

BRECKLAND DISTRICT COUNCIL

Report of Assistant Director of Commissioning

To: Licensing Sub Committee

Author: Josie Hoven – Licensing Officer

Subject: Application to vary the premises licence under the Licensing Act 2003 at Plough & Furrow, Quebec street, Dereham, Norfolk NR19 2ES

Purpose: The Licensing Sub Committee are asked, in accordance with the delegation of licensing functions contained in the Council's Statement of Licensing Policy, to consider the application to vary the current premises licence following receipt of representation from a Responsible Authority.

Recommendation(s): It is recommended that the Licensing Sub Committee determine the application to vary the current premises licence in accordance with the Licensing Act 2003: Guidance issued under Section 182 of the Licensing Act 2003 and Breckland Council's Statement of Licensing Policy.

1. BACKGROUND

An application has been received from Ms Joanne Cross of 1 Pond Road, Toftwood, Dereham, Norfolk NR19 1ES for a variation to the current premises licence at the Plough & Furrow, Quebec Street, Dereham, Norfolk NR19 2DJ. The application form is attached as Appendix A and the existing licence and plan of the premises are attached as Appendix B. A map of the licensed premises and surrounding properties is attached as Appendix C.

The consultation period ran from 29th July 2013 to 26th August 2013. A representation was received from Norfolk Constabulary as a Responsible Authority which relates to the licensing objective of the prevention of crime and disorder. This representation is attached as Appendix D. No other representations were received.

2. OPTIONS

The Licensing Sub-Committee may:

- **Grant the licence as requested; or**
- **Refuse to grant the licence; or**
- **Grant the licence with modified terms and / or conditions.**

The Licensing Sub-Committee are asked to note that it may not modify the conditions or refuse the application merely because it is desirable to do so. It must actually be appropriate in order to promote the licensing objectives.

3. REASONS FOR RECOMMENDATION

To ensure a lawful decision is made in line with the Licensing Act 2003.

4. EXPECTED BENEFITS n/a

5. IMPLICATIONS

5.1 Legal

The decision of the Licensing Sub-Committee is subject to appeal to the Magistrates Court

5.2 Risks n/a

5.3 Financial n/a

5.4 Timescales n/a

5.5 Equality and Diversity n/a

5.6 Stakeholders / Consultation n/a

5.7 Contracts n/a

5.8 Section 17, Crime & Disorder Act 1998 n/a

5.9 Other - Human Rights Act 1998

Article 1: Every natural or legal person is entitled to the peaceful enjoyment of his possessions. No one shall be deprived of his possessions except in the public interest and subject to the conditions provided for by law and by the general principles of international law.

Article 6: The Committee must ensure a fair hearing. (The applicant has been invited to attend this meeting, has been sent a copy of this report and informed of her right to be represented at the meeting).

6. WARDS/COMMUNITIES AFFECTED

Dereham - Central

Background papers:-None

Lead Contact Officer:

Name/Post: Tiffany Bentley – Licensing Officer

Telephone Number: 01362 656876

Email: licensingteam@breckland.gov.uk

Director/Officer who will be attending the Meeting

Name/Post: Tiffany Bentley – Licensing Officer

Key Decision – No

Appendices attached to this report:

Appendix A: Application Form

Appendix B: Current licence and plan of premises

Appendix C: Map of area surrounding the premises

Appendix D: Representation from Responsible Authority