

**LICENSING SUB-COMMITTEE**

24<sup>th</sup> August 2017

**LICENSING ACT 2003**

**OBJECTION NOTICES TO A STANDARD  
TEMPORARY EVENT NOTICE (TEN)**

**MRS PARAMJIT KAUR DHESI**  
for  
**'THE LOUNGE', 21 LONDON ROAD, LANGLEY,  
SL3 7RL**

Objection Notices served by

**NATALIE WORLEY – SENIOR ENFORCEMENT  
OFFICER (EHO) for SLOUGH BROUGH  
COUNCIL , and**

**SERGEANT WHITE, THAMES VALLEY POLICE**

**'Relevant Persons' under the Licensing Act  
2003**

**1. CURRENT POSITION**

The Premises User, Mrs Paramjit Kaur Dhesei has submitted a Temporary Event Notice (TEN) for 'The Lounge', 21 London Road, Langley, Slough, SL3 7RL for the provision of the Licensable Activities and times as follows;

- **The sale by retail of alcohol for consumption On and OFF the premises**
- **The provision of regulated entertainment**
- **The provision of late night refreshment**

**On Sunday 27<sup>th</sup> August 2017 between 00.00 and 06.00 am.**

**The nature of the event is to air to the public a boxing sporting event.**

A copy of the Temporary Event Notice is attached at **Appendix A.**

**2. OBJECTION NOTICE**

- 2.1 Objection notices have been served by a Natalie Worley, Senior Enforcement Officer (EHO) for Slough Borough Council and Sergeant White on behalf of the Chief Officer of Police of Thames Valley Police both 'Relevant Persons' under the Licensing Act 2003, as amended by the Police Reform and Social Responsibility Act 2011.

2.2 In accordance with the 2003 Act and associated regulations a copy of the objection notices have been served on the Licensing Authority, other 'Relevant Persons' and the Premises User.

2.2.1 The full Objection Notice served by Natalie Worley (EHO) attached at **Appendix B** has been served on the grounds of **The Prevention of Public Nuisance** and can be summarised as follows:

2.2.2 The Enforcement team are currently investigating 2 complaints of noise emanating from the licensed premises, which relate to loud amplified music and noise from persons attending the venue. A statutory nuisance abatement notice was served on 17<sup>th</sup> May 2017 on Mrs Dhesi, the premises licence holder, and Mr Taranjit Singh Dhanowalia, the Designated Premises Supervisor (DPS) on grounds of nuisance by noise arising from 'loud amplified music', requiring them to ensure that amplified music does not cause a nuisance to nearby residents . Since the service of the noise abatement notices, a further noise complaint has been received.

2.2.3 The full Objection Notice served by Sergeant White attached at **Appendix C** has been served on the grounds of **The Prevention of Crime and Disorder, Public Safety and the Prevention of Public Nuisance** and can be summarised as follows:

2.2.4 A number of visits and inspections by the Police, Licensing Officers and Environmental Health Officers have been conducted at the premises both as normal inspections and as resulting from complaints being made by local residents. The complaints being made relate to loud and excessive noise arising from music and patrons at the premises; allegations of possible drug use; anti-social behaviour; an obstructed fire exit; failure to close the beer garden and the premises at the required times at night; and the DPS Mr Dhanowalia being un-co-operative and obstructive towards the Police and Council officers.

### **3. THE PREMISES**

3.1 The Premises subject for the use of the TEN has a Premises Licence number **PL0051** in existence. A copy of the current Premises Licence is attached at **Appendix D**.

### **4. OPTIONS AVAILABLE TO THE LICENSING SUB COMMITTEE**

4.1 There are various options available to the Licensing Sub Committee which are as follows:

#### **a) Standard TEN**

- If the Relevant Persons' objections are not considered to merit issuing a Counter-Notice or the imposition of licensing conditions, the TEN will be deemed as in order and the event will proceed.
- Written notice must be given to the Premises User and all Relevant Persons to that effect.

- The Relevant Person serving the Objection Notice may appeal against the decision to the Magistrates Court with 21 days commencing on the day the Licensing Authority notified them of the decision.
- An appeal may not be brought later than 5 working days before the first day of the event period specified.

**b) Standard TEN - Counter Notice Served.**

- Having regard to the Objection Notices and to any relevant evidence and representations at the hearing, the Licensing Sub Committee must issue a Counter Notice if it considers it appropriate for the promotion of a licensing objective.
- A copy of the Counter Notice must be served on the Premises User and all Relevant Persons.
- The Premises User may appeal against the decision to the Magistrates Court with 21 days commencing on the day the Licensing Authority served the Counter Notice.
- An appeal may not be brought later than 5 working days before the first day of the event period specified.

**c) Standard TEN – imposing existing licence conditions thought appropriate and Counter Notice NOT Served.**

The Licensing Authority may impose one or more of the existing licence conditions on a Standard TEN, where:

- A Relevant Person has given an Objection Notice in respect of the Standard TEN;
- The Objection Notice has not been withdrawn;
- The Licensing Authority (following a hearing) has not given a Counter Notice;
- The conditions are already imposed on a Premises Licence or Club Premises Certificate in respect of part or all of the same premises that the TEN applies to;
- The Licensing Authority considers it appropriate to impose those conditions on the Standard TEN for the promotion of the Licensing Objectives; and
- The conditions would not be inconsistent with carrying out the Licensable Activities under the TEN.

Where the Licensing Authority has imposed conditions on the Standard TEN in accordance with the above criteria, it MUST:

- Give the Premises User a formal Notice of the decision
- The Notice must be accompanied by a separate ‘Statement of Conditions’ which sets out the conditions imposed on the Standard TEN, and
- Serve a copy of the Notice and the Statement of Conditions on all Relevant Persons.
- The Notice and Statement of Conditions must be given no later than 24 hours before the beginning of the event.
- The Premises User may appeal against the decision to the Magistrates Court with 21 days commencing on the day the Licensing Authority served the Counter Notice.

- An appeal may not be brought later than 5 working days before the first day of the event period specified.

*NB: Conditions cannot be imposed on a TEN where the 'Premises' does not already have the benefit of a Premises Licence or Club Premises Certificate. In such circumstances the Licensing Authority may only deem the TEN in order or issue a 'Counter Notice'. There is no power to devise 'bespoke' conditions for the event that are not already attached to a Premises Licence or Club Premises Certificate.*

*There is a power for the objecting Relevant Persons to agree modifications to the Standard TEN with the Premises User, in return for withdrawing their objections, but this must be done before the hearing is held.*

## **5. RELEVANT GUIDANCE AND POLICIES**

5.1 The Licensing Sub Committee must have regard to:

- The Licensing Act 2003 (as amended by the Police Reform and Social Responsibility Act 2011)
- The Section 182 Guidance (revised April 2017) issued by the Secretary of State
- The Slough Borough Council Statement of Licensing Principles (December 2014 -2019)

## **6. APPENDICES**

Appendix A - Temporary Event Notice

Appendix B - Objection Notice – Natalie Worley, Environmental Health

Appendix C - Objection Notice – Sergeant White, Thames Valley Police

Appendix D - Premises Licence PL0051

Appendix E – Home Office Guidance on Temporary Event Notices

### **Contact Officer**

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