



Licensing and Gambling Acts Sub-Committee
31 October 2023

LICENSING ACT 2003

NOTIFICATION OF A TEMPORARY EVENT NOTICE

The Beauchamp Arms Ferry Rd, Carleton St Peter, Norfolk, NR14 6DH

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Portfolio: Clean and Safe Environment

Ward(s) Affected: Rockland

Purpose of the Report:

This report details the receipt of a Temporary Event Notice and a subsequent objection to the Notice received from the Council's Environmental Protection Team.

Recommendations:

The Committee must take such steps as it considers necessary for the promotion of the licensing objectives:

- Impose conditions to the TEN from the existing conditions on a premises licence or club premises certificate at the venue.
- Issue a counter notice to prevent the event going ahead.

1. Summary

- 1.1 A Temporary Event Notice (TEN) was received on 18 October 2023 for a from Mr Callum Richardson for an event at the Beauchamp Arms on 10 to 11 February 2024. A copy of the notification is attached at Appendix One.
- 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 and the provision of regulated entertainment starting at 18:00 on 10 April to 03:00 on 11 April 2024.
- 1.3 The TEN is subject to a three working day consultation period with the Police and Environmental Protection (Environmental Health). The consultation period commences the day after the TEN was received by the Licensing Team.
- 1.4 On 20 October 2023, the Licensing Team received an email from the Council's Environmental Protection Team to inform them that they objected to the TEN being granted. A copy of the objection is attached at Appendix Two.

2. Background

- 2.1 Part 5 of the Licensing Act 2003 (The Act) provides a system of permitted temporary activities. It is intended as a light touch process, and as such, the carrying on of licensable activities does not have to be authorised by the licensing authority on application.
- 2.2 The premises user is required to serve a TEN to the licensing authority 10 working days in advance of an event (this is known as a standard TEN), or between 9 and 5 working days in advance of an event (this is known as a LATE TEN).
- 2.3 If a TEN is sent electronically via GOV.UK or the licensing authority's own facility, the licensing authority must notify the Police and Environmental Protection as soon as possible and no later than the first working day after the TEN is given.
- 2.4 If the licensing authority received an objection notice from the Police or Environmental Protection Team that is not withdrawn, it must (in the case of a standard TEN) hold a hearing within seven working days after the close of the consultation period to consider the objection unless all parties agree that this is unnecessary.
- 2.5 The licensing committee may decide to allow the licensable activities to go ahead as stated in the notice (TEN). If the notice is in connection with licensable activities at licensed premises, the licensing authority may also impose one or more of the existing licence or certificate conditions on 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 (a "notice (statement of conditions)") and provide a copy to each relevant party. Alternatively, it can 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.

- 2.6 The applicant has a right of appeal to the Magistrates' Court within 21 days, commencing 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.

3. Current Position and Findings

- 3.1 Temporary Event Notice 23/02256/PLTEN is for an "Electronic Music Concert" from 18:00 hours on Saturday 10 February 2024 to 03:00 hours Sunday 11 February 2024 which includes the provision of regulated entertainment.
- 3.2 Similar events have been held at the Beauchamp Arms for a number of years and have resulted in complaints from residents of both Broadland and South Norfolk. Most of the events held at the Beauchamp Arms are what would be classed as electronic dance music which has a very considerable low frequency (bass) component. This low frequency component can carry some distance depending upon atmospheric conditions such as wind-direction. The Yare valley around the river is typically low and flat marshland with relatively high humidity which can aid the propagation of sound.
- 3.3 In 2023 the Community Protection Team has so far received complaints regarding events held at the Beauchamp Arms on the:
- 18 February 2023.
 - 10 June 2023.
 - 8 July 2023.
 - 23 July 2023.

These complaints have come from residents of Buckenham, Cantley, Hassingham, Rockland St Mary, Strumpshaw, Surlingham and a Norwich resident whose boat was moored at Coldham Hall.

- 3.4 Monitoring of music noise from event held at the Beauchamp Arms on the 24 June 2023 was carried out at a complainant's property and at the Buckenham railway station by an Officer of the Community Protection Team. The noise levels from the event varied greatly from acceptable to very loud and intrusive and was at times audible inside the complainant's bedroom. The level of music was so loud at times that it would affect the complainant's use of their garden at what would be at a time when the use of the garden would be considered reasonable (early evening). The complainant stated the level of music had been up and down all day and this had unnecessarily disturbed their family's enjoyment of the property. A visit was also made by the officer to the Beauchamp Arms where the officer raised the noise levels from the event with Mr Hollocks who is in day-to-day control of the premises and made him aware that he had been monitoring the music from the event and that the levels were highly variable being at times highly intrusive and unreasonable. No action appeared to be taken to address the issue.
- 3.5 A formal written warning was issued in July 2023 to Mr Raymond Hollocks who is in day to day control of the Beauchamp Arms, Mr William Hollocks who is the sole

director of Carlton St Peter Properties Ltd who is the licence holder for the Beauchamp Arms and Carlton St Peter Properties Ltd. the owner/management of the premises. Unfortunately, despite this warning being issued, complaints continue to be received regarding events at the Beauchamp Arms.

4. Proposed Action

- 4.1 The Committee must determine this application with a view to promoting the Licensing Objectives.
- 4.2 In making its decision, the Committee must have regard to guidance issued under Section 182 of the Licensing Act 2003 (as amended December 2022) and the Council's Licensing Policy - [South Norfolk Council Licensing Policy – Broadland and South Norfolk \(southnorfolkandbroadland.gov.uk\)](https://www.southnorfolkandbroadland.gov.uk). The Committee must also have regard to the representations made and the evidence placed before it.

5 Issues and Risks

- 5.1 **Resource Implications** – 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 to the Magistrates' Court.
- 5.2 **Legal Implications** – There are no legal implications other than the issues detailed at 5.1 and 5.3.
- 5.3 **Equality Implications** – There are human rights implications associated with this matter. The interests of the applicant must be balanced against the interests and protection of the wider community. Any actions proposed in respect of the application, must be proportionate to the matter under consideration, the decision-making process must be transparent and all parties must be given full opportunity to make representations. The Committee is therefore required to balance the interests of the applicant against the interests of the community and decide where the balance should lie.
- 5.4 **Environmental Impact** – In making their determination Committee is requested to ensure that the principles of the prevention of public nuisance licensing objective are upheld.
- 5.5 **Crime and Disorder** – In making their determination Committee is requested to ensure that the principles of the prevention of crime and disorder licensing objective are upheld.
- 5.6 **Risks** – In making its determination, failure to take into consideration the relevant legislation, guidance and the Council's Licensing Policy may leave the Committee's decision open to challenge.

6 Recommendations

- 6.1 The Committee must take such steps as it considers necessary for the promotion of the licensing objectives:

- Impose conditions to the TEN from the existing conditions on a premises licence or club premises certificate at the venue. The licensing authority can only do so.
- Issue a counter notice to prevent the event going ahead.

Appendices

- 1 Copy of Temporary Event Notice
- 2 Objection from Environmental Protection

Temporary Event Notice

Information on the Licensing Act 2003 is available [here](#).

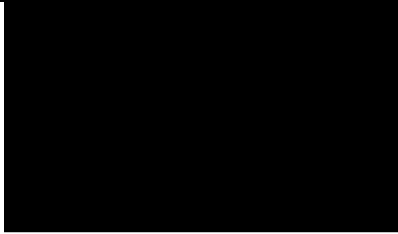


Before completing this form please read the guidance notes.

You may wish to keep a copy of the completed form for your records.

I, the proposed premises user, hereby give notice under section 100 of the Licensing Act 2003 of my proposal to carry on a temporary activity at the premises described below.

What district is the notice being served in?
South Norfolk Council

Personal Details (Please read note 1)			
Your name			
Title	Forenames	Surname	
Mr	Callum	Richardson	
Previous names (if relevant)			
Have you used any previous names?		Yes	No
		<input type="checkbox"/>	<input checked="" type="checkbox"/>
Have you used any other previous names?		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
Have you used any other previous names?		Yes	No
		<input type="checkbox"/>	<input type="checkbox"/>
Your date of birth			
Your place of birth			
National Insurance No.			

Your current address (We will use this address to correspond with you unless you complete the separate correspondence box on the next page)	
x	
	
Other contact details	
Telephone numbers	
Daytime telephone	
Evening telephone (optional)	
Mobile telephone (optional)	
Fax number (optional)	
Email address	

Alternative address for correspondence (Address for correspondence associated with this application, if different to the previous address)	
Alternative contact details (if applicable)	
Telephone numbers	
Daytime (optional)	
Evening (optional)	
Mobile (optional)	
Fax number (optional)	
Email address (optional)	

The Premises	
Please select the address of the premises where you intend to carry out the licensable activities. If there is no address, please select the street record in the address lookup and supply further details of the location (including ordnance Survey references) (Please read note 2)	
The Beauchamp Arms Ferry Road NR14 6DH	
Premises name / trading as	The Beauchamp Arms
Does a premises licence or club premises certificate have effect in relation to the premises (or any part of the premises)? If so, please enter the licence or certificate number below.	
Premises licence number	PLA0233
Additional address information	

Do you intend to use the whole of the premises at this address (Please read note 3) Yes No

Please give a description and details below

Please describe the nature of the premises below (Please read note 4).

Licenced Public House

Please describe the nature of the event below (Please read note 5).

Electronic Music Concert

The Licensable Activities		
Please state the licensable activities that you intend to carry on at the premises (Please mark an "X" next to the licensable activities you intend to carry on - either double click with the mouse, or press the space bar in the relevant field) (Please read note 6)		
The sale by retail of alcohol	<input checked="" type="checkbox"/>	
The supply of alcohol by or on behalf of a club to, or to the order of, a member of the club	<input type="checkbox"/>	
If the licensable activities will include the supply of alcohol, please state whether the supplies will be for consumption on or off the premises, or both (Please read note 12)	On the premises	<input checked="" type="checkbox"/>
	Off the premises	<input type="checkbox"/>
	Both	<input type="checkbox"/>
The provision of regulated entertainment (Please read note 7)	<input checked="" type="checkbox"/>	
The provision of late night refreshment	<input type="checkbox"/>	
Are you giving a late temporary event notice? (Please read note 8)		
	<input type="checkbox"/>	

<p>Please state the date and times on which you intend to use these premises for licensable activities (please read note 9).</p> <p>Please give times in 24-hour clock. e.g. 19:00.</p>							
Start Date	10/02/2024	Time	18:00	End Date	11/02/2024	Time	03:00
<p>Please state the times during the event period that you propose to carry on licensable activities. Please give times in 24-hour clock. e.g. 19:00 (please read note 10).</p> <p>If your event is taking place over more than one day, please state the times on each consecutive date that you propose to carry on licensable activities.</p>				<p>18:00 - 03:00</p>			
<p>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. (Please read note 11)</p>						<p>400</p>	

State if the licensable activities will include the provision of relevant entertainment. Note:
Relevant Entertainment is defined as any live performance or any live display of nudity etc.

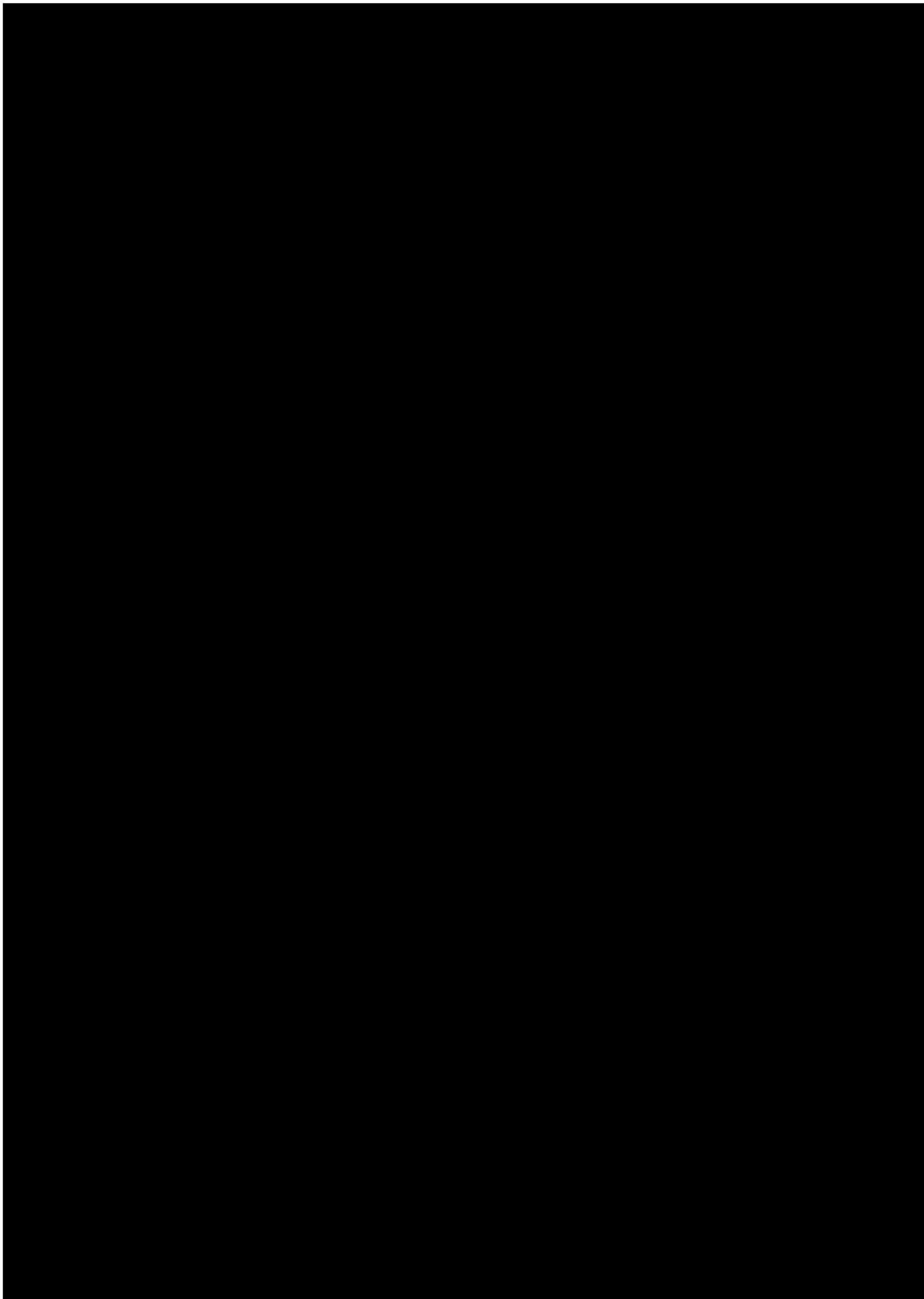
If you are applying for the relevant entertainment activity, please state the times during the event
period that you propose to provide the relevant entertainment. (Please read note 13)

Personal Licence Holders (Please read note 14)	
Do you currently hold a valid personal licence?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/>
Please provide the details of your personal licence below.	
Issuing licencing authority	
Licence number	
Date of issue	
Date of expiry	
Any further relevant details	

Previous Temporary Event Notices you have given (Please read note 15)		
Have you previously given a temporary event notice in respect of any premises for events falling in the same calendar year as the event for which you are now giving this temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please state the number of temporary event notices you have given for events in the same calendar year		
Have you already given a temporary event notice 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?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Associates and business colleagues		
Has any associate of yours given a temporary event notice in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please state the total number of temporary event notices your associate(s) have given for events in the same calendar year		
Has any associate of yours already given a temporary event notice for the same premises in which the event period: a) ends 24 hours or less before; or b) begins 4 hours or less after the event period proposed in this notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Has any person with whom you are in business carrying on licensable activities given a temporary event notice for an event in the same calendar year as the event for which you are now giving a temporary event notice?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>
Please state the total number of temporary event notices your business colleague(s) have given for events in the same calendar year.		
Has any person with whom you are in business carrying on licensable activities already given a temporary event notice 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?	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>

Condition (Please read note 18)
It is a condition of this temporary event notice that where the relevant licensable activities described in Section 3 above include the supply of alcohol that all such supplies are made by or under the authority of the premises user.



Declarations (Please read note 19)	
<p>The information contained in this form is correct to the best of my knowledge and belief.</p> <p>I understand that it is offence:</p> <p>To knowingly or recklessly make a false statement in connection with this temporary event notice and that a person is liable on summary conviction for such an offence to a fine of any amount; and</p> <p>To permit an unauthorised licensable activity to be carried on at any place an that a person is liable on conviction for any such offence to a fine of any amount, or to imprisonment for a term not exceeding six (6) months, or to both.</p>	
<p>Please check the box if you agree with the declarations above</p>	
<input checked="" type="checkbox"/>	
Date	18/10/2023
Name of person signing	Mr Callum Richardson

For completion by the licensing authority

Acknowledgement	
<p>I acknowledge receipt of this temporary event notice.</p>	
Signature	<p>On behalf of the licensing authority</p>
Date	
Name of Officer Signing	
Our reference	

From: [Adrian Nicholas](#)
To: callumrichardson1213@hotmail.com
Cc: [Ali Pridmore](#); [Amanda Cox](#); [Licensing Team \(SNC\)](#); [Rosie Setford](#)
Subject: Notice of Objection with regard to Temporary Event Notice 23/02256/PLTEN
Date: 20 October 2023 15:11:59
Attachments: [image003.png](#)
[image001.png](#)
[image002.jpg](#)
[image004.jpg](#)
[image005.jpg](#)
[image006.jpg](#)
[image007.jpg](#)

Dear Mr Richardson,

Notice of Objection to temporary event notice (TEN)
Our Reference: 23/02256/PLTEN

On the 18 October 2023, South Norfolk Council as the licensing authority received from you, Mr Callum Richardson, a temporary event notice ("the notice") in respect of proposed temporary licensable activities due to take place on the 10th and 11th February 2024 at the Beauchamp Arms, Ferry Road, Carleton 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 the prevention 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 and topographical 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,



Adrian Nicholas
Environmental Health Officer (Community Protection)
t 01508 533722 e adrian.nicholas@southnorfolkandbroadland.gov.uk

[One Team Beyond the Horizon logo](#)



[South Norfolk Council Logo](#)



[Ukraine Flag Logo](#)



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