

Borough Council of
**King's Lynn &
West Norfolk**



LICENSING COMMITTEE - SUB-COMMITTEE HEARING

The Wildfowler
Gayton Road
King's Lynn
PE30 4EL

Agenda

Thursday 30 June 2011
9.30am

VENUE:
Committee Suite
King's Court
Chapel Street
King's Lynn
Norfolk, PE30 1EX



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Borough Council of
**King's Lynn &
West Norfolk**



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My Ref: RAE/LC
Please ask for: Rachael Edwards
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Email: rachael.edwards@west-norfolk.gov.uk

22 June 2011

Dear Member

Licensing Sub-Committee Hearing – Thursday 30 June 2011

You are invited to attend a meeting of a Licensing Sub-Committee to commence at **9.30am on Thursday 30 June 2011** in the **Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk** to consider the business shown below.

Yours sincerely,
Chief Executive

AGENDA

1. To consider a variation application for a Premises Licence – The Wildfowler, Gayton Road, King's Lynn. Norfolk, PE30 4EL

Papers attached as follows:-

- (a) Procedure that will be followed at the hearing – (pages 1-3)
- (b) Report of the Licensing Manager under the Licensing Act 2003 (pages 4-15)
- (c) Appendix One – Copy of Current Premises Licence (pages 16-20)
- (d) Appendix Two – Copy of Application (pages 21-42)
- (e) Appendix Three – Letter from Norfolk Constabulary (pages 43-45)
- (f) Appendix Four – Letter of Objection from Community Safety and Neighbourhood Nuisance (pages 46-49)

(g) Appendix Five – Letters of Objection from Interested Parties (pages 50-55)

(h) Appendix Six – Location Plan (page 56)

(i) Appendix Seven – Premises Plan (page 57)

To: Councillors R Groom, G Sandell and Mrs S Smeaton

Appropriate Officers – Rachael Edwards and John Gilbraith

All relevant parties

Procedure for Determining Licensing Appeal/Application Cases

The hearings will be held in public. The hearing is not adversarial but an examination of the facts by the Members of the Committee. All participants must be courteous at all times. All parties will be given equal maximum time i.e. normally 15 minutes each, in total. Any person may apply for longer time if they immediately notify the licensing authority upon receipt of the Notice of the Hearing and in exceptional circumstances, the licensing authority may extend the maximum time allowed to all parties if the complexity of the application demands. In the event that there are a large number of objections to a particular application, the licensing authority may ask an appropriate number of representatives or a single representative to put forward their views.

Introductions

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

This Committee is sitting to consider matters under the Licensing Act 2003.

2. The **Chairman** should introduce himself and the Members of the Committee.
3. The **Chairman** should introduce the Legal Advisor to the Committee and explain his/her impartial role.
4. The **Chairman** should introduce the Licensing Manager/Enforcement Officer and explain his/her role.
5. The **Chairman** should introduce the Democratic Services Officer and explain her role.
6. The **Chairman** should invite all those present to introduce themselves and ask them to indicate if they wish to speak (Agreement on the length of time given for each speaker is at the discretion on the Chairman).

The Application for a Premises License

7. The **Legal Advisor** explains the procedure that will be followed at the meeting.
8. The **Licensing Manager/Enforcement Officer** outlines the application to the Committee by presenting the report referring to any relevant Statutory Guidance and the Council's Licensing Policy.
9. The **Licensing Manager/Enforcement Officer** will invite questions in relation to the report from all parties.

The Applicant's Case

10. The **Chairman** will then invite the Applicant or his representative to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

Questions

11. Once the Applicant/representative has presented their case, the **Chairman** invites questions to the Applicant or his Representative from the (1) the Licensing Manager/Enforcement Officer (2) responsible authorities or their representatives (3) other interested persons (or their representatives) (4) Members of the Committee.
12. The **Chairman** will invite questions to the Witnesses from (1) the Licensing Manager/Enforcement Officer (2) responsible authorities or their representatives (3) other interested persons (or their representatives) (4) Members of the Committee.

Questions should be relevant to the application and repetition will be discouraged.

Representations

13. Each of the other parties or their representatives wishing to address the Committee may do so in an order determined by the **Chairman**, which should allow the responsible authorities before any local objectors. They too must be willing to be questioned by other parties in the same order. Local Objectors may not however question each other.

Questions should be relevant to the application and repetition will be discouraged.

Summing Up

14. The **Chairman** will then invite the responsible authorities (Police, Fire Authority, Community Safety and Neighbourhood Nuisance (Borough Council) etc) and interested persons (or their representatives) to sum up their case. They may comment on what has been said but no new evidence should be introduced. Each party will be allowed 5 minutes to sum up.
15. The **Chairman** then invites the Applicant or his representative to sum up their case. They may comment on what has been said but no new evidence should be introduced. They will be allowed 5 minutes to sum up.
16. The Chairman will invite the Licensing Manager/Enforcement Officer to address the Committee.

Reaching a Decision

17. The **Chairman** will then thank all those who have spoken and invite the Committee to retire in private to consider the application.
18. The Committee will then debate the case presented to them at the hearing and will seek to reach a decision and reasons for their decision.
19. The Committee may ask the Legal Advisor/Licensing Manager/Enforcement Officer (or any other specialist Officer of the Council) for advice at any point to seek clarification on a particular issue but no one else should be invited until a preliminary decision is reached or the application is deferred.

Making a Decision

20. When the Committee have reached a decision with reasons or have determined to defer a decision they shall call the Legal Advisor in to clarify the proposed decision.
21. Once clarification has been made, everyone will return back in to the room and the **Legal Advisor** will announce in public any legal advice he/she has given in private.
22. **The Chairman** will read out the Committee's preliminary decision and the reasons for the decision and invite the Legal Advisor/Licensing Manager (or any other specialist Officer of the Council) to comment.
23. The Sub-Committee may retire again in private to further consider their decision/reasons and seek further advice from the Clerk or Licensing Manager/Enforcement Officer (or any other specialist Officer of the Council).
24. Once a final decision has been reached, **The Chairman** will confirm the decision and explain that all parties will be notified as soon as maybe in writing of the decision and the reasons for the decision.
25. The Chairman will remind all parties that they have a right of appeal against the decision to the Magistrates Court but any appeal must be based on one or more of the four licensing objectives.

Please note at any time during the hearing, the Clerk or Licensing Manager/Enforcement Officer (or specialist Officer of the Council) may be asked or may offer advice to the Sub-Committee/other parties.

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.

Borough Council of King's Lynn & West Norfolk

Report to Licensing Sub-Committee under the Licensing Act 2003

Application for Variation of a Premises Licence

- The Wildfowler, Gayton Road, King's Lynn, PE30 4EL

- Date of Hearing: 30th June 2011

Introduction

1. A premises licence is required under the Licensing Act 2003 for the sale of alcohol, regulated entertainment or the supply of hot food and drink between 11pm and 5am. 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

The Application

2. LT Management Services Limited has made an application to vary the premises licence in respect of the Wildfowler to vary the times, remove certain conditions and change the layout of the licensed area. A copy of the current licence (WNPL005718) is attached at Appendix 1 and a copy of the variation application is attached at Appendix 2. The variation, if granted, would allow the premises to operate as follows:

<u>Licensable Activity</u>	<u>Days</u>	<u>Times</u>
Regulated Entertainment: Live music (Indoors only)	Monday to Thursday: Friday & Saturday: Sunday: Bank Holiday Weekends etc:	4pm – 11pm 4pm – Midnight 12 noon – 10:30pm Until 1am
Regulated Entertainment: Facilities for making music (Indoors only)	Sunday to Thursday: Friday & Saturday: Bank Holiday Weekends etc:	10am – 11pm 10am – Midnight 10am to 1am
Regulated Entertainment: Recorded music (Indoors & Outdoors) Facilities for dancing (Indoors only)	Sunday to Thursday: Friday & Saturday: Bank Holiday Weekends etc:	10am to 11pm 10am to Midnight 10am to 2am
Sale of Alcohol: (For consumption both 'on' and 'off' the premises)	Monday to Thursday: Friday & Saturday: Sunday: Bank Holiday Weekends etc:	9am to 11pm 9am to Midnight 9am to 11pm 9am to 2am

Late Night Refreshment: (only licensable between 11pm & 5am) (Both Indoors & outdoors)	Monday to Thursday:	11pm to 11:30pm
	Friday & Saturday:	11pm to 12:30am
	Sunday:	11pm to Midnight
	Bank Holiday Weekends etc:	11pm to 2:30am
Hours Premises Open to the Public:	Monday to Thursday:	9am to 11:30pm
	Friday & Saturday:	9am to 12:30am
	Sunday:	9am to 11:30pm
	Bank Holiday Weekends etc:	9am to 2:30am

Conditions

3. The premises licence would be subject to the following mandatory conditions:
- a) Under Section 19(2) of the Licensing Act 2003, no supply of alcohol may be made under this 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 his personal licence is suspended.
 - b) Under Section 19(3) of the Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
 - c) In relation to the sale of alcohol, the responsible person shall take all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. An irresponsible promotion means an activity carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children.
 - d) The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
 - e) The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
 - f) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This 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 a holographic mark.

- g) The responsible person shall ensure that-
- (1) 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; 25 ml or 35 ml; and
 - (iii) still wine in a glass; 125 ml;And that
 - (2) customers are made aware of the availability of these measures.

4. The licence will be subject to the following conditions which are consistent with the operating schedule:

- a) No customers carrying open or sealed bottles shall be admitted to the premises at any time the premises are open to the public.
- b) Any part of the variation application that changes the plan/layout at the premises shall not have effect until the work has been completed.
- c) An incident book and refusals register shall be maintained and kept at the premises. These shall be available upon reasonable request by a police officer or authorised officer of the Borough Council.
- d) Signs shall be displayed asking customers to leave premises quietly and to respect the neighbours.
- e) Doors and windows shall be kept closed during regulated entertainment except for access to and egress from the premises.

Representation from Responsible Authorities

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.

5. The following comments have been received from the Responsible Authorities:

- a) Norfolk Constabulary is objecting to the application under the 'Prevention of Crime & Disorder' licensing objective. A copy of their letter dated the 13th June 2011 is attached to this report at Appendix 3.
- b) The Borough Council's Community Safety & Neighbourhood Nuisance (CS&NN) Team are objecting to the application under the 'Prevention of

Public Nuisance' licensing objective. A copy of their letter dated the 16th June 2011 is attached to this report at Appendix 4.

c) Comments from the other responsible authorities are as follows:

<u>Responsible Authority</u>	<u>Comments Received</u>
Norfolk Fire Service	None
Norfolk Trading Standards	None
Norfolk Children's Safeguarding Board	None
Planning (BCKLWN)	None
Health & Safety (BCKLWN)	None

Representations from Interested Parties

Section 13(2) LA 2003 describes Interested parties as local residents/business (or their representatives) who live/are involved in a business in the vicinity of the premises. Representations made must relate to the licensing objectives. Elected members of the licensing authority are also interested parties in their own right.

6. There are four letters of objection from 'interested parties' to consider. Copies of these letters are attached to this Report at Appendix 5.

Notices

7. 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 Lynn News on Friday the 20th May 2011 and should have been displayed on the premises until the 15th June 2011.

Plans

8. A location plan showing the general location of the premises and objectors is attached at Appendix 6. A Plan of the premises is attached at Appendix 7.

Borough Council of King's Lynn & West Norfolk's Licensing Policy

9. The current Statement of Licensing Policy was approved by full Council on the 25th November 2010 and the following extracts may be relevant to this application:

3.0 Fundamental principles

3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:

- (a) the prevention of crime and disorder,
- (b) public safety,
- (c) the prevention of public nuisance, and
- (d) the protection of children from harm.

- 3.2 Nothing in this 'Statement of Policy' will:
- (a) undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;
 - (b) override the right of any person to make representatives on an application or to seek a review of a licence or certificate where provision has been made for them to do so in the 2003 Act.
- 3.3 Every application will be dealt with impartially and on its individual merits. The Borough Council will not refuse to grant or vary an application unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or an interested party, such as a local resident or local business, which is a relevant representation.

8.0 Crime Prevention

- 8.1 Licensed premises, especially those open late night/early morning can be a source of crime and disorder problems. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate from the design of the premises to the daily operation of the business.
- 8.2 Where relevant representations are received the Borough Council will consider attaching conditions to deter and prevent crime and disorder both inside and immediately outside the premises. These may include conditions drawn from the Model Pool of Conditions relating to Crime & Disorder (see Annex D to the Guidance issued under Section 182 of the Licensing Act 2003).

10.0 Prevention of Public Nuisance

- 10.1 Licensed premises, especially those operating late at night and early in the morning can cause a range of nuisances which impact on people or businesses in the vicinity. The concerns will mainly relate to noise but could also include light pollution and noxious smells. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.
- 10.2 Where relevant representations are received the Borough Council will consider attaching conditions to deter and prevent crime and disorder both inside and immediately outside the premises. These may include conditions drawn from the Model Pool of Conditions relating to Public Nuisance (see Annex D to the Guidance issued under Section 182 of the Licensing Act 2003).

18.0 Conditions

- 18.1 The Borough Council will not impose conditions unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or an interested party, such as a local resident or local business, which is a relevant representation, or is

offered in the applicant's Operating Schedule. Any conditions will be proportional and necessary to achieve the Licensing Objectives.

- 18.2 The Borough Council cannot impose 'blanket' standard conditions on premises licences or club premises certificates. The Borough Council will, however draw on the pool of conditions (published at Annex D to the Guidance issued under Section 182 of the Act) when it is considered appropriate to suit the specific needs of an individual operation.

Guidance Issued Under Section 182 of the Licensing Act 2003

The current Guidance was issued by the Home Office in October 2010 and offers advice to Licensing authorities on the discharge of their functions under the Licensing Act 2003.

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

Each application on its own merits

1.15 Each application must be considered on its own merits and any conditions attached to licences must be tailored to the individual style 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 necessary for the promotion of the licensing objectives in any individual case.

Avoiding duplication of other legal requirements

1.16 The licensing authority should only impose conditions on a premises licence which are necessary and proportionate for the promotion of the licensing objectives. If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be necessary to impose the same or similar duties on the premises licence holder or club. It is only where additional and supplementary measures are necessary to promote the licensing objectives that necessary, proportionate conditions will need to be attached to a licence.

Public Nuisance

2.32 The 2003 Act requires licensing authorities (following receipt of relevant representations) and responsible authorities, through representations, to make judgements about what constitutes public nuisance and what is necessary to prevent it in terms of conditions attached to specific premises licences. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on impacts of the licensable activities at the specific premises on persons living and working (including doing business) in the vicinity that are disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.33 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 is important to remember that the prevention of public nuisance could therefore include low-level nuisance perhaps affecting a few people living locally as well as major disturbance affecting the whole community. It may also include in appropriate circumstances the reduction of the living and working amenity and environment of interested parties (as defined in the 2003 Act) in the vicinity of licensed premises.

2.34 Conditions relating to noise nuisance will normally concern steps necessary 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 in the evening to more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions necessary to promote the prevention of public nuisance should be tailored to the style and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter events that are valuable to the community, such as live music.

2.35 As with all conditions, it will be clear that conditions relating to noise nuisance may not be necessary in certain circumstances where the provisions of the Environmental Protection Act 1990, the Noise Act 1996, or the Clean Neighbourhoods and Environment Act 2005 adequately protect those living in the vicinity 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 necessary.

2.36 Where applications have given rise to representations, any necessary and appropriate conditions should normally focus on the most sensitive periods. For example, music noise from premises usually occurs from mid-evening until either late evening or early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. In certain circumstances, conditions relating to noise in the immediate vicinity of the premises may also prove necessary to address any disturbance anticipated as customers enter and leave.

2.38 In the context of preventing public nuisance, it is again essential that conditions are focused on measures within the direct control of the licence holder or club. Conditions relating to public nuisance caused by the anti-social behaviour of customers once they are beyond the control of the licence holder, club or premises management cannot be justified and will not serve to promote the licensing objectives.

2.39 Beyond the vicinity of the premises, these are matters for 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 and to respect the rights of people living nearby to a peaceful night.

Determining Applications Where Representations Are Made

9.3 Where a representation concerning the licensing objectives is lodged by a responsible authority about a proposed operating schedule it is relevant and the licensing authority's discretion will be engaged. It will also be engaged if an interested party makes relevant representations to the licensing authority, i.e. those which are not frivolous or vexatious and which relate to the licensing objectives. Representations can be made in opposition to, or in support of, an application.

9.4 It is for the licensing authority to decide in the first instance whether or not representations are relevant. This may involve determining whether they have been made by an interested party and whether or not, for example, an individual making a representation resides or is involved in business "in the vicinity" of the premises concerned. However, licensing authorities should be aware that their initial decision on this issue could be subject to legal challenge in the courts.

9.5 In making their initial decision on the question of vicinity, licensing authorities should consider whether the individual's residence or business is likely to be directly affected by disorder and disturbance occurring or potentially occurring on those premises or immediately outside the premises. In other words, it is the impact of issues relating to the four licensing objectives that is the key consideration.

Relevant, Vexatious and Frivolous Representations

9.8 A representation would only be "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 businessman which argued that his business would be commercially damaged by a new licensed premises would not be relevant. On the other hand, a representation that nuisance caused by the new premises would deter customers from entering the local area and the steps proposed by the applicant to control that nuisance were inadequate would be relevant. There is no requirement for an interested party or responsible authority to produce a recorded history of problems at a premises to support their representations, and in fact this would not be possible for new premises. Further information for interested parties about the process for making representations is available in "Guidance for interested parties: Making representations" which can be found on the DCMS website.

9.10 It is for the licensing authority to determine whether any representation by an interested party is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. Vexation may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Frivolous representations would be essentially categorised by a lack of seriousness. An interested party who is aggrieved by a rejection of their representations on these grounds may challenge the authority's decision by way of judicial review

9.12 The Secretary of State recommends that in borderline cases, the benefit of the doubt should be given to the interested party making the representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it. If it then emerged, for example, that the representation should not be supported, the licensing authority could decide not to take any action in respect of the application.

9.24 As a matter of practice, licensing authorities should seek to focus the hearing on the steps needed to promote the particular licensing objective which has given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or interested party 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.

9.25 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 necessary to promote the licensing objectives;
- the representations (including supporting information) presented by all the parties;
- Guidance issued under Section 182 of the Licensing Act 2003;
- Its own statement of licensing policy.

9.26 The licensing authority should give its decision at once, unless the Act itself states otherwise and provide reasons to support it. This will be important if there is an appeal by any of the parties. Notification of a decision must be accompanied by information on the right of the party to appeal. After considering all the relevant issues, the licensing authority may grant the application subject to such conditions that are consistent with the operating schedule. Any conditions imposed must be necessary for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition which is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.

9.27 Alternatively, the licensing authority may refuse the application on the grounds that this is necessary for the promotion of the licensing objectives.

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 the holder of the premises licence or the club premises certificate will be required to take or refrain from taking at all times when licensable activities are taking place at the premises in question.

10.3 All interests – licensing authorities, licence and certificate holders, authorised persons, the police, other responsible authorities and local residents and businesses – should be working together in partnership to ensure collectively that the licensing objectives are promoted.

10.4 Under former licensing regimes, 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. Failure to comply with any conditions attached to a licence or certificate is a criminal offence, which on conviction would be punishable by a fine of up to £20,000 or up to six months imprisonment or both.

10.5 Annex D provides pools of conditions (although not an exhaustive list) which relate to the four licensing objectives and could be used where necessary and appropriate to the particular circumstances of an individual licensed premises. It is important that they should not be applied universally and treated as standard conditions irrespective of circumstances.

Proposed Conditions

10.7 The conditions that are necessary for the promotion of the licensing objectives should emerge initially from a prospective licensee's or certificate holder's risk assessment which applicants and clubs 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 of opening.

10.8 In order to minimise problems and the necessity for hearings, it would be sensible for applicants and clubs to consult with responsible authorities when schedules are being prepared. This would allow for proper liaison before representations prove necessary.

Imposed Conditions

10.11 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it has been satisfied at a hearing of the necessity to impose conditions. It may then only impose conditions that are necessary to promote one or more of the four licensing objectives. Such conditions must also be expressed in unequivocal and unambiguous terms to avoid legal dispute.

10.12 It is perfectly possible that in certain cases, because the test is one of necessity, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions at all are needed to promote the licensing objectives.

Annex D Pool of Conditions

Part 4: Conditions Relating To the Prevention Of Public Nuisance

It should be noted that provisions of the Environmental Protection Act 1990, the Noise Act 1996 and the Clean Neighbourhoods and Environment Act 2005 provide some protection to the general public from the effects of noise nuisance. In addition, the provisions in Part 8 of the Licensing Act 2003 enable a senior police officer to close down instantly for up to 24 hours licensed premises and premises carrying on temporary permitted activities that are causing nuisance resulting from noise emanating from the premises. These

matters should be considered before deciding whether or not conditions are necessary for the prevention of public nuisance.

Hours

The hours during which the premises are permitted to be open to the public or to members and their guests can be restricted by the conditions of a premises licence or a club premises certificate for the prevention of public nuisance. But this must be balanced by the potential impact on disorder which may result from arbitrarily fixed closing times. However, there is no general presumption in favour of lengthening licensing hours and the four licensing objectives should be paramount considerations at all times.

Restrictions could be necessary on the times when certain licensable activities take place even though the premises may be open to the public at such times. For example, the playing of recorded music after a certain time might be prohibited, even though other licensable activities are permitted to continue. Or the playing of recorded music might only be permitted after a certain time where conditions have been attached to the licence or certificate to ensure that any potential nuisance is satisfactorily prevented.

Restrictions might also be necessary on the parts of premises that might be used for certain licensable activities at certain times. For example, while the provision of regulated entertainment might be permitted while the premises is open to the public or members and their guests, regulated entertainment might not be permitted in garden areas of the premises after a certain time. In premises where existing legislation does not provide adequately for the prevention of public nuisance, consideration might be given to the following conditions.

Noise and vibration

In determining which conditions are necessary and appropriate, licensing authorities should be aware of the need to avoid unnecessary or disproportionate measures that could deter the holding of 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. The following conditions may be considered:

- Noise or vibration does not emanate from the premises so as to cause a nuisance to nearby properties. This might be achieved by one or more of the following conditions:
 - a simple requirement to keep doors and windows at the premises closed;
 - limiting live music to a particular area of the building;
 - moving the location and direction of speakers away from external walls or walls that abut private premises;
 - installation of acoustic curtains;
 - fitting of rubber seals to doorways;
 - installation of rubber speaker mounts;
 - requiring the licensee to take measure to ensure that music will not be audible above background level at the nearest noise sensitive location;

- require licensee to undertake routine monitoring to ensure external levels of music are not excessive and take appropriate action where necessary;
 - noise limiters on amplification equipment used at the premises (if other measures have been unsuccessful).
- Prominent, clear and legible notices are displayed at all exits requesting the public to respect the needs of local residents and to leave the premises and the area quietly.
 - The use of explosives, pyrotechnics and fireworks of a similar nature which could cause disturbance in surrounding areas are restricted.
 - The placing of refuse – such as bottles – into receptacles outside the premises takes place at times that will minimise the disturbance to nearby properties.

Determination

12. The Sub-Committee are requested to consider the application, representations, and dispose of the application by:

- a) Granting the variation application;
- b) Granting the variation application with conditions relevant to the promotion of the licensing objectives;
- c) Rejecting the whole or part of the variation application.

13. 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.

John Gilbraith

Licensing Manager
Environmental Health & Housing
21st June 2011

Appendices:

1. Copy of Current Premises Licence
2. Copy of Application
3. Letter from Norfolk Constabulary
4. Letter of Objection from Community Safety & Neighbourhood Nuisance
5. Letters of Objection from Interested Parties
6. Location Plan
7. Premises Plan

Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (25 November 2010)
3. Guidance issued under Section 182 of the Licensing Act 2003 (October 2010)

Licensing Act 2003
Premises Licence

Appendix 1 to
 Report to Licensing Sub-Committee
 Re: The Wildfowler, Gayton Road, King's Lynn
 Dated 21st June 2011

LOCAL AUTHORITY

Borough Council of
**King's Lynn &
 West Norfolk**



Borough Council of King's Lynn &
 West Norfolk
 Licensing Department
 King's Court
 Chapel Street
 King's Lynn
 Norfolk
 PE30 1EX
 Tel: 01553 616200
 Fax: 01553 691663

Part 1 - Premises Details

POSTAL ADDRESS OF PREMISES, OR IF NONE, ORDNANCE SURVEY MAP REFERENCE OR DESCRIPTION

Wildfowler

Gayton Road, King's Lynn, Norfolk, PE30 4EL.

WHERE THE LICENCE IS TIME LIMITED THE DATES

Not applicable

LICENSABLE ACTIVITIES AUTHORISED BY THE LICENCE

- a performance of live music
- any playing of recorded music
- entertainment facilities for making music
- entertainment facilities for dancing
- provision of late night refreshment
- the sale by retail of alcohol

THE TIMES THE LICENCE AUTHORIZES THE CARRYING OUT OF LICENSABLE ACTIVITIES

Activity (and Area if applicable)	Description	Time From	Time To
E. Performance of live music (Indoors)	Friday and Saturday	8:00pm	Midnight
	Sunday	4:00pm	10:30pm
	Christmas Eve	8:00pm	11:00pm
	New Years Eve	7:30pm	1:00am
F. Playing of recorded music (Indoors & Outdoors)	Monday to Thursday	10:00am	11:00pm
	Friday and Saturday	10:00am	Midnight
	Sunday	Noon	11:00pm
	Christmas Eve & Boxing Day	10:00am	1:00am
	- on a Monday to Saturday.		
	Christmas Eve & Boxing Day	Noon	1:00am
	- on a Sunday.		
	New Years Eve	10:00am	Midnight
	- on a Monday to Saturday.		
New Years Eve	Noon	Midnight	
- on a Sunday.			



THE TIMES THE LICENCE AUTHORISES THE CARRYING OUT OF LICENSABLE ACTIVITIES continued ...

Activity (and Area if applicable)	Description	Time From	Time To
I. Provision of facilities for making music (Indoors)	Thursday	10:00am	11:00pm
	Friday and Saturday	10:00am	Midnight
	Sunday	Noon	11:00pm
	Christmas Eve & Boxing Day - on a Monday to Saturday.	10:00am	1:00am
	Christmas Eve & Boxing Day - on a Sunday.	Noon	1:00am
	New Years Eve	7:30pm	1:00am
	J. Provision of facilities for dancing (Indoors)	Friday and Saturday	10:00am
Christmas Eve & Boxing Day		10:00am	1:00am
New Years Eve		7:30pm	1:00am
L. Late night refreshment (Indoors & Outdoors)	Monday to Thursday	11:00pm	11:30pm
	Friday	11:00pm	Midnight
	Saturday & Sunday	11:00pm	Midnight
M. The sale by retail of alcohol for consumption ON and OFF the premises	Monday to Thursday	10:00am	11:00pm
	Friday and Saturday	10:00am	Midnight
	Sunday	Noon	11:00pm
	Christmas Eve & Boxing Day - on a Monday to Saturday.	10:00am	1:00am
	Christmas Eve & Boxing Day - on a Sunday.	Noon	1:00am
	New Years Eve - on a Monday to Saturday.	10:00am	Midnight
	New Years Eve - on a Sunday.	Noon	Midnight

THE OPENING HOURS OF THE PREMISES

Description	Time From	Time To
Monday to Thursday	10:00am	11:30pm
Friday and Saturday	10:00am	12:30am
Sunday	Noon	11:30pm
Christmas Eve & Boxing Day - on a Monday to Saturday.	10:00am	1:30am
- on a Sunday.	Noon	1:30am
New Years Eve - on a Monday to Saturday.	10:00am	12:30am
- on a Sunday.	Noon	12:30am

WHERE THE LICENCE AUTHORISES SUPPLIES OF ALCOHOL WHETHER THESE ARE ON AND / OR OFF SUPPLIES

- M. The sale by retail of alcohol for consumption ON and OFF the premises

Part 2



Licensing Act 2003

Premises Licence

WNPL005718

NAME, (REGISTERED) ADDRESS, TELEPHONE NUMBER AND EMAIL (WHERE RELEVANT) OF HOLDER OF PREMISES LICENCE

L T Management Services Ltd
31 Haverscroft Industrial Estate, New Road, Attleborough, Norfolk, NR17 1YE.
Telephone 07584310615 steven howe

REGISTERED NUMBER OF HOLDER, FOR EXAMPLE COMPANY NUMBER, CHARITY NUMBER (WHERE APPLICABLE)

NAME, ADDRESS AND TELEPHONE NUMBER OF DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES THE SUPPLY OF ALCOHOL

Brendan Martin FLYNN 2 Worcester Close, Braintree, Essex, CM7 1EJ.

PERSONAL LICENCE NUMBER AND ISSUING AUTHORITY OF PERSONAL LICENCE HELD BY DESIGNATED PREMISES SUPERVISOR WHERE THE PREMISES LICENCE AUTHORISES FOR THE SUPPLY OF ALCOHOL

Licence No. PO267 Issued by Braintree

DATE ORIGINALLY ISSUED:

DATE OF LAST CHANGE:

01/12/2005

15/03/2011



ANNEXES

ANNEX 1 - MANDATORY CONDITIONS

1. Under Section 19(2) of the Licensing Act 2003, no supply of alcohol may be made under this 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 his personal licence is suspended.
2. Under Section 19(3) of the Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
3. In relation to the sale of alcohol, the responsible person shall take all reasonable steps to ensure that staff do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. An irresponsible promotion means an activity carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises in a manner which carries a significant risk of leading or contributing to crime and disorder, prejudice to public safety, public nuisance, or harm to children.
4. The responsible person shall ensure that no alcohol is dispensed directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of a disability).
5. The responsible person shall ensure that free tap water is provided on request to customers where it is reasonably available.
6. (1) The premises licence holder or club premises certificate holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol.
(2) 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 a holographic mark.
7. 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: 25 ml or 35 ml; and
 - (iii) still wine in a glass: 125 ml; and
 - (b) customers are made aware of the availability of these measures.

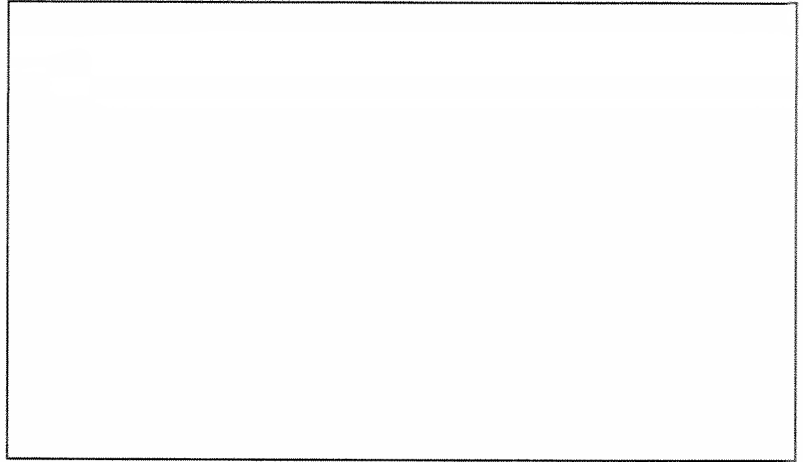
ANNEX 2 - CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

8. The above restrictions in relation to the supply of alcohol do not prohibit:
 - a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel;
 - b) the sale or supply of alcohol for consumption on the premises or the taking of alcohol from the premises by any person residing there;
 - c) the ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered;
 - d) the sale of alcohol to a trader or club for the purposes of the trade or club;
 - e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces;
 - f) the taking of alcohol from the premises by a person residing there;
 - g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; or
 - h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or of the person carrying on or in charge of the business on the premises.
9. Meals and beverages other than intoxicants must be available during the operational period of this Certificate i.e:
 - a) Sunday: 1200 hours - 2100 hours
 - b) Monday to Saturday: 1100 hours - 2100 hours
10. No Amusements with prizes machines shall be in area covered by the Children's Certificate.
11. No customers carrying open or sealed bottles shall be admitted to the premises at any time the premises are open to the public.



ANNEXES continued ...

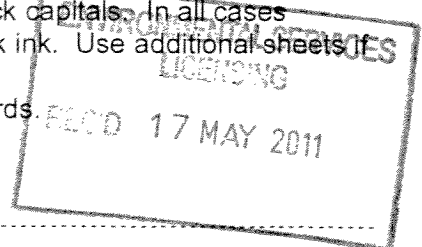
None.



Application to vary a premises licence

PLEASE READ THE FOLLOWING INSTRUCTIONS FIRST

Before completing this form please read the guidance notes at the end of the form.
 If you are completing this form by hand please write legibly in block capitals. In all cases ensure that your answers are inside the boxes and written in black ink. Use additional sheets if necessary.
 You may wish to keep a copy of the completed form for your records.



I/We LT Management Services Limited

(Insert name(s) of applicant)

being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described in Part 1 below

Premises licence number WNPL005718
--

Part 1 – Premises Details

Postal address of premises or, if none, ordnance survey map reference or description Wildfowler Gayton Road			
Post town	King's Lynn	Post code	PE30 4EL

Telephone number at premises (if any)	
Non-domestic rateable value of premises	£18000

Part 2 – Applicant details

Daytime contact telephone number			
E-mail address (optional)	n/a		
Current postal address if different from premises address	31 Haverscroft Industrial Estate New Road		
Post Town	Attleborough	Postcode	NR17 1YE

Part 3 - Variation

Please tick yes

Do you want the proposed variation to have effect as soon as possible?

If not do you want the variation to take effect from

Day		Month		Year	

Please describe briefly the nature of the proposed variation (Please see guidance note 1)

To commence recorded music and provision of facilities for making music from 10:00h on Sunday (current permission from 12:00h).

To permit the sale of alcohol from 09:00h Monday to Sunday (current permission from Monday to Saturday from 10:00h and Sunday from 12:00h).

To permit live music Monday to Thursday 16:00h until 23:00h, Friday and Saturday 16:00h until 00:00h (currently no permission Monday to Thursday, Friday and Saturday 20:00h until 00:00h).

To permit provision of facilities for making music Monday to Wednesday 10:00h until 23:00h and Sunday 10:00h until 23:00h (currently no permission Monday to Wednesday, Sunday 12:00h until 23:00h).

To permit provision of facilities for dancing Sunday to Thursday 10:00h until 23:00h (currently no permission).

To extend late night refreshment on Friday and Saturday until 00:30h (current permission until 00:00h).

To open the premises on Monday to Sunday from 09:00h (current permission Monday to Saturday from 10:00h and Sunday from 12:00h).

To permit live music until 01:00h, recorded music until 02:00h, provision of facilities for making music until 01:00h; provision of facilities for dancing until 02:00h, late night refreshment until 02:30h, sale of alcohol until 02:00h and opening until 02:30h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. For the above from the start of permitted hours New Years Eve to the close of permitted hours New Years Day.

Remove condition 8 "The above restrictions in relation to the supply of alcohol do not prohibit: a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; b) the sale or supply of alcohol for consumption on the premises or the taking of alcohol from the premises by any person residing there; c) the ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered; d) the sale of alcohol to a trader or club for the purposes of the trade or club; e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces; f) the taking of alcohol from the premises by a person residing there; g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; h) the supply

of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or the person carrying on or in charge of the business on the premises".

Remove condition 9 "Meals and beverages other than intoxicants must be available during the operational period of this certificate i.e: a) Sunday: 1200 hours - 2100 hours; b) Monday to Saturday: 1100 hours - 2100 hours".

Remove condition 10 "No Amusements with prizes machines shall be in the area covered by the Children's Certificate".

Also this is an application to vary the layout and design of the premises in accordance with the submitted plan.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

All other hours, licensable activities and conditions are to remain unchanged.

If your proposed variation would mean that 5,000 or more people are expected to attend the premises at any one time, please state the number expected to attend

n/a

Part 4 Operating Schedule

Please complete those parts of the Operating Schedule below which would be subject to change if this application to vary is successful.

Provision of regulated entertainment

Please tick yes

- | | |
|---|-------------------------------------|
| a) plays (if ticking yes, fill in box A) | <input type="checkbox"/> |
| b) films (if ticking yes, fill in box B) | <input type="checkbox"/> |
| c) indoor sporting events (if ticking yes, fill in box C) | <input type="checkbox"/> |
| d) boxing or wrestling entertainment (if ticking yes, fill in box D) | <input type="checkbox"/> |
| e) live music (if ticking yes, fill in box E) | <input checked="" type="checkbox"/> |
| f) recorded music (if ticking yes, fill in box F) | <input checked="" type="checkbox"/> |
| g) performances of dance (if ticking yes, fill in box G) | <input type="checkbox"/> |
| h) anything of a similar description to that falling within (e), (f) or (g) (if ticking yes, fill in box H) | <input type="checkbox"/> |

Provision of entertainment facilities:

- | | |
|---|-------------------------------------|
| i) making music (if ticking yes, fill in box I) | <input checked="" type="checkbox"/> |
| j) dancing (if ticking yes, fill in box J) | <input checked="" type="checkbox"/> |
| k) entertainment of a similar description to that falling within (i) or (j) (if ticking yes, fill in box K) | <input type="checkbox"/> |

Provision of late night refreshment (if ticking yes, fill in box L)

Sale by retail of alcohol (if ticking yes, fill in box M)

In all cases complete boxes N, O and P

A

Plays Standard days and timings (please read guidance note 6)			<u>Will the performance of a play take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors <input type="checkbox"/>
				Outdoors <input type="checkbox"/>
Day	Start	Finish		Both <input type="checkbox"/>
Mon			<u>Please give further details here</u> (please read guidance note 3)	
Tue				
Wed			<u>State any seasonal variations for performing plays</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for the performance of plays at different times to those listed in the column on the left, please list</u> (please read guidance note 5)	
Sat				
Sun				

B

Films Standard days and timings (please read guidance note 6)			<u>Will the exhibition of films take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>			
				Outdoors	<input type="checkbox"/>			
				Both	<input type="checkbox"/>			
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3)					
Mon								
Tue								
Wed						<u>State any seasonal variations for the exhibition of films</u> (please read guidance note 4)		
Thur								
Fri						<u>Non standard timings. Where you intend to use the premises for the exhibition of films at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat								
Sun								

C

Indoor sporting events Standard days and timings (please read guidance note 6)			<u>Please give further details</u> (please read guidance note 3)
Day	Start	Finish	
Mon			
Tue			<u>State any seasonal variations for indoor sporting events</u> (please read guidance note 4)
Wed			<u>Non standard timings. Where you intend to use the premises for indoor sporting events at different times to those listed in the column on the left, please list</u> (please read guidance note 5)
Thur			
Fri			
Sat			
Sun			

D

Boxing or wrestling entertainments Standard days and timings (please read guidance note 6)			<u>Will the boxing or wrestling entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish			
Mon			<u>Please give further details here</u> (please read guidance note 3)		
Tue					
Wed			<u>State any seasonal variations for boxing or wrestling entertainment</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for boxing or wrestling entertainment at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sat					
Sun					

E

Live music Standard days and timings (please read guidance note 6)			<u>Will the performance of live music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per current licence permission.		
Mon	16:00	23:00			
Tue	16:00	23:00			
Wed	16:00	23:00	<u>State any seasonal variations for the performance of live music</u> (please read guidance note 4)		
Thur	16:00	23:00			
Fri	16:00	00:00	<u>Non standard timings. Where you intend to use the premises for the performance of live music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Until 01:00h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		
Sat	16:00	00:00			
Sun					

F

Recorded music Standard days and timings (please read guidance note 6)			<u>Will the playing of recorded music take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per current licence permission.		
Mon					
Tue					
Wed			<u>State any seasonal variations for the playing of recorded music</u> (please read guidance note 4)		
Thur					
Fri			<u>Non standard timings. Where you intend to use the premises for the playing of recorded music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Recorded music until 02:00h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		
Sat					
Sun	10:00	23:00			

G

Performances of dance Standard days and timings (please read guidance note 6)			Will the performance of dance take place indoors or outdoors or both – please tick (please read guidance note 2)	Indoors	<input type="checkbox"/>
Day	Start	Finish		Outdoors	<input type="checkbox"/>
Mon			Please give further details here (please read guidance note 3)	Both	<input type="checkbox"/>
Tue					
Wed			State any seasonal variations for the performance of dance (please read guidance note 4)		
Thur					
Fri			Non standard timings. Where you intend to use the premises for the performance of dance at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

H

<p>Anything of a similar description to that falling within (e), (f) or (g) Standard days and timings (please read guidance note 6)</p>			<p><u>Please give a description of the type of entertainment you will be providing</u></p>		
Day	Start	Finish	<p><u>Will this entertainment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)</p>	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<p><u>Please give further details here</u> (please read guidance note 3)</p>		
Wed					
Thur			<p><u>State any seasonal variations for entertainment of a similar description to that falling within (e), (f) or (g)</u> (please read guidance note 4)</p>		
Fri					
Sat			<p><u>Non standard timings. Where you intend to use the premises for the entertainment of a similar description to that falling within (e), (f) or (g) at different times to those listed in the column on the left, please list</u> (please read guidance note 5)</p>		
Sun					

I

Provision of facilities for making music Standard days and timings (please read guidance note 6)			<u>Please give a description of the facilities for making music you will be providing</u> As per current licence permission.	
			<u>Will the facilities for making music be indoors or outdoors or both – please tick</u> (please read guidance note 2)	
Day	Start	Finish	<u>Both</u> <input type="checkbox"/>	
Mon	10:00	23:00	<u>Please give further details here</u> (please read guidance note 3)	
Tue	10:00	23:00		
Wed	10:00	23:00	<u>State any seasonal variations for the provision of facilities for making music</u> (please read guidance note 4)	
Thur				
Fri			<u>Non standard timings. Where you intend to use the premises for provision of facilities for making music at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Until 01:00h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.	
Sat				
Sun	10:00	23:00		

J

Provision of facilities for dancing Standard days and timings (please read guidance note 6)			<u>Will the facilities for dancing be indoors or outdoors or both – please tick</u> (see guidance note 2)	Indoors <input checked="" type="checkbox"/>
				Outdoors <input type="checkbox"/>
				Both <input type="checkbox"/>
			<u>Please give a description of the facilities for dancing you will be providing</u> As per current licence permission.	
Day	Start	Finish		
Mon	10:00	23:00	<u>Please give further details here</u> (please read guidance note 3)	
Tue	10:00	23:00		
Wed	10:00	23:00	<u>State any seasonal variations for providing dancing facilities</u> (please read guidance note 4)	
Thur	10:00	23:00		
Fri			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for dancing at different times to those listed in the column on the left, please list</u> (please read guidance note 5) Until 02:00h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.	
Sat				
Sun	10:00	23:00		

K

Provision of facilities for entertainment of a similar description to that falling within i or j Standard days and timings (please read guidance note 6)			<u>Please give a description of the type of entertainment facility you will be providing</u>		
Day	Start	Finish	<u>Will the entertainment facility be indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
Mon				Outdoors	<input type="checkbox"/>
				Both	<input type="checkbox"/>
Tue			<u>Please give further details here</u> (please read guidance note 3)		
Wed					
Thur			<u>State any seasonal variations for the provision of facilities for entertainment of a similar description to that falling within i or j</u> (please read guidance note 4)		
Fri					
Sat			<u>Non standard timings. Where you intend to use the premises for the provision of facilities for entertainment of a similar description to that falling within i or j at different times to those listed in the column on the left, please list</u> (please read guidance note 5)		
Sun					

L

Late night refreshment Standard days and timings (please read guidance note 6)			<u>Will the provision of late night refreshment take place indoors or outdoors or both – please tick</u> (please read guidance note 2)	Indoors	<input type="checkbox"/>
				Outdoors	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	<u>Please give further details here</u> (please read guidance note 3) As per current licence permission.		
Mon					
Tue					
Wed					
			<u>State any seasonal variations for the provision of late night refreshment</u> (please read guidance note 4)		
Thur					
Fri	23:00				
Sat		00:30			
			<u>Non standard timings. Where you intend to use the premises for the provision of late night refreshment at different times, to those listed in the column on the left, please list</u> (please read guidance note 5) Until 02:30h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		
Sun		00:30			
	23:00				

M

Supply of alcohol Standard days and timings (please read guidance note 6)			Will the supply of alcohol be for consumption (Please tick box) (please read guidance note 7)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 4)		
Mon	09:00	23:00			
Tue	09:00	23:00			
Wed	09:00	23:00			
Thur	09:00	23:00			
Fri	09:00	00:00			
Sat	09:00	00:00			
Sun	09:00	23:00	Non-standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 5) Until 02:00h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.		

N

Please highlight any adult entertainment or services, activities, other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children (please read guidance note 8)
As per current licence.

O

Hours premises are open to the public Standard days and timings (please read guidance note 6)			State any seasonal variations (please read guidance note 4)
Day	Start	Finish	
Mon	09:00	23:30	
Tue	09:00	23:30	
Wed	09:00	23:30	
Thur	09:00	23:30	
Fri	09:00		
Sat		00:30	
	09:00		
Sun		00:30	
	09:00	23:30	

Non standard timings. Where you intend the premises to be open to the public at different times from those listed in the column on the left, please list (please read guidance note 5)
Until 02:30h on Friday, Saturday, Sunday and Monday for each May Bank Holiday, Spring/Whitsun Bank Holiday and every August Bank Holiday weekend; Thursday, Friday, Saturday, Sunday and Monday for the Easter Bank Holiday weekend; Christmas Eve and Boxing Day. From the start of permitted hours New Years Eve to the close of permitted hours New Years Day.

Please identify those conditions currently imposed on the licence which you believe could be removed as a consequence of the proposed variation you are seeking
Remove condition 8 "The above restrictions in relation to the supply of alcohol do not prohibit: a) during the first twenty minutes after the above hours, the taking of the alcohol from the premises unless the alcohol is supplied or taken in an open vessel; b) the sale or supply of alcohol for consumption on the premises or the taking of alcohol from the premises by any person residing there; c) the ordering of alcohol to be consumed off the premises or the despatch by the vendor of the alcohol so ordered; d) the sale of alcohol to a trader or club for the purposes of the trade or club; e) the sale or supply of alcohol to any canteen or mess, being a canteen in which the sale or supply of alcohol is carried out under the authority of the Secretary of State or an authorised mess of members of Her Majesty's naval, military or air forces; f) the taking of alcohol from the premises by a person residing there; g) the supply of alcohol for consumption on the premises to any private friends of a person residing there who are bona fide entertained by him at his own expense, or the consumption of alcohol by persons so supplied; h) the supply of alcohol for consumption on the premises to persons employed there for the purposes of the business carried on by the holder of the licence, or the consumption of liquor so supplied, if the liquor is supplied at the expense of their employer or the person carrying on or in charge of the business on the premises".

Remove condition 9 "Meals and beverages other than intoxicants must be available during the operational period of this certificate i.e: a) Sunday: 1200 hours - 2100 hours; b) Monday to Saturday: 1100 hours - 2100 hours".

Remove condition 10 "No Amusements with prizes machines shall be in the area covered by the Children's Certificate".

Please tick yes

- I have enclosed the premises licence
- I have enclosed the relevant part of the premises licence

If you have not ticked one of these boxes please fill in reasons for not including the licence, or part of it, below

Reasons why I have failed to enclose the premises licence or relevant part of premises licence

P Describe any additional steps you intend to take to promote the four licensing objectives as a result of the proposed variation:

a) General – all four licensing objectives (b,c,d,e) (please read guidance note 9)

As per granted conditions save for the conditions requested to be replaced and the below.

Any part of the variation application that changes the plan/layout at the premises to be of no effect until the work has been completed.

Locations of fire safety and other safety equipment subject to change in accordance with the requirements of the responsible authorities or following a risk assessment.

Any detail shown on the plan that is not required by the licensing plans regulations is indicative only and subject to change at any time

b) The prevention of crime and disorder

The premises will be an active member of the local Pubwatch scheme.

CCTV is installed at the premises.

An incident book and refusals register will be kept at the premises.

c) Public safety

Staff will be trained in legislation relevant to their job role.

A first aid kit will be kept on the premises.

d) The prevention of public nuisance

Signs will be displayed asking customers to leave the premises quietly and to respect the neighbours.

Doors and windows will be kept closed during regulated entertainment, except for access to and egress from the premises.

Staff will regularly check the outside of the premises to monitor the escape of noise.

No consumption of drinks or food will be permitted to take place outside after 23:00h. After this time only smoking will be permitted.

e) The protection of children from harm

Children will only be permitted when accompanied by an adult.

Challenge 21 policy will be employed whereby those individuals who appear to be under the age of 21 and are attempting to purchase alcohol will be asked to provide identification. The only type of identification that will be accepted is a passport, photo driving licence or any PASS accredited identification. Staff will be trained in this policy and records will be kept.

Please tick yes

- I have made or enclosed payment of the fee
- I have sent copies of this application and the plan to responsible authorities and others where applicable
- I understand that I must now advertise my application
- I have enclosed the premises licence or relevant part of it or explanation
- I understand that if I do not comply with the above requirements my application will be rejected

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

Part 5 – Signatures (please read guidance note 10)

Signature of applicant (the current premises licence holder) or applicant's solicitor or other duly authorised agent (please read guidance note 11). **If signing on behalf of the applicant please state in what capacity.**

Signature	K. Hachford, TLT
Date	16.05.11
Capacity	Solicitor to Applicant

Where the premises licence is jointly held signature of 2nd applicant (the current premises licence holder) or 2nd applicant's solicitor or other authorised agent (please read guidance note 12). **If signing on behalf of the applicant please state in what capacity.**

Signature	
Date	
Capacity	

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)

Barry Richards
TLT Solicitors
One Redcliff Street

Post town	Bristol	Post code	BS1 6TP
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Telephone number (if any)	0117 917 7612
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If you would prefer us to correspond with you by e-mail your e-mail address (optional) barry.richards@tltsolicitors.com

Notes for Guidance

This application cannot be used to vary the licence so as to extend the period for which the licence has effect or to vary substantially the premises to which it relates. If you wish to make that type of change to the premises licence you should make a new premises licence application under section 17 of the Licensing Act 2003.

1. Describe 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.
2. Where taking place in a building or other structure please tick as appropriate. Indoors may include a tent.
3. For example 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.
4. For example (but not exclusively), where the activity will occur on additional days during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.
6. Please 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.
7. If you wish people to be able to consume alcohol on the premises please tick on, if you wish people to be able to purchase alcohol to consume away from the premises please tick off. If you wish people to be able to do both please tick both.
8. Please 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, the presence of gaming machines.
9. Please list here steps you will take to promote all four licensing objectives together.
10. The application form must be signed.
11. An applicant's agent (for example solicitor) may sign the form on their behalf provided that they have actual authority to do so.
12. Where there is more than one applicant, both applicants or their respective agents must sign the application form.
13. This is the address which we shall use to correspond with you about this application.



C O N S T A B U L A R Y

Our Priority is You

The Licensing Dept
Borough Council of King's Lynn & West Norfolk
King's Court,
Chapel Street
King's Lynn.
PE30 1EX.

Date: 13th June 2011

Ref: MLB/Lic:

Norfolk Constabulary Licensing Team
4th Floor, Vantage House
Fishers Lane
Norwich
Norfolk
NR2 1ET
Tel: 01603 276020
Fax: 01603 276025
Email: bartramm@norfolk.pnn.police.uk
www.norfolk.police.uk
Non-Emergency Tel: 0845 456 4567

Dear Licensing Team,

Application under the Licensing Act 2003

Premises: Wildfowler, Gayton Road Kings Lynn PE30 4EL

Name of applicant: LT Management Services Limited

Type of application: Variation of Premises Licence

The Police wish to make a representation regarding this application on the grounds that the Crime Prevention and Disorder Objective.

We wish for the following conditions to be added to the licence:

- CCTV to be installed and operating at all times when the premises is open for business. Images should be recorded and stored for a minimum of 28 days and be available to supply on request to Police or Licensing Authority.
- A training record for staff in relation to the sale of alcohol will be kept and available on request to Police and Licensing Authority.

The applicant has already offered CCTV and staff training but the Police would like the opportunity to reword these conditions.

In accordance with the current Section 182 Guidance to the Licensing Act 2003 there is the opportunity for a hearing to be dispensed with if the applicant, the Police and the Licensing Authority agree to the proposed amendments highlighted by the Police in the above text and for them to be included as conditions in the licence if it is granted.

If you (the applicant) feel you are able to sign an agreement to the amendment(s) please complete the form attached to this representation and send it to the Licensing Authority. If a hearing is still to go ahead the Police will attend to put their case to the Licensing Committee for consideration.

Yours faithfully,

Michelle Bartram.
Licensing Officer.

We will answer letters within 10 working days, where information is available.
Where this is not possible, an explanation will be given for any delay.



Copy to:

Name of Premises:

Wildfowler
Gayton Road
Kings Lynn
PE30 4EL

To the Applicant(s):

Please sign the form below and return one copy to the Police Licensing Officer and the Licensing Authority at the addresses shown on the front of the accompanying letter.

I(we) acknowledge receipt of the Police representations, dated 10/01/11 Ref: **MLB/Lic**

In connection with the application for the premises shown above I(we) agree to the condition(s) given the letter of representation from the Police.

I(we) understand that if the licence is issued, I(we) will not engage in any Licensable Activity on the premises until I(we) have fully complied with all those conditions that require further work to be completed (e.g. Crime Prevention measures) and confirmed compliance with the Police Licensing Officer. I(we) understand that to do otherwise may put the licence at risk.

Signed.....

Name.....

Date.....

Our ref: JAG/BJP
Please ask for: Joanne Garrod
Direct dial: (01553) 616352
Direct fax: (01553) 773026
E-mail: jo.garrod@west-norfolk.gov.uk

Head of Environmental Health and Housing
Andy Piper

Environmental Health and Housing

LT Management Services Limited
31 Haverscroft Industrial Estate
New Road
Attleborough
NR17 1YE

16th June 2011

Dear Sir or Madam

Premises Licence Application: The Wildfowler
Address of Premises: The Wildfowler, Gayton Road, King's Lynn,
PE30 4EL.

I am writing to you with regards to the above mentioned premises in connection with your application under the Licensing Act 2003.

It is the role of the CSNN team as a statutory consultee, to ensure that the licensed activities permitted at your establishment do not cause dis-amenity or annoyance to neighbouring residents in accordance with the licensing objective for the prevention of public nuisance.

In the past this department has received complaints regarding the use of the premises in relation to noise from people and from music. These date back as far as 2008 and as a result advice was given. Despite this further complaints were received in 2010 and 2011.

Whilst it is clear that the licensing objective has been considered and the proposals do not differ significantly from current operating times I have concerns due the history of poor management of the site in relation to noise.

Therefore, I wish to make the following representations:

The prevention of public nuisance

Due to the close proximity of residential properties located near The Wildfowler, there is the potential for noise disturbance from the use of the outdoor area for drinking and smoking and from regulated entertainment indoors and outdoors.

Most significantly in this case, there is potential to create noise disturbance in the form of people talking and shouting within and immediately outside the premises from patrons entering and leaving the premises.

Noise from people can be difficult to control and noise late in the evening causes more disturbance than noise during the day as it can affect people's sleeping patterns. The proposed opening times would mean that there would be potential for people to be using the outdoor area until 00.30 on Friday and Saturday nights and whilst it is suggested that this will only be smokers from 23.30 onwards they may still cause un-reasonable disturbance to neighbouring residents.

The proposed license also states that recorded music would be permitted outside but does not specify the times. Due to the close proximity of neighbouring residents any regulated entertainment outdoors may be likely to create un-reasonable disturbance and annoyance. I do not believe that any regulated entertainment should be permitted outdoors as there are garden areas backing onto the site at all aspects and residents would be likely to be disturbed. The poor management of the site in the past does not show confidence in running events and controlling noise that would be associated with outdoor entertainment.

However, the current licence allows for the use of recorded music outdoors until midnight and so I cannot recommend that this be further restricted for this proposal.

In light of the above concerns in order to prevent any public nuisance from noise disturbance to local residents, I will be recommending that the following conditions should be attached to your license:

- ❖ A noise management plan must be submitted to the CSNN team and must be made available on request at any time, and reviewed as necessary.
- ❖ Windows and doors must remain closed at all times during regulated entertainment events apart from ingress and egress to the building.
- ❖ Self closers must be fitted to all entrance and exit doors used by the public.

General Guidance

Our role in Community Safety and Neighbourhood Nuisance is to prevent dis-amenity and nuisance. With good management there is no reason that the activities you are permitted to provide under the terms of the license, (if permitted) should cause dis-amenity or nuisance. However, noise from people and the playing of amplified music can be difficult to control and we would ask you to read and consider the following suggestions. These are not to be attached to your license but are simply to provide you with information on how to manage the premises effectively without causing dis-amenity. You could consider the points listed below as part of your management plan.

- ❖ Recorded music outdoors should normally be played as background music only.



- ❖ If an irregular event such as entertainment with amplified music is to take place, residents will be advised of the details and given contact details for the relevant person in charge of that event, eg Parish Council website and leaflet drop to all residents backing onto the boundary.
- ❖ Signs may be displayed on any entrance and exit to the premises requiring that customers respect the neighbours and do not cause unreasonable disturbance to residents.
- ❖ Regular checks of any outdoor area to ensure that excessive noise or anti social behaviour are not occurring.
- ❖ Liaising with the Police or other relevant authority if anti social behaviour or noisy activity is occurring that requires their assistance.
- ❖ Ensuring that any litter on any outdoor area is cleared on a regular basis to prevent accumulations of rubbish.
- ❖ Smoking shall only take place in a designated area that is a suitable distance from neighbouring residents and will be marked on an attached plan.

By ensuring the above practices are adhered to there is no reason that dis-amenity will be experienced by any neighbouring property.

However, it must be made clear that the Local Authority do have legislation under the Environmental Protection Act 1990 to prevent any person from causing a nuisance. The Local Authority has powers to serve legal notices, which if breached may result in prosecution and a fine. We also have the power to seize any noise making equipment. I would hope that none of this action would ever be necessary.

If you feel that you are unable to agree with the amendment, please consider this as an objection to the application. If you feel that you can agree to the amendment please sign the attached form and return it at your earliest convenience.

As this application has been scheduled for a hearing due to the objectors I would be grateful if you could contact me to discuss the matter so that I can confirm whether it will be necessary to attend the hearing. If you agree to the suggested conditions and submit a noise management plan there will be no need for our attendance. If you disagree then we will need to attend to voice our concerns.

Yours sincerely

A handwritten signature in cursive script, appearing to read 'J Garrod'.

Mrs Joanne Garrod
Community Safety & Neighbourhood Nuisance Officer

**THIS LETTER CAN BE MADE AVAILABLE IN LARGE PRINT
AND OTHER LANGUAGES UPON REQUEST.**



Our ref: JAG/BJP
Please ask for: Joanne Garrod
Direct dial: (01553) 616352
Direct fax: (01553) 773026
E-mail: jo.garrod@west-norfolk.gov.uk

Head of Environmental Health and Housing
Andy Piper

Environmental Health and Housing

LT Management Services Limited
31 Haverscroft Industrial Estate
New Road
Attleborough
NR17 1YE

Premises Licence Application: The Wildfowler
Address of Premises: The Wildfowler, Gayton Road, King's Lynn,
PE30 4EL.

To applicant/s: please sign below as confirmation that you agree or disagree with the proposed changes to the Premises Licence Application.

I acknowledge receipt of the Environmental Health representations dated 16th June 2011, in connection with the application for the premises shown above. I **agree with the amendments suggested in the accompanying letter.**

Signed.....

Name.....

Date.....

The Wildfowler – Interested Parties

Exempt

6th June 2011

To whom it may concern

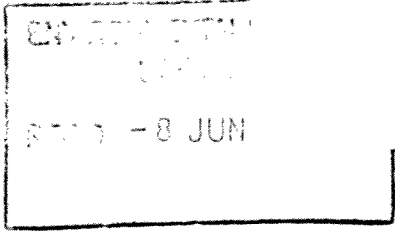
Ref: The Wildfowler Public House, Gayton Road, King's Lynn

We understand that there has been a request for an extension to a current music license at the Wildfowler. Following a phone call discussion with the council today it has been determined that the current arrangement is a music license till 11.00 Friday and Saturday nights. The occupiers have requested a license for this to be extended to every night and till 02.00 on bank holidays.

This is unacceptable in a residential area. We have experienced the lack of management from the pub over the years and have frequently had to make calls to the police in the early hours of the morning to stop the playing of very loud music. The approval of an extension would only compound what is already a difficult problem. Alongside the noise is of course the gathering of people in a residential area long after the pub has closed and the associated problems this can bring. The residents in the area pay a high banding to the council and expect that the environment they reside in should be maintained in all its aspects. We have young children as do others closely situated to the pub.

Please would you tell me if I am required to do anything else to ensure you have acknowledged our strong objection to this request?

Yours sincerely



7TH June 2011

To Whom It May Concern

Ref: Wildfowler Public House, Music Licence, Gayton Road

With regard to the proposed late night licence I would strongly like to oppose it.

I live ~~at~~ the Wildfowler public house and have frequently been subjected to loud late night music along with loud music often being played on Sunday afternoons, with speakers in the front garden.

In addition late night drinkers are often outside the pub long after closing time bringing with it additional problems and disturbances in a residential area.

We pay a high council tax banding to live on Gayton Road and hope you will recognise how distressing and unsuitable this is.

Yours sincerely

~~Mr. Barnes~~
Information Advisor
Public House Licensing Dept
Borough Council of King's Lynn and
West Norfolk

King's Court
Chapel Street
King's Lynn
Norfolk

13 JUN 2011

10th June 2011

REF: Wildfowler Public House, Gayton Road, King's Lynn Recent application for Music Licence/Extension

Dear Ms Barnes

We live ~~at~~ the Wildfowler Public House, Gayton Road, King's Lynn and strongly object to the recent application for a music licence and extension due to the following.

1. We are unable to sleep and have windows open due to loud music during music sessions.
2. We have young grandchildren who are kept awake when they should be sleeping and preparing for their day at school.
3. During Bank Holidays and Weekends we are unable to sit in our own back gardens and enjoy our own amenities due to loud noise from music and rowdy customers in the beer garden.
4. The Police are often called to fights breaking out due to customers long unbroken drinking sessions.
5. We now feel unsettled, unable to sleep, unable to have grandchildren stay and unsafe in our own home.

We therefore ask for the extension to be rejected to enable to area to become a normal place to reside in.

Yours Faithfully

re: 2.1. Management Services Ltd application in respect of the Wildflower Public House variation of Premises Licence

D

RECEIVED
-6 JUL 2011

Dear Sir/Madam,

We wish to register our objection to the recent application for change of licence to the Wildflower Public House, Gayton Road, King's Lynn, PE30 4EL.

Objections / Concerns.

- * This is a residential area, a number of families with small children and adults who leave for work early in the morning live in close proximity to the venue
- * The proposal to increase opening hours until the early hours of the morning could have an impact on these residents.
- * The amount of noise the extended hours may cause: open doors, windows, clients using the outside areas and leaving the premises in the early hours.
- * The level of sound-proofing in the venue.
- * On leaving the premises customers will be travelling through residential areas in the early hours.
- * Is there a need for a venue with regular extended hours out of the town centre and the related pressure this could cause for the Police.

* Will the relevant agencies have the resources to provide prompt attendance should it be required.

* Will the level of any noise pollution relating to the extended hours be closely monitored by the relevant Environmental Agencies.

* How will any disruption to the lives of the residents in the area be resolved.

Currently the premises offer live music on occasion which we, as close neighbours, have endured but feel that extending this is not appropriate for the area in which the Wildfowles Public House is situated.

Yours faithfully,

The Wildfowler, Gayton Road, King's Lynn



The Wildfowler

Scale:

—————
Approx 50 metres

