

<b>REPORT TO LICENSING SUB COMMITTEE</b>
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DATE	25 <sup>th</sup> March 2019
PORTFOLIO	ENVIRONMENT
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<b>Licensing Act 2003 Hearing of an application for a Temporary Event Notice following receipt of a notice of objection</b>
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<b>PURPOSE</b>
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1. To consider a notice of objection received by the Licensing Authority in response to a Temporary Event Notice given by Person A in accordance with Part 5 of the Licensing Act 2003.
2. The premises are Rear Car Park, Carnivoro, 27 Hargreaves Street, Burnley.

<b>RECOMMENDATION</b>
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3. Members are recommended to make a determination with a view to promoting the licensing objectives:
  - The prevention of crime and disorder
  - Public safety
  - Prevention of public nuisance
  - Protection of children from harm

The committee may:

- Allow the licensable activities to go ahead as stated in the notice.
- Issue a Counter Notice, preventing the event taking place, to the premises user under Section 105(2b) if the Committee consider it appropriate for the promotion of the licensing objectives.
- Give a notice of the decision, with explanation, under Section 105(3a) to the premises user and the objecting relevant person.

<b>REASONS FOR RECOMMENDATION</b>
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4. Members of the Licensing Committee are responsible for determining such applications where objections are received.

## **SUMMARY OF KEY POINTS**

5. The event is to be held from Thursday 18<sup>th</sup> April to Sunday 21<sup>st</sup> April 2019.  
The licensable activities applied for are:

The sale by retail of alcohol and provision of regulated entertainment 12.00hrs (mid-day) till 02.00hrs. The provision of late night refreshment from 23.00hrs till 02.00hrs.

The nature of the event is described as an outdoor live music event for up to 450 people. The event will be held in a marquee in the rear car park, Carnivoro, 27 Hargreaves Street, Burnley. (The application is contained in Appendix 'A').

Following receipt of the Temporary Event Notice the Licensing Authority received an objection notice from Environmental Health. The basis of the objections are that similar historical events have resulted in complaints of noise nuisance and that the proposed event will be of such a nature as to be intrusive to nearby residential premises and therefore lead to nuisance. Thereby undermining the 'Prevention of Public Nuisance' licensing objective (The objection notice is contained in Appendix 'B').

## **FINANCIAL IMPLICATIONS AND BUDGET PROVISION**

6. None

## **POLICY IMPLICATIONS**

7. None

## **DETAILS OF CONSULTATION**

8. The statutory consultation has taken place

## **BACKGROUND PAPERS**

9. None

## **FURTHER INFORMATION**

**PLEASE CONTACT:**

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**ALSO:**