

LICENSING SUB-COMMITTEE

DATE	14 th August 2026
REPORT OF	Carolina Borgstrom – Executive Director for Environment, Economy & Infrastructure
SUBJECT	Police Objection to a Temporary Event Notice in respect of West Marsh Community Centre, Field and Car Park
STATUS	Open

CONTRIBUTION TO OUR AIMS

Stronger Economy:

Support for premises that promote the licensing objectives through appropriate action against those that do not.

Stronger Community:

Reduce incidence of crime, anti-social behaviour and public nuisance associated with licensed premises

EXECUTIVE SUMMARY

The Licensing Authority under the Licensing Act 2003 (“the Act”) has a duty to determine applications for permissions under the Act where relevant objections have been made. This duty has been delegated to the Licensing Sub-Committee. This case involves an objection to notification of a temporary event at the above premises by Humberside Police, who assert that allowing the event to be permitted by the notice would undermine the crime prevention objective.

RECOMMENDATIONS

To consider the objection notice made under Section 104 of the Act and take the appropriate action to promote the crime prevention objective through the issue of a counter notice if required under Section 105 of the Act.

REASONS FOR DECISION

Must have regard to:-

- North East Lincolnshire Council’s Statement of Licensing Policy.
- Guidance issued by the Secretary of State under S.182 of the Act.

Steps taken must be **appropriate** for the promotion of the Licensing Objectives, namely:-

- the prevention of crime and disorder;
- public safety
- the prevention of public nuisance; and
- the protection of children from harm.

1. BACKGROUND AND ISSUES

These are fully contained in the report of Adrian Moody, Licensing Manager.

2. RISKS AND OPPORTUNITIES AND EQUALITY ISSUES

Crime and Disorder – If the Sub-Committee finds the event would undermine the licensing objectives, it must take the necessary steps to prevent this occurring. If appropriate steps are not taken there is a risk that the licensing objectives will not be promoted.

Human Rights – The Notice provider is entitled to a fair hearing; article 6 of the European Convention of Human Rights applies. Article 8. The Human Rights of the wider community are also engaged.

Equality and Diversity – No direct effects

Value for Money – The aim must be to take action that prevents problems persisting using further licensing resources.

The impact on the Social, Economic and Environmental well-being of the Borough – Action should be taken to ensure that licensed activities promote the licensing objectives and will have a positive impact in these respects.

Environmental Sustainability Implications – None

3. OTHER OPTIONS CONSIDERED

The steps which may be taken are:

- Dismiss the objection and allow the event notification to be made.
- Allow the objection and issue a counter notice pursuant to Section 105(2)(b) Licensing Act 2003

4. REPUTATION AND COMMUNICATIONS CONSIDERATIONS

There are potential positive reputational implications for the Council resulting from the decision where appropriate action has been taken. An action plan has been agreed with the Council's communications service covering information requirements and communications channels to be utilised.

5. FINANCIAL CONSIDERATIONS

This report relates to a determination required in response to a notification made under the Licensing Act 2003. The process is governed by statutory regulations and the fees involved are statutory. There are no direct resource or funding implications in the first instance but there may be on appeal.

6. CHILDREN AND YOUNG PEOPLE IMPLICATIONS

The event must be safe for all persons attending.

7. CLIMATE CHANGE, NATURE RECOVERY AND ENVIRONMENTAL IMPLICATIONS

Whilst not licensable, fireworks do pose a potential risk if not used in accordance with relevant guidance.

8. PUBLIC HEALTH, HEALTH INEQUALITIES AND MARMOT IMPLICATIONS

Any relevant matters are included within the report.

9. FINANCIAL IMPLICATIONS

Relevant persons have a right of appeal against the decision made to the Magistrates and/or High Court. If the Licensing Sub-Committee takes a step which is considered unnecessary or unlawful by a higher court there is a risk that an award of costs may be ordered against the Council in favour of the successful appellant. Such costs are difficult to quantify or estimate.

10. LEGAL IMPLICATIONS

These are covered in the body of the report of the Licensing Officer.

11. HUMAN RESOURCES IMPLICATIONS

There are no Human Resource Implications.

12. WARD IMPLICATIONS

West Marsh

13. BACKGROUND PAPERS

Please refer to the index of Members Papers.

14. CONTACT OFFICER

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