

# Licensing Sub-Committee - Premises and Gambling



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**Please Direct Dial on:** 01263 516108

Monday, 25<sup>th</sup> September 2023

A meeting of the **Licensing Sub-Committee - Premises and Gambling** of North Norfolk District Council will be held in the Council Chamber - Council Offices on **Tuesday, 10 October 2023 at 10.00 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 arrive at least 15 minutes before the start of the meeting. It will not always be possible to accommodate requests after that time. 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](mailto: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 should 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.

**Emma Denny**  
**Democratic Services Manager**

**To:** Cllr T Adams, Cllr K Bayes and Cllr E Vardy

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 **Minicom** 01263 516005

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## A G E N D A

1. **CHAIRMAN'S INTRODUCTION** (Pages 1 - 4)
2. **TO RECEIVE APOLOGIES FOR ABSENCE**
3. **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.

4. **DECLARATIONS OF INTEREST** (Pages 5 - 10)

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.

5. **APPLICATION FOR A NEW PREMISES LICENCE - POP INN RESTAURANT, THE QUAY, WELLS-NEXT-THE-SEA, NORFOLK, NR23 1AS** (Pages 11 - 116)

<b>Summary:</b>	This is an application for a new Premises Licence
<b>Conclusions:</b>	That Members consider and determine the case from the written and oral information provided.
<b>Recommendations:</b>	That Members consider and determine this case

Cllr P Fisher – Chairman Licensing Committee    Ward(s) affected: Wells-Next-The-Sea

Contact Officer, telephone number, and e-mail:    **Nicky Davison**  
01263 516291  
[nicky.davison@north-norfolk.gov.uk](mailto:nicky.davison@north-norfolk.gov.uk)

6. **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 1 of Part I of Schedule 12A (as amended) to the Act.”



## North Norfolk District Council

The Licensing Committee (Premises and Gambling) - Procedure to be followed at the Hearing

This Procedure and protocol is governed by; the following legislation:

- The Licensing Act 2003 (Hearings) Regulations 2005 and the Licensing Act 2003 (Hearings) (Amendment) Regulations 2005.
- The Gambling Act (Proceedings of Licensing Committees and Sub Committees) (Premises Licences and Provisional Statements) (England and Wales) Regulations 2007.

### Introductions

1. The **Chair** of the Sub-Committee should read out a statement declaring under which capacity the Committee is sitting.

The **Chair** must outline that this Sub-Committee is sitting to consider matters under the Licensing Act 2003 and/or Gambling Act 2005.

2. The **Chair** will introduce themselves and the Members of the Committee.
3. The **Chair** will then introduce and explain the respective roles of;
  - (i) the Democratic Services Officer;
  - (ii) the Licensing Officer;
  - (iii) the Legal Advisor to the Committee
4. **The Chair** should invite all those present to introduce themselves and ask them to indicate if they wish to speak during the hearing. (Only those persons who have made representations may address the Sub-Committee)
5. Each party will be asked by the **Chair** whether 15 minutes is sufficient for the presentation of his/her/body's case. (Agreement on the length of time given for each speaker is at the discretion of the Chair).
6. The **Legal Advisor** explains the procedure that will be followed at the meeting. All parties to note that any requests or issues should be directed through the Chair.

### The Application

7. The **Licensing Officer** outlines the application to the Committee by presenting their report making proper reference to any relevant Licensing Policy and Statutory Guidance.
8. The Committee may ask questions of the Licensing Officer with regards to their report.

9. The **Licensing Officer** will invite questions from all parties to clarify the content of their report.

### **Presentation of Case / Submissions from Parties**

10. In the order of firstly **Applicant**, secondly **Responsible Authority** and thirdly **Other Persons** (or in the case of a review the relevant person), each party shall be invited to undertake the following:
- (i) Set out their case;
  - (ii) Call Witnesses in support of their case (provided notification of the witnesses has previously been given to the Council);
  - (iii) Introduce documentary evidence in support of their case (provided notification of the documentary evidence has previously been given to the Council); and
  - (iv) Respond to any questions asked of them by Members of the Licensing Sub-Committee.
11. At the Sub-Committee and Chair's discretion each party may ask questions of other parties by directing them through the Chair. (please note witnesses may not put questions to other parties)
12. The Sub-Committee shall have the absolute discretion to restrict the number of witnesses and documents that any party can introduce, or the time spent on submissions or oral evidence, to ensure the proper running of the hearing. Where there are a number of persons with similar representations, a spokesperson may be chosen to speak.
13. Any witnesses that any party is seeking to call that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any witnesses to be heard, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.
14. Any documents that any party is seeking to adduce that have not previously been notified to the Council, in advance of the hearing, shall only be allowed with the consent of all other parties at the hearing. The Sub-Committee shall have the sole discretion to refuse to allow any documents to be adduced, even where the consent of all parties has been given. In reaching the decision the Sub-Committee may consider any circumstances they believe to be relevant, and will have regard to the relevance of the evidence to the matters before the Committee.

### **Closing Submissions**

15. The **Chair** shall invite each of the parties to present a closing submission, of no more than 5 minutes, to the Sub-Committee, in the order of
- firstly **the Responsible Authority/ or Responsible Authorities;**
  - secondly **Other Persons;**
  - thirdly, the **Licensing Officer**
  - lastly the **Applicant (or their representative)**



Each party may comment upon what has been said but no new evidence should be introduced.

16. At the end of the Closing Submissions the **Chair** may ask the **Legal Advisor** if there is any clarification or points they wish to make or advise the Committee of.

### **Reaching and Making a Decision**

17. The **Chair** will ask the Council's Legal Advisor to address the Committee on any outstanding matters.
18. The **Chair** will then thank all those who have spoken and invite the Committee to retire to consider the application, accompanied by the Legal Advisor and Democratic Services Officer (who will take no part in the decision).
19. The Committee will then consider the case and evidence before them at the hearing and will seek to reach a decision with reasons for the decision.
20. Once a decision has been made, the **Chair** will invite the **Legal Advisor** to announce in public any legal advice they have given in private.
21. The **Chair** will read out the decision and the reasons for the decision, or in some cases, advise that the decision will be notified to parties at a later date. Where appropriate, the **Chair** will ask the Licensing Officer for any comments on their decision prior to any final determination.
22. The **Chair** will explain that all parties will be notified of the outcome of the decision and reasons for the decision in writing.
23. If the Committee is unable to reach a decision on the day, the **Chair** will explain that all parties will be notified as soon as possible (but within 5 working days or other time period as set out in the Licensing Act 2003 or related regulations) of the decision and the reasons for such.

### **NOTE**

A decision may be deferred to:-

1. Receive further documentation referred to in the meeting
  2. Enable a site visit to take place
  3. Invite the Applicant or his representative to appear if they had not done so at the meeting (only once)
- No further debate may be heard on further documentation or at a site visit
  - Adjournments should generally be granted if to refuse would deny applicant a fair hearing.

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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](#).

<b>Subject</b>	<b>Description</b>
<b>Employment, office, trade, profession or vocation</b>	Any employment, office, trade, profession or vocation carried on for profit or gain. [Any unpaid directorship.]
<b>Sponsorship</b>	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.
<b>Contracts</b>	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>
<b>Land and Property</b>	<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>
<b>Licenses</b>	<p>Any licence (alone or jointly with others) to occupy land in the area of the council for a month or longer</p>
<b>Corporate tenancies</b>	<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>
<b>Securities</b>	<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**

You have a personal interest in any business of your authority where it relates to or is likely to affect:

- 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
  - (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)





<b>Licensing Sub Committee</b>		
Author's Title	Licensing Enforcement Officer	
Are there back ground papers	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
Exempt	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
Ward(s) affected?		
Responsible Members	Cllr P Fisher – Chairman Licensing Committee Cllr C Ringer – Portfolio Holder (Licensing)	
Contact Officer	<b>Nicky Davison</b>	
E-mail address	<b>nicky.davison@north-norfolk.gov.uk</b>	
Telephone number	01263 516291	
Are there Non Electronic Appendices	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
List of Background Papers and Appendices	North Norfolk District Council Licensing Policy  Statutory Guidance issued by the Home Office  Appendices to the report containing copies of correspondence from Responsible Authorities and Other Persons  Application and Current Application Form	

**This report has been subject to the following processes:**

<b>Consultation with:</b>		
Head of Financial Services (S151 Officer)	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Not apt
Solicitor to the Council/Legal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Not apt
Others:	Head of Environmental Health	

<b>File Location:</b>	M3 Database WK/230046202
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**Application for a new Premises Licence - Pop Inn Restaurant, The Quay,  
Wells-next-the-Sea, Norfolk, NR23 1AS**

**Summary:** This is an application for a new Premises Licence

**Conclusions:** That Members consider and determine the case from the written and oral information provided.

**Recommendations:** That Members consider and determine this case

Cllr P Fisher – Chairman  
Licensing Committee

Ward(s) affected: Wells-Next-The-Sea

Contact Officer, telephone  
number, and e-mail:

**Nicky Davison**

**01263 516291**

**nicky.davison@north-norfolk.gov.uk**

**1. Jurisdiction**

- 1.1. North Norfolk District Council is the Licensing Authority under the Licensing Act 2003 in respect of Premises licences for the sale of alcohol or regulated entertainment. Where a valid application for a premises licence or variation is received and relevant representations are made, before determining the application, the authority must hold a hearing to consider the case.
- 1.2. The four licensing objectives to be considered when determining the application, and relevant representations, are:
  - a. the prevention of crime & disorder
  - b. public safety
  - c. the prevention of public nuisance, and
  - d. the protection of children from harm

**2. The Application**

- 2.1 Highview Properties (London) Limited has made an application for a new Premises Licence which was deemed acceptable on 20 July 2023. The application can be seen in **Appendix A** and the premises plan **Appendix B**.

2.2 The Premises is proposed to be used as a restaurant incorporating five street vending type food concessions and one ice cream concessions with a bar serverly area. The premises will offer 132 covers inside the premises and 48 covers in the open roof terrace area, totalling a maximum of 180 covers overall. The premises will also include a children's play area and a stage area for regulated entertainment to take place.

2.3 The 28 day consultation period, for any relevant representations based on the licensing objectives, from Responsible Authorities and Other Persons, ended on 17 August 2023. An amendment to the application, in relation to the licensable activities being sought, was received by the applicant's Agent on 16 August 2023. This was in response to representations made by Responsible Authorities and Other Persons within the consultation period. This amendment is detailed in the email from the Agent and can be seen in **Appendix C** and below:

1. The trading hours will only be until 23:00 hours 7 days a week.
2. There will be no allowance for off-sales of alcohol to take place and alcohol must be for consumption on the premises only.
3. Music will be played on the first floor only and not on the Open Roof Terrace area.

Late night refreshment is no longer required as the amendment to the application states that trading hours will cease at 23:00 hours.

2.4 The details of the amendment to the application were sent to the Other Persons on 22 August 2023 which can also be seen in **Appendix C**.

2.5 The premises licence application now seeks permission to operate as follows:

Licensable activity	Days	Times
<b>Opening Hours</b>	Monday to Sunday	11:00 - 23:00
<b>Plays</b> <b>To take place indoors only</b>	Monday to Sunday	11:00 - 23:00
<b>Films</b> <b>To take place indoors only</b>	Monday to Sunday	11:00 - 23:00
<b>Live Music</b> <b>To take place indoors only</b>	Monday to Sunday	11:00 - 23:00
<b>Recorded Music</b> <b>To take place indoors only</b>	Monday to Sunday	11:00 - 23:00
<b>Performance of Dance</b> <b>To take place indoors only</b>	Monday to Sunday	11:00 - 23:00
<b>Entertainment Similar to E/F/G</b> <b>To take place indoors only</b>	Monday to Sunday	11:00 - 23:00
<b>Sale of Alcohol On Premises</b> <b>For consumption on the premises only</b>	Monday to Sunday	11:00 - 23:00

### 3. Conditions

3.1 The premises licence is subject to the following mandatory conditions:

- a. **LIP001** 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 the personal licence is suspended.
- b. **LIP002** Every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- c. **LIP003** Where a premises licence includes the condition that at specified times one or more individuals must be at the premises to carry out a security activity; each such individual must be licensed by the Security Industry Authority.
- d. **LIP004** Where a premises licence authorises the exhibition of films, the admission of children to the exhibition of any film to be restricted in accordance with this section.
- e. **LIP006**
  - (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 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 disability).

- f. **LIP008** The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- g. **LIP009**
  - (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.
- i. **LIP010** The responsible person shall 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 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; and
  - 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.
- j. **LIP011** 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.

3.2 The licence will be subject to the following conditions which are consistent with the operating schedule and the notification of amendment:

- a. **LICD26** Variation/video equipment will be set to record from the time the premises are open to the public until the premises are closed and all members of the public have left.
- b. **LICD28** Monitoring tapes will be retained for a minimum period of 31 days and will be produced to an authorised officer within 24 hours of the request.
- c. A refusals log and incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request.
- d. **LICD15** Any person selling or supplying alcoholic drink under the authority of a personal licence holder will ask for a photo ID proof of age where they have reason to suspect that the individual may be under 25 years of age.
- e. Staff training in regard to responsibilities in retail sale of alcohol will be undertaken. Written training records will be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.
- f. The sale of alcohol must be for consumption on the premises only.
- g. **LIPC09** (a) The categories U, PG, 12, 12A, 15 and 18 have the following meaning:
  - \* Universal - suitable for audiences age four years and over
  - \* PG - Parental Guidance some scenes may be unsuitable for young children.
  - \* 12 - Passed only for persons of 12 years and over
  - \* 12A - Passed only for viewing by person aged 12 or older or persons younger than 12 when accompanied by an adult.
  - \* 15 - Passed only for persons of 15 years and over.
  - \* 18 - Passed only for persons of 18 years and over.
  - \* RESTRICTED (18) - Passed only for persons of 18 or over who are members (or their guests) of a properly constituted club.(b) The addition of the Council's name after the category means that the film has been passed by the Council for exhibition in the Council's area in the category shown.
- h. **LIPC10** No film shall be exhibited unless:(a) it is a current news-reel; or (b) it has been passed by the British Board of Film Classification as a U, PG, 12, 12A, 15, 18 or RESTRICTED (18) film and no notice of objection to its exhibition has been given by the Council; or(c) the film has been passed and classified by the Council.

#### **4. Representations from Responsible Authorities**

- 4.1 Section 13(4) of the Act defines the 'Responsible Authorities' as the statutory bodies that must be sent copies of an application. Representations made must relate to the licensing objectives.
- 4.2 The following comments have been received from the Responsible Authorities and can be seen in **Appendix D**:

<b>Responsible Authority</b>	<b>Comments</b>	<b>Date</b>
Planning	Nil Response	
EH - Licensing	Nil Response	
Trading Standards Service	Nil Response	
EH Commercial Team	Nil Response	
Primary Care Trust, N C C	Nil Response	
Licensing Team Norfolk Constabulary	No Objection in line with conditions offered in application.	02/08/2023

Responsible Authority	Comments	Date
EH - Environmental Protection	I am objecting to this application due to the lack of detail on measures to control noise from activities such as recorded music and live music. There is the potential for adverse impact on amenity and risk of public nuisance, given the venue's location in proximity to residential dwellings and as the licence application requests both indoor and outdoor entertainments, which includes these activities occurring on the outdoor roof terrace from 11.00 to 23.00 hours. Other indoor entertainments are requested until 23.00 hours or 01.00 hours, where again there is potential for noise and adverse impact. I note that the building appears to be attached to other buildings, outside the applicant's control. This being the case, the impact of noise on other users of the building should be considered.	15/08/2023
	Objection to remain in response to the amendment made by the applicant.	20/09/2023
Norfolk Safeguarding Childrens Board	Nil Response	
Home Office (Immigration Enforcement)	Nil Response	

## 5. Representations from Other Persons

5.1 Section 17(5) of the Act describes other persons as persons who live, or are involved in a business, in the relevant licensing authority's area and who are likely to be affected by it. Representations made must relate to the licensing objectives.

5.2 There has been significant correspondence received from other persons and are attached for information in **Appendix D**. The relevant issues raised has



been that of public nuisance, public safety and crime and disorder. Some of the other persons have since withdrawn their objections following the amendment to the application made by the applicant on 16 August 2023. See the table below and **Appendix D**.

#### **Representations from Other Persons**

<b>Name</b>	<b>Representation</b>	<b>Date</b>
Objector 1 Dr A Dwyer	Public Nuisance, Crime and Disorder and Public Safety	16/08/2023
Objector 2 Mr Robert Smith - Harbour Master for Wells Harbour Commissioners	Public Nuisance, Crime and Disorder <b>Withdrawn objection – 25/08/2023</b>	14/08/2023
Objector 3 Mr Greg Hewitt – Clerk to Wells Town Council	Public Nuisance, Crime and Disorder and Public Safety <b>Withdrawn objection - 07/09/2023</b>	16/08/2023
Objector 4 Mr and Mrs Granville	Public Nuisance, Crime and Disorder and Public Safety	17/08/2023
Objector 5 Mr R J Lyddon	Public Nuisance, Crime and Disorder and Public Safety	17/08/2023
Objector 6 Mr and Mrs Pigney	Public Nuisance	17/08/2023
Objector 7 Mr and Mrs de Teissier Prevost	Public Nuisance <b>Withdrawn objection 28/08/2023</b>	16/08/2023

## **6. Notices**

- 6.1 The applicant is responsible for advertising the application by way of a notice in the specified form at the premises for not less than 28 consecutive days and in a local newspaper. The Public Notice appeared in the 'Dereham and Fakenham Times' on 20 July 2023 and a Notice should have been displayed on the premises until 17 August 2023. A copy of the notices can be seen in **Appendix A**.

## **7. Plans**

- 7.1 A location plan showing the general location of the premises is attached at **Appendix E**.

## **8. North Norfolk District Council Licensing Policy**

- 8.1 The current Statement of Licensing Policy was approved by Council on 17 November 2021 and became effective on 31 January 2022 and the following extracts may be relevant to this application:

### **3.0 Main Principles**

3.1 Nothing in the 'Statement of Policy' will:

- undermine the rights of any person to apply under the 2003 Act for a variety of permissions and have the application considered on its individual merits, and/or
- override the right of any person to make representations on any application or seek a review of a licence or certificate where they are permitted to do so under the 2003 Act

3.2 Licensing is about regulating licensable activities on licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and any conditions that are attached to premises licences or club premises certificates will be focused on matters which are within the control of individual licensee or club, i.e. the premises and its vicinity.

3.3 Whether or not incidents can be regarded as being 'in the vicinity' of licensed premises is a question of fact and will depend on the particular circumstances of the case. In dispute, the question will ultimately be decided by the courts. When considering these conditions, the Council will primarily focus on the direct impact of the activities taking place at licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

3.5 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy throughout the district.

3.6 The Council acknowledges that the licensing function cannot be used for the general control of anti-social behaviour by individuals once they are beyond the direct control of the licensee of any premises concerned. In this respect, the Council recognises that, apart from the licensing function, there are a number of other mechanisms available for addressing issues of unruly behaviour that can occur away from licensed premises, including:

- planning and environmental health controls

- CCTV
- ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments
- To designate parts of the District as places where alcohol may not be consumed publicly
- Regular liaison with Police on law enforcement issues regarding disorder and anti-social behaviour, including the issue of fixed penalty notices, prosecution of those selling alcohol to people who are drunk; confiscation of alcohol from adults and children in designated areas and instantly closing down licensed premises or temporary events on the grounds of disorder, or likelihood of disorder or excessive noise from the premises
- The power of the police, other responsible authority or a local resident or business or District Councillor to seek a review of the licence or certificate

#### **4 Crime and Disorder**

4.1 The Council acknowledges that the Police are the main source of advice on crime and disorder.

4.2 Licensed premises, especially those offering late night/early morning entertainment, alcohol and refreshment for large numbers of people, can be a source of crime and disorder problems. The Council will expect Operating Schedules to satisfactorily address these issues from the design of the premises through to the daily operation of the business.

4.3 Applicants are recommended to seek advice from Council Licensing Officers and Police, as well as taking into account, as appropriate, local planning and transport policies, tourism, cultural, community engagement and crime prevention strategies, when preparing their plans and Schedules.

4.4 In addition to the requirements for the Council to promote the licensing objectives, it also has a duty under Section 17 of the Crime and Disorder Act 1998 to do all it reasonably can to prevent crime and disorder in North Norfolk's District. The Local Authority also acknowledges powers contained within the Violent Crime Reduction Act 2006.

4.5 The Council will consider attaching Conditions to licences and permissions to deter and prevent crime and disorder both inside and immediately outside the premises, and these may include Conditions

drawn from the Model Pool of Conditions relating to Crime and Disorder.

## **5 Public Safety**

5.1 Licence holders have a responsibility to ensure the safety of those using their premises, as part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning.

5.2 A number of matters should be considered in relation to public safety, these could include;

- Fire safety
- Ensuring appropriate access for emergency services such as ambulances
- Good communication with local authorities and emergency services
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits
- Ensuring the safety of people when leaving the premises (for example through the provision of information on late-night transportation)
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles
- Ensuring appropriate limits on the maximum capacity of the premises; and
- Considering the use of CCTV

5.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Council expects applicants to consider, when making their application, which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

5.4 Whenever security operatives/door supervisors are employed at licensed premises to carry out any security function they must be licensed by the Security Industry Authority (SIA). Competent and professional door supervisors are key to public safety at licensed premises. If a licensee directly employs security operatives he/she will need to be licensed by the SIA as a supervisor/manager.

5.5 The Council will consider attaching Conditions to licences and permissions to promote safety, and these may include Conditions drawn from the Model Pool of Conditions relating to 'Public Safety'.

## **6 Prevention of Public Nuisance**

6.1 Licensed premises, especially those operating late at night and in the early hours of the morning, can cause a range of nuisances impacting on people living, working or sleeping in the vicinity of the premises.

6.2 The concerns mainly relate to noise nuisance, light pollution and noxious smells and due regard will be taken of the impact these may have. The Council will expect Operating Schedules to satisfactorily address these issues. Applicants are advised to seek advice from the Council's Environmental Protection Service before preparing their plans and Schedules. The Council expects operating schedules to satisfactorily address these issues, as appropriate.

6.3 The Council will consider attaching Conditions to licences and permissions to prevent public nuisance, and these may include Conditions drawn from the Model Pool of Conditions relating to 'Public Nuisance'.

## **7 Protection of Harm from Children**

7.1 The wide range of premises that require licensing means that children can be expected to visit many of these, often on their own, for food and/or entertainment.

7.2 The 2003 Act makes it an offence to permit children under the age of 16 who are not accompanied by an adult to be present on premises being used exclusively or primarily for supply of alcohol for consumption on those premises under the authorisation of a premises licence, club premises certificate or where that activity is carried on under the authority of a temporary event notice.

7.3 In addition, it is an offence to permit the presence of children under 16 who are not accompanied by an adult between midnight and 5am at other premises supplying alcohol for consumption on the premises under the authority of any premises licence, club premises certificate or temporary event notice. Outside of these hours, the offence does not prevent the admission of unaccompanied children under 16 to the wide variety of premises where the consumption of alcohol is not the exclusive or primary activity. Between 5am and midnight the offence would not necessarily apply to many restaurants, hotels, cinemas and even many pubs where the main business activity is the consumption of both food and drink. This does not mean that children should automatically be admitted to such premises and the following paragraphs are therefore of great importance notwithstanding the new

offences created by the 2003 Act. (See the Licensing Policy for further detail)

7.4 The 2003 Act details a number of offences designed to protect children in licensed premises and the Council will work closely with the police to ensure the appropriate enforcement of the law, especially prohibiting the sale and supply of alcohol to children.

7.5 The Council will consider attaching Conditions to licences and permissions to prevent harm to children, and these may include Conditions drawn from the Model Pool of Conditions relating to the Protection of Children from Harm.

## **10 Standard Conditions**

10.1 The Council will not impose conditions unless it has received a representation from a responsible authority, such as the police, environmental health officer or other persons, such as a local resident or local business, which is a relevant representation, or is offered in the applicants Operating Schedule. Any conditions will be proportional and appropriate to achieve the Licensing Objectives.

## **9. Guidance Issued under section 182 of the Licensing Act 2003**

9.1 The current Guidance was issued by the Home Office in August 2023 and offers advice to Licensing authorities on the discharge of their functions under the Licensing Act 2003.

9.2 The following extracts may be relevant to this application and assist the panel:

### **Licensing conditions – general principles**

1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:

- must be appropriate for the promotion of the licensing objectives;
- must be precise and enforceable;
- must be unambiguous and clear in what they intend to achieve;
- should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
- must be tailored to the individual type, location and characteristics of the premises and events concerned;
- should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;
- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met,

- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

### **Each application on its own merits**

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. Conditions attached to licences and certificates must be tailored to the individual type, location and characteristics of the premises and events concerned. This is essential to avoid the imposition of disproportionate and overly burdensome conditions on premises where there is no need for such conditions. Standardised conditions should be avoided and indeed may be unlawful where they cannot be shown to be appropriate for the promotion of the licensing objectives in an individual case.

### **Crime and Disorder**

2.1 Licensing Authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).

2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.

### **Public Safety**

2.7 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public

safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.

2.8 A number of matters should be considered in relation to public safety. These may include:

- Fire safety;
- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
- Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
- Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
- Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
- Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
- Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).

### **Ensuring safe departure of those using the premises**

2.15 licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

### **Public Nuisance**

2.20 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the



effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.21 Public nuisance is given a statutory meaning in many pieces of legislation. It is however not narrowly defined in the 2003 Act and retains its broad common law meaning. It may include in appropriate circumstances the reduction of the living and working amenity and environment of other persons living and working in the area of the licensed premises. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.22 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (See Chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

2.23 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.

2.24 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a

licence for performances of live music between 11pm and 8am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.

2.25 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.

2.26 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area or that, if they wish to smoke, to do so at designated places on the premises instead of outside and to respect the rights of people living nearby to a peaceful night.

### **Protection of Harm to Children**

2.30 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

2.31 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.

2.32 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:

- restrictions on the hours when children may be present;
- restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;
- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);

- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.35 The 2003 Act provides that, where a premises licence or club premises certificate authorises the exhibition of a film, it must include a condition requiring the admission of children to films to be restricted in accordance with recommendations given either by a body designated under section 4 of the Video Recordings Act 1984 specified in the licence (the British Board of Film Classification is currently the only body which has been so designated) or by the licensing authority itself. Further details are given in Chapter 10.

### **Determining applications**

9.3 Where a representation concerning the licensing objectives is made by a responsible authority about a proposed operating schedule and it is relevant (see paragraphs 9.4 to 9.10 below), the licensing authority's discretion will be engaged. It will also be engaged if another person makes relevant representations to the licensing authority, which are also not frivolous or vexatious (see paragraphs 9.4 to 9.10 below). Relevant representations can be made in opposition to, or in support of, an application and can be made by any individual, body or business that has grounds to do so.

9.37 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation and should be allowed sufficient time to do so, within reasonable and practicable limits.

9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:

- the steps that are appropriate to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- this Guidance;

- its own statement of licensing policy.

### **Relevant, Vexatious and Frivolous Representations**

9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to Revised Guidance issued under section 182 of the Licensing Act 2003 I 75 the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.

9.5 It is for the licensing authority to determine whether a representation (other than a representation from a responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

### **Determining actions that are appropriate for the promotion of the licensing objectives**

9.42 Licensing authorities are best placed to determine what actions are appropriate for the promotion of the licensing objectives in their areas. All licensing determinations should be considered on a case by case basis. They should take into account any representations or objections that have been received from responsible authorities or other persons, and representations made by the applicant or premises user as the case may be.

9.43 The authority's determination should be evidence-based, justified as being appropriate for the promotion of the licensing objectives and proportionate to what it is intended to achieve.

9.44 Determination of whether an action or step is appropriate for the promotion of the licensing objectives requires an assessment of what action or step would be suitable to achieve that end. While this does not therefore require a licensing authority to decide that no lesser step will achieve the aim, the authority should aim to consider the potential burden that any condition would impose on the premises licence holder (such as the financial burden due to restrictions on licensable activities) as well as the potential benefit in terms of the promotion of the licensing objectives. However, it is 82 | Revised Guidance issued under section 182 of the Licensing Act 2003 imperative that the authority ensures that the factors which form the basis of its determination are limited to consideration of the promotion of the objectives and nothing outside those parameters. As with the consideration of licence variations, the licensing authority should consider wider issues such as other conditions already in place to mitigate potential negative impact on the promotion of the licensing objectives and the track record of the business. Further advice on determining what is appropriate when imposing conditions on a licence or certificate is provided in Chapter 10. The licensing authority is expected to come to its determination based on an assessment of the evidence on both the risks and benefits either for or against making the determination.

### **Conditions attached to Premises Licences**

10.2 Conditions include any limitations or restrictions attached to a licence or certificate and essentially are the steps or actions that the holder of the premises licence or the club premises certificate will be required to take or refrain from taking in relation to the carrying on of licensable activities at the premises in question. Failure to comply with any condition attached to a licence or certificate is a criminal offence, which on conviction is punishable by an unlimited fine or up to six months' imprisonment. The courts have made clear that it is particularly important that conditions which are imprecise or difficult for a licence holder to observe should be avoided.

10.3 There are three types of condition that may be attached to a licence or certificate: proposed, imposed and mandatory. Each of these categories is described in more detail below

### **Proposed Conditions**

10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities

will be conducted and any other hours during which the premises will be open to the public.

10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention

### **Imposed Conditions**

10.8 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to impose conditions to promote one or more of the four licensing objectives. This provision also applies to minor variations.

10.9 It is possible that in some cases no additional conditions are appropriate to promote the licensing objectives.

### **Proportionality**

10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessels or identity scanners where they would not be appropriate to the specific premises. Conditions that are considered appropriate for the prevention of illegal working in premises licensed to sell alcohol or late night refreshment might include requiring a premises licence holder to undertake right to work checks on all staff employed at the licensed premises or requiring that evidence of a right to work check, either physical or digital (e.g. copy of any document checked or a clear copy of the online right to work check) is retained at the licensed premises. Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives.

### **Hours of trading**

10.13 The Government acknowledges that different licensing strategies may be appropriate for the promotion of the licensing objectives in different areas. The 2003 Act gives the licensing authority power to make decisions about the hours during which premises can conduct licensable activities as part of the implementation of its licensing policy statement. Licensing authorities are best placed to make decisions about appropriate opening hours in their areas based on their local

knowledge and in consultation with responsible authorities. However, licensing authorities must always consider each application and must not impose predetermined licensed opening hours, without giving individual consideration to the merits of each application.

### **Overview of circumstances in which entertainment activities are not licensable**

16.6 As a result of deregulatory changes that have amended the 2003 Act, no licence is required for the following activities:

- Plays: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for an event between 08.00 and 23.00 on any day, provided that those present do not exceed 1000.
- Boxing or wrestling entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Live music: no licence permission is required for:
  - a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that does not have a licence, provided that the audience does not exceed 500.
  - a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a

school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

- Recorded Music: no licence permission is required for:

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.

- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.

- any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

## **10. Determination**

10.1 The Sub Committee are requested to consider the application, representations, and determine this application.

10.2 When considering this application, the Sub Committee will need to have regard to the North Norfolk District Council Licensing Policy and to statutory guidance under the Licensing Act 2003 issued by the Secretary of State.

10.3 In determining the application for a Premises Licence the Sub Committee may take the following actions:

- a. Grant the application

- b. Grant the application subject to conditions relevant to the promotion of the licensing objectives

- c. Grant the application subject to excluding from the scope of the licence, any of the licensable activities being sought

- d. Refuse the application

10.4 This application must be determined and notified to the applicant within 5 working days from the conclusion of the hearing. Reasons for the Panel's decision must be given as both the applicant and objectors have a right of appeal against that decision to the Magistrates Court.

10.5 There is a right of appeal to the decision of the Sub Committee to the Magistrates court within 21 days.



**Appendices:**

- A. Copy of Application
- B. Plan of Premises
- C. Email from Agent and email to Responsible Authority/'Other Persons' with amendment details
- D. Letters/emails of objection or support from Responsible Authorities/ 'Other Persons'
- E. Location Plan

**Background Papers:**

- 1. The Licensing Act 2003
- 2. North Norfolk District Council Statement of Licensing Policy (approved 17 November 2021)
- 3. Guidance issued under section 182 of the Licensing Act 2003 (August 2023)
- 4. The Legislative Reform (Entertainment Licensing) Order 2014

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**North Norfolk**  
**Application for a premises licence**  
**Licensing Act 2003**

For help contact  
[licensing@north-norfolk.gov.uk](mailto:licensing@north-norfolk.gov.uk)  
Telephone: 01263516189

\* required information

**Section 1 of 21**

You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference  This is the unique reference for this application generated by the system.

Your reference  You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

☒ Yes ☐ No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

**Applicant Details**

\* First name

\* Family name

**You must enter a valid e-mail address**

\* E-mail

Main telephone number  Include country code.

Other telephone number

☐ Indicate here if the applicant would prefer not to be contacted by telephone

Is the applicant:

☒ Applying as a business or organisation, including as a sole trader  
☐ Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means the applicant is applying so the applicant can be employed, or for some other personal reason, such as following a hobby.

**Applicant Business**

Is the applicant's business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If the applicant's business is registered, use its registered name.

VAT number

Put "none" if the applicant is not registered for VAT.

*Continued from previous page...*

Legal status

Applicant's position in the business

Home country

The country where the applicant's headquarters are.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Agent Details**

\* First name

\* Family name

\* E-mail

Main telephone number

Include country code.

Other telephone number

☐ Indicate here if you would prefer not to be contacted by telephone

Are you:

☒ An agent that is a business or organisation, including a sole trader

A sole trader is a business owned by one person without any special legal structure.

☐ A private individual acting as an agent

**Agent Business**

Is your business registered in the UK with Companies House? ☒ Yes ☐ No

Note: completing the Applicant Business section is optional in this form.

Registration number

Business name

If your business is registered, use its registered name.

VAT number

Put "none" if you are not registered for VAT.

Legal status

*Continued from previous page...*

Your position in the business LICENSING ASSISTANT

Home country United Kingdom

The country where the headquarters of your business is located.

**Agent Registered Address**

Address registered with Companies House.

Building number or name LOCKETT HOUSE

Street 13 CHURCH STREET

District

City or town KIDDERMINSTER

County or administrative area

Postcode DY10 2AH

Country United Kingdom

**Section 2 of 21**

**PREMISES DETAILS**

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

**Premises Address**

Are you able to provide a postal address, OS map reference or description of the premises?

☒ Address ☐ OS map reference ☐ Description

**Postal Address Of Premises**

Building number or name POP INN RESTAURANT

Street THE QUAY

District

City or town WELLS NEXT THE SEA

County or administrative area NORFOLK

Postcode NR23 1AS

Country United Kingdom

**Further Details**

Telephone number 07831 431111

Non-domestic rateable value of premises (£)

## Section 3 of 21

### APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- ☐ An individual or individuals
- ☒ A limited company / limited liability partnership
- ☐ A partnership (other than limited liability)
- ☐ An unincorporated association
- ☐ Other (for example a statutory corporation)
- ☐ A recognised club
- ☐ A charity
- ☐ The proprietor of an educational establishment
- ☐ A health service body
- ☐ A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- ☐ A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- ☐ The chief officer of police of a police force in England and Wales

### Confirm The Following

- ☒ I am carrying on or proposing to carry on a business which involves the use of the premises for licensable activities
- ☐ I am making the application pursuant to a statutory function
- ☐ I am making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

## Section 4 of 21

### NON INDIVIDUAL APPLICANTS

Provide name and registered address of applicant in full. Where appropriate give any registered number. In the case of a partnership or other joint venture (other than a body corporate), give the name and address of each party concerned.

#### Non Individual Applicant's Name

Name

#### Details

Registered number (where applicable)

Description of applicant (for example partnership, company, unincorporated association etc)

Continued from previous page...

## Address

Building number or name	24a
Street	ORFORD ROAD
District	WALTHAMSTOW
City or town	LONDON
County or administrative area	
Postcode	E17 9NJ
Country	United Kingdom

## Contact Details

E-mail											
Telephone number											
Other telephone number											
* Date of birth	<table><tr><td>25</td><td>/</td><td>08</td><td>/</td><td>1986</td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	25	/	08	/	1986	dd		mm		yyyy
25	/	08	/	1986							
dd		mm		yyyy							

* Nationality	BRITISH
---------------	---------

Documents that demonstrate entitlement to work in the UK

Add another applicant

## Section 5 of 21

### OPERATING SCHEDULE

When do you want the premises licence to start?	<table><tr><td>21</td><td>/</td><td>07</td><td>/</td><td>2023</td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>	21	/	07	/	2023	dd		mm		yyyy
21	/	07	/	2023							
dd		mm		yyyy							

If you wish the licence to be valid only for a limited period, when do you want it to end	<table><tr><td></td><td>/</td><td></td><td>/</td><td></td></tr><tr><td>dd</td><td></td><td>mm</td><td></td><td>yyyy</td></tr></table>		/		/		dd		mm		yyyy
	/		/								
dd		mm		yyyy							

Provide a general description of the premises

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off- supplies you must include a description of where the place will be and its proximity to the premises.

THE PREMISES ON THE FIRST FLOOR AND ROOF TOP TERRACE WHERE THE RESTAURANT WILL BE LOCATED IS CURRENTLY BEING REFURBISHED AND WILL INCORPORATE STREET VENDING TYPE FOOD CONCESSIONS AND AN ICE CREAM CONCESSION. THE OPERATION IS A SEPARATE ENTITY TO THE CURRENT ARCADE THAT IS LOCATED ON THE GROUND FLOOR. THE VENUE WILL HAVE A BAR LOCATION FOR PATRONS TO BE ABLE TO PURCHASE ALCOHOL (BEER. WINE. SPIRITS) TO COMPLIMENT THE STREET VENDOR MEAL OF THEIR CHOICE OR HAVE THE OPTION TO PURCHASE ALCOHOL TO TAKE

*Continued from previous page...*

HOME IF THEY ORDER A TAKE OUT MEAL RATHER THAN DINE IN. THERE WILL BE A KIDS PLAY AREA, A STAGE AREA FOR LIVE ENTERTAINMENT (SINGERS/BANDS/DANCERS ETC) OR RECORDED MUSIC TO TAKE PLACE WHEN REQUIRED. THE FACILITY WILL BE ABLE TO OFFER 180 COVERS WHICH INCLUDES AN OPEN ROOF TERRACE AREA. THE PREMISES WILL BENEFIT FROM A DIGITAL CCTV SYSTEM, A REFUSALS LOG, AN INCIDENT LOG AND A CHALLENGE 25 POLICY WILL BE USED AT THE PREMISES AND THE TILL SYSTEM WILL HAVE A CHALLENGE 25 PROMPT SYSTEM. ANY LIVE OR RECORDED MUSIC WILL NOT BE BROADCAST FROM THE OPEN ROOF TERRACE AFTER 23:00 HOURS.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

## Section 6 of 21

### PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

☒ Yes

☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.

(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

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##### THURSDAY

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Start

End

##### FRIDAY

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Start

End

##### SATURDAY

Start

End

Start

End



*Continued from previous page...*

SUNDAY

Start

End

Start

End

Will the performance of a play take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

THE SMALL STAGE AREA WITHIN THE FACILITY COULD ALLOW FOR PLAYS TO BE PERFORMED BUT WILL BE BASED ON REQUESTS TO HOLD SUCH AN EVENT. IF THERE WAS ANY MUSIC THIS WOULD BE OF AN UNAMPLIFIED NATURE (STAGE MICROPHONES TO BE USED IF NEEDED).

State any seasonal variations for performing plays

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where the premises will be used for the performance of a play at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

## Section 7 of 21

### PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

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*Continued from previous page...*

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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Start  End

Will the exhibition of films take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

State any seasonal variations for the exhibition of film

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where the premises will be used for the exhibition of film at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

Continued from previous page...

## Section 8 of 21

### PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

☐ Yes ☒ No

## Section 9 of 21

### PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

☐ Yes ☒ No

## Section 10 of 21

### PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

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##### WEDNESDAY

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##### THURSDAY

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##### FRIDAY

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##### SATURDAY

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End

*Continued from previous page...*

SUNDAY

Start

End

Start

End

Will the performance of live music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

THE FACILITY HAS A STAGE AREA THAT COULD BE USED AS NEEDED TO OFFER LIVE MUSIC (BANDS/SINGERS ETC) TO THE PATRONS OF THE RESTAURANT. THE MUSIC COULD BE AMPLIFIED OR UNAMPLIFIED DEPENDING ON THE NATURE OF THE EVENT TAKING PLACE AND WOULD BE HEARD FROM THE OPEN ROOF TOP TERRACE AREA SHOWING ON THE PLAN. LIVE AND/OR RECORDED MUSIC WOULD CEASE TO BE BROADCAST FROM THE ROOF TOP TERRACE AT 23:00 HOURS DAILY.

State any seasonal variations for the performance of live music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the performance of live music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

## Section 11 of 21

### PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

Will you be providing recorded music?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

TUESDAY

Start

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*Continued from previous page...*

WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Will the playing of recorded music take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

RECORDED MUSIC COULD BE OFFERED TO THE PATRONS OF THE RESTAURANT IF NO OTHER ACTIVITIES ARE HAPPENING AT THE VENUE AND IS NEEDED AND WILL BE HEARD FROM THE OPEN ROOF TOP TERRACE AREA SHOWING ON THE PLAN. MUSIC WOULD CEASE TO BE BROADCAST FROM THE OPEN ROOF TOP TERRACE AT 23:00 HOURS DAILY

State any seasonal variations for playing recorded music

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the playing of recorded music at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

Continued from previous page...

## Section 12 of 21

### PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

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##### WEDNESDAY

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##### THURSDAY

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##### FRIDAY

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##### SATURDAY

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End

##### SUNDAY

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End

Start

End

Will the performance of dance take place indoors or outdoors or both?

☒ Indoors ☐ Outdoors ☐ Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

THE SMALL STAGE AREA CONTAINED WITHIN THE VENUE COULD BE USED FOR PERFORMANCES OF DANCE IF REQUIRED.

*Continued from previous page...*

State any seasonal variations for the performance of dance

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the performance of dance at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

### Section 13 of 21

#### PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

☒ Yes ☐ No

#### Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

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WEDNESDAY

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THURSDAY

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*Continued from previous page...*

FRIDAY

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SATURDAY

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SUNDAY

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End

Give a description of the type of entertainment that will be provided

THE VENUE COULD BE HIRED OUT FOR PRIVATE PARTIES WHICH COULD INCLUDE A DISCO OR KAROAKE AS PART OF THE ENTERTAINMENT OFFERED. ANY LIVE/RECORDED MUSIC WOULD NOT BE BROADCAST ON THE OPEN ROOF TERRACE AFTER 23:00 HOURS DAILY.

Will this entertainment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other structure tick as appropriate. Indoors may include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

MUSIC COULD BE AMPLIFIED OR UNAMPLIFIED DEPENDING ON THE NATURE OF THE EVENT TAKING PLACE AND COULD BE HEARD FROM THE OPEN ROOF TOP TERRACE AREA SHOWING ON THE PLAN BUT WOULD CEASE TO BE BROADCAST FROM THIS AREA AT 23:00 HOURS DAILY.

State any seasonal variations for entertainment

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for entertainment at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE



*Continued from previous page...*

Will you be providing late night refreshment?

☒ Yes ☐ No

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

TUESDAY

Start

End

Start

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WEDNESDAY

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THURSDAY

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FRIDAY

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SATURDAY

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SUNDAY

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End

Will the provision of late night refreshment take place indoors or outdoors or both?

☐ Indoors ☐ Outdoors ☒ Both

Where taking place in a building or other  
structure tick as appropriate. Indoors may  
include a tent.

State type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively) whether or not music will be amplified or unamplified.

LATE NIGHT REFRESHMENT TO BE OFFERED ON FRIDAY AND SATURDAY FOR TEA/COFFEE ETC. THAT COULD BE CONSUMED  
IN ALL LICENSED AREAS SHOWING ON THE PLAN.

THE CONCESSION FOOD SERVICES WOULD CEASE TO OPERATE AT 23:00 HOURS EVERY DAY.

*Continued from previous page...*

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of late night refreshments at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

## Section 15 of 21

### SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

☒ Yes ☐ No

#### Standard Days And Timings

##### MONDAY

Start

End

Start

End

Give timings in 24 hour clock.  
(e.g., 16:00) and only give details for the days  
of the week when you intend the premises  
to be used for the activity.

##### TUESDAY

Start

End

Start

End

##### WEDNESDAY

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##### THURSDAY

Start

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Start

End

##### FRIDAY

Start

End

Start

End

*Continued from previous page...*

**SATURDAY**

Start

End

Start

End

**SUNDAY**

Start

End

Start

End

Will the sale of alcohol be for consumption:

☐ On the premises      ☐ Off the premises      ☒ Both

If the sale of alcohol is for consumption on the premises select on, if the sale of alcohol is for consumption away from the premises select off. If the sale of alcohol is for consumption on the premises and away from the premises select both.

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non-standard timings. Where the premises will be used for the supply of alcohol at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

State the name and details of the individual whom you wish to specify on the licence as premises supervisor

**Name**

First name

Family name

Date of birth

/  /   
dd      mm      yyyy

*Continued from previous page...*

**Enter the contact's address**

Building number or name	<input type="text" value="9"/>
Street	<input type="text" value="WELLS ROAD"/>
District	<input type="text" value="HINDRINGHAM"/>
City or town	<input type="text" value="FAKENHAM"/>
County or administrative area	<input type="text" value="NORFOLK"/>
Postcode	<input type="text" value="NR21 0PN"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LN/000010972"/>
Issuing licensing authority (if known)	<input type="text" value="NORTH NORFOLK DISTRICT COUNCIL"/>

**PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT**

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- ☐ Electronically, by the proposed designated premises supervisor
- ☒ As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

**Section 16 of 21**

**ADULT ENTERTAINMENT**

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

NONE

**Section 17 of 21**

**HOURS PREMISES ARE OPEN TO THE PUBLIC**

**Standard Days And Timings**

MONDAY

Start

End

Start

End

Give timings in 24 hour clock. (e.g., 16:00) and only give details for the days of the week when you intend the premises to be used for the activity.

*Continued from previous page...*

**TUESDAY**

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**WEDNESDAY**

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**THURSDAY**

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**FRIDAY**

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End

**SATURDAY**

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Start

End

**SUNDAY**

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

NONE

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

NONE

**Section 18 of 21**

**LICENSING OBJECTIVES**

Describe the steps you intend to take to promote the four licensing objectives:

a) General - all four licensing objectives (b,c,d,e)

*Continued from previous page...*

List here steps you will take to promote all four licensing objectives together.

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 12 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

b) The prevention of crime and disorder

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 12 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

c) Public safety

A suitable and sufficient CCTV system with recording facilities will be in place at site and will operate at all times the premise is open for licensable activities. Images will be retained for a period of no less than 31 days. Access to the equipment and recordings will be provided to the Police or other relevant officers of a responsible authority within 24 hours of the request being made.

d) The prevention of public nuisance

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 12 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

An incident log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

e) The protection of children from harm

Staff will be trained with regard to their responsibilities in the retail sale of alcohol and regular refresher training will also be undertaken (minimum of every 12 months). Written training records can be made available for inspection upon reasonable request by the Police or other relevant officers of a responsible authority.

A refusals log will be operated and maintained and will be produced to a relevant officer of the Police or other relevant officers of a responsible authority upon reasonable request. The log will be checked, signed and dated on a regular basis.

*Continued from previous page...*

A Challenge 25 policy will be operated at the premise. Acceptable forms of identification are a passport, photo-card driving licence and PASS accredited identification card.

## Section 19 of 21

### NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

#### **Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:**

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

#### **Documents which demonstrate entitlement to work in the UK**

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

*Continued from previous page...*

- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
  - evidence of the applicant's own identity - such as a passport,
  - evidence of their relationship with the European Economic Area family member - e.g. a marriage certificate, civil partnership certificate or birth certificate, and
  - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
    - (i) working e.g. employment contract, wage slips, letter from the employer,
    - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
    - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
    - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

**Original documents must not be sent to licensing authorities.** If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.



***Continued from previous page...***

If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

### **Home Office online right to work checking service**

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

## **Section 20 of 21**

### **NOTES ON REGULATED ENTERTAINMENT**

*Continued from previous page...*

In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports - defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts - are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
  - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.
- Recorded Music: no licence permission is required for:
  - o any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
  - o any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
  - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

*Continued from previous page...*

- Dance: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
  - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
  - o any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
  - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
  - o any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

## Section 21 of 21

### PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at [http://www.voa.gov.uk/business\\_rates/index.htm](http://www.voa.gov.uk/business_rates/index.htm)

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00\*

Band E - £125001 and over £635.00\*

\*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £125000 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39000 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

\* Fee amount (£)

100.00

### ATTACHMENTS

### AUTHORITY POSTAL ADDRESS

Continued from previous page...

Address

Building number or name	<input type="text"/>
Street	<input type="text"/>
District	<input type="text"/>
City or town	<input type="text"/>
County or administrative area	<input type="text"/>
Postcode	<input type="text"/>
Country	<input type="text" value="United Kingdom"/>

DECLARATION

\* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

[Applicable to individual applicants only, including those in a partnership which is not a limited liability partnership] I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work relating to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK (please read guidance note 15).

\* The DPS named in this application form is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate (please see note 15)

☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name	<input type="text"/>
* Capacity	<input type="text"/>
Date (dd/mm/yyyy)	<input type="text"/>

Add another signatory

Once you're finished you need to do the following:  
1. Save this form to your computer by clicking file/save as...  
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-norfolk/apply-1> to upload this file and continue with your application.  
Don't forget to make sure you have all your supporting documentation to hand.

*Continued from previous page...*

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

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☐ Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

\* Full name

\* Capacity

\* Date  /  /

dd mm yyyy

Add another signatory

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...
2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/north-norfolk/apply-1> to upload this file and continue with your application.

Don't forget to make sure you have all your supporting documentation to hand.

**IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION**

**IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT WILL BE LIABLE TO A CIVIL PENALTY UNDER SECTION 15 OF THE IMMIGRATION, ASYLUM AND NATIONALITY ACT 2006 AND PURSUANT TO SECTION 21 OF THE SAME ACT, WILL BE COMMITTING AN OFFENCE WHERE THEY DO SO IN THE KNOWLEDGE, OR WITH REASONABLE CAUSE TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED**

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Reynolds spotted on beach

Star is filming Deadpool 3



Page 6

Historic ship finally returns home

AARON MCMILLAN

aaron.mcmillan@newsquest.co.uk

One of Norfolk's most popular landmarks is about to return to its home.

The Albatros - a 19th Century Dutch sailing Klipper - is due to dock at Wells-next-the-Sea after a three-year restoration this evening (July 20).

People are expected to line the quayside to welcome back the famous vessel which is used as a floating restaurant with rooms for overnight guests.

Rob Richardson, the ship's owner (pictured),



said her return from Essex was a long time coming.

Mr Richardson said: "We wanted to come back about six weeks ago but the tide and weather have been against us, so we've had to wait for a lull in the weather."

The Albatros was built in 1899 near Rotterdam and ferried cargo around Europe for almost a century.

During the Second World War her brave crew used the ship to smuggle Jewish refugees and political dissidents out of Denmark and return with weapons for resistance fighters.

Full story: Page 10



Image: Brad Damms

M.D.WILLIAMSON

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OTHER

**Public Notice of an Application for a Premises Licence under Section 17 of The Licensing Act 2003**

Notice is hereby given that an application was made to North Norfolk District Council for a premises licence under the above Act on the 13th of July 2023. Applicant: Highview Properties (London) Limited. Address of premises: Pop Inn Restaurant, The Quay, Wells Next The Sea, Norfolk NR23 1AS. Proposed licensable activities: Sale of alcohol for consumption on & off the premises. Provision of late-night refreshment. Provision of plays. Provision of films. Provision of live & recorded music. Provision of entertainment similar to live & recorded music and performances of dance. Proposed days and hours of licensable activity: Alcohol sales for consumption on & off the premises. Provision of plays. Provision of films. Provision of live & recorded music. Provision of entertainment similar to live & recorded music and performances of dance – 11:00 – 23:00 hours Sunday – Thursday & 11:00 – 01:00 hours Friday – Saturday. Late-night refreshment – Friday/Saturday 23:00 – 01:00 hours. If you wish to object to this application, written representations with full contact details should be made to the Licensing Authority: \* Licensing Section, North Norfolk District Council, Council Offices, Holt Road, Cromer, Norfolk NR27 9EN within 28 days from the date of this notice (by 11th of August 2023). This application may be viewed during office hours at the above offices \* N.B It is an offence, liable upon conviction to a fine up to level 5 on the standard scale (£5000), under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application. Dated: 13th July 2023. Lockett & Co – Duly Authorised Agents.



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**Consent of individual to being specified as premises supervisor**

**I, LEANNA CUSHION**

*[full name of prospective premises supervisor]*

of 9 WELLS ROAD, HINDRINGHAM, FAKENHAM, NORFOLK, NR21 0PN  
*[home address of prospective premises supervisor]*

hereby confirm that I give my consent to be specified as the designated premises supervisor in relation to the application for

**NEW PREMISES LICENCE APPLICATION**

*[type of application]*

By **HIGHVIEW PROPERTIES (LONDON) LIMITED**

*[name of applicant]*

relating to a premises licence: **NOT YET ISSUED** *[number of existing licence, if any]*

or **POP INN RESTAURANT, THE QUAY, WELLS NEXT THE SEA, NORFOLK NR23 1AS**  
*[name and address of premises to which the application relates]*

and any premises licence to be granted or varied in respect of this application made by: **HIGHVIEW PROPERTIES (LONDON) LIMITED**  
*[name of applicant]*

concerning the supply of alcohol at:

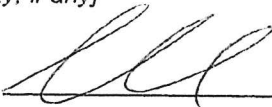
**POP INN RESTAURANT, THE QUAY, WELLS NEXT THE SEA, NORFOLK NR23 1AS**  
*[name and address of premises to which application relates]*

I also confirm that I am entitled to work in the United Kingdom and am applying for, intend to apply for or currently hold a personal licence, details of which I set out below.

Personal licence number: **LN/000010972** *[insert personal licence number, if any]*

Personal licence issuing authority: **NORTH NORFOLK DISTRICT COUNCIL**  
*[Insert name and address and telephone number of personal licence issuing authority, if any]*

Signed



Name (please print) **LEANNA CUSHION**

Dated

14-5-23

Date of Birth

25-08-86

Place of Birth

NORWICH

Nationality

ENGLISH

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**PUBLIC NOTICE OF AN APPLICATION FOR A PREMISES  
LICENCE UNDER SECTION 17 OF THE LICENSING ACT 2003**

Notice is hereby given that an application was made to **NORTH NORFOLK DISTRICT COUNCIL** for a premises licence under the above Act on the **20th OF JULY 2023**.

Applicant: **HIGHVIEW PROPERTIES (LONDON) LIMITED**

Address of premises: **POP INN RESTAURANT, THE QUAY,  
WELLS NEXT THE SEA, NORFOLK NR23 1AS.**

Proposed licensable activities:

**SALE OF ALCOHOL FOR CONSUMPTION ON & OFF THE  
PREMISES, PROVISION OF LATE-NIGHT REFRESHMENT,  
PROVISION OF PLAYS, PROVISION OF FILMS, PROVISION  
OF LIVE & RECORDED MUSIC, PROVISION OF  
ENTERTAINMENT SIMILAR TO LIVE & RECORDED MUSIC  
AND PERFORMANCES OF DANCE**

Proposed days and hours of licensable activity:

**ALCOHOL SALES FOR CONSUMPTION ON & OFF THE  
PREMISES, PROVISION OF PLAYS, PROVISION OF FILMS,  
PROVISION OF PERFORMANCES OF DANCE, PROVISION OF  
LIVE & RECORDED MUSIC, PROVISION OF  
ENTERTAINMENT SIMILAR TO LIVE & RECORDED MUSIC  
AND PERFORMANCES OF DANCE – 11:00 – 23:00 HOURS  
SUNDAY – THURSDAY & 11:00 – 01:00 HOURS FRIDAY –  
SATURDAY. LATE-NIGHT REFRESHMENT –  
FRIDAY/SATURDAY 23:00 – 01:00 HOURS**

If you wish to object to this application, written representations with full contact details should be made to the Licensing Authority: \* Licensing Section, North Norfolk District Council, Council Offices, Holt Road, Cromer, Norfolk NR27 9EN within 28 days from the date of this notice (**by 17<sup>TH</sup> of AUGUST 2023**). This application may be viewed during office hours at the above offices \*

N.B It is an offence, liable upon conviction to a fine up to level 5 on the standard scale (£5000), under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application.

Dated: **20<sup>TH</sup> JULY 2023.**

Lockett & Co – Duly Authorised Agents.

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**LOCKETT & CO**  
Retail, Licensing and Training Consultants

**Pop Inn Restaurant**  
**The Quay**  
**Wells Next the Sea**  
**Norfolk**  
**NR23 1AS**



**Key:**

—	Area licensed for sale of alcohol for consumption on & off the premises, Late Night Refreshment (LNR) & Regulated Entertainment		
●	Fire Extinguisher	×	CCTV

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## Pop Inn Restaurant - Parish Council Meeting



Mark Brown <mark@lockett.uk.com>

To Nicky Davison

Cc Corrigan Lockett

This message was sent with High importance.

Reply Reply All Forward

Wed 16/08/2023 14:42

Dear Nicky

We have been advised by our client for the Pop Inn Restaurant that there was a Parish Council meeting yesterday about the new premises licence application.

From the meeting it was confirmed the following items need to be agreed by our client to prevent a representation being made by the Parish Council:

- 1) The trading hours will only be until 23:00 hours 7 days a week.
- 2) There will be no allowance for off-sales of alcohol to take place and alcohol must be for consumption on the premises only.
- 3) Music will be played on the first floor only and not on the Open Roof Terrace area.

We can confirm that our client contacted us to confirm he is willing to agree to these requests being added to premises licence should the application be granted.

Are you able to confirm if any other representations have been received that would not be related to the above agreed mediation on the application?

If so, could you please forward the representations to us including contact details so we can review the items with our client.

We look forward to your response.

Kind Regards,

**Mark Brown**  
*Licensing Assistant*



**LOCKETT & CO**  
Retail, Licensing and Training Consultants

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WK/230046202 - New application for a Premises Licence - Pop Inn, The Quay, Wells-next-the-Sea, Norfolk, NR23 1AS



Licensing

To

Bcc



Reply

Reply All

Forward



Tue 22/08/23 13:58

 You forwarded this message on 07/09/23 12:52.

Dear Sir/Madam,

**RE: The Licensing Act 2003**

**Representation submitted in connection to the application for a new premises licence for Pop Inn, The Quay, Wells-next-the-Sea**

I am writing to you in connection to the representation that you have made concerning the application for a new premises licence at Pop Inn, The Quay, Wells-next-the-Sea. As you are aware, the matter is currently going before a meeting of the licensing sub-committee to consider the application and to consider the representations, including yours, that the Council has received in connection to it.

The Applicant's solicitor has contacted the Council to amend aspects of the application, in the hope of alleviating some of the concerns that have been raised by interested parties.

- 1) The trading/licensable hours will only be until 23:00 hours 7 days a week.
- 2) There will be no allowance for off-sales of alcohol to take place and alcohol must be for consumption on the premises only.
- 3) Music will be played internally on the first floor only and not on the Open Roof Terrace area.

I would therefore be very grateful if you could take a moment to consider the amendment to the application to determine whether it overcomes your concerns.

The applicants agent 'Corrigan Lockett' welcomes you to contact him to discuss the application and your concerns. He can be contacted on 07831 664373 or email [corrigan@lockett.uk.com](mailto:corrigan@lockett.uk.com).

If it does alleviate your concerns, and you would like to withdraw your representation to the application to vary the licence, then please let me know as soon as possible. If it does not overcome your concerns, and you would like to continue with your representation, then please advise me that this is the case.

I would be grateful if you could send all responses to [licensing@north-norfolk.gov.uk](mailto:licensing@north-norfolk.gov.uk).

Yours faithfully,

Nicky Davison  
Licensing Enforcement Officer

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To: NNDC Licensing

From: A S Dwyer (by email)

Dated: 16 August 2023

Sir,

**Objection to Premises Licence sought by Highview Properties (London) Ltd for the Pop Inn site NR23 1AS**

I have read the Application for a Premises License, dated 20 July 2023 (specifically, the unobscured version located inside the door of Pop Inn leisure). I note the reference to a Pop Inn *Restaurant*: I assume this relates to the planning application granted by NNDC. That application, as part of which substantive works have yet to commence, refers variously to a diner, B&B accommodation, restaurant and loft conversion. It suggests 160 diners plus casual drinkers. The Premises License lists a range of activities that seem incompatible with the previously stated aim of developing a family restaurant intended to blend into the family-friendly town of Wells. I am particularly concerned about a rooftop music venue with entertainment and dancing (a nightclub in all-but-name) and open-air cooking situated in the Wells Conservation Area, and immediately adjacent to the town's Historic Port. That the venue intends to serve alcohol and provide off-sales through the night, indeed, until 0100 in the morning, is not in keeping with the image of the safe and family-friendly town Wells goes to such lengths to sustain.

When this type of enterprise was last seen in Wells (The Captain's Table/Harley's – situated almost opposite the Pop Inn site, on Freeman Street), it was the source of significant well-documented public disorder, criminality and nuisance. Aside from the indifferent approach of it's less than diligent management, many of the problems noted were attributable to having an alcohol-centric venue in the town that stayed open significantly later than all other family-orientated businesses; and one that played loud music late into the night. It drew drinkers and badly behaved elements from far beyond Wells: many arriving by car or motorcycle. This episode is recorded formally in the *NNDC Schedule 8 Review document* – dated 22 October 2015 – and, in particular the witness statement of Lara Toni CLARE, Licensing Enforcement Officer, NNDC (dated 8 September 2015). The findings resulted in stringent conditions being placed on the venue. These included limiting the opening hours, management constraints (mandatory door supervision) and limitations on the type and volume of entertainment that could be provided (see *NNDC Licensing and Appeals Committee agenda item 7*, dated 14 December 2015). This outcome was achieved after a notable delay and only after many months of significant ant-social behaviour and nuisance had been endured by the town.

Reading the Application made in the name of Highview Properties (London) Ltd, I am concerned that the granting of a License that allows purchase and consumption of alcohol on-and-off the premises, the playing of amplified live and recorded music, dancing, cooking at rooftop level and the range of other activities listed will:

- Contribute to a rise in late-night crime and disorder in a family-friendly town that currently quietsens down considerably between 2200 and 2300 (most nights, even earlier). It is not clear whether the already stretched resources of the Constabulary could meet this threat to the town effectively: particularly when large numbers of inebriated people (especially of concern in relation to the venues use for *Stag* and *Hen* parties) spill into the conservation area and historic port at 1am or later.

- Adversely affect public safety by:
  - acting as a beacon for late night drinkers drawn from beyond the town and therefore with no investment in it, or incentive (or possibly capacity) to behave within normal limits;
  - disgorging numbers of loud and inebriated people into the conservation area and historic port of Wells environs late into the evening/early morning;
  - providing off-sales to already inebriated people to consume as they walk or 'settle' in the residential or business streets of the town;
  - Adding to late-night traffic.
- Cause a significant public nuisance through:
  - the playing of amplified music from an open space at roof-top level until the early hours;
  - the noise of inebriated people singing and dancing from an open space at rooftop level and as they spill out of the venue in the early hours of the morning;
  - the significant smell of cooking late into the night from the 'street food' produced in the cooking space at rooftop level;
  - excessive litter (street food, bottles and cans, etc.) across the conservation area and the historic port of Wells.
  - The proximity to the well-kept children's playground (immediately adjacent) is also a worry in relation to broken glass from discarded off-sales and stolen glasses, possible drugs paraphernalia and other detritus from nefarious behaviours noted in relation to inebriated people seeking a dark corner (note the NNDC observations made in relation to The Captain's Table/Harleys).

I do not object to a family restaurant, if run as such, and if in keeping with the spirit of the town. However, I object strongly to the granting of the License as set out in the application dated 20 July 2023. If any License is to be granted to allow this enterprise to function as a nightclub in all-but-name, it needs to address the concerns set out above (and be cognisant of the adverse experiences endured by the town when this type of enterprise was last in operation). Strict and enforceable conditions must be placed on a development that represents such a fundamental change and potential threat to the enjoyment of Wells by the many. **On balance, I object to the Licence Application as set out by Highview Properties (London) Ltd.**

Yours faithfully,




Dr. A S Dwyer OBE

3 The Glebe  
Wells-Next-The-Sea


■■■■■  
■■■■■





Re: WK/230046202 - New application for a Premises Licence - Pop Inn, The Quay, Wells-next-the-Sea, Norfolk, ...

 Adrian Dwyer  
To  Licensing



 Reply

 Reply All

 Forward



Thu 24/08/2023 11:27

 Sarah

 You replied to this message on 24/08/2023 15:19.

You don't often get email from [asdwyer@btinternet.com](mailto:asdwyer@btinternet.com). [Learn why this is important](#)

Dear Nicky,

Good morning and thank you for taking the time to talk this through. I remain concerned that this scheme is poorly thought through: e.g., failing to mention in the original planning application the aspiration to run a nightclub, the request to serve and sell alcohol late into the night, play live and recorded music, etc., when, as it is now claimed that was not what they wanted at all, the failure to engage with the local community when the chance was offered last week. If the director of Highview Properties (London) Ltd - in whose name the application was made - or the Applicant's solicitor had been at the Extraordinary Meeting of the Town Council, the offer to discuss this now would appear less cynical. As it is, the application needs further scrutiny to prevent mission-creep on the part of the applicant and to smoke out exactly what is intended.

In light of the above, I cannot withdraw my objection as the fundamental problems of foreseeable criminality, anti-social behaviour and nuisance, as noted in my original submission, have not been addressed in any meaningful way. Moreover, if a Licence is granted without the necessary conditions to ensure such problems do not arise, I foresee further *ad-hoc* applications being made to achieve their desired outcome 'bit-by-bit'.

Thank you again for getting in touch.

Yours,

Adrian  
Dr. A S Dwyer OBE  


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# Wells Harbour Commissioners

Old Lifeboat House, West Quay, Wells-next-the-Sea, Norfolk, NR23 1AT  
[harbouroffice@wellsharbour.co.uk](mailto:harbouroffice@wellsharbour.co.uk)  
[www.wellsharbour.co.uk](http://www.wellsharbour.co.uk)



Tel: 01328 711646

Harbour Master Robert Smith MBE

Licensing Section  
North Norfolk District Council  
Council Offices  
Holt Road  
Cromer  
Norfolk  
NR27 9EN



11<sup>th</sup> August 2023

Dear Sir/Madam,

## **APPLICATION FOR LICENSABLE ACTIVITY; HILLVIEW PROPERTIES (LONDON) LTD**

Please take this letter as notification from Wells Harbour Commissioners as a formal objection to the proposed application.

Wells Harbour Commissioners are deeply concerned with the proposal on several fronts which are raised below but more widely, we would first like to point out to North Norfolk District Council that the Commissioners have recently spent considerable time and effort obtaining 'Heritage Harbour' status not only for Wells but for North Norfolk. In order for Wells-next-the-Sea to be awarded this accolade, the Commissioners were required to demonstrate the harbours heritage importance in order to help safeguard the harbourside, buildings, facilities and businesses that are vital to support our working maritime heritage.

This status is supported by Maritime Heritage Trust, National Historic Ships UK and Historic England. Local communities such as ours develop, maintain, and enhance the historic port area, its environmental features, facilities, and cultural heritage activities like the recent maritime festival held in Carnival week. The significance of having such a status is due to the increasing threat across the UK maritime heritage sector of the loss of waterside buildings, businesses and facilities to unsympathetic new development which detrimentally harms the location and significantly, destroy the historic character of a small port such as Wells-next-the-Sea.

Whilst the Harbour Commissioners were aware of the Pop-in leisure application to develop a restaurant, the Commissioners were certainly not believing this would in all but name become a segue for an application to turn it into a possible nightclub especially considering the 1 a.m closing time. Such an act would materially challenge and put into question how this supports being a 'Heritage Harbour'.



This application, if approved, brings with it all the potential for the antisocial behaviour associated with that type of premises. The likelihood for disruption to visiting boats that pay to moor on the quayside pontoons overnight are within 100 metres of the premises. Visiting boats not only provide vital income to Wells Harbour Commissioners but also to the other businesses in the Town. Our reputation of having such a welcoming, professional, and wide range of facilities in easy reach for visiting vessels is key to this success. Should this be disrupted and /or create negativity, visitor numbers would undoubtedly suffer. The Quayside, Car Park and quay (all privately owned by the Wells Harbour Commissioners) itself would become a natural gathering point and therefore a flash point, especially at turnout time that will be likely be after 1a.m. decreasing the distance from 100 metres to as close as 10 metres.

The return of the Dutch sailing clipper 'Albatros' to the Quayside at Wells-next-the-Sea was a welcome return however Wells Harbour Commissioners entered into in depth discussions and negotiations with the new owners to form a new legally binding agreement that places restrictions/conditions especially in relation to music (live and/ or recorded) together with the sale and consumption of alcohol. This was due to the fact of our own past experience for antisocial behaviour, typically associated with alcohol, and the consequential disruption that used to be caused to visiting boats. With the new agreement in place Wells Harbour Commissioners have now mitigated these past experiences, all to be unravelled and arguably create an even worse situation given the potential numbers of people that could be accommodated at the 'Pop-In' premises.

The Quayside and surrounding area have well documented litter problems already especially in the high season. Allowing this application to be approved naturally creates even more impact and scale to the problem as well.

There is also no question that with premises servicing alcohol over extended periods of time there is a correlation on the potential increase for damage to occur – the Harbour Authority already have experience of noise complaints from visiting yachtsman during carnival week with the travelling fair on the adjacent football field but accept this is for only a short period in August. Our delicate harbourside is already directly in the firing line which would only be magnified at weekends.

Wells Harbour Commissioners commit resource and considerable expense to maintain the picturesque harbour and firmly believe that should this application be approved it will only negatively impact the harbour, the other businesses and reputation of the town.

On behalf of Wells Harbour Commissioners


Yours sincerely,




Robert Smith MBE  
Harbour Master


RE: WK/230046202 - New application for a Premises Licence - Pop Inn, The Quay, Wells-next-the-Sea, Norfolk, ...



Harbour Office <harbouroffice@wellsharbour.co.uk>  
To:  Licensing



 Reply

 Reply All

 Forward



Fri 25/08/2023 15:10

 Sarah

You don't often get email from [harbouroffice@wellsharbour.co.uk](mailto:harbouroffice@wellsharbour.co.uk). [Learn why this is important](#)

Good afternoon

Having relayed the proposed amendments to the license application to our Commissioners so that the application is changed to reflect;

- 1) The trading/licensable hours will only be until 23:00 hours 7 days a week.
- 2) There will be no allowance for off-sales of alcohol to take place and alcohol must be for consumption on the premises only.
- 3) Music will be played internally on the first floor only and not on the Open Roof Terrace area.

Wells Harbour Commissioners are satisfied that this does overcome the concerns sufficiently to withdraw our objection as it aligns more closely with other businesses in close proximity of the harbour. The Harbour Commissioners though also wanted to stress that the concerns raised could still occur within the revised parameters and should issues come to light they will be raised accordingly with the relevant authorities/ owners/management.

Regards

Simon Cooper  
Harbour Administrator on behalf of Wells Harbour Commissioners

Wells Harbour Office  
Tel: 01328 711646  
E-mail: [Harbouroffice@wellsharbour.co.uk](mailto:Harbouroffice@wellsharbour.co.uk)

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# WELLS-NEXT-THE-SEA TOWN COUNCIL

Wells Community Hospital, Mill Road, Wells-next-the-Sea, NR23 1RF  
Clerk to the Council: Greg Hewitt

01328 710564

[clerk@wellstowncouncil.org.uk](mailto:clerk@wellstowncouncil.org.uk)

<http://wellstc.norfolkparishes.gov.uk>

16<sup>th</sup> August 2023

Wells-next-the-sea Town Council  
Wells Community Hospital  
Mill Road  
Wells-next-the-Sea  
NR23 1RF

Licensing  
NNDC

I am writing on behalf of Wells-next-the-Sea Town Council concerning the application for a premises licence for the Pop Inn Restaurant, The Quay, Wells-next-the-Sea (reference WK/230046202).

Wells Town Council discussed the application at a Town Council meeting held on Tuesday 15th August 2023, and has significant concerns and objections.

The Pop Inn is located in a prominent position at the west end of Wells Quay which is a Heritage Harbour within the Wells conservation area, Holkham National Nature Reserve and the wider North Norfolk AONB. Immediately adjacent is the saltmarsh which is subject to several major international heritage and wildlife designations (Ramsar, SSSI, SAC and SPA).

The main concerns of the Town Council are noise, late night drinking, litter, disorder, public safety and the environmental impacts on the Heritage Harbour and Protected Coast.

The application is for a large restaurant and takeaway with the sale of alcohol to drink both on and off the premises. The application also includes a public entertainment licence for live and recorded music which can be amplified and is to be broadcast inside the premises and outside on an open-air terrace from 11:00 hrs until 23:00 hrs seven days a week. An extension has also been requested for the music to continue inside the premises until 01:00 hrs on a Friday and Saturday. In addition, a late-night refreshment licence has been requested for 23:00 hrs to 01:00 hrs Friday and Saturday, allowing for the sale of food and alcohol to takeaway outside the premises.

The playing of amplified music outside the premises on an open-air terrace is totally unacceptable, due to the location of the premises, it forms one end of what is effectively an amphitheatre and the music would be heard all along the quayside and out across the marsh. Residents and visitors do not want their enjoyment of the heritage quay and natural environment disrupted by amplified music. In addition, there are many residential properties surrounding the Pop Inn and these people do not want the amenity of their homes spoilt by intrusive noise. The Town Council strongly objects to the grant of any licence that allows music to be broadcast on an open-air terrace. Any music inside the premises should not be heard outside.

The Town Council also has concerns about late night drinking on the streets because of any late-night refreshment licence and any permitted off sales of alcohol. Where alcohol is taken off the premises there are no controls over who will be consuming it and where it will be consumed. It is not unusual now for there to be public disorder and criminal damage connected with alcohol abuse by teenagers and young adults, recent problems have

occurred on the quayside and on the children's playground which is immediately adjacent the Pop Inn.

There are also concerns about the additional litter that the premises will generate. The bins and street cleansing is already at capacity and it is not unusual now for litter to be strewn across the harbour and out onto the marsh.

Furthermore, the extended opening hours on Fridays and Saturdays to 01:00 hrs will not only result in custom from in-town activity but is likely also to attract customers to visit this proposed late-night venue on the premises from other locations, generating increased vehicle and other traffic with associated noise and disturbance in the early hours.

The Police in North Norfolk have very limited resources and any large licence premises which is proposing to have live music, discos and dance until 01:00 hrs is highly likely to suffer from drunkenness and disorder, both inside and outside the premises. It is questionable that Wells Quay is an appropriate location for such an establishment and whether the local police have the resources available to properly respond during the early hours of the morning to any incidents of disorder. The proposals put forward in the application to combat drunkenness and disorder are mainly reactive and there is little of substance that might be considered proactive and preventative. It must also be considered that there are many residential properties nearby which would be affected by such behaviour.

Public safety is also an important factor and must be considered as the premises are adjacent to the harbour and the fast-flowing tidal waters.

As previously stated, the site falls within protection areas for a number of European Protected Nature Conservation Sites and the following should be considered:

- Norfolk Green infrastructure and recreational impact avoidance and mitigation strategy (GIRAMS)
- SSSI Impact zones.
- Emerging Wells next the Sea Neighbourhood Plan, policies WNS17 and WNS 18 Historic England, Heritage Ports.

Considering the above, the Town Council asks for restrictions to be imposed on any noise and light emanating from the premises which would be to the detriment of both the protected wildlife and the enjoyment by people of the natural sounds of the coastal and marsh environment.

The Town Council has no objections to a restaurant with background music and alcohol served for consumption on the premises. The Town Council did not object to the recent planning application to convert the building to a restaurant and to build an extension of the restaurant over the existing amusement arcade. However, the planning application, which has been approved, did not include any open-air terrace.

The Town Council would ask that you consider all the concerns outlined above as objections to the grant of the licence and should you decide to grant a licence that it includes restrictions to mitigate these concerns.

Yours Sincerely

*Greg Hewitt*

Town Clerk





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RE: WK/230046202 - New application for a Premises Licence - Pop Inn, The Quay, Wells-next-the-Sea, Norfolk, ...



clerk@wellstowncouncil.org.uk  
To: Licensing



Reply

Reply All

Forward



Thu 07/09/2023 11:21

Sarah Nicky

You forwarded this message on 07/09/2023 11:32.

You don't often get email from [clerk@wellstowncouncil.org.uk](mailto:clerk@wellstowncouncil.org.uk). [Learn why this is important](#)

Dear Nicky

Wells Town Council discussed the correspondence below concerning the licence application for the Pop Inn.

Provided the three points as detailed below are removed from the application, as promised by the applicants solicitor, the Town Council withdraws their objection:

- 1) The trading/licensable hours will only be until 23:00 hours 7 days a week.
- 2) There will be no allowance for off-sales of alcohol to take place and alcohol must be for consumption on the premises only.
- 3) Music will be played internally on the first floor only and not on the Open Roof Terrace area.

Best Regards

Greg

*Greg Hewitt*

**Town Clerk**

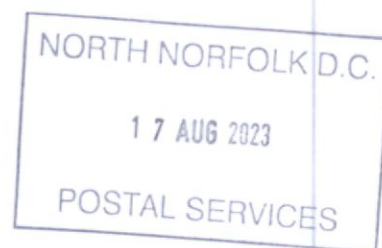
**Wells-next-the-Sea Town Council  
Wells Community Hospital  
Mill Road  
Wells-next-the-Sea  
Norfolk  
NR23 1RF**

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Bernard and Penny Granville  
Glebe House  
1 The Glebe  
Wells-next-the-Sea  
Norfolk NR23 1AZ

15<sup>th</sup> August 2023

Licencing Section  
North Norfolk District Council  
Council Offices  
Holt Road  
Cromer NR27 9EN



Dear Sirs

**Ref: Application for a premises licence under section 17 of the Licensing Act, as applied for by Highview Properties (London) Limited for the Pop Inn Restaurant on Wells Quay**

We object to this licence application under three of the four headings given on your website:

1. Prevention of public nuisance
2. Prevention of crime and disorder
3. Public safety

We further believe that the original application for planning permission failed to tell the full story and that it was always meant to be the first stage in launching a form of nightclub. The current application should be rejected but the original planning application should also be put up for review.

Our expectation is that the outcome of these applications will be the same as what we experienced direct next to where we live when the Ark Royal became The Captain's Table and Harley's before shutting down.

#### **Prevention of public nuisance**

The application promises persistent and severe public nuisance:

- excessive noise from recorded music, live amplified music and drunken patrons;
- late-night disturbance of local residents across the town of Wells;
- litter, glass and other rubbish which, of course, residents and local businesses will foot the bill for clearing up.

#### **Prevention of crime and disorder**

The application promises the following and not just in the immediate area around the premises but right across the centre of Wells:

- drunken obnoxiousness;
- vomiting;
- fighting;
- drug dealing;
- vehicle racing on the public highway;
- the purveyance of casual sexual favours;
- underage drinking.

It would need the police to be within a short distance and all the time, and that again would cause costs for others to meet.

**Public safety**

These problems can endanger anyone who was around the quay and in fact over a wider area when the Pop Inn was open and for some time afterwards. The centre of Wells could become some kind of no-go area which would be a disaster for the town and every resident, business and visitor, bar the numbers that would patronize such an establishment.

We strongly object to the proposal and trust it will be rejected.

Yours faithfully,

A large black rectangular redaction box covering the signature area.

Bernard and Penny Granville

A black rectangular redaction box covering the address area.

Wells-next-the-Sea

14<sup>th</sup> August 2023

Licencing Section  
North Norfolk District Council  
Council Offices  
Holt Road  
Cromer NR27 9EN

NORTH NORFOLK D.C.

1 7 AUG 2023

POSTAL SERVICES

Dear Sirs

**Ref: Application for a premises licence under section 17 of the Licensing Act, as applied for by Highview Properties (London) Limited for the Pop Inn Restaurant on Wells Quay**

I am writing to object to this licence application for the sale of alcohol for consumption on and off the premises, provision of late-night refreshment, provision of plays, provision of films, provision of live and recorded music, provision of entertainment similar to live and recorded music and performances of dance.

The grounds for the objection come under the following headings:

- Prevention of crime and disorder
- Public safety
- Prevention of public nuisance

#### **Prevention of crime and disorder**

Planning permission was originally granted for the development of the Pop Inn as a large-capacity 'family' restaurant. The application for the Section 17 licence puts that application in a different light and makes it appear to be part of a stealthy step-by-step approach to setting up a nightclub/party venue.

If drinks and entertainment are to be provided on several nights of the week into the early hours, it can be expected that the same detriments under the heading of crime and disorder will arise as occurred in the case of The Captain's Table/Harley's of Freeman Street (previously known as The Ark Royal), and will arise not just in the immediate area around the premises but right across the centre of Wells:

- drunken obnoxiousness
- vomiting
- fighting
- drug dealing
- vehicle racing on the public highway
- the purveyance of casual sexual favours
- underage drinking

The elevated risk of this occurring and the scale of the establishment would point to the need for a continuous police presence in Wells i.e. the reopening of the police station and its manning until at least one hour after the Pop Inn's proposed licence would cut off on the day in question. The costs of that would, of course, fall on Wells residents and businesses as a whole.

Your authority – or sister authorities – should undertake various background enquiries to ensure both that there is no potential for Economic Crime connected with this proposal, and to assess the likelihood of the enterprise breaking the terms of the licence if it is granted as it stands, and/or breaking the terms of any more limited licence and/or breaking any conditions associated with either.



These enquiries should include:

1. What is the 'source of funds' behind this enterprise? This is a standard enquiry in the area of Anti-Money Laundering. Mr Brundle is presented as the principal in this enterprise but his history includes a number of dissolved/struck-off enterprises (see Appendix), and does not obviously have the resources needed for this substantial enterprise;
2. More than one of his previous enterprises failed to pay all of what was due to HM Revenue & Customs (i.e. to the general public), and to its creditors (including small businesses);
3. Indeed Highview Properties (London) Ltd may not be solvent. On 31/3/22 it had debts falling due by 31/3/23 of £1 million but only £81,000 of current assets. Has it been able to either refinance its debts or sell off some of its fixed assets such that it is now solvent? Or is it now insolvent? If it is insolvent, why is it continuing to trade?
4. Who are all the members of the consortium for this enterprise, and what is their source of wealth?
5. What is the likelihood of Mr Brundle adhering to any licence conditions?
  - a. Please liaise with your colleagues in North Norfolk District Council regarding Enforcement Notice ENF/21/0061 and then please contact Councillor Peter Fisher referencing his article in 'The Quay' of August 2023. It appears to be common knowledge (i) that the materials for the object-in-question are stored at 'The Quay Bed & Breakfast' by Mr Brundle, who manages the B&B on behalf of another; (ii) that Mr Brundle arranged the siting of the object-in-question and has a pecuniary interest;
  - b. Please enquire whether Mr Brundle was the licensee of the Fleece on Wells Quay when an opera singer was engaged to sing through a loudspeaker from the pub's first-floor balcony on Sunday afternoons, to a direct audience of perhaps ten or twelve in the street below. The 'singing' dissolved simply into a noise nuisance audible from the Lifeboat Station and all points east and west for a similar distance, inflicted on residents in their homes, on walkers, patrons of other businesses, people on their boats alike, whether they wished to hear it or not. Was that an activity for which a licence needed to be obtained? Was such a licence obtained?

#### **Public safety**

The detriments quoted under 'Prevention of crime and disorder' would threaten the safety of any person who happened to be in the vicinity of Wells whilst the Pop Inn was open and for 60-90 minutes after it had closed. In effect this large nightclub will render the centre of Wells an unsafe area for a considerable portion of the evening and the nighttime.

Added to this there is the chance of broken glass and possibly other detritus like used needles being spread across the town and threatening residents and visitors with bodily injury.

#### **Prevention of public nuisance**

The nightclub presents an elevated risk of persistent and severe public nuisance in several respects:

- excessive noise from recorded music, live amplified music and inebriated patrons;
- late-night disturbance of local residents across the town of Wells;
- litter, glass and other detritus.

Yours faithfully,



R J Lyddon

Encl.



**Appendix – full list of companies with which Mr Brundle has been associated and the outcome in each case**

Link to relevant Companies House webpage:


[https://find-and-update.company-information.service.gov.uk/officers/GN78\\_yf\\_tU3aBkcuB5MjLxeHaDo/appointments](https://find-and-update.company-information.service.gov.uk/officers/GN78_yf_tU3aBkcuB5MjLxeHaDo/appointments)

Year	Company	Outcome	Losses if liquidated
2010	The Print Factory London 1991 EBT Trustees Ltd	Compulsory strike-off	--
2010	BPO Works Worldwide Ltd	Compulsory strike-off	--
2010	Lexicon House Worldwide Ltd	Compulsory strike-off	--
2011	DSR Group Ltd	Liquidation	Never filed any accounts since start-up in 2008. Initial 'Statement of affairs' from the administrator showed deficit of £2.3 mil, of which £0.4 mil was owed to <b>HM Revenue &amp; Customs</b> and £1.1 mil to ordinary creditors
2011	Reelform 2007 Ltd	Liquidation	Started in 2007 and only filed one set of accounts in June 2008: £1.7 mil of assets, £1.4 mil of creditors and net worth of £0.3 mil
2012	The Print Factory London 1991 Ltd	Liquidation	Filed accounts in June 2007 as a 'Group': £33k of assets, £29k of creditors and net worth of £4k
2011	Print Investment Ltd	Compulsory strike-off	--
2011	Printhauss Northampton Ltd	Wound up by court order applied for by <b>HM Revenue &amp; Customs</b>	Last accounts filed in July 2009 showed £1.5 mil of creditors and a deficit of £400k
2012	Batna Healthcare Ltd	Resigned	--
2012	Hope Community Academy Ltd	Resigned	--
2012	Hope Community Healthcare Ltd	Resigned	--
2012	Wace Ltd	Liquidation	Last accounts filed in June 2008 showed creditors of £3k and a deficit of £3k
2017	McCorquodale 2005 Ltd	Voluntary strike-off	--
2023	Jade Batna Healthcare Ltd	Voluntary strike-off	--
2023	Highview Properties (London) Ltd	Active. Net worth of £332,618. 1 director. 1 fixed asset worth £2 mil. Creditors of £1.7 mil	£1 mil of Creditors were falling due within one year, and there were only £82k of Current Assets. The company was illiquid and would need to either raise £1 mil of new debt or sell off £1 mil of Fixed Assets in order not to have become insolvent by 31.3.23. Is it now insolvent?


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Re: WK/230046202 - New application for a Premises Licence - Pop Inn, The Quay, Wells-next-the-Sea, Norfolk, ...



To  Licensing



 Reply


 Reply All

 Forward



Wed 23/08/2023 10:28

 Sarah  Nicky

 We removed extra line breaks from this message.

Thank you for your email.

The changes are very minor compared to the problems that the application entails, and they make no difference to my concerns. I continue with my representation as it stands.

I note that the application's proponents offer their agent as a go-between, or buffer. This offer is no substitute for taking up the invitation that was made to them to engage directly, namely at a Wells Town Council meeting on 15th August. The proponents chose not to appear. They rejected an opportunity for direct dialogue and now fall back in a minor way by offering up their agent as a buffer. That is a strong indication of the kind of proponents behind the application, and their conduct strengthens my opposition.

yours faithfully  
Bob Lyddon  
6 The Glebe  
Wells-next-the-Sea  
NR23 1AZ

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Mr & Mrs Pigney

[REDACTED]  
Wells, Norfolk

[REDACTED]  
15 August 2023

REF: Application for a premises license under section 17 of the Licensing Act, as applied for by Highland Properties (London) Limited for the Pop Inn restaurant on Wells Quay

Dear Sirs,

**We are writing to register our objection to the above application with regard to the late night opening.**

**Our objections fall in to four categories.**

- The proposal has the potential to cause significant unacceptable noise and nuisance to residents in the area in the early hours of the morning. Namely those on the Quay, Freeman Street, The Glebe and the car park. It could cause unnecessary stress and anxiety to those residents. Everyone has a right to feel safe and secure in their own home and this may well not be the case if late night drinking and noise disturbance and disorder is caused.
- The location is in a conservation area so could cause significant environmental issues. We fail to see how this venture would contribute to the Area of outstanding natural beauty in which it is located.
- The town already has a wonderful new venue for these type of activities – The Maltings.
- The legitimacy of the financial ventures of the applicant should surely warrant close scrutiny.

Yours faithfully,

Lynn Pigney

Jonathan Pigney

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Paul and Janet de Teissier Prevost

[REDACTED]  
Wells-next-the-Sea  
[REDACTED]

August 15<sup>th</sup> 2023

Highview Properties Application for Premises Licence at the Pop Inn  
dated 20/7/2023

Dear Licensing Authority

We live close to the Pop Inn and have concerns regarding the impact to our amenity should a late night licence be granted for extended use and hours. Music and Dancing until the small hours suggests the potential for disturbances on and near the Glebe as people depart after 1.00am (Or Later) closure. We therefore object to this application.

Yours Sincerely

[REDACTED]

Paul and Janet de Teissier Prevost

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Pop Inn Wells





To  Licensing


Sarah


 Follow up. Start by 29 August 2023. Due by 29 August 2023.



 Reply

 Reply All

 Forward



Mon 28/08/2023 13:48

Hello Nicky.

Thanks for sending us the information regarding the applicant's revised hours. This seems to address our main concerns. We have some misgivings should the Pop Inn move from a restaurant to something more disruptive, Past experience with late night drinking and music has led to rowdy behaviour. However as things stand at the moment we withdraw our present objection.

Kind Regards Paul/Janet Prevost

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Dear Nicky,

Thank you for forwarding the details below and in your other emails of Friday 15<sup>th</sup> September 2023.

As discussed, the case officer is on annual leave this week and therefore, the purpose of my email is to provide a prompt response to your query below.

I have reviewed the revised information in conjunction with the original application submitted. The Environmental Protection (EP) Team wish to maintain the objection to the proposal. The applicant has not provided sufficient information to adequately demonstrate that the activities and functions applied for in the licence application, both individually and accumulatively, will not elicit an adverse impact on amenity nor give rise to public nuisance. It is noted that the applicant is only leasing and refurbishing the first floor and open roof terrace. The building itself, comprising different uses including the arcade, residential uses and the venue (the area proposed within the Licence Application), are under the control of different entities. These uses have the potential to negatively impact upon one another. Therefore, it is appropriate that the EP Team highlight these individual uses and consider the likely impact the application (as amended) will have upon other occupiers of the building and the immediate public area. The granting of a licence provides a number of automatic rights to the licensee under that licence and these are also an important consideration in addition to any additional requests the applicant is applying for. Therefore, this objection considers the impact of these automatic rights as well as the additional requests the applicant has applied for on the license application.

The applicant has amended the application to:

- 1) The trading/licensable hours will only be until 23:00 hours 7 days a week.
- 2) Music will only be played internally on the first floor only and not on the Open Roof Terrace area.

However, it is the control of music and noise prior to 23:00 hours which is also an area of concern. Under Section 6 of the application form the applicant has stated that on the "small stage area" the "music would be of an unamplified nature (stage microphones to be used if needed)", however, it is unclear what further controls will be used for amplified vocals, singing and generally, the Licensing Team need to be aware that any microphone in the general vicinity of music will amplify that music albeit acoustic or otherwise. A full venue of customers enjoying the entertainment from a performer will likely attract regular applause, praise, whooping, cheering etc from the whole audience (132 covers inside, 48 covers on the rooftop terrace). This area has not received sufficient consideration with regards to noise mitigation.

Under Section 10 (Provision of Live Music) of the application form, the applicant has stated "music could be amplified or unamplified ..... and would be heard from the open roof top terrace area showing on the plan". Furthermore, under Section 11 (Provision of Recorded Music) "recorded music ..... will be heard from the open roof top terrace area ...." and also under Section 13 (Provision of anything of a similar description to Live Music, Recorded Music or Performances of Dance) "music .... could be heard from the open roof top terrace area .....". Therefore, if music will be heard in this area it has the potential to cause a wider nuisance to the public unless there are appropriate controls in place. The open roof top terrace is immediately above the pavement area and the arcade area. The arcade is an existing noise source which may conflict with music from the venue. It may be perceived that any music in the open roof top area will need to be played at a louder volume for customers to really benefit from the enjoyment of this form of entertainment. In particular, the location and proximity of the venue to the attached residential properties is a significant concern and the plans show that one property shares the boundary wall with the venue. If music is audible

on the open roof top terrace throughout the daytime and up until 23:00 hours on a daily basis, it could also interfere with the use of the adjoining residential property.

The building has a number of windows, including an east-facing bay window for the residential property that shares a boundary with the open roof top terrace. Although the applicant has stated that the two windows within the boundary wall will be blocked up, this may not adequately minimise disturbance to the residential occupant(s) as the remaining windows of the property are just as likely to be open, including the east facing balcony window which is in close proximity to the open roof top terrace. Throughout the rest of the first floor of the building, there are a number of windows which would open out in the direction of the music and/or the open roof top terrace. It would appear from our records, there are (south facing) windows in the internal area (where the stage and the 132 covers are located) allowing the further escape of music and noise from this area towards residential properties with north facing windows. Noise break out from the doors between the internal area and the open roof top terrace area is a further concern.

Within Section 13 (Provision of anything of a similar description to Live Music, Recorded Music or Performances of Dance), it is stated on the application that the “venue could be hired out for private parties which could include a disco or karaoke a part of the entertainment offered”. This type of provision is also of significant concern because the venue and noise-making activities will not be under the direct control of the applicant (DPS) and would be likely to elicit an adverse impact upon the amenity of those in nearby residential properties. In addition, entertainers, musicians and others who hire or have been hired to perform at the venue would bring their own instruments and equipment thereby meaning there is even less scope for noise controls to be effectively implemented. This is another area which has not received appropriate consideration and mitigation by the applicant.

The application represents an intensification in the use of the venue and the EP Team would wish to see appropriate noise mitigation measures and controls put forward for consideration. Therefore, the EP Team maintain the objection to the application for a premises licence for this venue.

Carol will be able to elaborate further on these points above, however, I trust this information is useful in the interim and outlines the reasons for the objection to the application for a premises licence for this venue. If you have any queries or concerns, please do not hesitate to contact Carol – James Ashby and I are available in the interim.

Thank you

Kind regards

Davina

**Davina Romaine**

Senior Environmental Protection Officer  
+441263 516102

FW: WK/230046202 - Application for new premises licence application - Pop Inn Restaurant, The Quay Please ...



Carol Bye

To: [Licensing](#); [Nicky Davison](#); [Sarah Skillings](#)  
Cc: [Donna Laubscher](#)



[Reply](#)

[Reply All](#)

[Forward](#)



Tue 15/08/2023 10:26

Sarah

[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Consultation to RA's.docx .docx File	Pop Inn Restaurant New application.pdf .pdf File
pop inn DPS consent form.pdf .pdf File	Site plan.pdf .pdf File
Pop Inn Restaurant Plan - July 2023 - Revised.pdf	

Dear all,

Please could you confirm you have received the EP team objection to this licence application, made today.

*I am objecting to this application due to the lack of detail on measures to control noise from activities such as recorded music and live music. There is the potential for adverse impact on amenity and risk of public nuisance, given the venue's location in proximity to residential dwellings and as the licence application requests both indoor and outdoor entertainments, which includes these activities occurring on the outdoor roof terrace from 11.00 to 23.00 hours. Other indoor entertainments are requested until 23.00 hours or 01.00 hours, where again there is potential for noise and adverse impact. I note that the building appears to be attached to other buildings, outside the applicant's control. This being the case, the impact of noise on other users of the building should be considered.*

*I would be pleased to discuss these details further with Licensing Team.*

I would be please to arrange a time to discuss further, when convenient/ helpful for you.

Many thanks Carol Bye



**Carol Bye**


Senior Environmental Protection Officer


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Pop Inn Restaurant, The Quay, Wells-next-the-Sea




Brooks, Christopher <Christopher.BROOKS1@norf  
To  Licensing  
Cc  Woods, Suzanne



 Reply

 Reply All

 Forward



Wed 02/08/2023 10:58

 Sarah

Dear licensing team,

This email confirms police have received the application for a premises licence and the DPS consent form for the above premises.

With those conditions offered in the application to promote the licensing objectives there are no police objections.

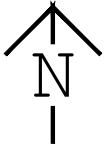
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Chris Brooks

Licensing Officer  
Norfolk Constabulary  
Building 8, OCC,  
Wymondham, NR18 0WW.

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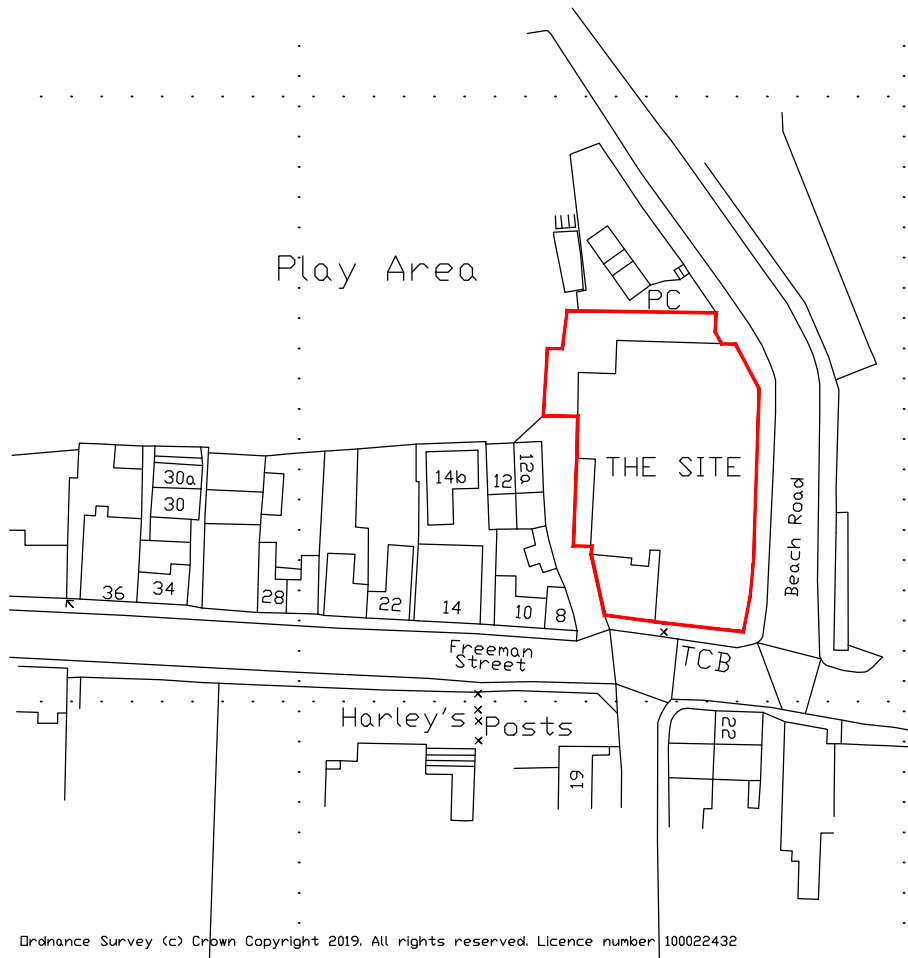
THESE DRAWINGS ARE NOT TO BE SCALED.  
The contractor shall check and verify all dimensions and levels and report any apparent discrepancies to the architect prior to commencing work.

0m 25m 50m 75m 100m



Scale 1:1250

Rev.	Date	Description



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## LOCATION PLAN

(Preliminary / Planning / Building Regulations / Construction)

AP Designs Romara, Norwich Road, Ludham, Norfolk NR29 5PB T: 01692 678537 M: 07846 681245 E: allenplayfair@hotmail.co.uk				Project Status	Planning
				Project	Pop Inn Arcade The Quay, Wells-Next-the-Sea Norfolk NR23 1AS
Date	Scale at A4	Drawn	Checked	Drawing Title Location Plan	
16.08.21	1:1250	AMP			
Client		Drawing No.	Revision		
Perry Underwood		C404/LO/01			

True scale at 1:1

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