

BRECKLAND DISTRICT COUNCIL

Report of: Executive Director Commercialisation

To: Licensing Sub-Committee – 3rd August 2015

(Author: Rowland W Wilson - Licensing Officer

Subject: Application for the grant of a new Premises Licence under The Licensing Act 2003 - Watton Sports Association Dereham Road Watton Norfolk IP25 6EZ.

Purpose: The Licensing Sub-Committee are asked in accordance with the delegation of licensing functions contained in the Council's Statement of Licensing Policy to consider the application to grant a new premises licence made by Watton Sports Association.

Recommendation

It is recommended that the Licensing Sub-Committee determine the application to grant a premises licence for Watton Sports Association Dereham Road Watton Norfolk IP25 6EZ in accordance with The Licensing Act 2003, guidance issued under Section 182 of The Licensing Act 2003 and Breckland Council's Statement of Licensing Policy.

1.0 BACKGROUND

1.1 On 10th June 2015 The Licensing Team received an application for a new premises licence which was made by the Manager and proposed Designated Premises Supervisor, Lisa Savage, on behalf of Watton Sports Association Dereham Road Watton Norfolk IP25 6EZ. The application is attached as Appendix A, the proposed plan of the premises is attached at Appendix B.

1.2 Within the application the proposed times for licensing activities are

| | | |
|--|------------------|----------------------------|
| a) Plays / Indoors | Monday to Sunday | 07.00 Hours – 02.00 Hours |
| b) Films / Indoors | Monday to Sunday | 07.00 Hours – 02.00 Hours |
| c) Indoor sporting events | Monday to Sunday | 07.00 Hours – 02.00 Hours |
| d) Boxing or wrestling / Indoors | Monday to Sunday | 07.00 Hours – 02.00 Hours |
| e) Live music indoors & outdoors | Monday to Sunday | 07.00 Hours – 02.00 Hours |
| f) Recorded music indoors and outdoors | Monday to Sunday | 07.00 Hours – 02.00 Hours. |

| | | |
|--|------------------|---------------------------|
| g) Performance of dance Indoors and outdoors | Monday – Sunday | 07.00 Hours – 02.00 Hours |
| h) Anything of a similar Description to e) f) or g) | Monday to Sunday | 07.00 Hours – 02.00 Hours |
| J) Supply of alcohol on/off | Monday to Sunday | 07.00 Hours – 02.00 Hours |

1.3 The proposed times that the premises shall be open to the public are

Monday to Sunday 07.00 Hours – 02.30 Hours

1.4 During the 28 day period allowed for representations to be made by any Responsible Authority or an interested party, a letter was sent by the Environmental Protection officer, Breckland Council to Miss Savage in regard to noise issues and suggested conditions that should be attached to the licence should it be granted. Appendix C.

1.5 No other formal representations was received from any of the other six Responsible Authorities, but a letter was received from Norfolk Police Licensing Officer. Appendix D.

1.6 During the 28 day period allowed for a representation to be made in relation to the granting of the licence in connection with one or more of the licensing objectives ,i.e. The prevention of crime and disorder, public safety, the prevention of public nuisance and the protection of children from harm., the Licensing Team have received two positive representations, Appendix E.

1.7 The Licensing Team have also received 53 valid letters of representation which are attached to the report as Appendix F, and raise concerns in connection with one or more of the four licensing objectives.

1.8 During the consultation period a letter has been circulated to local residents by Watton Sports Association in an attempt to alleviate varying speculation, and is attached at Appendix G.

1.9 Watton Sports Association currently already benefits from a premises licence (PL 0409) issued by Breckland Council in 2005 , which was converted over from the Old Public Entertainment Licence at the time of inception of The Licensing Act 2003. This current licence broadly covers similar activities to that being proposed in the new application but in general terms has a terminal hour of midnight. The current licence also has over 150 conditions attached to it, which the applicant feels are not relevant to how the premises is now been run, and rather than apply for a variation to the current licence has chosen to make a fresh application. Should this application be successful then the current licence will be surrendered.

2.0 **OPTIONS**

2.1 The Licensing Sub-Committee may:

- Grant the licence in the terms that it has been requested.
- Refuse to grant the licence.
- Grant the licence with modified terms and conditions.

2.2 The Licensing Sub-Committee is asked to note that it may not reject the application merely because it considers it desirable to do so. It must actually be necessary in order to promote the licensing objectives.

2.3 Members of the Licensing Sub-Committee are asked to make a decision at the end of the hearing after all parties have been given the opportunity to speak. Members must give full reasons for their decision.

3.0 **REASONS FOR RECOMMENDATION(S)**

3.1 To ensure a lawful decision is made in line with The Licensing Act 2003

4.0 **EXPECTED BENEFITS**

4.1 N/A

5.0 **IMPLICATIONS**

5.1 **Carbon Footprint / Environmental Issues**

5.1.1 It is the opinion of the report writer that there are no implications.

5.2 **Constitution & Legal**

5.2.1 The decision of the Licensing Sub-Committee is subject to appeal to the Magistrates Court.

5.3 **Contracts**

5.3.1 It is the opinion of the report writer that there are no implications.

5.4 **Corporate Priorities**

5.4.1 It is the opinion of the report writer that there are no implications.

5.5 **Crime and Disorder**

5.5.1 It is the opinion of the report writer that there are no implications.

5.6 **Equality and Diversity / Human Rights**

5.6.1 Article 1: Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

5.6.2 Article 6: The Sub-Committee must ensure a fair hearing (The applicant has been invited to attend the meeting, has been sent a copy of this report and informed of her rights to be represented at the meeting.

5.6.3 Article 8: Everyone has the right to his/her private life and family home

5.7 **Financial**

5.7.1 It is the opinion of the report writer that there are no implications.

5.8 **Health & Wellbeing**

5.8.1 It is the opinion of the report writer that there are no implications.

5.9 **Risk Management**

5.9.1 It is the opinion of the report writer that there are no implications.

5.10 **Staffing**

5.10.1 It is the opinion of the report writer that there are no implications.

5.11 **Safeguarding**

5.11.1 It is the opinion of the report writer that there are no implications

5.12 **Staffing**

5.12.1 It is the opinion of the Report Author that there are no implications.

5.13 **Stakeholders / Consultation / Timescales**

5.13.1 It is the opinion of the Report Author that there are no implications.)

5.14 **Other**

6.0 **WARDS/COMMUNITIES AFFECTED**

6.1 All

7.0 **ACRONYMS**

7.1

Background papers:-

Lead Contact Officer

Name and Post: Rowland W Wilson – Licensing Officer
Telephone Number: 01362 656371
Email: Rowland.wilson@breckland-sholland.gov.uk

Key Decision: No

Exempt Decision: No

This report refers to a Mandatory Service / Discretionary Service

Appendices attached to this report:

Appendix A – Copy of Application for a new premises licence

Appendix B – Copy of plans of premises submitted with application

Appendix C – Copy of correspondence from Environmental Protection officer

Appendix D – Copy of letter from Norfolk Police

Appendix E – Copy of representations x 2

Appendix F – Copy of representations x 53

Appendix G – Copy of flyer circulated by Watton Sports Association