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BRECKLAND COUNCIL

At a Meeting of the

LICENSING PANEL

Held on Wednesday, 1 June 2022 at 10.00 am in
The Breckland Conference Centre, Anglia Room, Elizabeth House, Walpole Loke,
Dereham, NR19 1EE

PRESENT

Cllr Marion Chapman-Allen
(Chair)
Cllr Tristan Ashby

Cllr Keith Martin
Cllr Linda Monument (Substitute Member)

Also Present

Cllr Bill Borrett

Ward Representative

In Attendance

Sarah Wolstenholme-Smy

- Legal Services Manager (Deputy Monitoring Officer)

Josie Hoven

- Licensing Team Leader

Paul Bugeja

- Licensing Officer

Julie Britton

- Democratic Services Officer

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Chairman's Opening Remarks

Following introductions, the Chairman, Councillor Marion Chapman-Allen explained the procedures to all in attendance.

It was highlighted that in accordance with the procedures each party would be allowed an equal amount of time to present their case and would be given a maximum of 20 minutes to speak. As there were a number of interested parties with similar grounds of concerns, a spokesperson could be appointed.

Councillor Linda Monument, the substitute Member, remained in the room but did not take part in the meeting.

7/22 APOLOGIES (AGENDA ITEM 1)

None received.

8/22 DECLARATION OF INTERESTS (AGENDA ITEM 2)

None declared.

9/22 PROCEDURES (AGENDA ITEM 3)

The Licensing Panel was conducted in accordance with the procedures as set out in the Agenda and as explained earlier in the meeting.

10/22 APPLICATION FOR A PREMISES LICENCE (AGENDA ITEM 4)

Josie Hoven, the Senior Licensing Officer presented the report and provided Members with a detailed overview of the application.

The Chairman had noted that one of the objection letters stated that the applicant was currently subject to a Planning Enforcement Order.

Members were informed that there was no Planning Enforcement Order pertaining to the site.

The following persons were in attendance:

Applicant	Mr A Medler
Applicant's representative	Ms A Medler (daughter)
Objectors/residents:	Councillor B Borrett (Ward Representative) Mr & Mrs A Hawkins Mr & Mrs B Budworth Mr R Piller (Bylaugh Parish Chair) Mr Hogger (Church Warden) Mr M White

Decision

In order to promote the Licensing objectives, the decision was taken to grant the licence subject to the supply of alcohol and regulated entertainment operating from 10.00 to 22.30hrs.

Reasons for the Decision

The Panel considered all the oral and written evidence submitted and gave consideration to the Licensing Act 2003 ("The Act") and its regulations, the statutory guidance under S182 of the Act and the Council's own statement of the Licensing Policy.

The applicant amended his application and confirmed that he would not include in that application the regulated entertainment relating to boxing, wrestling and performance of dance.

The Panel gave weight to the fact that there were no objections from responsible authorities, and also the 16 objections received from local residents and Councillors. The objections relate to the fact that the application does not restrict the number of events, the type of events, the numbers attending the events and who will in fact be attending them. This had contributed to further objections concerning noise, light pollution, harm to the habitat, increased traffic, drink driving, effect on property prices and trespass to neighbouring land.

Many of the objections refer to the Council having served a planning enforcement notice. It was confirmed at the Hearing that this is not in fact correct.

The Panel took into account those objections above that relate to one or more of the licensing objectives such as noise or light pollution. Other matters complained of are either speculative or do not relate to the licensing objectives such as trespass, harm to the habitat and effect on property

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prices.

The applicant confirmed at the Hearing that only those attending any of the regulated entertainment events, and for the supply of alcohol, will be restricted to those booked to stay on the campsite and their guests.

This will form the basis of one of the conditions attached to the licence and the Panel believes that this will address some of the concerns raised by the objectors. The Deregulation Act 2015 provides for an automatic entitlement for premises to play live and recorded music, plays and performance of dance where certain conditions are met.

The Panel considers that the mandatory conditions themselves will address the objectors concerns and have noted from the site rules that there should be no noise after 10.30pm, the Panel therefore will grant the licence as amended for the period 10.00 to 22.30hrs to tie in with the existing site rules and believe this will address the objectors' concerns.

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(s) 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 12.55 pm

CHAIRMAN

	<p>LICENSING PANEL</p> <p>DETERMINATION NOTIFICATION</p>
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Date of Hearing	Wednesday, 1 June 2022
Application	Bylaugh Country Park, Caravan, Campsite, Dereham Road, Bylaugh.
PRESENT	
Chairman and Members	Cllr Marion Chapman-Allen Cllr Ashby Cllr Martin Cllr Monument (substitute)
Applicant	Andreas Medler
Applicant representative	Apryl Medler (daughter)
Objector's Present	Cllr Borrett – Ward Representative Mr Piller – Bylaugh Parish Chair/resident Mr & Mrs Hawkins – residents Mr & Mrs Budworth – residents Mr Hogger – resident/church warden Mr White - resident
Officers in Attendance	Josie Hoven – Senior Licensing Officer Sarah Wolstenholme-Smy – Solicitor/Legal Advisor Paul Bugeja – Licensing Officer Julie Britton – Democratic Services Officer
DECISION	
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REASONS FOR THE DECISION	
<p>The Panel considered all the oral and written evidence submitted and gave consideration to the Licensing Act 2003 (“The Act”) and its regulations, the statutory guidance under S182 of the Act and the Council’s own statement of the Licensing Policy.</p> <p>The applicant amended his application and confirmed that he would not include in that application the regulated entertainment relating to boxing, wrestling and performance of dance.</p> <p>The Panel gave weight to the fact that there were no objections from responsible authorities, and also the 16 objections received from local residents and Councillors. The objections relate to the fact that the application does not restrict the number of events, the type of events, the numbers attending the events and who will in fact be attending them. This had contributed to further objections concerning noise, light pollution, harm to the habitat, increased traffic, drink driving, effect on property prices and trespass to</p>	

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Dated: 1 June 2022

Signed:

A handwritten signature in black ink, appearing to read 'M. Chapman-Allen', is written over a light blue horizontal line. The signature is fluid and cursive.

Councillor M Chapman-Allen (Chairman)