



Licensing Sub Committee Hearing

Agenda

Wednesday, 23rd April, 2025
at 11.30 am

in the

**Council Chamber, Town Hall, Saturday
Market Place, King's Lynn and available to
view on You Tube**



King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX
Telephone: 01553 616200

Thursday 10 April 2025

Dear Member

Licensing Committee

You are invited to attend a meeting of the above-mentioned Sub Committee which will be held on **Wednesday, 23rd April, 2025 at 11.30 am** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

PLEASE NOTE: Unless otherwise stated all Sub-Committee Hearings will be held in public, recorded and streamed live on You Tube. If you have any concerns relating to this please contact us as soon as possible.

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 Chair decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

3. Declarations of Interests (Page 5)

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.

4. To consider an application for a Premises Licence for The Surgery, Centre Point, Fairstead, King's Lynn, Norfolk, PE30 4SR

- a) **Procedure which will be followed at the Hearing** (Pages 6 - 8)
- b) **Report of the Licensing Officer** (Pages 9 - 56)

To:

Licensing Committee: Councillors Moriarty (Chair), Sandell and Ayres

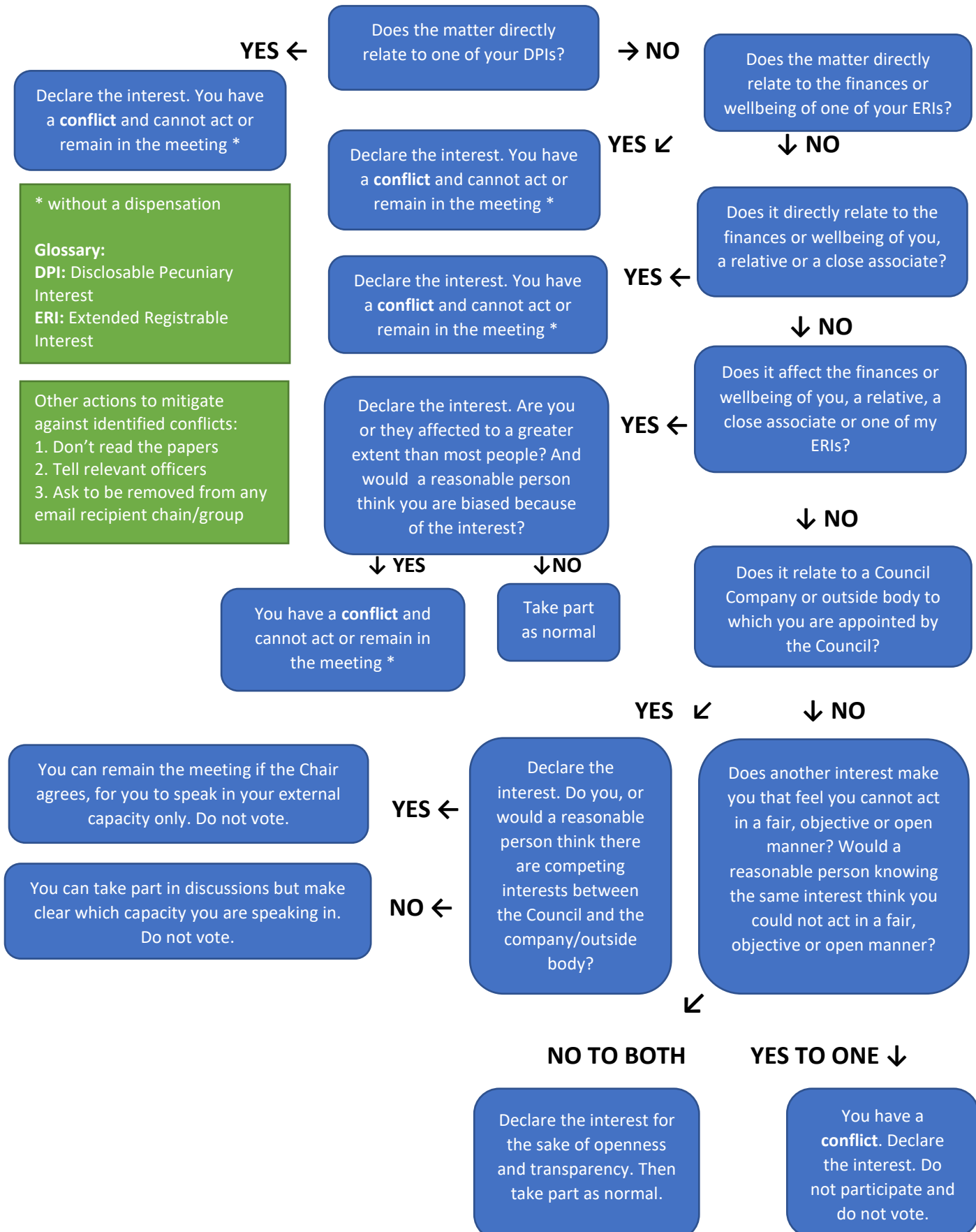
Officers:

Marie Malt – Licensing Manager
James Arrandale – Legal Advisor
Amy Pearce – Legal Advisor

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



* without a dispensation

Glossary:

DPI: Disclosable Pecuniary Interest

ERI: Extended Registrable Interest

Other actions to mitigate against identified conflicts:

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

Agenda Item 4a 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 **Chair** 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 **Chair** will introduce himself and the Members of the Committee.
3. The **Chair** will then introduce and explain the respective roles of
 - (i) the Democratic Services Officer
 - (ii) the Licensing Officer
 - (iii) the Legal Advisor to the Committee
4. **The Chair** 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 **Chair** 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 Chair).
6. Please note at any time during the hearing the Legal Advisor or the Licensing Officer 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. All parties to note that any requests or issues should be directed through the Chair.
8. The **Licensing Officer** outlines the premises application to the Committee by presenting the report referring to any relevancy to Licensing Policy and Statutory Guidance.
9. The **Licensing Officer** will invite questions from all parties to clarify the content of the Licensing Officer's report.

The Applicant's Case

10. The **Chair** 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 **Chair** invites questions to the Applicant or his representative from

- (i) The Licensing Officer
- (ii) The Responsible Authorities (or their representative)
- (iii) Other persons (or their representatives)
- (iv) Members of the Committee.

12. The **Chair** will invite questions to the witnesses (if present) from the

- (i) The Licensing Officer
- (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 Chair 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 **Chair** invites questions to the Responsible Authorities (or their representative) from the

- (i) The Licensing Officer
- (ii) The applicant (or their representative)
- (iii) Other persons (or their representatives)
- (iv) Members of the Committee.

15. The **Chair** will invite questions to the witnesses from the

- (i) The Licensing Officer
- (ii) The applicant (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 **Chair**. 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 Officer, 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 **Chair** then invites the Licensing Officer to sum up his case.

19. The **Chair** then invites the Responsible Authorities and other parties (or their representative) to sum up their case.

20. The **Chair** then invites the applicant (or their representative) to sum up their case.

Reaching and Making a Decision

21. **The Chair** will ask the Council's Legal Advisor to address the Committee on any outstanding matters.

22. The **Chair** 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 Chair** will invite the **Legal Advisor** to announce in public any legal advice he/she has given in private.

25. **The Chair** 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 Chair** will ask the Licensing Officer for any comments on their decision prior to any final determination.

26. **The Chair** 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 **Chair** 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: 23rd April 2025

Application for the grant of a new Premises Licence

- The Surgery, Centre Point, Fairstead, King's Lynn, Norfolk, PE30 4SR

Applicant – Waken Chesterton Limited

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. Waken Chesterton Limited has made an application under Section 17 of the Act for the licensable activities of 'sale of alcohol by retail'. A copy of the application is attached at Appendix 1 and if granted would allow the premises to operate as follows:

<u>Licensable Activity</u>	<u>Days</u>	<u>Times</u>
Sale of Alcohol by Retail Off the premises	Monday to Sunday	8am until 9pm

Mandatory Conditions

3. The Act provides for the following four mandatory conditions to be attached to all premises licences authorising the sale of alcohol for consumption off the premises:

- (a) Under Section 19(2) of the Licensing Act 2003, 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 Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.

- (c) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The 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 either a holographic mark, or an ultraviolet feature.
- (d) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; 'permitted price' is the price found by applying the formula - $P = D + (D \times V)$ where; P is the permitted price; D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol. A 'relevant person' means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, or the personal licence holder who makes or authorises a supply of alcohol under such a licence. 'Value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

The permitted price must be rounded up to the nearest penny. A change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

Conditions Consistent with the Operating Schedule (Proposed Conditions)

4. The following conditions have been identified from the operating schedule (page 10 of the application):

- (a) A CCTV system shall be maintained at the premises covering all public areas which is capable of recording images for a continuous period of at least 28 days. Images must be capable of being downloaded upon reasonable request from representatives of the Police or the Licensing Authority. All staff on duty at the premises must be trained in the use of the system and be able to comply with any such request. The system will be maintained in good working order at all times. CCTV cameras will be positioned to cover the doorway and till areas and be capable of facial recognition of all persons both entering and exiting the store.
- (b) All staff must receive regular training in the challenge 25 age verification scheme and records of such must be kept on the premises and made available to authorised

officers upon request. Challenge 25 signage must also be displayed at prominent positions within the premises.

- (c) 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.
- (d) Signs shall be displayed in prominent positions requesting that customers show due consideration of neighbours when entering and leaving the premises.
- (e) All staff must receive regular training in crime prevention, conflict management, responsible alcohol sales and how to recognise and appropriately handle situations where children may be at risk. Records of such must be kept on the premises and made available to authorised officers upon request.

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. There are no representations from any of the 'responsible authority' to consider. Namely:

- Norfolk Constabulary;
- Norfolk Fire Service;
- Norfolk Trading Standards;
- Norfolk Safeguarding Children's Board;
- Public Health;
- Community Safety & Neighbourhood Nuisance (BCKLWN)
- Planning (BCKLWN);
- Environmental Health (BCKLWN);
- Licensing Authority (BCKLWN);
- Home Office (Alcohol Team).

Representations from 'Other Persons'

As well as the 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.

6. There are 9 representations from 'other persons' to consider, 8 of which are objections and 1 is in support of the application. Copies of these representations are attached to this report at Appendix 2.

Notices

7. The applicant is responsible for advertising the application by way of a notice in a specified form at the premises for not less than 28 consecutive days and in a local newspaper on at least one occasion. The Public Notice appeared in the Lynn News on Friday 7th March 2025 and should have been displayed on the premises up to and including the 27th March 2025.

8. In accordance with the Licensing Act (Hearings) Regulations a notice of the application was also published on the Borough Council's website for the duration of the consultation period.

Plans

9. A plan showing the layout of the premises is attached at Appendix 3 and another plan is attached at Appendix 4 showing, where possible, the approximate location of the nearby objectors in relation to the premises.

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

10. The current Statement of Licensing Policy under the Act was approved by Full Council on the 14th January 2021. The following extracts may be relevant to this application and assist the Sub-Committee:

3.0 Fundamental principles

3.1 The 2003 Act requires that the Council carries out its various licensing functions so as to promote the following four licensing objectives:

- (a) the prevention of crime and disorder,
- (b) public safety,
- (c) the prevention of public nuisance, and
- (d) the protection of children from harm.

3.2 Nothing in this 'Statement of Policy' will:

- 3.2.1 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;
- 3.2.2 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 other person, 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.

3.5 Whether or not incidents can be regarded as being "in the vicinity" of licensed premises is a question of fact and will depend on the particular circumstances of the case. In cases of dispute, the question will ultimately be decided by the courts. The Borough Council, in addressing this matter, will primarily focus on the direct impact of the activities taking place at the licensed premises on members of the public living, working or engaged in normal activity in the area concerned.

3.6 Licensing law is not the primary mechanism for the general control of nuisance and anti-social behaviour by individuals once they are away from the licensed premises and, therefore, beyond the direct control of

the individual, club or business holding the licence, certificate or authorisation concerned. Nonetheless, it is a key aspect of such control and licensing law will always be part of a holistic approach to the management of the evening and night-time economy throughout the borough.

4.0 Cumulative Impact

4.1 “Cumulative Impact” is where the number, type or density of licensed premises in a defined area has a demonstrable and significant adverse effect on the licensing objectives. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its Statement of Licensing Policy.

4.2 The Licensing Authority can only adopt a cumulative impact policy where there is an evidential basis to do so. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for considering whether a cumulative impact policy is appropriate and necessary to promote the licensing objectives.

4.3 At the time of publishing this policy the Licensing Authority, having regard to the evidence available, considers that there is no particular part of the district causing a cumulative impact which undermines the licensing objectives.

4.4 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. To enable the general public to appreciate the breadth of the strategy for addressing these problems, the Borough Council encourages the use of other mechanisms both within and outside the licensing regime that are available for addressing such issues. Such as:

- planning control;
- CCTV;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.

5.0 Licensing Hours

5.1 With regard to licensing hours, due consideration will be given to the individual merits of an application. The Borough Council recognises that, in some circumstances, flexible licensing hours for the sale of alcohol can

help to ensure that the concentrations of customers leaving premises simultaneously are avoided. This can help to reduce the friction at late night fast food outlets, taxi ranks and other sources of transport which could lead to disorder and disturbance.

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

10.0 Prevention of Public Nuisance

- 10.1 Licensed premises, especially those operating late at night and early in the morning can cause a range of nuisances which impact on people or businesses in the vicinity. The concerns will mainly relate to noise but could also include light pollution and noxious smells. The Borough Council expect operating schedules to satisfactorily address these issues, as appropriate.

14.0 Planning & Building Control

- 14.1 Planning, Building Control and licensing are separated and consider different (albeit related) matters. For instance, licensing considers public nuisance whereas planning considers amenity. As such licensing applications will not be a re-run of the planning application and will not cut across decisions taken by the planning committee or following appeals against decisions taken by that committee. Licensing Committees are not bound by decisions made by a planning committee, and vice versa.
- 14.2 Applications for premises licences should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission is sought or granted by the planning authority.

17.0 Conditions

- 17.1 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 other persons, 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 appropriate 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 February 2025 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 affect 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;

- 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.

Crime and disorder

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder. They should also seek to involve the local Community Safety Partnership (CSP).
- 2.3 Conditions should be targeted on deterrence and preventing crime and disorder including the prevention of illegal working in licensed premises (see paragraph 10.10). For example, where there is good reason to suppose that disorder may take place, the presence of closed-circuit television (CCTV) cameras both inside and immediately outside the premises can actively deter disorder, nuisance, anti-social behaviour and crime generally. Some licence holders may wish to have cameras on their premises for the prevention of crime directed against the business itself, its staff, or its customers. But any condition may require a broader approach, and it may be appropriate to ensure that the precise location of cameras is set out on plans to ensure that certain areas are properly covered and there is no subsequent dispute over the terms of the condition.
- 2.5 Conditions relating to the management competency of designated premises supervisors should not normally be attached to premises licences. It will normally be the responsibility of the premises licence holder as an employer, and not the licensing authority, to ensure that the managers appointed at the premises are competent and appropriately trained. The designated premises supervisor is the key person who will usually be responsible for the day to day management of the premises by the premises licence holder, including the prevention of disorder. A condition of this kind may only be justified as appropriate in rare circumstances where it can be demonstrated that, in the circumstances

associated with particular premises, poor management competency could give rise to issues of crime and disorder and public safety.

Public safety

- 2.8 Licence holders have a responsibility to ensure the safety of those using their premises, as a part of their duties under the 2003 Act. This concerns the safety of people using the relevant premises rather than public health which is addressed in other legislation. Physical safety includes the prevention of accidents and injuries and other immediate harms that can result from alcohol consumption such as unconsciousness or alcohol poisoning. Conditions relating to public safety may also promote the crime and disorder objective as noted above. There will of course be occasions when a public safety condition could incidentally benefit a person's health more generally, but it should not be the purpose of the condition as this would be outside the licensing authority's powers (be ultra vires) under the 2003 Act. Conditions should not be imposed on a premises licence or club premises certificate which relate to cleanliness or hygiene.
- 2.9 A number of matters should be considered in relation to public safety. These may include:
- Fire safety;
 - Ensuring appropriate access for emergency services such as ambulances;
 - Good communication with local authorities and emergency services, for example communications networks with the police and signing up for local incident alerts (see paragraph 2.4 above);
 - Ensuring the presence of trained first aiders on the premises and appropriate first aid kits;
 - Ensuring the safety of people when leaving the premises (for example, through the provision of information on late-night transportation);
 - Ensuring appropriate and frequent waste disposal, particularly of glass bottles;
 - Ensuring appropriate limits on the maximum capacity of the premises (see paragraphs 2.12-2.13, and Chapter 10; and
 - Considering the use of CCTV in and around the premises (as noted in paragraph 2.3 above, this may also assist with promoting the crime and disorder objective).
- 2.10 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. As set out in Chapter 8 (8.38- 8.46), applicants should consider when making their application which steps it is appropriate to take to

promote the public safety objective and demonstrate how they achieve that.

Public nuisance

- 2.21 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.
- 2.22 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 may 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.
- 2.25 Where applications have given rise to representations, any appropriate conditions should normally focus on the most sensitive periods. For example, the most sensitive period for people being disturbed by unreasonably loud music is at night and into the early morning when residents in adjacent properties may be attempting to go to sleep or are sleeping. This is why there is still a need for a licence for performances of live music between 11 pm and 8 am. In certain circumstances, conditions relating to noise emanating from the premises may also be appropriate to address any disturbance anticipated as customers enter and leave.
- 2.26 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.
- 2.27 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, or that, if they

wish to smoke, to do so at designated places on the premises instead of outside, and to respect the rights of people living nearby to a peaceful night.

Protection of children from harm

- 2.28 The protection of children from harm includes the protection of children from moral, psychological and physical harm. This includes not only protecting children from the harms associated directly with alcohol consumption but also wider harms such as exposure to strong language and sexual expletives (for example, in the context of exposure to certain films or adult entertainment). Licensing authorities must also consider the need to protect children from sexual exploitation when undertaking licensing functions.
- 2.29 The Government believes that it is completely unacceptable to sell alcohol to children. Conditions relating to the access of children where alcohol is sold and which are appropriate to protect them from harm should be carefully considered. Moreover, conditions restricting the access of children to premises should be strongly considered in circumstances where:
- adult entertainment is provided;
 - a member or members of the current management have been convicted for serving alcohol to minors or with a reputation for allowing underage drinking (other than in the context of the exemption in the 2003 Act relating to 16 and 17 year olds consuming beer, wine and cider when accompanied by an adult during a table meal);
 - it is known that unaccompanied children have been allowed access;
 - there is a known association with drug taking or dealing; or
 - in some cases, the premises are used exclusively or primarily for the sale of alcohol for consumption on the premises.
- 2.32 Licensing authorities and responsible authorities should expect applicants, when preparing an operating schedule or club operating schedule, to set out the steps to be taken to protect children from harm when on the premises.
- 2.33 Conditions, where they are appropriate, should reflect the licensable activities taking place on the premises. In addition to the mandatory condition regarding age verification, other conditions relating to the protection of children from harm can include:
- restrictions on the hours when children may be present;
 - restrictions or exclusions on the presence of children under certain ages when particular specified activities are taking place;

- restrictions on the parts of the premises to which children may have access;
- age restrictions (below 18);
- restrictions or exclusions when certain activities are taking place;
- requirements for an accompanying adult (including for example, a combination of requirements which provide that children under a particular age must be accompanied by an adult); and
- full exclusion of people under 18 from the premises when any licensable activities are taking place.

2.35 Licensing authorities should give considerable weight to representations about child protection matters. In addition to the responsible authority whose functions relate directly to child protection, the Director of Public Health may also have access to relevant evidence to inform such representations. These representations may include, amongst other things, the use of health data about the harms that alcohol can cause to underage drinkers. Where a responsible authority, or other person, presents evidence to the licensing authority linking specific premises with harms to children (such as ambulance data or emergency department attendances by persons under 18 years old with alcohol-related illnesses or injuries) this evidence should be considered, and the licensing authority should also consider what action is appropriate to ensure this licensing objective is effectively enforced. In relation to applications for the grant of a licence in areas where evidence is presented on high levels of alcohol-related harms in persons aged under 18, it is recommended that the licensing authority considers what conditions may be appropriate to ensure that this objective is promoted effectively.

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.

Relevant, vexatious and frivolous representations

- 9.4 A representation is “relevant” if it relates to the likely effect of the grant of the licence on the promotion of at least one of the licensing objectives. For example, a representation from a local businessperson about the commercial damage caused by competition from new licensed premises would not be relevant. On the other hand, a representation by a businessperson that nuisance caused by new premises would deter customers from entering the local area, and the steps proposed by the applicant to prevent that nuisance were inadequate, would be relevant. In other words, representations should relate to the impact of licensable activities carried on from premises on the objectives. For representations in relation to variations to be relevant, they should be confined to the subject matter of the variation. There is no requirement for a responsible authority or other person to produce a recorded history of problems at premises to support their representations, and in fact this would not be possible for new premises.
- 9.5 It is for the licensing authority to determine whether a representation (other than a representation from responsible authority) is frivolous or vexatious on the basis of what might ordinarily be considered to be vexatious or frivolous. A representation may be considered to be vexatious if it appears to be intended to cause aggravation or annoyance, whether to a competitor or other person, without reasonable cause or justification. Vexatious circumstances may arise because of disputes between rival businesses and local knowledge will therefore be invaluable in considering such matters. Licensing authorities can consider the main effect of the representation, and whether any inconvenience or expense caused by it could reasonably be considered to be proportionate.
- 9.6 Frivolous representations would be essentially categorised by a lack of seriousness. Frivolous representations would concern issues which, at most, are minor and in relation to which no remedial steps would be warranted or proportionate.
- 9.7 Any person who is aggrieved by a rejection of their representations on either of these grounds may lodge a complaint through the local authority’s corporate complaints procedure. A person may also challenge the authority’s decision by way of judicial review.
- 9.8 Licensing authorities should not take decisions about whether representations are frivolous, vexatious or relevant to the licensing objectives on the basis of any political judgement. This may be difficult for councillors who receive complaints from residents within their own wards. If consideration is not to be delegated, contrary to the recommendation in this Guidance, an assessment should be prepared

by officials for consideration by the sub- committee before any decision is taken that necessitates a hearing. Any councillor who considers that their own interests are such that they are unable to consider the matter independently should disqualify themselves.

- 9.9 It is recommended that, in borderline cases, the benefit of the doubt about any aspect of a representation should be given to the person making that representation. The subsequent hearing would then provide an opportunity for the person or body making the representation to amplify and clarify it.

Disclosure of personal details of persons making representations

- 9.26 Where a notice of a hearing is given to an applicant, the licensing authority is required under the Licensing Act 2003 (Hearings) Regulations 2005 to provide the applicant with copies of the relevant representations that have been made.

Hearings

- 9.37 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.
- 9.38 In determining the application with a view to promoting the licensing objectives in the overall interests of the local community, the licensing authority must give appropriate weight to:
- the steps that are appropriate to promote the licensing objectives;
 - the representations (including supporting information) presented by all the parties;
 - this Guidance;
 - its own statement of licensing policy.
- 9.39 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. Any conditions added to the licence must be those imposed at the hearing or those agreed when a hearing has not been necessary.

- 9.40 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

- 9.42 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.
- 9.43 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.
- 9.44 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. While 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.

Proposed conditions

- 10.4 The conditions that are appropriate for the promotion of the licensing objectives should emerge initially from the risk assessment carried out by a prospective licence or certificate holder, which they should carry out before making their application for a premises licence or club premises certificate. This would be translated into the steps recorded in the operating schedule or club operating schedule, which must also set out the proposed hours during which licensable activities will be conducted and any other hours during which the premises will be open to the public.

- 10.5 It is not acceptable for licensing authorities to simply replicate the wording from an applicant's operating schedule. A condition should be interpreted in accordance with the applicant's intention.

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 some cases no additional conditions will be 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.

The need for licensed premises

- 14.19 There can be confusion about the difference between the "need" for premises and the "cumulative impact" of premises on the licensing objectives, for example, on crime and disorder. "Need" concerns the commercial demand for another pub or restaurant or hotel and is a matter for the planning authority and for the market. This is not a matter for a licensing authority in discharging its licensing functions or for its statement of licensing policy.

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 persons making representations have a right of appeal against that decision to the Magistrates' Court.

Marie Malt

Marie Malt

Senior Licensing Officer
Legal Services & Licensing
4th April 2025

Appendixes:

1. Copy of Application
2. Copies of letters of Representations from 'other persons'
3. Premises Plan of Layout
4. Location Map

Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (14th January 2021)
3. Guidance issued under Section 182 of the Licensing Act 2003 (Feb 2025)

Your ref no: Form ref:
DMVBXSLG

Page: Coversheet

Form title: Apply for a new premises licence or a full variation

Appendix 1 to
Report to Licensing Sub-Committee
Re: The Surgery
Dated: 4th April 2025

This form was started at:	23/02/2025 07:48:31
This form was completed at:	24/02/2025 17:02:08
Internal form classification:	N / A
Openprocess state:	

Page: Tell us who you are

You can only vary a premises licence if you are the premises licence holder, solicitor or other duly authorised agent.

Are you completing this form on behalf of the applicant?	No - I am the applicant
In what capacity is the applicant applying for a premises licence?	As a limited company
Please confirm the following:	The applicant is making the application pursuant to a function discharged by virtue of Her Majesty's prerogative

Page: Tell us about the other applicants

If you are a limited company, the address provided must match the record on Companies House

Individual or company name	WAKEN CHESTERTON, UNIT 1
Address line 1	Unit 1, Former ATS Buildings
Address line 2	Great Central Rd
Address line 3	
Address line 4	
Postcode	NG18 2RJ
Daytime telephone number	
Email address	
Registered number, if applicable	

Page: Tell us about the premises

A licence is not required between 08.00 and 23.00 on any day, with no limit on audience size for:

- any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
- any entertainment taking place on the hospital premises of the health care provider where the entertainment is provided by or on behalf of the health care provider;
- any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
- any entertainment (excluding films and a boxing or wrestling entertainment) taking place at a travelling circus, provided that (a) it takes place within a moveable structure that accommodates the audience, and (b) that the travelling circus has not been located on the same site for more than 28 consecutive days.

What are you applying for?	apply for a new premises licence
----------------------------	----------------------------------

Section: Apply for a new premises licence

Name of premises or business	The Surgery
------------------------------	-------------

Address line 1	Centre Point
----------------	--------------

Address line 2	Fairstead
----------------	-----------

Address line 3	
----------------	--

Address line 4	
----------------	--

Postcode	PE30 4SR
----------	----------

Telephone number at the premises	
----------------------------------	--

Please give a brief description of the premises	To sell alcohol of off licence only, trading as retail local shop.
---	--

When do you want the premises licence to start? (dd/mm/yyyy)	01.05.2025
---	------------

If you wish the licence to be valid only for a limited period, when do you want it to end? (dd/mm/yyyy)	
---	--

What is the non-domestic rateable value (NDRV) of the premises?	£4,301 - £33,000
---	------------------

If you're unsure of the non-domestic rateable value you can double check this on the [GOV.UK](#) website. **If the premises hasn't been set a non-domestic rateable value by the valuation office, then please select the lowest band.**

How many people are expected to attend the premises at any one time?	4,999 or less
--	---------------

If you have 30,000 or more people attending at any one time, you will need to [contact us](#).

What you will need to pay

Annual payments

Each premises licence we grant will need to pay an **annual fee**. We will invoice you annually on the date when the first licence was issued.

Where do you want your annual invoice sent to?	Premises address
--	------------------

Page: Tell us which licensable activities

Will you be providing plays at the premises?	No
Will you be providing films at the premises?	No
Will you be providing indoor sporting events at the premises?	No
Will you be providing boxing or wrestling entertainment at the premises?	No
Will you be providing live music at the premises?	No
Will you be providing recorded music at the premises?	No
Will you be providing performances of dance at the premises?	No
Will you be providing anything of a similar description to live music, recorded music or performances of dance at the premises?	No
Will you be providing late night refreshment at the premises?	No
Will you be selling or supplying alcohol at the premises?	Yes

Page: Provision of alcohol

Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activity.

Section: Monday

Start time 08:00

End time 21:00

Section: Tuesday

Start time 08:00

End time 21:00

Section: Wednesday

Start time 08:00

End time 21:00

Section: Thursday

Start time 08:00

End time 21:00

Section: Friday

Start time 08:00

End time 21:00

Section: Saturday

Start 08:00

End time 21:00

Section: Sunday

Start time 08:00

End time 21:00

Will the provision of alcohol take place on the premises, off the premises or both? off the premises

Please state any seasonal variations for the provision of alcohol

Where you intend to use the premises for the provision of alcohol at different times to those listed above, please specify below:

Page: Tell us about the Designated Premises Supervisor (DPS)

Is this an application for a commercial premises licence requiring a DPS for alcohol sales?	Yes
Are you the proposed Designated Premises Supervisor (DPS)?	Yes

Section: Please tell us more about yourself

Please tell us your date of birth (dd/mm/yyyy)	<div></div>	
Please tell us your nationality		
Do you currently hold a personal licence?		
Personal licence number		
Personal licence issuing authority		

Page: Tell us the premises opening hours

Please tell us the hours the premises are open to the public. Please make sure you provide the timings in a 24 hour clock, for example, 16:00 and only provide details for the days of the week when you intend the premises to be used for the activities.

Where the 'on sale of alcohol' is present, you may wish to consider drinking up time, for example, alcohol sales end at 23:00, premises open until 23:30.

Section: Monday	
Start time	08:00
End time	21:00
Section: Tuesday	
Start time	08:00
End time	21:00
Section: Wednesday	
Start time	08:00
End time	21:00
Section: Thursday	
Start time	08:00
End time	21:00
Section: Friday	
Start time	08:00
End time	21:00
Section: Saturday	
Start time	08:00
End time	21:00
Section: Sunday	
Start time	08:00
End time	21:00
Please tell us about any seasonal variations	
Please tell us where you intend to use the premises at different times to those listed above, please specify below:	

Page: Tell us about the operating schedule

Please highlight any services, activities, entertainment or matters ancillary to the use of the premises that may give rise to concern in respect to children

Please describe the steps you intend to take to promote the four licensing objectives:

General - List here the steps you will take to promote all four of the licensing objectives	Employ additional staff on busier days, on going training in all areas.
The prevention of crime and disorder	Install and maintain a high-quality CCTV system covering all key areas, with footage retained for at least 28 days and made available to authorities upon request. Implement a strict Challenge 25 policy to verify the age of anyone who appears under 25, with appropriate staff training and clear signage. Maintain an incident log and a refusals register to record any incidents of crime, disorder, or sales refusals due to age restrictions. Ensure staff are trained in crime prevention, conflict management, and responsible alcohol sales.
Public safety	Regularly inspect and maintain fire safety equipment and ensure clear emergency exits. Train staff in first aid, fire safety, and emergency procedures. Ensure the premises are kept clean, well-lit, and free from hazards to provide a safe environment for customers and staff.
The prevention of public nuisance	Display clear signage asking customers to respect neighbours when entering and leaving the premises. Manage deliveries and waste disposal at appropriate times to minimise disruption to the local community. Ensure that noise levels, including from refrigeration units or equipment, are monitored and kept to a minimum.
The protection of children from harm	Enforce a strict Challenge 25 policy, requiring valid ID (passport, driving licence, or PASS-accredited card) for age-restricted sales. Staff will be trained to recognise and appropriately handle situations where children may be at risk. Ensure age-restricted products (e.g., alcohol, tobacco) are securely stored and clearly marked.

Page: Documents checklist - applying for a premises licence

You must tick the following statements to confirm you've understood them:

Checklist	<ul style="list-style-type: none">✓ The DPS named in this application is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate✓ I understand that if I do not comply with the above requirements my application may be rejected✓ I will send a copy of the advert once it has appeared in the newspaper - do not advertise until accepted✓ I understand that I must advertise the application both in the newspaper (within 10 working days) and on the premises (the day after the application is accepted). The Borough Council will send the notice once the application is accepted
-----------	--

As part of this application, you need to provide the following information:

You can use the following upload facility to provide a copy of the set to [scale plans](#) for the premises:

Uploaded files*

[Plan Fairstead.pdf](#)

* If empty, no files were uploaded

You can use the following upload facility to provide a [DPS consent form](#) completed by the proposed premises supervisor:

Uploaded files*

[Feb 23, Doc 1.pdf](#)

* If empty, no files were uploaded

You can use the following upload facility to provide documents demonstrating your [right to work](#) in the UK:

Uploaded files*

* If empty, no files were uploaded

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), you'll need to provide the 9-digit 'share code' provided to the applicant for that service.

How many share codes do you need to tell us about?	
Any further information	

Page: Payment summary

Application fee for RV 4301 to 33000	£190.00
Total	£190.00

Page: Declaration and payment

Review your answers

Before clicking 'submit' you must review all of the answers you've provided. **Once your form has been submitted, you cannot make any changes.** If you need to make any amendments to this form, then click 'previous' (you will need to click the declaration box first). Please click on the following link to double check your answers.

[Open a read only view of the answers you have given \(this will open in a new window\)](#)

Privacy notice

The Council has a duty to process and store your personal information safely and securely in line with data protection legislation, which here means the General Data Protection Regulations (Regulation (EC) 2016/679 which is in force from 25 May 2018) (GDPR) and any national implementing laws, regulations and secondary legislation, as amended or updated from time to time, in the UK and then any successor legislation to the GDPR.

The Borough Council of King's Lynn and West Norfolk (the Council), of Kings Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX is the data controller for the purposes of the GDPR and associated domestic law.

We will use your personal information for the purposes of the provision of the licensing services. The processing of this information is necessary for the Council to undertake a public task, i.e. the processing is necessary for the Council to perform a task in the public interest or for its official functions, and the task or function has a clear basis in law, in this case the Licensing Act 2003, as amended.

Your data may be shared between Council departments and other agencies where there is lawful authority to do so.

Your information will be kept strictly confidential. It will be stored separately from other information in a secure, **password-protected database on the Council's computer system.**

Your personal information will be kept for as long as you require a licence and for a period after the service is terminated. You can find more information about our retention policy on the [privacy notice](#) page. We will only use your data within the terms of data protection laws, will delete your data securely and only keep it for as long as necessary. We will review dates for keeping personal data in the future and if necessary update these privacy notices.

You may see copies of the data held about you and ask for it to be corrected or deleted.

You can find more information about Data Protection and the Council's Data Protection Officer, on our [Data Protection](#) page.

If you are unhappy with the way your personal information is being handled you can contact the [Independent Information Commissioner](#).

Declaration

Please read this declaration carefully before you press submit.

- I certify to the best of my knowledge and belief, the information supplied by me on this form is accurate
- I understand that it is an offence under section 158 of the Licensing Act 2003 to make a false statement in or in connection with this application. Those who make a false statement may be liable on summary conviction to a fine of any amount
- I understand that it is an offence under section 24B of the Immigration Act 1971 for a person to work when they know, or have reasonable cause to believe, that they are disqualified from doing so by reason of their immigration status. Those

who employ an adult without leave or who is subject to conditions as to employment will be liable to a civil penalty under Section 15 of the Immigration, Asylum and Nationality Act 2006 and pursuant to Section 21 of the same Act, will be committing an offence where they do so in the knowledge, or with reasonable cause believe, that the employee is disqualified

- I understand the personal information collected on this form will be used by the Borough Council of King's Lynn and West Norfolk to process my request, and deliver the service
- I understand the personal information will only be disclosed to the Norfolk Constabulary Licensing Team and the Home Office in connection with delivering this service
- I understand I am not entitled to be issued with a licence if I do not have the entitlement to live and work in the UK (or if I am subject to a condition preventing me from doing work related to the carrying on of a licensable activity) and that my licence will become invalid if I cease to be entitled to live and work in the UK

You can find out more detailed information about our Privacy Policy, on our [privacy notice page](#).

☒ **I confirm that all of the details I have provided are correct and I understand that the information provided on this form is subject to the provisions of the above privacy notice.**

Once you've completed the declaration, please 'submit' your form. You will then be passed to a secure site to make your payment.

" />

Representations List

The Surgery, Centre Point, Fairstead, King's Lynn, Norfolk, PE30 4SR

Objecting -

No.		
1		
2		
3		
4		
5		
6		
7	Cllr Steve Everett	BCKLWN, Member for Fairstead Ward
8	Cllr Robert Colwell	BCKLWN, Gaywood South, Norfolk County Council

In Support –

1	
---	--

From: [redacted]
Sent: 11 March 2025 13:58
To: [redacted]
Subject: Re: Ref 25/00201/LA_PRE

Hello

I believe, I answered most of the following but will respond again under each point.

* The prevention of crime & disorder;-

by opening an off licence I strongly believe this will only contribute towards the damage we already have in the area. Including bins being damaged, windows being broken and kids park an walk ways having more broken glass than ever. An we already quite often have disturbances of drunks getting roudy or being abusive in the area, during the evenings especially.

* Public safety; -

By having the off licence this will only contribute towards more people being a risk to others in the area, with it being so close to a school where children will be going in and coming out of school. Some children have already have to witness a drunk falling over outside the school, an the children was concerned if the person was ok as the man was laying on the floor. As well as last year the was a mashette attack on a friend's house [redacted] which literally shook us all up having weapons like that on our doorstep. Where our children play, an will be growing up. The area already have enough dangers without, adding to it.

* The prevention of public nuisance;-

I strongly believe if plans go ahead for the off licence, this will cause more of a public nuisance. Making more abusive people in the area, an probably more fights breaking out. Which is not the environment we want for our children living in the area or being across the road from our children's school, the is enough problems in the area already.

* The protection of children from harm.

By opening the off licence our children will be more at risk, of having to witness drunk and disorderly behaviour. An more than likely having to hear or witness abusive behaviour, we had this problem last year. [redacted]

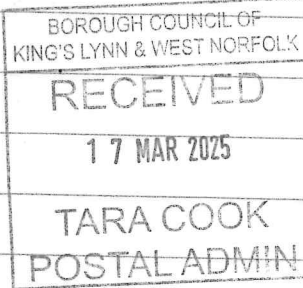
[redacted]
[redacted] An this very drunk and very high lady started shouting abuse, at me and my teenage son with additional needs. She threatened to beat me up and my son, she wouldn't leave I had to call the police. An my son put himself [redacted] to protect his family and his home, it took 4 fully grown adult neighbours along the row to stop him jumping down into the car park. As this lady made him so angry and upset, he was ready to jump and fight for his family and home. This is not what you expect outside your own home or for your child to be made a target, due to someone being drunk and high on something

illegal. I really do already worry for my children's safety after this incident, especially after I repeatedly told the lady he was a minor/child with additional needs. This made no difference, an she still kept being abusive. I really do worry what would of happened, This will only add to the worry, an is not great in helping safeguard our children.

Please reconsider this being something more child friendly or something to help our already struggling NHS or something to support the community. Just not an off licence, we don't need or want it, thank you.

Kind regards





11th Mar 2025

REF. LICENSING APPLICATION IN RESPECT OF
THE SURGERY AT CENTRE POINT KINGS LYNN
PE 30 4SR.

Dear Sir,

I wish to place on record
my objection to the above application on
the following grounds.

- 1/ There is already an outlet for
alcoholic drinks within 100 metres of
the proposed site.
- 2/ It is within 200 metres of a
primary school and its associated
activities leading to the possibility of
drunken and violent behaviour in front
of the young children.

3/ I understand that there is a record of alcoholism in the surrounding housing area.

4/ There is a childrens playing area within 100 metres of the proposed site which is a risky area for external drinking.

5/ There is an already large car parking problem with parents dropping and collecting their children which could be increased by people going to another commercial business in the area.

6/ There is an old persons complex close by which could be affected by any noise or study behaviour.

Yours Sincerely

SERIAL SERVICES & LICENCING
BOROUGH COUNCIL OF KINGS LYNN
E WEST NORFOLK
KINGS COURT CHAPEL ST.
KINGS LYNN PE30 1EX
"FAIRSTEAD SURGERY"

YOUR ADDRESS

DATE

REF APPLICATION 25/00204/LA PRE

THE SURGERY CENTRE POINT KINGS LYNN PE30 4SR

I UTTERLY OPPOSE, THE ABOVE APPLICATION.
THIS PROPERTY SHOULD HAVE REMAINED "A DRS SURGERY"
OR AT "LEAST A HEALTH CENTRE" IT WAS CLOSED BY
STEALTH, WHICH WAS DISGUSTING TO SAY THE LEAST,
AFTER RESIDENTS WERE TOLD IT WAS SAVED IN 2020!
THIS AREA IS ALREADY RECOGNISED AS AN AREA OF
URBAN DEPRIVATION & STRUGGLES WITH ALCOHOL ISSUES
& MENTAL HEALTH PROBLEMS & HIGH LEVEL OF VIOLENCE.
WE DO NOT NEED AN OFF LICENSE.

THERE ARE YOUNG CHILDREN & SENIOR CITIZENS WHO
ALREADY FEEL UNSAFE & CERTAINLY CANNOT VENTURE
OUT FROM APPRX 1600 HRS NOW! IT WILL INCREASE CRIME!

YOURS FAITHFULLY,

LICENSING Committee, FAIRSTEAD Surgery.
LEGAL SERVICES LICENSING.
Borough of K LYNN & WEST Norfolk
KINGS COURT Chapel St.
KINGS LYNN PE30 1EX

14 MARCH 2025

REF:- Application in respect of "FAIRSTEAD Surgery"
CENTRE Point, Kings Lynn Norfolk PE30 4SR.

I Strongly Object to the above License being granted,
This is already an area of Alcohol abuse, & struggles
with Mental Health issues & is recognised as an area
of Urban Deprivation, it will be against "Public Safety"
It will definitely increase Crime & public disorder!!
It is directly opposite the Community Centre which houses
"Cage Centre" other activities & the Primary School just
20 metres away, and I feel it will put children at
risk. Also there are a lot of Vulnerable Senior Citizens
in the area, who already feel at risk & do not like to
venture out after 4pm!!

The car park will suffer from broken bottles, so children
& adults alike could suffer more injuries, as there is always
broken glass & cans scattered around now. Alcohol can be brought
from the Morrisons shop, but at least not in the 1st street that
would come with the off license & will ^{NOT} ~~NOT~~ prevent
further crime & Disorder^{as} to say the least.
A Health Hub would be of more Value.

Yours Sincerely

Sent: Friday, March 21, 2025 4:21:48 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Premises License Application 25/00201/LA_PRE

[External Email]

[Confirm the senders email address is genuine, before clicking on links and replying]

To whom it may concern,

I am emailing to register my objection to the premises license application 25/00201/LA_PRE for retail alcohol sale at The Surgery Centre Point.

Fairstead is a friendly and lively area of King's Lynn, but it is prone to anti-social behaviour and crime. Looking at the [Police.UK map of crime](#) for Gaywood, Fairstead and Reffley, you can see there has been at least 1 crime per month in the vicinity of Centre Point for the last 12 months. Some months have 14-17 crimes reported per month, including drugs, theft, burglary and antisocial behaviour.

Increasing access to alcohol through the opening of another off-licence (there is already Morrisons Daily at Centre Point), could contribute to increasing antisocial behaviour and crime. The staff at Morrisons Daily know their regular customers and I have witnessed them cutting people off when its unsafe for them to purchase more alcohol. A new off-licence would not have staff with these relationships and could therefore increase the likelihood of people accessing unsafe volumes of alcohol.

I trust my comments will be considered but not published outside the Borough Council.

Kind regards,

[Redacted]

Sent: Monday, March 24, 2025 1:31:38 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>

Subject: Licensing Committee 25/00201/LA_PRE

[External Email]

[Confirm the senders email address is genuine, before clicking on links and replying]

Good afternoon,

Ref Licensing Committee 25/00201/LA_PRE

I am writing to object to the proposed issue of an alcohol license to the off license at centre point on the Fairstead Estate.

I am the [Redacted]
children and young adults in the vicinity of the proposed off license.

I believe the issuing of a license to sell alcohol between 0800 hrs and 2100 hrs Monday - Sunday will increase the current level of antisocial behaviour in the area, and therefore increase the safeguarding concern of our vulnerable students.

I am aware that alcohol is already sold by Morrison supermarket in the precinct, however having spoken to the staff, they struggle to limit the amount of alcohol consumed by regular members of the community.

The Churchill Park 6th form school staff have needed to clean vomit from the entrance to school and the students conduct a litter pick in the surroundings of the school weekly to aid the community to deal with the rubbish caused by antisocial behaviour, such as bins being overturned and rubbish strewn across the parade.

Recently there has been an extreme incident of anti social behaviour related to intoxication. A female attempted to enter the Morrisons shop to purchase alcohol whilst naked from the waist down and carrying/dropping drug paraphernalia. This incident was dealt with by the Morrisons staff but demonstrates the level of alcohol consumption in the area.

I believe that with a second place to purchase alcohol for 13 hours a day, this can only make the area around our school more susceptible to antisocial behaviour and safeguarding concerns.

[Redacted]

Emails accessed Mon - Thu, 0930 hrs - 1430 hrs.

OFFICIAL

Your ref: 25/00201/LA_PRE

My ref:

Councillor Steve Everett

Borough Councillor for Fairstead

Email: cllr.steve.everett@west-norfolk.gov.uk

Direct dial: 07393 934696

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



By E-Mail to EHLicensing@west-norfolk.gov.uk

17th March 2025

Dear Sirs

OBJECTION TO PREMISES LICENCE APPLICATION 25/00201/LA_PRE (THE SURGERY, CENTRE POINT KING'S LYNN NORFOLK PE30 4SR)

I am writing in my capacity as Borough Councillor for the Ward of Fairstead, where the applicant has submitted an application for a Premises Licence. I wish to make a formal representation regarding this application.

I have been contacted by numerous ward residents who have expressed their concerns over this proposal.

Under the **Licensing Act 2003** ("The 2003 Act"), any application for the sale of alcohol, whether on or off the premises, must comply with the four licensing objectives:

1. The prevention of crime and disorder
2. Public safety
3. The prevention of public nuisance
4. The protection of children from harm

It is my belief that this application fails to meet these objectives in full, and as such, it should be refused.

The proposed Premises Licence would allow a second alcohol retailer to open within a very short distance of an existing, well-known supermarket chain, which already operates responsibly. This supermarket is located just 30 seconds away.

The introduction of another alcohol retailer in such close proximity raises potential concerns.

One issue is that individuals may "double up" on alcohol purchases. For example, if one retailer refuses to sell alcohol due to age verification or intoxication, customers could simply walk around the corner to the other retailer.

While this scenario may not happen frequently, it does present a risk of encouraging irresponsible drinking behaviours.

I acknowledge that these concerns are speculative, but the potential for harm, particularly in a concentrated area, should not be overlooked.

The presence of two alcohol-selling premises in close proximity increases the likelihood of public nuisance and anti-social behaviour. Multiple outlets can encourage excessive alcohol purchases, which may lead to street drinking, disorderly behaviour, or alcohol-related crime in the area issues that are already of concern in Centrepont.

The availability of alcohol in such close proximity could also negatively affect vulnerable individuals, particularly those struggling with alcohol dependence. Individuals who have self-excluded from the nearby supermarket may now have a new location where they could potentially relapse. The ease of access to alcohol could exacerbate issues related to addiction and public health, further impacting both individuals and the wider community. The fact that the proposed premises is a former GP surgery is not lost on me.

The proposed location is approximately a 3-minute walk from a local primary school and situated along the main footpath to and from the school. Additionally, there is a secondary academy about 7 minutes walk away.

The proximity to schools raises serious concerns about the exposure of minors to alcohol, which could undermine their safety and wellbeing. The presence of an alcohol retailer on a route frequently travelled by children could normalise alcohol consumption and influence vulnerable individuals.

In my view, this application is in the wrong location—on a main thoroughfare used by school children and within a residential neighbourhood.

The Licensing Committee must ensure that the applicant and the designated premises supervisor are fit and proper persons to hold a licence. The committee must also be satisfied that the applicant is promoting the four licensing objectives outlined above.

For all the reasons stated, I believe that approving this application would not promote the licensing objectives or contribute to the safety and wellbeing of the local community. Therefore, I respectfully request that the application be refused in its entirety.

Yours Sincerely

Councillor Steve Everett, CCIBS, CII (Award)
Member for Fairstead Ward

From: Cllr Robert Colwell <cldr.Robert.Colwell@West-Norfolk.gov.uk>

Sent: 25 March 2025 22:24

To: Marie Malt <Marie.malt@west-norfolk.gov.uk>

Cc: Alexa Baker <Alexa.Baker@West-Norfolk.gov.uk>

Subject: Re: FAO: Licensing Committee 25/00201/LA_PRE

Dear Sirs,

I write in my capacity as a Gaywood Borough Councillor but also as County Councillor for Gaywood South, the division in which the above application is located.

I am shocked to see an application for a licence to sell alcohol has been made for the former health surgery on Fairstead.

I oppose strongly this application. This is the last thing Fairstead needs.

I make my representation under the following headings:

The prevention of crime and disorder

The community is already experiencing significant elements of crime and anti-social behaviour. Fairstead is a recognised area of urban deprivation, and Fairstead is already struggling with issues connected to this to include around alcohol misuse, mental health problems that come from it, and sadly high levels of violence to include domestic abuse. There is a history of crime and disorder in the area. Norfolk Police statistics show the Fairstead area has significant crimes reported compared to the local area. September 2025= 89 crimes, October 2025= 76 crimes, November 2025= 67 crimes, December 2025= 75 crimes, and January 2025= 47 crimes. I am grateful to Norfolk Police for their efforts to try and tackle crime and disorder on Fairstead. I am aware of and take part in their regular SNAP meetings where local people and councillors raise concerns and set priorities for the police to focus on. Introducing another alcohol outlet like this in such a location I fear will contribute to further crime and disorder. I have had contact from concerned residents saying they don't want the area around Centre Point, Fairstead to go back to how it was before, where they are frightened to go near the shops, and it becomes a no-go area when it gets dark. The fear is an off-licence will attract crowds of people and those drunk, shouting swearing, loitering outside and drinking. This licensing authority must reject the application to prevent further disturbances and any increase risks of disorder, including anti-social behaviour or violence

I have concerns over the type of establishment proposed. It plans to open late at night and the dedicated nature of an off-licence with offers of high volumes of alcohol sales, which I consider more likely to contribute to crime or disorder. There is a lack of supporting infrastructure CCTV in the locality etc to monitor and manage the increased foot traffic and potential conflicts.

I fear that granting a licence here risks disrupting local community stability, encouraging an increase in crime and creating an unsafe environment, the licensing authority must realise that it poses a public safety concern and you have a legal basis to refuse.

The protection of children from harm

The proposed licence for an off-licence is in incredibly near proximity to very sensitive locations in the community used by children. Children and vulnerable young adults could be exposed to drunken, rude, aggressive, abusive or lewd behaviour. I wish to highlight the proximity of the proposed off-licence to the follow sites that involve children or upon which children rely:

Within 10 meters = Churchill Park Academy 6th Form Centre (specialist SEN 16-19 education centre)

Within 10 meters = Fairstead First Steps Nursery / Community Centre / Children's Centre

Within 45 meters = Centre Point small community park/ seating area

Within 60 meters = Fairstead Community Primary School

Within 50 meters = Well Pharmacy + Fairstead Community Shop

Within 140 meters = Fairstead MUGA and playpark

Within 200 meters = Churchill Park Academy

The proposed premises would be located unacceptably near to schools, playgrounds, and other areas where children are commonly present, and the sale of alcohol could potentially expose children to harmful behaviour or situations. I am concerned children will witness public drunkenness, violence, or other harmful activities that may occur in or around the premises. The advertising of alcohol in shop windows or boards adjacent to the school and establishments above raised concern over exposure of alcohol to children. A worry of increased broken glass in the proximity to the above sites is also of concern. Child protection is important, and this authority must ensure that children's safety is not compromised.

This licensing authority is obligated to ensure that children are protected from harm in environments where alcohol is sold. Given the proximity of 10meters at the shortest distance, between the site to and above schools and community buildings, it is impossible for the applicant to demonstrate adequate precautions can be put in place to protect children. Granting the license would increase the risk to children, and you are able to lawfully refuse the application.

Regards

Cllr Rob Colwell

Gaywood South

Norfolk County Council

[Redacted]
Sent: Wednesday, March 26, 2025 12:25:16 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London
To: EH Licensing <EHlicensing@West-Norfolk.gov.uk>
Subject: Support for Alcohol Licence Application 25/00201/LA_PRE

[External Email]

[Confirm the senders email address is genuine, before clicking on links and replying]

Dear Licensing Team,

I hope you are well.

As the DPS, I would like to provide further details in support of the application.

I would like to provide some background information in support of our application for an alcohol licence for the property located at The Old Surgery, Fairtead, which will now be transformed into a One Stop store, part of the Tesco group.

I will be the DPS for this premises and I have over 30 years of experience in running convenience stores, having successfully managed many stores across the country without any licensing issues. I graduated in Pharmaceutical Sciences and went on to work at Pfizer Central Research and then Boots Healthcare Research. However, my true passion and drive has always been the convenience store sector.

As part of the One Stop chain, we adhere to the highest standards in store management. We will promote the "Challenge 25" policy, install CCTV throughout the premises (including externally), and ensure all staff are fully trained in alcohol sales, with ongoing training and regular updates. Our store systems include prompts for age verification and refusal books, all designed to protect the local community.

This new store will offer a different variety of products than what is currently available in the area, including many Tesco-branded items, providing local residents with a valuable alternative and savings through our promotions. We have limited our operating hours to 9pm, while other stores in the area are licensed to operate until 11pm. The store will offer a delivery service within 10 minutes of placing an order, which will be especially beneficial for those without transport, those with limited time, and particularly the elderly. Currently, other stores in the area do not provide delivery service. Having a store without a licence would not be viable.

We plan to engage with the community through initiatives such as fundraising, local partnerships, and sponsorships, ensuring the store becomes a positive asset to the area.

By bringing this property back into use, we will create local jobs—four full-time and five part-time roles—and engage local tradespeople for renovations. Additionally, once operational, the store will generate business rates, contributing to the local economy. It can revitalise a community and generate sustainable growth for the long term.

The property has remained vacant for some time and was previously assessed by the Care Quality Commission (CQC) as unsuitable for use as a GP surgery. While I completely understand and appreciate the concerns of local residents given the site's former purpose, I would like to respectfully reassure you that there are no plans for it to return to medical use, as it did not meet the necessary standards required for such a facility. For context, the CQC report noted: *"The provider had declared non-compliance with the Health and Social Care Act 2008 relating to the suitability of their premises."*

Based on my previous experiences, where local residents initially had concerns, within just two months of the stores opening, they have expressed nothing but gratitude for their presence.

I kindly ask for the opportunity to operate this store with an alcohol licence. We are committed to working closely with the local community, local authorities, and the police to ensure the premises are managed responsibly.

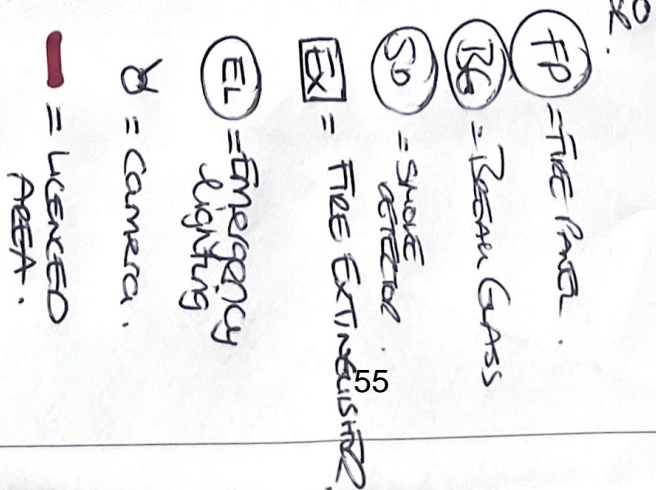
Thank you for considering our application.

Kind

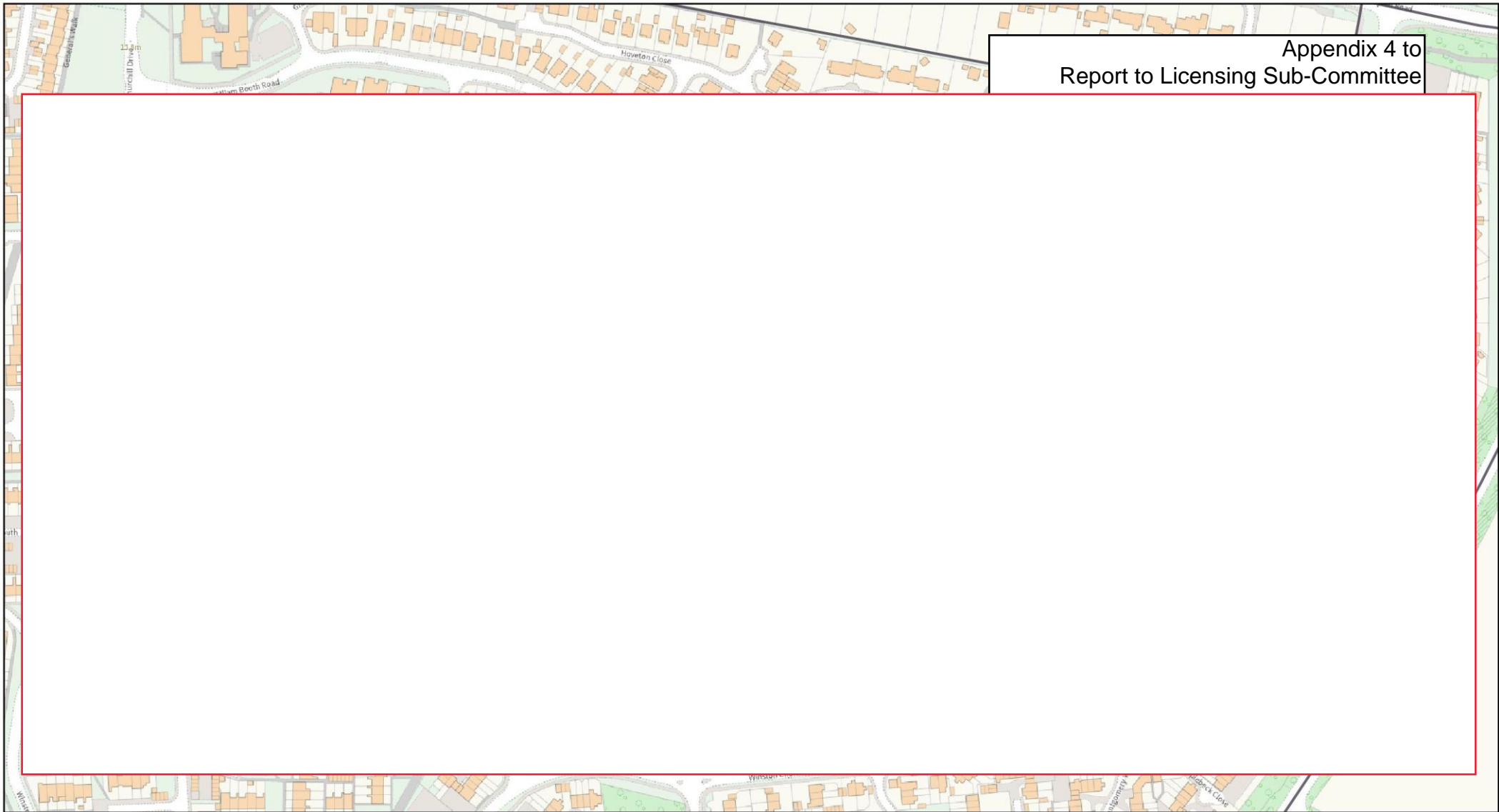
regards,



A3



www.architecturalhouseplans.co.uk



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

Location Plan - The Surgery, Centre Point, Fairstead, King's Lynn, Norfolk, PE30 4SR

N

1:3,500