

FOR PUBLICATION

AGENDA ITEM

APPLICATION BY JODIE CHRISTINA MARY HALLAM FOR A TEMPORARY EVENT AT THE BRITANNIA INN, 56 OLD HALL ROAD, BRAMPTON, CHESTERFIELD, DERBYSHIRE, S40 1HD

MEETING: LICENSING COMMITTEE

DATE: 20TH NOVEMBER 2013

REPORT BY: LICENSING OFFICER

1.0 APPLICATION

- 1.1 The Applicant is Jodie Christina Mary Hallam, Britannia Inn, 56 Old Hall Road, Brampton, Chesterfield, Derbyshire, S40 1HD.
- 1.2 The premises, in respect of the application, is the Britannia Inn, 56 Old Hall Road, Brampton, Chesterfield, Derbyshire, S40 1HD.

2.0 PURPOSE OF REPORT

- 2.1 For Members to determine whether or not to add conditions or to issue a counter-notice in respect of the application following an objection made by Environmental Protection (Chesterfield Borough Council – Responsible Authority).

3.0 PROPOSED TEMPORARY EVENTS

- 3.1 On 7th November 2013, the Licensing Authority received an application from Jodie Christina Mary Hallam for a temporary event to take place on Tuesday 31st December 2013 at the Britannia Inn, 56 Old Hall Road, Brampton, Chesterfield, Derbyshire, S40 1HD (Appendix A).

- 3.2 The temporary event is for a New Year's Eve Party and for the Public House to apply for the sale by retail of alcohol on and off the premises, and for the provision of regulated entertainment. The timings for the event will be a live band between 19.30 – 23.30, recorded music between 23.30 – 01.30 and an outside Bar between 19.30 – 01.30. All these activities are to take place in a marquee on the Britannia Inn Car Park area.

Miss Hallam has stated in her application that there will be a maximum of 200 persons at any one time (the maximum permitted number of persons at any one time at a temporary event under the Licensing Act 2003 is 499).

- 3.3 Miss Hallam is a Personal Licence holder with Chesterfield Borough Council, Number PA/VF/0845 (expires 11th July 2020).

4.0 **OBJECTION BY ENVIRONMENTAL HEALTH.**

- 4.1 The Licensing Act 2003 (section 106) does give Environmental Protection, the power, with the agreement of the applicant, to modify the temporary event notice at any time before a hearing is held or dispensed with. Richard Harris from Environmental Protection has been in discussion with the applicant to agree a modification on the TEN to allow the event to take place but to restrict the timings for outdoor live and recorded music ending at 22.30 pm. The applicant did not wish to modify the timings and confirmed this in an e-mail to Mr Harris on 12th November 2013 (Appendix B).

This application for a standard TEN is therefore referred to the Licensing Committee for their determination.

- 4.2 Following receipt of the e-mail, Mr Harris submitted notice of the objection from Environmental Protection to the Licensing Authority on 12th November 2013. A copy of the objection is attached to the report at Appendix C.

5.0 **OPTIONS**

- 5.1 Having regard to the objection notice given by Environmental Protection, a counter-notice must be given to the applicant if the Committee considers it necessary if any of the licensing objectives would be undermined.

5.2 The Committee does have the power in this type of application to attach conditions on the temporary event but any such condition(s) must be derived from the conditions contained in the Premises Licence (Appendix D).

5.3 Either the Committee decides to issue a counter-notice (if it is necessary to do so to prevent the undermining of any of the licensing objectives, in which case the licensable activity at the temporary event is prohibited, or if the Committee decides not to issue a counter-notice (if it is satisfied that the licensing objective will not be undermined), in which case the licensable activity will be permitted.

6.0 **RECOMMENDATION**

6.1 That Members determine whether or not to add conditions on to the TEN or issue a counter-notice in respect of the application for a temporary event at the Britannia Inn, 56 Old Hall Road, Chesterfield, Derbyshire, S40 1HD.

LICENSING OFFICER

November 2013

Environment Services, Customer Service Centre, 85 New Square, Chesterfield, S40 1AH

Cash paid £21
£ 8/11/13

Temporary Event Notice

RECEIVED

- 7 NOV 2013

LICENSING

Before completing this notice, please read the guidance notes at the end of the notice. If you are completing this notice by hand, please write legibly in block capitals. In all cases, ensure that your answers are inside the boxes and written in black ink or typed. Use additional sheets if necessary. You should keep a copy of the completed notice for your records. You must send at least one copy of this notice to the licensing authority and additional copies must be sent to the chief officer of police and the local authority exercising environmental health functions for the area in which the premises are situated. The licensing authority will give to you written acknowledgement of the receipt of the notice.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

1. Your name			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input checked="" type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname	HALLAM		
Forenames	JODIE CHRISTINA MARY		
2. Previous names (Please enter details of any previous names or maiden names, if applicable. Please continue on a separate sheet if necessary)			
Title	Mr <input type="checkbox"/> Mrs <input type="checkbox"/> Miss <input type="checkbox"/> Ms <input type="checkbox"/> Other (please state)		
Surname			
Forenames			
3. Your date of birth	Day	Month	Year
4. Your place of birth	Chesterfield		
5. National Insurance Number			
6. Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)			
The Britannia Inn 36 Old Hall Road Brampton			
Post town	Chesterfield		
Postcode	S40 1HD		
7. Other contact details			
Telephone numbers			
Daytime			
Evening (optional)			
Mobile (optional)			
Fax number (optional)			
E-Mail address (if available)			

8. Alternative address for correspondence (If you complete the details below, we will use this address to correspond with you)	
Post town	Postcode
9. Alternative contact details (if applicable)	
Telephone numbers:	
Daytime	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
E-Mail address (if available)	

Please give the address of the premises where you intend to carry on the licensable activities or, if it has no address, give a detailed description (including the Ordnance Survey references) (Please read note 2)	
The Brutemial Inn 56 Old Hall Road Brampton Chesterfield	
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	PL16610213
Club premises certificate number	
If you intend to use only part of the premises at this address or intend to restrict the area to which this notice applies, please give a description and details below. (Please read note 3)	
The Public House car park To use a marquee for New Years Eve.	
Please describe the nature of the premises below. (Please read note 4)	
Public house.	
Please describe the nature of the event below. (Please read note 5)	
New Years Eve Party.	

Please state the licensable activities that you intend to carry on at the premises (please tick all licensable activities you intend to carry on). (Please read note 6)		
The sale by retail of alcohol		<input checked="" type="checkbox"/>
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club		<input type="checkbox"/>
The provision of regulated entertainment		<input checked="" type="checkbox"/>
The provision of late night refreshment		<input type="checkbox"/>
Are you giving a late temporary event notice? (Please read note 7)		<input type="checkbox"/>
Please state the dates on which you intend to use these premises for licensable activities. (Please read note 8)		
31 st December		
Please state the times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock). (Please read note 9)		
19-30 - 23-30 - Live Band 23-30 - 01-30 AM Recorded music 19-30 - 01-30 AM Bar.		
Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. (Please read note 10)		200
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (please tick as appropriate). (Please read note 11)	On the premises only	<input type="checkbox"/>
	Off the premises only	<input type="checkbox"/>
	Both	<input checked="" type="checkbox"/>

Do you currently hold a valid personal licence? (Please tick)		Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If "Yes" please provide the details of your personal licence below.			
Issuing licensing authority	Cheshire East		
Licence number	PA / UP / 0845		
Date of issue			
Date of expiry	11th July 2020		
Any further relevant details			

Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input checked="" type="checkbox"/>	No <input type="checkbox"/>
If answering yes, please state the number of temporary event notices (including the number of late temporary event notices, if any) you have given for events in that same calendar year		
Have you already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Has any associate of yours given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your associate(s) have given for events in the same calendar year.		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

If answering yes, please state the total number of temporary event notices (including the number of late temporary event notices, if any) your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 24 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Sent at least one copy of this notice to the licensing authority for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the chief officer of police for the area in which the premises are situated	<input checked="" type="checkbox"/>
Sent a copy of this notice to the local authority exercising environmental health functions for the area in which the premises are situated	<input checked="" type="checkbox"/>
If the premises are situated in one or more licensing authority areas, sent at least one copy of this notice to each additional licensing authority	<input type="checkbox"/>
If the premises are situated in one or more police areas, sent a copy of this notice to each additional chief officer of police	<input type="checkbox"/>
If the premises are situated in one or more local authority areas, sent a copy of this notice to each additional local authority exercising environmental health functions	<input type="checkbox"/>
Made or enclosed payment of the fee for the application	<input checked="" type="checkbox"/>
Signed the declaration in Section 9 below	<input checked="" type="checkbox"/>

It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

The information contained in this form is correct to the best of my knowledge and belief.	
I understand that it is an offence: (i) to knowingly or recklessly make a false statement in or in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine not exceeding level 5 on the standard scale; and (ii) to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on summary conviction for any such offence to a fine not exceeding £20,000, or to imprisonment for a term not exceeding six months, or to both.	
Signature	J-Hamm
Date	07/11/13

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Name of Person signing	
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For completion by the licensing authority

I acknowledge receipt of this temporary event notice.	
Signature	On behalf of the licensing authority
Date	
Name of Officer signing	

Kate Brookbank

From: jodie hallam <jodie_hallam@hotmail.co.uk>
Sent: 12 November 2013 13:30
To: Richard Harris; Kate Brookbank

Richard

I disagree to the modification on the TEN for the 31st of December I would like this to go to committee

Many thanks

jodie Hallam

Sent from my iPhone

