

BRECKLAND DISTRICT COUNCIL

Report of: Environmental Health and Licensing Manager – Craig Fowler

To: Licensing Panel – 4th April 2022

Author: Lisa Turner - Licensing Officer

Subject: Application for a premises licence to be granted under the Licensing Act 2003

Purpose: To determine the application to grant a new premises licence to Bucharest Supermarket Ltd, 42 King Street, Thetford, Norfolk, IP24 2AP

Recommendation(s):

- 1) That the members of the Licensing Panel determine the application for the grant of a new premises licence at Bucharest Supermarket Ltd, 42 King Street, Thetford, Norfolk, IP24 2AP

1.0 BACKGROUND

- 1.1 The licensing authority accepted an application for the grant of a premises licence under the Licensing Act 2003 on 7th February 2022 with an end date for representations of the 7th March 2022. A copy of the application is attached as **Appendix A**.
- 1.2 The application requests the following licensable activities

Sale of alcohol (Off Sales)

Monday to Sunday 08:00 to 22:00 hours

- 1.3 We received representation from two Responsible Authorities: Norfolk Trading Standards and Norfolk Constabulary. These responses can be seen as **Appendix B (Restricted)**. It should be noted these representations are in regard to the licensing objective for the prevention of crime and disorder and are restricted due to confidential and sensitive information.

2.0 OPTIONS

- 2.1 As they consider it appropriate for the promotion of the licensing objectives, the Panel of the Committee of the Licensing Authority in accordance with Section 18 of the Licensing Act may:
 - 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

The licensing Panel are asked to note that they may not reject the application merely because it is desirable to do so. It must actually be necessary in order to promote the licensing objectives.

Members of the Licensing Panel are asked to make a decision at the end of the hearing after all parties have been given the opportunity to speak. Members must give full reasons for their decision.

3.0 REASONS FOR RECOMMENDATION(S)

3.1 The application must be considered in accordance with the Licensing Act 2003 and subsequent regulations, the guidance is issued under section 182 of the Licensing Act 2003, Breckland Council's Statement of Licensing Policy and representations to ensure that a lawful decision is made.

4.0 EXPECTED BENEFITS

4.1 Legislative compliance.

5.0 IMPLICATIONS

In preparing this report, the report author has considered the likely implications of the decision - particularly in terms of Carbon Footprint / Environmental Issues; Constitutional & Legal; Contracts; Corporate Priorities; Crime & Disorder; Data Protection; Equality & Diversity/Human Rights; Financial; Health & Wellbeing; Reputation; Risk Management; Safeguarding; Staffing; Stakeholders/Consultation/Timescales; Other. Where the report author considers that there may be implications under one or more of these headings, these are identified below.

5.1 Constitution & Legal

5.1.1 The procedure for preparing for and holding a hearing are set out in law

5.1.2 The decision of the Licensing Panel is subject to appeal at the Magistrates Court. The appeal period is 21 days from the date on which the notice of decision is given to the person concerned.

5.2 Crime and Disorder

5.2.1 The objection from Norfolk Constabulary and Norfolk Trading Standards highlights concerns in relation to the licensing objective – Prevention of Crime and Disorder

5.5 Equality and Diversity / Human Rights

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 conditions provided for by law and by the general principles of international law.

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

6.0 WARDS/COMMUNITIES AFFECTED

6.1 All Thetford Wards.

7.0 ACRONYMS

7.1 None

Background papers:-

Licensing Act 2003

Guidance issued under Section 182 of the Licensing Act 2003

Breckland Council Statement of Licensing Policy

Lead Contact Officer

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Key Decision: No

Exempt Decision: Yes

This report refers to a Mandatory Service

Appendices attached to this report:

Appendix A Copy of the application form for a new premises licence
Appendix B Copy of the Trading Standards notice – restricted
Copy of the Police objection notice - restricted