
BRECKLAND COUNCIL

At a Meeting of the

LICENSING PANEL

**Held on Monday, 4 April 2022 at 10.00 am in
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE**

PRESENT

Cllr Marion Chapman-Allen
(Chairman)
Cllr Tristan Ashby

Cllr Tina Kiddell
Cllr Philip Morton (Substitute Member)

Also Present

Chris Brooks – Licensing
Officer, Norfolk Constabulary

Philip Etherington – Trading Standards, Norfolk
County Council

In Attendance

Sarah Wolstenholme-Smy

- Legal Services Manager/Deputy Monitoring
Officer

Josie Hoven

- Licensing Team Leader

Lisa Turner

- Assistant Licensing Officer

Ruth Tudge

- Democratic Services Officer

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1/22 APOLOGIES

None.

2/22 DECLARATION OF INTERESTS

None.

3/22 PROCEDURES

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

**4/22 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER
THE LICENSING ACT 2003**

The Hearing was conducted in accordance with the procedures.

The following persons were in attendance:

Responsible Authorities

Mr Chris Brooks – Licensing Officer, Norfolk Constabulary
Mr Philip Etherington – Norfolk County Council, Trading Standards Service

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The Licensing Officer read the report of the Environmental Health and Licensing Manager.

Breckland Council Licensing Authority accepted an application for the grant of a premises licence under the Licensing Act 2003 on 7 February 2022 which requested the sale of alcohol (off sales), Monday to Sunday 08:00 to 22:00 hours.

Representation had been received from two Responsible Authorities, Norfolk Constabulary and Norfolk Trading Standards.

Members were asked to consider the following options:

- a. Grant the licence subject to such conditions as are consistent with the operating schedule accompanying the application
- b. Modify the conditions of the licence, altering or omitting or adding to them
- c. Exclude any of the licensable activities which the application relates
- d. Refuse to specify a person in the licence as the premises supervisor
- e. Reject the application
- f.

5/22 EXCLUSION OF PRESS & PUBLIC

RESOLVED that under Section 100(A)(4) of the Local Government Act 1972, the press and the public be excluded from the meeting for the following item of business on the grounds that it involves the likely disclosure of exempt information as defined in paragraphs 1, 2, 3 & 7 of Schedule 12A to the Act.

6/22 APPLICATION FOR A PREMISES LICENCE TO BE GRANTED UNDER THE LICENSING ACT 2003 - APPENDIX B

Decision

In the absence of the attendance of the applicant and the Licensing Officer confirming that notice of the hearing had been given to the applicant and reminders left of the hearing date and time on his voicemail, in accordance with regulation 20(2) and (3) of the Licensing Act 2003 (Hearings) Regulations 2005 the panel agreed that the hearing should proceed in the applicant's absence and were concerned that he failed to attend his own application.

In order to promote the licensing objectives, the decision was taken to not grant the premises licence.

Reasons for the Decision

The Panel considered the written and verbal evidence presented by all parties, in arriving at its determination. The Panel took due notice of the Licensing Act 2003 and the regulations made under it, the guidance issued

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under Section 182 and the Licensing Authority's statement of licensing policy.

The application is made in the name of the limited company -Bucharest Supermarket Ltd, Mr Ali Khader Marewan being the sole director who is also confirmed as the Designated Premises Supervisor for the premises. The Panel were concerned by his ability to adequately manage the premises given that he is also a Designated Premises Supervisor for a premises in Telford.

The Panel were concerned by the overwhelming evidence of the Police and Trading Standards with their comprehensive objections that the applicant director was connected to activity which does not promote the Licensing objective for the prevention of crime and disorder and furthermore the protection of children from harm and public safety.

In order to promote the licensing objectives and the reasons outlined above, the decision was taken not to grant the premises licence application and that no steps would adequately address this.

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 meeting closed at 11.40 am

CHAIRMAN