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BRECKLAND COUNCIL

At a Meeting of the

LICENSING PANEL

**Held on Monday, 16 July 2018 at 2.00 pm in
Norfolk Room, Elizabeth House, Walpole Loke, Dereham**

PRESENT

Councillor M. Chapman-Allen Mr W. R. J. Richmond
(Chair)
Mr K. Martin

Also Present

Councillor Adrian Joel
Andrew Grimley - Team Leader (Environmental Protection)

In Attendance

Tiffany Bentley - Licensing Officer
Teresa Smith - Democratic Services Team Leader
Sarah Wolstenholme-Smy - Legal Services Manager (Deputy Monitoring Officer BDC)
Andrew Grimley - Team Leader (Environmental Protection)

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33/18 APOLOGIES

None.

34/18 DECLARATION OF INTERESTS

None.

35/18 PROCEDURES

The Chairman introduced the Panel and Officers and explained the procedures.

36/18 APPLICATION TO VARY A PREMISES LICENCE: THE OX & PLOUGH, THE GREEN, OLD BUCKENHAM, ATTLEBOROUGH, NORFOLK NR17 1RN

The Hearing was conducted in accordance with the procedure as set out in the Agenda.

The following persons were in attendance:

Applicant and Representatives:

Sally Jane Bishop
Mr Tranmer (Designated Premises Supervisor)

Objectors

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Mrs J Wood
Mrs A Frank
Mr C Talbot
Mrs S Jack

Responsible Authorities

Mr Andrew Grimley – Environmental Protection, Breckland Council

Decision

The application is granted subject to the following additional conditions which the panel consider to be appropriate for the promotion of the licensing objectives:

1. A site noise management plan to be produced and approved by the Environment Protection Team and Applicant/Designated Premises Supervisor.
2. The maximum number of events to be held on the Green that involves regulated entertainment be no more than 12 per annum.
3. The Designated Premises Supervisor to produce a telephone number which is to be published on the parish notice board for the use of residents to report issues of noise and other matters pertinent to the licence during an event.

Reasons for Decision

The Panel considered the oral and written representations presented by all the parties, attaching weight as appropriate, and also considered the Licensing Act 2003 (“the Act”) and its regulations, the statutory guidance under Section 182 of the Act, and the Council’s own statement of licensing policy.

The Panel noted the concerns of the local residents regarding potential disturbance from live music and the issues concerning car parking.

They considered that the additional conditions and evidence provided by the applicant supported the four licensing objectives.

The panel also took into account the evidence from the Environmental Protection team who confirmed that no noise complaints had been received.

The panel determined that the conditions stated above in the “Decision” section of this notice were appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. These conditions would address the concerns raised by the local residents. The existence of the review procedure to deal with activities at the premises causing concern to any of the Responsible Authorities or other person were noted.

Right of Appeal

Under Schedule 5 of the Licensing Act 2003 there is a right of appeal to the Magistrates Court. Any appeal must be commenced by notice of appeal


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given by the Appellant to the Magistrates Court within 21 days beginning with the day on which the Appellant was notified by the Licensing Authority of the decision appealed against.

The holder of the licence, the applicant or any person who made relevant representations may appeal against the decision to grant the licence.

The meeting closed at 4.15 pm

CHAIRMAN

	<p>LICENSING PANEL</p> <p>DETERMINATION NOTIFICATION</p>
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Date of Hearing	Monday 16 July 2018
Application	Application to vary a premises licence: The Ox & Plough, The Green, Old Buckenham, Attleborough, Norfolk, NR17 1RN
PRESENT	
Chairman and Members	Cllr Marion Chapman-Allen (Chairman) Cllr K Martin Cllr W Richmond
Applicant	Sally Jane Bishop
Applicant Witnesses	Mr Tranmer (Designated Premises Supervisor)
Responsible Authority	Mr Grimley – Environmental Protection, Breckland Council
Objector's Present	Janet Wood (resident) Alison Frank (resident) Chris Talbot (resident) Susan Jack (resident)
Officers In Attendance	Tiffany Bentley – Licensing Officer Sarah Wolstenholme-Smy – Solicitor Teresa Smith – Democratic Services Officer

DECISION

The application is granted subject to the following additional conditions which the panel consider to be appropriate for the promotion of the licensing objectives:

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2. The maximum number of events to be held on the Green that involves regulated entertainment be no more than 12 per annum.
3. The Designated Premises Supervisor to produce a telephone number which is to be published on the parish notice board for the use of residents to report issues of noise and other matters pertinent to the licence during an event.

REASONS FOR THE DECISION

The Panel considered the oral and written representations presented by all the parties, attaching weight as appropriate, and also considered the Licensing Act 2003 ("the Act") and its regulations, the statutory guidance under Section 182 of the Act, and the Council's own statement of licensing policy.

The Panel noted the concerns of the local residents regarding potential disturbance from live music and the issues concerning car parking.

They considered that the additional conditions and evidence provided by the applicant supported the four licensing objectives.

The panel also took into account the evidence from the Environmental Protection team who confirmed that no noise complaints had been received.

The panel determined that the conditions stated above in the "Decision" section of this notice were appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve. These conditions would address the concerns raised by the local residents.

The existence of the review procedure to deal with activities at the premises causing concern to any of the Responsible Authorities or other person were noted.

Right of Appeal

Under Schedule 5 of the Licensing Act 2003 there is a right of appeal to the Magistrates Court. Any appeal must be commenced by notice of appeal given by the Appellant to the Magistrates Court within 21 days beginning with the day on which the Appellant was notified by the Licensing Authority of the decision appealed against.

The holder of the licence, the applicant or any person who made relevant representations may appeal against the decision to grant the licence.

Dated: 16 July 2018

Signed.....



(Chairman)