

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



LICENSING COMMITTEE - SUB-COMMITTEE HEARING

Ingoldisthorpe Hall,
Ingoldisthorpe

Agenda

Thursday 24th May 2012
10.30am

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**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.
Telephone: 01553 616275
Fax: 01553 691663

My Ref: RAE/LC
Please ask for: Rachael Edwards
Direct Dial: (01553) 616275
Email: rachael.edwards@west-norfolk.gov.uk

15th May 2012

Dear Member

Licensing Sub-Committee Hearing –Thursday 24th May 2012

You are invited to attend a meeting of a Licensing Sub-Committee to commence at **10.30am on Thursday 24th May 2012** 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 premises application in respect of Ingoldisthorpe Hall, Ingoldisthorpe.

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 – 14)
- (c) Appendix One – Copy of application form (pages 15 – 30)
- (d) Appendix Two – Community Safety & Neighbourhood Nuisance's letter dated 2nd May 2012 (pages 31 – 34)
- (e) Appendix Three – Letter of objection from Norfolk Constabulary dated 8th May 2012 (pages 35 – 36)

- (f) Appendix Four – Copies of letters from Interested Parties (pages 37 – 128)
- (g) Appendix Five - Copy of petition dated 2nd May 2012 (pages 129 – 166)
- (h) Appendix Six – Copy of Letter from Ingoldisthorpe Parish Council dated 3rd May 2012 (pages 167 – 168)
- (i) Appendix Seven – Location Plan (page 169)
- (j) Appendix Eight – Premises Plan (pages 170 – 175)

To: Councillors Roy Groom, G Sandell and Mrs Stephanie Smeaton

Appropriate Officers – Rachael Edwards and John Gilbraith

Legal Advisor

All relevant parties

Procedure for Determining Licensing Appeals/Applications/Transfers/Variations

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 an application for a Premises Licence under the Licensing Act 2003

2. The **Chairman** should introduce himself and the Members of the Committee.
3. The **Chairman** should introduce the Democratic Services Officer and explain her role.
4. The **Chairman** should introduce the Licensing Manager and explain his role.
5. The **Chairman** should introduce the Legal Advisor to the Committee and explain their impartial 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 but normally 15 mins).

The Application for a Premises License

7. The **Licensing Manager** explains the procedure that will be followed at the meeting.
8. The **Licensing Manager** 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** will invite questions in relation to the report from all parties.

The Applicant's Case

10. The **Licensing Manager** 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 **Licensing Manager** invites questions to the Applicant or his Representative from the (1) responsible authorities or their representatives (2) other interested persons (or their representatives) (3) Members of the Sub-Committee. Questions should be relevant to the application and repetition will be discouraged.
12. The **Licensing Manager** will invite questions to the Witnesses from (1) responsible authorities or their representatives (2) other interested persons (or their representatives) (3) 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 **Licensing Manager**, which should allow the responsible authorities before any interested parties. They too must be willing to be questioned by other parties in the same order. Interested Parties may not however question each other. Questions should be relevant to the application and repetition will be discouraged.

Summing Up

14. The **Licensing Manager** 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 **Licensing Manager** 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.

Reaching a Decision

16. The **Chairman** will ask the Legal Advisor to address the Committee on any outstanding matters.
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 for advice at any point to seek clarification on a particular issue but no one else should be invited until a 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.
22. 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.
23. **The Chairman** will read out the Committee's preliminary decision and the reasons for the decision and invite the Licensing Manager (or any other specialist Officer of the Council) to make further comment.
24. The Sub-Committee may retire again in private to further consider their decision/reasons and seek further advice from the Legal Advisor.
25. 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.
26. 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.

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 Grant of a New Premises Licence

- Ingoldisthorpe Hall, Ingoldisthorpe, King's Lynn, PE31 6PF
- Date of Hearing: 24th May 2012

Introduction

1. A premises licence is required under the Licensing Act 2003 for the sale of alcohol, regulated entertainment or for the provision of late night refreshment (i.e. 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. Mr Benedict Marten has made an application for the licensable activities of 'regulated entertainment', 'sale of alcohol' and the 'provision of late night refreshment'. A copy of the application is attached at Appendix 1 and, if granted, would allow the premises to operate as follows:

<u>Licensable Activity</u>	<u>Days</u>	<u>Times</u>
Regulated Entertainment: Plays / Films / Indoor Sporting Events* / Live Music / Recorded Music / Performance of Dance / Entertainment similar to Live Music, Recorded Music or Performance of Dance / Facilities for Making Music / Facilities for Dancing / Facilities for entertainment of a similar description to making music or dancing. (Both Indoors & Outdoors except*)	Monday to Sunday: [Amplified music outdoors]	9am – 2am 9am – 12 midnight
Late Night Refreshment (Both indoors & Outdoors)	Monday to Sunday:	11pm – 2am
Sale of Alcohol: (For consumption both 'on' and 'off' the premises)	Monday to Sunday: Residents:	9am - 2am 24 hours

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.

- (h) Under Section 20 of the Licensing Act 2003, the admission of children to film exhibitions is to be restricted in accordance with film classification recommendations.

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

- (a) The West Norfolk Public Event Safety Advisory Group (PESAG) will be consulted as part of the planning process at least 28 days before an event when more than 500 persons (public and staff) are expected to attend.

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) 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 of objection dated the 2nd May 2012 is attached to this report at Appendix 2.
- b) The Norfolk Constabulary are objecting to the application under the 'Prevention of Crime & Disorder' licensing objective. A copy of their letter of objection dated the 8th May 2012 is attached to this report at Appendix 3.
- 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)	Not objecting
Health & Safety (BCKLWN)	None

Representations from Interested Parties

Section 13(2) of the Licensing Act 2003 described 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 is a petition containing 248 signatures and 61 letters of objection from 'interested parties' to consider. There is also a letter from Ingoldisthorpe Parish Council who are objecting as a 'body' who represent persons who live in the vicinity. Copies of the 61 letters are attached to this report at Appendix 4; the petition is attached at Appendix 5 and the Parish Council letter dated the 3rd May 2012 is attached at Appendix 6.

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 13th April 2012 and should have been displayed on the premises until the 3rd May 2012.

Plans

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

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 representations on an application.

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.

3.4 Licensing is about regulating licensable activities on licensed premises and any conditions that are attached to premises licences or club premises certificates will be focused on matters which are within the

control of the individual licensee or club, i.e. the premises and its vicinity.

5.0 Licensing Hours

5.1 With regard to licensing hours, due consideration will be given to the individual merits of an application. The Borough Council recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which lead to disorder and disturbance.

5.2 The Borough Council wants to ensure that licensing hours do not inhibit the development of thriving and safe night-time local economies. This is important for investment, local employment and attractive to domestic and international tourists. Providing consumers with greater choice and flexibility is an important consideration, but should always be balanced carefully against the duty to promote the four licensing objectives and the rights of local residents to peace and quiet.

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 Guidance which is relevant to this application 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 sub-committee:

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. 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 Safety

2.19 Licensing authorities and responsible authorities should note that the public safety objective is concerned with the physical safety of the people using the relevant premises and not with public health, which is dealt with in other legislation.

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. 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.

9.24 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 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 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 as 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. Having regard to the representation received, the Licensing Sub-Committee are requested to consider the application, this report and take such steps as it considers necessary for the promotion of the licensing objectives. These steps are:

- a) To grant the licence under the terms and conditions applied;
- b) To grant the licence with additional conditions that the Sub-Committee considers necessary for the promotion of the licensing objectives;
- c) To reject all or part of the application.

13. The Sub-Committee are reminded that reasons for its decision must be given as both the applicant and objector have a right of appeal against that decision to the Magistrates' Court.

John Gilbraith

Licensing Manager

Environmental Health & Housing

14th May 2012

Appendix:

1. Copy of Application.
2. Community Safety & Neighbourhood Nuisance Letter dated 2nd May 2012.
3. Letter of Objection from Norfolk Constabulary dated 8th May 2012.
4. Copies of Letters from Interested Parties.
5. Copy of Petition dated 2nd May 2012.
6. Copy of Letter from Ingoldisthorpe Parish Council dated 3rd May 2012.
7. Location Plan.
8. 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
Environmental Health & Housing
Borough Council of King's Lynn & West Norfolk
King's Court
Chapel Street
King's Lynn, PE30 1EX
Tel: 01553 616600
Email: ehlicensing@west-norfolk.gov.uk
www.west-norfolk.gov.uk

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



**Licensing Act 2003
Application for 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.

Once completed, send your applications to the following:-

- The Licensing Team, Environmental Health & Housing , Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.
- Police licensing Officer, King's Lynn Police Station, St James Street, King's Lynn, PE30 5DE
- Fire Safety Office, Norfolk Fire Service Western Area, Kilhams Way, King's Lynn, PE30 2HY
- Norfolk Children's Safeguarding Board, The Pineapple, 63 Bracondale, Norwich, NR1 2EE
- Norfolk Trading Standards, St Margaret's House, King's Lynn, Norfolk, PE30 5DW
- Development Services, Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
- Health & Safety, Environmental Health & Housing , Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
- Community Safety & Neighbourhood Nuisance, Environmental Health & Housing , Borough Council of King's Lynn and West Norfolk, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX

I / We BENEDICT. MARTEN.
(insert name(s) of applicant(s))

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

Part 1 – Premises Details

Name, postal address of premises or, if none, ordnance survey map reference, or description
INGOLDISTHORPE HALL.
INGOLDISTHORPE.

Post town: KING'S LYNN, Postcode: PE31 6PF.

Telephone number at premises (if any): 01485 541207.

Non-domestic rateable value of premises: £

Part 2 – Applicant Details

Please state whether you are applying for a premises licence as:

- Please tick ✓ yes
- a) an individual or individuals* please complete section (A)
- b) a person other than an individual*
1. as a limited company please complete section (B)
2. as a partnership please complete section (B)
3. as an unincorporated association or please complete section (B)
4. other (for example a statutory corporation) please complete section (B)
- c) a recognised club please complete section (B)
- d) a charity please complete section (B)
- e) the proprietor of an educational establishment please complete section (B)
- f) a health service body please complete section (B)
- g) a person who is registered Under Part 2 of the Care Standards Act 2000(c14) in respect of an independent hospital please complete section (B)
- h) the chief officer of a police force in England and Wales please complete section (B)

*If you are applying as a person described in (a) or (b) please confirm:

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

(A) Individual Applicants (fill in as applicable)

Mr Mrs Miss Ms Other title
(e.g. Rev)

Surname

MARTEN

First names

BENEDICT

I am 18 years old or over

please tick yes

Current postal address if different from premises address	INGOLDISTHORPE HALL. INGOLDISTHORE.
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Post Town:	KING'S LYNN	Post Code:	PE31 6PF
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Daytime telephone number:	01485 541 207
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Email address (optional):	
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Second Individual Applicant (if applicable)

Mr Mrs Miss Ms Other title
(e.g. Rev)

Surname

First names

I am 18 years old or over

please tick yes

Current postal address if different from premises address	
---	--

Post Town:		Post Code:	
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Daytime telephone number:	
---------------------------	--

Email address (optional):	
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(B) Other Applicants

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

Name
Address
Registered number (where applicable)
Description of applicant (for example, partnership, company, unincorporated association etc)
Telephone number (if any)
E-mail address (optional)

Part 3 – Operating Schedule

When do you want the premises licence to start?

04 / 05 / 2012

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

..... / /

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

Please give a general description of the premises (please read guidance note 1)

COUNTRY HOUSE WITH HOLIDAY LETTINGS
ADDITIONAL USAGE TO INCLUDE CORPORATE
EVENTS, WEDDINGS AND CULTURAL
SHOWS. BOTH IN THE HALL AND SURROUNDING
GARDENS/GROUNDS.
LETTING COTTAGES WILL INCLUDE 'MINI BAR' FRIDGES.
FOR GUESTS

What licensable activities do you intend to carry on from the premises?

Provision of regulated entertainment

please tick ✓ yes

- a) plays (if ticking yes, fill in box A)
- b) films (if ticking yes, fill in box B)
- c) indoor sporting events (if ticking yes, fill in box C)
- d) boxing or wrestling entertainment
(if ticking yes, fill in box D)
- e) live music (if ticking yes, fill in box E)
- f) recorded music (if ticking yes, fill in box F)
- g) performance of dance (if ticking yes, fill in box G)
- h) anything of a similar description to that falling
within (e), (f) or (g) (if ticking yes, fill in box H)

Provision of entertainment facilities for:

- i) making music (if ticking yes, fill in box I)
- j) dancing (if ticking yes, fill in box J)
- k) entertainment of a similar description to that falling
within (i) or (j) (if ticking yes, fill in box k)

Provision of late night refreshments

(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)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)	Both	✓
Tue	09 ⁰⁰	02 ⁰⁰			
Wed	09 ⁰⁰	02 ⁰⁰	State any seasonal variations for performing plays (please read guidance note 4)		
Thur	09 ⁰⁰	02 ⁰⁰			
Fri	09 ⁰⁰	02 ⁰⁰	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 (please read guidance note 5)		
Sat	09 ⁰⁰	02 ⁰⁰			
Sun	09 ⁰⁰	02 ⁰⁰			

B

Films Standard days and timings (please read guidance note 6)			Will the performance of a play take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)	Both	✓
Tue	09 ⁰⁰	02 ⁰⁰			
Wed	09 ⁰⁰	02 ⁰⁰	State any seasonal variations for the exhibition of films (please read guidance note 4)		
Thur	09 ⁰⁰	02 ⁰⁰			
Fri	09 ⁰⁰	02 ⁰⁰	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 (please read guidance note 5)		
Sat	09 ⁰⁰	02 ⁰⁰			
Sun	09 ⁰⁰	02 ⁰⁰			

C

Indoor sporting events Standard timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
Day	Start	Finish	
Mon	09 ⁰⁰	02 ⁰⁰	State any seasonal variation (please read guidance note 4)
Tue	09 ⁰⁰	02 ⁰⁰	
Wed	09 ⁰⁰	02 ⁰⁰	
Thur	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)
Fri	09 ⁰⁰	02 ⁰⁰	
Sat	09 ⁰⁰	02 ⁰⁰	
Sun	09 ⁰⁰	02 ⁰⁰	

D

A boxing or wrestling entertainment Standard timings (please read guidance note 6)			Will the entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon			Please give further details here (please read guidance note 3)		
Tue					
Wed				State any seasonal variation (please read guidance note 4)	
Thur					
Fri			Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat					
Sun					

E

Performance of live music Standard timings (please read guidance note 6)			Will the performance of live music take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors
Day	Start	Finish		Outdoors
Mon	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3) * <i>OUTDOOR AMPLIFIED SOUND WILL END AT MIDNIGHT.</i>	<input checked="" type="checkbox"/>
Tue	09 ⁰⁰	02 ⁰⁰		
Wed	09 ⁰⁰	02 ⁰⁰		
Thur	09 ⁰⁰	02 ⁰⁰		
Fri	09 ⁰⁰	02 ⁰⁰		
Sat	09 ⁰⁰	02 ⁰⁰		
Sun	09 ⁰⁰	02 ⁰⁰		
			State any seasonal variation (please read guidance note 4)	
			Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (p read guidance note 5)	

F

Playing of recorded music Standard timings (please read guidance note 6)			Will the playing of recorded music take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors
Day	Start	Finish		Outdoors
Mon	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3) <i>OUTDOOR AMPLIFIED SOUND WILL END AT MIDNIGHT.</i>	<input checked="" type="checkbox"/>
Tue	09 ⁰⁰	02 ⁰⁰		
Wed	09 ⁰⁰	02 ⁰⁰	State any seasonal variation (please read guidance note 4)	
Thur	09 ⁰⁰	02 ⁰⁰		
Fri	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (p read guidance note 5)	
Sat	09 ⁰⁰	02 ⁰⁰		
Sun	09 ⁰⁰	02 ⁰⁰		

G

Performance of dance Standard timings (please read guidance note 6)			Will the performance of dance take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
Mon	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3) <i>OUTDOOR AMPLIFIED SOUND TO END AT MIDNIGHT.</i>	Both	<input checked="" type="checkbox"/>
Tue	09 ⁰⁰	02 ⁰⁰			
Wed	09 ⁰⁰	02 ⁰⁰	State any seasonal variation (please read guidance note 4)		
Thur	09 ⁰⁰	02 ⁰⁰			
Fri	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (p read guidance note 5)		
Sat	09 ⁰⁰	02 ⁰⁰			
Sun	09 ⁰⁰	02 ⁰⁰			

H

Entertainment of a similar description to that falling within (e), (f) or (g) Standard timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
Day	Start	Finish	Will the entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoor	
Mon	09 ⁰⁰	02 ⁰⁰		Please give further details here (please read guidance note 3) <i>OUTDOOR AMPLIFIED SOUND TO END AT MIDNIGHT.</i>	Outdoor
Tue	09 ⁰⁰	02 ⁰⁰	Both		<input checked="" type="checkbox"/>
Wed	09 ⁰⁰	02 ⁰⁰	State any seasonal variation (please read guidance note 4)		
Thur	09 ⁰⁰	02 ⁰⁰			
Fri	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sat	09 ⁰⁰	02 ⁰⁰			
Sun	09 ⁰⁰	02 ⁰⁰			

Provision of facilities for making music Standard timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing			
Day	Start	Finish	Will the entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoor		
Mon	09 ⁰⁰	02 ⁰⁰			Outdoor	
					Both	✓
Tue	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)			
Wed	09 ⁰⁰	02 ⁰⁰	OUTDOOR AMPLIFIED SOUND TO END AT MIDNIGHT.			
Thur	09 ⁰⁰	02 ⁰⁰				State any seasonal variation (please read guidance note 4)
Fri	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	09 ⁰⁰	02 ⁰⁰				
Sun	09 ⁰⁰	02 ⁰⁰				

J

Provision of facilities for dancing Standard timings (please read guidance note 6)			Will the facilities for dancing be indoors, outdoors or both – please tick ✓ (please read guidance note 2)			
Day	Start	Finish	Please give a description of the facilities for dancing you will be providing	Indoors		
Mon	09 ⁰⁰	02 ⁰⁰			Outdoors	
					Both	✓
Tue	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)			
Wed	09 ⁰⁰	02 ⁰⁰	OUTDOOR AMPLIFIED SOUND TO END AT MIDNIGHT.			
Thur	09 ⁰⁰	02 ⁰⁰				State any seasonal variation (please read guidance note 4)
Fri	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)			
Sat	09 ⁰⁰	02 ⁰⁰				
Sun	09 ⁰⁰	02 ⁰⁰				

K

Provision of facilities for entertainment of a similar description to that falling within (j) or (k) Standard timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing:		
Day	Start	Finish	Will the entertainment facility be indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoor	
Mon	09 ⁰⁰	02 ⁰⁰		Outdoor	
				Both	✓
Tue	09 ⁰⁰	02 ⁰⁰	Please give further details here (please read guidance note 3)		
Wed	09 ⁰⁰	02 ⁰⁰	AMPLIFIED SOUND OUTDOOR TO END AT MIDNIGHT		
Thur	09 ⁰⁰	02 ⁰⁰	State any seasonal variation (please read guidance note 4)		
Fri	09 ⁰⁰	02 ⁰⁰			
Sat	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	09 ⁰⁰	02 ⁰⁰			

L

Late night refreshment Standard timings (please read guidance note 6)			Will the provision of late night refreshment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
				Outdoors	
				Both	✓
Day	Start	Finish	Please give further details here (please read guidance note 3)		
Mon	23 ⁰⁰	02 ⁰⁰			
Tue	23 ⁰⁰	02 ⁰⁰			
Wed	23 ⁰⁰	02 ⁰⁰	State any seasonal variation (please read guidance note 4)		
Thur	23 ⁰⁰	02 ⁰⁰			
Fri	23 ⁰⁰	02 ⁰⁰			
Sat	23 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)		
Sun	23 ⁰⁰	02 ⁰⁰			

M

Supply of alcohol Standard timings (please read guidance note 6)			Will the sale of alcohol be for consumption – please tick ✓ (please read guidance note 6)	On the premises	
				Off the premises	
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variation (please read guidance note 4)		
Mon	09 ⁰⁰	02 ⁰⁰			
Tue	09 ⁰⁰	02 ⁰⁰			
Wed	09 ⁰⁰	02 ⁰⁰			
Thur	09 ⁰⁰	02 ⁰⁰	Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)		
Fri	09 ⁰⁰	02 ⁰⁰	RESIDENTS 24 hrs		
Sat	09 ⁰⁰	02 ⁰⁰			
Sun	09 ⁰⁰	02 ⁰⁰			

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

Name: MR BENEDICT MARTEN

Address: INGOLDSTHORPE HALL
INGOLDSTHORPE KING'S LYNN

Postcode: PE31 6PF

Personal Licence number (if known): WNP0010022

Issuing licensing authority (if known): BCKLNN

N

Please highlight any services, activities, 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)

NONE

O

Hours premises are open to the public Standard timings (please read guidance note 6)			State any seasonal variation (please read guidance note 4)
Day	Start	Finish	
Mon	09 ⁰⁰	02 ³⁰	
Tue	09 ⁰⁰	02 ³⁰	
Wed	09 ⁰⁰	02 ³⁰	
Thur	09 ⁰⁰	02 ³⁵	
Fri	09 ⁰⁰	02 ³⁰	
Sat	09 ⁰⁰	02 ³⁰	
Sun	09 ⁰⁰	02 ³⁰	

Non standard timings. Where you intend to use the premises at different times to those listed in the column on the left, please list (please read guidance note 5)

P

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

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

ALCOHOL WILL BE SUPPLIED RESPONSIBLY, ENSURING THE LOCAL COMMUNITY IS NOT AFFECTED BY NUISANCE AND DISORDER. WE WILL WORK CLOSELY WITH ALL RELEVANT AUTHORITIES AND ADHERE TO ADVICE GIVEN. ANY EXTERNAL EVENTS WILL BE CLOSELY MONITORED FOR NOISE NUISANCE. DURING THE EVENTS ANY EXTERNAL EVENTS THAT MAY CAUSE A SIGNIFICANT RISK OF NUISANCE OR DISTURBANCE WILL BE COMMUNICATED TO IMMEDIATE NEIGHBOURS PRIOR TO THE EVENT. WE WILL SEEK ADVICE AND COMMUNICATE WITH P.E.S.A.S WHEN PLANNING LARGE EVENTS

b) The prevention of crime and disorder

CCTV WILL BE IN OPERATION ~~IN~~ THE MAIN BUILDING AND IMMEDIATE SURROUNDING AREA. INTRUDER ALARM HAS BEEN INSTALLED. ANY ALCOHOL STOCK WHICH IS NOT IN 'USE' WILL BE STORED SECURELY IN THE MAIN BUILDING.

c) Public safety

THE MAIN BUILDING WILL CONFORM TO ALL STATUTORY HEALTH AND SAFETY REQUIREMENTS. BUILDING ALSO IS FITTED WITH FIRE DETECTION EQUIPMENT. WE WILL CO-OPERATE WITH PESAG, WHEN RAINING EVENTS.

d) The prevention of public nuisance

ANY EXTERNAL EVENTS - (IN THE GROUNDS) WILL BE CLOSELY MONITORED FOR EXCESSIVE NOISE. A NOISE LIMITER DEVICE WILL BE IN OPERATION. EVENTS WILL FOLLOW 'PESAG' RECOMMENDATIONS - OUTSIDE AMPLIFIED SOUND WILL END AT MIDNIGHT.

e) The protection of children from harm

AGE VERIFICATION SCHEME WILL BE IN OPERATION 'CHALLENGE 25'. ALL STAFF WILL BE TRAINED/AWARE OF THEIR RESPONSIBILITIES REGARDING AGE VERIFICATION.

Part 4 – Signatures (please read guidance note 10)

Checklist

Please tick ✓ yes

- I have made or enclosed payment of the fee
- I have enclosed the original application and two sets of plans of the premises
- I have sent copies of this application and the plan to the 'responsible authorities' (details on front page)
- I have enclosed the consent form completed by the individual I wish to be premises supervisor, if applicable
- I will send/I enclose the Certificate of Service
- I understand that I must now advertise my application on the premises and in a local newspaper
- I will send/I enclose the Certificate of Display
- I will send a copy of the advert once it has appeared in the newspaper
- I understand that if I do not comply with the above requirements my application may be rejected

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

The council is registered under the Data Protection Act 1998 for the purpose of processing personal data in the performance of its legitimate business. Any information held by the council will be processed in compliance with the eight principles of the Act. Information you have provided may be shared with other public sector organisations for the prevention of crime and detection of fraud. Further information relating to your rights under the Data Protection Act can be sent to you on request.

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


Signature: *[Handwritten Signature]* Date: 17. 3. 2012

Capacity: OWNER MANAGER

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)	
Name:	Address:
PAUL BRATT	 LICENSED-INN-TUITION 56 BROW OF THE HILL LEZIATE KING'S LYNN NORFOLK PE32 1EN
If you prefer us to correspond with you by e-mail your email address (optional): info@licensedinn-tuition.com	

Notes for Guidance

If you are completing this form by hand please write legibly in black ink and stay within the boxes.

1. Describe the premises. For example the type of premises, its general situation and the layout and other information which could be relevant to the licensing objectives. Where the 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 tick indoors. Indoors may include a tent.
3. Please state type of activity to be authorised, if not already stated, and give relevant further details, for example (but not exclusively whether the or not music will be amplified or unamplified
4. For example (but not exclusively), where the activity will go on for an extra hour during the summer months.
5. For example (but not exclusively), where you wish the activity to go on longer on a particular day i.e. Christmas Eve, New Year's Eve etc.
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 to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups, the presence of gambling machines.
9. Please list here steps you will take to promote all four licensing objectives.
10. The application 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.

Our ref: JAG/BJP
Please ask for: Bharti Patel
Direct dial: (01553) 616352/616309
Direct fax: (01553) 703026
E-mail: bharti.patel@west-norfolk.gov.uk

**Appendix 2 to
Report to Licensing Sub-Committee
Re: Ingoldisthorpe Hall
Dated 14th May 2012**

Andy Piper
Executive Director

Mr P Byatt
Licensed – Inn – Tuition
56 Brow of the Hill
Leziate
King's Lynn
PE32 1EN

Environmental Health and Housing

2nd May 2012

Dear Mr Byatt,

**Premises Licence Application: Ingoldisthorpe Hall,
Address of Premises: Ingoldisthorpe, King's Lynn, PE31 6PF.**

I am writing to you in connection with the above premises licence application.

In light of the discussions at the meeting at Ingoldisthorpe Hall, on 17th April and subsequent telephone conversations I would like to offer the following representations which I believe allow the applicant to operate the business as intended without causing an un-reasonable disturbance or annoyance to the local residents.

The prevention of public nuisance

Due to residential properties located around Ingoldisthorpe Hall and the intention to provide regulated entertainment outdoors, there is the potential for noise disturbance to affect the local residents. Noise late in the evening can cause more disturbance than noise during the day as it can affect people's resting time and sleeping patterns.

Therefore to prevent any potential noise disturbance to local residents I propose the following conditions be attached to any licence granted:

Conditions

- ❖ Regulated entertainment outdoors shall only take place for 5 consecutive hours in any 24 hour period, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- ❖ ~~Regulated entertainment outdoors shall only take place on 12 separate days per annum, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.~~
- ❖ Regulated entertainment outdoors shall only take place between the hours of 09.00 to 23.00 on any day, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.

King's Court, Chapel Street, King's Lynn, Norfolk PE30 1EX
Tel: (01553) 616200, fax: (01553) 691663
POX 57825 KING'S LYNN

Chief Executive: Ray Harding, Deputy Chief Executive: David Thomason

- ❖ Regulated entertainment outdoors shall only take place on two separate days per calendar month, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- ❖ A noise management plan must be submitted within 28 days of the grant of license and shall be approved by the Licensing and CSNN team and shall be implemented as approved thereafter.

Informative

- ❖ In consultation with the applicant the CSNN team recommended restriction of regulated entertainment to 12 days per annum in line with the limit of TEN's that can be submitted per annum. Please note that the CSNN team will be consulted on all TEN's that are submitted in relation to this premises, and in the interests of the prevention of public nuisance they have the right to object.

The recommended conditions are suggested as a result of considering what the applicant actually wishes to do 'in practice' and what would likely be permitted under temporary event notices (TEN's). It is clear that there may be times when the applicant would like to run an event that would breach these conditions but would have been permitted if TEN's were to have been used. For example; events where the regulated entertainment is to take place over several days, could still be permitted either by submitting a separate TEN or by contacting the CSNN team and getting agreement in writing at least 14 days prior to the event. Both options allow the CSNN team some control over the impact on the local residents, but also give the applicant the opportunity to run events for longer periods. Whilst the informative states that we have the right to object to a TEN, if the applicant shows that events can be run successfully without causing public nuisance we would take this into account.

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 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 and they could form part of a noise management plan.

- ❖ 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.
- ❖ A regular check of any outdoor area to ensure that excessive noise or anti social behaviour is not occurring.
- ❖ Liaising with the Police or other relevant authority if anti social behaviour or noisy activity is occurring that requires their assistance.

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.

In relation to the conditions recommended to be attached to the licence, please read, sign and return the enclosed agreement form. If you do not agree to the conditions being attached to the licence then please do not send the form back and this letter will be classed as an objection.

Yours sincerely

A handwritten signature in cursive script that reads "J Garrod".

Jo 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: Bharti Patel
Direct dial: (01553) 616352/616309
Direct fax: (01553) 703026
E-mail: bharti.patel@west-norfolk.gov.uk

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



Andy Piper
Executive Director

Mr P Byatt
Licensed – Inn – Tuition
56 Brow of the Hill
Leziate
King's Lynn
PE32 1EN

Environmental Health and Housing

To the applicant/s: please sign the form below and return by email to jo.garrod@west-norfolk.gov.uk or by post to CSNN, King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX.

**Premises Licence Application: Ingoldisthorpe Hall
Address of Premises: Ingoldisthorpe, King's Lynn, PE31 6PF.**

Conditions recommended to be attached to the licence:

- ❖ Regulated entertainment outdoors shall only take place for 5 consecutive hours in any 24 hour period, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- ❖ Regulated entertainment outdoors shall only take place on 12 separate days per annum, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- ❖ Regulated entertainment outdoors shall only take place between the hours of 09.00 to 23.00 on any day, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- ❖ Regulated entertainment outdoors shall only take place on two separate days per calendar month, unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- ❖ A noise management plan must be submitted within 28 days of the grant of license and shall be approved by the Licensing and CSNN team and shall be implemented as approved thereafter.

I/we acknowledge receipt of the Environmental Health & Housing Department representations dated 2nd May 2012 in connection with the application for the premises shown above. **I agree with the conditions suggested in the accompanying letter and I understand that they will be attached to the licence.**

Signed.....

Name.....

Date.....



**Appendix 3 to
Report to Licensing Sub-Committee
Re: Ingoldisthorpe Hall
Dated 14th May 2012**

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: 08 May 2012

Ref: TG/Lic:

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

Dear Licensing Team,

Application under the Licensing Act 2003

Premises: Ingoldisthorpe Hall, Ingoldisthorpe. PE31 6PF

Name of applicant: Mr. Benedict MARTEN

Type of application: New Premises Licence

Dear Licensing Team,

The Police would like to make a representation regarding this application on the grounds that the Crime Prevention and Disorder Objective may be undermined.

The premise subject to the application is what has the appearance of an isolated stately home within large grounds. Within the grounds are cottages which are hired to members of the public as holiday lets. This is a similar situation regarding the house which also forms part of the holiday letting consideration of the business. Part of the house does consist of private accommodation but is still within the area shown on the plan to be licensed.

Having spoken to the applicant it is clear that he wishes to diversify his business and have the capability of providing comprehensive services by way of the provision of alcohol and regulated entertainment that will take the form of a package depending upon the requirements of the hirer for events such as weddings and private parties, etc.

A concern for the Police is how the applicant will be able to properly supervise the provision of alcohol if it were to be able to be provided by "mini bars" in rooms or cottages as suggested in the application on Page 4 of the Operating Schedule. Holiday lettings will be made to families of all ages and it will be almost impossible for the applicant to supervise the provision of alcohol through the mini bars under any circumstances. The facility may be open to abuse from hirers and the applicant may never be aware of any situation that could develop due to the licensed "retail" provision of alcohol within the letting facilities.

For that reason the Police would object to the provision of mini bars within the licensed areas applied for.

The Police Licensing Officer has had the opportunity to discuss this concern with the applicant who has indicated his agreement to the application being amended to exclude the provision of mini bars within the licensed area of the premises.

The Police will be writing to the applicant inviting him to formally agree to this amendment and should that agreement be forthcoming will withdraw their representation.

Yours faithfully,

A handwritten signature in black ink that reads "Tony Grover". The signature is written in a cursive style with a long horizontal stroke at the end.

Tony Grover.
Licensing Officer.

EXEMPT

EXEMPT



**Appendix 6 to
Report to Licensing Sub-Committee
Re: Ingoldisthorpe Hall
Dated 14th May 2012**

INGOLDISTHORPE PARISH COUNCIL

3/4 Old Hall Cottages, The Drift, Ingoldisthorpe, King's Lynn, Norfolk, PE31 6NW
Tel no: 01485 544376 / 07730 605458 E-mail: janerimmer58@hotmail.com
Website: www.ingoldisthorpevillage.co.uk

Head of Environmental Health & Housing
c/o Mrs Lucy Hartley
Email: lucy.hartley@west-norfolk.gov.uk

3rd May 2012

Dear Mrs Hartley

Licensing Act 2003

Application for Grant of Premises Licence

Premises name & address: Ingoldisthorpe Hall, Ingoldisthorpe, King's Lynn, PE31 6PF

I am writing representing Ingoldisthorpe Parish Council regarding the above application. At our recent Parish Meeting 34 members of the parish attended to voice their concern and objection to the application. I have attached the list herewith.

The Parish Council would like to object as a body representing persons that live in the vicinity.

Yours sincerely

Mrs Jane Rimmer
Parish Clerk

From: Jane Rimmer [mailto:janerimmer58@hotmail.com]
Sent: 03 May 2012 11:48
To: John Gilbraith
Subject: *** Detected as Spam *** RE: Ingoldisthorpe Hall Licence
Importance: High

Dear Mr Gilbraith

Thank you for your reply. I am very new to the job of parish clerk to Ingoldisthorpe!

The main objections, as expressed by local residents at a parish council meeting and echoed in a local petition, seen to centre on the following:-

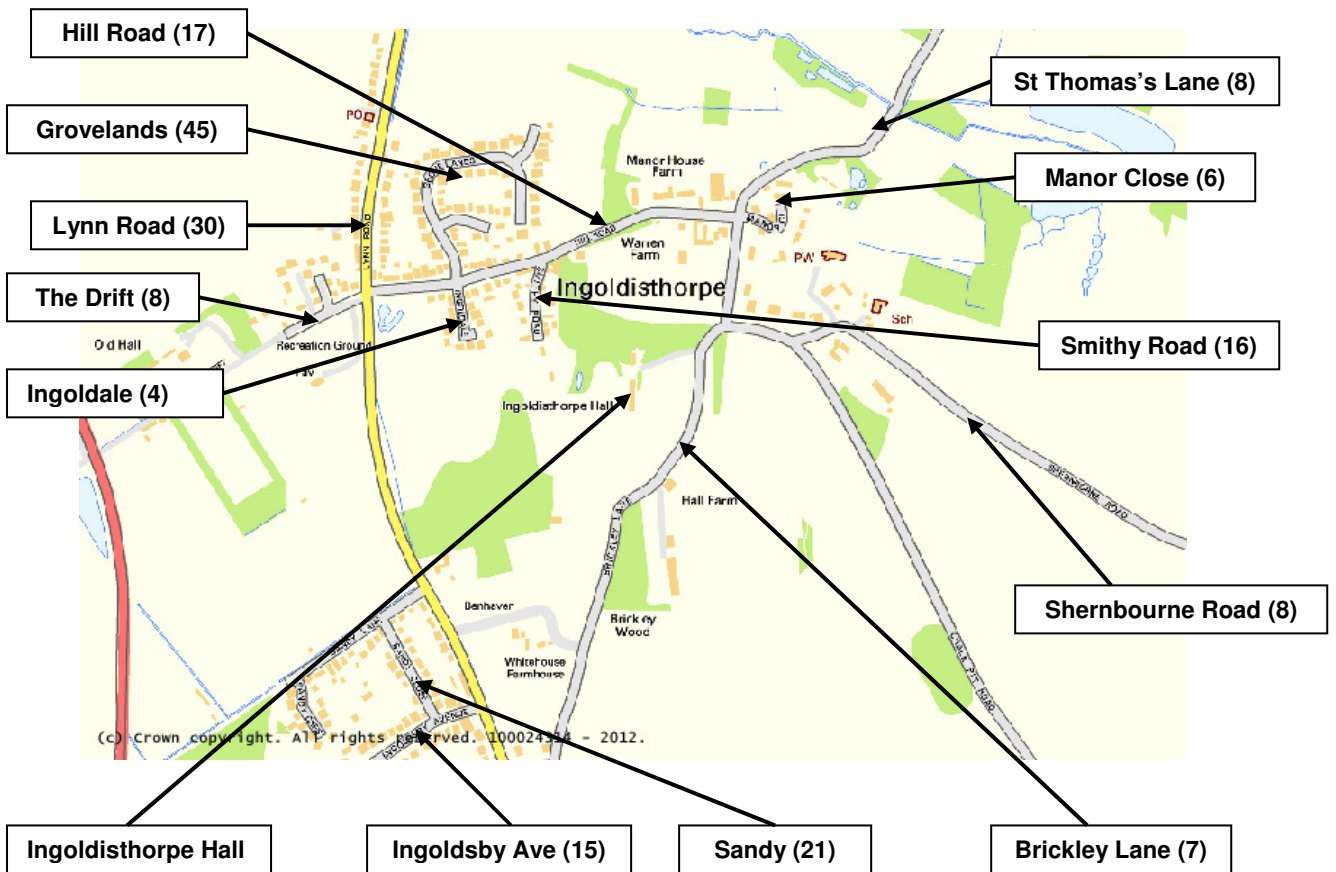
1. Residents are concerned that there will be excessive noise, in the early hours of the morning, caused by music, high-spirited behaviour and vehicles, in what traditionally is a quiet rural village.
2. Residents are concerned that there will be excessive traffic on narrow roads.
3. Some residents expressed concern that there could be a higher risk of crime in the area, particularly late at night, fuelled by alcohol and high jinks.
4. Whilst the owners of the property may wish to exercise the extended licensing for a limited number of times per year, nonetheless local residents are concerned that the occurrences could escalate once the licence is granted. They do not understand why a licence could not be granted for a specific number of occasions per year.

Regards.

Jane Rimmer
Parish Clerk
Ingoldisthorpe

**Appendix 7 to
Report to Licensing Sub-Committee
Re: Ingoldisthorpe Hall
Dated 14th May 2012**

Ingoldisthorpe Hall – Location Plan



Approx 100m

**Appendix 8 to
Report to Licensing Sub-Committee
Re: Ingoldisthorpe Hall
Dated 14th May 2012**

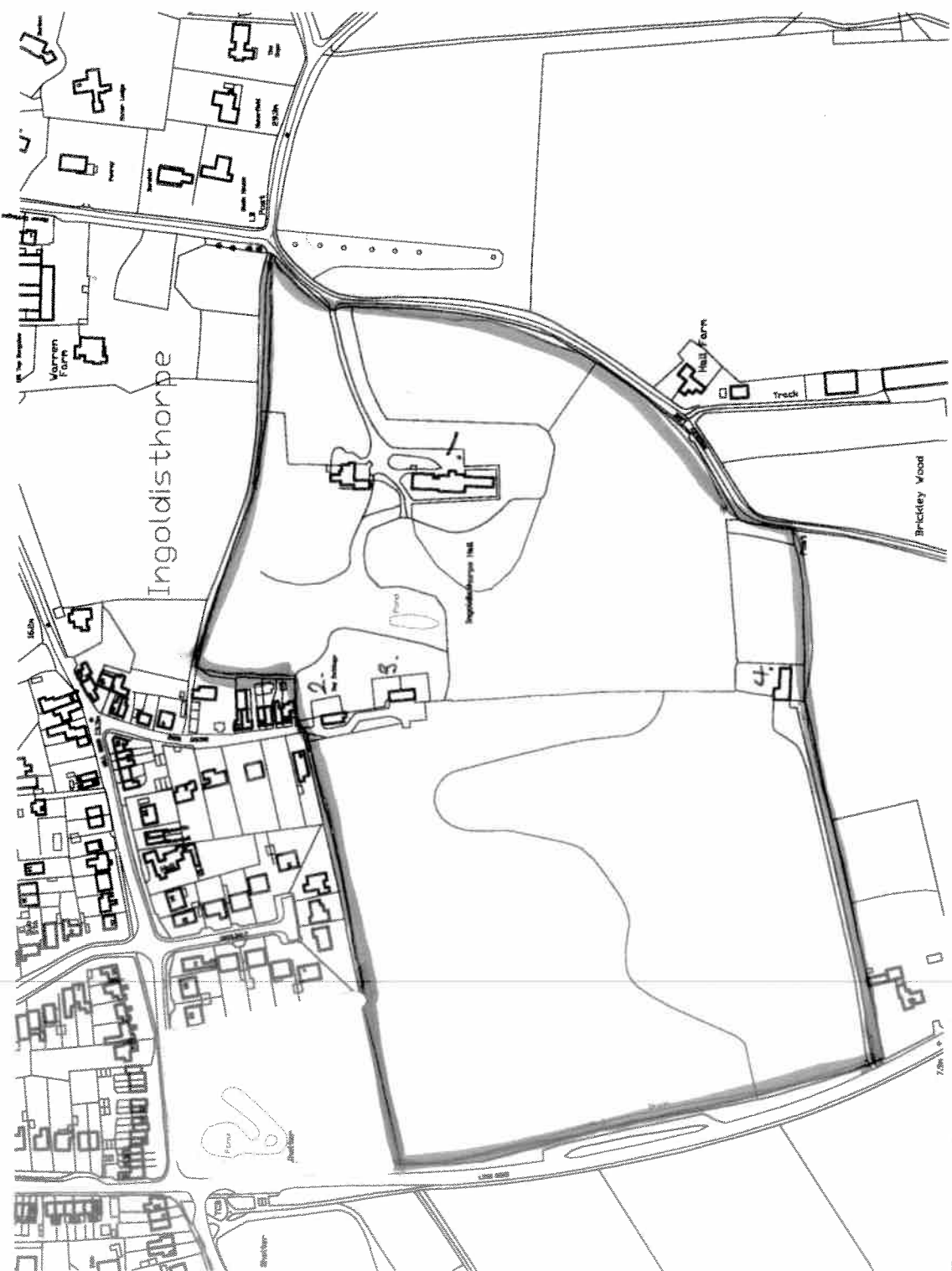
- 1. The information is to be used for the following purposes:
- 2. To provide information to the Licensing Sub-Committee on the following matters:
- 3. To provide information to the Licensing Sub-Committee on the following matters:
- 4. To provide information to the Licensing Sub-Committee on the following matters:
- 5. To provide information to the Licensing Sub-Committee on the following matters:
- 6. To provide information to the Licensing Sub-Committee on the following matters:
- 7. To provide information to the Licensing Sub-Committee on the following matters:
- 8. To provide information to the Licensing Sub-Committee on the following matters:
- 9. To provide information to the Licensing Sub-Committee on the following matters:
- 10. To provide information to the Licensing Sub-Committee on the following matters:
- 11. To provide information to the Licensing Sub-Committee on the following matters:
- 12. To provide information to the Licensing Sub-Committee on the following matters:
- 13. To provide information to the Licensing Sub-Committee on the following matters:
- 14. To provide information to the Licensing Sub-Committee on the following matters:
- 15. To provide information to the Licensing Sub-Committee on the following matters:
- 16. To provide information to the Licensing Sub-Committee on the following matters:
- 17. To provide information to the Licensing Sub-Committee on the following matters:
- 18. To provide information to the Licensing Sub-Committee on the following matters:
- 19. To provide information to the Licensing Sub-Committee on the following matters:
- 20. To provide information to the Licensing Sub-Committee on the following matters:

A SQUARED ARCHITECTURE
RIBA #
COMPANY NUMBER
www.asquaredarchitects.com

11, Marten Elm
Mount Armine
Ingoldisthorpe
Norfolk

Created by
Site Plan

1:25000A3
01/12/11



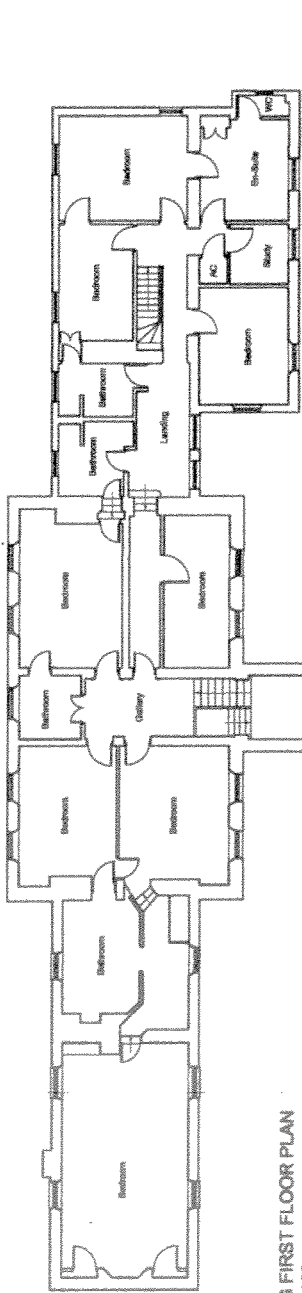
Ordnance Survey (c) Crown Copyright 2012. All rights reserved. Licence number 100020449

Area to be licensed

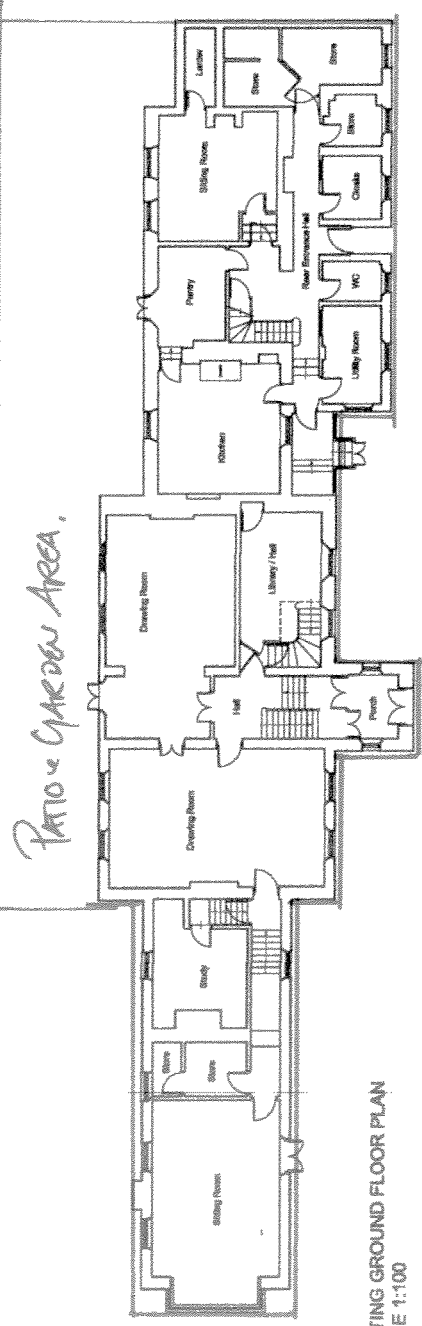
1. MAIN HALL

1. All dimensions are to be indicated in the drawings.
2. Construction work shall be in accordance with the British Standards Code of Practice for Building and Construction.
3. The drawing is the sole responsibility of the Architect and shall not be used for any other purpose without the written consent of the Architect.
4. The Architect shall not be responsible for the construction of the building.

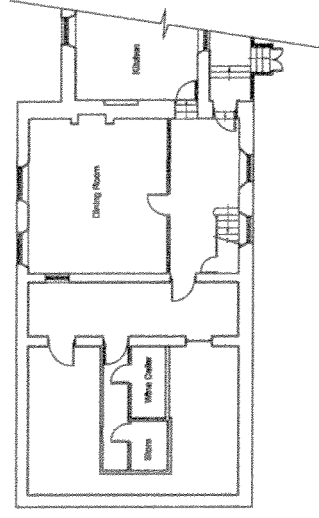
No.	Revisions	By	Date



EXISTING FIRST FLOOR PLAN
SCALE 1:100



EXISTING GROUND FLOOR PLAN
SCALE 1:100



EXISTING BASEMENT FLOOR PLAN
SCALE 1:100



1 NETHERBOROUGH ROAD STREET, NORWICH
NR1 7PN
Telephone: (01603) 646079
Facsimile: (01603) 651262
www.a2architects.co.uk

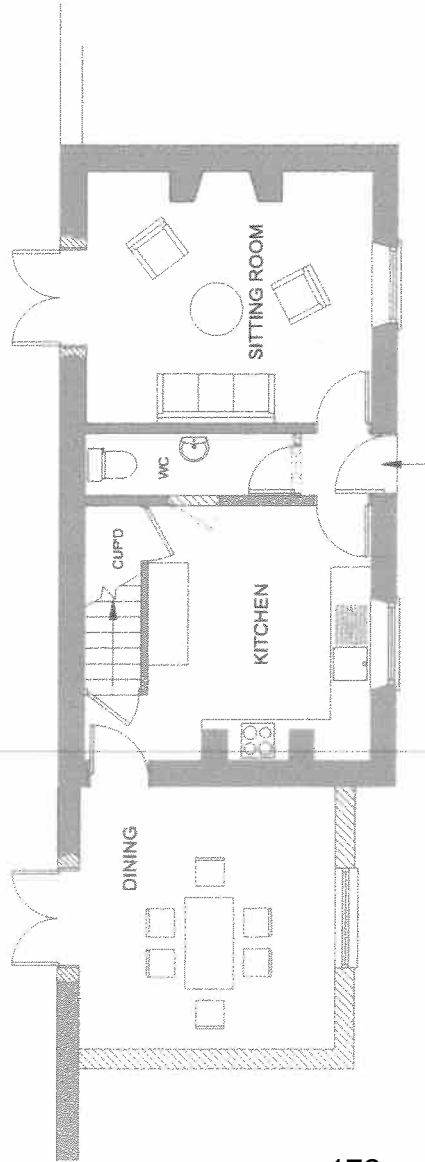
Client: B. Martin Esq

Project: Ingoldsthorpe Hall
Ingoldsthorpe
Norfolk

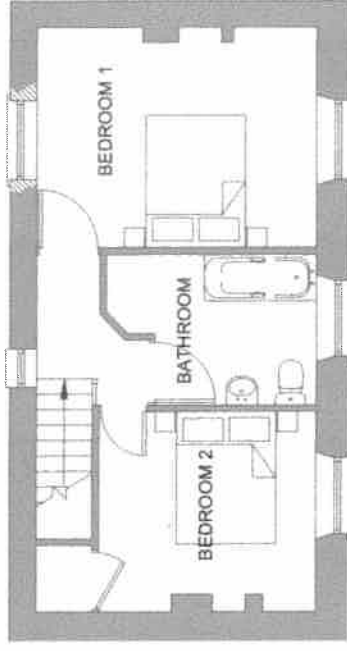
Project No: Edwington Floor Plans

Scale:	1:100 (G/A)	Date:	April 2007
Drawn by:	EMH	Checked by:	
Project No:		Rev:	
Issue No:	07	Date:	16 / 02

2. IVY COTTAGE



Ground Floor Plan



First Floor Plan

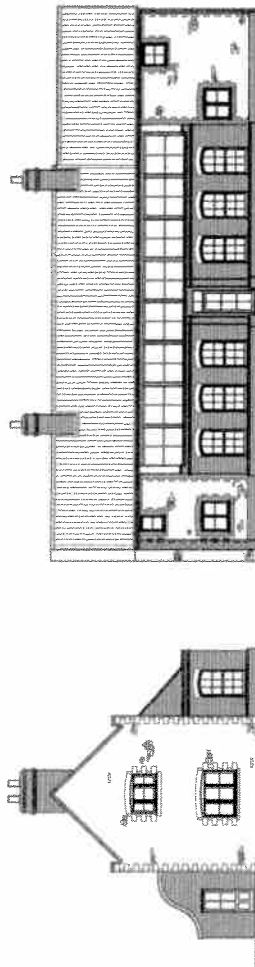
3. LAUNDRY COTTAGE

1. No alterations are to be made from the drawings.
2. Drawings shall be made to the following standards:
 - A. Dimensions shall be in millimetres.
 - B. Dimensions shall be in feet and inches.
 - C. Dimensions shall be in metres.
 - D. Dimensions shall be in feet and inches.
3. The drawings shall be made to the following standards:
 - A. Dimensions shall be in millimetres.
 - B. Dimensions shall be in feet and inches.
 - C. Dimensions shall be in metres.
 - D. Dimensions shall be in feet and inches.
4. The drawings shall be made to the following standards:
 - A. Dimensions shall be in millimetres.
 - B. Dimensions shall be in feet and inches.
 - C. Dimensions shall be in metres.
 - D. Dimensions shall be in feet and inches.

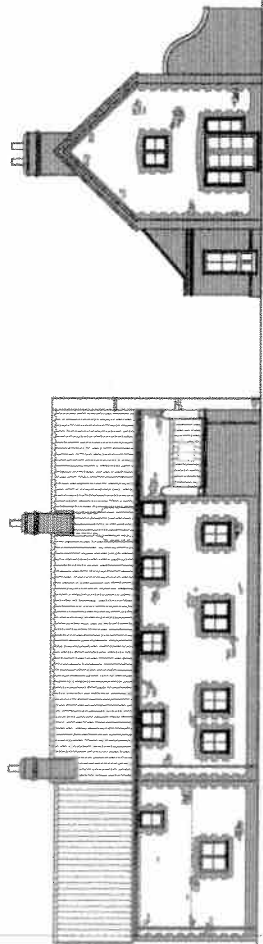
By: [Signature]
 Date: 09/10/2007

Materials:

- Walls- Concrete and red facing brick.
- Roof- Red clay pantiles
- Joinery- White painted softwood



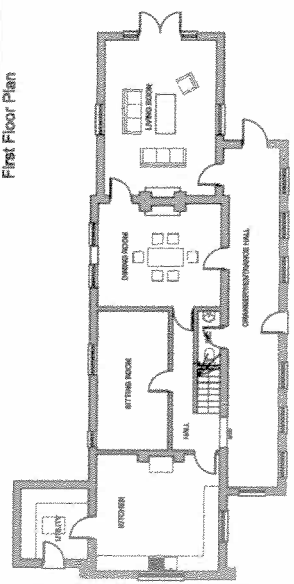
West Elevation
 South Elevation



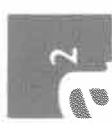
North Elevation
 East Elevation



First Floor Plan



Ground Floor Plan



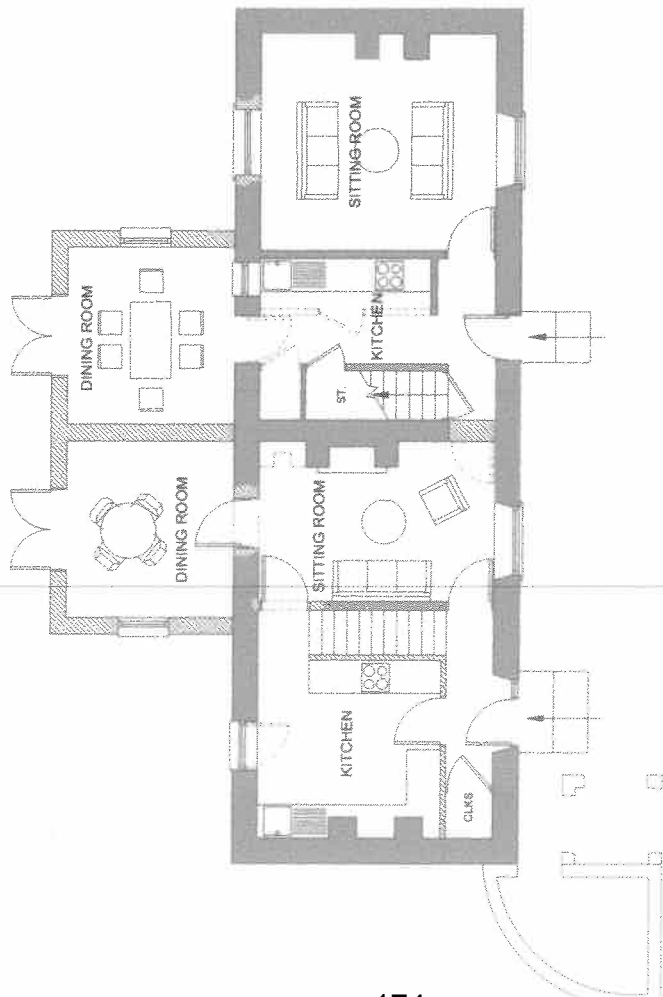
1 NETHERBOROUGH, KING STREET, NORWICH
 Telephone: 01603 984579
 Facsimile: 01603 981862
 www.a2architects.co.uk

B. Marten Esq

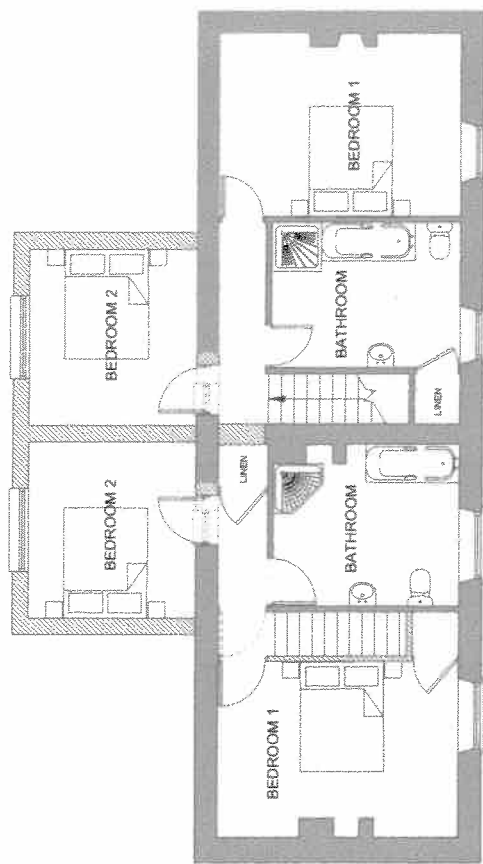
Refurbishment of Laundry Cottage
 Ingoldsthorpe Hall
 Ingoldsthorpe, Norfolk

Drawing No.		Date	
1-100@A1		April 2007	
Drawing By: RTJ		Checked By:	
Date: 07/15/03		Job No. A	

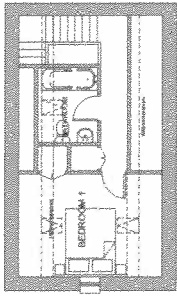
4 GARDNER COTTAGE



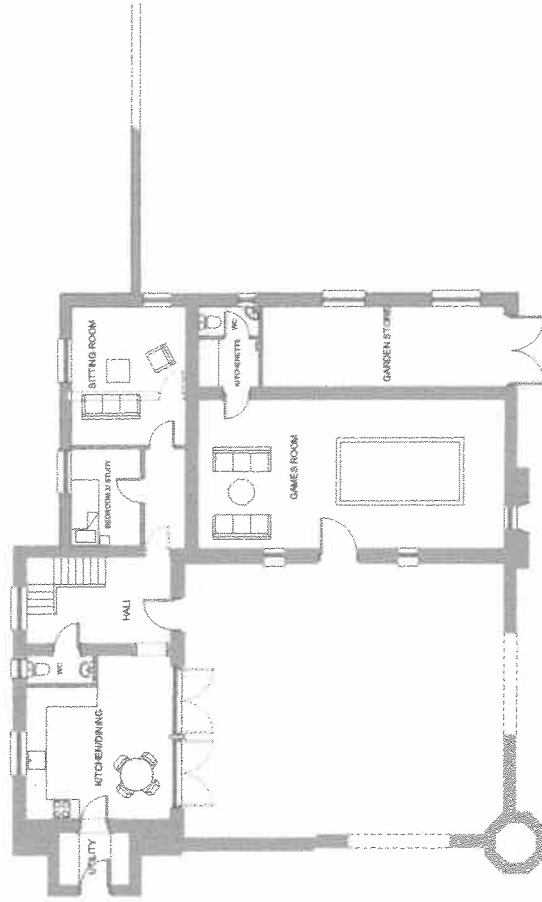
Ground Floor Plan



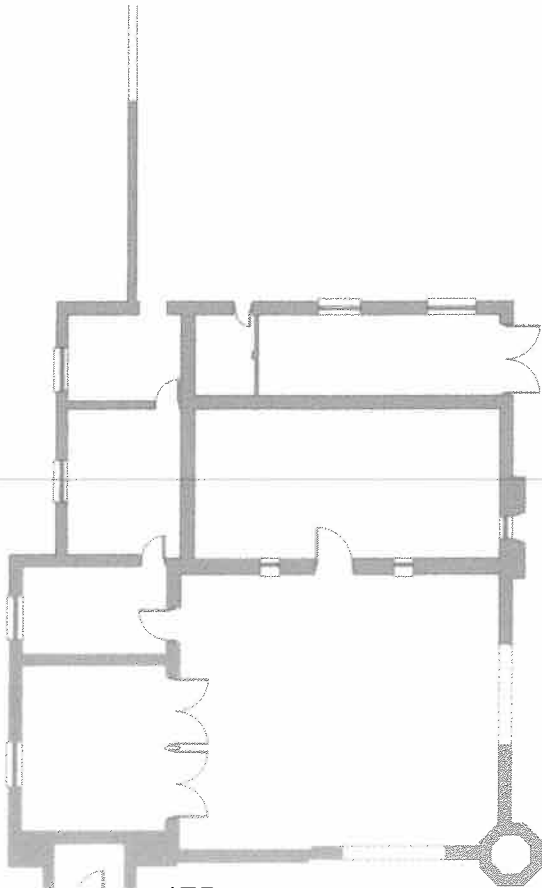
First Floor Plan



First Floor Plan
(Proposed)



Ground Floor Plan (Proposed)



Ground Floor Plan