

LICENSING AND APPEALS SUB-COMMITTEE

Date and Time 8 July 2025 at 10.00 am
Location Council Chamber
Broxtowe Borough Council
Foster Avenue
Beeston
Nottingham
NG9 1AB

Applicant:	Peter Levey
Premises applied for:	TEN 1 and TEN 2 Trent Vale Recreational Ground Trent Vale Road Beeston Nottingham NG9 1ND
Type of application:	S100 Licensing Act 2003 Application for a Temporary Event Notice
Date application received	20.06.2025
Consultation period end	26.06.2025
Details of the event:	9 August 2025 TEN 1 = Regulated Entertainment 11:30 to 22:00 TEN 2 = Alcohol 11:30 to 22:00
Details of objection:	Objection to notices by Nottinghamshire Police and Environmental Health
Representations by Responsible Authorities	Grounds: Nottinghamshire Police The prevention of Crime and Disorder Environmental Health Public Safety
Attendances on behalf of the Applicant:	TBC
Attendances on behalf of Responsible Authorities	TBC

Focus of hearing:

The Panel may first need to consider whether the public should be excluded during part or all of the hearing of this matter under Regulation 14 of the Licensing Act 2003 (Hearings) Regulations 2005.

14. Hearing to be public

- (1) Subject to paragraph (2), the hearing shall take place in public.
- (2) The licensing authority may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public.

(3) For the purposes of paragraph (2), a party and any person assisting or representing a party may be treated as a member of the public.

Reason for Hearing

The Licensing Authority has received a notice of objection from Nottinghamshire Police and Broxtowe Borough Council Environmental Health in respect the TEN 1 and TEN 2. These can be found at **Appendices 1 and 2**.

Representations have been received relating to the licensing objectives as follows:

- **Prevention of crime and disorder**
- **Public Safety**

Those making representations were asked to consider any conditions that they would like the Licensing Committee to consider attaching to the licence if they are minded to grant it. These responses can be found in **Appendix 3**.

The panel should consider what weight should be given to the representations.

In accordance with the provisions of s.105(2)(a) of the Licensing Act 2003 (“the Act”) where an objection notice is received the Licensing Authority must hold a hearing to consider the objection notice.

The legal representative at the hearing will give legal advice to the panel and attendees regarding what can and what cannot be taken into consideration regarding the licensing objectives.

No agreement has been reached between the applicant and the objectors.

Both the Applicant and objectors have been invited to attend the Licensing Panel hearing and are able to speak at the meeting.

Section 106 of the Act does allow for the modification of a TEN following the receipt of an objection notice. At any time before the hearing is held the Party who made the objection may, with the agreement of the premises user, modify the TEN by making changes to it. Where the TEN is modified in that way then the objection notice is treated as being withdrawn.

Once members have considered the Objection Notice the Licensing Panel may issue a counter notice in response to the TEN, under s.105(2)(b) of the Act, where it considers it appropriate for the promotion of a licensing objective to do so. A counter notice means that the events could not take place. Alternatively, as the premises has an existing premises licence (**Appendix 7**) the Panel could decide to impose conditions in respect of the events, under s.106A(2) of the Act.

Relevance of representations

- The panel should consider what weight should be given to the representations.

Consideration of the application

Whether upon consideration of the facts, that the grant of an application by Peter Levey in the terms applied for will undermine the above mentioned licensing objectives.

In considering this application, the Licensing and Appeals Sub-Committee will have regard to:

- The content of the applications **(Appendix 1)**
- The representations from the Responsible Authorities **(Appendix 2)**
- Further information requested from the Responsible Authorities **(Appendix 3)**
- The guidance issued under 182 of the Licensing Act 2003 (As updated) – Chapter 7 **(Appendix 4)**
- The council's "Statement of Licensing Policy" 2024 – 2029 and in particular:
 - Sections 6 **(Appendix 5)**
 - Policy 2:

Policy 2

When preparing or considering applications, applicants, responsible authorities, other persons, businesses and the Licensing Authority shall, where appropriate, take into account the following matters in assessing both the potential for the Licensing Objectives to be undermined and the appropriateness of any conditions which may be offered or imposed on any resulting licence, certificate or permission:

- (i) The nature of the area within which the premises are situated.
- (ii) The precise nature, type and frequency of the proposed activities.
- (iii) Any measures proposed by the applicant in the Operating Schedule.
- (iv) The nature (principally in terms of the age and orderliness) and number of any customers likely to attend the licensed premises.
- (v) Means of access to and exit from the premises.
- (vi) The provision and availability of adequate seating and the restriction of standing areas
- (vii) Noise from the premises or noise arising from persons visiting the premises
- (viii) The potential cumulative impact
- (ix) Other means and resources available to mitigate any impact.
- (x) Such other matters as may be relevant to the application.

REASON: To ensure that all relevant matters are taken into consideration during the application process.

Recommendations

That Members are asked to consider the Temporary Event Notices and the representations made for the events at Trent Vale Recreational Ground on 9 August 2025 and take the steps as it considers appropriate for the promotion of the licensing objectives.

The steps available on determination of a Temporary Event Notice are:

- **To accept the Temporary Event Notice**
- **To reject the Temporary Event Notice and issue a Counter Notice**
- **To add conditions to the Temporary Event Notice**

List of Appendices

Appendix 1 – Applications and plan

Appendix 2 – Relevant representations

Appendix 3 – Further information requested by the Licensing Authority Responses

Appendix 4 – Chapter 7 of S182 Guidance

Appendix 5 – Section 6 of BBC Statement of Licensing Policy

Appendix 6 – Procedure for hearing

Appendix 7 - Premise licence for Trent Vale Sports Club