

# Licensing Sub-Committee - Premises and Gambling



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Monday 3<sup>rd</sup> June 2024

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, 18 June 2024 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.

Although this meeting is open to the Public, due to the requirements of the Licensing Act 2003, only parties to the hearing are allowed to speak at the sub-committee (through their representative as appropriate)

Further information on the procedure is available through 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 must inform the Chairman. If you are a member of the public and you wish to speak on an item on the agenda, please be aware that you may be filmed or photographed.

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

**To:** Cllr J Boyle, Cllr P Fisher and Cllr G Mancini-Boyle

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

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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 - WHICH WINE WHEN LTD, STANDARD HOUSE, STANDARD ROAD, WELLS-NEXT-THE-SEA, NORFOLK, NR23 1JY** (Pages 11 - 88)
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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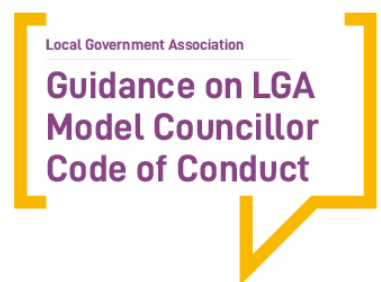
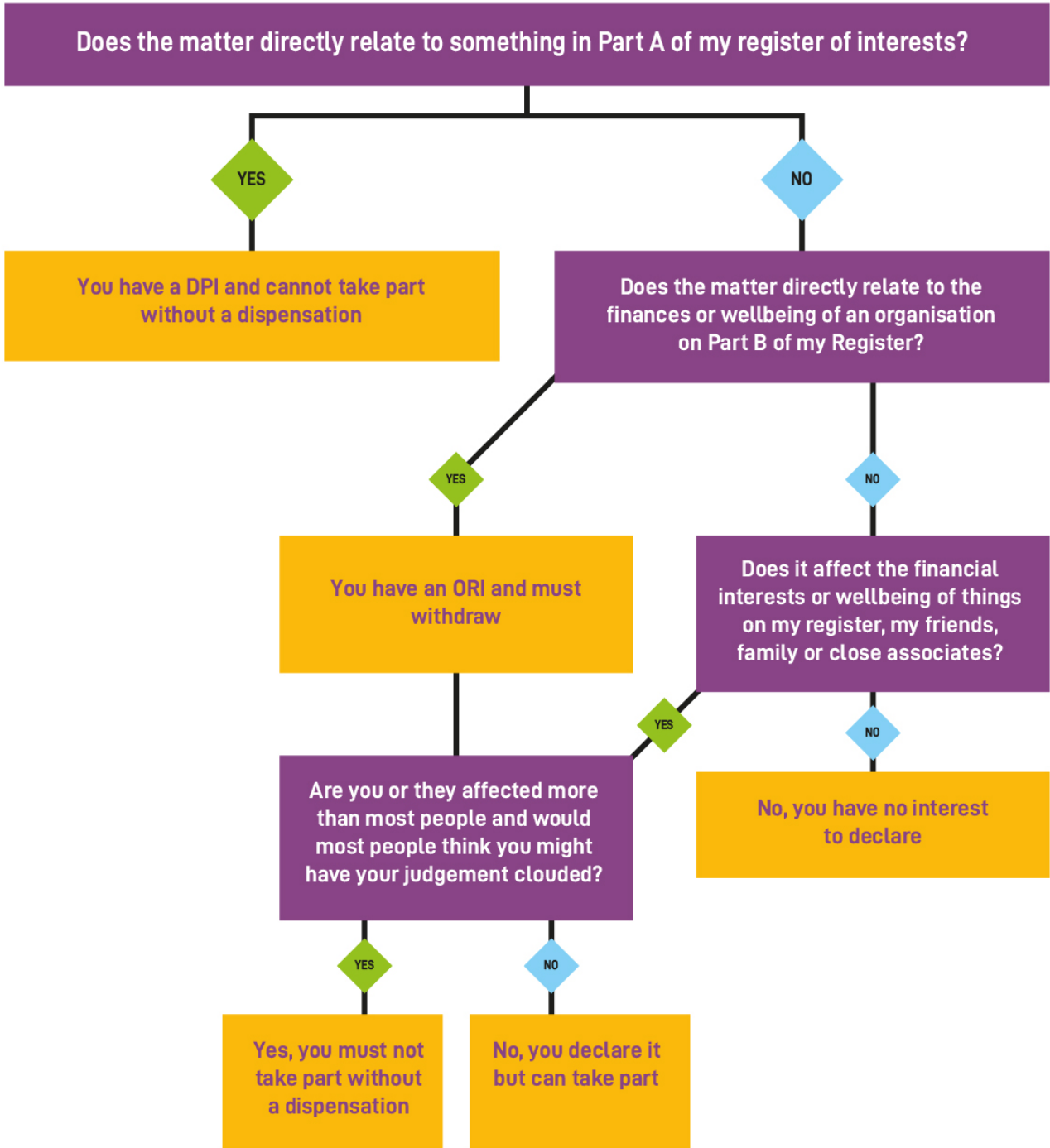
\* 'director' includes a member of the committee of management of an industrial and provident society.

\* '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)



# Agenda Item 5

<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	Nicky Davison	
E-mail address	nicky.davison@north-norfolk.gov.uk	
Telephone number	01263 516291	
Are there Non Electronic Appendices	<input type="checkbox"/> Yes	<input checked="" 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 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/240003187
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**Application for a new Premises Licence - Which Wine When Ltd, Standard House, Standard Road, Wells-next-the-Sea, Norfolk, NR23 1JY**

- 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 Peter 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 Which Wine When Ltd has made an application for a new Premises Licence for premises known as Standard House Chandlery, The Quay, Wells-next-the-Sea, NR23 1JY. The application can be seen in **Appendix A** and the premises plan can be seen in **Appendix B**. The red outline on the plan relates to the proposed area where the proposed licensable activities will take place.
- 2.2 The premises is proposed to be used primarily as a retail wine shop providing occasional wine tasting sessions and wine bar. This applicant is also proposing to sell alcohol for consumption off the premises via online, telephone and mail order sales.

- 2.3 The Designated Premises Supervisor is named as Mr Albert Blaize, who is the director of the company seeking this premises licence. Mr Blaize holds a personal licence issued by North Norfolk District Council since November 2023.
- 2.4 The plan of the premises shows a maximum of 12 covers seated in the external area for the consumption of alcohol on the premises when operating as a wine bar or wine tasting sessions.
- 2.5 The application form states an expiry date of 6<sup>th</sup> January 2025. However, the applicant has since requested for a licence for an indefinite period.
- 2.6 The applicant seeks permission to operate as follows:

<b>Licensable activity</b>	<b>Days</b>	<b>Times</b>
<b>Opening Hours</b>	Monday to Sunday	09:00 - 21:30
<b>Recorded Music</b>	Monday to Sunday	09:00 - 21:30 Indoors as background music
<b>Sale of Alcohol On Premises</b>	Monday to Sunday	09:00 - 21:30
<b>Sale of Alcohol Off Premises</b>	Monday to Sunday	09:00 - 21:30

### **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.
- h. **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.
- i. **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:

- a. The Premises Licence Holder will be responsible for ensuring that all staff undergo training, especially concerning alcohol sales, including handling drunkenness and underage customers. Records of training and refreshers will be maintained.
- b. **LICD25** Variation /video equipment will be installed inside/outside the premises and maintained in working order.
- c. **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.
- d. **LICD28** Monitoring tapes will be retained for a minimum period of 31 days and will be produced to an authorised officer on demand.

- e. **LIPN14** Prominent, clear notices shall be displayed at all exits requesting customers to respect the needs of local residents and leave the premises and the area quietly.
- f. **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.
- g. Regular training on underage sales prevention will be provided to all staff.
- h. A register documenting refused sales will be maintained on the premises.

**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 C**:

<b>Responsible Authority</b>	<b>Comments</b>	<b>Date</b>
Norfolk Fire Service	Application acknowledged and referral to guidance documents: <b>Offices and Shops</b>	15/04/2024
Licensing Team Norfolk Constabulary	With those conditions offered in the application to promote the licensing objectives there are no police objections.	18/04/2024
EH - Commercial	Nil response	-
EH - Environmental Protection	Due to the nature of the proposed entertainment and the hours proposed within this application, there is unlikely to be any negative environmental impact in relation to noise and as such I have no objections to the proposed Premises Licence.	11/04/2024

<b>Responsible Authority</b>	<b>Comments</b>	<b>Date</b>
EH - Licensing	No objection to this application. Hours being sought are 09:00 to 21:30. Consumption of alcohol for consumption on and off the premises. Outside seating detailed on the plan. Challenge 25 adopted and CCTV in operation for both the internal and external areas.	09/05/2024
Planning Dept	Nil response	-
Primary Care Trust, N C C	Nil response	-
Norfolk Safeguarding Childrens Board	Nil response	-
Trading Standards Service	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 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 eight representations received from other persons concerning this application. The representations predominantly relates to the prevention of public nuisance licensing objective under the Licensing Act 2003. Copies of all the correspondence is attached for information. See the table below and **Appendix C**.

### **Representations from Other Persons**

<b>Name</b>	<b>Representation</b>	<b>Date</b>
Louise and Simon Evans-Evans	Prevention of public nuisance	06/05/2024
Bridget Jones	Prevention of public nuisance	06/05/2024
Nigel Dark and Linda Gower	Prevention of public nuisance	08/05/2024
Simon Hegarty	Prevention of public nuisance	08/05/2024

<b>Name</b>	<b>Representation</b>	<b>Date</b>
Susannah Hubbard	Prevention of public nuisance and protection of children from harm	08/05/2024
Tim Hubbard	Prevention of public nuisance	08/05/2024
Peter and Maddie Rainsford	Prevention of public nuisance	09/05/2024
Richard Turfrey	Prevention of public nuisance	09/05/2024

## **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 North Norfolk News on the 18<sup>th</sup> April 2024 and a Notice should have been displayed on the premises until 11<sup>th</sup> May 2024. A copy of the notice can be seen in **Appendix A**.

## **7. Plans**

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

## **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 the control of licensed premises, qualifying clubs and temporary events within the terms of the 2003 Act, and conditions that are attached to licences, 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.

3.4 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
- ongoing measures to create a safe and clean environment in these areas in partnership with local businesses, transport operators and other Council Departments
- designation of 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.

## **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 included 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.

## **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 Health and Pollution Enforcement Officers before preparing their plans and Schedules.

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 Prevention of Harm to 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)

## **10 Standard Conditions**

10.1 Conditions attached to licences or certificates will be tailored to the individual style and characteristics of the particular premises and events concerned.

10.2 However, where considered appropriate, and necessary for the promotion of the Licensing Objectives, the Council will consider attaching Conditions drawn from the relevant Model Pools of Conditions and from any published Local Pool of Conditions

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

9.1 The current Guidance was issued by the Home Office in December 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).

## **Public Nuisance**

2.15 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.

2.16 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.

2.17 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.

2.18 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.

2.19 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.

2.20 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.

2.21 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.

## **7 Prevention of Harm to 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).

### **Determining applications**

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.

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 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 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 the 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 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 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. 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 the 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.

10.15 Shops, stores and supermarkets should normally be free to provide sales of alcohol for consumption off the premises at any times when the retail outlet is open for shopping unless there are good reasons, based on the licensing objectives, for restricting those hours.

## **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:

- h. Grant the application

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

- j. 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. Letters/emails of objection or support from Responsible Authorities/ 'Other Persons'
- D. 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 (December 2023)
4. The Legislative Reform (Entertainment Licensing) Order 2014



\* 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

Not Currently In Use

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

Albert

\* Family name

Blaize

\* E-mail

bert@whichwinewhen.co.uk

Main telephone number

+44 7791431880

Include country code.

Other telephone number

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

Are you:

- 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 you are applying so you can be employed, or for some other personal reason, such as following a hobby.

### Applicant 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

12870352

Business name

WHICH WINE WHEN LTD

If your business is registered, use its registered name.

VAT number

GB 439496839

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

Legal status

Private Limited Company

*Continued from previous page...*

Your position in the business

Home country

The country where the headquarters of your business is located.

**Registered Address**

Address registered with Companies House.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**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

Street

District

City or town

County or administrative area

Postcode

Country

**Further Details**

Telephone number

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 His 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...*

Director of company

**Address**

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

**Contact Details**

E-mail

Telephone number

Other telephone number

\* Date of birth  /  /   
dd mm yyyy

\* Nationality  [Documents that demonstrate entitlement to work in the UK](#)

**Section 5 of 21**

**OPERATING SCHEDULE**

When do you want the premises licence to start?  /  /   
dd mm yyyy

If you wish the licence to be valid only for a limited period, when do you want it to end  /  /   
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.

**Continued from previous page...**

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

**Section 7 of 21**

**PROVISION OF FILMS**

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes  No

**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

**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**

Continued from previous page...

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

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

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.

A small speaker inside to provide background music in the shop

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.



Continued from previous page...

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.

**Section 12 of 21**

**PROVISION OF PERFORMANCES OF DANCE**

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

- Yes  No

**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

**Section 14 of 21**

**LATE NIGHT REFRESHMENT**

Will you be providing late night refreshment?

- Yes  No

**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

TUESDAY

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...

WEDNESDAY

Start  End

Start  End

THURSDAY

Start  End

Start  End

FRIDAY

Start  End

Start  End

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.

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.

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

*Continued from previous page...*

**Name**

First name	<input type="text" value="Albert"/>
Family name	<input type="text" value="Blaize"/>
Date of birth	<input type="text" value="17"/> / <input type="text" value="06"/> / <input type="text" value="1988"/> dd mm yyyy

**Enter the contact's address**

Building number or name	<input type="text" value="6"/>
Street	<input type="text" value="Wren Drive"/>
District	<input type="text"/>
City or town	<input type="text" value="Holt"/>
County or administrative area	<input type="text" value="Norfolk"/>
Postcode	<input type="text" value="NR256GF"/>
Country	<input type="text" value="United Kingdom"/>
Personal Licence number (if known)	<input type="text" value="LN/000014416"/>
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)	<input type="text"/>
--	----------------------

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.

Continued from previous page...

**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.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

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.

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.

*Continued from previous page...*

## 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)

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

The individual granted the premises license, referred to as the Licensee, will guarantee the presence of adequate and capable staff during all licensable activities to fulfill the license terms, prevent crime, and maintain order. The Licensee will be responsible for ensuring that all staff undergo training, especially concerning alcohol sales, including handling drunkenness and underage customers. Records of training and refreshers will be maintained.

b) The prevention of crime and disorder

Any criminal incidents transpiring on the premises will promptly be reported to the Police. The Licensee is obligated to install and maintain comprehensive CCTV coverage at the premises. The CCTV system must adhere to the following guidelines:

1. Cameras should cover both inside and outside entrance and exit doors.
2. Entrance cameras should capture identifiable shots of individuals' heads and shoulders.
3. Till area cameras must capture at least 50% of the screen.
4. Overlooking floor area cameras should provide a wide-angle view.
5. Capable of visually confirming the nature of any committed crime.
6. Records date, time, and location of captured images.
7. Provides high-quality, colored images during operating hours.
8. Functions under existing light levels indoors and outdoors.
9. Recording device stored in a secure area or locked cabinet.
10. Includes a monitor for image review and quality assessment.
11. Regular maintenance ensures consistent image capture quality.
12. Clearly displayed signage informs customers of CCTV operation.
13. Digital images retained for 31 days.
14. Police granted access to images at reasonable times.
15. Equipment equipped with suitable export methods, such as CD/DVD writers, to facilitate police retrieval of evidential copies in native file format. Manufacturer-provided replay software ensures compatibility with standard computers. Copies made available to Police upon request.

c) Public safety

Adequate fire safety measures are implemented, including fire extinguishers (foam, H<sub>2</sub>O, and CO<sub>2</sub>), a fire blanket, internally illuminated fire exit signs, multiple smoke detectors, and emergency lighting (refer to the enclosed plan for specific locations). All equipment undergoes annual inspection to ensure functionality. Emergency exits must remain unobstructed at all times.

d) The prevention of public nuisance

All patrons will be kindly reminded to exit the premises quietly. Clear and easily readable notices will be prominently placed to prompt customers to depart quietly and considerate of our neighbors.

e) The protection of children from harm

*Continued from previous page...*

The licensee and staff will request photographic identification, such as proof of age cards, the Connexions Card, Citizen Card, photographic driving license, passport, official identity card issued by HM Forces or an EU country, showing the bearer's photograph and date of birth, from individuals who appear to be under the age of 25. Regular training on underage sales prevention will be provided to all staff. A register documenting refused sales will be maintained on the premises.

## 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 your 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 (£)

190.00

**DECLARATION**

**Continued from previous page...**

\* 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" value="Albert Blaize"/>
* Capacity	<input type="text" value="Director"/>
* Date	<input type="text" value="08"/> / <input type="text" value="04"/> / <input type="text" value="2024"/> dd mm yyyy

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**

**OFFICE USE ONLY**

Applicant reference number	<input type="text"/>
Fee paid	<input type="text"/>
Payment provider reference	<input type="text"/>
ELMS Payment Reference	<input type="text"/>
Payment status	<input type="text"/>
Payment authorisation code	<input type="text"/>
Payment authorisation date	<input type="text"/>
Date and time submitted	<input type="text"/>
Approval deadline	<input type="text"/>
Error message	<input type="text"/>
Is Digitally signed	<input type="checkbox"/>

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

**PUBLIC NOTICE  
LICENSING ACT 2003**

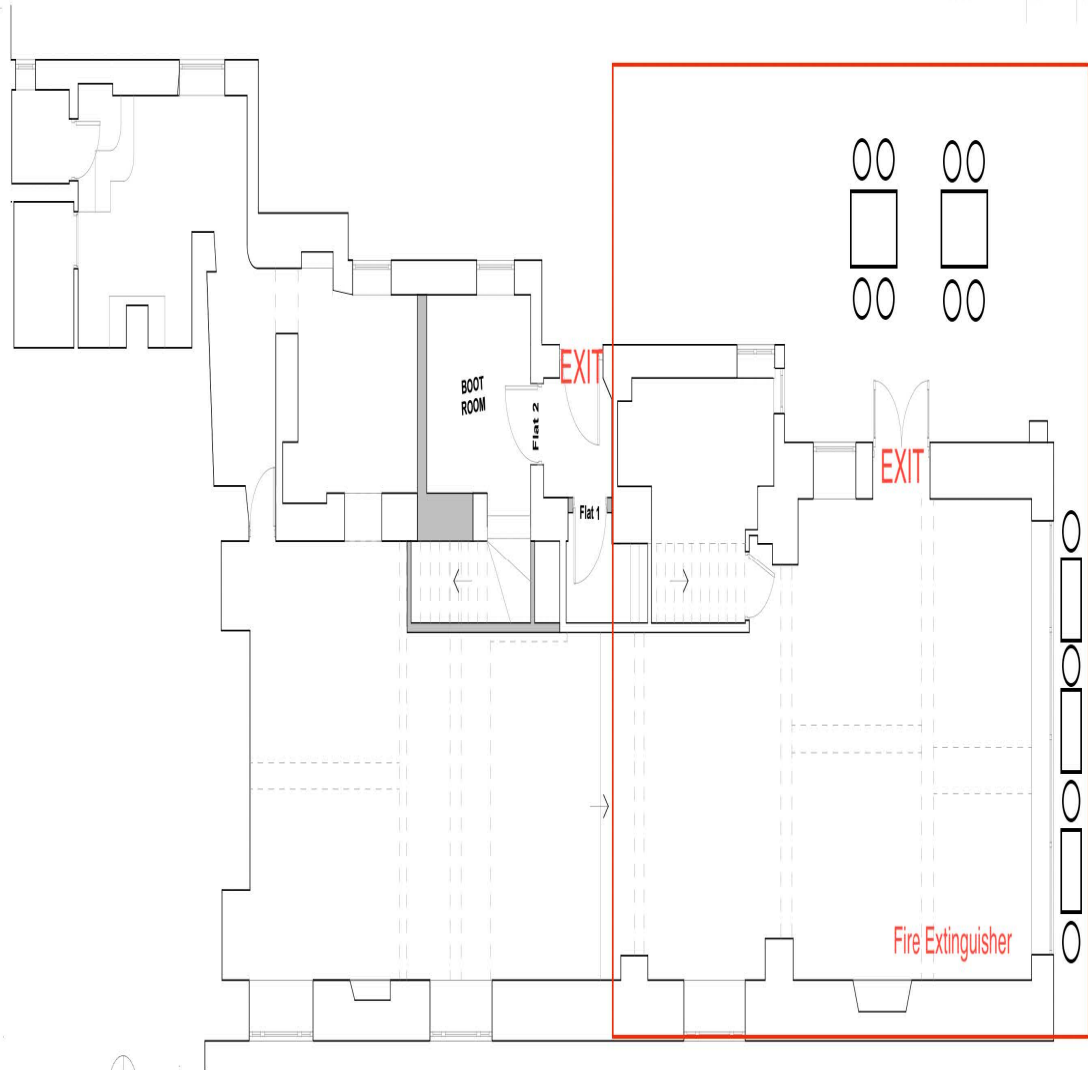
I Albert Blaize of North Norfolk Cellars, am applying for a new premises licence at the Standard House Chandlery, The Quay, Wells-next-the-Sea NR23 1JY.

I am applying for the following licensable activities - Sale of Alcohol (9am – 9:30pm retail only (off trade), and 12pm – 9:30pm as a wine bar (on trade). Monday to Sunday.

If you wish to object to this application written representations with full contact details should be made to the Licensing Authority below: *Licensing Section, North Norfolk District Council, Council Offices, Holt Road, Cromer, Norfolk, NR27 9EN* Representations should be made by 11/05/2024 (28 days starting day after the day on which the application was given to the authority by the applicant) This application may be viewed during office hours at the above offices.

*N.B It is an offence, liable on conviction to a fine up to level 5 on the standard scale (£5,000), under Section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application.*

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 **GROUND FLOOR PLAN • MAIN BUILDING**  
Scale 1/50

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Dear Sirs,

We own one of the cottages that will be affected by the chandlery being turned into a wine bar and wish to lodge an objection on the grounds of public nuisance.

Firstly we have concerns re noise and the outside seating, being on the road as it's a blind corner .

Secondly concerns over parking.

Thirdly noise in what is a residential area.

Warmest regards

Louise & Simon Evans-Evans

4 Standard Cottages

Wells Next the Sea.

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I am writing as regards the licensing application at Standard House Chanderly, Wells-next-the-sea.  
NR23

As a neighbour, I wish to object to a license running until 9.30 pm. The area is currently residential and quiet. Outside tables in premises serving alcohol until 9.30 pm are likely to create a noise nuisance. Customers will not disperse immediately so it is likely to be noisy extra half an hour or so. Can I suggest that the licencing hours finish at 8pm?

Regards

Bridget Jones (owner)

5 Standard cottages

Wells-next-the sea

NR23 1JY

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Dear Sirs

Which Wine When Ltd., Standard House, Standard Road, Wells-next-the-Sea, NR23 1JY - New variation application: WK/240003187

We are full-time residents of Wells who live immediately next door to Standard House on the east side of Standard Road, Wells and we wish to object to Premises Licence Application No. WK/240003187 on the following grounds:

Planning:

So far as we are aware no application has been made for a change of use from shop (A1) to licensed premises (A4), something that we and our neighbours in Standard Cottages would have been officially notified about. We understand that any such planning application is usually made before or at the same time as the licence application so that the Planning Authority and the Licensing Authority can confer and other authorities, such as Wells Town Council and the Police, can be consulted. In this particular case the planning application would be in respect of a building that is both listed and situated within a Conservation Area, which complicates matters.

Licence application:

Licence application:

At the time of writing the premises licence application (No. WK/240003187) currently on the NNDC website includes a floor plan which is completely cock-eyed. It shows the wine bar at the east end of Standard Road not the west end; multiple entrances and exits on the north side of the building not the south side; and four two seater tables on East End, the public highway between Standard House and Tug Boat Yard. In other words it is upside down and back to front. This is extremely confusing and misleading and in our view can only be rectified by the applicant submitting a fresh application.

Access:

Standard House is a Grade II listed building which is situated on a busy corner at the junction of Standard Road, East End and The Quay. It is on one of the main entry routes into town and to the beach, and on a main bus route. These roads are also extensively used by local fishermen travelling to and from the quay and their whelk sheds at the East End. None of this is conducive to having outdoor seating at the west end of the building, nor would it make sitting there an attractive - or even a safe - proposition.

Access from the road to Standard House is difficult for several reasons. Firstly it is on a busy corner/road junction with blind bends and there is no pedestrian crossing. Secondly the pedestrian and vehicular access to the site is narrow with no splay and limited visibility and, on the revised floor plan that we have seen, it would be obstructed by outdoor tables and chairs. And thirdly Standard House is a listed building with a curtilage that contains one other substantial building with development potential and a building plot for which planning permission for the erection of one dwelling has already been obtained (Ref. PF/12/1199), a permission which - according to the owner of the property - will be exercised sooner rather than later.

Development of these properties within the property will involve significant and sometimes heavy construction traffic entering the site from Standard Road via the narrow access route described above. Vehicles would pass close to the south side of Standard House which would make it impossible to have outdoor seating on that side of the building and also make access to the proposed wine bar difficult at times.

Public Safety:

The issues of traffic and outdoor seating are covered above. Another matter of concern would be the adoption of Tug Boat Yard, the registered and protected Village Green immediately to the north of Standard House, as an informal 'pub garden'. Customers of the wine bar would be tempted to take their drinks across the road to sit on the benches by the creek. This could create a problem with noisy drinkers disturbing other users of Tug Boat Yard and spoiling their quiet enjoyment of the green space.

If a premises licence is granted it should (a) insist on the use of plastic glasses in any outdoor areas and (b) specifically prohibit customers of the wine bar from taking their drinks across the road to Tug Boat Yard (we understand that a similar prohibition prevents customers of the Golden Fleece taking their drinks across the road to Wells Quay).

Public Nuisance:

Living so close to Standard House (which is less than 20 metres away on the other side of a small private car park and faces us) our main concern is noise. Drinking establishments are by their nature noisy and if there are people drinking at tables on the south side of Standard House it will be very noticeable and will impact on our, and our guests', quiet enjoyment of the front courtyard we share with our holiday cottage 'Goosey'. According to the blue application notices being displayed on Standard House - but not mentioned in the application form posted on the NNDC website - this could be from midday until 9:30 at night seven days a week, which would cause considerable nuisance with or without the sound of music coming through open doors and windows.

Other:

In conclusion we should point out that there is already a wine bar in Wells - the Wells Wine Bar in Staithe Street. We don't see the need for another one.

Yours faithfully

Nigel Dark & Linda Gower

Hollybank House  
Standard Road  
Wells-next-the-Sea  
Norfolk NR23 1JY





Sarah

Dear Sirs,

I am the owner of 3 Standard Cottages, Wells Next the Sea and object to the above application on the following grounds:

### **Procedural issue**

Licensing authorities typically consider that it is ideal to obtain all planning permissions, consents and certificates before any licensing applications are made. This is with the aim of smoothing out the licensing process. If the planning permission position is clear before the licensing authority has to deal with the licensing application, there will then be little doubt that the premises can be lawfully used for the purposes covered by the proposed premises licence. It will also be less likely that the local planning authority will make representations against a premises licensing application as their permission will already be in place.

There are a number of significant issues relating to both the planning application for change of use of these premises from A1 (retail/shop) to A4 (drinking establishments) which are detailed below. This is the very reason why the planning application should precede or be dealt with at the same time as the licensing application. In these circumstances, planning officers can liaise with licensing officers efficiently and effectively to process the 2 applications.

### **Access/public safety**

The premises lie at the corner of an acute bend in a very busy road.(bus route/A road) and obliges users of the premises to cross that road or the East Quay junction. There is no pedestrian crossing. This merits consideration as a highways safety issue.

### **Public nuisance**

The premise is close to residential properties. Some of these are holiday lets but the owners and users of these properties are entitled to exactly the same 'enjoyment of use' as the full time residents. The proposed outside seating will constitute a significant increase in noise by customers up to 2130 at night creating the risk of public nuisance. The proposed seating on the plan accompanying the application is simply wrong. It shows 4 X 2 seater tables in the public road to the north of the building and the plan seems to be upside down. A correct plan should be provided for proper consideration. If the seating area is to be to the south side of the building, there is inadequate space as it will be used for vehicular access to a proposed new house to the rear of Standard House (the subject of separate granted permission).

There is a very reasonable likelihood of the adoption of Tug Boat Yard, the registered and protected Village Green immediately to the north of Standard House, as an informal 'pub garden'. The license should strictly forbid the extension of usage to the Village Green

Yours faithfully

Simon Hegarty

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Dear Licensing department

WHICH WINE WHEN have applied for a licence to open a wine bar in Standard House Chandlery NR231JY.

We live opposite at 1-2 Standard Cottages NR23 1JY and object strongly to this application in grounds of c) public nuisance - this is a residential area and a licence until 9.30pm will inevitably mean drinkers outside until at least 11pm disturbing residents, we have a 5 & 6 year old who will definitely not sleep through drinkers chatting next door.

(d) prevention of harm to children. - broken glass is unavoidable when drinking outside and our children have to cross the area where the outdoor seating will be in order to get to the pavement (if the tables are to be at the front of the property facing the sea as Albert Blaize (applicant, proprietor of Which Wine When) informed me.

In addition the raucous and language associated with drinking is completely unacceptable so close to our property, and the many other properties that attract families to this residential enclave.

Finally, if customers of the wine bar are parking in our car park next to Standard House Chandlery the increase in traffic will definitely be a danger to small children.

This building has always been a shop and is only suited to that, not a premises where alcohol is consumed and dispensed

Kind regards

Susannah Hubbard

1-2 Standard Cottages

Standard Road

Wells next the sea

NR23 1JY

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Dear Sirs,

I own 1-2 Standard Cottages and wish to object to the planning application for liquor licence and proposed use as a wine bar. I believe this would be an inappropriate use of the premises mainly due to the public nuisance it would cause. There would be significant disruption due to noise late into the night as customers left and this area is primarily residential. It would inevitably lead to the residents being deprived of their right to quiet enjoyment of their properties.

I believe the consumption of alcohol in the midst of a residential community also poses a risk to the safety of children of whom there are always some in residence.

The potential for disorder is clear and this would tend to result in crimes against property and people. The increase in traffic leaving the site would make a hazardous junction on a sharp blind corner even worse, which would be detrimental to public safety.

Your faithfully

Tim Hubbard

Sent from my iPhone

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Good afternoon,

My wife and I object to this application, as presented, firstly in respect of its format:

- the submitted plans are incorrect in terms of orientation and placement
- the proposed use of the property represents a change of use for which no planning application has been notified

Secondly in respect of:

- possible "spill over" of customers with alcoholic drinks onto the village green at Tugboat yard
- the traffic hazard for all posed by customers' access, pedestrian or vehicular, from and onto the A149 on a blind bend
- the further traffic hazard when development of the adjacent residential site commences
- the impact on the residential amenity of neighbouring properties that is likely to arise from noise and light generated by customers seated outside consuming alcohol

We are long term residents (40 years) with a well informed opinion of the matters that need to be addressed before a license is granted enabling the proposed use to be carried out harmoniously in this setting. We accept that it was, originally, a pub, "The Standard Inn", but in the many intervening decades we believe that the neighbourhood has become less well suited for a drinking establishment.

Yours faithfully,

Peter and Maddie Rainsford

The Old Custom House  
East Quay  
Wells next the Sea  
Norfolk NR23 1LD

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RICHARD TURFREY  
10 JOLLY SAILOR YARD  
WELLS NEXT THE SEA  
NR231LA

Dear Sirs,

I am writing to you to object to the above application for a premises license.

I am a long standing resident of the east end in Wells Next The Sea.

Having lived in the east end of Wells for the last eight years I have grown to understand the significance of this tranquil environment within the town and the importance of its preservation for future generations to come.

This part of the town has remained very much unchanged for the last 600 years with an ancient fishing fleet that still remains today and nearly 400 years of harbour commissioners that have helped to protect this historic place.

### **Public Nuisance**

#### 1. Public Nuisance.

All drinking establishments are unavoidably noisy and therefore the addition of a licensed premises will change the above mentioned environment forever and this is an absolute fact that can not be denied.

A different type of human traffic with a different requirement will be visiting this area for the first time as a result of the premises license and this will irrevocably change this historic environment in a detrimental way forever after being protected for so long.

There is no doubt that the permanent residents that are living directly opposite and within a stones throw will be unavoidably effected by the inevitable noise and comings and goings of a licensed premises in an environment that has never been accustomed to one; there quiet enjoyment will be lost forever and the tranquil environment that has been enjoyed in this part of the town for hundreds of years will be lost.

It must be noted that there are also many issues with public safety , and although they are mainly concerned with the planning department and highways they should not be overlooked as they are a very real and likely concern.

Richard Turfrey

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Website: [www.norfolk.gov.uk/safety/norfolk-fire-and-rescue-service](http://www.norfolk.gov.uk/safety/norfolk-fire-and-rescue-service)

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

Please ask for: Sally Green  
Direct Dial: 0300 1231259  
Email: [sally.green@norfolk.gov.uk](mailto:sally.green@norfolk.gov.uk)  
My Ref: 00113347  
Your Ref: -

12 April 2024

Dear Madam

**The Regulatory Reform (Fire Safety) Order 2005**  
**With reference to – Licensing Act 2003**

**Premises: Which Wine When Ltd, Standard Road, Wells-Next-The-Sea, NR23 1JY**

I acknowledge receipt of the application for the above premises.

As these premises fall within the scope of the Regulatory Reform (Fire Safety) Order 2005, I would like to draw your attention to the following guidance document:

**Offices and Shops:** This guide is for all employers, managers, occupiers, and owners of Offices and Shop premises, it is a government published guide to assist you with the process of completing a fire risk assessment, **which is required for your premises.**

ISBN 13: 978 1 85112 815 0

This publication is available to download from:

<https://www.gov.uk/government/publications/fire-safety-risk-assessment-offices-and-shops>

It is necessary where material alterations are proposed to comply with the Building Regulations 2000. In this case an application must be submitted to the Local Building Control Authority or an Approved Inspector.

Should you require any further assistance please do not hesitate to contact me on the number shown above.

Yours faithfully



Sally Green  
**Fire Safety Officer**

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Brooks, Christopher <Christopher.BROOKS1@norfolk.police.uk>

To

Cc

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.

Chris Brooks

Licensing Officer

Norfolk Constabulary

Building 8, OCC,

Wymondham, NR18 OWW.

Mobile 07825 582890

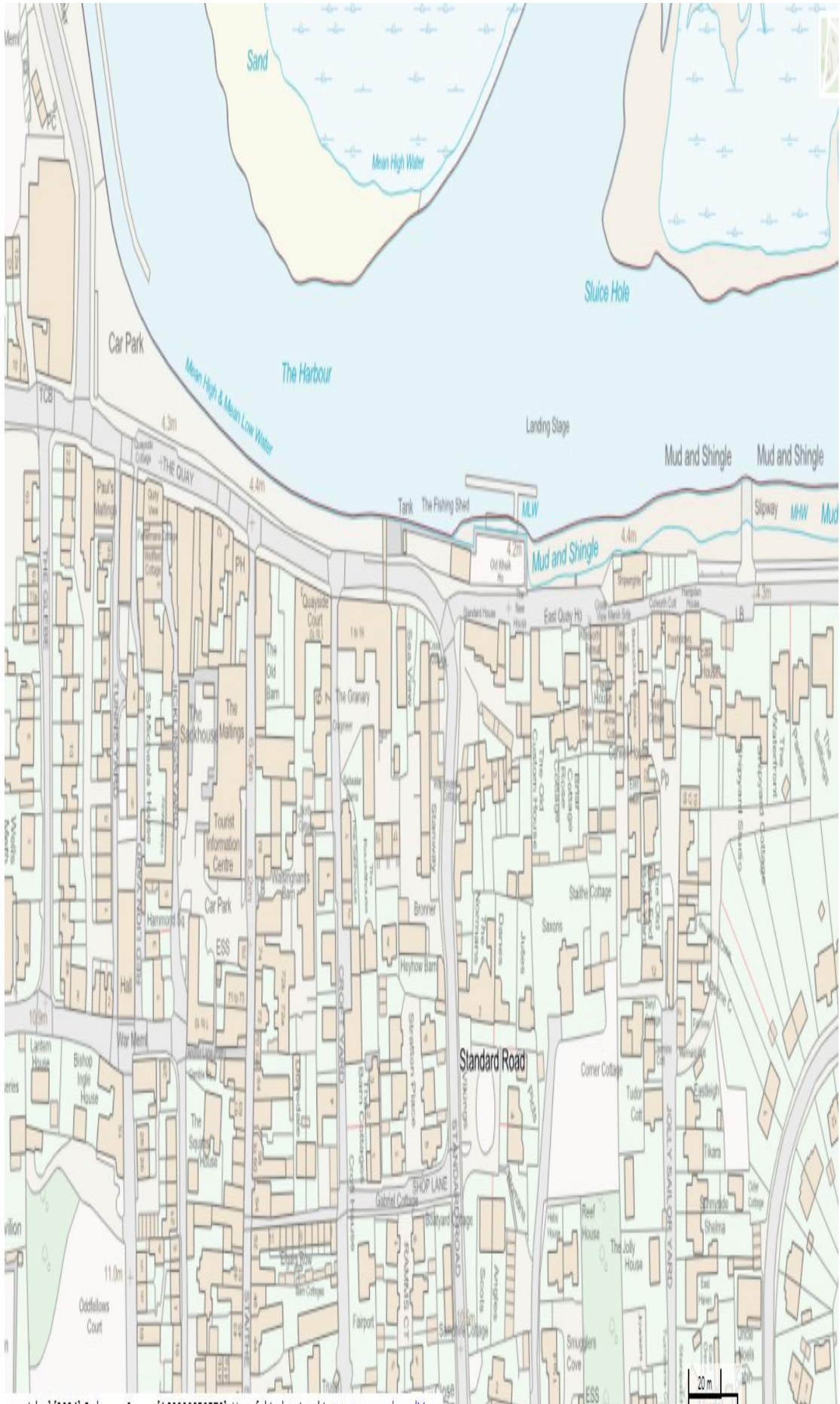
Tuesday-Friday 08-16hrs

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