

LICENSING SUB-COMMITTEE



Report subject	Tofts Beach - 3 Day Beach Sports and Evening Music Event
Meeting date	6 May 2022
Status	Public Report
Executive summary	<p>Mr Paul Drake has given notice under Section 100 of the Licensing Act 2003 for a Temporary Event Notice (TEN) for a 3 day beach sports and evening music event on 19th – 21st August 2022 inclusive to permit: -</p> <p><u>Regulated Entertainment</u></p> <ul style="list-style-type: none">• Beach DJ from 09:00 to 18:00• Evening Music DJ from 18:00 to 23:00 <p><u>Supply of Alcohol</u> (on the premises)</p> <ul style="list-style-type: none">• 18:00 to 23:00
Recommendations	<p>It is RECOMMENDED that:</p> <p>Members are asked to decide whether to: -</p> <p>a) Grant the Temporary Event Notice as made;</p> <p>b) Refuse the Temporary Event Notice as made.</p> <p>Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all relevant parties have been given the opportunity to speak. Members must give full reasons for their decision.</p>
Reason for recommendations	<p>The Licensing Authority has received objection notices from Dorset Police and Environmental Health concerned that the event will not uphold any of the licensing objectives.</p> <p>The Licensing Authority may only consider aspects relevant to the notice that has been raised in the objection.</p> <p>Where an objection has been received in relation to a notice by a responsible authority or any other person, and the concerns have not been resolved through mediation between all parties, the Scheme of Delegation set out in the Council's Constitution states that these applications should be dealt with by the Licensing Sub-Committee.</p>

Portfolio Holder(s):	Councillor Bobbie Dove – Community Safety and Regulatory Services
Corporate Director	Jess Gibbons – Chief of Operations
Report Authors	Sarah Rogers – Senior Licensing Officer
Wards	East Cliff and Springbourne
Classification	For Decision

Background

1. Notice for a TEN was received by the Licensing Authority on 21st April 2022. A copy of the notice is attached at Appendix 1.
2. The event is described as Beach sports activities (not fenced) between 09:00 and 18:00 to include beach soccer, beach rugby, beach tennis, beach volleyball, beach netball, footvolley and teqball.
3. There is a DJ with dancers and BBQ for up to 1,300 visitors and 200 competitors expected.
4. Licensable activities will take place between 18:00 and 23:00 with DJ music being played on stage to a maximum 499 visitors.
5. Market traders will be sited along the promenade (sand side).
6. A copy of the event management policies were subsequently received from the applicant on the 25th April 2022. A copy is attached at Appendix 2 which contains the Traffic Management Plan, Alcohol Management Plan, Drug Policy, Security and Stewarding Police and Noise Management Plan.

Consultation

7. The proposed event had not been brought to the attention of BCP Council's Event team until referred to them by the Licensing Authority upon receipt of the notice for a TEN. Events have invited the organiser to the Safety Advisory Group meeting on the 12 May 2022.
8. The notice was served on Dorset Police and Environmental Health on the 21st April 2022.
9. Objection notices were received from both the Police and Environmental Health, within the statutory time period. A copy of the representations are attached at Appendix 3.

Options Appraisal

10. There is no current licence for this site as such Members can only grant or refuse the application. No conditions can be attached on any grant.
11. Before making a decision, Member are asked to consider the following matters:
 - The objections made by Dorset Police and Environmental Health.

- The relevant licensing objectives, namely the prevention of crime and disorder, public safety, prevention of public nuisance and the protection of children from harm.
- The Licensing Act 2003, appropriate Regulations, Statutory Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018) and the Council's Statement of Licensing Policy.

Summary of financial implications

12. N/A

Summary of legal implications

13. If Members decide to refuse the application, by way of a counter notice, the applicant may appeal to the Magistrates' Court within a period of 21 days beginning with the day that the applicant is notified by the Licensing Authority of the decision appealed against.
14. No appeal may be brought later than five working days before the day on which the event periods specified in the TEN begin.

Summary of human resources implications

15. N/A

Summary of sustainability impact

16. N/A

Summary of public health implications

17. N/A

Summary of equality implications

18. N/A

Summary of risk assessment

19. N/A

Background papers

BCP Council – Statement of Licensing Policy

<https://democracy.bcpCouncil.gov.uk/documents/s21122/Statement%20of%20Licensing%20Policy.pdf>

Hearing Regulations

<https://www.legislation.gov.uk/ukSI/2005/44/made>

Revised Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

https://assets.publishing.service.gov.uk/government/uploads/system/uploads/attachment_data/file/705588/Revised_guidance_issued_under_section_182_of_the_Licensing_Act_2003_April_2018_.pdf

Appendices

- 1 – Copy TEN Application and Supporting Documentation
- 2- Copy of Management Plans and Policies
- 3 – Objection Notices from Dorset Police and Environmental Health