

Wells-next-the-Sea

14th August 2023

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

NORTH NORFOLK D.C.

17 AUG 2023

POSTAL SERVICES

Dear Sirs

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

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

The grounds for the objection come under the following headings:

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

Prevention of crime and disorder

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

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

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

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

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

These enquiries should include:

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

Public safety

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

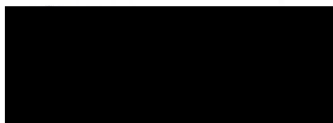
Added to this there is the chance of broken glass and possibly other detritus like used needles being spread across the town and threatening residents and visitors with bodily injury.

Prevention of public nuisance

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

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

Yours faithfully,



R J Lyddon

Encl.

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

Link to relevant Companies House webpage:

https://find-and-update.company-information.service.gov.uk/officers/GN78_yf_tU3aBkcuB5MjLxeHaDo/appointments

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