

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

LICENSING COMMITTEE

**Minutes from the Meeting of the Licensing Committee held on Wednesday,
21st September, 2016 at 10.00 am in the Committee Suite, King's Court,
Chapel Street, King's Lynn**

PRESENT:

Councillors C J Crofts (Chairman), S Squire and M Hopkins

OFFICERS:

Jo Furner – Legal Advisor

John Gilbraith – Licensing Manager

Rebecca Parker – Democratic Services Officer

1 **APOLOGIES FOR ABSENCE**

There was none.

2 **ITEMS OF URGENT BUSINESS**

There was none.

3 **DECLARATIONS OF INTERESTS**

There was none.

4 **TO CONSIDER A REVIEW APPLICATION FOR HANSE HOUSE,
SOUTH QUAY, KING'S LYNN, PE30 5GN**

The Chairman welcomed everyone to the meeting and declared that the Sub-Committee was sitting to consider a review application for Hanse House, South Quay, King's Lynn, PE30 5GN.

He introduced the Sub-Committee, the Borough Council officers and the Legal Advisor and explained their roles.

The Applicant introduced herself, Ms Watling.

The Respondent introduced himself, Mr Lee and explained that he would be accompanied by his wife and his daughter.

The Responsible Authority present, Alison Demonty from Community Safety and Neighbourhood Nuisance introduced herself.

The Other Persons present introduced themselves, Mrs Russell-Johnson and Dr. Litten.

All parties confirmed that fifteen minutes would be sufficient to present their case, with the exception of Mr Lee, and it was agreed that he would be permitted twenty minutes if required.

5 **PROCEDURE WHICH WILL BE FOLLOWED AT THE HEARING**

At the request of the Chairman, the Legal Advisor outlined the procedure which would be followed at the Hearing.

The Chairman explained that following the Hearing, the Sub-Committee would retire to make their decision. The decision would be sent to all interested parties by post.

6 **REPORT OF THE LICENSING MANAGER**

The Licensing Manager presented his report and provided an overview of the review application. In presenting his report, the Licensing Manager referred to the following:

- This Hearing was for Hanse House only. A separate Hearing would be held to consider the review application for the Rathskeller.
- The Review Application, which had been included within the Licensing Manager's Report.
- The original Licence for Hanse House.
- The current operating times of the premises and the licensable activity permitted.
- Since the original licence had been granted there had been a change in the Law which meant that no licence was required for recorded or live music between the hours of 8am and 11pm if the premises had a licence for the sale of alcohol. Any existing licensing conditions were suspended between 8am and 11pm.
- The Review Application was made under the 'prevention of public nuisance' licensing objective.
- There had been representations from Community Safety and Neighbourhood Nuisance.
- There had been six representations made by Other Persons in support of the Review Application.
- The Borough Council's Statement of Licensing Policy and Section 182 Guidance.

The Chairman thanked the Licensing Manager for his report and invited questions from all parties.

In response to a question from the Applicant, the Licensing Manager clarified the change in law regarding live and recorded music up to 11pm. He explained that the Government had relaxed the law so that if a premises was licensed to sell alcohol, live and recorded music would

be permitted up to 11pm without a licence, as long as there were no more than 500 people present at the venue.

There were no questions from the other parties.

7 **THE APPLICANTS CASE**

Ms Watling presented her case. She explained that she had requested the review as no decibel levels for monitoring purposes had been set, despite the Sub-Committee requesting this when the original application was approved.

She felt that the first floor South function room was inappropriate for amplified music as it was in close proximity to residential properties.

She did not feel that the premises were managed well on occasions and often windows were left open and music was too loud. She referred to informal agreements which had been made between the Licence Holder and Community Safety and Neighbourhood Nuisance and she did not feel that these had been taken forward by the Licence Holder.

The Applicant referred to her noise log, which had been included within the Licensing Manager's report. She explained that it was sometimes difficult to determine what type of music was being played and whereabouts in Hanse House it was coming from. The Applicant explained that she started keeping the log following Community Safety and Neighbourhood Nuisance advice and the log started in December 2014, although she had experienced issues with noise since March 2014. She stated that some of the disturbances had been witnessed by the Community Safety and Neighbourhood Nuisance Team and some had been witnessed by other residents.

The Applicant informed the Sub-Committee that since April 2016 she had not been in her property that often, but reported that on 13th August 2016 there was a disco at the premises until 12.18am and on 20th August there was a private function until 11.55pm.

The Applicant stated that noise from the undercroft and the Function room affected her bedroom and sometimes it felt as if the walls were vibrating. She explained that her property was a single depth property parallel to St Margaret's Lane. She felt that amenity and enjoyment of her property was significantly reduced at the weekend.

The Applicant supported the recommendations put forward by the Community Safety and Neighbourhood Nuisance Team and felt all live and recorded music should finish by 11pm at the venue.

The Applicant explained that she felt the disturbances from Hanse House were less frequent than the Rathskeller, but private events had

increased and she felt that they would continue to do so as business was built up.

The Chairman thanked the Applicant for presenting her case and invited questions from all parties.

The Licensing Manager asked if the Applicant could attribute the entries in her noise log to the different venues. The Applicant explained that she had stated on the noise log when the noise was attributable to the Function Room. She explained that the noise log included occasions when she was aware of noise, but it was not necessarily a nuisance, but often the noise was louder after 11pm.

There were no questions from the other persons present.

8 **THE RESPONDENTS CASE**

Mr Lee, the Licence Holder, presented his case. He confirmed that only the Community Safety and Neighbourhood Nuisance Team had supported the review application and there had been no representations from the other Responsible Authorities. He stated that the Police had commended the operation of their Business and had no complaints.

He referred to the noise log provided by the Applicant and explained that although it provided lots of detail not all entries were pertinent to Hanse House. He explained that there were 33 observations made by Ms Watling, however only fifteen could be attributed to Hanse House, as it had only been used on fifteen occasions during the log period.

He referred to the log entry of 16th May 2015 in which the Applicant stated that she had informed Community Safety and Neighbourhood Nuisance of a disturbance. However this was a Temporary Event Notice which had been arranged by the Borough Council of King's Lynn and West Norfolk to celebrate the Hanseatic Anniversary Celebrations. He also referred to an entry for 3rd July 2015 and explained that there was a Wedding in the venue, but it had finished by midnight. The Licence Holder explained that he had reduced the volume of the music at 11.15pm for the event on 25th July 2015 and on 6th August there was no live music at the venue, just a Salsa Class.

The Licence Holder went on to explain that on 4th December 2015 the Applicant had stated that noise from the venue would have been louder had it not been for the strong winds and the Licence Holder felt that this was just speculation and could not be treated as evidence. He also commented that the music was finished by 11.30pm, which was within his licensed hours. The Licence Holder also referred to the entry for 30th December 2015 which stated that the windows to Hanse House Courtyard were open and Mr Lee explained that he was under no obligation to close these windows.

Mr Lee explained that on 19th March 2016 the Applicant had logged a nuisance. However this was a 40th Birthday Party with a Ceilidh Band which was acoustic.

The Licence Holder also referred to the logs made during the Hanse Weekend and explained that the Fireworks were nothing to do with Hanse House.

The Licence Holder informed those present that sixty one people had signed to support the current operation of the premises. He had also received letters of support from residents of Hanse House who lived a lot closer to the licensed venue than Ms Watling.

The Licence Holder offered to read out some of the letters of support from the residents of Hanse House, however following advice from the Legal Advisor it was felt that the letters raised issues regarding a personal dispute, which was not a consideration for the Licensing Committee and was therefore not relevant. The Chairman confirmed that the Sub-Committee had received documentation provided by Mr Lee in advance of the Hearing.

The Licence Holder concluded that he had been operating the premises for three years with no other objections. He felt that if licensed hours were reduced at the venue he would have difficulty promoting it as a Wedding Venue, as he already faced competition from nearby venues such as the Town Hall, which was licensed until 1.00am. He believed that he had acted within his Licence and been responsible. He commented that the original application for the venue had asked to operate until 1.00am, but a compromise of midnight had been made.

The Chairman thanked the Licence Holder for presenting his case and invited questions from all parties.

The Licensing Manager asked the Licence Holder to provide more details on the allegations, contained within the Applicant's noise log, in relation to the premises operating beyond the licensed hours. Mr Lee commented that he had stuck to the times, with the exception of a couple of occasions at Weddings when they had run over by about ten minutes.

Ms Watling asked if the residents of Hanse House were employees and friends of Mr Lee. Mr Lee confirmed that only one tenant was an employee.

The Community Safety and Neighbourhood Nuisance Officer referred to the Ceilidh Party on 19th March 2016, which the Licence Holder had reported was acoustic only and she asked that if any point there was any amplified music. It was explained that the Ceilidh was in Hanse House, and there may have been amplified music at the Rathskeller,

which was not relevant to this application. It was stated that there was a meal at Hanse House and an iPod dock was used, but during the Ceilidh there was no amplified music.

Dr Litten asked if Mr Lee was present at the venue when the disturbances had been logged by Ms Watling. Mr Lee commented that he was frequently present at the venue and staff did do checks. During the evenings reported on the log, Mr Lee stated that either himself, his daughter or his wife were present at the premises.

Dr Litten asked what steps were taken to ensure that events finished at the correct time and Mr Lee explained that it was made clear to all bookings what the terminal hour was and they were also reminded during the evening. The volume of music was also reduced at 11.30pm. He stated that he would intervene if there was a problem.

Councillor Squire referred to the Noise Management Plan and that the original licence stated that this should be submitted within 28 days with agreed levels. She asked why this had not been done. Mr Lee stated that there was a change in staff within the Community Safety and Neighbourhood Nuisance Team and wires got crossed and it got missed.

9 **RESPONSIBLE AUTHORITIES CASE - COMMUNITY SAFETY AND NEIGHBOURHOOD NUISANCE**

Alison Demonty from the Community Safety and Neighbourhood Nuisance Team presented her case. She referred to the representations made by the team, which had been included in the agenda and supported the review application. She explained that complaints about the premises had been received over a long period of time, however, there was no evidence of a statutory nuisance, which meant that the team could not intervene. The Community Safety and Neighbourhood Nuisance Team had witnessed noise at the venue and had tried to work informally with the Licence Holder, but it was felt that their suggestions and recommendations had not been taken forward. She explained that if a detailed Noise Management Plan was in place and adhered to it could limit the requirement for Community Safety and Neighbourhood Nuisance Intervention.

The Community Safety and Neighbourhood Nuisance Officer did not feel that the recommendations made by the team were burdensome or unreasonable. She explained that the recommendations included not using the South facing function room for amplified music as it was difficult to contain noise. She also felt that there should be some general monitoring of street music levels and details kept.

The Chairman thanked the Community Safety and Neighbourhood Nuisance Officer for presenting her case and invited questions from all parties.

The Licensing Manager referred to the recording of decibel levels and the Community Safety and Neighbourhood Nuisance Officer explained that the recording of decibel levels was not considered to be of great benefit for determining statutory nuisances as it was often not the only factor. Other issues such as frequency, duration, type of music and the surrounding environment also needed to be taken into consideration.

Ms Watling asked if any Noise Management Plans in place could be made available to the public. The Community Safety and Neighbourhood Nuisance Officer explained that the plan was not part of the licence, so was not published as a matter of course, but there was no reason why it could not be made available if requested.

Mr Lee asked the Community Safety and Neighbourhood Nuisance Officer if she was aware of the insulation boards and she confirmed that she was aware.

Mr Lee asked how many visits the Community Safety and Neighbourhood Nuisance Officer had made to the premises. The Community Safety and Neighbourhood Nuisance Officer confirmed that she had visited Ms Watlings property on one occasion and had been in the area on other occasions. The Community Safety and Neighbourhood Nuisance Officer explained that there were two officers available on the out of hours service and if they had been called out elsewhere they were sometimes unable to attend when Ms Watling had reported a disturbance.

Mr Lee asked if the South facing Function Room was converted into a flat, would it solve some of the problems reported, and the Community Safety and Neighbourhood Nuisance Officer confirmed that it would.

Councillor Hopkins asked if there had been other complaints against the premises, additional to those made by the Applicant and the other persons. The Community Safety and Neighbourhood Nuisance Officer thought that there had been complaints from other residents, but the majority had been received from Ms Watling.

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OTHER PERSONS CASE

Mrs Russell-Johnson

Mrs Russell-Johnson presented her case. She explained that her main concern was that there had been little attempt to reduce the noise levels from the South function room. Insulation boards on the windows were removed when the windows were open so there was no point in them being there. She could not understand why anyone thought that it would be a good idea to have a party venue so close to residential properties.

The Chairman thanked Mrs Russell-Johnson and there were no questions.

Dr Litten

Dr Litten introduced himself and stated that he was Chairman of the St Margaret's and St Nicholas Residents Forum. He referred to a Council document which had been produced relating to the control of noise and prevention of public nuisance. He felt that consideration needed to be given to the nature of the building and the location of nearby residential properties.

He felt that often noise built up during the course of events, often later on in the evening when background and residential noise levels dropped off, which meant that complaints could be justified later on in the evening.

Dr Litten felt that when licenses were being considered for Listed Buildings, a Site Visit should take place and no premises should hold events until an examination had been conducted by a Noise Abatement Officer.

He stated that the St Margaret's and St Nicholas Residents Forum supported the review application.

The Chairman thanked Dr Litten and there were no questions.

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SUMMING UP - THE LICENSING MANAGER

The Licensing Manager summed up his case. He asked the Panel to consider the representations contained within his report and put forward at the Hearing.

He reminded the Sub-Committee that they had heard from the Applicant and other persons that the problem was mainly occurring from 11pm onwards and he reminded those present that the change of law meant that regulated entertainment was not a licensable activity prior to 11pm in venues which had a licence to sell alcohol.

The Licensing Manager referred to the Borough Council's Statement of Licensing Policy and the Section 182 Guidance and he explained that the Sub-Committee must have regard to the guidance, or valid reasons why they would deviate from it.

The Licensing Manager outlined the options available to the Sub-Committee as set out in his report. He reminded them that they needed to focus on the prevention of public nuisance licensing objective.

He reminded the Sub-Committee that full reasons for their decision must be given as there was a right of appeal to the Magistrates Court.

12 **THE RESPONDENT - SUMMING UP**

Mr Lee summed up his case. He stated that from the start of the planning process all matters were taken into consideration with regard to the operation of the premises. The licence for the premises was until midnight and Mr Lee stated that he believed that he acted within his licence and took into consideration the concerns of his neighbours.

He felt that he had taken measures to ensure that there was not a nuisance and he did not deliberately try and cause hassle.

He stated that if his terminal hour was reduced this would have a negative impact on his wedding bookings, especially with the other competition for wedding venues in the vicinity. He requested that the Sub-Committee made no changes to his current licence.

13 **SUMMING UP - THE APPLICANT**

Ms Watling summed up her case. She reminded the Sub-Committee that she had recorded noise nuisance levels in a log and she was careful with recording accurate dates and times. She explained that the log was a shortened version of her emails with Community Safety and Neighbourhood Nuisance and that when she had stated in her log that no one from Community Safety and Neighbourhood Nuisance was unable to attend the premises, this was not a criticism, it was just that no one was available.

She acknowledged that noise was louder when her windows were open and that the wind had an effect on noise levels.

She requested that the licensed hours be reduced so that activity finished at 11.00pm and that the same be applied to the Rathskeller so that there was consistency across the venues.

14 **SUMMING UP - RESPONSIBLE AUTHORITY - COMMUNITY SAFETY AND NEIGHBOURHOOD NUISANCE**

The Community Safety and Neighbourhood Nuisance Officer summed up her case. She confirmed that the Community Safety and Neighbourhood Nuisance team supported the review application as they had received a number of complaints and had witnessed non-statutory nuisance.

She referred to the recommendations put forward by the Community Safety and Neighbourhood Nuisance Team and she felt that these

should be incorporated into the licence as conditions. She did not feel that they would be burdensome.

15 **SUMMING UP - OTHER PERSONS**

Mrs Russell-Johnson

Mrs Russell-Johnson summed up her case. She stated that she supported the review application and that this was a residential area before Hanse House was an entertainment venue. She explained that Hanse House was previously Norfolk County Council Offices and she never expected it to be turned into a party venue. She had also been told that there would be no music on the south side of the venue. She stated that insulation boards were often removed from the window when the windows were opened.

She felt that an 11.00pm finish time would improve the situation.

Dr Litten

Dr Litten reminded those present that Hanse House was a Listed Building and when the original application for a licence was made there should have been a site visit.

He stated that although the noise may be acceptable to guests, it was not to residents, some of which were elderly, in the vicinity.

16 **OUTSTANDING MATTERS**

The Legal Advisor reminded the Sub-Committee that other representations had been made and were contained within the Licensing Managers report. She confirmed that they still needed to be taken into consideration, even though they were not present at the meeting.

17 **REACHING A DECISION**

The Sub Committee retired to consider its decision in private, accompanied by the Democratic Services Officer and the Legal Advisor on Specific points of Law and Procedure.

18 **DECISION**

The Sub-Committees Decision was as follows:

APPLICATION

The Borough Council of King's Lynn and West Norfolk (the Council), being the relevant licensing authority, received an application to review

the premises licence for Hanse House under 'the prevention of public nuisance' Licensing Objective.

Representations:

- Community Safety and Neighbourhood Nuisance had made a representation in support of the review application.
- There were no representations from the remaining responsible authorities.
- There were six representations from other persons in support of the review application to consider.

HEARING

On 21st September 2016, a Hearing was held to consider the review application. The Sub-Committee determined the application with a view to promoting the four licensing objectives. It considered the application on its own merits. In reaching its determination, the Sub-Committee had regard to the following matters:

- The relevant parts of the written and oral evidence before them;
- The Borough Council of King's Lynn and West Norfolk Licensing Policy;
- Statutory Guidance issued under the Licensing Act 2003;

The Sub-Committee listened to all the evidence and submissions. It heard from:

- The Licensing Manager
- The Applicant for Review
- The Licence Holder
- The Responsible Authorities
- The other persons present who had made representations in support of the review.

SUMMARY OF EVIDENCE

The Licensing Manager presented his report to the Sub-Committee and identified relevant extracts from the Council's Licensing Policy and the statutory guidance issued under the Licensing Act 2003. He particularly drew every ones attention to the change in law which meant that live music and amplified live music and recorded music played to audience of less than 500 does not require to be licensed between 8am and 11pm. He explained, therefore, any existing conditions specifically relating to this were suspended between those hours, and the committee could not impose conditions specifically relating to these activities during those times unless it was satisfied that there were grounds to do so, i.e. in this case they would need to be satisfied that there was sufficient public nuisance occurring prior to 11pm. He also reminded the sub-committee that since the review was only relating to regulated entertainment they should not be concerned

with the other licensable activities, such as the provision of alcohol or late night refreshments, and accordingly a suspension or revocation of the entire licence would not be appropriate.

The Applicant for Review presented her case and responded to questions from all parties. She summarised her written representations, explaining in the main that she was disturbed by noise coming from events at this Premises and had been so since March 2014. After having no success liaising with the Licence Holder directly, she contacted and involved the Community Safety and Neighbourhood Nuisance (CSNN) Team at the Borough Council of King's Lynn and West Norfolk. She stated that from inside her flat it was often difficult to discern where the music was coming from, and so would open her windows or go outside to do so. However, the south range function room in particular was immediately opposite her home, with windows of both it and her property facing into St Margaret's Lane. She stated her property was a single depth property and she was unable to go to another room to escape the noise. She did explain that the nature of her job meant she worked away a lot, particularly during the week. She indicated her support for the recommendations by the CSNN team, but was also seeking a reduction in end time to 11pm. It was further conceded that the south range function room had not been used in the past couple of months. During questioning, she confirmed that the music, particularly from the South Range function room caused a nuisance and disturbance, but this was at its most frustrating post 11pm, this being the time she is naturally inclined to go to sleep. The Respondent also asked her if she felt the problem would be resolved if the south range function room were to be converted to a flat, which she confirmed it would be.

The Licence Holder presented his case and responded to questions from all parties. He stated that of the 1008 nights he had been permitted to use Hanse House for functions he had done so on 15 occasions, 9 of those had been referred to on the logs provided by the Applicant. He stated that he did not consider the Applicant for the most part was making valid complaints as the noise she was hearing was during his licensed hours, and therefore he was doing nothing wrong. He referred to a petition which indicated that people were happy with the way his premises were being run, and that he had tenants within the Hanse House complex who were not disturbed by events at his premises. He also referred to an email from the Applicant dated 2 July 2015 where she noted and thanked the Respondent for the 'considerable reduction in sound disturbance emanating from live entertainment and events held in your premises over the last month'. He stated that he had operated for three years with no other complaints, save for from the Applicant. He further stated that an earlier end time for regulated entertainment in this premises would make it difficult for him to sell it as a wedding venue, particularly when the Town Hall, being his direct competition, had a licence until 1am. He took the view that he had acted for the most part, in accordance with the conditions of the licence and acted reasonably. During

questioning, he conceded that on a couple of occasions an event may have gone on beyond the terminal hour by ten minutes or so. He also confirmed that only one of his tenants in Hanse House was an employee or friend of his, and that when there is an event either him, his wife or his daughter were present at the Premises.

The Responsible Authority, Community Safety and Neighbourhood Nuisance team, presented their case and responded to questions from all parties. They confirmed that they supported the application for review. They had attempted to work with the Respondent for a period of time, and whilst there was some cooperation they were occasions where informally agreed requirements were not adhered to, such as keeping doors and windows closed when amplified music was being played, using sound insulation boards in the windows. They also witnessed on occasions where the noise emanating from the property, although not a statutory nuisance, was capable of and did amount to public nuisance to residents in the area. During questions, it was noted that CSNN had received complaints other than from the Applicant. It was reiterated that with the imposition of some minimal requirements, which were not considered to be unreasonable or over-burdensome to the Respondent, the issue of nuisance could be resolved. The recommendations included not using the south range function room for amplified music, a revised noise management plan, to include noise monitoring every 30 minutes.

The other persons present presented their case and responded to questions from all parties. Mrs Russell-Johnston confirmed the events at Hanse House were of major concern to her and there appeared to her to have been little attempt by the Respondent to reduce the noise, particularly from the south range function room. She stated she had seen insulation boards removed and windows opened during the course of the evening and that she could not imagine how it was ever a good idea to have a party venue in such close vicinity of residential properties.

Dr Litton, expressed his concerns as to the suitability of the premises itself given its structure and its proximity to residential premises.

FINDINGS

The Sub-Committee had due regard to the report of the Licensing Manager, representations put forward in the agenda and the representations put forward at the Hearing.

They were persuaded that the events at Hanse House were causing a noise nuisance to residents in the area, both prior to 11pm and particularly afterwards, and this was contrary to the licensing objective of the prevention of public nuisance. They were persuaded, not only by the Applicant and other interested persons who had submitted letters in support of the review, but also by evidence from CSNN indicating that whilst they did not consider that disturbance was

sufficient to be classed as a statutory nuisance within the meaning of the Environmental Protection Act 1990, there were occasions, witnessed by them, when the noise levels were such that they were causing an unreasonable disturbance to residents. The Sub-committee also took head of the fact that, despite the Respondent agreeing to cooperate with CSNN, they were not prepared to agree to some of their recommendations, and there were occasions where the ones they did agree to were not adhered to, for instance keeping the windows and doors to the function rooms closed and the use of soundboards when functions were taking place. Indeed they noted the Respondent commented in relation to an observation by the Applicant that the windows of the south range function room were open, that he was 'currently under no obligation to close the windows' and the open windows were not those immediately facing the residential properties. Indeed, the Sub-Committee were concerned by the cavalier attitude of the Respondent, who appeared, throughout the hearing, to take the view that if any noise occurred during his licencing hours, this could not amount to a nuisance and was not therefore a valid complaint. They did not consider that licence gave the Respondent carte blanche to make whatever noise he wished provided it was within the hours permitted by the licence.

The Sub-committee were not satisfied that the south range function room was suitable as a venue for the provision of amplified music, and that even during earlier hours of the evening, its very close proximity to residential properties, the nature of the building, it being a listed building etc. was such that any amplified music was capable of affecting and did affect the neighbours and their quiet enjoyment of their properties such that it amounted to a public nuisance. Despite the above, the Sub-committee were sympathetic to the Respondent's concerns about the popularity of the premises as a wedding venue if its terminal hours for regulated entertainment were reduced. Accordingly, the only adjustment they considered to terminal hours is in relation to any live or amplified music was outside.

In light of all this, and in light of the fact that CSNN were considered the experts in relation to noise nuisance, they decided, to adopt the recommendations of CSNN set out in their letter of 30 August 2016 and submitted in support of the review, although slightly amended. Accordingly, the Sub-committee invoking powers available to it, took the decision that section 177A of the Licensing Act 2003, as amended, shall not apply to this premises.

DETERMINATION

The following conditions/amendments shall apply to this Premises Licence.

- 1) Section 177A of the Licensing Act 2003 shall not apply to Hanse House.

- 2) The South Range Room shall not be used as a venue for the provision of amplified music.
- 3) During any event, where there is live or amplified music in any function room in Hanse House, the windows and doors shall be kept closed at all times save for egress and access.
- 4) A noise management plan shall be submitted to CSNN team of the Borough Council of King's Lynn and West Norfolk within 28 days of the start date of the decision notice, to be approved by the CSNN team. Once approved the noise management plan, and any subsequent changes to the same, shall be adhered to. It is recommended that the Respondent meet with the CSNN team within 7 days of the date of the decision notice. As part of the noise management plan, when amplified music is taking place, noise levels shall be monitored by the Respondent or another so designated person at intervals of 30 minutes, on St Margaret's Lane, South Quay and Nelson street and recorded and made available to the CSNN or licensing team upon request. Details of how the monitoring shall take place, and what is to be recorded shall be specified with CSNN and shall form part of the noise management plan.
- 5) The terminal hour for any live or amplified music outside shall be reduced to 11pm on a Friday and Saturday.
- 6) Conditions 12 on the existing premise licence shall be removed.

RIGHT OF APPEAL

There is a right of appeal against this decision to the Magistrates Court, available to both the Applicant and the persons making representations. An appeal must be commenced within 21 days beginning with the day on which notification of this decision is received. Independent legal advice may be sought from a solicitor or the Citizens Advice Bureau regarding this if consideration is being given to lodging an appeal.

The meeting closed at 12.45 pm