

Licensing Panel

Licensing Act 2003

Application for Temporary Event Notice

Shomby Banqueting Hall, Ivy Mill Business Centre, Failsworth M35 9BD

Report of: Executive Member – Housing & Licensing

Officer Contact: Nicola Lord

Date of Hearing: Friday 26th September 2025

Reason for Hearing:

The purpose of this report is to inform members of an application for a Temporary Event Notice for a private wedding reception at Shomby Banqueting Hall, Ivy Mill Business Centre, Failsworth M35 9BD on 27 September 2025, which, due to a representation being received, has been referred to this Panel for determination.

Recommendations:

Members are recommended to consider the application taking into account the representations received.

Licensing Panel – Friday 26th September 2025

Application for Temporary Event Notice
Shomby Banqueting Hall, Ivy Mill Business Centre, Failsworth M35 9BD

1. Purpose of Report

1.1 The purpose of this report is to inform members of an application for a Temporary Event Notice for a private wedding reception at Shomby Banqueting Hall, Ivy Mill Business Centre, Failsworth M35 9BD on 27 September 2025, which, due to a representation being received, has been referred to this Panel for determination.

2. Recommendations

2.1 Members are recommended to consider the application taking into account the representation received.

3. The Application

3.1 On 5 September 2025, Miss Sumbo applied for a Temporary Event Notice at Shomby Banqueting Hall, Ivy Mill Business Centre, Failsworth M35 9BD.

The last date for representations in relation to this application was 10 September 2025.

3.2 Details of the licensable activities and the times applied for are as follows:

Activity	On/Off the premises	Hours/Dates	Maximum People
The provision of late night refreshment	On the premises	11pm to 2am	150
The provision of regulated entertainment	On the premises	11pm to 2am	150

3.5 A copy of the application is attached at **Appendix 14.1**.

3.6 A location map is attached at **Appendix 14.2**.

4. Representations

4.1 Following submission of the application a representation was received from Environmental Health. This can be found at **Appendix 14.3** to the report.



5. Licensing Policy

5.1 Members considering this application should take note of the Authority's Licensing Policy Statement. Attention should be drawn to Section 8 in relation to Public Nuisance

5.2 A full copy of the Council's Licensing Policy Statement will be available at the hearing.

6. Secretary of State's Guidance

6.1 Members also need to consider statutory guidance issued by the Secretary of State under Section 182 of the Licensing Act 2003.

6.2 In relation to Chapter 7.32 to 7.36 (Police and Environmental Health Intervention):-

Police and Environmental Health intervention

7.32 The system of permitted temporary activities gives police and EHAs the opportunity to consider whether they should object to a TEN on the basis of any of the licensing objectives.

7.33 If the police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give the premises user and the licensing authority an objection notice. The objection notice must be given within the period of three working days following the day on which they received the TEN..

7.34 Where a standard TEN was given, the licensing authority must consider the objection at a hearing before a counter notice can be issued. At the hearing, the police, EHA and the premises user may make representations to the licensing authority. Following the hearing, the licensing authority may decide to impose conditions which already apply to an existing premises licence or club premises certificate at the venue, or issue a counter notice to prevent the event going ahead. As noted above, there is no scope for hearings (or appeals) in respect of late TENS and if objections are raised by the police or EHA in relation to a late TEN, the TEN will be invalid and the event will not go ahead.

7.35 Such cases might arise because of concerns about the scale, location, timing of the event or concerns about public nuisance – even where the statutory limits on numbers are being observed. The premises user who signs the form is legally responsible for ensuring that the numbers present do not exceed the permitted limit at any one time. In cases where there is reason to doubt that the numbers will remain within the permitted limit the premises user should make clear what the nature of the event(s) is and how they will ensure that the permitted persons limit will not be exceeded. For example, where notices are being given for TENS simultaneously on adjacent plots of land it may be appropriate for door staff to be employed with counters. In each case it is important that licensing authorities and relevant persons can consider whether they believe that the premises user intends to exceed the 499 person limit, or will be unable to control or know whether the limit will be exceeded. Where the planned activities are likely to breach the statutory limits or undermine the licensing objectives, it is likely to be appropriate for the police or EHA to raise objections.

7.36 However, in most cases, where for example alcohol is supplied away from licensed premises at a temporary bar under the control of a personal licence holder, (such as at weddings with a cash bar or small social or sporting events) this should not usually give rise to the use of these powers.

A full copy of the guidelines will be available at the hearing.



7. Options

7.1 When determining the application Members, having had regard to the representations, may take such steps as they consider appropriate for the promotion of the licensing objectives. The steps available to Members are:

- a. Grant the application
- b. Reject the application and issue a counter notice

7.2 Any steps appropriate to promote the licensing objectives should be specified. If none of the steps are appropriate and proportionate, no action should be taken.

7.3 In arriving at a decision Members must have regard to the relevant provisions of national guidance and the licensing policy statement and reasons must be given for any departure.

7.4 The decision should be based on the individual merits of the application.

8. Consultation

8.1 Consultation in accordance with the Act has taken place with all responsible bodies and notice has been given to allow for any representations from interested parties.

9. Legal Services Comments

9.1 In determining the application Members should have regard to the Authority's licensing policy statement and the Secretary of State's Guidance. The applicant has a right of appeal to the magistrates' court if the Council refuses the application and the Environmental Health Section have a right of appeal to the magistrates' court if the Council grants the application. No appeal may be made later than 5 working days before the day on which the event periods specified in the temporary event notices begin. (A Evans)

10. Environmental and Health & Safety Implications

10.1 Contained within the body of the report.

11. Equality, Community Cohesion & Crime Implications

11.1 The Council's Statement of Licensing Policy considers these matters. All decisions made by the Licensing Panel must have regard to this policy and national guidance.

12. Equality Impact Assessment Completed?

12.1 No

13. Background Papers

13.1 The following is a list of background papers on which this report is based in accordance with the requirements of Section 100(1) of the Local Government Act 1972. It does not include documents which would disclose exempt or confidential information as defined by the Act:

File Ref: Records held in Directorate
Officer Name: Nicola Lord



14. Appendices

Appendix 14.1 – Application
Appendix 14.2 – Location Map
Appendix 14.3 – Representation Environmental Health