

Report to:	Licensing Panel
Date of Meeting:	Monday 21 May 2012 at 10.00am
Report of:	Malcolm Strong, Licensing Officer
Subject:	Licensing Act 2003 Relevant Persons Objections to Temporary Event Notice
Premises	The Old Crown, 56 Sandwell Road, West Bromwich
Ward affected:	West Bromwich Central
Contact Officer	Malcolm Strong Licensing Officer Email: Licensing_Team@sandwell.gov.uk

1. Purpose of report:

For the panel to determine an objection to a Temporary Event Notice issued by Mr Maurice McLeod for The Old Crown, 56 Sandwell Road, and whether a counter notice should be given for the promotion of the licensing objectives.

2. Brief Summary of Report:

A Temporary Event Notice was served on 15 May 2012 by Mr Maurice McLeod for an event on 1st, 2nd, 3rd and 4th June at The Old Crown, Sandwell Road, West Bromwich.

An objection notice was served by West Midlands Police on 15th May 2012.

An objection notice was served by Environmental Health on 16th May 2012.

Notice of the hearing has been served upon the Premises User and the Police.

3. Background Information

A temporary event notice may be served by any person for permitted temporary activities, that is licensable activities, which it is intended will take place other than under a licence issued. The person making that notice is the premises user.

The standard notice has to be served not less than ten working days before the event. The only bodies able to object are the Police and Environmental Health (“a relevant person”) on the grounds that permitting the event to proceed would undermine one or more of the licensing objectives. The objecting authority must serve notice of objection on the premises user, other relevant persons and the Licensing Authority, no later than the end of the third working day after the Temporary Event Notice is served.

A temporary event was sent to Sandwell MBC by Mr McLeod, that was incomplete and could not be accepted as it stood. Enquiries were made with Mr McLeod and the application was amended to make it acceptable. It was accepted as served on 15 May 2012, the Police and Environmental Health were advised of the amendment and that the notification had been accepted by the authority that day.

The Temporary Event notice is for the sale by retail of alcohol and provision of regulated entertainment at The Old Crown, 56 Sandwell Road, West Bromwich B70 8TG. The times and dates these activities will take place under the Temporary Event Notice are noon until 0300 on 1, 2, 3 and 4 June 2012.

The Old Crown is currently subject to a Premises Licence. The premises licence was granted on 29 September 2005. The licence is subject to conditions imposed by the courts on appeal from the Licensing Committee on 19 March 2012. Those conditions restrict the hours of operation of the premises and require a noise limiter to be fitted within 90 days of the court decision and for doors and windows to be closed when regulated entertainment is being provided.

On the 15 May 2012 the police served an objection notice to the Temporary Event on the grounds that the event will not promote the public nuisance objective of the Licensing Act. The police notice details their objections.

On 16th May 2012 Environmental health served an objection notice to the Temporary Event on the grounds that the event will not promote the public nuisance objective of the Licensing Act. The environmental health notice details their objections

The committee is asked to consider this objection notice and to determine if it is necessary for the promotion of the crime prevention objective that a counter notice should be given.

If the authority decides not to give a counter notice it may impose one or more conditions on the standard temporary event notice if (a) it considers it appropriate for the promotion of the licensing objectives to do so, (b) the conditions are also imposed on a premises licence that has effect in respect of the same premises or any part of the same premises as the temporary event notice, and (c) the conditions would not be inconsistent with the carrying out of the licensable activities under the temporary event notice.

For the information of the Committee there has been no previous temporary event notice for these premises in this calendar year.

4. List of background documents:

Temporary Event Notice
Objection notice made by West Midlands Police
Objection by Environmental Health.
Copy of court appeal decision
Location map