
**APPLICATION FOR TEMPORARY ACTIVITIES: TEMPORARY EVENT NOTICE
APPLICATION BY : Kelly Abbott**

To: **Licensing Sub-Committee – 10th March 2016 at 10.45 a.m**

Portfolio Area: **Regulatory Services**

By: **Regulatory Services Manager**

Classification: **Unrestricted**

Ward: **Margate Central**

Summary **To consider this application for temporary activities in the light
of objections made by Environmental Protection.**

For decision

1.0 **Introduction and Background**

1.1 A temporary event notice has been received from Kelly Abbott for 16 Fort Road, Margate. The event is described as an ‘office opening’ with the following licensable activities, the sale by retail of alcohol. It is intended that it will take place on the 19th March between 6 p.m and midnight. The maximum number of people to be present will be 125. The applicant is not the holder of a personal licence.

1.2 Part 5 of the 2003 Licensing Act provides a system of permitted temporary activities, under which licensable activities can be carried out on a temporary basis (for a period not exceeding 7 days) without the need for a premises licence or a club premises certificate. A copy of the notice is appended at Annex 1.

2.0 **General Points**

2.1 The Act provides for periods of notice and the number of events that may be held. Notice must be given to the Licensing Authority, Police and Environmental Protection ten working days before the beginning of the event period. The Police and Environmental Protection then have three working days to lodge objections with the Licensing Authority and Applicant. A copy of the Environmental Protection objection is appended at Annex 2. The Police have not made any representations.

2.2 Objections must relate to the undermining of the licensing objectives, the prevention of crime and disorder, public safety, the prevention of public nuisance, the protection of children from harm.

3.0 **Options**

3.1 Grant the application.

3.2 Refuse the application.

4.0 Corporate Implications

4.1 Financial

None.

4.2 Legal

4.2.1 There is a right of appeal to a Magistrates' Court within 21 days of the date of the decision of the Licensing Sub-Committee with regard to the grant/refusal of a licence or any of the conditions attached to it.

4.2.2 The Licensing Sub-Committee must pay proper attention to the applicant's rights under the provisions of the Human Rights Act 1998, which gives further effect in the United Kingdom to the fundamental rights and freedoms contained in the European Convention on Human Rights. The Licensing Sub-Committee must have proper regard to the rights of the individual applicant when making decisions that affect them. However, it also has to have regard to the safety and protection of the public and therefore to ensure that the right balance is found and think hard about how it can cause the least possible harm to individuals, bearing in mind its duty to ensure the protection of the public.

4.3. Corporate

4.3.1 None.

4.4 Equity and Equalities

4.4.1 Not relevant.

5.0 Recommendation

5.1 The instructions of the Sub-Committee are requested.

Contact Officer:	Philip Bensted Regulatory Services Manager, ext 7630
Reporting to:	Penny Button, Head of Neighbourhood Services, ext 7425

Annex List

Annex 1	Temporary event notice
Annex 2	Environmental objection

Background Papers

Title	Where to Access Document
None	N/A

Corporate Consultation Undertaken

Legal	Colin Evans Assistant Litigation Solicitor ext 7457
Finance	N/A