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**TEMPORARY EVENT NOTICE OBJECTION**

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**Purpose of Report**

1. To invite Members to consider a Temporary Event Notice in respect of Boja – Clarks Yard Darlington DL3 7QH in the light of representations from Durham Constabulary and the Environmental Health Manager. The representations have been made in respect of 3 of the 4 licensing objectives, namely the prevention of crime and disorder, public safety and the prevention of public nuisance.

**Background Information**

2. Attached to this report are details of the application to vary the premises licence (**Appendix 1**) and the Notice of Hearing pertaining to this application (**Appendix 2**).
3. Members are requested to determine the application and give reasons for their decision.

**Legal Implications**

4. The Assistant Director, Law & Governance, has considered this report in accordance with the Council's approved procedures. There are no issues which he considers need to be brought to the specific attention of Members, other than those highlighted in the report.

**Human Rights Act**

5. When considering matters relating to the grant, suspension, revocation or refusal of licences and the placing of conditions on licences, the Sub Committee must consider whether the decision affects an individual, group or company's Human Rights as set out in the Convention and if it does, whether the interference with those rights is permissible by reason of the justifications set out in the Convention. In addition consideration must be given to whether the interference is proportionate

## **Section 17 of the Crime and Disorder Act 1998**

6. One of the four Licensing Objectives of The Licensing Act 2003 is the prevention of crime and disorder and the police representation addresses this objective among others.

## **Recommendation**

7. Members are requested to determine the application in accordance with Statutory Instrument 2005 No 44, The Licensing Act 2003 (Hearings) Regulations 2005.

**Ian Williams**  
**Director of Economic Growth**

## **Background Papers**

Temporary Event Notice – Alex Todd  
Representations from Durham Constabulary  
Representations from Environmental Health  
The Licensing Act 2003  
Darlington Borough Council's Licensing Policy (07 January 2016)  
Guidance issued under Section 182 of the Licensing Act 2003 (March 2015)  
The Licensing Act 2003 (Hearings) Regulations 2005

## **Appendices**

1. Report – Temporary Event Notice
2. Notice of Hearing

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