

Agenda

Licensing and Gambling Acts Sub-Committee

Members of the Sub-Committee:

Cllr R Elliott

Cllr J Halls

Cllr P Hardy

Date

Monday 23 March 2020

Time

10.00 am

Place

Colman Room
South Norfolk House
Cygnet Court
Long Stratton Norwich
NR15 2XE

Contact

Claire White
tel (01508) 533669
South Norfolk District Council
Cygnet Court
Long Stratton Norwich
NR15 2XE

Email: democracy@s-norfolk.gov.uk
Website: www.south-norfolk.gov.uk

If you have any special requirements in order to attend this meeting,
please let us know in advance

Large print version can be made available

A G E N D A

1. **To report apologies for absence and identify substitute voting members (if any);**
2. **To deal with any items of business the Chairman decides should be considered as matters of urgency pursuant to Section 100B (4) (b) of the Local Government Act, 1972. [Urgent business may only be taken if, “by reason of special circumstances” (which will be recorded in the minutes) the Chairman of the meeting is of the opinion that the item should be considered as a matter of urgency.];**
3. **To receive Declarations of Interest from Members;**
(Please see guidance form and flow chart attached to the agenda page 4)
4. **Application for a Temporary Event Notice;** (report attached – page 6)

Premises: The Beauchamp Arms Ferry Road
Cawston St Peter NR14 6DH

Members of Committee and Accreditation details:

Members of Licensing, Appeals & Complaints and the Licensing and Gambling Acts Committees	Expiry of training accreditation-Taxi	Expiry of training accreditation-Licensing Act 2003
Elliott Cllr R	29/05/21	29/05/21
Kemp Cllr W	03/06/21	03/06/21
Burrill Cllr D	29/05/21	29/05/21
Curson Cllr F	03/06/21	03/06/21
Easter Cllr J	29/05/21	29/05/21
Glover Cllr L	03/06/21	03/06/21
Halls Cllr J	29/05/21	29/05/21
Hardy Cllr P	29/05/21	29/05/21
Holden Cllr T	29/05/21	29/05/21
Hornby Cllr J	03/06/21	03/06/21
Legg Cllr N	29/05/21	29/05/21
Rowe Cllr J		
Savage Cllr J	03/06/21	03/06/21
Spruce Cllr T	03/06/21	03/06/21
Wilby Cllr J	29/05/21	29/05/21

Meeting cancelled

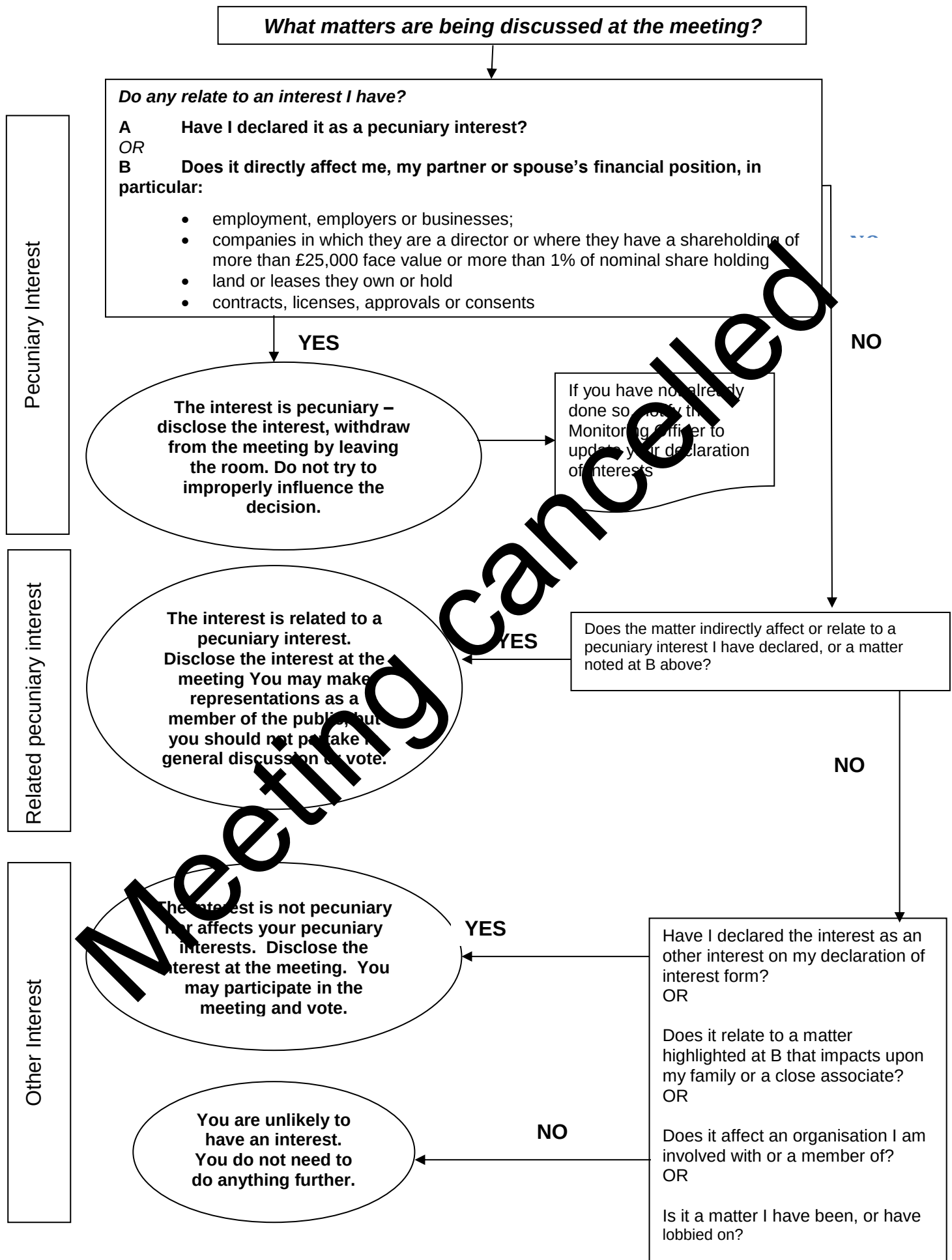
DECLARATIONS OF INTEREST AT MEETINGS

When declaring an interest at a meeting Members are asked to indicate whether their interest in the matter is pecuniary, or if the matter relates to, or affects a pecuniary interest they have, or if it is another type of interest. Members are required to identify the nature of the interest and the agenda item to which it relates. In the case of other interests, the member may speak and vote. If it is a pecuniary interest, the member must withdraw from the meeting when it is discussed. If it affects or relates to a pecuniary interest the member has, they have the right to make representations to the meeting as a member of the public but must then withdraw from the meeting. Members are also requested when appropriate to make any declarations under the Code of Practice on Planning and Judicial matters.

Have you declared the interest in the register of interests as a pecuniary interest? If Yes, you will need to withdraw from the room when it is discussed.
Does the interest directly: 1. affect yours, or your spouse / partner's financial position? 2. relate to the determining of any approval, consent, licence, permission or registration in relation to you or your spouse / partner? 3. Relate to a contract you, or your spouse / partner have with the Council 4. Affect land you or your spouse / partner own 5. Affect a company that you or your partner own or have a shareholding in If the answer is "yes" to any of the above, it is likely to be pecuniary. Please refer to the guidance given on declaring pecuniary interests in the register of interest forms. If you have a pecuniary interest you will need to inform the meeting and then withdraw from the room when it is discussed. If it has not been previously declared, you will also need to notify the Monitoring Officer within 28 days.
Does the interest indirectly affect or relate any pecuniary interest you have already declared, or an interest you have identified at 1-5 above? If yes, you need to inform the meeting. When it is discussed, you will have the right to make representations to the meeting as a member of the public, but you should not partake in general discussion or vote.
Is the interest not related to any of the above? If so, it is likely to be an other interest. You will need to declare the interest, but may participate in discussion and voting on the item.
Have you made any statements or undertaken any actions that would indicate that you have a closed mind on a matter under discussion? If so, you may be predetermined on the issue; you will need to inform the meeting, and when it is discussed, you will have the right to make representations to the meeting as a member of the public, but must then withdraw from the meeting.

**FOR GUIDANCE REFER TO THE FLOWCHART OVERLEAF.
PLEASE REFER ANY QUERIES TO THE MONITORING OFFICER IN THE FIRST
INSTANCE**

DECLARING INTERESTS FLOWCHART – QUESTIONS TO ASK YOURSELF



**Licensing Act 2003: Temporary event notice
The Beauchamp Arms Ferry Rd, Carleton St Peter, Norfolk, NR14 6DH**

Report Author(s): Martina Wilson
Licensing & Enforcement Officer
01508533956
mwilson@s-norfolk.gov.uk

Portfolio: Regulation & Public Safety

Ward(s) Affected: Rockland

Purpose of the Report:

Members are asked, in accordance with the delegation of licensing functions contained in the South Norfolk Council statement of licensing policy (Licensing Act 2003), to consider an objection notice given by the Community Protection Team at South Norfolk Council. This is attached as Appendix 1.

Recommendations:

That Members determine whether to issue a counter notice in respect of the temporary event notice submitted in respect of The Beauchamp Arms, Ferry Rd, Carleton St Peter, Norfolk, NR14 6DH for an event from 3 to 4 April 2020 in accordance with the:

- Licensing Act 2003;
- Guidance issued under Section 182 of the Licensing Act 2003; and
- South Norfolk Council Statement of Licensing Policy.

1 SUMMARY

- 1.1 An application has been received for a standard Temporary Event Notice (TEN) from Shaun Hughes for an event at the Beauchamp Arms on 3 to 4 April 2020. This is attached as Appendix 2

- 1.2 The TEN gives notification that it is proposed to use the premises for the licensable activities of the sale by retail of alcohol, the provision of regulated entertainment and the provision of late-night refreshment starting at 19:00 to 03:00 from 3 April to 4 April 2020.

2 BACKGROUND

- 2.1 Part 5 of the Licensing Act 2003 (The Act) provides for the temporary carrying on of licensed activities at premises which are not authorised by a premises licence or club premises certificate. The most important aspect of the system of permitted temporary activities is that events do not have to be authorised as such by the licensing authority. Instead the premises user notifies the event to the licensing authority and the police. A copy of the current Premises Licence is attached as Appendix 3.
- 2.2 The premises user is required to give a copy of any temporary event notice (TEN) unless submitted electronically when it is the responsibility of the licensing authority to the police and the local authority exercising environmental health functions (EHA). If the Police or EHA believe that allowing the premises to be used in accordance with the TEN will undermine the licensing objectives, they must give an objection notice to the licensing authority and to the premises user within 3 working days of their receipt of the TEN.
- 2.3 If the licensing authority receives an objection notice from the police or EHA that is not withdrawn, it must (in the case of a standard TEN only) hold a hearing to consider the objection (unless all parties agree that this is unnecessary). If members decide to allow the licensable activities to go ahead as stated in the TEN, and these are in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing premises licence conditions in the TEN (insofar as such conditions are not inconsistent with the event) if it considers that this is appropriate for the promotion of the licensing objectives. If the authority decides to impose conditions, it must give notice to the premises user which includes a statement of conditions and provide a copy to each relevant party. Alternatively, members may decide that the event would undermine the licensing objectives and should not take place. In this case, the licensing authority must give a counter notice.

3 CURRENT POSITION/FINDINGS

- 3.1 There have been previous events at the Beauchamp Arms which have resulted in noise complaints from residents within the Broadland area.
- 3.2 Ali Pridmore, Senior Community Protection Officer has undertaken noise monitoring for previous events, and this has raised significant concerns with regards to how events are managed relating to the control of sound levels at these events.
- 3.3 At a previous event organised by Frankie Allardyce held on the 8 February 2020, Ali Pridmore carried out noise monitoring North and South of the river Yare. Although there were no significant issues with noise on the South side of the river Yare, monitoring on the North side of the river indicated significantly elevated noise levels. The base beat from the event in and around Buckenham was particularly intrusive and has the potential to be a statutory nuisance. The base beat was clearly audible in Mr Pridmore's car with the windows and doors closed. A copy of an area map showing points of monitoring carried out is attached as Appendix 4.
- 3.4 Mr Pridmore contacted Mr Hollocks, premises licence holder of the Beauchamp Arms by text message to inform him of the issues. Mr Pridmore did not receive a response until

the following day. After texting Mr Hollocks there was no discernible change (reduction) in the noise levels.

- 3.5 A hearing was held on the 4 March 2020 for a previous application submitted by Kerry Goodrick. Members of the Committee issued a Counter Notice. Please see Appendix 6

3 PROPOSED ACTION

- 4.1 The application for a Temporary Event Notice where an objection has been received by the Community Protection Team must be determined by a hearing of the Licensing Sub Committee, as under the Act, determination may not be delegated to officer level. This determination should only be made in relation to received representations relevant to the content of this application, the four licensing objectives, the Revised Guidance Issues under Section 182 of the Licensing Act 2003 and South Norfolk Council's Statement of Licensing Policy published in January 2018.

5 ISSUES AND RISKS

- 5.1 **Resource Implications** – None
- 5.2 **Legal Implications** –Yes legal advice taken
- 5.3 **Equality Implications** – The sub-committee, in its decision making, must have due regard to its public sector equality duty under Section 149 of the Equality Act 2010.
- 5.4 **Environmental Impact** –See Licensing objectives
- 5.5 **Crime and Disorder** – None
- 5.6 **Risks** – the council could incur costs in officer and legal representative time if a person is aggrieved by the decision of the Committee and pursues an appeal in the Magistrates Court.

6 RECOMMENDATIONS

- 6.1 The sub-committee must consider the objection notice received from Community Protection to determine whether the proposed event would undermine the licensing objectives.
- 6.2 If the sub-committee determine that the proposed event would undermine the licensing objectives, then the licensing authority must give a counter notice to the premises user to prevent the proposed temporary event from going ahead.
- 6.3 Should the sub-committee determine not to issue a counter-notice, and allow the event to go ahead, then they may impose one or more existing premises licence conditions but only if it considers it appropriate for the promotion of the licensing objectives.
- 6.4 Alternatively, the licensing sub-committee may decide to allow the licensable activities to go ahead as stated in the TEN without the imposition of any conditions.
- 6.5 A notice giving reasons for the sub-committee's determination will need to be served on the premises-user, the Police and the Community Protection.
- 6.6 Appeals by the premises-user in respect of the determinations set out in paragraphs 6.3 and 6.4 above, or by the Police or EHA in respect of paragraph 6.5 above, must be made

to the Magistrates' Court within 21 days, commencing on the day on which either party was notified of the decision either to issue, or not issue, a counter notice. However, no appeal may be brought later than 5 working days before the first day of the relevant event period.

Appendices

Appendix 1 – Objection Notice

Appendix 2 – Application

Appendix 3 – Copy of current premises licence

Appendix 4 – Area map showing points of monitoring

Appendix 5 – Counter Notice issued on previous TEN application

Appendix 6 – Relevant section of the statement of Licensing Policy

Meeting cancelled

From: Ali Pridmore

Appendix 1

Sent: 11 Mar 2020 04:13:26

To: [REDACTED]

Subject: Notice of Objection: TEN (20/00204/PLTEAS)

Attachments: image001.png,

Dear Mr Hughes,

Notice of Objection to temporary event notice (TEN)
Our Reference: 20/00204/PLTEAS

On the 10th March 2020, South Norfolk Council as the licensing authority received from you, Mr Shaun Hughes, a temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on the 3rd and 4th April 2020 at the Beauchamp Arms, Ferry Road, Calet, St. Peter, Norfolk, NR14 6DH.

I am objecting to the notice as I am satisfied that allowing the premises to be used in accordance with the notice would undermine a licensing objective, namely that of public nuisance (noise) for the following reasons:

- the level and type of music which is very bass-heavy played during the early hours of the morning when the background noise levels are very low,
- the nature of the premises which are considered to be insufficiently sound insulated,
- the local climate conditions which affect the transmission of sound to noise sensitive properties,
- concerns that the physical or management controls of noise during previous events held at the premises were insufficient to prevent public nuisance from events held at the above premises.

I have provided this notice in accordance with Section 105(3) of the Licensing Act 2003 as amended, providing you with the reasons for my decision.

Yours sincerely

[REDACTED]

Mr Ali Pridmore
Senior Community Protection Officer

[REDACTED]

Internal Memorandum

To:	Licensing
From:	Community Protection Team
My Ref:	-
Your Ref:	20/00204/PLTEAS
Date:	11 March 2020

Dear Licensing,

I am objecting to the TEN (ref 20/00204/PLTEAS) on the grounds of public nuisance.

Please see the decision of the Licensing Committee which was held on 04 March 2020 relating to my objection to the TEN submitted by Mr Kerry Daniel Gordonick (20/00187/PLTEAS) which was due to take place on the 14 & 15 March 2020 at Beauchamp Arms, Ferry Road, Carleton St Peter, Norfolk NR14 6DH.

The objection under section 104(2) of the Licensing Act 2003 from the Community Protection section of South Norfolk Council to the notice on the basis that a licensing objective, namely the prevention of public nuisance, would be undermined if the proposed temporary licensable activities took place.

Following complaints from a member of the public, I carried out investigations on two separate occasions when events were held at the Beauchamp Arms. These took place in the early hours of the morning at noise sensitive premises. I noted music noise from the application premises and that this was a nuisance. I gave the following reasons why this was likely to reoccur.

- the level and type of music which is very bass-heavy played during the early hours of the morning when the background levels are very low,
- the nature of the premises which were considered to be insufficiently sound insulated,
- the local climate conditions which affect the transmission of sound to noise sensitive properties.

The Committee was satisfied that the noise from previous events was not adequately managed or controlled and that the noise was a public nuisance and the committee was determined to serve a counter notice for the reasons given above.

Unfortunately, I have little confidence that such events will be effectively managed based on my recent out of hours visits where I monitored the sound levels from events held at the above venue. The circumstances for the TEN is not materially different from the previous TEN which resulted in the Licensing Committee issuing a Counter Notice.

Kind Regards


Mr Ali A N J Pridmore
Senior Community Protection Officer

20/00204/PLTBAS

New TEN Submission (WEB-TEN-802)

A new TENS application has been received.

Website reference:
WEB-TEN-802

Ten Details

Within South Norfolk:
Yes

Type of TEN:
Standard TEN

Start date:
03/04/2020

Finish date:
04/04/2020

Start time:
19:00:00

Finish time:
03:00:00

Total hours of your event period:
8

Please state the maximum number of people at any one time that you intend to allow to be present at the premises during the times when you intend to carry on licensable activities, including any staff, organisers or performers. This can be no more than 499 people.
300

NI number:
[REDACTED]

Your date of birth:
[REDACTED]

Your place of birth:
[REDACTED]

Do you currently hold a valid Personal License?
No

Premises Details

Premises address:
Beauchamp Arms

**Ferry Road
Carlton St Peter
Norfolk
NR14 6DH**

Does a premises license or club premises certificate have effect in relation to the premises (or any part of the premises)?

Yes

Premises license number
POA203

If you intend to use only part of the premises at this address or intend to restrict the area to which notice applies, please give a description and details

Beauchamp Arms pub

Please describe the nature of the premises

Beauchamp Arms pub, the event will be inside the pub.

Please describe the nature of the event

Music Event/discotheque

Previous TENs

Previous Temporary Event Notices

Have you previously given a TEN in respect of any premises for events falling in the same calendar year as the event for which you are now giving this TEN?

No

Have you already given a TEN for the same premises in which the event period:

- a) ends 24 hours Or less before;
- b) begins 24 hours Or less after the event period proposed in this notice?

No

Associates and Business Colleagues

Has any associate of yours given a TEN for an event in the same calendar year as the event for which you are now giving a TEN?

No

Has any associate of yours already given a TEN for the same premises in which the event period:

- a) ends 24 hours or less before; or
- b) begins 24 hours or less after the event period proposed in this notice?

No

Has any person with whom you are in business carrying on licensable activities given a TEN for an event in the same calendar year as the event for which you are now giving a TEN?

No

Has any person with whom you are in business carrying on licensable activities already given a TEN for the same premises in which the event period:

- a) ends 24 hours Or less before; Or
- b) begins 24 hours Or less after the event period proposed In this notice?

No

Licensable Activities

The sale by retail of alcohol:

Yes

The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club:

No

Please state whether the supplies will be for consumption on or off the premises, or both:

On

The provision of regulated entertainment:

Yes

Please state if the licensable activities will include the provision of relevant entertainment:

No

The provision of late night refreshment:

Yes

Applicant Details

Resident name:

Mr Shaun Hughes

Would you like to receive a confirmation email?

Yes

Would you prefer to be sent your TENs license by email?

No

Email:



Payment

Payment method:

Online

Receipt number:
009668

Attachments

No supporting documentation was attached.

acknowledgement

I acknowledge receipt of this Temporary Event Notice.

Signature:

Date:

Name of the officer signing:

Meeting cancelled

Licensing Act 2003

Premises Licence**PLA0233**

Part 1 – Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION**Beauchamp Arms**, Ferry Road, Carleton St Peter, Norfolk, NR14 6DH**WHERE THE LICENCE IS TIME LIMITED THE DATES**

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Films
 Indoor Sporting Events
 Live Music
 Recorded Music
 Anything of Similar Description (e.f.g)
 Late Night Refreshment
 Supply of Alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES**B. Films** (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Non-Standard Times

11:00 - 01:00 on Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

C. Indoor Sporting Events (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Printed on 5 April 2019

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Licensing Act 2003

Premises Licence

PLA0233

Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

E. Live Music (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	00:00
Saturday	11:00	00:00
Sunday	11:00	00:00

F. Recorded Music (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

H. Anything of Similar Description (e,f,g) (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Licensing Act 2003

Premises Licence

PLA0233

Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

I. Late Night Refreshment (Indoors)

Description	From	To
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	01:00
Saturday	23:00	01:00
Sunday	23:00	00:00

Non-Standard Timings

23:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 23:00 - 05:00 New Year's Day

J. Supply of Alcohol

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

THE OPENING HOURS OF THE PREMISES

Description	From	To
Monday	11:00	00:30
Tuesday	11:00	00:30

Licensing Act 2003

Premises Licence

PLA0233

Wednesday	11:00	00:30
Thursday	11:00	00:30
Friday	11:00	01:30
Saturday	11:00	01:30
Sunday	11:00	01:30

Non-Standard Timings

11:00 - 01:30 On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Alcohol is supplied for consumption both on and off the premises.

Part 8

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

Carlton St Peter Properties Ltd, 1299-1701 London Road, Leigh-on-Sea, Essex, SS9 2AD

REGISTERED NUMBER OF HOLDER, COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

09906587

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Raymond Peter Horrocks

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Personal Licence Reference: PA0180

Licensing Authority: South Norfolk Council

ANNEXES

ANNEX 1 – MANDATORY CONDITIONS

- No supply of alcohol may be made under the premises licence -
 - at a time when there is no designated premises supervisor in respect of the premises licence; or
 - at a time when the designated premises supervisor does not hold a personal licence or his personal licence is suspended
- Every supply of alcohol under the premises licence must be made, or authorised by a person who

holds a personal licence

3. (1) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises.
- (2) In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises
 - (a) games or other activities which require or encourage, or are designed to require or encourage, individuals to:
 - (i) drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or
 - (ii) drink as much alcohol as possible (whether within a time limit or otherwise);
 - (b) provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
 - (c) provision of a free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective.
 - (d) selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner.
 - (e) dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
4. The responsible person must ensure that free potable water is provided on request to customers when it is reasonably available.
5. (1) The premises licence holder or club premises certificate holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol.
- (2) The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy.
- (3) The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either-
 - (a) a holographic mark, or
 - (b) an ultraviolet feature
6. The responsible person must ensure that -
 - (a) where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or

Licensing Act 2003

Premises Licence

PLA0233

supply in a securely closed container) it is available to customers in the following measures -

- (i) beer or cider: ½ pint;
- (ii) gin, rum, vodka or whisky: 25ml or 35ml; and
- (iii) still wine in a glass: 125ml;

(b) these measures are displayed in a menu, price list or other printed material which is available to customers on the premises; and

(c) where a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

A responsible person in relation to a licensed premises means the holder of the premises licence in respect of the premises, the designated premises supervisor (if any) or any individual aged 18 or over who is authorised by either the licence holder or designated premises supervisor. For premises with a club premises certificate, any member or officer of the club present on the premises in a capacity that which enables him to prevent the supply of alcohol.

7. A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price.

8. For the purposes of the condition set out in the paragraph above -

(a) duty is to be construed in accordance with the Alcohol Liquor Duties Act 1979;

(b) permitted price is the price found by applying the formula -

$$P = D + (D \times V)$$

Where:

- (i) P is the permitted price;
- (ii) D is the amount of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of alcohol; and
- (iii) V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol;

(c) relevant person means, in relation to premises in respect of which there is in force a premises licence -

- (i) the holder of the premises licence;
- (ii) the designated premises supervisor (if any) in respect of such a licence; or
- (iii) the personal licence holder who makes or authorises a supply of alcohol under such a licence;

(d) relevant person means, in relation to premises in respect of which there is in force a club premises certificate, any member or officer of the club present on the premises in a capacity which enables the member or officer to prevent the supply in question; and

(e) value added tax means value added tax charged in accordance with the Value Added Tax Act 1994.

9. Where the permitted price given by Paragraph (b) above would (apart from this paragraph) not be a whole number of pennies, the price given by that sub-paragraph shall be taken to be the price actually given by that sub-paragraph rounded up to the nearest penny.

Licensing Act 2003

Premises Licence

PLA0233

10. (1) Sub-paragraph (2) applies where the permitted price given by Paragraph (b) above on a day ("the first day") would be different from the permitted price on the next day ("the second day") as a result of a change of the rate of duty or value added tax.

(2) The permitted price which would apply on the first day applies to sales or supplies of alcohol which take place before the expiry of the period of 14 days beginning on the second day.
11. Where a premises licence authorises the exhibition of films, the licence must include a condition requiring the admission of children to the exhibition of any film to be restricted in accordance with this section.
12. Where the film classification body is specified in the licence, unless subsection (3)(b) applies, admission of children must be restricted in accordance with any recommendation by that body.
13. Where
 - (a) the film classification body is not specified in the licence, or
 - (b) the relevant licensing authority has notified the holder of the licence that this subsection applies to the film in question admission of children must be restricted in accordance with any recommendation made by the licensing authority.
14. In this section "children" means any person aged under 18; and "film classification body" means the person or persons designated as the authority under Section 4 of the Video Recordings Act 1984 (c39)(authority to determine suitability of video works for classification).

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

1. Not less than 10 working days written notice to be provided to Police when 'event days' are planned.
2. Children under 18 years of age will not be allowed on the premises after Midnight.
3. An adult will accompany children under 18 years of age on the premises.

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING BY THE LICENSING AUTHORITY

Not applicable.

ANNEX 4 – PLAN(S)

See attached.

Licensing Act 2003

Premises Licence Summary

PLA0233

Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Beauchamp Arms, Ferry Road, Carleton St Peter, Norfolk, NR14 6DH

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

Films
Indoor Sporting Events
Live Music
Recorded Music
Anything of Similar Description (e.f.g)
Late Night Refreshment
Supply of Alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

B. Films (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Non-Standard Filings

11:00 - 01:00 On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

C. Indoor Sporting Events (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

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Premises Licence Summary

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Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

E. Live Music (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	00:00
Saturday	11:00	00:00
Sunday	11:00	00:00

F. Recorded Music (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

H. Anything of Similar Description (e,f,g) (Indoors)

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

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Premises Licence Summary

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Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

I. Late Night Refreshment (Indoors)

Description	From	To
Monday	23:00	00:00
Tuesday	23:00	00:00
Wednesday	23:00	00:00
Thursday	23:00	00:00
Friday	23:00	01:00
Saturday	23:00	01:00
Sunday	23:00	00:00

Non-Standard Timings

23:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 23:00 - 05:00 New Year's Day

J. Supply of Alcohol

Description	From	To
Monday	11:00	00:00
Tuesday	11:00	00:00
Wednesday	11:00	00:00
Thursday	11:00	00:00
Friday	11:00	01:00
Saturday	11:00	01:00
Sunday	11:00	00:00

Non-Standard Timings

11:00 - 01:00 - On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

THE OPENING HOURS OF THE PREMISES

Description	From	To
Monday	11:00	00:30
Tuesday	11:00	00:30

Licensing Act 2003

Premises Licence Summary

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Wednesday	11:00	00:30
Thursday	11:00	00:30
Friday	11:00	01:30
Saturday	11:00	01:30
Sunday	11:00	01:30

Non-Standard Timings

11:00 - 01:30 On Friday, Saturday, Sunday & Monday of Bank Holiday Weekends and up to ten other event days at the direction of the licensee.

Seasonal Details

New Year's Eve 11:00 - 23:00 New Year's Day

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL, WHETHER THESE ARE ON AND / OR OFF SUPPLIES

Alcohol is supplied for consumption both on and off the premises.

NAME (REGISTERED) ADDRESS OF HOLDER OF PREMISES LICENCE

Carlton St Peter Properties Ltd, 1299-1301 London Road, Leigh-on-Sea, Essex, SS9 2AD

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

09906587

NAME OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Mr Raymond Peter Hollocks

STATE WHETHER ACCESS TO THE PREMISES BY CHILDREN IS RESTRICTED OR PROHIBITED

Children under 18 years of age will not be allowed on the premises after Midnight. An adult will accompany children under 18 years of age on the premises.

Not Set

Not Set



**COUNTER NOTICE TO TEMPORARY EVENT NOTICE –
SECTION 105 LICENSING ACT 2003**

Counter Notice (Temporary Event Notice) – Permitted Temporary Activities

On 20 February 2020 the licensing authority received from you, Mr Kerry Daniel Goodrick, a temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on the 14th and 15th March 2020 at the Beauchamp Arms, Ferry Road, Carleton St Peter, Norfolk, NR14 6D, namely to use the premises for the sale by retail of alcohol and for regulated entertainment (clarified to be the playing of recorded music) between 19:00 hours on 14th March 2020 and 03:00 hours on 15th March 2020.

The licensing authority received an objection to the notice under section 104(2) of the Licensing Act 2003 from the Community Protection section of South Norfolk Council on the basis that the licensing objective namely the prevention of public nuisance would be undermined if the proposed temporary licensable activities took place.

A hearing was held on the 4th March 2020. At this hearing it was determined to issue a counter notice as this was appropriate in order to promote the licensing objective of the prevention of public nuisance.

The Licensing Act 2003 makes provision for you to appeal against this counter notice and reference should be made to Schedule 5 of the Licensing Act 2003. Any appeal must be made to a magistrates' court and commenced by notice of appeal given to the designated officer at the magistrates' court within the period of 21 days beginning with the day on which you were notified of the decision appealed against, except that no appeal may be brought later than five working days before the day on which the event period specified in the temporary event notice begins.

This counter notice is accompanied by a notice giving reasons for the decision.

Under section 136 of the Licensing Act 2003, a person commits an offence if he carries on a licensable activity on or from any premises other than under and in accordance with an authorisation; or if he knowingly allows a licensable activity to be carried on. A person convicted of such an offence is liable to imprisonment for a term not exceeding six months, or to a fine not exceeding £20,000, or to both.

SIGNATURE		DATE	4 th March 2020
	Chairman On behalf of the licensing authority		

Counter notice – Beauchamp Arms, Ferry Road, Carleton St Peter, Norfolk.

Notice giving reasons for the counter notice – Beauchamp Arms Public House.

On 20 February 2020 the licensing authority received from you, Mr Kerry Daniel Goodrick, a temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on the 14th and 15th March 2020 at the Beauchamp Arms, Ferry Road, Carleton St Peter, Norfolk NR14 6DH namely in respect of the premises to use the area for the sale by retail of alcohol and the provision of regulated entertainment (clarified to be the playing of recorded music) for a period starting at 19:00 hours on the 14th March 2020 and finishing at 03:00 hours on the 15th March 2020.

The licensing authority received an objection under section 104(2) of the Licensing Act 2003 from the Community Protection section of South Norfolk Council to the notice on the basis that a licensing objective, namely the prevention of public nuisance, would be undermined if the proposed temporary licensable activities took place and a hearing took place on Wednesday 4th March 2020 at which it was determined to serve a counter notice for the reasons given below.

In coming to this view the committee took account of the evidence provided by a committee from Mr Raymond Hollocks, Mr William Hollocks and Mr Ali Pridmore of the Community Protection section together with the contents of the agenda papers and noted the guidance referred to in the report.

The test applied was whether it was appropriate to serve a counter notice to promote the licensing objective of the prevention of public nuisance.

Committee was satisfied that Mr A Pridmore was a reliable witness and gave weight to his evidence and the strength of his professional judgments following his investigation.

Following a complaint from a member of the public Mr Pridmore carried out investigations on two separate occasions. These took place in the early hours of the morning at noise sensitive premises. He noted music noise from the application premises and that this was a nuisance. He gave reasons regarding the level and type of music, the nature of the premises and the local climate conditions as to why this was likely to reoccur and confirmed that in his view the closure of doors at the application premises would be insufficient to prevent noise nuisance.

Committee was not satisfied that the physical management controls of noise at the premises were sufficient to prevent public nuisance from noise likely to arise from the granting of the sought temporary event notice.

SIGNATURE		DATE	04 March 2020
	Chairman On behalf of the licensing authority		

Reasons for counter notice – the Beauchamp Arms Public House.

Appendix 4 – Relevant section from the Statement of Licensing Policy

24 - Temporary Event Notice (TEN)

Certain temporary events are not required to be licensed but must be notified to the Council by using a Temporary Event Notice (TEN). However, depending on the nature and location of such events, these can have serious crime and disorder and public nuisance implications. Organisers of these events are encouraged to submit their notification as soon as reasonably practicable to enable the Police, Environmental Health and the Licensing Authority to work with them to identify and reduce the risks.

A Standard Temporary Event Notice must be received a minimum of ten clear working days prior to the event. A Late Temporary Event Notice must be submitted with a minimum of five clear working days and a maximum of nine clear working days prior to the event. There is no discretion for the Council to relax either the ten or the five working days requirement.

If a TEN is submitted in writing, separate copies of the TEN must be served by the event organiser on the Police and Environmental Health. If a TEN is submitted electronically, the event organiser is not required to serve the TEN on the Police or Environmental Health as the licensing authority will submit it on their behalf. Where possible the Council encourages TENs to be served electronically.

Meeting cancelled