

## **SOUTH NORFOLK LICENSING AND GAMBLING ACTS COMMITTEE**

**Minutes of a meeting of the South Norfolk Licensing and Gambling Acts Committee of South Norfolk Council, held on Monday, 5 February 2024 at 10.30 am.**

**Committee Members Present:** Councillors: J Easter (Chairman), M Hooton (Vice-Chair), I Spratt

**Officers in Attendance:** S Harris (Licensing Team Leader), A Pridmore (Environmental Health Officer (Community Protection)), R Setford (Licensing and Enforcement Officer) and C White (Democratic Services Manager)

**Also in Attendance:** Councillors: B McClenning and K Murphy

### **22. DECLARATIONS OF INTEREST**

Cllrs J Easter and I Spratt notified the meeting that they had both previously considered a Temporary Event Notice application in respect of the Beauchamp Arms.

### **23. MINUTES**

The minutes of the meetings held on 31 October, 13 November and 18 December 2023 were confirmed as a true record.

### **24. NOTIFICATION OF A TEMPORARY EVENT NOTICE**

(neither the applicant, nor a representative for the applicant was in attendance)

The Chairman welcomed everyone to the meeting and explained the procedure for considering the Temporary Event Notice (TEN) at the Beauchamp Arms, Ferry Road, Carleton St Peter, Norfolk, NR14 6DH.

The Licensing Officer informed the meeting that an email had been received over the weekend from the applicant requesting that the meeting be postponed and held remotely as they were out of the country. The contents of the email were read out to those present. Members were advised that hybrid meetings were not currently an option offered by the Council, and that the applicant had chosen not to be represented at the meeting. They noted that the decision had to be made within strict statutory timescales and accordingly agreed that it would not be in the public interest to adjourn the meeting.

The Licensing Officers then outlined the report and drew attention to the key

areas for member consideration. They distributed a list of TEN applications made in respect of the property since January 2023 to all parties present.

The Environmental Health (Community Protection) Officer commented on the TEN notification and outlined the reasons for their representation.

The Licensing Officers and the Environmental Health Officer responded to a number of queries from both members and the Legal Advisor.

All parties present were given the opportunity to make their closing statements.

The Licensing Officers and the Environmental Health (Community Protection) Officer left the meeting at 11.30am whilst the Panel determined the notification. They were readmitted to the meeting at 12.23pm and the Solicitor announced the decision.

It was

**RESOLVED** that

The Sub-Committee had due regard to all four Licensing Objectives as well as the evidence in the Licensing Officer's report and the written and oral evidence of all parties put forward at the Hearing.

The Sub-Committee decided to grant the TEN, but subject to the following conditions, in the interests of public safety:

- The event to finish at 01.00
- To have all the doors and windows facing on to the River Yare closed at all times, save for an emergency such as fire. They are not to be used for general access and egress.
- No external speakers are to be used
- A minimum of three SIA trained staff to be on site at all times
- A maximum of 300 people to be within the curtilage of the property, this includes both inside and outside.
- The river frontage to be fenced to a minimum height of 1.2 meters along the entire owned river boundary

**RIGHT OF APPEAL**

There is a right of appeal against this decision to the Magistrates' Court. An appeal must be commenced within 21 days beginning with the day on which the applicant receives notification of the decision, but 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. The applicant may wish to seek independent legal advice from a solicitor or the Citizens Advice Bureau regarding this.

Meeting Closed at 12.27pm

Subsequent to the decision, the Council sought further legal advice and was notified that the Committee had received incorrect legal advice during the meeting and that the decision made was unenforceable.

The Committee therefore reconvened in closed session to discuss the effect of this and whether it would change its previous decision.

The Committee considered no new evidence at this meeting, only revised legal advice.

Members agreed that they had only been minded to approve the TEN because the legal advice at the time had been that they could do so subject to the conditions imposed. In light of the revised legal advice, members felt unable to support the TEN.

Members **RESOLVED** that the Notice be disallowed and that a Counter Notice should be issued.

---

Chairman