

Licensing Committee - Premises and Gambling



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Tuesday, 21 February 2023

A meeting of the **Licensing Committee - Premises and Gambling** of North Norfolk District Council will be held in the **Council Chamber - Council Offices** on **Wednesday, 1 March 2023** at **11.00 am**.

At the discretion of the Chairman, a short break will be taken after the meeting has been running for approximately one and a half hours

Members of the public who wish to ask a question or speak on an agenda item are requested to notify the committee clerk 24 hours in advance of the meeting and arrive at least 15 minutes before the start of the meeting. This is to allow time for the Committee Chair to rearrange the order of items on the agenda for the convenience of members of the public. Further information on the procedure for public speaking can be obtained from Democratic Services, Tel: 01263 516108, Email: lauren.gregory@north-norfolk.gov.uk.

Anyone attending this meeting may take photographs, film or audio-record the proceedings and report on the meeting. Anyone wishing to do so must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

Please note that Committee members will be given priority to speak during the debate of agenda items

Emma Denny
Democratic Services Manager

To: Mr T Adams, Mr D Birch, Mr H Blathwayt, Dr P Bütikofer, Mr C Cushing, Mr P Fisher, Mrs P Grove-Jones, Mr N Housden, Mr N Lloyd, Mr G Mancini-Boyle, Mr N Pearce, Mr J Rest, Mrs E Spagnola, Mr E Vardy and Mr A Yiasimi

All other Members of the Council for information.
Members of the Management Team, appropriate Officers, Press and Public



**If you have any special requirements in order
to attend this meeting, please let us know in advance**
If you would like any document in large print, audio, Braille, alternative format or in
a different language please contact us

Chief Executive: Steve Blatch
Tel 01263 513811 **Fax** 01263 515042 **Minicom** 01263 516005
Email districtcouncil@north-norfolk.gov.uk **Web site** www.north-norfolk.gov.uk

A G E N D A

1. TO RECEIVE APOLOGIES FOR ABSENCE

2. PUBLIC QUESTIONS

3. MINUTES

(Pages 1 - 10)

To approve as a correct record the Minutes of the Licensing sub-committee held 25th May 2022, and the Licensing sub-committee premises and gambling meeting held 19th October 2022.

4. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

5. DECLARATIONS OF INTEREST

(Pages 11 - 16)

Members are asked at this stage to declare any interests that they may have in any of the following items on the agenda. The Code of Conduct for Members requires that declarations include the nature of the interest and whether it is a disclosable pecuniary interest. Members are requested to refer to the attached guidance and flowchart.

6. ANY OTHER URGENT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

7. LICENSING ACT 2003 AND GAMBLING ACT 2005 UPDATE

(Pages 17 - 24)

Summary: The report presents an update on the work of the Public Protection team in respect of the licensing and gambling regulatory function that it undertakes.

Conclusions: N.A

Recommendations: N/A

Contact Officer, telephone number and email:
Nicola Davison 01263 516291 nicky.davison@north-norfolk.gov.uk

8. EXCLUSION OF PRESS AND PUBLIC

To pass the following resolution, if necessary:

“That under Section 100A(4) of the Local Government Act 1972 the press and public be excluded from the meeting for the following items of business on the grounds that they involve the likely disclosure of exempt information as defined in paragraph _ of Part I of Schedule 12A (as amended) to the Act.”

9. TO CONSIDER ANY EXEMPT MATTERS ARISING FROM THE PUBLIC BUSINESS OF THE AGENDA
10. ANY OTHER URGENT EXEMPT BUSINESS AT THE DISCRETION OF THE CHAIRMAN AND AS PREVIOUSLY DETERMINED UNDER ITEM 4 ABOVE

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LICENSING SUB-COMMITTEE

Minutes of the meeting of the Licensing Sub-Committee held on Wednesday, 25 May 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Members Present: Cllr J Rest (Chairman)
Cllr E Spagnola

Members also attending: Cllr H Blathwayt

Officers in Attendance: Legal Advisor (LA -CM)
Legal Advisor (LA – TT)
Senior Public Protection Officer (SPPO)
Licensing Enforcement Officer (LEO)
Democratic Services Officer - Regulatory

1 TO RECEIVE APOLOGIES FOR ABSENCE

Apologies for absence were received from Cllr N Pearce, with Cllr H Blathwayt present as a substitute.

2 ITEMS OF URGENT BUSINESS

None.

3 DECLARATIONS OF INTEREST

None.

4 APPLICATION FOR A NEW PREMISES LICENCE - NEW INN, 54 LOWER STREET, HORNING, NORFOLK, NR12 8PF

Present: Applicant & Applicants Legal representatives

The Chairman, Members of the Panel and Officers introduced themselves.

The LA-CM outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO introduced the Officers report, outlining that the Applicant sought to i) vary the layout of the premises in accordance with plans (drawing no 100 revision B), ii) add a condition to the premises licence regarding CCTV, iii) amend the opening hours for existing non-standard timings to provide 30 minutes drinking up time and iv) permit the provision of late night refreshment.

The SPPO stressed that any variation would be subject to mandatory conditions, and would need to accord with the promotion of the four licensing objectives.

It was noted that a consultation had been undertaken with representations included on page 14 of the report, and whilst there had been 22 initial complaints, following contact from the Applicants solicitors via NNDC on 9th May, 11 complaints had been withdrawn. The SPPO advised that all objections had been received before suggested amendments had been put forward. The two representations made by the responsible authorities (the Parish Council and the Broads Authority) had been withdrawn in the course of proceedings.

The SPPO provided a summary of the eleven objector's concerns which centred on concerns of parking arrangements, crime and disorder, the potential for more stag or hen parties, the need for additional cctv, light pollution, boater's safety, noise disturbance and protecting children from harm.

The SPPO highlighted Appendix D, page 99 of the report, and provided context to the application site and its surrounding area.

The Applicant presented their case and detailed the history of the site, with its strong links to the river, outlined their operating schedule and confirmed the provisions they will have in place to promote the four licensing objectives.

The Applicant's legal representative outlined that following consultation with local objectors and the relevant responsible authorities, they were minded to withdraw two out of the four proposed variations, namely the variations to i) permit the provision of Late Night Refreshment (indoors & outdoors) Mondays to Sundays 23:00 to 00:30 hours the following morning and ii) to amend the opening hours for existing non-standard timings to provide 30 minutes drinking up time. The Applicant's representatives stressed that the purpose of the variation application was to improve the efficiency of the public house and to further aid the patron's experience of public house.

There were no oral representations made from the Other Persons. However, the Panel noted all 11 written representations.

The Sub-Committee asked about the parking provision on site. The Applicant advised that parking was available for up to 16 spaces and staff were encouraged to park off site. Further, the business organised shift patterns to promote car sharing of its staff to minimise the number of staff vehicles.

The Chairman clarified if the Applicant was satisfied with the amendments put forward, noting that a change in operational hours may have financial implications. The Applicant affirmed that they were happy with the proposed changes.

The Chairman noted noise complaints references disturbances during the viewing of football and rugby matches and invited the Applicant to comment. The Applicant advised that these disturbances occurred the year prior and under the previous tenant. The disturbances arose due to the use of an external TV showing matches. Since, the Applicant had removed TV's from the pub and indicated that he had no intention to replace wither internally or externally on the premises commenting that the location was not suitably placed for this form of entertainment.

Cllr H Blathwayt asked the Applicant about the takeaway Fish and Chip facility. The Applicant advised that they did not consider this would have a negative impact on the business, rather it offered more choice to guests and residents. He advised that he had a good relationship with other businesses in the area and kept copies of other takeaway menus behind the bar.

Cllr E Spagnola asked if the establishment would accept hen or stag nights. The Applicant advised that this was not always something they could control as such groups may choose to hire a day boat on the broads.

In response to questions from the Sub-Committee the Applicant advised work undertaken on the site would be undertaken by vetted local tradespeople.

Cllr H Blathwayt asked if the Applicant had in place a Good Neighbour Policy. The Applicant assured the Sub-Committee that this was in place.

The LA- CM re-iterated their advice, and advised the applicant that a written notification would be supplied to them within 5 working days.

RESOLVED

That the Application be GRANTED subject to conditions.

The Meeting was suspended at 11.23am and resumed at 1.15pm

5 APPLICATION FOR A NEW PREMISES LICENCE - THE WOODYARD, WORSTEAD PARK, WORSTEAD, NORFOLK NR28 9RT

Present: Applicant, Venue Manager for the Application site, and 2 x Objecting speakers.

The Chairman, Members of the Panel and Officers introduced themselves.

The LA-TT outlined the purpose of the hearing and explained the procedure for the meeting.

The SPPO presented the Officers report outlining that the Applicant was seeking to be licenced in respect of various activities from Saturday to Sunday between the hours of 08:00 - 23:55. The SPPO advised that the Sub-Committee were asked to consider the promotion of the four licensing objectives, when making their determination.

The SPPO highlighted that the 'conditions consistent with the operating schedule' outlined at 3.2, on page 5 of his report being provisions (c) & (d), should be modified to refer to CCTV and CCTV tapes.

It was noted that there were no objections from responsible authorities, though there were suggested conditions submitted from Norfolk Constabulary (as set out in Section 5 of the report). The SPPO summarised the objections received which related to concerns of public nuisance, increased traffic, noise, the removal of trees which had provided a sound barrier, light pollution and issues according with planning conditions. Details of which were contained on pages 203 – 207 of the Officers report.

Cllr H Blathwayt asked if the application site was located in a designated dark skies area. The SPPO noted the working used by the one of the objectors, but advised he was uncertain of its designated status.

The Applicant presented his case and informed the Sub-Committee that the NNDC planning department had already placed several restrictions on the operation of the

premises including no amplified music outside of the premises and the installation of a permanent sound system indoors which limits noise.

The Applicant made reference to acoustic reports undertaken by himself and neighbours, in respect of noise level impact, and stated that they have complied fully with the recommendations contained within and these reports account for the removed forestry adjacent to the site. He advised that there were internal systems which limited noise and that this was managed by the Venue Manager who regularly checks the volume of amplified music and would act accordingly if this were an issue.

On the sale of alcohol on the premises, the Applicant stressed his staff's strong level of experience in event management and weddings in particular. He also cited their existing compliance with conditions such as 'Challenge 25', DPS holders on site and CCTV systems around the premises.

The Applicant acknowledged previous issues with signage and traffic at the site but confirmed recent improvements to signs had a positive impact on the issue with guests and operators being more observant about signage.

The Sub-Committee asked the Applicant about parking and signage on the site. The Applicant advised the venue offered 50-60 parking spaces and that the business abided by the planning conditions placed on the venue. The venue operated a one way system with signage recently installed to help inform and educate guests and service users.

The 'Other Persons' present presented their respective cases.

The two objectors present at the hearing expressed their concerns that if the premises were to be granted a licence as proposed, the noise and excess traffic would persist at unreasonably high levels for most of the week and intensify on weekends before during and after events.

The first objector considered that Chapel Road was ill-suited to a high volume of vehicles as it is a small rural road. She emphasized that the road is in regular use by service vehicles during the week, often transiting at high speeds to the venue which presents a risk to pedestrians and other users.

She continued, stating, that the felling of trees on the site had enabled noise emanating the premise to travel further and with greater penetration to neighbouring properties. She also warned of the effects of alcohol consumption on guests resulting in potential reckless and anti-social behaviour to a quiet rural area who don't expect that level of disruption.

She concluded by stating the signage had been ineffective in regulating guests entering and leaving the site.

The second objector stated that he has been living in the community for many years and moved to Worstead due to it being a quiet village. He continued, stating, that whilst the Premises has been operating he has heard noise late at night from the site which he tolerated because it was happening in occasional instances, but voiced opposition to the application as it would be permissible for events to take place every weekend until a time close to midnight without restriction.

He continued stating that the Applicant had provided no information on decibel levels

or the effectiveness of his sound system in limiting noise as he can still hear noise late at night when events are being held.

He confirmed that the forestry that was removed by the Applicant on the site had subsequently allowed more noise to be carried through with no barrier, negatively affecting his enjoyment of his property.

The Chairman asked the Applicant to clarify signage which had been desired as inadequate. The Applicant advised that the signs were in place but noted these were only viable when gates were open.

Cllr E Spagnola asked if there was any potential for more than one wedding to take place over the weekend. The Applicant confirmed that they had no intention of increasing their offering to more than one wedding per weekend, and advised that it had been conditioned that they could only host events on the weekend.

The Applicant advised that suppliers attend the venue during the week, and that glassware and alcohol were brought to the site, though the venue were looking to bring more operations in house. The Venues Manager advised that beer was currently transported to the site via a small van, and further clarified that the site had recently changed postcode for its western gate, which should help direct traffic to the appropriate entranceway.

The LA- TT re-iterated their advice, and advised the applicant that a written notification would be supplied to them within 5 working days.

RESOLVED

That the Application be GRANTED subject to conditions.

6 EXCLUSION OF PRESS AND PUBLIC

None.

The meeting ended at 2.10 pm.

Chairman

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LICENSING SUB-COMMITTEE - PREMISES AND GAMBLING

Minutes of the meeting of the Licensing Sub-Committee - Premises and Gambling held on Wednesday, 19 October 2022 at the Council Chamber - Council Offices at 10.00 am

Committee Cllr J Rest (Chairman)
Members Present: Cllr T Adams
Cllr E Spagnola

Officers in Attendance: Legal Advisor (LA)
Licensing Enforcement Officer (LEO)
Environmental Protection Officer (EPO)
Democratic Services Officer - Regulatory

1 CHAIRMAN'S INTRODUCTION

The Chairman welcomed everyone to the meeting and affirmed the procedure as set out on the Agenda.

2 TO RECEIVE APOLOGIES FOR ABSENCE

None received.

3 ITEMS OF URGENT BUSINESS

None.

4 DECLARATIONS OF INTEREST

None.

5 EXCLUSION OF PRESS AND PUBLIC

Not applicable.

6 APPLICATION FOR A VARIATION TO PREMISES LICENCE - VOEWOOD, CROMER ROAD, HIGH KELLING, NORFOLK, NR25 6QS

Present: Applicant & Site Manager

The Chairman, Members of the Panel and Officers introduced themselves.

The LA outlined the purpose of the hearing and explained the procedure for the meeting.

The LEO introduced the Officers report, outlining that the Applicant sought to vary their existing premises licence to permit the following licensable activity to extend to the cellar bar area only at the premises.

The LEO confirmed that during the 28 day representation period, the council had received representations from responsible authorities including the Environmental

Protection team, Licensing Team, Norfolk Constabulary- Licensing and High Kelling Parish Council in addition to twenty representations made by other persons, attached to the report before the licensing Sub-Committee at appendix D, including eighteen objections, one supporting representation and one representation withdrawn.

Further the LEO stressed that any variation would be subject to mandatory conditions, and would need to accord with the promotion of the four licensing objectives.

The Venue Manager, speaking on behalf of the Applicant stated that Voewood management decided to make partial use of the cellar area to increase the offering on the site. Works to the cellar had been completed in October 2021, with the bar being able to accommodate up to 60 persons.

In respect of sound nuisance, the Venue Manger outlined they make use of an individual who actively monitors the sound levels in and around the Voewood site from 08:00 to 02:00 during any wedding events being held on site. She stressed that the individual is there to report any excessive sound and has the power to reduce audio systems to an acceptable level if required.

The Venue Manager continued stating the Applicant had obtained a fire risk assessment in respect of the cellar area usage where the recommendations were put in in place by the Applicant.

The Applicant presented his case and informing the Sub-Committee that the cellar area is subterrain which should serve benefit sound management and limit the overall impact on any nuisance to surrounding areas.

The LEO asked the Applicant and Venue Manager if the contact information for the person attending the site to monitor sound was readily accessible, and if those complainants had been supplied with this information. The Venue Manger advised that the staff on site was often on walk around and was not always in the Office to answer calls during their shift, but advised that a works mobile phone could be provided to address concerns.

The Chairman asked if the Cellar bar could be booked separately to the venue. The Venue Manager advised that the Cellar Bar would be used exclusively by wedding guests, as the couple would book the entire site for the relevant dates. The Applicant confirmed the house and grounds were booked as a package, and that there was no intention to change this.

The Chairman reflected on the volume of objectors, and expressed the need for the venue to work with its neighbours. The Applicant stated that that Voewood seeks to be a good neighbour to surrounding properties and residents. He stressed he wished to foster good relations with neighbouring residents through availability and positive dialog. The Applicant considered that there had been a campaign against the business and an attempt by a couple of individuals to whip up support. He reiterated that the proposal would seek to reduce the purported noise complaints.

The Chairman commented it would be a great initiative, and would help to reduce complaints, if the Venue could be contacted at all hours, whether this be by way of mobile phone or other.

The Venue Manager advised that Voewood has been in operation for a period of 15

years and receives very few complaints for the number of events that are held at the site. Further, there were already conditions contained within the existing licence limiting the overall level of sound with decibel checkers actively monitoring sound levels to ensure compliance during events.

The EPO reviewed the history of the site and stated that the Applicant was last subject to one unconfirmed nuisance complaint in 2018, previously to that in 2017 there were five unconfirmed nuisance complaints, in 2014 there was one unconfirmed complaint and finally in 2012 there were five unconfirmed complaints.

The LEO added that the objections received in the representations were based on the premises as a whole, rather than objecting to the Cellar Bar. The hearing was not an opportunity to reconsider the Applicant's licence in respect of the entirety of its premises.

The EPO noted Members discussion that the provision of a work mobile phone be made available, and perhaps be added as a condition. She commented that there was merit in the public being provided with this contact number, so that issues could be resolved in a swift manner.

The Chairman asked if the site had suitable mobile phone coverage. The Venue Manager advised the coverage had been improved. She suggested that the Office Telephone number could be provided to local residents, with the option to leave a voicemail. These would be picked up by the relevant staff member after their rounds.

The LA confirmed that the decision notice would be provided to the Applicant within 5 working days.

RESOLVED

That the license be granted subject to condition's

- 1. The mandatory conditions applicable under the Licensing Act 2003**
- 2. The conditions consistent with the operating schedule as detailed at Paragraph 3.1 on page 15 of the Licensing Officer's report.**
- 3. The additional conditions which are consistent with the operating schedule as detailed at Paragraph 3.3 on page 16 of the Licensing Officer's report.**
- 4. The following additional condition is imposed by the Sub-Committee, it is considered to be necessary and proportionate:**

Condition 1

All windows and access doors to the ground floor within the cellar area are to remain closed, other than for access or egress, when events involving amplified music of any kind or speech are taking place.

The meeting ended at 10.35 am.

Chairman

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Registering interests

Within 28 days of becoming a member or your re-election or re-appointment to office you must register with the Monitoring Officer the interests which fall within the categories set out in **Table 1 (Disclosable Pecuniary Interests)** which are as described in "The Relevant Authorities (Disclosable Pecuniary Interests) Regulations 2012". You should also register details of your other personal interests which fall within the categories set out in **Table 2 (Other Registerable Interests)**.

"Disclosable Pecuniary Interest" means an interest of yourself, or of your partner if you are aware of your partner's interest, within the descriptions set out in Table 1 below.

"Partner" means a spouse or civil partner, or a person with whom you are living as husband or wife, or a person with whom you are living as if you are civil partners.

1. You must ensure that your register of interests is kept up-to-date and within 28 days of becoming aware of any new interest, or of any change to a registered interest, notify the Monitoring Officer.
2. A 'sensitive interest' is as an interest which, if disclosed, could lead to the councillor, or a person connected with the councillor, being subject to violence or intimidation.
3. Where you have a 'sensitive interest' you must notify the Monitoring Officer with the reasons why you believe it is a sensitive interest. If the Monitoring Officer agrees they will withhold the interest from the public register.

Non participation in case of disclosable pecuniary interest

4. Where a matter arises at a meeting which directly relates to one of your Disclosable Pecuniary Interests as set out in **Table 1**, you must disclose the interest, not participate in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest, just that you have an interest. Dispensation may be granted in limited circumstances, to enable you to participate and vote on a matter in which you have a disclosable pecuniary interest.
5. Where you have a disclosable pecuniary interest on a matter to be considered or is being considered by you as a Cabinet member in exercise of your executive function, you must notify the Monitoring Officer of the interest and must not take any steps or further steps in the matter apart from arranging for someone else to deal with it

Disclosure of Other Registerable Interests

6. Where a matter arises at a meeting which **directly relates** to one of your Other Registerable Interests (as set out in **Table 2**), you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting but otherwise must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

Disclosure of Non-Registerable Interests

7. Where a matter arises at a meeting which **directly relates** to your financial interest or well-being (and is not a Disclosable Pecuniary Interest set out in Table 1) or a financial interest or well-being of a relative or close associate, you must disclose the interest. You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation. If it is a 'sensitive interest', you do not have to disclose the nature of the interest.
8. Where a matter arises at a meeting which **affects** –
 - a. your own financial interest or well-being;
 - b. a financial interest or well-being of a relative, close associate; or
 - c. a body included in those you need to disclose under Other Registrable Interests as set out in **Table 2**

you must disclose the interest. In order to determine whether you can remain in the meeting after disclosing your interest the following test should be applied

9. Where a matter **affects** your financial interest or well-being:
 - a. to a greater extent than it affects the financial interests of the majority of inhabitants of the ward affected by the decision and;
 - b. a reasonable member of the public knowing all the facts would believe that it would affect your view of the wider public interest

You may speak on the matter only if members of the public are also allowed to speak at the meeting. Otherwise you must not take part in any discussion or vote on the matter and must not remain in the room unless you have been granted a dispensation.

If it is a 'sensitive interest', you do not have to disclose the nature of the interest.

10. Where you have a personal interest in any business of your authority and you have made an executive decision in relation to that business, you must make sure that any written statement of that decision records the existence and nature of your interest.

Table 1: Disclosable Pecuniary Interests

This table sets out the explanation of Disclosable Pecuniary Interests as set out in the [Relevant Authorities \(Disclosable Pecuniary Interests\) Regulations 2012](#).

Subject	Description
Employment, office, trade, profession or vocation	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
Sponsorship	Any payment or provision of any other financial benefit (other than from the council) made to the councillor during the previous 12-month period for expenses incurred by him/her in carrying out his/her duties as a councillor, or towards his/her election expenses. This includes any payment or financial benefit from a trade union within the meaning of the Trade Union and Labour Relations (Consolidation) Act 1992.
Contracts	Any contract made between the councillor or his/her spouse or civil partner or the person with whom the

	<p>councillor is living as if they were spouses/civil partners (or a firm in which such person is a partner, or an incorporated body of which such person is a director* or a body that such person has a beneficial interest in the securities of*) and the council —</p> <p>(a) under which goods or services are to be provided or works are to be executed; and</p> <p>(b) which has not been fully discharged.</p>
Land and Property	<p>Any beneficial interest in land which is within the area of the council.</p> <p>'Land' excludes an easement, servitude, interest or right in or over land which does not give the councillor or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners (alone or jointly with another) a right to occupy or to receive income.</p>
Licenses	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
Corporate tenancies	<p>Any tenancy where (to the councillor's knowledge)—</p> <p>(a) the landlord is the council; and</p> <p>(b) the tenant is a body that the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were spouses/civil partners is a partner of or a director* of or has a beneficial interest in the securities* of.</p>
Securities	<p>Any beneficial interest in securities* of a body where—</p> <p>(a) that body (to the councillor's knowledge) has a place of business or land in the area of the council; and</p> <p>(b) either—</p> <p>(i) the total nominal value of the securities* exceeds £25,000 or one hundredth of the total issued share capital of that body; or</p> <p>(ii) if the share capital of that body is of more than one class, the total nominal value of the shares of any one class in which the councillor, or his/her spouse or civil partner or the person with whom the councillor is living as if they were</p>

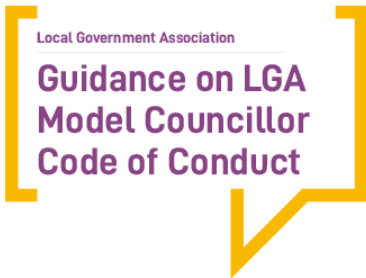
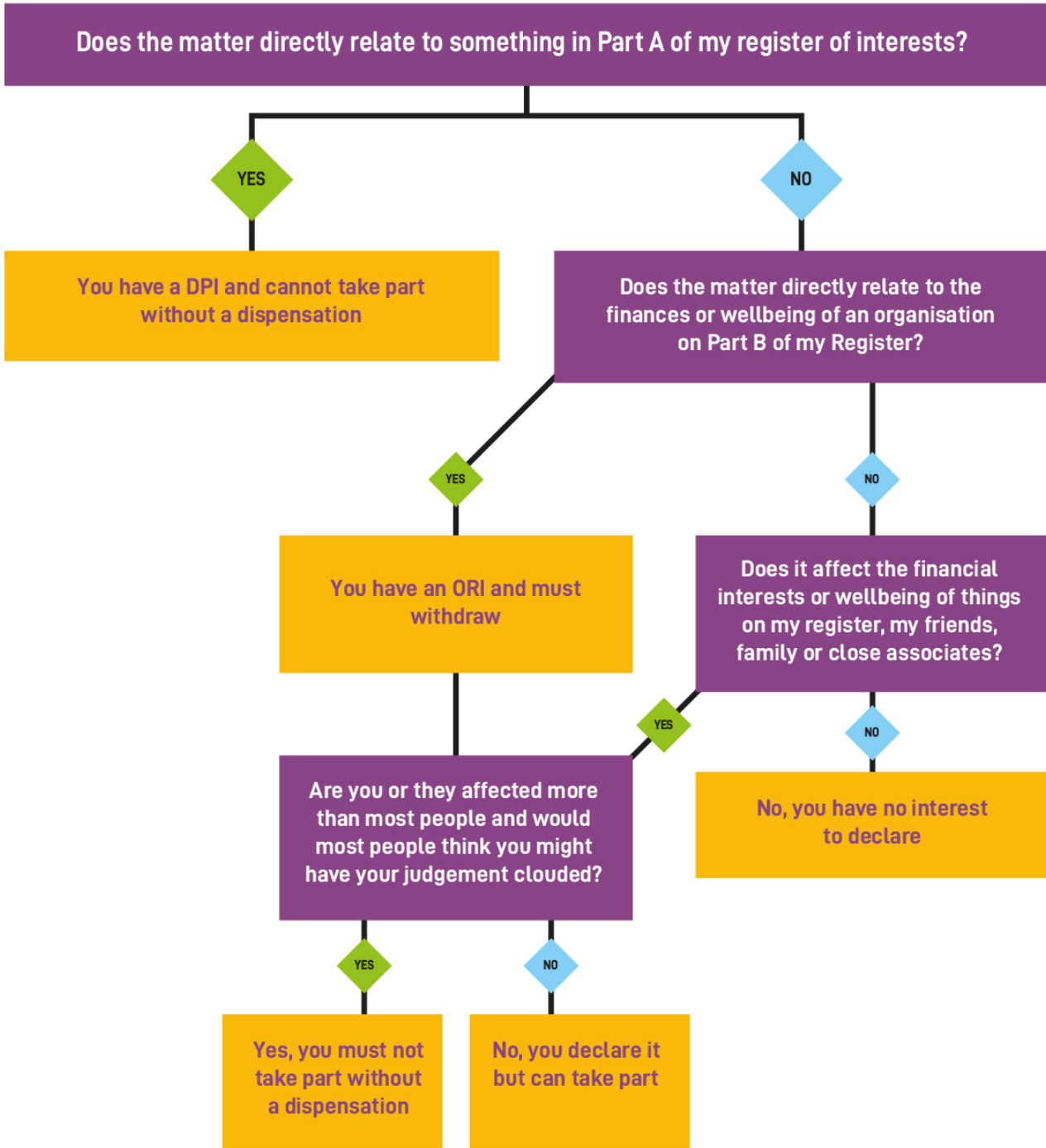
	spouses/civil partners has a beneficial interest exceeds one hundredth of the total issued share capital of that class.
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* 'director' includes a member of the committee of management of an industrial and provident society.

* 'securities' means shares, debentures, debenture stock, loan stock, bonds, units of a collective investment scheme within the meaning of the Financial Services and Markets Act 2000 and other securities of any description, other than money deposited with a building society.

Table 2: Other Registrable Interests

<p>You have a personal interest in any business of your authority where it relates to or is likely to affect:</p> <ul style="list-style-type: none"> a) any body of which you are in general control or management and to which you are nominated or appointed by your authority b) any body <ul style="list-style-type: none"> (i) exercising functions of a public nature (ii) any body directed to charitable purposes or (iii) one of whose principal purposes includes the influence of public opinion or policy (including any political party or trade union)
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Agenda Item 7

Authors Title The Public Protection Team
 Which Committees is this report intended for? (Please state dates) Licensing & Gambling Committee 1 March 2023
 Is the report Exempt? Yes No
 Why is it exempt? N/A
 Does the report concern a Key Decision? Yes No
 If a Key Decision is it on the Forward Plan? Yes No
 Ward(s) affected All
 Responsible Committee Member name Cllr Nigel Lloyd
 Contact Officer Nicola Davison
 Email address nicky.davison@north-norfolk.gov.uk
 Telephone number 01263 516291
 Are there Non-electronic appendices? Yes No
 List of Background Papers, including committee papers, used in drafting this report. N/A

Implications/Risks

Have you identified and explained within the report the implications of the options available to Members? (Implications should include financial, legal and links to the Council's existing policies and strategies)	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you highlighted the risks to the Council? Financial Implications and Risks to the Council should have their own separate headings. It is not acceptable to simply state that financial implications or risks have been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you considered Sustainability issues in relation to this report? Sustainability should have its own separate heading. It is not acceptable to simply state that Sustainability has been alluded to in the main body of the report	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None

Have you considered Equality and Diversity issues in relation to this report? Equality and Diversity should have its own separate heading. It is not acceptable to simply state that Equality and Diversity has been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you considered S17 Crime and Disorder issues in relation to this report? Crime and Disorder should have its own separate heading. It is not acceptable to simply state that Crime and Disorder has been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None
Have you considered Health and Wellbeing issues in relation to this report? Health and Wellbeing should have its own separate heading. It is not acceptable to simply state that Health and Wellbeing has been alluded to in the main body of the report.	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> None

This report has been subject to the following processes:

Consultations with:		
Committee Member	<input checked="" type="checkbox"/> Yes	If not please state reason below
Local Member	<input checked="" type="checkbox"/> Yes	If not please state reason below
S151 Officer	<input checked="" type="checkbox"/> Yes	If not please state reason below
Monitoring Officer	<input checked="" type="checkbox"/> Yes	If not please state reason below
Democratic Services Team Leader	<input checked="" type="checkbox"/> Yes	If not please state reason below
Communications Manager	<input checked="" type="checkbox"/> Yes	If not please state reason below
Other Head(s) of Service:	Assistant Director Environmental Health and Leisure	
Others:		
Please confirm this report has been signed off by:		
Management Team	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not apt
Relevant Corporate Director	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not apt
The Chief Executive	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not apt

Licensing Act 2003 and Gambling Act 2005 Update

Summary: The report presents an update on the work of the Public Protection team in respect of the licensing and gambling regulatory function that it undertakes.

Conclusions: N.A

Recommendations: N/A

Cabinet Member(s) Councillor Nigel Lloyd – Portfolio Holder Councillor Dr Pierre Bütikofer - Chair of the Licensing Committee	Ward(s) affected - All
Contact Officer, telephone number and email: Nicola Davison 01263 516291 nicky.davison@north-norfolk.gov.uk	

1. Introduction

The Licensing and gambling update includes;

Update on the work of the Public Protection Team in respect of the licensing and gambling regulatory function. An update on Current Public Protection Team Structure.

2. Licensing Update

Team Structure

2.1

A wider restructure in the Environmental and Leisure Services Team has resulted in some changes to the team over the past year.

Licensing falls into the remit of the Public Protection Team. This team covers a wide range of responsibilities including food safety, health and safety, sampling and licensing. Two team leaders have been appointed to manage the functions of this team, reporting directly into the Assistant Director for Environmental and Leisure Services.

The Licensing Enforcement Officer left NNDC in 2022. This post has been replaced by promoting Nicola Davison internally to the post of Licensing Enforcement Officer. Nicola Davison previously held the position of Licensing Administration Officer within the team for the past eighteen years.

We currently have two part time Licensing Administration Officers who take all of the initial licensing enquiries and who process all of the licences granted by the Council.

The team also currently has a member of staff who is on a temporary contract. This post is a full time Public Protection Officer position. This member of staff has been heavily involved with caravan sites but also has a health and safety regulation, food safety and sampling function.

In addition to the work relating to Licensing Act and Gambling Act, the above referenced officers also undertake all of the work outlined in the Regulatory Committee report and are actively involved in other Environmental Health functions.

2.2 Community Alcohol Partnership (CAP)

A Community Alcohol Partnership has been introduced and launched for Sheringham. CAP is a Community Interest Company (CiC) which brings together effective local partnerships to reduce anti-social behaviour and alcohol harm preventing under-age drinking and encouraging responsible drinking among young adults within Sheringham.

Each local CAP partnership is supported by a small head office team and CAP adviser and is managed by a co-ordinator which is PC Ian Smith Beat Manager for Sheringham.

Funding for CAP CiC is provided by major alcohol retailers and alcohol producers who share concerns about harm of under-age drinking. However, CAP's work is entirely independent of these funders. Local CAPs receive additional funding from a wide variety of sources including community funds and regional grants.

CAP vision statement is 'to shape a society in which communities work in partnership to ensure that children do not drink alcohol and develop responsible attitudes to drinking'.

Core activities include education, positive activities for young people, enforcement and retail best practice and engagement in partnership activity.

Local CAP Partners will include Police, Licensing, Trading Standards, Sheringham High School, Town Council, community engagement and youth services, alcohol retailers and licensees.

2.3 Pub Watch

The Licensing Enforcement Officer regular attends the pub watch meetings held to discuss the licensed premises in Cromer and Sheringham (a combined scheme) and in North Walsham. This brings together licencees, the Police and the Licensing Authority to discuss emerging issues and to encourage collaborative working in managing alcohol related concerns in the towns.

The Local Authority are hoping to encourage similar schemes to be set up in other towns in the district including Fakenham and Wells.

The pub watch schemes are an excellent interface between regulators and the trade and allow an opportunity for licencees to share good practice.

2.4 Licensing Committee Hearings

In 2022 we received 6 applications in relation to premises licenses where objections were received by interested parties and responsible authorities and which were referred to Licensing Sub Committee.

5 of these objections were placed before the Licensing sub-committee to determine the application.

1 of these objections was resolved informally shortly before committee were due to meet to discuss the matter.

1 appeal was lodged with the Magistrates Court by an applicant who disagreed with the Council's determination on a new premises licence.

2.5 Current Alcohol and Gambling Licences Held in North Norfolk

The current active licenses are held in North Norfolk.

Type of Licence	Number of Active Licenses
Premises Licence	580
Club Premises Certificate	36
Temporary Event Notices Granted in 2022	408
Personal Licenses	1990
Gambling Licence/Permits	97
Lotteries	101
Pavement Licences	9

Each year the Team processes approximately 1,500 licensing transactions relating to the Licensing Act 2003 and the Gambling Act 2005.

2.6 Pavement Licensing

During the Covid pandemic the government introduced a streamlined system for granting pavement licences under The Business and Planning Act. This was to allow the hospitality trade to utilise outdoor areas when social distancing was in force.

These provisions have been extended to the end of September 2023. However, the Government are currently considering whether this system may be implemented on a permanent basis. The Government are also considering increasing the enforcement powers associated with the scheme which may include the ability for LA's to issue Fixed Penalty Notices and to seize furniture if pavement licenses are not sought and a hazard is being created.

The uptake of pavement licenses in North Norfolk thus far has been very low. As can be seen in the table above in 2.5, there are only 9 current pavement licenses in operation across the district.

2.7 Expected Changes to Gambling Regulation

We are waiting for expected changes to the Gambling Act 2005. A consultation should be starting shortly to look at how the Act could be improved to better safeguard against gambling harm in communities.

The Public Protection Team are hoping to take a more proactive approach to gambling regulation in the district moving forward which have been prevented in recent times due to high levels of reactive work in other areas.

2.8 Expected Changes to the Licensing Act 2003

The Public Protection Team are awaiting a consultation to be launched by Government looking at the national set fees for the licensing regime. The

current fees, set by central government, have not been updated since the commencement of the Licensing Act in 2005.

The current fee regime does not fully cover the cost to the Local Authority in respect of undertaking the Licensing Act function.

2.9 Public Spaces Protection Orders

The Team are in the early stages of looking at Public Spaces Protection Orders [PSPOs] to allow Police colleagues to better regulate alcohol consumption in public places throughout the district.

The Anti-social Behaviour, Crime and Policing Act 2014 enables Local Authorities to introduce PSPOs to tackle a wide range of anti-social behaviours, and this includes introducing powers to enable the Police to intervene with antisocial behaviours related to drinking in public spaces early, to prevent criminal behaviours from developing.

In order to introduce a new PSPO the Council must first demonstrate that an anti-social behaviour problem exists and that the PSPO is the correct approach for tackling the problem.

There are clearly resource implications associated with the introduction of a new PSPO including the detailed consultation process, new signage and information campaigns and then the resource implications of enforcing the PSPO.

Police colleagues are very keen for these PSPO's to be introduced at the earliest opportunity. It will help to tackle complaints that have been received about antisocial behaviour related to drinking in public places and will support the work of the Community Alcohol Partnership discussed above.

3 Implications and Recommendations

Not applicable.

This report is intended to update members on the current work of the Public Protection Team.

4 Financial Implications and Risks

The fees and charges associated with the Licensing regime have not been reviewed for some time. This has been identified as a priority area of work for the team in 2023/24. Issuing licenses should be done on a cost recovery basis and it is felt that the current fees do not reflect the true cost of the service. This piece of work will require some resource in the coming year to ensure that the costs are accurately calculated and reflected in the fee setting process. This piece of work will be dependent on the national fee setting agenda and expect update

The team have been working to reconcile any outstanding premise license fees which are due to the Council. Extra resource was employed to undertake this work, but due to other staffing changes this has stopped for the time being, there is a plan to restart this work in the not-too-distant future.

5 Sustainability

5.1 Not Applicable to this report.

6 Equality and Diversity

6.1 Not Applicable to this report.

7 Section 17 Crime and Disorder considerations

All of work undertaken by the Public Protection Team directly relates to the duties imposed upon Local Authorities by Section 17 of the Crime and Disorder Act 1998. Section 17 of the Act requires:-

Without prejudice to any other obligation imposed on it, it shall be the duty of each authority to which this section applies to exercise its various functions with due regard to the likely effect of the exercise of those functions on, and the need to do all that it reasonably can to prevent,

(a) crime and disorder in its area (including anti-social and other behaviour adversely affecting the local environment); and

(b) the misuse of drugs, alcohol and other substances in its area; and

(c) re-offending in its area

and

(d) serious violence in its area.

The duty imposed on an authority by subsection to do all it reasonably can to prevent serious violence in its area is a duty on the authority to do all it reasonably can to—

(a) prevent people from becoming involved in serious violence in its area, and

(b) reduce instances of serious violence in its area.

The work to regulate the alcohol and gambling industry within the district is a critical tool in ensuring that our Section 17 obligations are met as a Council.

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