

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



LICENSING COMMITTEE - SUB-COMMITTEE HEARING

Agenda

48B Manor Road
Dersingham

Thursday 3rd October 2013
1pm

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

10th September 2013

Dear Member

Licensing Sub-Committee Hearing – 3rd October 2013

You are invited to attend a meeting of a Licensing Sub-Committee to commence at **1pm** on **Thursday 3rd October 2013** 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. APOLOGIES FOR ABSENCE

To receive any apologies for absence.

2. ITEMS OF URGENT BUSINESS

To determine any other items of business which the Chairman decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

3. DECLARATION OF INTERESTS

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

These declarations apply to all Members present, whether the Member is part of the meeting, attending to speak as a local Member on an item or simply observing the meeting from the public seating area.

4. **TO CONSIDER THE APPLICATION FOR GRANT OF A PREMISES LICENCE IN RESPECT OF 48B MANOR ROAD, DERSINGHAM**

- (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 –13)
- (c) Copy of Application Form – Appendix One (pages 14 - 27)
- (d) Letter of Police Objection from Norfolk Constabulary dated 1st August 2013 - Appendix Two (pages 28 - 31)
- (e) Premises Plan – Appendix Three (page 32)
- (f) Location Plan – Appendix Four (page 33)

Copies to:

Panel Members

**Councillor C Crofts (Chairman),
Councillor C Manning
Councillor A Wright**

Officers

**Rachael Edwards (Senior Democratic Services Officer)
John Gilbraith (Licensing Manager)**

Legal Advisor

All relevant parties

Procedure for Determining Licensing Act 2003 Cases

The hearing will be held in public. However, the Borough Council may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place 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 which is normally 15 minutes each, in total. Any person may apply for longer time if they immediately notify the Borough Council upon receipt of the Notice of the Hearing and in exceptional circumstances, the Borough Council 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 Borough Council may ask an appropriate number of representatives or a single representative to put forward their views.

Introductions

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

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

2. The **Chairman** will introduce himself and the Members of the Committee.
3. The **Chairman** will then introduce and explain the respective roles of
 - (i) the Democratic Services Officer
 - (ii) the Licensing Manager
 - (iii) the Legal Advisor to the Committee
4. **The Chairman** should invite all those present to introduce themselves and ask them to indicate if they wish to speak during the hearing. (Only those persons who have made representations may address the Sub-Committee)
5. Each party will be asked by the **Chairman** whether 15 minutes is sufficient for the presentation of his/her/body's case. (Agreement on the length of time given for each speaker is at the discretion on the Chairman).
6. Please note at any time during the hearing the Legal Advisor or the Licensing Manager may be asked or may offer advice to the Sub-Committee/other parties or ask questions of any party.

The Application for a Premises License

7. The **Legal Advisor** explains the procedure that will be followed at the meeting.
8. The **Licensing Manager** outlines the premises application to the Committee by presenting the report referring to any relevancy to Licensing Policy and Statutory Guidance.
9. The **Licensing Manager** will invite questions from all parties to clarify the content of the Licensing Officer's report.

The Applicant's Case

10. The **Chairman** then invites 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 has presented their case, the **Chairman** invites questions to the Applicant or his representative from
 - (i) The Licensing Manager
 - (ii) The Responsible Authorities (or their representative)
 - (iii) Other persons (or their representatives)
 - (iv) Members of the Committee.
12. The **Chairman** will invite questions to the witnesses (if present) from the
 - (i) The Licensing Manager
 - (ii) The Responsible Authorities (or their representative)
 - (iii) Other persons (or their representative)
 - (iv) Members of the Committee

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

The Responsible Authorities Case

13. The Chairman then invites the Responsible Authorities (or their representative) to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

Questions

14. Once the Responsible Authorities has presented their case, the **Chairman** invites questions to the Responsible Authorities (or their representative) from the
 - (i) The Licensing Manager
 - (ii) The applicant (or their representative)
 - (iii) Other persons (or their representatives)
 - (iv) Members of the Committee.
15. The **Chairman** will invite questions to the witnesses from the
 - (i) The Licensing Manager
 - (ii) The application (or their representative)
 - (iii) Other persons (or their representative)
 - (iv) Members of the Committee

Other Persons Case(s)

16. Each of the other persons or their representatives wishing to address the Committee may do so in an order determined by the **Chairman**. They too must be willing to be questioned by other parties in the same order. Local Objectors may not however question each other. Questions should be relevant to the application and repetition will be discouraged.

This will operate as follows:

- each party will present his/her/body's case
- each party's witnesses (if any) will give evidence in support of the party's case
- firstly, each party and, secondly, their witnesses may be questioned by other parties, prior to questioning by Members of the Committee.

17. The Licensing Manager, Applicant (or their representative) and the Responsible Authorities will be invited to ask relevant questions of those parties (or the parties' representatives).

Summing Up

Each party will be allowed 5 minutes to sum up their case. They may comment upon what has been said but no new evidence should be introduced.

18. The **Chairman** then invites the Licensing Manager to sum up his case.
19. The **Chairman** then invites the Responsible Authorities and other parties (or their representative) to sum up their case.
20. The **Chairman** then invites the applicant (or their representative) to sum up their case.

Reaching and Making a Decision

21. **The Chairman** will ask the Council's Legal Advisor to address the Committee on any outstanding matters.
22. The **Chairman** will then thank all those who have spoken and invite the Committee to retire to consider the application, accompanied by the Legal Advisor and Democratic Services Officer (who will take no part in the decision).
23. 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.
24. Once a decision has been made, **the Chairman** will invite the **Legal Advisor** to announce in public any legal advice he/she has given in private.
25. **The Chairman** will read out the decision of the application and the reasons for the decision (unless the Committee is unable to reach a determination at the conclusion of the hearing). Where appropriate, **the Chairman** will ask the Licensing Manager/Officer for any comments on their decision prior to any final determination.
26. **The Chairman** will explain that all parties will be notified of the outcome of the decision and reasons for the decision in writing.
27. If the Committee is unable to reach a decision, the **Chairman** will explain that all parties will be notified as soon as possible (but within 5 working days) of the decision and the reasons for such.

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 2013

Application for Grant of a Premises Licence

- 48B Manor Road, Dersingham, King's Lynn, PE31 6LH

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 Celal KARA has made an application under Section 17 of the Act for the licensable activity of the 'sale of alcohol'. 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 by Retail: (For consumption off the premises only)	Monday to Sunday:	8am – 11pm

Mandatory Conditions

3. The premises licence, if granted would be subject to the following mandatory conditions:

- (a) Under Section 19(2) of the Act, no supply of alcohol shall 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 Act every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (c) The premises licence holder shall ensure that an age verification policy applies to the premises in relation to the sale or supply of alcohol. This policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol,

identification bearing their photograph, date of birth and a holographic mark.

Conditions Consistent with the Operating Schedule

4. The following condition has been identified from the operating schedule (the application):

- (a) The licence holder shall maintain records of all refusals of the sale of alcohol and other incidents that may occur at the premises in a book that will be kept for that purpose. The refusals / incident book will be produced for inspection upon reasonable request from representatives of the Police or the Licensing Authority.

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 Norfolk Constabulary are objecting to the application on the grounds that the Crime & Disorder licensing objective could be undermined. A copy of their letter of objection dated the 1st August 2013 is attached to this report at Appendix 2.

6. There are no representations from the other 'responsible authorities' to consider.

Representations from 'Other Persons'

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

7. There are no representations from 'other persons' to consider.

Notices

8. 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 Tuesday the 16th July 2013 and should have been displayed on the premises until the 8th August 2013.

Plans

9. A plan of the premises is attached at Appendix 3 and a location plan is attached at Appendix 4. The plan of the premises (Appendix 3) does not reflect how the final layout will be and should the premises application be granted then either a minor or full variation application will be required before trading.

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

10. 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 October 2012 and offers advice to Licensing authorities on the discharge of their functions under the Act.

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

Licensing Objectives and Aims

1.2 The legislation provides a clear focus on the promotion of four statutory objectives which must be addressed when licensing functions are undertaken.

- 1.3 The licensing objectives are:
- The prevention of crime and disorder;
 - Public safety;
 - The prevention of public nuisance; and
 - The protection of children from harm.
- 1.4 Each objective is of equal importance. There are no other statutory licensing objectives, so that the promotion of the four objectives is a paramount consideration at all times.
- 1.5 However, the legislation also supports a number of other key aims and purposes. These are vitally important and should be principal aims for everyone involved in licensing work. They include:
- Protecting the public and local residents from crime, anti-social behaviour and noise nuisance caused by irresponsible licensed premises;
 - Giving the police and licensing authorities the powers they need to effectively manage and police the night-time economy and take action against those premises that are causing problems;
 - Recognising the important role which pubs and other licensed premises play in our local communities by minimising the regulatory burden on business, encouraging innovation and supporting responsible premises;
 - Providing a regulatory framework for alcohol which reflects the needs of local communities and empowers local authorities to make and enforce decisions about the most appropriate licensing strategies for their local area; and
 - Encouraging greater community involvement in licensing decisions and giving local residents the opportunity to have their say regarding licensing decisions that may impact upon them.

Licence Conditions – General Principles

- 1.16 Conditions on a premises licence or club premises certificate are important in setting the parameters within which premises can lawfully operate. The use of wording such as “must”, “shall” and “will”, is encouraged. Licence conditions:
- must be appropriate for the promotion of the licensing objectives;
 - must be precise and enforceable;
 - must be unambiguous and clear in what they intend to achieve;
 - should not duplicate other statutory requirements or other duties or responsibilities placed on the employer by other legislation;
 - must be tailored to the individual type, location and characteristics of the premises and events concerned;
 - should not be standardised and may be unlawful when it cannot be demonstrated that they are appropriate for the promotion of the licensing objectives in an individual case;

- should not replicate offences set out in the 2003 Act or other legislation;
- should be proportionate, justifiable and be capable of being met, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

Each application on its own merits

1.17 Each application must be considered on its own merits and in accordance with the licensing authority's statement of licensing policy; for example, if the application falls within the scope of a cumulative impact policy. 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

2.18 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.

2.19 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. Public nuisance may also arise as a result of the adverse effects of artificial light, dust, odour and insects or where its effect is prejudicial to health.

2.20 Conditions relating to noise nuisance will usually 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.

- 2.21 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation 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.
- 2.22 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.
- 2.23 Measures to control light pollution will also require careful thought. Bright lighting outside premises which is considered appropriate to prevent crime and disorder may itself give rise to light pollution for some neighbours. Applicants, licensing authorities and responsible authorities will need to balance these issues.
- 2.24 Beyond the immediate area surrounding the premises, these are matters for the personal responsibility of individuals under the law. An individual who engages in anti-social behaviour is accountable in their own right. However, it would be perfectly reasonable for a licensing authority to impose a condition, following relevant representations, that requires the licence holder or club to place signs at the exits from the building encouraging patrons to be quiet until they leave the area and to respect the rights of people living nearby to a peaceful night.

Determining Applications

- 9.1 When a licensing authority receives an application for a new premises licence or an application to vary an existing premises licence, it must determine whether the application has been made in accordance with section 17 of the 2003 Act, and in accordance with regulations made under sections 17(3) to (6), 34, 42, 54 and 55 of the 2003 Act. It must similarly determine applications for the grant of club premises certificates made in accordance with section 71 of the 2003 Act, and in

accordance with regulations made under sections 71(4) to (7), 84, 91 and 92 of the 2003 Act. This means that the licensing authority must consider among other things whether the application has been properly advertised in accordance with those regulations.

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.

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

9.33 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;
- it's own statement of licensing policy.

- 9.35 The licensing authority should give its decision within five 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.

Consistency with Steps Described in the Operating Schedule

10.6 The 2003 Act provides that where an operating schedule or club operating schedule has been submitted with an application and there have been no relevant representations made by responsible authorities or any other person, the licence or certificate must be granted subject only to such conditions as are consistent with the schedule accompanying the application and any mandatory conditions required under the 2003 Act.

10.7 Consistency means that the effect of the condition should be substantially the same as that intended by the terms of the operating schedule. If conditions are broken, this may lead to a criminal prosecution or an application for a review and it is extremely important therefore that they should be expressed on the licence or certificate in unequivocal and unambiguous terms. The duty imposed by conditions on the licence holder or club must be clear to the licence holder, club, enforcement officers and the courts.

Imposed Conditions

10.8 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.

10.9 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

10.10 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. 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.

Determination

12. Having regard to the representations 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.

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

28th August 2013

Appendixes:

1. Copy of Application.
2. Letter of Police Objection dated 1 August 2013.
3. Premises Plan.
4. 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 (October 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
- **Norfolk Children's Safeguarding Board**, Room 60, Lower Ground, County Hall, Martineau Lane, Norwich, NR1 2DH
- **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 CELAL KARA
(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	
48 B, MANOR RD. DERSINGHAM	
Post town: KING'S LYNN	Postcode: PE31-6LH

Telephone number at premises (if any):

01485 - 54 30 55

Non-domestic rateable value of premises:

£ 3150

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
KARA

First names
CELAL

I am 18 years old or over please tick yes

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

Post Town:	KING'S LYNN	Post Code:	
-------------------	-------------	-------------------	--

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

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

Second Individual Applicant (if applicable)

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

Surname

First names

I am 18 years old or over please tick yes

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

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

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?

10/07/2013

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 ATTACHED TO A KEBAB SHOP, IN A RESIDENTIAL AREA & WILL USED TO SELL ALCOHOL, FOR THE CONSUMPTION OFF PREMISES. THERE ARE CAR PARKING FACILITIES OUTSIDE THE PREMISES.

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 late night refreshments

(if ticking yes, fill in box I)

Sale by retail of alcohol

(if ticking yes, fill in box J)

In all cases complete boxes 'K', 'L' & 'M'

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					

A

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

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

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

J

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	0800	2300			
Tue	0800	2300			
Wed	0800	2300			
Thur	0800	2300			
Fri	0800	2300	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	0800	2300			
Sun	0800	2300			

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

Name: CELAL KARA

Address:

.....

Postcode:

Personal Licence number (if known): TBC

Issuing licensing authority (if known):

K

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)

N/A.

L

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	<u>0800</u>	<u>2300</u>	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)
Tue	<u>0800</u>	<u>2300</u>	
Wed	<u>0800</u>	<u>2300</u>	
Thur	<u>0800</u>	<u>2300</u>	
Fri	<u>0800</u>	<u>2300</u>	
Sat	<u>0800</u>	<u>2300</u>	
Sun	<u>0800</u>	<u>2300</u>	

M 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)

NOTHING BEYOND EXISTING HEALTH &
SAFETY/FIRE SAFETY ETC. REQUIREMENTS

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

NOTHING BEYOND EXISTING HEALTH &
SAFETY/FIRE SAFETY ETC. REQUIREMENTS
& ADDITIONAL REQUIREMENTS
FROM CRIME PREVENTION OFFICER

c) **Public safety**

NOTHING BEYOND EXISTING HEALTH &
SAFETY/FIRE SAFETY ETC. REQUIREMENTS.

d) **The prevention of public nuisance**

NOTHING BEYOND EXISTING HEALTH &
SAFETY/FIRE SAFETY ETC. REQUIREMENTS.

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

NOTHING BEYOND EXISTING HEALTH &
SAFETY/FIRE SAFETY ETC. REQUIREMENTS.
AGE POLICY WILL BE IN PLACE
A REFUSAL BOOK WILL BE USED.

Part 4 – Signatures (please read guidance note 10)

<u>Checklist</u>	Please tick ✓/ yes
1 I have made or enclosed payment of the fee. Cheques should be made payable to 'BCKLWN':	<input checked="" type="checkbox"/>
1 I have enclosed two sets of plans of the premises:	<input checked="" type="checkbox"/>
1 I have sent you the original application and copies including the plan to the 'responsible authorities' (details on front page):	<input checked="" type="checkbox"/>
1 I have enclosed the consent form completed by the individual I wish to be premises supervisor (if applicable):	<input checked="" type="checkbox"/>
1 will send / I enclose my Certificate of Service:	<input checked="" type="checkbox"/>
1 I understand that I must now advertise the application both in a newspaper and on the premises:	<input checked="" type="checkbox"/>
1 will send / I enclose the Certificate of Display:	<input checked="" type="checkbox"/>
1 I will send a copy of the advert once it has appeared in the newspaper	<input checked="" type="checkbox"/>
1 I understand that if I do not comply with the above requirements my application may be rejected:	<input checked="" type="checkbox"/>

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:  Date: 07-08-2013

Capacity: OWNER

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

Signature: Date:

Capacity:

Contact name (where not previously given) and address for correspondence associated with this application (please read guidance note 13)	
Name:	Address:
A. J. MILLER	
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 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.



NORFOLK
CONSTABULARY

Our Priority is You

Norfolk Constabulary Licensing Team

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

Date: 01 August 2013

Ref: TG/Lic:

Tel: 01603 276093
Fax: 01603 276025
Email: grovera@norfolk.pnn.police.uk
www.norfolk.police.uk
Non-Emergency Tel: 101

Dear Licensing Team,

Application under the Licensing Act 2003

Premises: 48b Manor Road, Dersingham. PE31 6LH

Name of applicant: Celal KARA

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:

This application refers to a shop premise which is attached to an existing takeaway business in Manor Road Dersingham which serves fish & chips and kebabs. Currently the proposed licensed area is used for storage of ingredients and stock for that business. The applicant has been running the existing business for 4 years. He wishes to provide an off licence for the benefit of residents and those who purchase takeaway food from his shop. He says that he will stock bread, milk and a few other confectionary items if there is the need. Basically the shop will be an off licence in every sense of the word, albeit within a small shop.

There are other nearby shops in Dersingham which provide a wider range of groceries as well as alcohol.

The whole shop premise is situated within a residential area at the junction of Manor Road and Holyrood Drive, which is a T-junction. There is no legal parking facility as to park outside shop is likely to cause an obstruction of the highway. There is a narrow strip of land between the shop and the footpath which has a couple of wooden picnic benches on which encourages customers to eat their takeaway food.

The primary fear of the Police is that a dedicated off licence in such a location and attached to a takeaway outlet is likely to encourage anti-social behaviour from many of those that will view it as an opportunity to mix the provision of food with the provision of alcohol and cause a nuisance in

the area. The local Police Commander for Dersingham, Inspector Gunnill makes the following comments in consideration of the application:

"I have concerns about this application. The premises are in a residential area which has a history of anti social behaviour and volume crime, particularly Holyrood Drive which is directly opposite. Youths are in the main responsible for the ASB and there is evidence that the consumption of alcohol is linked to ASB. Within Holyrood drive is a sheltered housing complex (Hannover Court) which has been subject to ASB and crime from local youths. These residents are elderly and therefore vulnerable.

The applicant states there is parking outside the premises, this is restricted and may cause difficulties for residents – in addition as already stated it is directly opposite a junction (Holyrood Drive) and not far from another (Heath Road) which if there was increase traffic, may cause problems."

The Police are also concerned that the standard of security for the premise is not up to the standard expected for licensed premises and the storage of alcohol.

Having discussed the application with the applicant it would seem that the full plan for the new proposed licensed area and the existing business and its security has not been reflected on the plan submitted with the application. It would appear that:

- the interconnecting door between the existing business and the proposed licensed area will be blocked off
- there will be a fixed service counter towards the rear of the shop in front of the door to the current prep area for the current business across about 2/3^{ds} of the way across the shop floor area behind which, it is alleged, most of the alcohol stock will be displayed and subsequently served to customers
- the aforementioned prep area will become a store room for the proposed business and will be somehow separated from the existing business
- there will a system of shelving and refrigerators around the walls of the remainder of the store for the display of alcohol and other goods as previously mentioned

None of this is shown on the plan which is a serious omission and needs to be resolved.

There is no indication within the application how the applicant intends to address matter of security to satisfy the Prevention of Crime and Disorder Licensing Objective apart from a reliance upon any recommendations from the Police Crime Prevention Officer and an implied intention to comply with any recommendations suggested by that officer.

The Police Crime Prevention Officer has attended the premise and submitted a report of his findings with recommendations as to what measures would need to be installed at the premises in order to satisfy the Licensing Objective.

As a result of that report the Police would ask that if the licence is granted the following Conditions are placed on the licence to address the poor state of security at the premises:

1. All exterior doors to the shops and store area of the premise must have 2 x 5 lever mortice locks to current British Standards 3621:2007 or equivalent and fitted one third up and one third down the door. External opening doors must be fitted with hinge bolts to enhance the security of the hinges.
2. All glazing in external doors and windows must be of a 6.8mm laminate product. Existing glazing must be fitted with an aftermarket security film to improve its deterrent performance.
3. All opening windows must have locking mechanisms fitted. Any with an opening larger than 600mm require two such locking mechanisms to be fitted.
4. Any area used for the storage of alcohol must be within a solidly constructed part of the

building. A system of Weld Mesh may be used on walls and ceilings to achieve this requirement in which case security fixings must be used at no more than 300mm centres. The mesh must be not less than 4mm (8SWG) or not greater than 30mm x 30mm section. Any doors to the storage area must be of a solid construction at least 44mm thick and have 2 x 5 lever mortice locks to current British Standards 3621:2007 or equivalent and fitted one third up and one third down the door and must be fitted with hinge bolts to enhance the security of the hinges.

5. Any spirits must only be displayed behind the service counter and served to customers.
6. An intruder alarm system must be installed on the premises. It must be professionally installed and maintained to meet current British Standards. The alarm must be used when the premises are unattended. The alarm must cover any alcohol storage area.
7. A CCTV system capable of providing clear images must be installed at the premises. The system must be maintained in efficient working order at all times. Images must be recorded in digital format onto a hard drive with the capability of storing at least 28 days worth of recordings.
8. CCTV cameras will be placed in such positions that they will be capable of monitoring and recording access and egress through any entrance to the premises (both inside and outside) and provide cover to all public areas within the premises. A CCTV monitor will be located within the premise which affords staff the ability to have an unobstructed line of sight to view the images on the screen.
9. CCTV images must be capable of being downloaded onto a removable drive and given to representatives from the Police or the Licensing Authority upon reasonable request.
10. Signs must be placed within the premises informing customers that a CCTV system is in operation.

(Please note that the Police Crime Prevention Officer has attended the premises and submitted a Crime Prevention Report to the applicant which gives general crime prevention advice and contains recommendations as to how the conditions at 1 to 10 may be achieved. A copy of that report is attached to this representation. The advice contained within the crime prevention report is based upon guidance from the Home Office Crime Reduction Department regarding 'Secured by Design' standards for Licensed Premises.)

If the applicant(s) feels they are unable to agree with the amendments and 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 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.

Tony Grover.
Licensing Officer.

Copy to: Celal KARA

Name of Premises:

48b Manor Road,
Dersingham.
PE31 6LH

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 01/08/13 Ref: TG/Lic

In connection with the application for the premises shown above I(we) agree to the condition(s) given at 1 to 10 in the letter of representation from the Police.

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

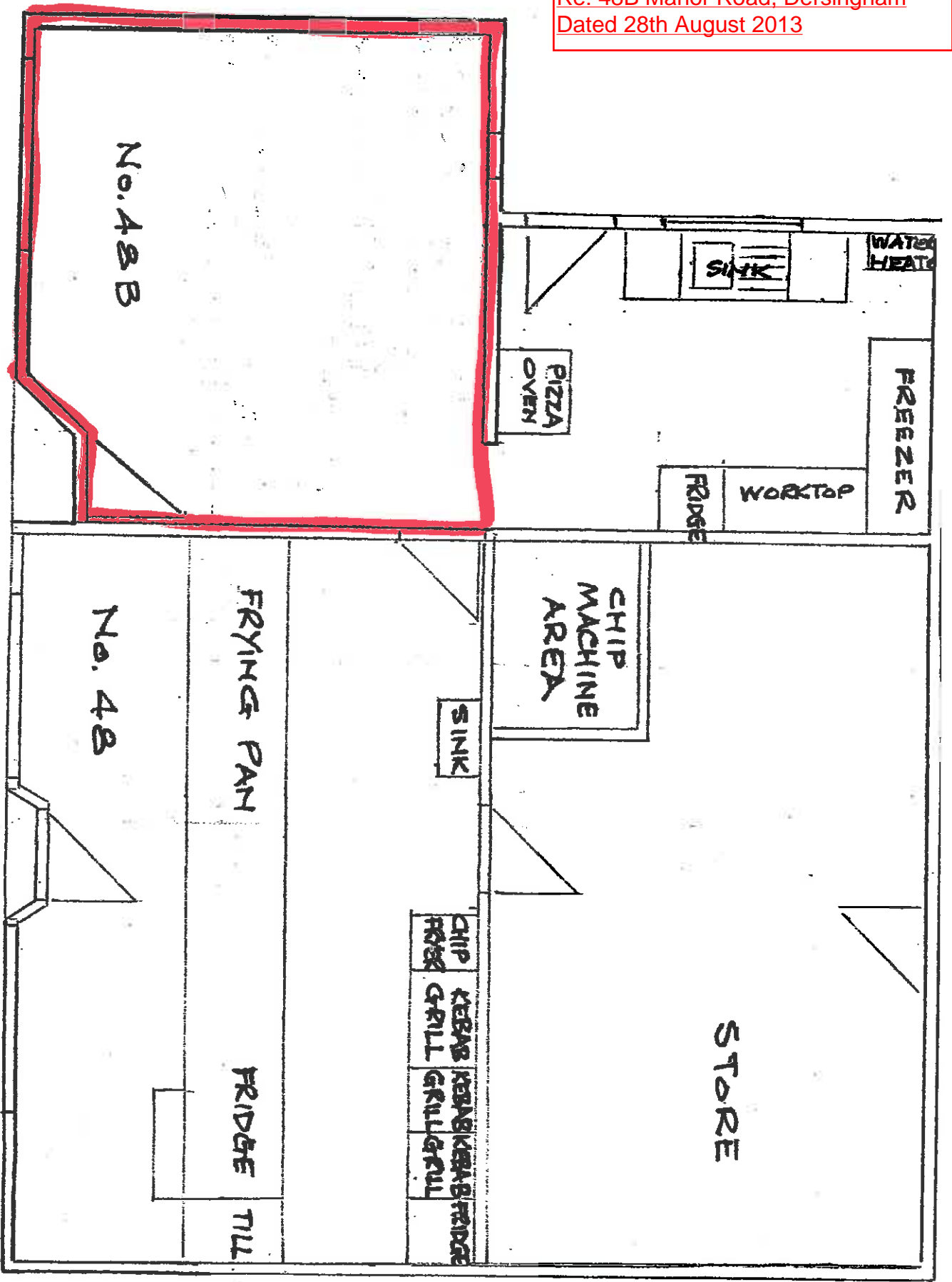
Signed.....

Name.....CELAL KARA

Date.....12/08/2013

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





PROPOSED FLOOR PLAN OF 48B MANOR RD DERSINGHAM

SCALE 1:50

48B Manor Road, Dersingham, PE31 6LH



48B Manor Road