

## Matthew Burton

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**From:** Matthew Burton  
**Sent:** 14 August 2023 11:15  
**To:** info@the-carlton.co.uk  
**Cc:** licensing; Robert Thomas; Environmental\_Health; Licensing HQ; Lisa Roberts  
**Subject:** RE: URGENT - Temporary Event Notice for 27-28th August 2023 - OBJECTION RECEIVED

**Importance:** High

Tracking:	Recipient	Delivery	Read
	info@the-carlton.co.uk		
	licensing	Delivered: 14/08/2023 11:15	
	Robert Thomas	Delivered: 14/08/2023 11:15	Read: 14/08/2023 11:36
	Environmental_Health	Delivered: 14/08/2023 11:15	
	Licensing HQ		
	Lisa Roberts		

Dear Mr Clegg,

In furtherance to my email from Friday, as I have not received a response, I have begun to organise a Licensing Sub-Committee meeting for Friday 18<sup>th</sup> August 2023.

Please treat this email as formal notification that unless you withdraw the Temporary Event Notice (TEN), as described in my previous email, then the Council will hold a hearing to determine the matter at 09.30am on Friday 18<sup>th</sup> August 2023 in the Astley Room, Castle House, Barracks Road, Newcastle-under-Lyme, ST5 1BL. You are invited to attend and may bring a representative with you whether or not they are legally qualified. You do not have to attend however the matter will be heard in your absence.

Please confirm receipt of this email and whether you wish to withdraw the TEN, or proceed with the hearing.

Regards,  
Matt

**Matt Burton**  
Licensing Administration Team Manager – Regulatory Services  
Newcastle-under-Lyme Borough Council  
01782 [REDACTED]  
[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

Please note that I will be on leave between 21<sup>st</sup> August to 4<sup>th</sup> September inclusive

If you require any support at this difficult time then please visit: <https://www.newcastle-staffs.gov.uk/costofliving>



## 2023 Celebrating the 850<sup>th</sup> Year of the Borough of Newcastle-under-Lyme

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**From:** Matthew Burton

**Sent:** 11 August 2023 12:51

**To:** 'info@the-carlton.co.uk' <info@the-carlton.co.uk>

**Cc:** licensing <licensing@newcastle-staffs.gov.uk>

**Subject:** URGENT - Temporary Event Notice for 27-28th August 2023 - OBJECTION RECEIVED

**Importance:** High

Dear Mr Clegg,

I have called the telephone number listed on the Temporary Event Notice (TEN) at approximately midday today, I spoke to your colleague who was going to pass my number on to you. However given the urgent nature of the matter I wanted to follow up in writing.

The Licensing Department are in receipt of your TEN submitted for an extension of licensable hour for an event over the upcoming bank holiday weekend.

Upon receipt the Council's Environmental Health (EH) team have lodged an objection to the event taking place, which I am aware has been sent directly to you. The reason provided is that they have recorded evidence demonstrating that noise can clearly be heard inside a nearby dwelling. I understand that there have been a number of complaints of this nature made to the Council and an officer will be in touch with you in due course to discuss these. The objection goes on to state that it would be inappropriate for the event to go ahead as submitted, as if it did then it is considered it would breach the licensing objective concerned with the Prevention of Public Nuisance. I have spoken to the officer who has submitted the representation and he had confirmed there are multiple recordings from different dates.

As the premises user for the TEN (the individual named on the form) you have options as to how to proceed:

1. You can withdraw the TEN in writing by sending an email to me and/or [licensing@newcastle-staffs.gov.uk](mailto:licensing@newcastle-staffs.gov.uk). This means that you will not be able to have the extension to 02.00 however you would still have your existing licence to 01.00. If withdrawn before the end of Wednesday 16<sup>th</sup> August then we would also issue a refund of the £21.00 fee, and you would regain the two days TEN allowance;
2. You can pursue the TEN in which case we will have to hold a Licensing Sub-Committee meeting in advance of the event. The Sub-Committee would be made up of 3 elected Members of the Council who have been trained in licensing matters. You would be invited to attend and give verbal representations. EH would attend and provide evidence supporting their objection to the event taking place. At the end of the meeting the Sub-Committee would either allow the event to go ahead as submitted, or determine that the event could not go ahead at all and a formal Counter Notice would be issued prohibiting the event from taking place.

Due to the very short timescales that we have to hold a hearing of this nature if I do not receive written notification of this event before Monday 14<sup>th</sup> August I will have to begin preparations for a Licensing Sub-Committee meeting.

The decision is entirely yours, however given that the EH have multiple recordings which have been described to me as 'severe' my advice would be to withdraw the TEN on this occasion, liaise with EH about the concerns and work with them to address any potential issues.

Notwithstanding the TEN, if there are evidenced issues at a licensed premises that continue and breach at least one of the four licensing objectives it is possible for a responsible authority such as EH, or a local resident to submit a review of the premises licence with a view to having the licence restricted, suspended or ultimately revoked. That would be automatically put to the Licensing Sub-Committee and if there was sufficient evidence supporting the concerns then they would likely take some action against that licence.

I'd be grateful if you could confirm receipt of this email and written notification of whether you wish to withdraw the TEN or proceed with the hearing. If you wish to withdraw please provide relevant bank details to enable us to issue the refund to you.

I look forward to hearing from you as soon as possible but prior to Monday 14<sup>th</sup> August at the latest.

Regards,  
Matt

**Matt Burton**

Licensing Administration Team Manager – Regulatory Services  
Newcastle-under-Lyme Borough Council

01782 [REDACTED]

[www.newcastle-staffs.gov.uk](http://www.newcastle-staffs.gov.uk)

Please note that I will be on leave between 21<sup>st</sup> August to 4<sup>th</sup> September inclusive

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