

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



LICENSING COMMITTEE - SUB-COMMITTEE HEARING

Wine Design
59 Westfields, Tilney St Lawrence,

Agenda

Wednesday 3rd October 2012
2.30pm

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

20th September 2012

Dear Member

Licensing Sub-Committee Hearing – Wednesday 3rd October 2012

You are invited to attend a meeting of a Licensing Sub-Committee to commence at **2.30pm on Wednesday 3rd October 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 Wine Design, 59 Westfields, Tilney St Lawrence, King's Lynn.

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 4-10)
- (c) Appendix One – Copy of the Application Form (pages 11-26)
- (d) Appendix Two – Letter of objection from Norfolk Constabulary dated 31st August 2012 (pages 27-28)
- (e) Appendix Three – Premises Plan (page 29)

To: Panel Members – Councillor Roy Groom, John Loveless and Lawrence Scott
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: 3rd October 2012

Application for Grant of a Premises Licence

- Wine Design, 59 Westfields, Tilney St Lawrence, King's Lynn, PE34 4QR

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:

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

The Application

2. Mr David Robertson & Mr Glenn Adams have made an application under Section 17 of the Licensing Act 2003 for the licensable activity of '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>
Sale of Alcohol: For consumption off the premises only	Monday to Sunday	24 hours

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) Under Section 19A of the Licensing Act 2003 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.

Conditions Consistent with the Operating Schedule

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

- (a) The licensed premises shall not be open to the general public other than when visiting the householder in a private capacity.

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 Norfolk Constabulary are objecting to the application under the 'Prevention of Crime & Disorder' licensing objective. A copy of their letter of objection dated the 31st August 2012 is attached to this report at Appendix 2.
- b) 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 Safeguarding Children's Board	None
Public Health	None
Planning (BCKLWN)	None
Health & Safety (BCKLWN)	None
Community Safety & Neighbourhood Nuisance (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 no representations from 'other persons' to consider.

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 3rd August 2012 and should have been displayed on the premises until the 31st August 2012.

Plans

8. A plan of the premises is attached at Appendix 3.

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.

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.

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.

Crime & Disorder

- 2.1 The steps which any licence holder or club might take to prevent crime and disorder are as varied as the premises or clubs where licensable activities take place. Licensing authorities should therefore look to the police as the main source of advice on these matters. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.2 The Government's expectation is that the police will have a key role in undertaking various tasks such as advising on the installation and monitoring of security devices such as CCTV.
- 2.16 Conditions on a premises licence are important in setting the parameters within which premises can lawfully operate. The use of wording such as "must", "shall" and "will", is encouraged. Conditions on licences must:
- be precise and enforceable;
 - be unambiguous;
 - not duplicate other statutory provisions;
 - be clear in what they intend to achieve; and,
 - be appropriate, proportionate and justifiable.

Representations from the Police

- 9.12 In their role as a responsible authority, the police are an essential source of advice and information on the impact and potential impact of licensable activities, particularly on the crime and disorder objective. The police have a key role in managing the night-time economy and should have good working relationships with those operating in their

local area. The police should be the licensing authority's main source of advice on matters relating to the promotion of the crime and disorder licensing objective, but may also be able to make relevant representations with regards to the other licensing objectives if they have evidence to support such representations. The licensing authority should accept all reasonable and proportionate representations made by the police unless the authority has evidence that to do so would not be appropriate for the promotion of the licensing objectives. However, it remains incumbent on the police to ensure that their representations can withstand the scrutiny to which they would be subject at a hearing.

Hearings

- 9.29 Regulations made under the 2003 Act require that representations must be withdrawn 24 hours before the first day of any hearing. If they are withdrawn after this time, the hearing must proceed and the representations may be withdrawn orally at that hearing. However, where discussions between an applicant and those making representations are taking place and it is likely that all parties are on the point of reaching agreement, the licensing authority may wish to use the power given within the hearings regulations to extend time limits, if it considers this to be in the public interest.
- 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. It may also refuse to specify a designated premises supervisor and/or only allow certain requested licensable activities. In the interests of transparency, the licensing authority should publish hearings procedures in full on its website to ensure that those involved have the most current information.

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.

Imposed 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.

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.

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;
- b) To grant the application with 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 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

20th September 2012

Appendixes:

1. Copy of Application.
2. Letter of Objection from Norfolk Constabulary dated 31st August 2012.
3. 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 (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
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 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**, 4th Floor Vantage House, Fishers Lane, Norwich, Norfolk, NR2 1ET.
 - **Fire Safety Office**, Norfolk Fire Service Western Area, Kilhams Way, King's Lynn, PE30 2HY
 - **NSCB**, Suite B, Sapphire House, Roundtree Way, Norwich, NR7 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 DAVID ROBERTSON + GLENN ADAMS
(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	
59 WESTFIELDS TILNEY ST. LAWRENCE	
Post town: KINGS LYNN	Postcode: PE34 4QR

Telephone number at premises (if any):

£

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
ROBERTSON

First names
DAVID

I am 18 years old or over

please tick yes

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

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

Daytime telephone number:	07837 636928
---------------------------	--------------

Email address (optional):	DAVIDROBERTSON667@HOTMAIL.COM
---------------------------	-------------------------------

Second Individual Applicant (if applicable)

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

Surname
ADAMS

First names
GLENN

I am 18 years old or over

please tick yes

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

Post Town:	KINGS LYNN	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?

...1... / 09 / 12...

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 IS A SEMI DETACHED HOUSE WITH FRONT AND BACK GARDENS. THE BUSINESS WILL KEEP THE WINE INSIDE THE HOUSE. IT IS TO BE SUPPLIED TO THE WEDDINGS MARKET, SO CONSUMED AWAY FROM THE PREMISES, AT VARIED LOCATIONS. THE BUILDING WILL NOT BE OPEN TO THE PUBLIC. BUSINESS WILL BE DONE ONLINE OR ELSEWHERE.



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)

(OFF)

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	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for performing plays (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

B

Films 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	
Day	Start	Finish		Outdoors	
				Both	
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variations for the exhibition of films (please read guidance note 4)		
Wed			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)		
Thur					
Fri					
Sat					
Sun					

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			State any seasonal variation (please read guidance note 4)
Tue			
Wed			
Thur			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			
Sat			
Sun			

D

A boxing or wrestling entertainment Standard timings (please read guidance note 6)			Will the boxing or wrestling entertainment take place indoors, outdoors or both – please tick ✓ (please read guidance note 2)	Indoors	
Day	Start	Finish		Outdoors	
			Both		
Mon			Please give further details here (please read guidance note 3)		
Tue			State any seasonal variation (please read guidance note 4)		
Wed					
Thur			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					
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			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					

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			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					

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		
				Both		
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						

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		
				Outdoor		
Both						
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						

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		
Day	Start	Finish	Will the entertainment take place 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			State any seasonal variation (please read guidance note 4)		
Fri					
Sat			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					

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)	Indoors	
Day	Start	Finish		Outdoors	
Mon				Both	
Tue			Please give a description of the facilities for dancing you will be providing		
Tue			Please give further details here (please read guidance note 3)		
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					

K

Provision of facilities for entertainment of a similar description to that falling within (i) or (j) 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				Outdoor	
				Both	
Tue			Please give further details here (please read guidance note 3)		
Wed					
Thur			State any seasonal variation (please read guidance note 4)		
Fri					
Sat			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					

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	
Day	Start	Finish		Both	
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					

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

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	
Day	Start	Finish	State any seasonal variation (please read guidance note 4)		
Mon	9:00	17:00	WE ANTICIPATE HIGHER STOCK TURNOVER IN THE SUMMER, BUT NOT ENOUGH TO EFFECT TRADING HOURS.		
	0:00	24:00			
Tue	9:00	17:00			
	0:00	24:00			
Wed	9:00	17:00			
	0:00	24:00			
Thur	9:00	17:00			
	0:00	24:00			
Fri	9:00	17:00	Flexibility will be a FLEXIBILITY WILL BE NEEDED AROUND RUNNING THE WEBSITE AND DURING WEDDING WEEKS, HENCE THE 24 HOUR APPLICATION		
	0:00	24:00			
Sat	9:00	17:00			
	0:00	24:00			
Sun	0:00	24:00			

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

Name: DAVID ROBERTSON

Address:

Postcode:

Personal Licence number (if known): SEBC/LN/000002508

Issuing licensing authority (if known): ST EDMUNDSBURY BOROUGH COUNCIL

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)

THE WINE WILL BE STORED SECURELY THERE ARE NO CHILDREN LIVING AT THE HOUSE AND IT WILL NOT BE OPEN TO THE PUBLIC.

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			
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			

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 BUSINESS WILL BE SUPPLYING MODEST AMOUNTS OF WINE TO WEDDINGS. IT WILL CARRY OUT ITS TRADING DURING A NORMAL BUSINESS HOURS WITH NO DISRUPTION LOCALLY. THE MAIN POINT OF OUR BUSINESS IS CREATING PERSONALISED LABELS FOR THE WINE, AND SUCH A BESPOKE PRODUCT IS UNLIKELY TO APPEAL TO CHILDREN OR ANYONE AT RISK FROM DRINKING EXCESSIVELY.

b) The prevention of crime and disorder

WE WILL WORK IN PARTNERSHIP WITH PCSOs, THE CRIME REDUCTION OFFICER, AND OTHER BODIES, AND TAKE REASONABLE STEPS TO ENSURE SECURITY OF THE PREMISES.

c) Public safety

THE PUBLIC WILL NOT BE ON SITE SO THE RISKS ARE MINIMAL. DELIVERIES WILL BE MADE VIA CARS, SO NO 18-WHEELERS COMING THROUGH THE ESTATE.

d) The prevention of public nuisance

THE BUSINESS WILL NOT PRODUCE ANY NOISE, AND WILL NOT BE TRADING OUTSIDE OF BUSINESS HOURS, EXCEPT DELIVERIES OFF SITE.

e) The protection of children from harm

WE WILL DISPLAY DRINKAWARE LOGOS ON OUR WEBSITE AND OPERATE A 'THINK 25' POLICY TOWARDS OUR CLIENTS. WE WILL ONLY DEAL WITH ESTABLISHED BUSINESSES OR PEOPLE WE HAVE SEEN ID FROM

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
Name:	Address:
If you prefer us to correspond with you by e-mail your email address (optional):	

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.

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):
- ~~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: D. Robertson Date: 25/7/12 3/8/12

Capacity: BUSINESS PARTNER

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: D. Robertson Date: 25/7/12

Capacity: BUSINESS PARTNER



**NORFOLK
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: 31 August 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: bartramm@norfolk.pnn.police.uk
www.norfolk.police.uk
Non-Emergency Tel: 0845 456 4567

Dear Licensing Team,

Application under the Licensing Act 2003

Premises: Wine Design, 59 Westfields, Tilney St. Lawrence, PE34 4QR

Name of applicant: David Robertson & Glenn Adams

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.

This application refers to what is intended to be a remote sales business accessed via a web site available on the Internet and based at a private residence. It is intended to sell wines with unique specialist labels printed thereon for customers promoting special events.

Stock used will be turned over quickly and will only be stored at the premises for a short period of time.

The main concerns for the Police are:

- A. The security of the premises will need to be enhanced to minimise the risk of criminal attack on the premises and any stock held within.
- B. As the sale of alcohol will be originated from the premises via electronic communication and payment methods, there will need to be suitable measures in place for the Licence Holder(s) and Designated Premises Supervisor to demonstrate that they have paid due diligence to the legal sale of alcoholic products to ensure that sales are legal and that alcohol does not fall into the wrong hands.

To cover both aspects highlighted above the Police request that the following conditions are placed on the licence if it is granted:

Proposed Conditions:

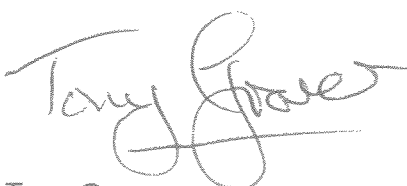
1. Any alcohol stored at the premises will be in a secure alcohol store which is solidly constructed and fitted with a door at least 44mm thick which has the benefit of two x 5 lever mortice locks to Current British Standards and hinge bolts. Any stud wall forming part of the alcohol store may be lined with a weld mesh product to enhance its security.
2. A monitored intruder alarm will be installed at the premises and will be maintained in good working order at all times. The intruder alarm will be set when the premises is unoccupied.
3. The intruder alarm will cover the alcohol store.
4. Deliveries of alcoholic beverages will only be allowed if the Premises Licence Holder formulates and complies with a policy of Terms and Conditions for the off sales of alcoholic beverages via the Internet or any other telecommunication method to the licensed premises. That policy will include the following statements:-
 - i. Alcoholic beverages will only be supplied to persons over the age of 18 years.
 - ii. Deliveries of alcoholic beverages will only be made to bona fide addresses where persons reside or businesses are conducted from.
 - iii. Deliveries of alcoholic beverages are signed for by a person aged 18 years or over, at the point of delivery, and that photographic identification of persons is checked if there is any doubt as to the age of the person attempting to accept delivery.
 - iv. Any alcoholic beverage not able to be delivered in line with the previous requirements will be retained and taken back to the premises of the Premises Licence Holder for collection of delivery at a later date in a manner compliant with the Licensing Laws.
 - v. That any order taken by the Premises Licence Holder, or his/her representatives, which includes alcoholic beverages is paid for at the time of ordering with a recognised credit card or via recognised secure payment system which only authorises payments from persons who are 18 years of age or over.
 - vi. Customers will be made aware of the policy at the time of ordering and details of the policy will be made visible on any company web site for customers to view.
 - vii. Records of all deliveries made will be kept by the Premises Licence Holder for at least 12 months.

The Police wish to object to this application as it currently stands.

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

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

Yours faithfully,



Tony Grover.
Licensing Officer.

Wine Design, 59 Westfields, Tilney St Lawrence, King's Lynn, PE34 4QR

Premises Plan
Scale: 1mm = 10cm

