

Central Bedfordshire
Council
Priory House
Monks Walk
Chicksands,
Shefford SG17 5TQ

**This meeting
may be filmed.***



**Central
Bedfordshire**

please ask for Celina Jagusz
direct line 0300 300 4034
date 27 June 2018

NOTICE OF MEETING

LICENSING SUB COMMITTEE

Date & Time

Thursday, 5 July 2018 10.00 a.m.

Venue at

Council Chamber, Priory House, Monks Walk, Shefford

Richard Carr
Chief Executive

To: The Members of the LICENSING SUB COMMITTEE:

Cllrs R D Berry, D Bowater and P A Duckett

[Named Substitutes:

Cllrs J Chatterley, K M Collins, I Dalgarno, Mrs A L Dodwell, T Nicols,
P Smith, T Swain, N Warren and R D Wenham]

All other Members of the Council - on request

***MEMBERS OF THE PRESS AND PUBLIC ARE WELCOME TO ATTEND THIS
MEETING***

***Please note that phones and other equipment may be used to film, record, tweet or blog from this meeting. No part of the meeting room is exempt from public filming.**

The use of the arising images or recordings is not under the Council's control.

AGENDA

1. **Election of Chairman**

To elect a Chairman for the hearing.

2. **Apologies for Absence**

To receive apologies for absence and notification of substitute Members.

3. **Members' Interests**

To receive from Members any declarations of interest.

4. **Procedure for the Hearing of Applications under The Licensing Act 2003**

To note the procedure for hearing applications under the Licensing Act 2003 (copy attached).

5. **The Four Licensing Objectives**

To note the four Licensing Objectives (copy attached).

Report

Item Subject

6. **Objection Notices Given for Temporary Event Notices - Grove Park, Court Drive, Dunstable, LU5 4GP**

To consider objections by the Council's Environmental Health Officer and the Police Licensing Officer to three Temporary Event Notices for Grove Park, Court Drive, Dunstable, LU5 4GP.

This page is intentionally left blank



Procedure for the hearing of applications The Licensing Act 2003

The Licensing Act 2003 (Hearings) Regulations 2005

**Public Protection
Central Bedfordshire Council
Priory House
Monks Walk
Chicksands
Shefford
SG17 5TQ**

0300 300 8000

Central Bedfordshire Council

Priory House, Monks Walk
Chicksands, Shefford, Beds
SG17 5TQ

Telephone 0300 300 8000

Email info@centralbedfordshire.gov.uk
www.centralbedfordshire.gov.uk

Licensing Sub-Committee Procedure for Determining applications under the Licensing Act 2003

CONTENTS

- 1. Introduction**
- 2. General Principles**

PRE-HEARING

- 3. Licensing Panels**
- 4. Timescales for Convening a Hearing**
- 5. Notice of Hearing**
- 6. Persons to be Notified of a Hearing**
- 7. Contents of Notice**
- 8. Hearings to be open to the public**
- 9. Failure to attend the hearing**
- 10. Disruptive behaviour**

SUB - COMMITTEE AGENDA

- 11. Licensing Sub-Committee agenda**

HEARING PROCEDURE

- 12. Opening the Hearing**
- 13. Licensing Officer's Report**
- 14. Licensing Authority's request(s) for clarification**
- 15. Presentation of Case / Submissions from Parties**
- 16. Modification or Withdrawal of Application or Representation**
- 17. Closing Submissions**
- 18. Legal Advice**
- 19. Committee Decision in Relation to Procedure**
- 20. Determination of the Application**

POST HEARING

- 21. Record of Proceedings**
- 22. Irregularities**
- 23. Decision Notice**
- 24. Appeals**
- 25. Closing the Hearing**

Licensing Sub-Committee Checklist

Appendix 'A'

Appendix 'B'

Introduction

- 1.1. The Licensing Act 2003 has placed local authorities at the centre of the decision making process for regulating the sale and supply of alcohol, provision of regulated entertainment and late night refreshment.
- 1.2. This document and the procedures detailed herein are based upon the guidance issued by the Local Government Regulation Service and with regards to the provisions of:
 - the Licensing Act 2003;
 - the Guidance issued by the Secretary of State for Culture, Media and Sport on 7 July 2004 under section 182 of the Licensing Act 2003; and
 - The Licensing Act 2003 (Hearings) Regulations 2005 (as amended).
- 1.3. This guidance is intended for all concerned in any way whatsoever with a hearing before a licensing panel (Licensing Sub-committee, the Licensing Committee or Council, as may be the case) in relation to the determination of applications under the Licensing Act 2003.

2. General Principles

- 2.1. All Members sitting on the determination of an application will always:
 - promote the right of all parties to have a fair hearing;
 - only have regard to such of the four licensing objectives that are subject to a relevant representation, namely:
 - the prevention of crime and disorder;
 - public safety;
 - the prevention of public nuisance; and
 - the protection of children from harm;
 - have regard to the Licensing Act 2003 and any relevant secondary legislation;
 - have regard to the Council's Statement of Licensing Policy;
 - have regard to the Guidance issued by the Secretary of State for Culture, Media and Sport under section 182 of the Licensing Act 2003;
 - treat each application on its own merits; and
 - undertake its decision-making responsibilities honestly and fairly, in an open, transparent and accountable way.

PRE-HEARING

3. Licensing Panels

- 3.1. Generally, hearings will take place before a Licensing Sub-committee consisting of three Members of the Licensing Committee, although, to avoid unnecessary adjournments, a fourth Member may attend as a substitute Member.
- 3.2. If, for any reason whatsoever, it is not possible to have a matter determined by a Licensing Sub-Committee, the matter would be heard by the Licensing Committee. A Licensing Committee must consist of between ten and fifteen Members and at least one half of those Members must attend for a hearing to proceed before the Licensing Committee.
- 3.3. In the highly unlikely event of it not being possible, for any reason whatsoever, to have a matter determined by either a Licensing Sub-committee or the Licensing Committee, the matter would be heard by Council.

4. Timescales for Convening a Hearing

- 4.1. Most hearings under the Licensing Act 2003 must normally take place within 20 working days from the last date in which representations can be made. There are exceptions to this rule.
- 4.2. Exceptions:
 - 4.2.1. A hearing must take place within 10 working days of the Authority receiving notification of a review of the premises following a closure order;
 - 4.2.2. A hearing must take place within 7 working days from the day after the end of the period within which the police can object to a temporary event notice;
 - 4.2.3. A hearing must take place within 5 working days beginning the day after the end of the last day for the police to object to an interim authority notice.
- 4.3. Hearings may be dispensed with where all relevant persons agree a hearing is unnecessary.

5. Notice of Hearing

- 5.1. Generally 10 clear days notice will be given of a hearing. There are exceptions to this rule.
- 5.2. Exceptions:
 - 5.2.1. 5 days notice will be given of a hearing for a review of a premises licence following a closure order;
 - 5.2.2. 2 days notice will be given of a hearing following police objection to an interim authority notice;
 - 5.2.3. 2 days notice will be given of a hearing following police objection to temporary events notice.

6. Persons to be Notified of a Hearing

- 6.1. The following persons must be notified of a hearing:
 - 6.1.1. Any applicant for any licence, provisional statement or review;
 - 6.1.2. Premises user who submitted a temporary event notice;
 - 6.1.3. Any person who has made relevant representations;
 - 6.1.4. Any Responsible Authority; and
 - 6.1.5. Where an application is made for a review, the holder of a premises licence or club premises certificate.

7. Contents of Notice

- 7.1. The notice of a hearing must contain:
 - 7.1.1. The date, time and place of the hearing;
 - 7.1.2. The procedure to be followed at the hearing;
 - 7.1.3. The right of a party to attend and to be assisted or represented by any person whether legally qualified or not;
 - 7.1.4. Any points upon which the authority considers that it will want clarification from a party at the hearing;
 - 7.1.5. The right of the party to provide additional information to provide any clarification sought by the Authority;
 - 7.1.6. The consequences of failing to attend the hearing or not being represented at the hearing;
 - 7.1.7. Any information the Licensing Authority has received in support or opposition of the application.

8. Hearings to be open to the public

- 8.1. Hearings will generally be open to the public as the Licensing Authority is committed to taking decisions in an honest, accountable and transparent way, but on occasions a licensing panel may find it necessary to exclude a party or parties, the public and press from all or any part of a hearing.
- 8.2. A panel will only pass an exclusion resolution where it considers that the public interest in doing so outweighs the public interest in the hearing, or that part of the hearing, taking place in public. Such decisions will be made on an individual basis.
- 8.3. The panel's deliberations, which do not form part of the hearing, will be conducted in private. The announcement of the panel's decision is part of the hearing and will generally be open to the public, subject to any exclusion resolution.

9. Failure to attend the hearing

- 9.1. No party is obliged to attend a hearing, although the Licensing Authority encourages all parties to attend hearings to make their application or representation, as may be the case.
- 9.2. Regardless of whether a party attends a hearing or not, the matter will generally be heard and determined by the licensing panel (the Council, the Licensing Committee or a Licensing Sub-committee). At the hearing, the panel will consider any application, representation or notice made by an absent party in the same way as it will of any application, representation or notice made by a party that attends the hearing.
- 9.3. If, however, the hearing is adjourned to a specified date, all parties will forthwith be notified of the date, time and place to which the hearing has been adjourned.

10. Disruptive behaviour

- 10.1. Any person who disrupts a hearing by the Council, the Licensing Committee or a Licensing Sub-committee of a matter under the Licensing Act 2003 may be required to leave the hearing.
- 10.2. It is for the panel hearing the matter to decide whether such person will be permitted to return to the hearing, but should they be allowed to do so, this may be on such conditions as the panel may specify.
- 10.3. If a disruptive person is a person who has a right to address the panel, then that person may, before the end of the hearing (i.e. before Stage 25 of the following procedure), put in writing any information they would have been entitled to give orally, had they not been required to leave the hearing.

SUB - COMMITTEE AGENDA

11. Licensing Sub-Committee agenda

- 11.1. The Licensing Sub-Committee Hearing shall be commenced in accordance with the Licensing Sub-Committee agenda. Any Committee matters shall be addressed at this stage.
- 11.2. The Licensing Sub-Committee Hearing procedure shall take over at the point at which the agenda item is called to be heard.
- 11.3. The Sub-Committee agenda shall deal with the issue of exclusion of press and public for the Licensing Sub-Committee Hearing.

HEARING PROCEDURE

12. Opening the Hearing

- 12.1. The Licensing Sub-Committee Hearing shall be formally opened by the Chair.
- 12.2. The Chair shall introduce Members of the licensing panel (a Licensing Sub-committee, the Licensing Committee or Council), officers present and all other parties present.
- 12.3. The Chair shall explain the procedure to be followed at the meeting and the nature of the decision to be taken by the panel.

13. Licensing Officer's Report

- 13.1. The Licensing Officer presents his / her Report, including an outline of the application, the representation(s) and any points upon which the Licensing Authority has given notice that it required clarification; and identifies anything relevant in the legislation, the Council's Statement of Licensing Policy and the statutory guidance issued by the Secretary of State for Culture, Media and Sport.
- 13.2. Members of the panel may ask questions of the Licensing Officer with regards to the Report.

14. Licensing Authority's request(s) for clarification

- 14.1. If points of clarification have been asked for, the Chair invites the Licensing Officer or relevant party to provide necessary information.
- 14.2. Members of the panel may ask questions with regards to the further information provided.

15. Presentation of Case / Submissions from Parties

- 15.1. In the order of Applicant, Responsible Authority and Interested Party (or in the case of a review the relevant person), each party shall be invited to undertake the following:
 - 15.1.1. Set out their case;
 - 15.1.2. Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council);
 - 15.1.3. Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and
 - 15.1.4. Respond to any questions asked of them by Members of the Licensing Panel.
- 15.2. At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair.

- 15.3. The Sub-Committee shall have the absolute discretion to restrict the number of witnesses and documents that any party can introduce, or the time spent on submissions or oral evidence, to ensure the proper running of the hearing.
- 15.4. Any witnesses that any party is seeking to call that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any witnesses to be heard, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.
- 15.5. Any documents that any party is seeking to adduce that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any documents to be adduced, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.

16. Modification or Withdrawal of Application or Representation

- 16.1. The Chair shall ask the applicant whether the applicant wishes to modify the application (e.g. by way of withdrawing a licensable activity and / or reducing the times asked for and / or volunteering additional steps to promote the licensing objectives).
- 16.2. The Chair shall ask each party making a representation whether such party would like to withdraw their representation.

17. Closing Submissions

- 17.1. The Chair shall invite each of the parties to present a closing submission to the Sub-Committee.
- 17.2. The Chair shall invite the Licensing Officer to make any final representations.
- 17.3. At the end of the Closing Submissions the Chairman may ask the Legal Advisor if there is any clarification or points they wish to make.

18. Legal Advice

- 18.1. The role of the Legal Advisor is to provide Members with advice on:
 - Questions of law;
 - Matters of practice and procedure;
 - The options available to the sub-committee in making their decision;
 - Whether information or evidence is relevant to the licensing objectives;
 - Any relevant case law or guidelines.

18.2. The hearing shall be directed by the Chair and assisted by the Legal Advisor as appropriate and necessary.

19. Committee Decision in Relation to Procedure

19.1. The Sub-Committee shall be entitled to vary the order and procedure for the hearing, at its absolute discretion.

20. Determination of the Application

20.1. After all representations have been heard, the Chair will inform all parties that the panel will retire in private to determine the matter.

20.2. Either the panel will retire alone to a private room or all parties, officers and members of the public will be required to leave the room, although the panel may invite their legal adviser to join them for the purpose of providing only legal advice - the details of which will be disclosed upon the hearing reconvening.

20.3. Should the sub-committee need to ask any further questions of any party, all parties shall be invited to return for the purposes of asking and answering questions.

20.4. Where the hearing is for:

- a review of a premises licence following a closure order;
- a personal licence by holder of a justices licence; or
- a counter notice following police objection to a temporary event notice.

The Sub-Committee must make its determination at the conclusion of the meeting.

20.5. For all other hearings the determination must be made within 5 working days of the hearing. The Sub-Committee will generally announce the determination at the end of the hearing.

20.6. The Sub-Committee may consider adding any conditions necessary in order to promote one or more of the four licensing objectives:

- the prevention of crime and disorder;
- public safety;
- the prevention of public nuisance; and
- the protection of children from harm.

20.7. All decisions shall be made in line with the general principles as detailed in Appendix A, the range of options available for determining each type of application.

20.8. The Sub-Committee shall complete the decision notice as shown at Appendix B.

20.9. The hearing will reconvene and the Chair will either:

- announce the Sub-Committee determination including reasons for the determination; or
- advise those persons present that the Sub-Committee has not reached a decision, but will make a determination as soon as it can and, in any event, within five working days. All parties will then be notified forthwith of the decision.

POST HEARING

21. Record of Proceedings

- 21.1. The authority shall ensure that a record is taken of the hearing.
- 21.2. The record shall be kept for a period of six years from the date of the final action on the matter.

22. Irregularities

- 22.1. Proceedings shall be rendered void due to a failure to comply with the procedures set out in this document.
- 22.2. Any failure to comply with the Hearing Regulations shall not render the process or the decision void.
- 22.3. Where the Authority considers any person to have been prejudiced from the irregularity it shall take such steps as it considers fit to remedy the irregularity, before reaching its determination.
- 22.4. Clerical mistakes may be corrected by the Authority.

23. Decision Notices

- 23.1. The Authority shall provide a written notice of its determination as soon as practicable after the hearing and within 5 working days.

24. Appeals

- 24.1. An appeal against the determination of the Authority must be made to the appropriate Magistrates Court within 21 days of the date of delivery of the decision.

25. Closing the Hearing

- 25.1. The Chair shall thank all parties for attending and draw the hearing to a close.
- 25.2. Should there be another hearing to be heard the Sub-Committee shall begin the procedure again.

Licensing Sub-Committee Checklist
Procedure for determining applications under the Licensing Act 2003

Item				
1.	Chair to introduce Sub-Committee, Committee Administrator, other Officers and all Parties present.			
2.	Chair to explain procedure for hearing to all parties.			
3.	Licensing Officer to introduce application, including details of the premises, application, objections, references to the Licensing Objectives and Policy and Statutory Obligations.			
4.	Chair to invite Sub-Committee to ask any questions of the Licensing Officer, in relation to the report provided.			
5.	Chair to ask Licensing Officer whether there are any points requiring Clarification.			
Steps 6 to 9 to be completed for each party in the order of Applicant (A), Responsible Authority (RA) and Interested Party (IP) or Relevant Person (RP). The chair will invite each party to:		A	RA	IP/ RP
6.	Set out their case			
7.	Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council);			
8.	Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and			
9.	Respond to any questions asked of them by Members of the Licensing Panel.			
Repeat steps 6 to 9 for each party				
10.	At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair.			
11.	Chair asks Applicant if they wish to modify or withdraw their application in any way.			
12.	Chair to invite closing submissions from applicant, responsible authorities and interested parties.			
13.	The Sub-Committee will retire into private to consider its decision.			
14.	Chair will announce the decision of the Sub-Committee and the reasons for the decision. The Chair will advise all parties of their right of appeal.			

Options for determining applications

Determination of application for premises licence

- To grant the licence
- To grant with the addition of conditions necessary to promote any of the licensing objectives
- To exclude from the scope of the licence any of the licensable activities to which the application relates
- To refuse to specify a person in the licence as the premises supervisor
- To reject the application

Determination of application for variation of a premises licence

- To grant the variation
- To modify the conditions of the licence – this includes altering or omitting any existing condition or adding any new conditions
- To reject the whole or part of the application

Determination of application for review of a premises licence

- To modify the conditions of the licence – this includes altering or omitting any existing condition or adding any new conditions
- To exclude a licensable activity from the scope of the licence
- To remove the designated premises supervisor
- To suspend the licence for a period not exceeding three months
- To revoke the licence

Appendix 'B'



CENTRAL BEDFORDSHIRE COUNCIL

DECISION NOTICE

LICENSING ACT 2003

DECISION OF THE LICENSING SUB – COMMITTEE

Date of Hearing	
-----------------	--

Applicant's Name:	
Premises Address:	

Application for:	
------------------	--

Reasons for Hearing:	
----------------------	--

Members of the Licensing Sub-Committee:	
---	--

Applicant:	
Person(s) Appearing on Behalf of the Applicant:	

Objector(s):	
Person(s) Appearing on Behalf of Objector(s):	

Other Persons Present:	
------------------------	--

If appropriate:

<u>COMMENCEMENT DATE</u>
This licence will come into effect from:
<input type="checkbox"/> The date of this decision
<input type="checkbox"/> The end of the period for appeal.

FINDINGS OF FACT

The Sub-Committee made the following findings of fact:

DECISION

The Sub-Committee have decided that the application should be:

Granted (as set out in the application)

Refused

Amended to include the following conditions:

- 1.
- 2.

- The Sub- Committee considers the additional conditions necessary for the promotion of the licensing objectives.
- All Licences are granted subject to the mandatory conditions imposed by the Licensing Act, 2003.
- In coming to its decision, the Sub-Committee has taken into account:
 - The Licensing Act Section 18, which states that it must take such steps it considers necessary for the promotion of the licensing objectives;
 - The Secretary of State’s Guidance issued under section 182 of the Licensing Act 2003; and
 - Central Bedfordshire Council’s Licensing Policy
 - The merits of the application and the representations (including supporting information) presented by all parties.

REASONS FOR DECISION

The reasons for the Committee’s decision are as follows:

Prevention of Crime and Disorder

Public Safety

Prevention of Public Nuisance

Protection of Children from Harm

General – all four licensing objectives

<u>Irrelevant Representations</u>	
<u>The Sub-Committee determined that the following representations were irrelevant: Not applicable.</u>	
<u>Representation</u>	<u>Reason Representation was Considered Irrelevant</u>
1.	
2.	

<u>Right of Review</u>
<u>At any stage, following the grant of a premises licence, a responsible authority, such as the Police or an interested party, such as a resident living in the vicinity of the premises may ask the licensing authority to review the licence because of a matter arising at the premises in connection with any of the four licensing objectives. The review is a request for the Council to look at the existing licence and decide whether its conditions are adequate to meet the four licensing objectives defined under the Licensing Act 2003.</u>

<u>Effect of Failing to Comply with Conditions (Explained to Applicant)</u>
<u>The Sub-Committee has explained to the applicant the effect of failure to comply with any of the conditions attached to the licence or certificate is a criminal offence, which upon conviction, would result in a fine of up to £20,000 or up to six months imprisonment or both.</u>

<u>Right of Appeal</u>
<u>Applicants or any person who has made a relevant representation who is dissatisfied with this decision or the imposition of any condition or restriction has the right of appeal to the Magistrates Court within 21 days of the date on which they are notified of the decision.</u>

Signed:

[Name]
Chair of Licensing Sub-Committee

Date:

This page is intentionally left blank

The Four Licensing Objectives

To promote the following Licensing Objectives:

- 1. Prevention of crime and disorder**
- 2. Public safety**
- 3. Prevention of public nuisance**
- 4. Protection of children from harm**

This page is intentionally left blank

Meeting: Licensing Sub-Committee
Date: 5 July 2018
Subject: Objection notice given for a Temporary Event Notice
Grove Park, Court Drive, Dunstable, LU5 4GP
Report of: Head of Public Protection
Summary: The report provides information to the Licensing Sub-Committee about objection notices in relation to three temporary event notices (TEN) given under the Licensing Act 2003, to assist them in determining the outcome.

Advising Officer: Marcel Coiffait, Director of Community Services
Contact Officer: Nicola O'Donnell, Licensing Compliance Officer
Function of: Licensing Committee of a licensing authority
Public/Exempt: Public
Wards Affected: Dunstable Icknield
Ward Councillors Cllr David McVicar & Cllr John Chatterley
Location Grove Park, Court Drive, Dunstable, LU5 4GP
Applicant Jamie Head (HQ Sports Bar)
Applicant's agent N/A
Reason for consideration by Sub-Committee The Environmental Health Officer and Bedfordshire Police have both raised objections to three temporary event notices submitted for 'An England Games Fan Zone' under the grounds of the prevention of crime & disorder, the protection of children from harm and the prevention of public nuisance.
Recommended decisions: **The sub-committee determines the application in accordance with the Statutory Guidance issued under the Licensing Act 2003, our Licensing Policy and the information contained within this report**
That, having regard to the application and relevant representations, the sub-committee takes such steps mentioned below as it considered necessary for the promotion of the licensing objectives.
That the sub-committee provides the reasons for its decision.

CORPORATE IMPLICATIONS**Council Priorities:**

Determination of this matter meets a particular Council priority as follows:

- Promote health and wellbeing and protecting the vulnerable.
- Enhancing Central Bedfordshire
- Creating Stronger Communities

Financial:

1. There are no direct financial implications for the Council.

Legal:

2. Licensing applications are considered pursuant to specific legislation, explained within the report.
3. Any decision made by the Sub-Committee could be the subject of an appeal to the Magistrates Court by the license applicant or by an objector to the application.

Risk Management:

4. All Council members are aware that any licensing matter decision which is unreasonable or unlawful could be open to challenge and could result in reputational damage and potential financial penalty.
5. The report details the options available to the Sub-Committee in determining the application/s and recommends a decision/s which could be reached. Any decision taken by the Sub-Committee has a risk of appeal to the Magistrates Court.

Staffing (including Trades Unions):

6. Not Applicable.

Equalities/Human Rights:

7. To ensure that any decision does not unfairly discriminate, public authorities must be rigorous in reporting to Members the outcome of an equality impact assessment and the legal duties.
8. Public Authorities must ensure that decisions are made in a way which minimises unfairness and without a disproportionately negative effect on people from different ethnic groups, disabled people, women and men. It is important that Councillors are aware of this duty before they take a decision.

Public Health

9. N/A

Community Safety:

10. The Sub-Committee is required under the Crime and Disorder Act 1998 to consider the crime and disorder implications of their decisions and is reminded of the Council's responsibility to co-operate in the reduction of crime and disorder in Central Bedfordshire.

Sustainability:

11. Not Applicable.

Procurement:

12. Not applicable.

Details of the Temporary Event Notice

13. Three temporary event notices were submitted electronically by Jamie Head of HQ Sports Bar, Dunstable on 21 June 2018. The temporary event notices are for an England Games Fan Zone. The applicant proposes to erect a fenced off area within Grove Park directly opposite the HQ Sports Bar. The applicant would like to show England football matches on a large screen and provide an outside bar within the fenced off area. He also proposes to provide extra door staff during the event. A copy of all three temporary event notices is attached at Appendix A. A map of the area is attached at Appendix B. Additional information provided by the applicant is attached at Appendix C.

Licensable Activities	Proposed hours
Sale by retail of alcohol	6 th July 14:00 to 00:00 or 7 th July 11:00 to 22:00
Sale by retail of alcohol	10 th July or 11 th July 13:00 to 23:00
Sale by retail of alcohol	14 th or 15 th July 11:00 to 22:00

Representations

14. Three objection notices were received from Bedfordshire Police on 24 June 2018 on the grounds of the prevention of crime and disorder, the prevention of public nuisance and the protection of children from harm. Three objection notices were received from the environmental health officer on 26 June on the grounds of the prevention of public nuisance. Copies of the objection notices are attached at Appendix D. The Police have also provided some additional information regarding an incident that they attended and a meeting held on 22 May 2018, please see Appendix E.

Application Guidance

15. In accordance with the provisions of the Licensing Act 2003 and the Council's scheme of delegation, all applications with relevant representations must be determined by a sub-committee
16. When determining the application, Members should only consider issues, which relate to the licensing objectives, which in this case are:

The prevention of crime & disorder
The prevention of public nuisance
The protection of children from harm

17. The sub-committee must have regard to the statutory guidance issued under section 182 of the Licensing Act 2003 section 7.2 to 7.7, 7.25 to 7.31 and 7.32 - 7.35 and the Council's Statement of Licensing Policy. (Sections 6.3 refer to Temporary Event notices and sections 7.1, 7.3 and 7.4 refer to the relevant licensing objectives).
18. Members should not allow themselves to pre-determine the application or to be prejudiced in favour or opposed to the representations and shall only determine the application having had an opportunity to consider all relevant facts.

Options

Option A: Give the premises user a counter notice under Section 105(2) of The Licensing Act 2003 if it is considered appropriate for the promotion of a licensing objection to do.

Option B: Disregard the objection notices.

Appendices:

Appendix A – Temporary Event Notices

Appendix B – Map of area

Appendix C – Additional information from applicant

Appendix D – Objection notices

Appendix E – Additional information from Bedfordshire Police

Background Papers: (open to public inspection)

The Licensing Act 2003

Central Bedfordshire Council Licensing Policy

(on website)



Temporary Event Notice

Premises User

Information

Before completing this form, please make payment of the fee for the application (£21.00) via our [online payment pages](#) (please select 'Miscellaneous' on the payments page for the licensing payments options). You will be given a payment reference number; this must be entered into the 'Online payment reference number' box below. **If a valid reference number is not entered, we will be unable to process your application, causing a delay in acknowledging your notice.**

Payment reference number

Your application must be submitted **at least 10 working days** before the event, not including the day of submission and the day of the event. Or in the case of a late temporary event notice, 5 working days prior to the event, not including the day of submission. Failure to do so will result in the temporary event notice being refused.

We will email you a copy of the completed form upon submission. You should keep this for your records. If you do not receive this email, then we have not received your application.

We will forward copies to the Police Licensing Officer on behalf of the Chief of Police and to the Environmental Health Team. The Licensing Authority will provide written acknowledgement of the notice.

Premises User

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.

Title

Forename

Surname

Please provide details of any previous names.

Previous Names

Title	Forename	Surname

--	--	--

Date of birth

Place of birth

National Insurance Number

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

Address

Postcode

E-mail address

Daytime telephone number

Evening telephone number

Mobile number

Alternative address for correspondence If you complete the details below, we will use this address to correspond with you

Premises Details

Premises Details

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)

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

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

Describe the nature of the premises

Describe the nature of the event

Licensable Activities

Licensable Activities

Please state the licensable activities that you intend to carry on at the premises.

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- Are you giving a late temporary event notice?

Dates on which you intend to use these premises for licensable activities

The absolute maximum games, fixtures depending**

~~Either 2nd/3rd July 19:00 kick off time. Ref16.~~
~~Either 6th/7th July 19:00/15:00 KO. Qrt Finals~~
~~Either 10th/11th July 18:00 KO. Semi-Finals~~
~~Either 13th/14th July 15:00/16:00 KO Finals~~

Times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock)

~~2nd/3rd July 14:00 - 23:00~~
 **6th July 14:00 - 00:00
 **7th July 11:00 - 22:00
 (** can only be one of these dates)
~~10th/11th July 13:00 - 23:00~~
~~13th/14th July 11:00 - 22:00~~

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

499

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

On the premises only

Please state if the licensable activities will include the provision of relevant entertainment.

No

Personal Licence

Personal Licence Holders

Do you currently hold a valid personal licence?

Yes

Issuing licensing authority	Central Bedfordshire Council
Licence number	14/019041
Date of issue	07/04/2014
Date of expiry	
Any further relevant details	

Previous Temporary Event Notices

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

Number of temporary event notices you have given for events in that same calendar year

2

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

Associates

Associates and Business Colleagues

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?

No

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

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:

No

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

Submit Application

Data Protection

The information submitted in this document was collected for the following purposes:

- Reason of Licensing Services

Central Bedfordshire Council ensures any personal data collected will be retained securely for as long as necessary, and only used for legitimate Council activities to facilitate the delivery of Council services, or for the purpose of preventing and/or detecting fraud and/or crime, in accordance with the Data Protection Act 1998.

Central Bedfordshire Council's Data Protection Policy is available from the website at <http://www.centralbedfordshire.gov.uk/contact-us/website/data-protection.aspx> or by writing to the Corporate Data Protection Officer at Central Bedfordshire Council Offices, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

I have read the Central Bedfordshire Council personal information statement and consent to the personal information I have provided on this form being used for the purposes stated.

Please confirm you have read above statements

Yes, I have read above statements

Submit Application

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

By submitting this form I understand that it is an offence:

1. to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
2. to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on 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.

Condition

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 an unlimited fine; 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 an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Applicant

Signed

Submission date



Temporary Event Notice

Premises User

Information

Before completing this form, please make payment of the fee for the application (£21.00) via our [online payment pages](#) (please select 'Miscellaneous' on the payments page for the licensing payments options). You will be given a payment reference number; this must be entered into the 'Online payment reference number' box below. **If a valid reference number is not entered, we will be unable to process your application, causing a delay in acknowledging your notice.**

Payment reference number

Your application must be submitted **at least 10 working days** before the event, not including the day of submission and the day of the event. Or in the case of a late temporary event notice, 5 working days prior to the event, not including the day of submission. Failure to do so will result in the temporary event notice being refused.

We will email you a copy of the completed form upon submission. You should keep this for your records. If you do not receive this email, then we have not received your application.

We will forward copies to the Police Licensing Officer on behalf of the Chief of Police and to the Environmental Health Team. The Licensing Authority will provide written acknowledgement of the notice.

Premises User

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.

Title

Forename

Surname

Please provide details of any previous names.

Previous Names

Title	Forename	Surname

Date of birth	<input type="text"/>
Place of birth	<input type="text"/>
National Insurance Number	<input type="text"/>
Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)	
Address	<input type="text"/>
Postcode	<input type="text"/>
E-mail address	<input type="text"/>
Daytime telephone number	<input type="text"/>
Evening telephone number	<input type="text"/>
Mobile number	<input type="text"/>
Alternative address for correspondence	<input type="checkbox"/> If you complete the details below, we will use this address to correspond with you

Premises Details

Premises Details

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)	<input type="text" value="Grove Park, Court Drive, Dunstable, LU5 4GP."/> <input type="text" value="We would be fencing an area of Grove Park off, directly opposite the HQ Sports Bar. The area will not block any of the pedestrian paths, will be kept purely to the grass area."/>
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?	<input type="text" value="No"/>
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	<input type="text" value="The area will be completely fenced off, with site fencing, restricting anyone being able to climb in or out of the area."/>
Describe the nature of the premises	<input type="text" value="Dunstable Town Council park land. We have been given permission to apply for this event by Dave Ashley from Dunstable Town Council."/>
Describe the nature of the event	<input type="text" value="The event will be to create a 'fan zone' for England supporters for all knockout stages of this years 2018 World Cup. These games run from the 1st July to the possibility of the final on the 15th July (England wont make it that far) The 'fan zone' will show England games live on a big screen. Only England games will be aired."/>

Licensable Activities

Licensable Activities

Please state the licensable activities that you intend to carry on at the premises.

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- Are you giving a late temporary event notice?

Dates on which you intend to use these premises for licensable activities

The absolute maximum games, fixtures depending**

~~Either 2nd/3rd July 19:00 kick off time. Ref16.~~
~~Either 6th/7th July 19:00/15:00 KO. Qrt Finals~~
 Either 10th/11th July 18:00 KO. Semi Finals
 Either 13th/14th July 15:00/16:00 KO Finals

Times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock)

~~2nd/3rd July 14:00 - 23:00~~
~~**6th July 14:00 - 00:00~~
~~**7th July 11:00 - 22:00~~
 (** can only be one of these dates)
 10th/11th July 13:00 - 23:00 * *
 13th/14th July 11:00 - 22:00

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

499

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

On the premises only

Please state if the licensable activities will include the provision of relevant entertainment.

No

Personal Licence

Personal Licence Holders

Do you currently hold a valid personal licence?

Yes

Issuing licensing authority	Central Bedfordshire Council
Licence number	14/019041
Date of issue	07/04/2014
Date of expiry	
Any further relevant details	

Previous Temporary Event Notices

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

Number of temporary event notices you have given for events in that same calendar year

2

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

Associates

Associates and Business Colleagues

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?

No

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?

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:

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?

Submit Application

Data Protection

The information submitted in this document was collected for the following purposes:

- Reason of Licensing Services

Central Bedfordshire Council ensures any personal data collected will be retained securely for as long as necessary, and only used for legitimate Council activities to facilitate the delivery of Council services, or for the purpose of preventing and/or detecting fraud and/or crime, in accordance with the Data Protection Act 1998.

Central Bedfordshire Council's Data Protection Policy is available from the website at <http://www.centralbedfordshire.gov.uk/contact-us/website/data-protection.aspx> or by writing to the Corporate Data Protection Officer at Central Bedfordshire Council Offices, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

I have read the Central Bedfordshire Council personal information statement and consent to the personal information I have provided on this form being used for the purposes stated.

Please confirm you have read above statements

Submit Application

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

By submitting this form I understand that it is an offence:

1. to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
2. to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on 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.

Condition

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 an unlimited fine; 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 an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Applicant

Signed

Submission date



Temporary Event Notice

Premises User

Information

Before completing this form, please make payment of the fee for the application (£21.00) via our [online payment pages](#) (please select 'Miscellaneous' on the payments page for the licensing payments options). You will be given a payment reference number; this must be entered into the 'Online payment reference number' box below. **If a valid reference number is not entered, we will be unable to process your application, causing a delay in acknowledging your notice.**

Payment reference number

Your application must be submitted **at least 10 working days** before the event, not including the day of submission and the day of the event. Or in the case of a late temporary event notice, 5 working days prior to the event, not including the day of submission. Failure to do so will result in the temporary event notice being refused.

We will email you a copy of the completed form upon submission. You should keep this for your records. If you do not receive this email, then we have not received your application.

We will forward copies to the Police Licensing Officer on behalf of the Chief of Police and to the Environmental Health Team. The Licensing Authority will provide written acknowledgement of the notice.

Premises User

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.

Title

Forename

Surname

Please provide details of any previous names.

Previous Names

Title	Forename	Surname

Date of birth

Place of birth

National Insurance Number

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box below)

Address

Postcode

E-mail address

Daytime telephone number

Evening telephone number

Mobile number

Alternative address for correspondence If you complete the details below, we will use this address to correspond with you

Premises Details

Premises Details

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)

Grove Park, Court Drive, Dunstable, LU5 4GP.

We would be fencing an area of Grove Park off, directly opposite the HQ Sports Bar. The area will not block any of the pedestrian paths, will be kept purely to the grass area.

Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)?

No

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

The area will be completely fenced off, with site fencing, restricting anyone being able to climb in or out of the area.

Describe the nature of the premises

Dunstable Town Council park land. We have been given permission to apply for this event by Dave Ashley from Dunstable Town Council.

Describe the nature of the event

The event will be to create a 'fan zone' for England supporters for all knockout stages of this years 2018 World Cup. These games run from the 1st July to the possibility of the final on the 15th July (England wont make it that far) The 'fan zone' will show England games live on a big screen. Only England games will be aired.

Licensable Activities

Licensable Activities

Please state the licensable activities that you intend to carry on at the premises.

- The sale by retail of alcohol
- The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club
- The provision of regulated entertainment
- The provision of late night refreshment
- Are you giving a late temporary event notice?

Dates on which you intend to use these premises for licensable activities

The absolute maximum games, fixtures depending**
~~Either 2nd/3rd July 19:00 kick off time. Ref16.~~
~~Either 6th/7th July 19:00/15:00 KO. Qrt Finals~~
~~Either 10th/11th July 18:00 KO. Semi Finals~~
Either 13th/14th July 15:00/16:00 KO Finals or 15th July

Times during the event period that you propose to carry on licensable activities (please give times in 24 hour clock)

~~2nd/3rd July 14:00 - 23:00~~
~~**6th July 14:00 - 00:00~~
~~**7th July 11:00 - 22:00~~
(* can only be one of these dates)
~~10th/11th July 13:00 - 23:00~~
13th/14th July 11:00 - 22:00 or 15th July 11:00 - 22:00

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

499

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

On the premises only

Please state if the licensable activities will include the provision of relevant entertainment.

No

Personal Licence

Personal Licence Holders

Do you currently hold a valid personal licence?

Yes

Issuing licensing authority	Central Bedfordshire Council
Licence number	14/019041
Date of issue	07/04/2014
Date of expiry	
Any further relevant details	

Previous Temporary Event Notices

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

Number of temporary event notices you have given for events in that same calendar year

2

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

Associates

Associates and Business Colleagues

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?

No

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

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:

No

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

No

b) begins 24 hours or less after the event period proposed in this notice?

No

Submit Application

Data Protection

The information submitted in this document was collected for the following purposes:

- Reason of Licensing Services

Central Bedfordshire Council ensures any personal data collected will be retained securely for as long as necessary, and only used for legitimate Council activities to facilitate the delivery of Council services, or for the purpose of preventing and/or detecting fraud and/or crime, in accordance with the Data Protection Act 1998.

Central Bedfordshire Council's Data Protection Policy is available from the website at <http://www.centralbedfordshire.gov.uk/contact-us/website/data-protection.aspx> or by writing to the Corporate Data Protection Officer at Central Bedfordshire Council Offices, Priory House, Monks Walk, Chicksands, Shefford, Bedfordshire, SG17 5TQ.

I have read the Central Bedfordshire Council personal information statement and consent to the personal information I have provided on this form being used for the purposes stated.

Please confirm you have read above statements

Yes, I have read above statements

Submit Application

It is a requirement that you send at least one copy of this notice to the licensing authority at least ten working days (or five working days for a late notice) before the commencement of the proposed licensable activities. The authority will give you written acknowledgement of the receipt of the notice. This will be important proof that you gave the notice and when you gave it for the purposes of the Act. Some premises may be situated in two licensing authority areas, for example, where a building or field straddles the local authority boundary. Where this is the case, at least one copy of the notice must be sent to each of the licensing authorities identified, together with the appropriate fee in each case. In such circumstances, you will receive acknowledgements from all the relevant licensing authorities.

One copy must be sent to each of the chief officer of police and the local authority exercising environmental health functions for the area in which the premises is situated at least ten working days for a standard notice (or five working days for a late notice) before the commencement of the proposed licensable activities. Where the premises are situated in two police areas or environmental health areas, a further copy will need to be sent to the second police force and local authority exercising environmental health functions.

By submitting this form I understand that it is an offence:

1. to knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on conviction for such an offence to a fine up to level 5 on the standard scale; and
2. to permit an unauthorised licensable activity to be carried on at any place and that a person is liable on 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.

Condition

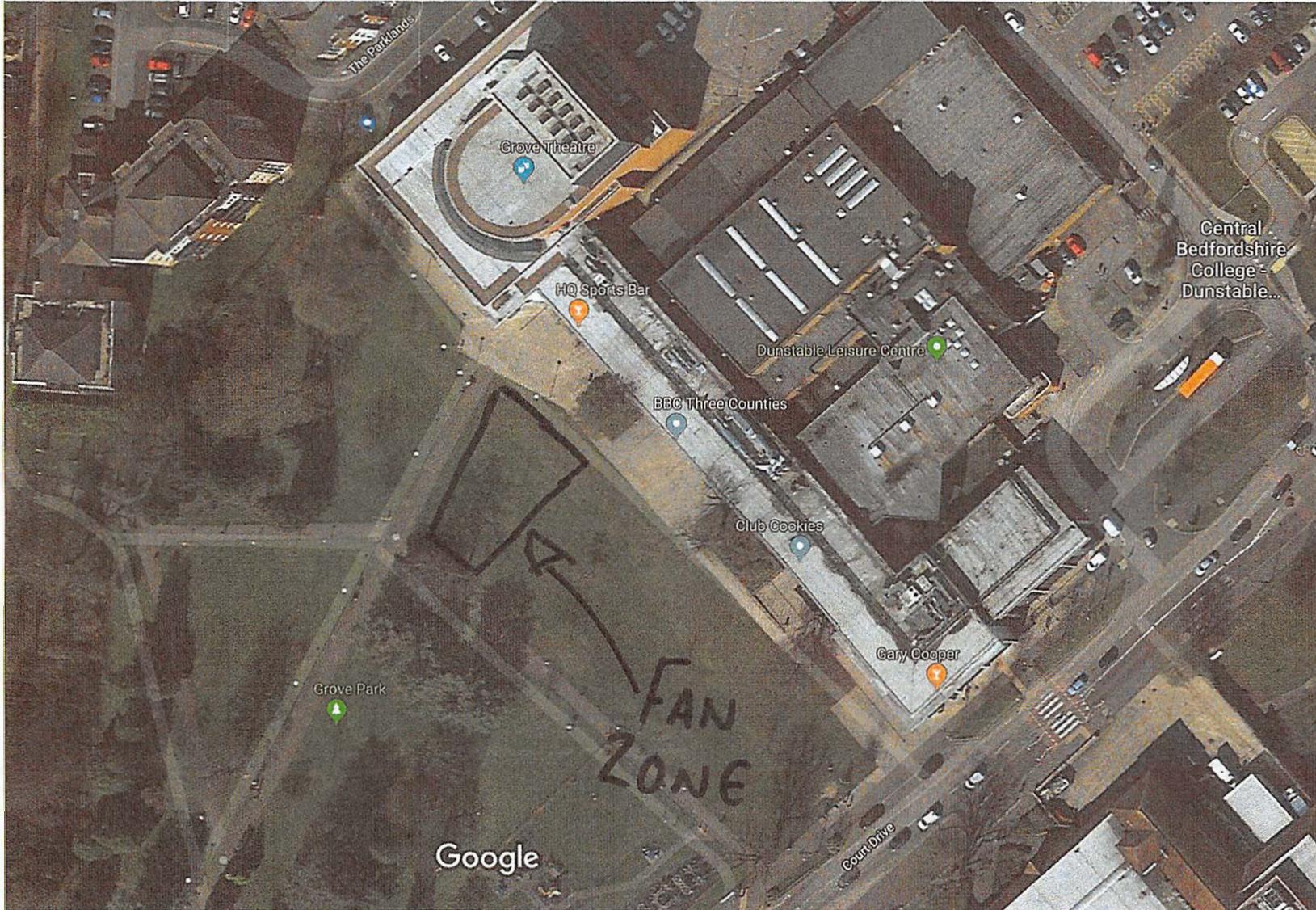
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.

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 an unlimited fine; 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 an unlimited fine, or to imprisonment for a term not exceeding six months, or to both.

Applicant

Signed

Submission date



Imagery ©2018 Google, Map data ©2018 Google 20 m

This page is intentionally left blank

Nicola O'Donnell

From: Licensing Enquiries
Sent: 27 June 2018 12:22
To: Nicola O'Donnell
Subject: FW: HQ Sports Bar 'FanZone'
Attachments: Fan Zone

Nicola O'Donnell
Licensing Compliance Officer
Licensing (Public Protection)

Central Bedfordshire Council Watling House High Street North Dunstable Bedfordshire LU6 1LF
Telephone: 0300 300 8307
Email: nicola.odonnell@centralbedfordshire.gov.uk

Central Bedfordshire - A great place to live and work – www.centralbedfordshire.gov.uk

Information security classification* of this email: **UNCLASSIFIED**

*Information security definitions:

OFFICIAL – Loss could cause some damage to the Authority

OFFICIAL – SENSITIVE – Loss could cause severe damage to the Authority

UNCLASSIFIED – Loss would cause little or no damage to the Authority

From: [REDACTED]
Sent: 27 June 2018 12:13
To: Licensing Enquiries <Licensing.Section@centralbedfordshire.gov.uk>
Subject: Fwd: HQ Sports Bar 'FanZone'

[REDACTED]
HQ Sports Bar

Begin forwarded message:

From: [REDACTED]
Subject: HQ Sports Bar 'FanZone'
Date: 19 June 2018 at 17:54:56 BST
To: "FEW, Karen 8102" [REDACTED]

Hi Karen

As we discussed earlier, I just want to put over the idea of a 'fan zone' in the grove park area opposite HQ.

This has all come about from the mayhem from the first game, where HQ have been on the news for the celebrations. So far we have been on 'Good Morning Britain', BBC News, ITV News, Express

online, The Guardian, CNN, ESPN and Englands official England page, as well as numerous large Facebook and twitter pages. We are expecting bigger numbers for the next set of games off of all this.

The plan...

England 'fan zone' in the area I have highlighted below..

We would look to run this area exactly the same we do with HQ Sports Bar.

We're looking to install this on the weekend of the 30th June ready for the knockout games starting on 2nd/3rd July, we would look to keep the area up for as long as England are in the competition (so will probably come down on the 4th July) and the area would only be used for England matches. I understand by leaving it up, we may have to look into some overnight security.

The area will be fully fenced off with a non see through fence so no one can be watching the big screen from the park area.

We would work with a one way in, and one way out entrance/ exit system.

We would look to have the exact same number of door staff as we do for HQ, meaning we would have around 20 door staff across both the fan zone and HQ.

Within the fan zone we would have, one large tv, sound system, portable toilets, bar area, we would also look to install our own portable CCTV within the area. The council camera would also have a full unrestricted view of the zone.

Like HQ, we would only be serving in plastic cups for the duration.

We would also like to look into getting volunteers// stewards for the event, and of course there would be at least one first aider in the zone at all times.

I have had a conversation with Dave Ashley at Dunstable Town Council and he was on board with the idea.

If you have any further questions ab out the idea, please let me know or feel free to give me a ring at any time.

Look forward to hearing from you.

Kind Regards


HQ Sports Bar



Appendix D

Licensing Department
Central Bedfordshire Council

PC 138 Darren WELCH
Licensing Officer
Luton Police Station
Buxton Road
Luton
LU1 1SD

T01582394269
LicensingCentral@bedfordshire.pnn.police.uk

24/06/2018

Dear Sir or Madam,

**RE: Licence application Grove Park, Court Drive, Dunstable, LU5 4GP -
CB/LTEN/18/036327 06/07/18 – 07/07/18**

Objection Notice

On behalf of the Chief Officer of Bedfordshire Police, I wish to make the following representations, and object to this TEN application.

It is the opinion of Bedfordshire Police that the granting of this TEN application will undermine the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and protection of children from harm.

The applicant is proposing to fence off an area in a public park, owned by Dunstable Town Council, that place being Grove Park in Dunstable, and broadcast on a large screen, an England football game and also sell alcohol for 499 people.

The area concerned is situated outside the premises of other businesses, who will be wanting to carry on with their normal daily business without the noise and disruption that this open air broadcast will undoubtedly bring with it. The proposed event is also near to a number of dwellings and a children's play area. As the event will be filled with around 499 (less staff) football fans, there is an increased risk that many football songs and chants, which may include profanities, will be sung and heard by others who may well be in the area for other purposes other than watching the football, for instance there are performances being shown at The Grove Theatre on both days. The park area that the applicant is intending to use is owned by Dunstable Town Council and is in an area which I believe is covered by a PSPO. Football matches of this kind, by their very nature, are regularly linked with disorder, add alcohol to it, and this greatly increases the risk of spontaneous disorder, thereby greatly threatening the licensing objectives. It is also fair to say that the vast majority of these matches are broadcast within licensed premises that come with the protection of many conditions that a premises license brings, ensuring that the licensing objectives are not undermined. As this temporary

premise has no existing license then the ability to impose conditions for these periods are not available.

Also events of this kind will normally have been arranged many months in advance with a multi-agency approach, such as a SAG, to ensure the safe running of them. This event has not had such planning and this also raises serious concerns.

Yours Sincerely,

Darren WELCH

Licensing Officer

BEDFORDSHIRE POLICE



Licensing Department
Central Bedfordshire Council

PC 138 Darren WELCH
Licensing Officer
Luton Police Station
Buxton Road
Luton
LU1 1SD

T01582394269
LicensingCentral@bedfordshire.pnn.police.uk

24/06/2018

Dear Sir or Madam,

**RE: Licence application Grove Park, Court Drive, Dunstable, LU5 4GP -
CB/LTEN/18/036332 10/07/18 – 11/07/18**

Objection Notice

On behalf of the Chief Officer of Bedfordshire Police, I wish to make the following representations, and object to this TEN application.

It is the opinion of Bedfordshire Police that the granting of this TEN application will undermine the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and protection of children from harm.

The applicant is proposing to fence off an area in a public park, owned by Dunstable Town Council, that place being Grove Park in Dunstable, and broadcast on a large screen, an England football game and also sell alcohol for 499 people.

The area concerned is situated outside the premises of other businesses, who will be wanting to carry on with their normal daily business without the noise and disruption that this open air broadcast will undoubtedly bring with it. The proposed event is also near to a number of dwellings and a children's play area. As the event will be filled with around 499 (less staff) football fans, there is an increased risk that many football songs and chants, which may include profanities, will be sung and heard by others who may well be in the area for other purposes other than watching the football, for instance there are performances being shown at The Grove Theatre on both days. The park area that the applicant is intending to use is owned by Dunstable Town Council and is in an area which I believe is covered by a PSPO. Football matches of this kind, by their very nature, are regularly linked with disorder, add alcohol to it, and this greatly increases the risk of spontaneous disorder, thereby greatly threatening the licensing objectives. It is also fair to say that the vast majority of these matches are broadcast within licensed premises that come with the protection of many conditions that a premises license brings, ensuring that the licensing objectives are not undermined. As this temporary

premise has no existing license then the ability to impose conditions for these periods are not available.

Also events of this kind will normally have been arranged many months in advance with a multi-agency approach, such as a SAG, to ensure the safe running of them. This event has not had such planning and this also raises serious concerns.

Yours Sincerely,

Darren WELCH

Licensing Officer

BEDFORDSHIRE POLICE



Licensing Department
Central Bedfordshire Council

PC 138 Darren WELCH
Licensing Officer
Luton Police Station
Buxton Road
Luton
LU1 1SD

T01582394269
LicensingCentral@bedfordshire.pnn.police.uk

24/06/2018

Dear Sir or Madam,

**RE: Licence application Grove Park, Court Drive, Dunstable, LU5 4GP -
CB/LTEN/18/036335 14/07/18 – 15/07/18**

Objection Notice

On behalf of the Chief Officer of Bedfordshire Police, I wish to make the following representations, and object to this TEN application.

It is the opinion of Bedfordshire Police that the granting of this TEN application will undermine the licensing objectives of the prevention of crime and disorder, the prevention of public nuisance and protection of children from harm.

The applicant is proposing to fence off an area in a public park, owned by Dunstable Town Council, that place being Grove Park in Dunstable, and broadcast on a large screen, an England football game and also sell alcohol for 499 people.

The area concerned is situated outside the premises of other businesses, who will be wanting to carry on with their normal daily business without the noise and disruption that this open air broadcast will undoubtedly bring with it. The proposed event is also near to a number of dwellings and a children's play area. As the event will be filled with around 499 (less staff) football fans, there is an increased risk that many football songs and chants, which may include profanities, will be sung and heard by others who may well be in the area for other purposes other than watching the football, for instance there are performances being shown at The Grove Theatre on both days. The park area that the applicant is intending to use is owned by Dunstable Town Council and is in an area which I believe is covered by a PSPO. Football matches of this kind, by their very nature, are regularly linked with disorder, add alcohol to it, and this greatly increases the risk of spontaneous disorder, thereby greatly threatening the licensing objectives. It is also fair to say that the vast majority of these matches are broadcast within licensed premises that come with the protection of many conditions that a premises license brings, ensuring that the licensing objectives are not undermined. As this temporary

premise has no existing license then the ability to impose conditions for these periods are not available.

Also events of this kind will normally have been arranged many months in advance with a multi-agency approach, such as a SAG, to ensure the safe running of them. This event has not had such planning and this also raises serious concerns.

Yours Sincerely,

Darren WELCH

Licensing Officer

BEDFORDSHIRE POLICE



MEMORANDUM

From : Alan Stone Technical Officer	To : Nicola O'Donnell Licensing Co-Ordinator
--	---

Case Reference: CB/LTEN/18/036327

Trading Name:

Address: Grove Park, Court Drive, Dunstable, LU5 4GP

Objection Notice

Thank you for consulting Public Protection on this application.

I met with Jamie Head and others (police, licensing, Grove Theatre etc) regarding the HQ Sports Bar and their plans for the England games in the world cup 2018. This 'fan zone' was not mentioned at this meeting. What was discussed (and subsequently agreed) was a fenced off area immediately outside the premises.

This proposed 'fan zone' would introduce more noise to this area which is close to residential properties. I can see no mention of how to minimise or mitigating the noise from these area e.g. dispersion of customers after the event, orientation of speakers and volume levels, leaflets to residential units potentially affected etc. I therefore have to raise an objection at this stage as there is potential to cause a public nuisance.



MEMORANDUM

From : Alan Stone Technical Officer	To : Nicola O'Donnell Licensing Co-Ordinator
--	---

Case Reference: CB/LTEN/18/036332

Trading Name:

Address: Grove Park, Court Drive, Dunstable, LU5 4GP

Objection Notice

Thank you for consulting Public Protection on this application.

I met with Jamie Head and others (police, licensing, Grove Theatre etc) regarding the HQ Sports Bar and their plans for the England games in the world cup 2018. This 'fan zone' was not mentioned at this meeting. What was discussed (and subsequently agreed) was a fenced off area immediately outside the premises.

This proposed 'fan zone' would introduce more noise to this area which is close to residential properties. I can see no mention of how to minimise or mitigating the noise from these area e.g. dispersion of customers after the event, orientation of speakers and volume levels, leaflets to residential units potentially affected etc. I therefore have to raise an objection at this stage as there is potential to cause a public nuisance.



MEMORANDUM

From : Alan Stone Technical Officer	To : Nicola O'Donnell Licensing Co-Ordinator
--	---

Case Reference: CB/LTEN/18/036335

Trading Name:

Address: Grove Park, Court Drive, Dunstable, LU5 4GP

Objection Notice

Thank you for consulting Public Protection on this application.

I met with Jamie Head and others (police, licensing, Grove Theatre etc) regarding the HQ Sports Bar and their plans for the England games in the world cup 2018. This 'fan zone' was not mentioned at this meeting. What was discussed (and subsequently agreed) was a fenced off area immediately outside the premises.

This proposed 'fan zone' would introduce more noise to this area which is close to residential properties. I can see no mention of how to minimise or mitigating the noise from these area e.g. dispersion of customers after the event, orientation of speakers and volume levels, leaflets to residential units potentially affected etc. I therefore have to raise an objection at this stage as there is potential to cause a public nuisance.

This page is intentionally left blank

Further Information

The applicant Jamie Head is heavily involved in the day to day running and management of HQ Sports Bar. Bedfordshire Police have several concerns about these planned events. The majority of the concerns are described in the objection letters, however we are also worried about the lack of planning, preparation, the organisational / management abilities of the applicant to manage such an event and the competence of the staff who will be serving alcohol to customers on the day.

Firstly, to date, and to our knowledge, there has been no Risk Assessment submitted to any of the relevant authorities for these events. We would consider the development and submission of a risk assessment, one of the first things to be completed as this would form the 'route map' as what threat / harm / risk there would be to those attending, staff, security and even those who live nearby or are simply attending the area on other business. An event of this nature would almost certainly be discussed at a Safety Advisory Group level and this has not been done and a SAG event notification form has not been completed. The applicant did suggest that the same level of security would be used to manage these events as that has been used to manage the screening of the games inside the HQ Sports Bar, however the applicant has again shown no detail as to why he thinks the management of these events will be identical to those inside a premise that carries the protections of numerous conditions that a premise licence affords. Recent posts on the Facebook page of HQ Sports Bar show the type of noise levels and behaviour that could easily be expected at these events.

There have been a couple of incidents in the past few months which have also brought into question the applicants organisational and planning skills:

- On Saturday 7th April 2018 police had cause to attend The Dunstable Conference Centre following a call regarding some minor disorder. Upon our arrival we noted that a 'White Collar Boxing' event was being hosted. We spoke to Jamie Head, the applicant as it transpired he was heading the event and selling alcohol in the location. The Dunstable Conference Centre has no premises licence and both boxing and the sale of alcohol by retail are both licensable activities that required a TEN. Mr Head assured us he had applied for a TEN. Upon checking our records we found that the event had taken place without a TEN in place. Mr Head stated that he had applied for a TEN and sent it in an email to 'Pat' at Central Bedfordshire Council. When he was asked if he had had any reply to the application he stated he had not, but he still continued to hold an event without first carrying out the due diligence as to whether he was licensed to or not. Mr Head was sent a warning letter by Bedfordshire Police licensing team (see document 1 Appendix B).
- On Tuesday 22nd May 2018 there was meeting that took place at HQ Sports Bar between various partner agencies and those who had a direct interest in HQ Sports Bars' screening of the World Cup. A brief description of some of the issues spoken about at the meeting were made by Karen Few (see document 2 Appendix B). During this meeting Mr Head gave assurances that there would be no screening of the games outside of the premises. He also stated that he was concerned and unsure on

how he was going to manage the queues outside his door, again bringing in to question his ability to run an event of this magnitude.

On Friday 23rd March 2018, Bedfordshire Police Licensing Department carried out a test purchase operation, Op Farm. This operation entailed actors who were pretending to be excessively drunk entering premises and attempting to purchase alcohol. They were successful in purchasing alcohol from HQ Sports Bar and were in fact encouraged to order 'doubles' by the member of staff who served them. This was highlighted to the venue as a concern and a probable training issue. We are concerned that with these events being held as an 'annex' of HQ Sports Bar that lots of extra staff will be drafted in and a concern of how well trained they will be at identifying those already excessively drunk.

These events also have an impact on how they will be policed. There is always concern with events such as these and this has also been raised by A/Chief Inspector Mark Farrant and he has expressed this in an email he sent out to various partners (see document 3 Appendix B).

APPENDIX B

Document 1



Jamie HEAD
HQ Sports Bar
5-6 Grove Park
Court Drive
Dunstable
LU5 4GP

Our CS/LT/0/2017/12291
ref:
Date: 24/04/18

Dear Mr Head

I write following a visit to The Dunstable Conference Centre on Saturday 7th April 2018 by PS Liam Mitchell and myself. Whilst there we found a boxing event was being hosted at the venue and asked to speak with the person who was running it. It became apparent that you were heading, or at least organised the event and had not obtained a Temporary Event Notice. Boxing is a licensable activity and as such a TEN or premises license needs to be in place for this activity go ahead.

I must advise you that carrying out unlicensed activities may mean that the premises are at risk of being closed under **Section 80 (5) of the Antisocial Behaviour Crime and Policing Act 2014**, which enables a senior police officer or council official to close premises for up to 48 hours and to seek an order from a Magistrates' Court that the premises remain closed for a further **3 months**. This could also mean that the organiser could be breaching **Section 136 of the Licensing Act 2003**, which can carry an **unlimited fine and / or 6 month imprisonment**. This could also affect any private alcohol license that is held or applied for. I cannot stress enough the importance ensuring that any future licensed event is covered with the appropriate TEN.

If you would like to discuss this, or any other relevant matters, further please contact me via the details below.

Darren WELCH

PC 138
Licensing Officer
Bedfordshire Police
Luton Police Station
Buxton Road
Luton
LU1 1SD
Telephone 01582 394269
Email LicensingCentral@bedfordshire.pnn.police.uk

Document 2

Meeting at the HQ Sports Bar on Tuesday 22/05/18 to discuss the screening of World Cup 2018 games

Attendees:

Jamie Head – HQ Sports Bar
Ed Deakin-White Harrison – HQ Sports Bar
Karen Few – Bedfordshire Police Licensing Officer
Darren Welch - Bedfordshire Police Licensing Officer
Jo Borthwick - Jo Borthwick Service Manager Public Protection – Central Bedfordshire Council
Hannah Hurd – Property Manager Stimpsons Eves
Ellie and 2 other team members – The Grove Theatre
Alan Stone – Environmental Health – Central Bedfordshire Council

Jamie confirmed that he has requested this meeting as he wishes to ensure that he has plans in place in relation to the screening of the forthcoming World Cup games.

Jamie wants to ensure the appropriate safety measures are implemented to cover both the inside of HQ and the surrounding area. Jamie is also keen to seek input from representatives from both the Central Bedfordshire council and neighbouring premises.

Capacity, promotion and ticket sales

HQ Sports Bar has a capacity of approximately 500 people. The screening of the games will be advertised on social media sites. 150 tickets (charge applicable) will be sold for each game and the remaining customers (to reach capacity, including staff) will be allowed in on a first come first served basis.

Safety Measures

- Plastics will be used all day;
- Between 10 and 12 security staff will be used during the screening of games, with 2 stationed at the entrance and two stationed in the outside area;
- The large plants pots outside will be removed;
- The furniture in smoking area will be removed and put into storage;
- Most of the internal furniture and pool tables will be cleared away;

- Portable toilets will be positioned to the right of the entrance (inside the barriers) which will ensure that people aren't queuing in the stairwells inside;
- Suggestion that pillars with ashtrays on them could be positioned near the grassed area;
- Free bottles of water will be handed out to customers.

Screens and Barriers

Hannah Hurd will investigate:

- Storage to accommodate the furniture being removed from the venue;
- Solid barriers/screens for the front of the premise to allow and create a larger area for entry and exit. This area will also accommodate the smoking and portable toilet area;
- High solid barriers/screens would be preferable to ensure that no one can jump over them and gain entry, that noise from inside the venue will be buffered and people will not be able to watch the games whilst standing outside (through the glass, as has happened in previous years).

The Grove Theatre – neighbouring premise

- Hannah Hurd will investigate the possibility of hiring temporary Security Staff for the Grove Theatre;
- Customers attempting to purchase drinks at the bar will be asked to show their tickets to ensure that HQ Sports Bar customers and not attempting to enter the premise solely to buy drinks;
- Confirmed that there are no major events at the premise on the key dates of 6th and 7th July;
- The premise has a big event on during 24th June.

Environmental Health/Noise Pollution

It was established that HQ Sports bar will not be serving any drinks, playing any music or screening any games outside of the premise. Alan Stone confirmed that these factors have alleviated his initial concerns. This being said, any noise complaints submitted as a result of these screenings will be investigated and this matter may have to be reviewed when the next major tournament takes place.

Consideration/Reminder

The grassed area outside the front of the premises on Grove Park/Court Drive is a no drinking area

Actions

- Karen Few will provide contact details (to Rhea at The Grove Theatre) for Mandy at CCTV so that Nite Net Radios can potentially be obtained allowing the Grove Theatre to talk directly to HQ Sports Bar;
- Jamie will provide details to Ellie regarding Security Staff they may wish to hire;
- Jamie will forward a site map showing the proposed sectioned off area at the front of the premise.

Karen Few 24/05/18

Document 3

From: "FARRANT, Mark 60" <mark.farrant@Bedfordshire.pnn.Police.uk>

Date: Friday, 22 June 2018 at 13:50

To: Jo Borthwick <[REDACTED]>, Susan Childerhouse
<[REDACTED]>

Cc: Andrew Stewart <[REDACTED]>, Licensing Enquiries
<[REDACTED]>, Richard Johns
<[REDACTED]>, Ben Salvatierra
<[REDACTED]>, Pollution
<[REDACTED]>, "WELCH, Darren 138"
<[REDACTED]>, "DIMMOCK, Ben 5337"
<[REDACTED]>

Subject: RE: HQ SPORTS BAR [OFFICIAL]

All – I just want to add some clarification about my concerns but also if you can get some confirmation on what Dunstable Town Council position is.

The proposed TEN means we are looking at 1000 people in the park or the premise itself. This is a significant event that is being planned merely with a few days' notice and little opportunity to plan. My assumption is that normally something like this would go through a SAG and be considered many months in advance. I have real concerns in relation both in relation to the increased risk of crime and disorder, but also around the public safety for this event.

However my biggest concern is that this land belongs to Dunstable Town Council. My understanding is that [REDACTED] has told them they could use the land if the Police had no objections. However when informed the police did have objections the reply was along the lines of 'I don't know if we can stop it?' My view is very simple it is their land and if they don't give permission then it stops any proposal.

I really just would like a definitive view as to whether this is an event Central Beds or Dunstable Town Council are looking to support.

Kind Regards

Mark

35

Mark Farrant

A/Ch Inspector 60

Resource Management and Ops Planning Unit



 mark.farrant@bedfordshire.pnn.police.uk

