Record of a Licensing Sub-Committee hearing convened under The Licensing Act 2003 (Hearings) Regulations 2005 held in Room 13, Priory House, Chicksands, Shefford on 16 July 2019 from 10.38am to 11:15am

Present: Cllr R Berry
Cllr K Collins
Cllr T Wye

In attendance: Rochelle White LGSS Solicitor
Nicola O'Donnell Licensing Compliance Officer, CBC
Celina Jagusz Committee Services Officer, CBC
PC Leanne Kirsop Bedfordshire Police
PC Stacey Grundy Bedfordshire Police (observing)

For the TEN Applicant: The Applicant was in attendance

1. Election of Chair

Cllr K Collins was elected Chair for this Licensing Sub-Committee and opened the meeting with introductions.

2. Members' Interests

There were no declarations of interest.

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

The procedure for the hearing of applications under the Licensing Act 2003 was noted.

4. The Four Licensing Objectives

The four licensing objectives were noted as:

- Prevention of Crime and Disorder;
- Public Safety;
- Prevention of Public Nuisance; and
- Protection of Children from harm.
5. Objection to Temporary Event Notice (TEN) for Warren Farm, Steppingley

The Sub-Committee considered the report of the Head of Public Protection which set out the objection received from Bedfordshire Police regarding the Temporary Event Notice (TEN) which had been submitted for Warren Farm, Cobblers Lane, Steppingley, Bedford MK45 5AR.

Points and comments included:

- The TEN was received for the selling of alcohol on Friday 19 July (between 15:00hrs and 23:15hrs) and Saturday 20 July (between 11:00hrs and 23:15hrs) at an event at Warren Farm.
- It was noted that Warren Farm did not have a premises licence.
- Bedfordshire Police raised an objection as no information had been provided as to how the applicant would maintain the number of patrons (the limit was 499).
- Bedfordshire Police also noted that a TEN had previously been submitted for a camping and music event on the Saturday and Sunday for entertainment only.
- No comments were received from the Pollution Team.

In response to questions, the following comments were received:

- It was asked if the previously submitted TEN would be displaced by the outcome of this hearing and it was confirmed that the outcome would not impact on the previously submitted TEN as this referred to entertainment not alcohol.
- The Applicant noted that she had been booked for Friday and Saturday only.
- The Applicant had been in contact with the event organiser and had been assured that an entertainment licence was held and that a security team would be in place for the duration of the event.
- Bedfordshire Police confirmed that the original TEN did not refer to the true nature of the event and that it was being marketed on social media and online as a festival at a ‘secret location’ from Friday to Sunday and where the planned use of controlled drugs would take place.
- The marketing for this event gave an expectation of 1000+ people attending. It was noted that anything over 500 people would require a full licence.
- Bedfordshire Police noted that no provisions appeared to be in place to protect the public and there was a breach of licensing objectives: public safety and prevention of crime and disorder.
- The applicant was asked if she wished to modify the TEN and she confirmed that she wished to withdraw the TEN.

The Chair invited closing submissions from all present but there were no further comments.

The Sub-Committee and the Legal representative adjourned from 11.00am to 11:14am to make their decision in private.
Decision

Following consideration of the information before it, the Sub-Committee decided to issue a counter notice for Public Safety and Prevention of Crime and Disorder.

The Sub-Committee noted that the Applicant was not the event organiser and the reasons for issuing this counter notice related to concerns outside of the applicant's control.

The Sub-Committee concluded that the 499 maximum number of people limit for a TEN which was imposed by the Licensing Act 2003, would be exceeded if a counter notice was not issued. This was due to evidence from Bedfordshire Police that tickets in excess of this number had already been sold for the event.

The Sub-Committee attached a significant weight to evidence from Bedfordshire Police. That evidence demonstrated that the licensing objectives of the Prevention of Crime and Disorder and Public Safety would be undermined if a counter notice wasn't issued.

The Sub-Committee noted that the Applicant expressed a wish to withdraw the TEN application at the Sub-Committee hearing.

In coming to its decision, the Sub-Committee had taken into account:

- The Licensing Act;
- The Secretary of State’s Guidance issued under section 182 of the Licensing Act 2003;
- Central Bedfordshire Council’s Licensing Policy; and
- The merits of the application and the representations (including supporting information) presented by all parties.

The Legal representative informed the Sub-Committee that the Decision Notice would be issued within 5 working days.

The meeting concluded at 11:15am.