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BRECKLAND COUNCIL

At a Meeting of the

COMMITTEE OF THE LICENSING AUTHORITY

Held on Tuesday, 28 January 2020 at 10.00 am in
Norfolk Room, The Conference Suite, Elizabeth House, Dereham

PRESENT

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| Councillor M. Chapman-Allen (Chairman) | Mrs S. Dowling Cllr T. Kiddell |
| Mr K. Martin (Vice-Chairman) | Mrs L.H. Monument |
| Councillor C. Bowes | Mr P. Morton |
| Mr T. R. Carter | Miss T. Taylor |
| Mrs V. Dale | |

In Attendance

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| Donna Hall | - Licensing & Business Support Manager |
| Josie Hoven | - Licensing Officer |
| Lisa Turner | - Assistant Licensing Officer |
| Julie Britton | - Democratic Services Officer |

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1/20 MINUTES (AGENDA ITEM 1)

The Minutes of the meeting held on 13 November 2019 were confirmed as a correct record and signed by the Chairman.

2/20 APOLOGIES (AGENDA ITEM 2)

An apology of absence was received from Councillor Brindle.

3/20 URGENT BUSINESS (AGENDA ITEM 3)

None.

4/20 DECLARATION OF INTEREST (AGENDA ITEM 4)

None declared.

5/20 NON-MEMBERS WISHING TO ADDRESS THE MEETING (AGENDA ITEM 5)

None.

6/20 CUMULATIVE IMPACT POLICY CONSULTATION (AGENDA ITEM 6)

The Licensing & Business Support Manager presented the report.

On 13th November 2019, Members of the Committee of the Licensing Authority considered a report relating to the possible adoption of a

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Cumulative Impact Policy (CIP) for an area in Thetford. The Committee asked that a consultation should be carried out to allow local residents, licence holders, businesses and other organisations the opportunity to formally comment on the proposal and provide feedback to the Licensing Authority.

A Cumulative Impact Policy would help to limit the number or types of licensed applications granted in areas where there was evidence to show that the number or density of licensed premises in the area was having a cumulative impact.

A consultation document had been prepared and Members were being asked to approve the document prior to it being circulated to the relevant parties.

The Licensing and Business Support Manager explained currently by Law if Breckland Council received an application for a Premises Licence, unless any objection was received by the relevant responsible authorities or person, the Licence would be issued. With the introduction of the CIP there would be a requirement for any applicant to explain how they would uphold the Licensing Objectives which were preventing crime and disorder, public safety, preventing public nuisance and protecting children from harm. If an objection was received, the application would be heard at a Licensing Panel where the applicant would have the opportunity to prove that they could uphold the objectives, and if the Panel were not satisfied the licence could be refused.

The CIP would take each application on a case by case basis and would predominantly be for new businesses and variations to existing Licences.

The Chairman mentioned the problem areas in Thetford which had been much improved following the implementation of Anti-Social Behaviour Orders. She felt that it would be very helpful if Members could report any issues to the Licensing Team.

In response to a question about how often the Policy would have to be reviewed, Members were informed that such Policies had to be reviewed every 4 years.

The Council's Public Space Protection Order (PSPO) was due to be reviewed this year along with many others. It was noted that drinking was an offence only if a PSPO was in place.

Councillor Morton supported the CIP but raised concerns about there being so many off licences in the one place already and asked if there was anyway the Council could challenge any further premises from locating in the same area. The Licensing & Business Support Manager explained that most licensed premises were compliant with the law and the CIP would not have an impact on existing premises.

The Chairman again urged Members to be the eyes and ears of the Council and to report anything untoward.

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RESOLVED that the consultation document for a proposed Thetford Cumulative Impact Policy be approved.

7/20 LICENSING ACT UPDATE (AGENDA ITEM 7)

The Licensing & Business Support Manager provided Members with a detailed overview of the work that the Licensing Team did. There was also some discussion in respect of the Licensing Act 2003.

The Licensing Act 2003 covered premises in respect of the sale of alcohol, the supply of alcohol, the provision of regulated entertainment and the provision of late night refreshments.

The Licensing Objectives were highlighted as follows:

- The prevention of crime & disorder
- Public safety
- The prevention of public nuisance; and
- The protection of children from harm.

The number of personal licences, premises licences with and without alcohol issued and Temporary Event Notices in Breckland was highlighted.

Many questions followed.

Councillor Carter asked if applications for licences could be made on-line. Members were informed that this was the intention.

In response to a question, 18 years of age was how old a person had to be before a personal licence could be issued.

The Chairman asked if the Police was informed automatically if a premises selling alcohol did not renew its licence. The Licensing Officer explained that reminder letters were always sent to Licence Holders a month before renewal. It was noted that there had only been one prosecution in Breckland for non-renewal.

The Chairman mentioned the weekly list that was sent to all Licensing Committee Members and asked if suspended licences could be included in future. The Licensing Officer reminded Members that the premises could still remain open and trade as long as it did not sell any alcohol.

Councillor Monument referred to the 17 off licences premises in Thetford and asked if the licence was surrendered if the premises closed. Members were informed that the licence could be transferred and could only be surrendered if the licence holder surrendered it.

Councillor Kiddell wanted to know if an ordinary café without a licence could ask customers to bring their own alcohol. The Licensing & Business Support Manager said that it could as it was the supply of alcohol that was a licensing activity. The definition of the supply of

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alcohol was provided.

It was noted that licensing fees were statutorily set and were based on the rateable value of the premises.

The Chairman thanked the Licensing Team for the update.

8/20 NEXT MEETING (AGENDA ITEM 8)

The arrangements for the next meeting on Wednesday, 11 March 2020 at 10am in the Norfolk Room were noted.

The meeting closed at 11.25 am

CHAIRMAN