

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



# **LICENSING COMMITTEE - SUB-COMMITTEE HEARING**

Hockwold Hall,  
Hockwold

## *Agenda*

Tuesday 14<sup>th</sup> August 2012  
10am

**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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30<sup>th</sup> July 2012

Dear Member

**Licensing Sub-Committee Hearing – Tuesday 14<sup>th</sup> August 2012**

You are invited to attend a meeting of a Licensing Sub-Committee to commence at **10am on Tuesday 14<sup>th</sup> August 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 application for the grant of a Premises Licence in respect of Hockwold Hall, 38 Station Road, Hockwold, Thetford, IP26 4HZ

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 the Application Form (pages 16-31)
- (d) Appendix Two – Letter of objection from Norfolk Constabulary dated 10<sup>th</sup> July 2012 (pages 32-34)
- (e) Appendix Three – Letter of objection from Community Safety & Neighbourhood Nuisance Team dated 19<sup>th</sup> July 2012 (pages 35-38)
- (f) Appendix Four – Letters of Objections from 'other persons' – (pages 39-47)

(g) Appendix Five – Premises Plan (pages 48-54)

(h) Appendix Six – Location Plan (page 55)

To: Councillors R Groom, R Bird and D Tyler

Appropriate Officers – Rachael Edwards and John Gilbraith

Legal Advisor

All relevant parties

# Procedure for Determining Licensing Premises - 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/her 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 accompanied by the Senior Democratic Services Officer and Legal Advisor.
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.

## Making a Decision

19. Once the decision and reason have 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.
20. **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.
21. The Sub-Committee may retire again in private to further consider their decision/reasons and seek further advice from the Legal Advisor.
22. 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.
23. 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

Date of Hearing: 27<sup>th</sup> June 2012

### Application for the Grant of a Premises Licence

- Hockwold Hall, 38 Station Road, Hockwold, Thetford, IP26 4HZ

### Introduction

1. A premises licence is required under the Licensing Act 2003 (the 'Act') 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:

- the prevention of crime & disorder,
- public safety,
- the prevention of public nuisance, and
- the protection of children from harm

### The Application

2. Mr Richard & Mrs Rosemary Waddingham have made an application under Section 17 of the Act for a premises licence for Hockwold Hall for the licensable activities of 'regulated entertainment', 'late night refreshment' and the 'sale of alcohol by retail'. 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>
<b>Regulated Entertainment:</b>		
Performance of a 'play' (indoors only)	Friday & Saturday:	6pm – 10pm
Exhibition of a 'film' (indoors only)	Friday & Saturday:	6pm – 11pm
Live Music, Recorded Music & Facilities for Making Music (Both Indoors & Outdoors*)	Monday: Friday: Saturday: Sunday:	10am – midnight 12 noon to Midnight 10am – midnight 10am – 10pm
	Bank Holiday Weekends & New Year's Eve	10am - 1am
<b>*Outdoors to finish by 10pm</b>		
Facilities for Dancing (Indoors only)	Monday: Friday: Saturday & Sunday: New Year's Eve:	10am – midnight 6pm – midnight 12 noon to Midnight 10am – 1am
<b>Late Night Refreshment</b> (Indoors only)	Friday & Saturday: New Year's Eve:	11pm – Midnight 11pm – 1am



<b>Sale of Alcohol:</b> (For consumption both 'on' and 'off' the premises)	Monday to Sunday: Residents:	10am – 00:30am 24 hours
	Bank Holiday Weekends & New Year's Eve	10am – 1am

### **Mandatory Conditions**

3. The premises licence, if granted 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).
- a) 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 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 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 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.

### **Conditions Consistent with the Operating Schedule**

4. The licence, if granted would be subject to the following conditions which are consistent with the operating schedule:

- (a) Authorised regulated entertainment outdoors shall cease by 10pm.
- (b) When persons under the age of 18 are staying as resident at the premises all alcohol will be removed from the mini bar in the appropriate guest room(s).
- (c) For any public event held within the area of the licensed premises where the likelihood of numbers in excess of 250 are expected to attend, the Licence Holder (or person on behalf of the Licence Holder) must prepare an Event Management Plan indicating how the event will be run in accordance with the Licensing Objectives. The Licence Holder must notify the Police and the Licensing Authority of an event taking place at least eight weeks prior to that event taking place. At the same time the Licence Holder must submit a copy of the Event Management Plan to the Safety Advisory Group for the area for consideration and act upon any advice that group imparts to them. Failure to act upon any advice from the Safety Advisory Group will constitute a breach of this condition.
- (d) Regulated entertainment outdoors shall only take place on 12 separate days per calendar year unless otherwise agreed in writing by the CSNN team, a minimum of 14 days before the regulated entertainment is to take place.
- (e) Regulated entertainment outdoors shall only take place between the hours of 10am and 10pm 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.
- (f) Regulated entertainment outdoors shall only take place on three 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.

- (g) A noise management plan shall be submitted within 28-days of the grant of the licence and shall be approved by the Licensing and CSNN Team and shall be implemented as approved thereafter.

### **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 has been received from the Responsible Authorities:
  - (a) The Norfolk Constabulary would have objected to the application under the ‘Prevention of Crime & Disorder’ licensing objective if the applicants had not agreed to the conditions mentioned at paragraph 4(b) and 4(c) above. A copy of their letter dated the 10<sup>th</sup> July 2012 is attached to this report at Appendix 2 for information.
  - (b) The Borough Council’s Community Safety & Neighbourhood Nuisance Team would have objected to the application under the ‘Prevention of Public Nuisance’ licensing objective if the applicants had not agreed to the four conditions mentioned at paragraph 4(d) to 4(g) above. A copy of their letter dated the 19<sup>th</sup> July 2012 is attached to this report at Appendix 3 for information.
  - (c) Representations 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 Safeguarding Children’s Board	None
Public Health	None
Planning (BCKLWN)	None
Health & Safety (BCKLWN)	None
Licensing Authority (BCKLWN)	None

### **Representations from ‘Other Persons’**

*As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business that are entitled to make representations to applications. Representations made must relate to the licensing objectives.*

6. There are two letters of objection from local residents to consider. Copies of these letters are attached to this report at Appendix 4.

## 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. A copy of the public notice appeared in the Bury Free Press on Friday the 6<sup>th</sup> July 2012 and should have been displayed on the premises until the 26<sup>th</sup> July 2012.

## Plans

8. Plans of the premises are attached at Appendix 5 and a location plan showing the approximate location of the premises and objectors is attached at Appendix 6.

## 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 25<sup>th</sup> November 2010 and the following extracts may be relevant to this application and assist the Sub-Committee:

### **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.

## **Guidance Issued Under Section 182 of the Licensing Act 2003**

*Under Section 4 of the Act, Licensing Authorities must have regard to guidance issued under Section 182. The current Guidance was issued by the Home Office in April 2012 and offers advice to Licensing authorities on the discharge of their functions under the Act.*

10. The following extracts may be relevant to this application and assist the Sub-Committee:

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

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

### **Public Nuisance**

2.33 The 2003 Act enables licensing authorities and responsible authorities, through representations, to consider what constitutes public nuisance and what is appropriate to prevent it in terms of conditions attached to specific premises licences and club premises certificates. It is therefore important that in considering the promotion of this licensing objective, licensing authorities and responsible authorities focus on the effect of the licensable activities at the specific premises on persons living and working (including those carrying on business) in the area around the premises which may be disproportionate and unreasonable. The issues will mainly concern noise nuisance, light pollution, noxious smells and litter.

2.34 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 other persons living and working in the area of the licensed premises.

2.35 Conditions relating to noise nuisance will normally concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or more sophisticated measures like the installation of acoustic curtains or rubber speaker mounts. Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises. Licensing authorities should be aware of the need to avoid inappropriate or disproportionate measures

that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are very expensive to purchase and install and are likely to be a considerable burden for smaller venues.

- 2.36 As with all conditions, those relating to noise nuisance may not be appropriate 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 area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.37 Where applications have given rise to representations, any 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 immediately surrounding the premises may also prove appropriate to address any disturbance anticipated as customers enter and leave.
- 2.39 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. However, premises should have adequate dispersal policies (where appropriate) in place to ensure that customers leave the premises promptly and with minimal disruption to those in the surrounding area.
- 2.40 Beyond the immediate area surrounding 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.

### **Other Persons**

- 8.12 As well as responsible authorities, any other person can play a role in a number of licensing processes under the 2003 Act. This includes any individual, body or business entitled to make representations to licensing authorities in relation to applications for the grant, variation, minor variation or review of premises licences and club premises certificates, regardless of their geographic proximity to the premises. In addition, these persons may themselves seek a review of a premises licence. Any representations made by these persons must be 'relevant',

in that the representation relates to one or more of the licensing objectives. It must also not be considered by the licensing authority to be frivolous or vexatious.

- 8.13 Whilst any of these persons may act in their own right, they may also request that a representative makes the representation to the licensing authority on their behalf. A representative may include a legal representative, a friend, a Member of Parliament, a Member of the Welsh Government, or a local ward or parish councillor who can all act in such a capacity.

### **Where Representations are Made**

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

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

- 9.4 A representation is "relevant" if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.

- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority's corporate complaints procedure. A person may also challenge the authority's decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared by officials for consideration by the sub-committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.
- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

### **Hearings**

- 9.33 As a matter of practice, licensing authorities should seek to focus the hearing on the steps considered appropriate to promote the particular licensing objective or objectives that have given rise to the specific representation and avoid straying into undisputed areas. A responsible authority or other person may choose to rely on their written representation. They may not add further representations to those disclosed to the applicant prior to the hearing, but they may expand on their existing representation.
- 9.34 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
  - the representations (including supporting information) presented by all the parties;
  - this Guidance;
  - Its own statement of licensing policy.
- 9.35 The licensing authority should give its decision within 5 working days of the conclusion of the hearing (or immediately in certain specified cases) 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 appropriate for the promotion of the licensing objectives; there is no power for the licensing authority to attach a condition that is merely aspirational. For example, conditions may not be attached which relate solely to the health of customers rather than their direct physical safety.

- 9.36 Alternatively, the licensing authority may refuse the application on the grounds that this is appropriate for the promotion of the licensing objectives.

### **Determining Actions that are Appropriate for the Promotion of the Licensing Objectives**

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

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

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

### **Conditions**

10.12 The licensing authority may not impose any conditions unless its discretion has been engaged following receipt of relevant representations and it is satisfied as a result of a hearing (unless all parties agree a hearing is not necessary) that it is appropriate to

impose conditions to promote one or more of the four licensing objectives.

10.13 It is possible that, in certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

### **Proportionality**

10.14 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case-by-case basis and standardised conditions which ignore these individual aspects should be avoided.

10.15 Licensing authorities and other responsible authorities should be alive to the indirect costs that can arise because of conditions. These could be a deterrent to holding events that are valuable to the community or for the funding of good and important causes. Licensing authorities should therefore ensure that any conditions they impose are only those which are appropriate for the promotion of the licensing objectives. Consideration should also be given to wider issues such as conditions already in place that address the potential negative impact on the promotion of the licensing objectives and the track record of the business. The physical safety of those attending such events should remain a primary objective.

### **Duplication with other statutory provisions**

10.16 If other existing law already places certain statutory responsibilities on an employer or operator of premises, it cannot be appropriate to impose the same or similar duties as conditions.

## **Determination**

11. 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 appropriate for the promotion of the licensing objectives. These steps are:

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

12. The Sub-Committee are reminded that full reasons for their 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

27<sup>th</sup> July 2012

Appendixes:

1. Copy of Application.
2. Letter of Objection from Norfolk Constabulary dated 10<sup>th</sup> July 2012.
3. Letter of Objection from CS&NN dated 19<sup>th</sup> July 2012.
4. Letters of Objections from 'other persons'.
5. Premises Plan.
6. Location 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 (April 2012)

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](mailto:ehlicensing@west-norfolk.gov.uk)  
[www.west-norfolk.gov.uk](http://www.west-norfolk.gov.uk)

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

Appendix 1 to  
Report to Licensing Sub-Committee  
Re: Hockwold Hall  
Dated 27th July 2012



## 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 original applications back to us at:

- **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.

and copies to the following:-

- **Norfolk Constabulary Licensing Team**, 4<sup>th</sup> Floor Vantage House, Fishers Lane, Norwich, Norfolk, NR2 1ET.
- **Fire Safety Office**, Norfolk Fire Service Western Area, Kilhams Way, King's Lynn, PE30 2HY
- **Norfolk Children's Safeguarding Board**, Suite B, Sapphire House, Roundtree Way, Norwich, NR4 8SS
- **Norfolk Trading Standards**, Consumer Operations Manager, Norfolk County Council Trading Standards, County Hall, Martineau Lane, Norwich, NR1 2UD
- **Planning**, 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
- **Public Health Director**, Norfolk County Council, County Hall, Martineau Lane, Norwich, NR1 2DH

*I* We RICHARD WADDINGHAM & ROSEMARY WADDINGHAM  
(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 HOCKWOLD HALL 38 STATION ROAD HOCKWOLD	
Post town: THETFORD	Postcode: IP26 4HZ

Telephone number at premises (if any):

01842 827365

Non-domestic rateable value of premises:

£ BAND A

### 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

WADDINGHAM

First names

RICHARD

I am 18 years old or over

please tick  yes

Current postal address If different from premises address	SAME ADDRESS
---	--------------

Post Town:		Post Code:	
------------	--	------------	--

Daytime telephone number:	01842 827365
---------------------------	--------------

Email address (optional):	rwaddingham@btinternet.com
---------------------------	----------------------------

Second Individual Applicant (if applicable)

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

Surname

WADDINGHAM

First names

ROSEMARY

I am 18 years old or over

please tick  yes

Current postal address If different from premises address	SAME ADDRESS
---	--------------

Post Town:		Post Code:	
------------	--	------------	--

Daytime telephone number:	
---------------------------	--

Email address (optional):	
---------------------------	--

## (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?

24.8.2012

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)

The premises consist of Hockwold Hall, an historic house, its adjacent museum and also the gardens, which surround the Hall. It is situated on one edge of the village of Hockwold. The house is 150m from Station Road, screened by mature trees, with 2 good vehicular accesses off the road. There is open country to the north, west and south. Immediate neighbours are the redundant church of St Peters and The New Inn public house. The house is set in about 4 acres of gardens and 40 acres of paddocks and field.

It is proposed that there will be 3 areas of activity for which a licence would be required:

1. Bed and Breakfast in a small part of the house: alcohol to be supplied to guests by an in-room mini bar and also a wine list for guests only. It is hoped that guests could enjoy alcoholic drinks in the house and garden, and also have alcohol with evening meals if provided.
2. Museum and gardens to provide a venue for functions. Alcohol to be provided for guests only.
3. Occasional musical events in the gardens in the daytime and the museum in the evening. These events would be small scale and appropriate for the historic setting.

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

<b>Plays</b> 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	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		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 performing plays (please read guidance note 4)		
Thur					
Fri	18.00	22.00	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	18.00	22.00			
Sun					

### B

<b>Films</b> Standard days and timings (please read guidance note 6)			Will the exhibition of film take place indoors or outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	<input checked="" type="checkbox"/>
<b>Day</b>	<b>Start</b>	<b>Finish</b>		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 exhibition of films (please read guidance note 4)		
Thur					
Fri	18.00	23.00	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	18.00	23.00			
Sun					

**C**

<b>Indoor sporting events</b> Standard timings (please read guidance note 6)			Please give further details here (please read guidance note 3)
<b>Day</b>	<b>Start</b>	<b>Finish</b>	
Mon			State any seasonal variation (please read guidance note 4)
Tue			
Wed			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)
Thur			
Fri			
Sat			
Sun			
Sun			

**D**

<b>A boxing or wrestling entertainment</b> Standard timings (please read guidance note 6)			Will the entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
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					
Sun					

**E**

<b>Performance of live music</b> 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)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	✓
Mon	10.00	24.00	Please give further details here (please read guidance note 3) OUTDOOR MUSIC TO FINISH BY 22.00. (TYPE OF MUSIC TO BE CLASSICAL, JAZZ & BRASS BANDS)	
Tue				
Wed				
Thur			State any seasonal variation (please read guidance note 4) BANK HOLIDAYS + BANK HOLIDAY WEEKENDS TO BE EXTENDED UNTIL 01.00.	
Fri	12.00	24.00		
Sat	10.00	24.00	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) NEW YEARS EVE EXTENDED UNTIL 01.00	
Sun	10.00	22.00		

**F**

<b>Playing of recorded music</b> 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)	
Day	Start	Finish	Indoors	
			Outdoors	
			Both	✓
Mon	10.00	24.00	Please give further details here (please read guidance note 3) OUTDOOR MUSIC TO FINISH BY 22.00	
Tue				
Wed			State any seasonal variation (please read guidance note 4)	
Thur				
Fri	12.00	24.00	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) EXTENSION UNTIL 01.00 ON NEW YEARS EVE	
Sat	10.00	24.00		
Sun	10.00	24.00		

## G

<b>Performance of dance</b> 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	
<b>Day</b>	<b>Start</b>	<b>Finish</b>		Outdoors	
Mon			Please give further details here (please read guidance note 3)	Both	
Tue			State any seasonal variation (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

## H

<b>Entertainment of a similar description to that falling within (e), (f) or (g)</b> Standard timings (please read guidance note 6)			Please give a description of the type of entertainment you will be providing		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Will the entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoor	
Mon				Please give further details here (please read guidance note 3)	Outdoor
			Both		
Tue			State any seasonal variation (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

I

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 <i>CLASSICAL MUSIC PERFORMANCES JAZZ &amp; BRASS BANDS</i>		
Day	Start	Finish	Will the entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoor	
Mon	10.00	24.00			Outdoor
				Both	✓
Tue			Please give further details here (please read guidance note 3) <i>OUTDOOR MUSIC TO STOP BY 2200</i>		
Wed					
Thur					
Fri	12.00	24.00	State any seasonal variation (please read guidance note 4)		
Sat	10.00	24.00			
Sun	10.00	24.00	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)		

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	Indoors	✓
Mon	10.00	24.00	Outdoors	
			Both	
Tue			Please give a description of the facilities for dancing you will be providing <i>SMALL DANCE FLOOR INSIDE</i>	
Wed				
Thur				
Fri	18.00	24.00	Please give further details here (please read guidance note 3) <i>STANDARD DISCO ETC FOR WEDDING RECEPTIONS</i>	
Sat	12.00	24.00		
Sun	12.00	24.00	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 (please read guidance note 5)	
			<i>NEW YEARS EVE EXTENSION UNTIL 01 00 NEXT DAY</i>	

## K

<b>Provision of facilities for entertainment of a similar description to that falling within (i) or (j)</b> Standard timings (please read guidance note 6)			Please give a description of the type of entertainment facility you will be providing:		
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Will the entertainment facility be indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoor	
Mon				Outdoor	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur					
Fri			State any seasonal variation (please read guidance note 4)		
Sat					
Sun					
			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)		

## L

<b>Late night refreshment</b> 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	
<b>Day</b>	<b>Start</b>	<b>Finish</b>	Please give further details here (please read guidance note 3)		
Mon					
Tue					
Wed			State any seasonal variation (please read guidance note 4)		
Thur					
Fri	23.00	24.00			
Sat	23.00	24.00	NEW YEARS EVE EXTENSION UNTIL 01 00		
Sun					

\*Note: 'Late Night Refreshment' is only licensable between the hours of 11pm & 5am.

**M**

<b>Supply of alcohol</b> 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	✓
<b>Day</b>	<b>Start</b>	<b>Finish</b>	State any seasonal variation (please read guidance note 4)		
Mon	<del>0:00</del>	<del>24:00</del>	BED & BREAKFAST: MINIBARS IN ROOMS AVAILABLE 24 HOURS WINE LIST UNTIL 23.00		
	10:00	00:30			
Tue	<del>0:00</del>	<del>24:00</del>			
	10:00	00:30			
Wed	<del>0:00</del>	<del>24:00</del>			
	10:00	00:30			
Thur	<del>0:00</del>	<del>24:00</del>			
	10:00	00:30			
Fri	<del>0:00</del>	<del>24:00</del>	ALCOHOL AVAILABLE FOR EVENTS AS DESCRIBED IN SECTIONS A, B, E, F, I & J		
	10:00	00:30			
Sat	<del>0:00</del>	<del>24:00</del>			
	10:00	00:30			
Sun	<del>0:00</del>	<del>24:00</del>			
	10:00	00:30			

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

Name: ..... ROSEMARY WADDINGHAM .....

Address: ..... HOCKWOLD HALL ..... 38 STATION ROAD .....

..... HOCKWOLD, THETFORD .....

Postcode: ..... IP26 4HZ .....

Personal Licence number (if known): ..... NOT YET AVAILABLE .....

Issuing licensing authority (if known): ..... KING'S LYNN & WEST NORFOLK .....

**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)

.....

**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	<del>10:00</del>	<del>00:30</del>	<p>(BED &amp; BREAKFAST GUESTS &amp; FUNCTION GUESTS TO BE PRE-BOOKED - NOT AVAILABLE FOR CASUAL CALLERS.)</p> <p>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> <p>NEW YEARS EVE EXTENSION UNTIL 01:30 BED &amp; BREAKFAST RESIDENTS 24 HOURS.</p>
	00:00	24:00	
Tue	<del>10:00</del>	<del>00:30</del>	
	00:00	24:00	
Wed	<del>10:00</del>	<del>00:30</del>	
	00:00	24:00	
Thur	<del>10:00</del>	<del>00:30</del>	
	00:00	24:00	
Fri	<del>10:00</del>	<del>00:30</del>	
	00:00	24:00	
Sat	<del>10:00</del>	<del>00:30</del>	
	00:00	24:00	
Sun	<del>10:00</del>	<del>00:30</del>	
	00:00	24:00	

**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)

THE DESIGNATED PREMISES SUPERVISOR WILL PROMOTE THE FOUR LICENSING OBJECTIVES.  
ALL ACTIVITIES WILL BE SMALL SCALE & PERSONALLY SUPERVISED BY THE OWNERS. FUNCTIONS TO BE IN KEEPING WITH THE HISTORICAL HOUSE SETTING, & PRE BOOKED. ADDITIONAL STAFF WILL BE ENGAGED FOR FUNCTIONS



**b) The prevention of crime and disorder**

BED & BREAKFAST: SMALL SCALE, 3 OR 4 BEDROOMS  
PERSONALLY ADMINISTERED BY OWNERS.  
FUNCTIONS: TICKET ONLY EVENTS, OWNER  
SUPERVISION + EXTRA STAFF  
NO ALCOHOL TO BE STORED OVERNIGHT IN  
FUNCTION ROOM - ALL SECURE IN HOUSE.

**c) Public safety**

ALL STATUTORY SAFETY DEVICES  
INSTALLED - FIRE SYSTEMS, SIGNAGE,  
LIGHTING ETC.

**d) The prevention of public nuisance**

BED & BREAKFAST ACTIVITY SMALL SCALE,  
FUNCTIONS - OCCASIONAL  
POLITE NOTICES AT EXITS  
SUPERVISION

**e) The protection of children from harm**

SOFT DRINKS ONLY TO BE SUPPLIED  
IN MINIBARS WHERE CHILDREN STAYING  
IN ROOM.  
PROOF OF AGE SCHEME TO BE USED

**Part 4 – Signatures** (please read guidance note 10)

Checklist

Please tick/ yes

- I have made or enclosed payment of the fee. Cheques should be made payable to 'BCKLWN':
- I have enclosed two sets of plans of the premises:
- I have sent you the original application and copies including 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):  N/A
- I will send / I enclose my Certificate of Service:
- I understand that I must now advertise the application both in a newspaper and on the premises:
- 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 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: *R Waddington* Date: 26<sup>th</sup> JUNE, 2012

Capacity: APPLICANT

Where the premises licence is jointly held signature of 2<sup>nd</sup> applicant (the current premises licence holder) or 2<sup>nd</sup> 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: *Waddington* Date: 26.6.2012

Capacity: APPLICANT

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
<b>Name:</b>	<b>Address:</b>
If you prefer us to correspond with you by e-mail your email address (optional): <p style="text-align: center;"><i>fwaddingham@btinternet.com</i></p>	

**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.



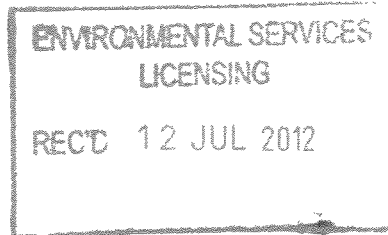
Appendix 2 to  
Report to Licensing Sub-Committee  
Re: Hockwold Hall  
Dated 27th July 2012

CONSTABULARY  
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: 10 July 2012

Ref: TG/Lic:



Norfolk Constabulary Licensing Team  
4<sup>th</sup> 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](http://www.norfolk.police.uk)  
Non-Emergency Tel: 0845 456 4567

Dear Licensing Team,

**Application under the Licensing Act 2003**

**Premises:** Hockwold Hall, 38 Station Road, Hockwold. IP26 4HZ

**Name of applicant:** Richard & Rosemary Waddingham

**Type of application:** New Premises Licence

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

The reason(s) for this representation are:

The premises of Hockwold Hall are a large private country residence within substantial grounds. The current owners are seeking to use part of their home for business purposes by way of:

- bed & breakfast accommodation
- a small museum / function room
- an open air venue for occasional public events / wedding receptions, etc.

The application seeks to allow the ability to provide alcohol as ancillary to the bed & breakfast operation by providing a small range of wines and beers on request (but not to keep large stocks); to provide a mini bar in each of the three guest rooms, and as part of the available service when and if their grounds are used for public or private events.

The Police consider that the risk of allowing the provision of alcohol & entertainment at the premises would generally only present a small risk. However, there are two areas of concern that need to be addressed.

Firstly, the ease of access to alcohol via mini bars in guest rooms if & when persons under the age of 18 are staying in them. The Police are of the opinion that on those occasions all alcohol should be removed from the mini bar in the appropriate guest room(s) as it may be difficult to properly supervise the conduct of persons affected by consumption of alcohol.

Secondly, the provision of alcohol and entertainment for public events. The applicants have stated

that the grounds of the premises used to be used for local public events when the premises were under previous ownership. They freely admit that they are not experienced regarding the organisation and running of such events and if they were to open up their grounds they would have to rely on outside expert assistance in running any event. The consideration of the Police is that if an event is to be allowed (other than private wedding receptions or the like) where the likelihood of numbers in excess of 250 are expected to attend, they should consider retaining the services of an events management company to undertake the organisation, but in any case must prepare an event management plan indicating how the event will be run in accordance with the Licensing Objectives. Also they should notify the Police and the Licensing Authority of an event taking place at least eight weeks prior to that event taking place. Also they should submit a copy of the event management plan to the Safety Advisory Group for the area for consideration and act upon any advice that group imparts to them.

**The Police therefore request the following two conditions to be included in the Premises Licence if it is granted:**

1. When persons under the age of 18 are staying in guest rooms at the premises all alcohol will be removed from the mini bar in the appropriate guest room(s).
2. For any public event held within the area of the licensed premises where the likelihood of numbers in excess of 250 are expected to attend, the Licence Holder (or person on behalf of the Licence Holder) must prepare an Event Management Plan indicating how the event will be run in accordance with the Licensing Objectives. The Licence Holder must notify the Police and the Licensing Authority of an event taking place at least eight weeks prior to that event taking place. At the same time the Licence Holder must submit a copy of the Event Management Plan to the Safety Advisory Group for the area for consideration and act upon any advice that group imparts to them. Failure to act upon any advice from the Safety Advisory Group will constitute a breach of this condition.

**if the applicant(s) feels they are unable to agree with the above conditions, please consider this as an objection to the application.**

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 conditions 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,

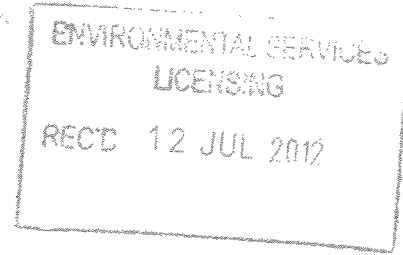


Tony Grover.  
Licensing Officer.

Copy to:

**Name of Premises:**

Richard & Rosemary Waddingham  
Hockwold Hall,  
38 Station Road,  
Hockwold.  
IP26 4HZ



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 10/07/12 Ref: TG/Lic

In connection with the application for the premises shown above I(we) agree to the condition(s) given at (1) & (2) in the letter of representation from the Police.

Signed *Richard Waddingham* *Rosemary Waddingham*  
Name Mr RICHARD WADDINGHAM MRS ROSEMARY WADDINGHAM  
Date 11.7.2012

Our ref: JAG  
Please ask for: Joanne Garrod  
Direct dial: (01553) 616352  
Direct fax: (01553) 703026  
E-mail: [jo.garrod@west-norfolk.gov.uk](mailto:jo.garrod@west-norfolk.gov.uk)

**Appendix 3 to  
Report to Licensing Sub-Committee  
Re: Hockwold Hall  
Dated 27th July 2012**

Executive Director

**Environmental Health and Housing**

**Environmental Health and Housing**

Mr and Mrs R Waddingham  
Hockwold Hall  
38 Station Road  
Hockwold  
Thetford  
IP26 4HZ

19<sup>th</sup> July 2012

Dear Mr and Mrs Waddingham,

**Premises Licence Application: Hockwold Hall**  
**Address of Premises: 38 Station Road, Hockwold, Thetford, IP26 4HZ.**

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

In light of the discussions at the site meeting on 10<sup>th</sup> July 2012 I would like to offer the following representations which I believe allow the business to operate 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 Hockwold 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 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 10.00 to 22.00 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 three 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 you as the applicant wish 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 you 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 opportunity to run events for longer periods. Whilst the informative states that we have the right to object to a TEN, if it is shown 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  
Please ask for: Joanne Garrod  
Direct dial: (01553) 616352  
Direct fax: (01553) 703026  
E-mail: [jo.garrod@west-norfolk.gov.uk](mailto:jo.garrod@west-norfolk.gov.uk)

**Andy Piper**  
Executive Director

**Environmental Health and Housing**

Mr and Mrs R Waddingham  
Hockwold Hall  
38 Station Road  
Hockwold  
Thetford  
IP26 4HZ

**To the applicant/s: please sign the form below and return by email to [jo.garrod@west-norfolk.gov.uk](mailto: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: Hockwold hall  
Address of Premises: 38 Station Road, Hockwold, Thetford, IP26 4HZ.**

Conditions recommended to be attached to the licence:

- ❖ 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 10.00 to 22.00 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 three 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 Heath & Housing Department representations dated 19<sup>th</sup> July 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.**

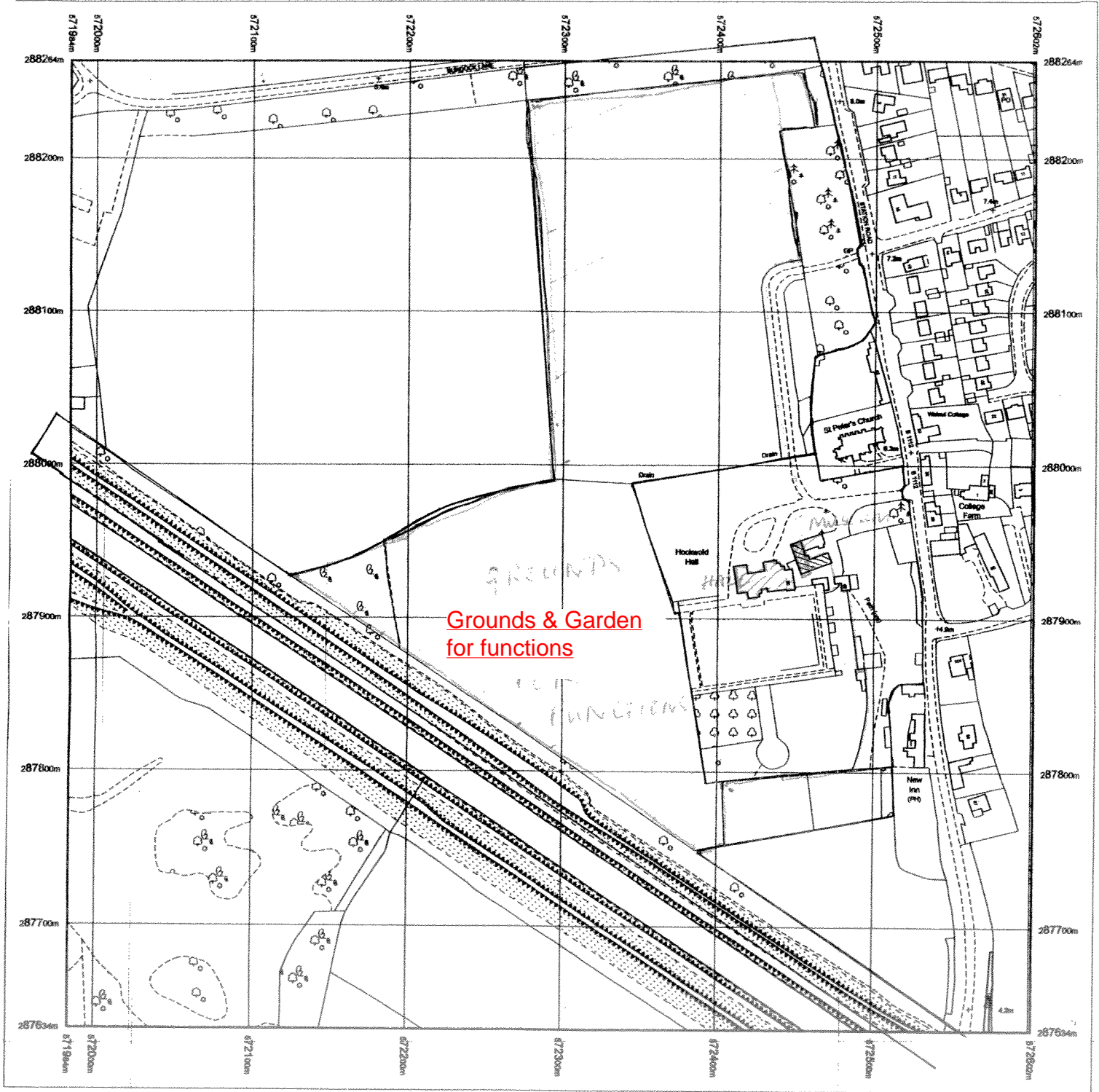
Signed.....

Name.....

Date.....

**Hockwold Hall – ‘Other Persons’**

**Exempt**



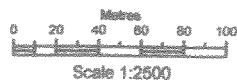
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The representation of features as lines is no evidence of a property boundary.



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Further information can be found on the OS Sitemap Information sheet or the Ordnance Survey web site:  
[www.ordnancesurvey.co.uk](http://www.ordnancesurvey.co.uk)



Hockwold  
Hall

HALL FOR BED +  
BREAKFAST + FUNCTIONS  
38

MUSEUM  
FOR  
proposed FUNCTIONS  
development

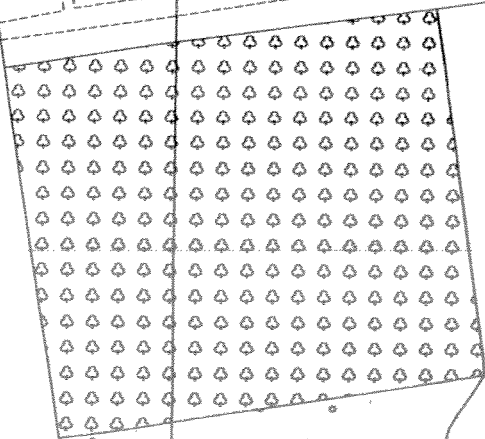
36

Path (imp)

GROUNDS + GARDENS  
FOR  
FUNCTIONS

casspit →

casspit →

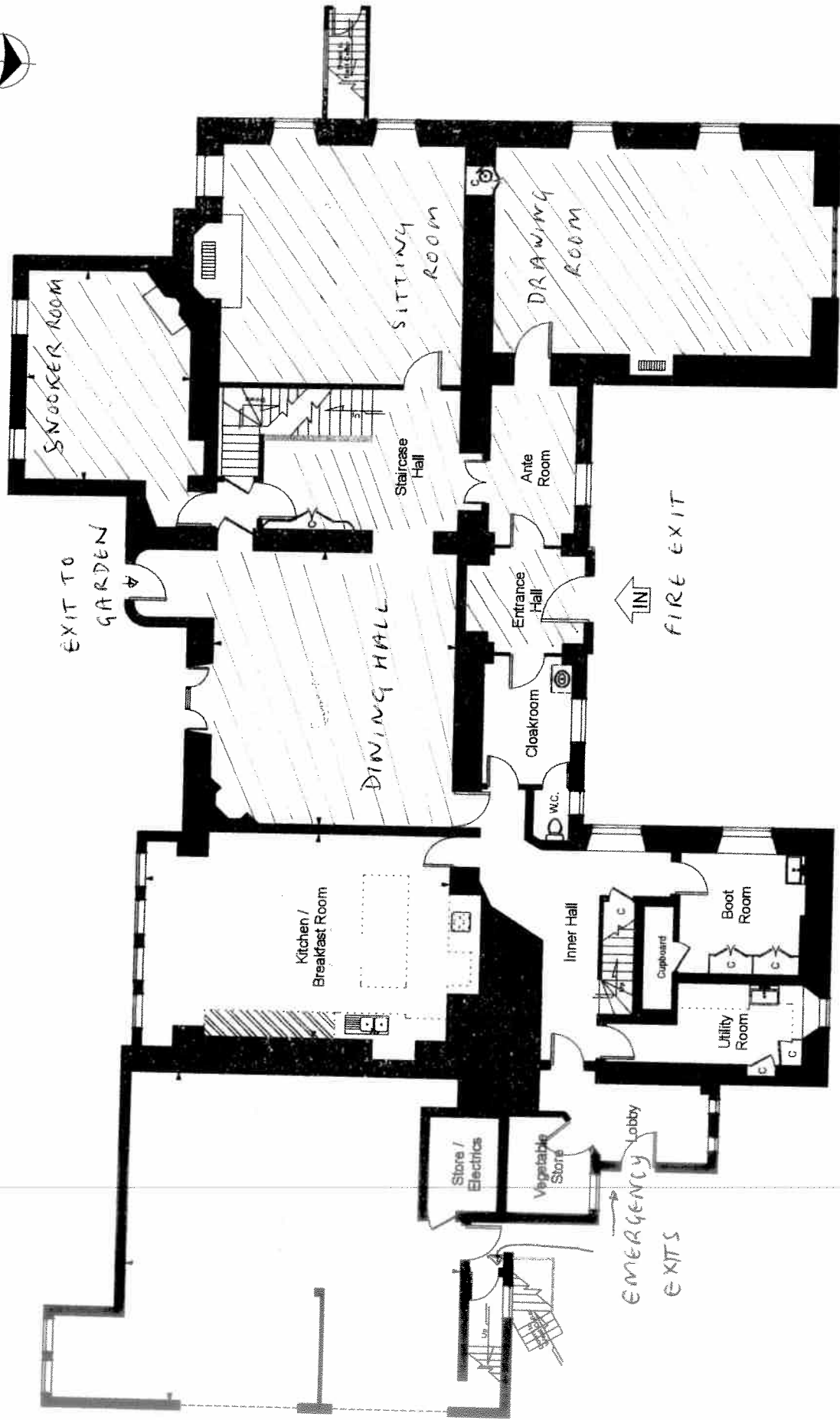


SCALE 1:500 on A3

LOCATION OF CESSPITS RW/012

49

Hockwold Hall, Station Road, Hockwold, Norfolk



Ground Floor

Gross Internal Area 1000 m<sup>2</sup> (10,766 ft<sup>2</sup>) excluding Garage & Cellars  
 FOR IDENTIFICATION ONLY - NOT TO SCALE

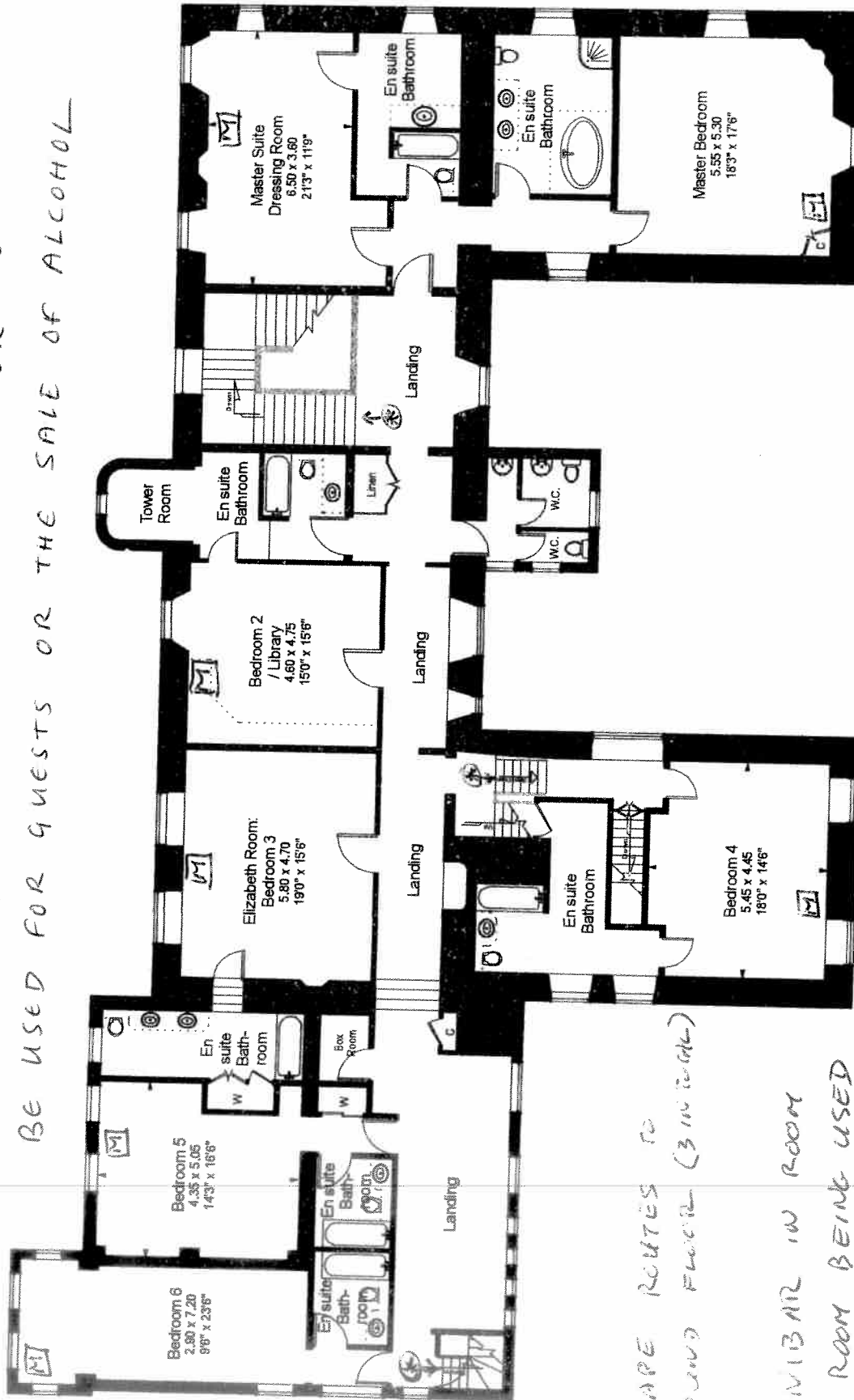


AREAS WHERE  
 ALCOHOL MIGHT BE SOLD

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Hockwold Hall, Station Road, Hockwold, Norfolk

MAXIMUM 4 BEDROOMS ON THIS FLOOR TO BE USED FOR GUESTS OR THE SALE OF ALCOHOL



\* ESCAPE ROUTES TO GROUND FLOOR (3 in total)

MINIBAR IN ROOM IF ROOM BEING USED FOR B+B GUESTS

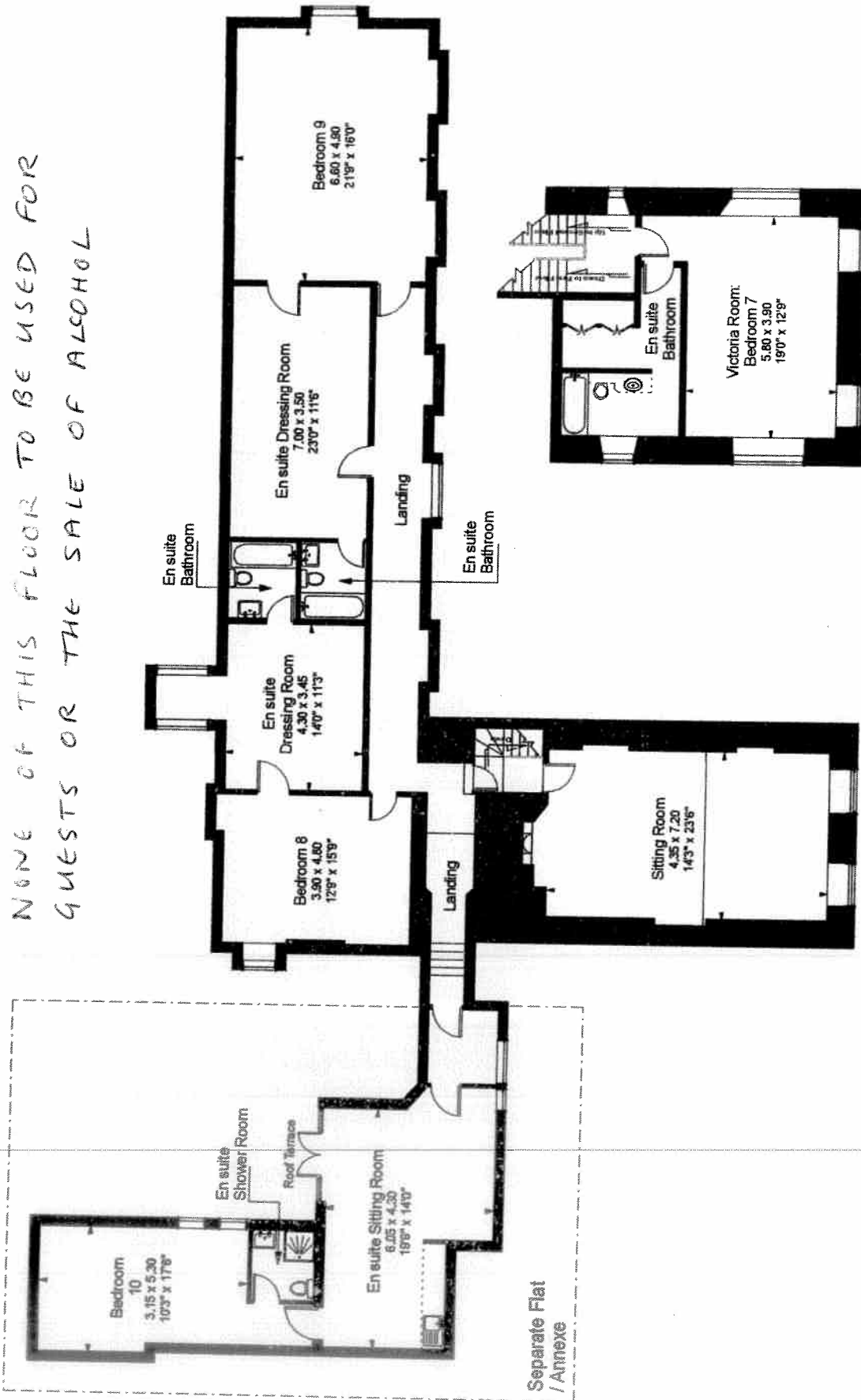
First Floor

FOR IDENTIFICATION ONLY - NOT TO SCALE

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**Hockwold Hall, Station Road, Hockwold, Norfolk**

*NONE OF THIS FLOOR TO BE USED FOR GUESTS OR THE SALE OF ALCOHOL*



**Mezzanine Floor**

**Second Floor**

**FOR IDENTIFICATION ONLY - NOT TO SCALE**

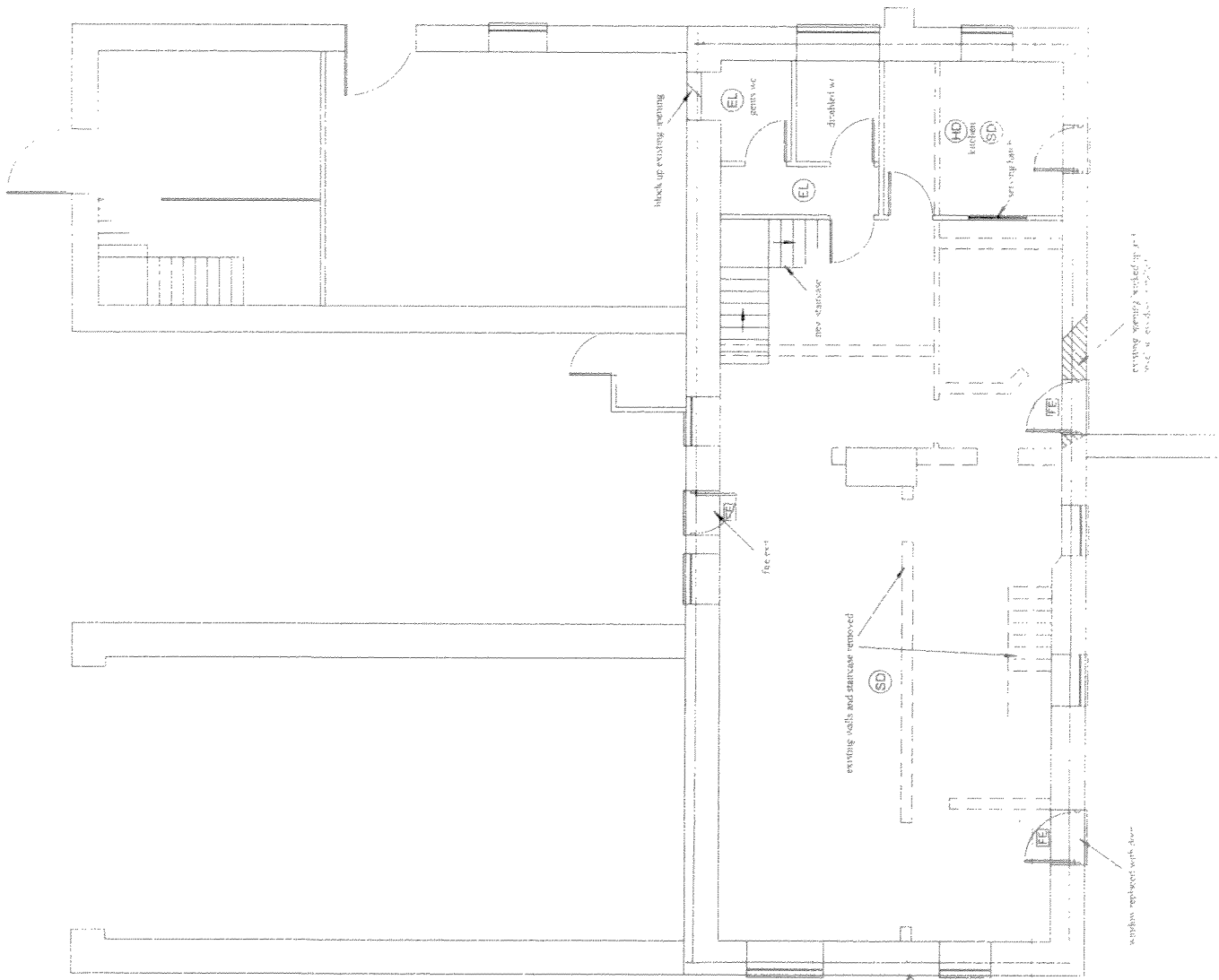
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- 1 Fire detection and alarm installation installed in accordance with BS 5839, Part 1
- 2 Escape lighting installed to comply with BS 5266 Part 1 1990
- 3 Fire exit signs and fire signs installed to comply with BS 5499 Part 1
- 4 All fire doors are provided with the appropriate fire safety sign complying with BS 5499

- (FE) illuminated fire exit sign
- (EL) emergency light
- (HD) heat detector
- (SD) smoke detector

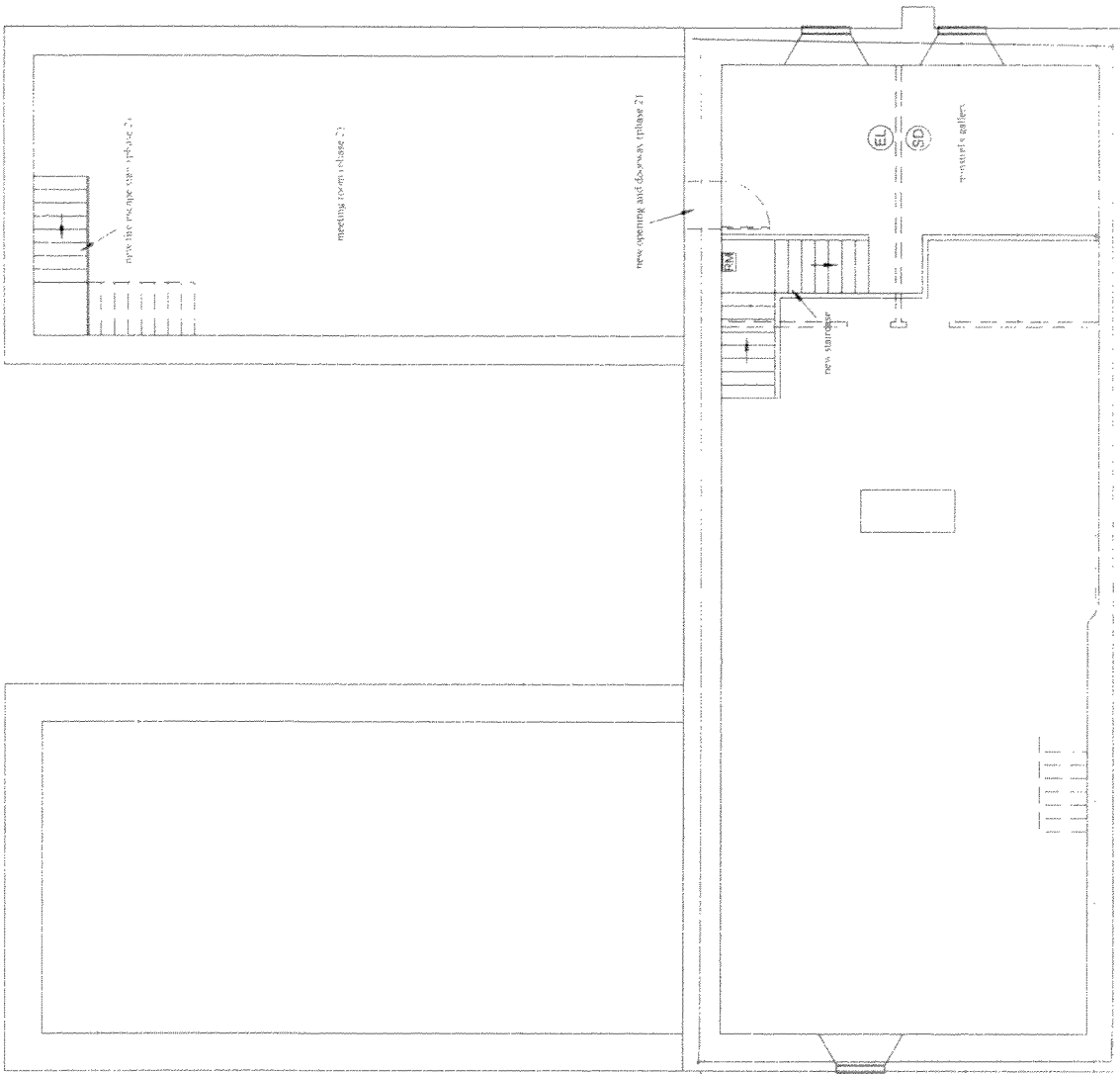
53



P. Grosbrook Building Design Services 01842 827995 / 07752 135740 agrosbrook@btconnect.co.uk	
<b>PROJECT TITLE</b>	Hockwold Hall Hockwold, Norfolk, IP26 4HZ
<b>TITLE</b>	Proposed Ground Floor Plan
<b>SCALE</b>	1:100
<b>DRAWING NO</b>	RW/007 B

Rev A. Door added to outside WC  
Rev B. Window replaced with glass

SCALE: 1:100 ON A3



-  illuminated running man sign
-  emergency light
-  smoke detector

P. Grisbrook Building Design Services  
 01842 827895 / 01752 135740  
 pgrisbrook@homecall.co.uk

**PROJECT TITLE**

Hockwold Hall  
 Hockwold Norfolk IP26 4HZ

**TITLE**

Proposed First Floor Plan

**SCALE**

1:100

**DRAWING NO**

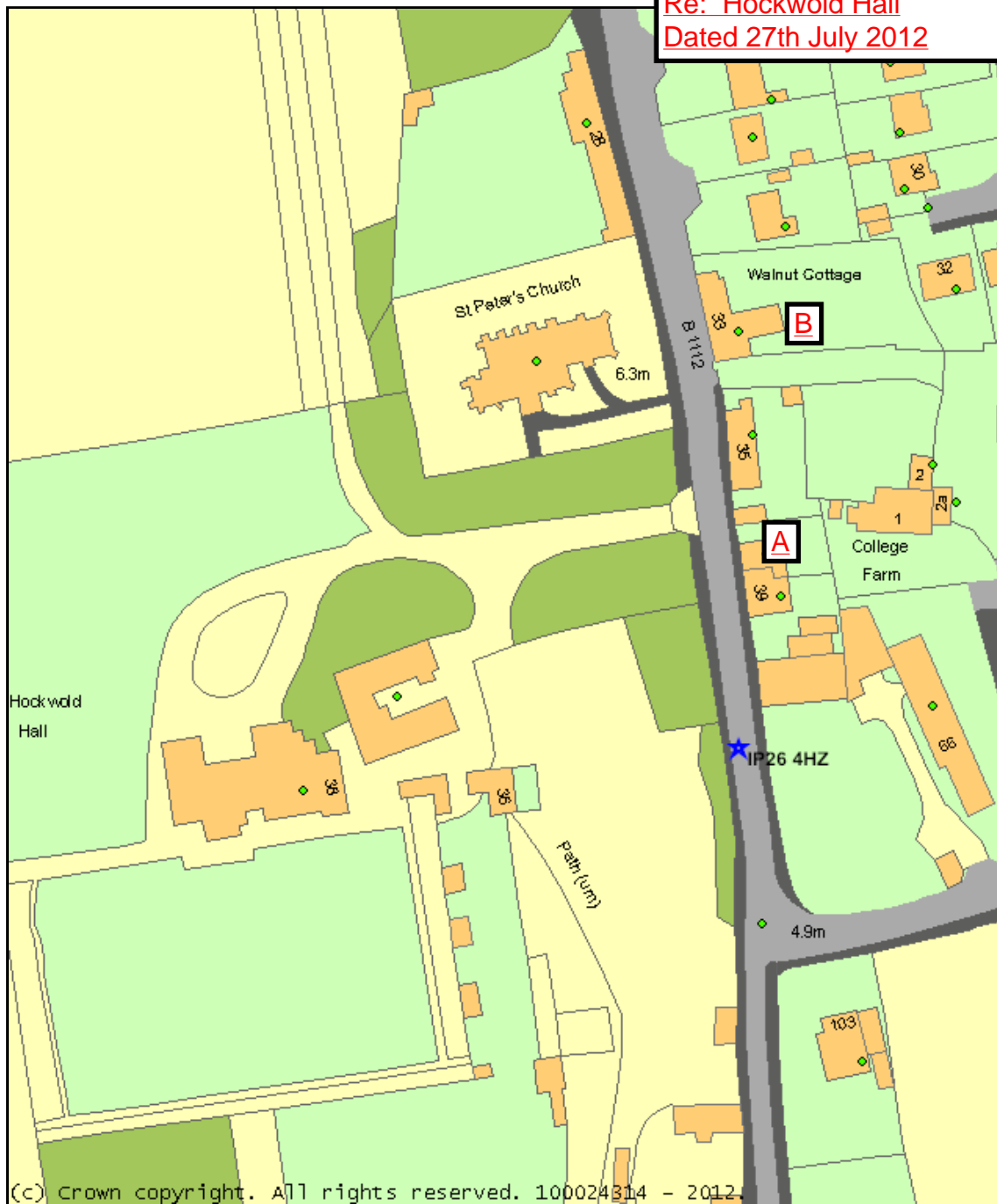
RW/008



SCALE 1:100 ON A3

# Hockwold Hall

Appendix 6 to  
Report to Licensing Sub-Committee  
Re: Hockwold Hall  
Dated 27th July 2012



Borough Council of  
King's Lynn &  
West Norfolk



**Scale 1:1250**

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26/07/2012  
west-norfolk\jgilbraith

NOTES