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Breckland COUNCIL

AGENDA

Committee - **COMMITTEE OF THE LICENSING AUTHORITY**

Date & Time - **WEDNESDAY, 11TH MARCH, 2020 - IMMEDIATELY FOLLOWING THE LICENSING COMMITTEE MEETING**

Venue - **NORFOLK ROOM, THE CONFERENCE SUITE, ELIZABETH HOUSE, DEREHAM**

Members of the Committee requiring further information, or with specific questions, are asked to raise these with the appropriate officer at least two working days before the meeting. If the information requested is available, this will be provided, and reported to Committee.

Membership

Councillor M. Chapman-Allen (Chairman)
Mr K. Martin (Vice-Chairman)
Mr T. J. Ashby
Mr S Askew
Councillor C. Bowes
Mr R. F. W. Brame
Mr M. P. Brindle
Mr T. R. Carter
Mrs V. Dale
Mrs S. Dowling
Mr R.W. Duffield
Cllr T. Kiddell
Mrs L.H. Monument
Mr P. Morton
Miss T. Taylor

This meeting may be filmed, recorded or photographed by the public; however, anyone who wishes to do so must inform the Chairman and ensure it is done in a non-disruptive and public manner. Please review the Council's guidance on filming and recording meetings available in the meeting room.

Democratic Services
Elizabeth House, Walpole Loke,
Dereham Norfolk, NR19 1EE

Date: Monday, 2 March 2020

Please ask for Julie Britton DDI (01362) 656343
email: julie.britton@breckland.gov.uk
Website: www.breckland.gov.uk

Page(s) herewith

1. MINUTES 4 - 7

To confirm the Minutes of the meeting held on 28 January 2020.

2. APOLOGIES

To receive apologies for absence.

3. URGENT BUSINESS

To note whether the Chairman proposes to accept any item as urgent business, pursuant to Section 100(B)(4)(b) of the Local Government Act, 1972.

4. DECLARATION OF INTEREST

The duties to register, disclose and not to participate for the entire consideration of the matter, in respect of any matter in which a Member has a disclosable pecuniary interest are set out in Chapter 7 of the Localism Act 2011. Members are also required to withdraw from the meeting room as stated in the Standing Orders of this Council.

5. NON-MEMBERS WISHING TO ADDRESS THE MEETING

To note the names of any non-members who wish to address the meeting.

6. LICENSING ACT UPDATE

To provide a verbal update on Licensing Act matters. A presentation will also be provided by Donna Hall, the Licensing & Business Support Manager.

7. GAMBLING ACT UPDATE

To provide a verbal update on changes in gambling legislation. A presentation will also be provided by Donna Hall, the Licensing & Business Support Manager.

8. TRAINING REQUIREMENTS (IF ANY)

General discussion.

9. NEXT MEETING

To note the arrangements for the next meeting on Wednesday, 15 July 2020 in the Norfolk Room – this meeting will take place immediately following the Licensing Committee meeting.

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

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

In Attendance

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