Authority may apply one or more conditions from the existing licence to the TEN if it considers this necessary to promote the licensing objectives. If no conditions are applied, the TEN effectively overrides the Premises Licence and its conditions.

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 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.

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

Appendix 4 – Response from solicitor

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](#)