

# Borough Council of King's Lynn & West Norfolk

## Report to Licensing Sub-Committee under the Licensing Act 2003

**Date of Hearing: 24<sup>th</sup> August 2021**

### Application for Grant a Premises Licence

- Croft Country Club, Green End, Lott's Bridge, Three Holes, Wisbech, PE14 9JD

**Applicant** – Miss Jane Carter and Mr Stephen Carter

### 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. Miss Jane Carter and Mr Stephen Carter have made an application under Section 17 of the Act for the licensable activities of 'live music' and 'recorded music', A copy of the application is attached at Appendix 1 and if granted would allow the premises to operate as follows:

| <u>Licensable Activity</u>                                    | <u>Days</u>                                       | <u>Times</u>  |
|---|---|---|
| <b>Provision of Live Music</b><br>Indoors & Outdoors          | Friday, Saturday and Sunday                       | 12 noon until 23:00hrs  |
| <b>Provision of Recorded Music</b><br>Indoors & Outdoors      | Monday to Thursday<br>Friday & Saturday<br>Sunday | 12 noon until 11pm<br>12 noon until 1am<br>12 noon until Midnight |
| <b>Provision of Live &amp; Recorded Music</b><br>Indoors Only | New Year's Eve                                    | 12 noon until 01:30hrs  |

### Mandatory Conditions

3. There are no mandatory conditions in respect of the licensable activities of live and/or recorded music.

## Conditions Consistent with the Operating Schedule (Proposed Conditions)

4. The following conditions have been identified from the operating schedule (paragraph 'M' on the application) or agreed following consultation with the applicant.

(a) Live or recorded music outdoors may only occur on a Friday/Saturday/Sunday between the hours of 12 noon – 22.30hrs (applicable to opening months of May through to October).

(b) Provision of live or recorded music outdoors will only be permitted on 5 occasions between the months of May and October (occasions being classed as one day 12 noon – 22.30).

(c) Provision of recorded music indoors will only be permitted –

|                      |                       |
|----------------------|-----------------------|
| Monday to Thursday   | 12:00 Noon – 23:00hrs |
| Friday               | 12:00 Noon – 00:00hrs |
| Saturday             | 12:00 Noon – 01:00hrs |
| Sunday               | 12:00 Noon – 22:30hrs |
| Bank Holiday Sundays | 12:00 Noon – 23:00hrs |

(d) Provision of live music indoors will only be permitted between 12 noon and 23:00hrs on a Friday/Saturday/Sunday.

(e) A Noise Management Plan, NMP1 – must be submitted to and approved by the Community Safety and Neighbourhood Nuisance team within 14 days of the grant of a licence and must be implemented as approved at all times thereafter. Any amendments to the plan must be approved by the Community Safety and Neighbourhood Nuisance team. The Noise Management Plan must be made available upon request at any time to the Community Safety and Neighbourhood Nuisance Team.

(f) Live or recorded music on New Year's Eve will be permitted indoors only between the hours of 12 noon – 01:30.

## 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 Authority;
- 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 nineteen representations from 'other persons' to consider. Of those representations, three are objections to the application and sixteen are supporting 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 Eastern Daily Press on Thursday 8<sup>th</sup> July 2021 and should have been displayed on the premises up to and including the 28<sup>th</sup> July 2021.

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 location and layout of the premises is attached at Appendix 3 and a plan is attached at Appendix 4 showing the approximate location of the nearby objectors and supporters 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 14<sup>th</sup> 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:

- (a) undermine the right of any individual to apply under the terms of the 2003 Act for a variety of permissions and to have any such application considered on its own merits;
- (b) override the right of any person to make representations on an application.

3.3 Every application will be dealt with impartially and on its individual merits. The Borough Council will not refuse to grant or vary an application unless it has received a representation from a responsible authority, such as the police or an environmental health officer, or 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.

## **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.

## **9.0 Public Safety**

- 9.1 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.
- 9.2 A number of matters should be considered in relation to public safety. These could include:
- Fire safety;

- Ensuring appropriate access for emergency services such as ambulances;
- Good communication with emergency services;
- 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; and
- Considering the use of CCTV.

9.3 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. The Borough Council expects applicants to consider these when making their application which steps it is appropriate to take to promote the public safety objective and demonstrate how they will achieve that.

#### **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.

#### **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 April 2018 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, (for example, whilst beer glasses may be available in toughened glass, wine glasses may not);
- cannot seek to manage the behaviour of customers once they are beyond the direct management of the licence holder and their staff, but may impact on the behaviour of customers in the immediate vicinity of the premises or as they enter or leave; and
- should be written in a prescriptive format.

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

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

### **Crime and disorder**

- 2.1 Licensing authorities should look to the police as the main source of advice on crime and disorder.

### **Public Safety**

- 2.7 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.
- 2.8 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;
- 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 and
- Considering the use of CCTV in and around the premises.

2.9 The measures that are appropriate to promote public safety will vary between premises and the matters listed above may not apply in all cases. 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.

#### **Ensuring safe departure of those using the premises**

2.10 Licence holders should make provision to ensure that premises users safely leave their premises. Measures that may assist include:

- Providing information on the premises of local taxi companies who can provide safe transportation home; and
- Ensuring adequate lighting outside the premises, particularly on paths leading to and from the premises and in car parks.

#### **Public nuisance**

2.15 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.

2.16 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.

- 2.17 Conditions relating to noise nuisance will usually concern steps appropriate to control the levels of noise emanating from premises. This might be achieved by a simple measure such as ensuring that doors and windows are kept closed after a particular time, or persons are not permitted in garden areas of the premises after a certain time. More sophisticated measures like the installation of acoustic curtains or rubber speaker mounts to mitigate sound escape from the premises may be appropriate. However, conditions in relation to live or recorded music may not be enforceable in circumstances where the entertainment activity itself is not licensable (see chapter 15). Any conditions appropriate to promote the prevention of public nuisance should be tailored to the type, nature and characteristics of the specific premises and its licensable activities. Licensing authorities should avoid inappropriate or disproportionate measures that could deter events that are valuable to the community, such as live music. Noise limiters, for example, are expensive to purchase and install and are likely to be a considerable burden for smaller venues.
- 2.18 As with all conditions, those relating to noise nuisance may not be appropriate in certain circumstances where provisions in other legislation adequately protect those living in the area of the premises. But as stated earlier in this Guidance, the approach of licensing authorities and responsible authorities should be one of prevention and when their powers are engaged, licensing authorities should be aware of the fact that other legislation may not adequately cover concerns raised in relevant representations and additional conditions may be appropriate.
- 2.19 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.
- 2.20 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.
- 2.21 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**

- 2.22 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.
- 2.23 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.
- 2.24 It is also possible that activities, such as adult entertainment, may take place at certain times on premises but not at other times. For example, premises may operate as a café bar during the day providing meals for families but also provide entertainment with a sexual content after 8.00pm. It is not possible to give an exhaustive list of what amounts to entertainment or services of an adult or sexual nature. Applicants, responsible Revised Guidance issued under section 182 of the Licensing Act 2003 | 11 authorities and licensing authorities will need to consider this point carefully. This would broadly include topless bar staff, striptease, lap-, table- or pole-dancing, performances involving feigned violence or horrific incidents, feigned or actual sexual acts or fetishism, or entertainment involving strong and offensive language.
- 2.25 Applicants must be clear in their operating schedules about the activities and times at which the events would take place to help determine when it is not appropriate for children to enter the premises. Consideration should also be given to the proximity of premises to schools and youth clubs so that applicants take appropriate steps to ensure that advertising

relating to their premises, or relating to events at their premises, is not displayed at a time when children are likely to be near the premises.

- 2.26 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.
- 2.27 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.

### **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 certain cases, where there are other legislative provisions which are relevant and must be observed by the applicant, no additional conditions are appropriate to promote the licensing objectives.

### **Proportionality**

- 10.10 The 2003 Act requires that licensing conditions should be tailored to the size, type, location and characteristics and activities taking place at the premises concerned. Conditions should be determined on a case by case basis and standardised conditions which ignore these individual aspects should be avoided. For example, conditions should not be used to implement a general policy in a given area such as the use of CCTV, polycarbonate drinking vessel or identity scanners where they would not be appropriate to the specific premises. 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  
Environment & Planning  
6<sup>th</sup> August 2021

Appendixes:

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

Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (14<sup>th</sup> January 2021)
3. Guidance issued under Section 182 of the Licensing Act 2003 (April 2018)

**Your ref no: Form ref:**

TPXHXRDN

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

**Page:** Coversheet

Appendix 1 to  
Report to Licensing Sub-Committee  
Re: Croft Country Park  
Dated: 6th August 2021

|                                      |                     |
|--------------------------------------|---------------------|
| <b>This form was started at:</b>     | 29/06/2021 15:27:54 |
| <b>This form was completed at:</b>   | 30/06/2021 14:53:11 |
| <b>Internal form classification:</b> | N / A               |
| <b>Openprocess state:</b>            |                     |

**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.**

|   |   |
|---|---|
| <b>Are you completing this form on behalf of the applicant?</b>           | No - I am the applicant   |
| <b>In what capacity is the applicant applying for a premises licence?</b> | As a partnership  |
| <b>Please confirm the following:</b>                                      | The applicant is carrying on or proposing to carry on a business which involves the use of the premises for licensable activities |

**Page:** Tell us about the other applicants

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

|   |   |
|---|---|
| <b>Name</b>                             | Miss Jane Carter <input type="text"/> & Mr Stephen Carter |
| <b>Address line 1</b>                   | <input type="text"/>                                      |
| <b>Address line 2</b>                   |   |
| <b>Address line 3</b>                   |   |
| <b>Address line 4</b>                   |   |
| <b>Postcode</b>                         | <input type="text"/>                                      |
| <b>Daytime telephone number</b>         | <input type="text"/>                                      |
| <b>Email address</b>                    | <input type="text"/>                                      |
| <b>Registered number, if applicable</b> |   |

**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 Croft Country Club

Address line 1 Green End

Address line 2 Lott's Bridge

Address line 3 Three Holes

Address line 4 Wisbech

Postcode PE14 9JD

Telephone number at the premises

Please give a brief description of the premises Holiday caravan and campsite and premises, with a clubhouse

When do you want the premises licence to start?  
(dd/mm/yyyy) 30/07/2021

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**

The application fee for a non-rateable value between £4,301 - £33,000 is:

**£190.00**

## 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?** Applicant's address

**Page:** Tell us which licensable activities

|   |     |
|---|-----|
| <b>Will you be providing plays at the premises?</b>                             | No  |
| <b>Will you be providing films at the premises?</b>                             | No  |
| <b>Will you be providing indoor sporting events at the premises?</b>            | No  |
| <b>Will you be providing boxing or wrestling entertainment at the premises?</b> | No  |
| <b>Will you be providing live music at the premises?</b>                        | Yes |

**A licence is not required for:**

- a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
- a performance of amplified live music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a workplace that is not licensed to sell alcohol on those premises, provided that the audience does not exceed 500.
- a performance of amplified live music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- a performance of amplified live music between 08.00 and 23.00 on any day, at the nonresidential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school or (iii) the health care provider for the hospital.

|  |     |
|--|-----|
| <b>Will you be providing recorded music at the premises?</b> | Yes |
|--|-----|

**A licence is not required for:**

- any playing of recorded music between 08.00 and 23.00 on any day on premises authorised to sell alcohol for consumption on those premises, provided that the audience does not exceed 500.
- any playing of recorded music between 08.00 and 23.00 on any day, in a church hall, village hall, community hall, or other similar community premises, that is not licensed by a premises licence to sell alcohol, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance from a person who is responsible for the premises.
- any playing of recorded music between 08.00 and 23.00 on any day, at the nonresidential premises of (i) a local authority, or (ii) a school, or (iii) a hospital, provided that (a) the audience does not exceed 500, and (b) the organiser gets consent for the performance on the relevant premises from: (i) the local authority concerned, or (ii) the school proprietor or (iii) the health care provider for the hospital.

|   |    |
|---|----|
| <b>Will you be providing performances of dance at the premises?</b>                             | No |
| <b>Will you be providing anything of a similar description to live music, recorded music or</b> | No |

**performances of dance at the premises?**

**Will you be providing late night refreshment at the premises?**

No

**Will you be selling or supplying alcohol at the premises?**

No

**Page:** Provision of live music

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

End time

**Section: Tuesday**

Start time

End time

**Section: Wednesday**

Start time

End time

**Section: Thursday**

Start time

End time

**Section: Friday**

Start time 12:00

End time 23:00

**Section: Saturday**

Start time 12:00

End time 23:00

**Section: Sunday**

Start time 12:00

End time 23:00

**Will the provision of the live music take place indoors, outdoors or both?** Both

**Please provide further details here**

The campsite is open for 28 weeks (end of March to beginning of October) every year. Most of the live entertainment will take place indoors. We usually plan to have between 3 and 5 weekends a season where we intend to have outdoor live entertainment (subject to weather). We do not have live entertainment every week/weekend on site. Within the 28 week season we have on average 10

weekends where we have live entertainment.

**Please state any seasonal variations for the provision of the live music**

New Year's Eve

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

New Year's Eve

**Page:** Provision of recorded music

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 12:00

End time 23:00

**Section: Tuesday**

Start time 12:00

End time 23:00

**Section: Wednesday**

Start time 12:00

End time 23:00

**Section: Thursday**

Start time 12:00

End time 23:00

**Section: Friday**

Start time 12:00

End time 01:00

**Section: Saturday**

Start time 12:00

End time 01:00

**Section: Sunday**

Start time 12:00

End time 00:00

Will the provision of the recorded music take place indoors, outdoors or both? Both

Please provide further details here

We only use the clubhouse whilst the site is open for the camping season (28 weeks end of Mar to beginning of October). Most of the provision for playing recorded music will be a disco/karaoke night indoors on a Friday and/or Saturday night each week that the site is open. The majority of the time that recorded music will be played outside is when we have live entertainment outdoors (3-5 events a

season). If an outdoor disco is held as a stand alone event, without live entertainment the finish time of the disco/provision of recorded music will never be later than 22:00.

**Please state any seasonal variations for the provision of recorded music**

New Year's Eve

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

New Year's Eve

**Page:** Removing the requirement for a DPS

For premises such as Churches, Community Centres and similar who hold a premises licence, you can apply to have the requirement for a Designated Premises Supervisor (DPS) on the licence removed. The effect is to make a management committee collectively responsible for the sale of alcohol.

**The applicant on this form must be the committee or board of individuals with responsibility for the management of the premises.**

**Please give a brief description of the premises and the management structure**

Not Applicable

**The applicant must be a committee or board of individuals with responsibility for the management of the premises.**

**Please tell us the name of the committee or board in control of the premises**

Miss Jane Carter, Mr Stephen Carter

**We are the premises licence holder**

Tick to confirm

We the above board or committee of individuals with responsibility for the management of the community premises described on page 1, and being the applicant for a premises licence/premises licence holder in respect of those premises apply for the condition referred to in section 19(4) of the Licensing Act 2003 to be included in the licence instead of the conditions referred to in [section 19\(2\) and \(3\)](#) of the said act.

**Please describe how you will ensure that alcohol sales are properly supervised and what arrangements you have in place (if any) for hiring out the premises**

We do not have a bar and do not sell alcohol on our campsite. We do not have any intention at present to install a bar or sell any alcoholic beverages.

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

You can use the following upload facility to provide documents (if available) which identify the premises and how it is managed:

**Uploaded files\***

\* If empty, no files were uploaded

You can use the following upload facility to provide copies of any hire agreements:

**Uploaded files\***

\* If empty, no files were uploaded

**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 00:01  
End time 00:00

**Section: Tuesday**

Start time 00:01  
End time 00:00

**Section: Wednesday**

Start time 00:01  
End time 00:00

**Section: Thursday**

Start time 00:01  
End time 00:00

**Section: Friday**

Start time 00:01  
End time 00:00

**Section: Saturday**

Start time 00:01  
End time 00:00

**Section: Sunday**

Start time 00:01  
End time 00:00

**Please tell us about any seasonal variations**

We are open as a campsite for 28 weeks of the season from the end of March to the beginning of October. During this period the site is open 24 hours a day, as people stay overnight on site. However, we are only open to pre-booked arrivals.

**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**

None

**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**

Nothing beyond the existing insurance and health and safety requirements.

**The prevention of crime and disorder**

All visitors to our caravan and campsite must pre-book before arriving at the site. Prior to arrival, we obtain name, address, telephone and email address (where applicable) for our own records and to comply with our insurance requirements. No one is allowed entry to the site who has not pre-booked or provided the relevant personal information. Anyone on site is made aware that their personal details will be passed onto the relevant authority in the event that they carry out any illegal or criminal activity.

**Public safety**

The only vehicular access to the campsite is through electric security gates, which can only be opened from inside the site or by a keyfob remote which are sold to members of the club only, or by a member of the site management team. The 2 pedestrian access gates have a pushbutton coded entry lock system. Both vehicular and pedestrian access gates are covered by CCTV. This also covers the private roadway at the end of Green End. We also have CCTV signs on show outside the site. We have firepoints, fire buckets, fire extinguishers. There is also a fire alarm system in the clubhouse. Mr Paul Simpson is our designated Fire officer. Stephen Carter (ex Navy) & Miss Jane Carter (ex police) are our first aiders on site. We have a permanent on site manager (Mr John Jackson) who oversees all entertainment and general activity on site.

**The prevention of public nuisance**

As any attendee of any of our events must be staying on site at the time and must have pre-booked onto site, no nuisance should be caused to the local area or residents by the attendees leaving the site at the end of the event. We have our own noise recording equipment to ensure that any noise from events can be recorded and kept at a level so as to not cause nuisance to any neighbouring properties in the area. Our campsite is remotely positioned, with the nearest neighbouring property that does not belong to the owners of the site, is at least half a mile away.

**The protection of children from harm**

All members and visitors to site, have to sign a declaration that they have been provided with a set of the site rules and that they are not registered on any National Database involving the Protection of children or vulnerable adults. Miss

Jane Carter (ex police service) is the Designated Child Protection Officer on our campsite.

**Page:** Documents checklist - applying for a premises licence

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

Checklist

- ✓ 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
- ✓ I will send a copy of the advert once it has appeared in the newspaper - do not advertise until accepted
- ✓ I understand that if I do not comply with the above requirements my application may be rejected
- ✓ 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

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\***

Clubhouse.pdf  
CROFT FIELD LICENCE AERIAL 1.pdf  
CROFT FIELD LICENCE AERIAL 2.pdf  
Fire Appliance Check Certificate.pdf  
Clubhouse1.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\***

\* 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?



**Your ref no: Form ref:**  
TPXHXRDN

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

**Page:** Payment summary

|                                      |                |
|--------------------------------------|----------------|
| Application fee for RV 4301 to 33000 | <b>£190.00</b> |
| Total                                | <b>£190.00</b> |

**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 received -

Persons Objecting -

| No. | Name/s | Address |
|-----|--------|---------|
| 1   |        |         |
| 2   |        |         |
| 3   |        |         |

Persons Supporting -

| No. | Name/s | Address |
|-----|--------|---------|
| 1   |        |         |
| 2   |        |         |
| 3   |        |         |
| 4   |        |         |
| 5   |        |         |
| 6   |        |         |
| 7   |        |         |
| 8   |        |         |
| 9   |        |         |
| 10  |        |         |
| 11  |        |         |
| 12  |        |         |
| 13  |        |         |
| 14  |        |         |
| 15  |        |         |
| 16  |        |         |

Kings Lynn & West Norfolk Council  
Kings Court  
Chapel Street  
Kings Lynn  
PE30 1EX

Tel

July 19th 2021

**Re: Music Licence Application No 21/00495/LA PRE  
for Croft Country Club (Stephen Carter)**

Dear Sirs

We understand from neighbours that Croft Country Club have applied for an all day external music licence for live music at weekends and recorded music all week.

We wish to express, in the strongest possible terms, our objection to the issuing of such a licence. The nature of the terrain around the area ie flat land with very few trees means that the music that is played outside on the site travels for miles in all directions. It is a public nuisance of the most insidious sort and we understand that the council received complaints when this happened in May.

We own a holiday cabin in a neighbouring area, the Alders, and when we bought it a few years ago it was a wonderful quiet and peaceful location. Whilst we appreciate that COVID-19 has changed everything just now, when the first outside music was played some weeks ago we were horrified by the noise it made and how clearly we could hear it some 100yds away. If this were allowed to continue even just at weekends then it would render our holiday home unusable from our point of view. We bought the cabin originally as we both have medical conditions that require us to take regular relaxation breaks and after the appalling noise that was made on the campsite a few weeks ago (that we understand was complained about from as far away as Three Holes) we haven't been back. If that doesn't constitute a public nuisance then we don't know what would.

The campsite is open to children as well as adults and to be granting a licence for external music until 1am has to present a safeguarding issue for children. As an ex-teacher I consider this alone to be a valid reason for rejecting the application.

We await your decision but implore you to consider this application seriously as it will have significant very serious negative implications for all the communities around.

Yours faithfully

[REDACTED]  
Sent: Thursday, July 22, 2021 1:38:33 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
To: EH Licensing  
Subject: 21/00495/LA\_PRE

Good afternoon

Regarding the application for live music-Croft country club, I strenuously disagree that they should be allowed to play music that late. Whilst they have played very loud music occasionally upto early evening, that's not so bad, but upto 11pm/12am or 1am is outrageous as I do not wish to hear their music until that time. This is a quiet area and while I understand their business activities, it should factor in the local residents and how they feel about quite frankly spoiling their evenings. You can generally hear every word the lead singer says between singing its very loud indeed. Please reject this application for the late night entertainment. Kind regards [REDACTED]

Sent from my iPhone



RE: LICENSE APP CROFT COUNTRY CLUB.  
LOTTIS BRIDGE THREE HOLES  
MR STEPHEN CARTER.

My husband and I are hoping you do not agree to grant the licence for the entertainment of music. We have already had the discomfort and experience of the loud music coming across the back field to our home, which is very annoying and goes on all day long. With the hours they propose we would not be able to get to sleep at night and have to keep windows closed. We are elderly pensioners and would like to keep the peace and quiet we enjoy in our later life.

Yours sincerely,



[REDACTED]  
Sent: Monday, July 26, 2021 10:26:11 AM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing

Subject: Croft entertainment license

Good Morning [REDACTED]

We know that Croft Country Club has applied for an entertainment license. We wanted to contact you to show our support as members of Croft. Croft has provided a haven for many over the last two seasons with safe restrictions in place and entertainment outside on weekends, for many it has given a lot people something to look forward to. The entertainment has started in an afternoon with it ending early evening the one exception to that was a weekend of entertainment which raised a good deal of money for Alzheimer's society. As a club most members shop locally and visit the local restaurants and bars while we are there. The main attraction of the club is the entertainment for ourselves and I know a lot of people share this view.

We hope you will be able to grant the proper licenses etc for this club to provide all it has in previous years Sincerely [REDACTED]

Sent from my iPhone

---

From:

Sent: Sunday, July 25, 2021 2:49:42 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing

Subject: Support of the Croft Country Club application

Dear Sir /Madam

My wife and I have been coming to the Croft Country Club for more than 15 years now, as have many others of their clients . The entertainment has been very much a part of the reason for coming.

In “normal” years the music provided is mostly indoors with the exception of one outdoor event at the end of June. Obviously in the last two years things have been a little different and there has been a little more outdoor entertainment due to the various restrictions. My understanding is that as soon as things return to normal the entertainment programme will also return to mostly indoors.

We travel a considerable distance to be here and feel that we contribute to the wider local economy, using local shops and stores along with other leisure facilities such as local pubs and restaurants.

I feel that Croft customers in general contribute greatly to the local economy and being here for a lengthy time I have not known any previous complaints about the site. It is also worth noting that Croft via its visitors contribute to many local and national charities each year and this has always been welcomed.

My wife and I fully support Croft as a successful tourist venue and for it to carry on in the future as it has in the past, and to be an asset to the local Norfolk tourist industry.

I hope we have been able to convey our enthusiasm and affection for Croft and like many of our friends here will, like the rest of the country, hope, for Croft be able to “resume normal service” as soon as possible.

Thank you for reading our email

Regards

Sent from my iPhone

---

**From:** (

**Sent:** Sunday, July 25, 2021 3:53:52 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>

**Subject:** Support of croft country club

To whom it may concern my wife and I have been members at croft country club for the past 13 years and thoroughly enjoyed our time here including the entertainment as of which we also enjoy as do a most others members and visitors alike we also enjoy frequenting the local attractions and restaurants in the area and are very disappointed to hear of news that the club is having complaints from certain former members who were very prominent members for at least 10 years to our knowledge and attended most functions that were organised by croft including the charity events and at one time ran two such events themselves we thank you for looking at our email and hope it helps in this application our full names and address would be available if required.

Northampton

---

**From:** [redacted]

**Sent:** Sunday, July 25, 2021 9:11:39 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>

**Subject:** Croft licence

To whom it may concern

My husband and I have been visiting croft country club for 8 years, doing an 8 mile round trip to get here. The site is second to none. The entertainment once a week is usually held indoors, but due to current restrictions has been held outdoors. Everyone on site has always enjoyed this and people living close by who were once members, had no complaints and danced the night away with everyone else. People on croft as well as ourselves contribute to the local community using shops restaurants etc. Croft also supports local and national charities via members and visitors. Croft is a site that we will recommend to anybody. My husband and i will continue to be members and hope that the problem can be resolved and normal service can resume.

Regards

[redacted]

Sent from my Galaxy

---

**From:**   
**Sent:** Monday, July 26, 2021 7:53:30 AM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** Re the application for Music licence at Croft country club

Dear sirs

I write in support of the Indoor and outdoor music Licence Application being granted for Croft Country Club, Greenend, Lotts Bridge, Three Holes, Wisbech, PE149JD.

I would like to put forward the following reasoning I believe the licence should be granted and these are as follows.

**(1)**

The club is a very social based club and lives and dies on support from many members and visitors & even local people.

Music and dancing is a very key part of the survival of this club.

**(2)**

As a fair share of members & visitors come from outside the area they in turn bring much needed support to local businesses which generates much needed jobs in local pubs, restaurant's, bakeries, butchers, farm shops, convenience stores and many more.

**(3)**

The Club has been very successfully operating for many many years now without any problems or complaints.

**(4)**

The clubs events generates much needed money for local and national charities and without these events this support would disappear.

**(5)**

The Pandemic has had a catastrophic effect & halted live acts businesses which Croft can help recover given the licences

Hoping you see your way clear of approving the application as we have all been through a lot in the past 18 months and I personally would like to help local businesses and music acts get back on their feet and grow there business to pull us through this horrid pandemic

Many thanks

Best Regards

Sent iPhone

**From:**   
**Sent:** Monday, July 26, 2021 9:10:56 AM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** Croft Country Club

Dear Sir/Madam,

Croft Country Club, Greenend, Lotts Bridge, Three Holes, Wisbech, PE14 9JD.

With reference to the above application, it would be appreciated by all the members of Croft, that truth should be the most important criterion in issuing the licence.

It is an unfortunate situation that a certain few people are trying to spoil the legitimate enjoyment of a large group of people. Their tactics include spreading untruths and bad feeling. Croft Country Club is a fantastic place to enjoy the company of like-minded friends and families. The organisers work hard to ensure we are all safe and there is a wonderful sense of camaraderie and support that you would be hard pushed to find in many other social arenas.

Please bear the above in mind when processing the application and we all hope the outcome will be a positive one.

Yours faithfully,

---

**From:** [redacted]  
**Sent:** Saturday, July 24, 2021 5:50:59 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** FW:

Sent from [Mail](#) for Windows 10

**From:** [redacted]  
**Sent:** 24 July 2021 17:17  
**To:** [EHlicensing@west-norfolk.gov.uk](mailto:EHlicensing@west-norfolk.gov.uk)  
**Subject:**

Sent from [Mail](#) for Windows 10

Re Music at Croft Country Club.



Dear Sir /Madam

My wife and I have been coming to the Croft Country Club for more than ten years now, as have many others of their clients . The entertainment has been very much a part of the reason for coming.

In “normal” years the music provided is mostly indoors with the exception of one outdoor event at the end of June. Obviously in the last two years things have been a little different and there has been a little more outdoor entertainment due to the various restrictions. My understanding is that as soon as things return to normal the entertainment programme will also return to mostly indoors.

As well as enjoying the site we have also ,over the years, enjoyed many a drink and meal at the local restaurants and hostelrys and visited many of the local towns and attractions.

I feel that Croft customers contribute greatly to the local economy and Croft Country club has for many years also contributed to the local area and to my knowledge without complaint.

My wife and I fully support Croft as a successful tourist venue and for it to carry on in the future as it has in the past, and to be an asset to the local Norfolk tourist industry.

I hope we have been able to convey our enthusiasm and affection for Croft and like many of our friends here will ,like the rest of the country, hope, for Croft be able to “resume normal service” as soon as possible.

Thank you for reading our email

Regards



---

From:

Sent: Monday, July 26, 2021 1:04:31 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing

Subject: Croft Country Club - Entertainment License

Dear sirs.,

We write in support of the above application.

Croft Country Club is a well established business offering a beautiful site that is enjoyed by both visitors and annual "members" alike.

The management have traditionally offered entertainment during the open season that, in general takes place in the clubhouse.

As a result of COVID in order to safeguard staff and customers the entertainment has to be provided outside and we understand that the licence applied for will ensure that a reduced level of entertainment can take place until the club closes at the end of September.

We very much hope that the licence will be granted and we are certain that the management of the site will ensure that every effort will be taken to minimise any disturbance to local residents.

Kind regards

Sent from my iPad

**From:**

**Sent:** Monday, July 26, 2021 5:19:32 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>

**Subject:** Application for an entertainment license by Croft Country Club

Sent from my Galaxy

To whom it may concern,

I am writing to support the application for a new entertainment license by Croft Country Club. I have been a member of the club for 15 years and have thoroughly enjoyed the entertainment provided by the club in the clubhouse. The Covid pandemic has meant we need to be outdoors to provide a safe environment. In the 15 years I have been a member the club has been respectful and considerate to any nuisance and noise which may affect their neighbours and it's members and visitors have enjoyed the level of entertainment you would expect at a moderately sized holiday park.

I strongly believe that the current application is a fair and reasonable licence which does not have any significant noise or nuisance and would be well within acceptable limits required by the licensing authority. As a former Chair of planning at Brixworth Council I have had to consider many applications of this type and I can see no reason why approval would not be granted.

I hope you find my observations helpful and that the Council approves this application.

Best regards

---

**From:** [redacted]  
**Sent:** Monday, July 26, 2021 7:58:22 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** Croft Country Club

Hi

With reference to the entertainment license for Croft Country Club.  
We have been visiting Croft for 10 years and a member for 4 years.  
I have always found the Club to be very respectful and conscious of its impact on the local community.  
I understand there has been some negative feedback towards Crofts license of which we strongly disagree



Sent from my Galaxy

---

From:

Sent: Sunday, July 25, 2021 1:07:12 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing

Subject: Croft Country Club

Sirs,

We understand that Croft Country Club are in the process of applying for a new music licence to cover both outside and inside events.

Having been regular visitors to Croft for over 15 years, we whole heartedly support this application. Any events put on by the Club are professionally run, support local businesses and raise funds for charities.

There has always been a good atmosphere at the events, with no behaviour that could be classed as 'out of order' , and no 'inappropriate' artists.

We hope that they are successful in their application.



---

**From:** [REDACTED]  
**Sent:** Monday, July 26, 2021 10:01:25 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** Premises Licence/Entertainment at Croft Country Club

Dear EH Licensing

My partner, Rich and I have recently become private members of the above club situated just off Green End, Halfpenny Toll Road, Three Holes, Wisbech, PE14 9JD since April this year.

I have to say it is a lovely, friendly and welcoming site that is looked after superbly. It is a very private caravan site tucked out of the way in the middle of nowhere and without any adjoining neighbours that I am aware of. Most people keep themselves to themselves and we can enjoy the peaceful, quiet nature of the surrounding countryside without any trouble or bother.

Unfortunately, due to covid, the Clubhouse has been out of bounds to us all and occasionally on a weekend the manager will put on a disco for us all to enjoy outside on a stage which finishes about 9 -10 pm, no later. This is a very welcome and well supported evening function. As I am quite elderly I would like to point out that the music played is not very loud at all. Most of us on site are elderly and enjoy the quiet life but it is rather nice to enjoy a dance on the occasional weekend. I am sure the volume levels are well within the legal decibel meter readings as we can all here ourselves talking.

Members are extremely respectful and mindful of others and it would be of extreme sadness if the evening entertainment cannot carry on. We both love this site and the fact that it is within an hour of our home address makes it a favourite place for us to head as often as we can. I suspect that it may well be a case of sour grapes from possibly ex members that has caused the suspension of our 'entertainment' and we would love to see the application made by Croft Country Club fully supported and back in place as soon as possible. There are very few weeks of possibly nice warm weather left for this season and it would be fantastic to see the 'discos' and quizzes back on again without any further delay.

If you could possibly update me on the application process and provide some guidance/timeline as to how soon the 'entertainment' can return for our enjoyment (and that of everyone else on the site) I would be extremely grateful. Or indeed, is there anything else we can do to assist with the process, then please advise.

Many thanks, I look forward to hearing from you.

Regards

[REDACTED]

Sent from [Mail](#) for Windows 10

---

**From:** [REDACTED]

**Sent:** Tuesday, July 27, 2021 8:51:58 AM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>

**Subject:** Croft Country Club Music License

Dear Sirs

We wish to support Croft Country Club in their application for the music license

Our business is Lode Hall Country Park, another Holiday Park in Three Holes and we realise the value of tourism in West Norfolk

Croft, along with ourselves, attracts many holiday makers into the district who spend money in local shops, pubs and restaurants.

Coming out of the various lockdowns it is vital for all local businesses that our holiday parks are well supported

Croft have a long history of providing entertainment for their guests and need the music license to continue to do so

These are uncertain times and local business need as much support as possible

[REDACTED]

---

From: [REDACTED]

Sent: Tuesday, July 27, 2021 5:05:31 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing

Subject: Croft Country Club Three Holes PE14 9JD

To whom this may concern.

I am writing to support the above venue for getting a music/entertainment licence. This is a small family run business, whom have always considered neighbours when putting on some live entertainment, as a member of The Croft Country Club we have always been able to have music, or live entertainment, I would hate to see a business not to survive because of one petty minded person. The managers of The Croft have said that the local people have no issues with The Croft having live entertainment some weekends which is usually on a Saturday as they have already visited the people in the local area, no one seemed to object.

May I ask that you consider this carefully as it could mean a lot of local business suffer if The Country Club could not continue as they have previously.

Yours Sincerely

[REDACTED]

Sent from my iPad

---

**From:** [redacted]

**Sent:** Tuesday, July 27, 2021 3:48:50 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>

**Subject:** Entertainment Licence for Croft Country Club

Good afternoon

We would like to offer our support to croft Country Club, with regard to their request for a music/entertainment licence - sorry we are not sure on the actual wording for this licence.

We have been very sad to hear that former members are staging a protest against the issue of the said licence.

The former members who are making allegations against Croft, were a couple that partook in every aspect of Croft life, as in joining in any of the music events, fancy dress, quizzes, also they helped to arranging charity fund raising events and so much more.

We feel it is very unfair that one couple are trying to spoil things at a beautiful country caravan park for every member and visitor because they are no longer members!

We have been members at Croft for 6 years and have our own caravan sited here.

Its a place for us to relax, bring the family, and take part in any of the events happening.

We also would like it noted that when we are staying at Croft, we shop local, and take great pleasure in being able to buy local produce, especially the lovely new potatoes which the farm shops sell!

We do hope that Croft can have their licence granted, as without this the club would not have the same atmosphere.

Yours sincerely

[redacted]

---

**From:** [redacted]

**Sent:** Thursday, July 29, 2021 2:48:28 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>

**Subject:** Music licence - Croft Country Club, Greenend, Lotts Bridge, Three Holes, Wisbech PE14 7JD

Dear Sirs, my wife and I are members of Croft Country Club and strongly support the provision of a new Music Licence. The last couple of years have been very difficult for the Club due to Covid-19 and this has meant more music has been provided in the open, rather than in the clubhouse. The venue is a very popular one for a good number of persons and music and dancing are very nice to have at the weekend. The Club Management are always mindful of the need not to cause a disturbance to any neighbours and, in our opinion, have managed the situation exceptionally well.

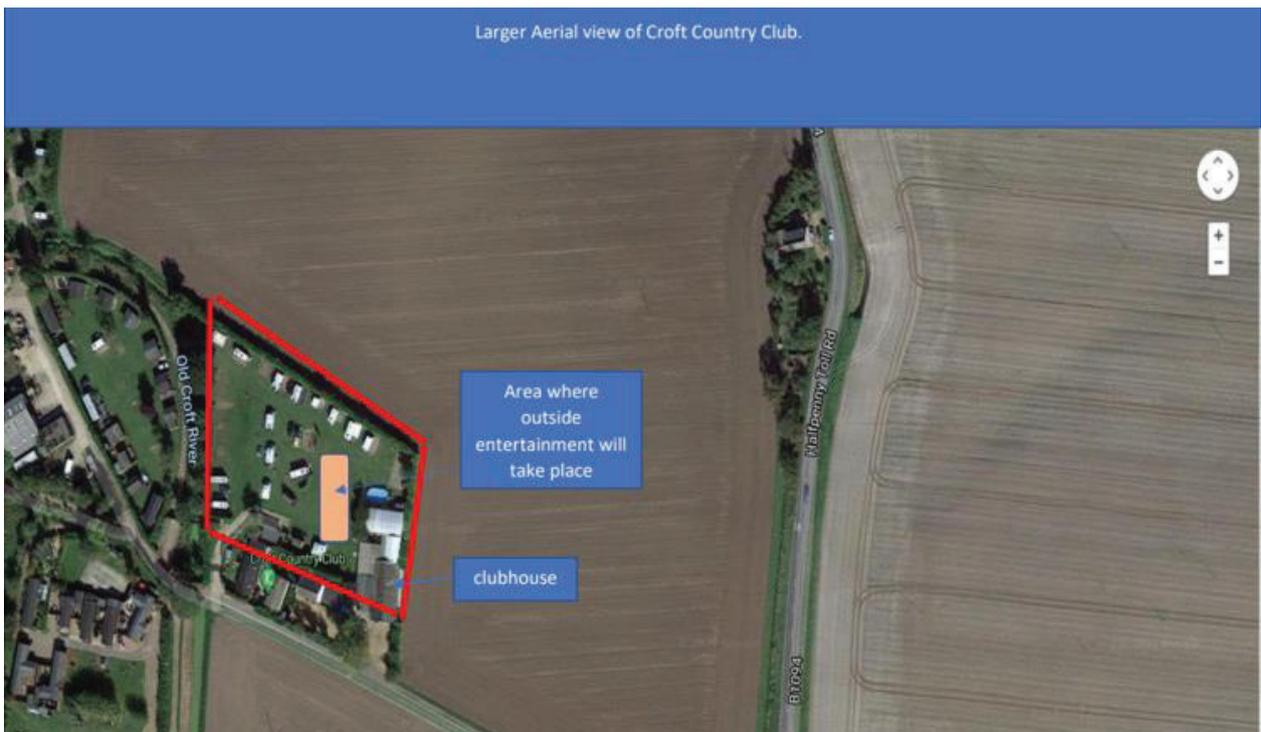
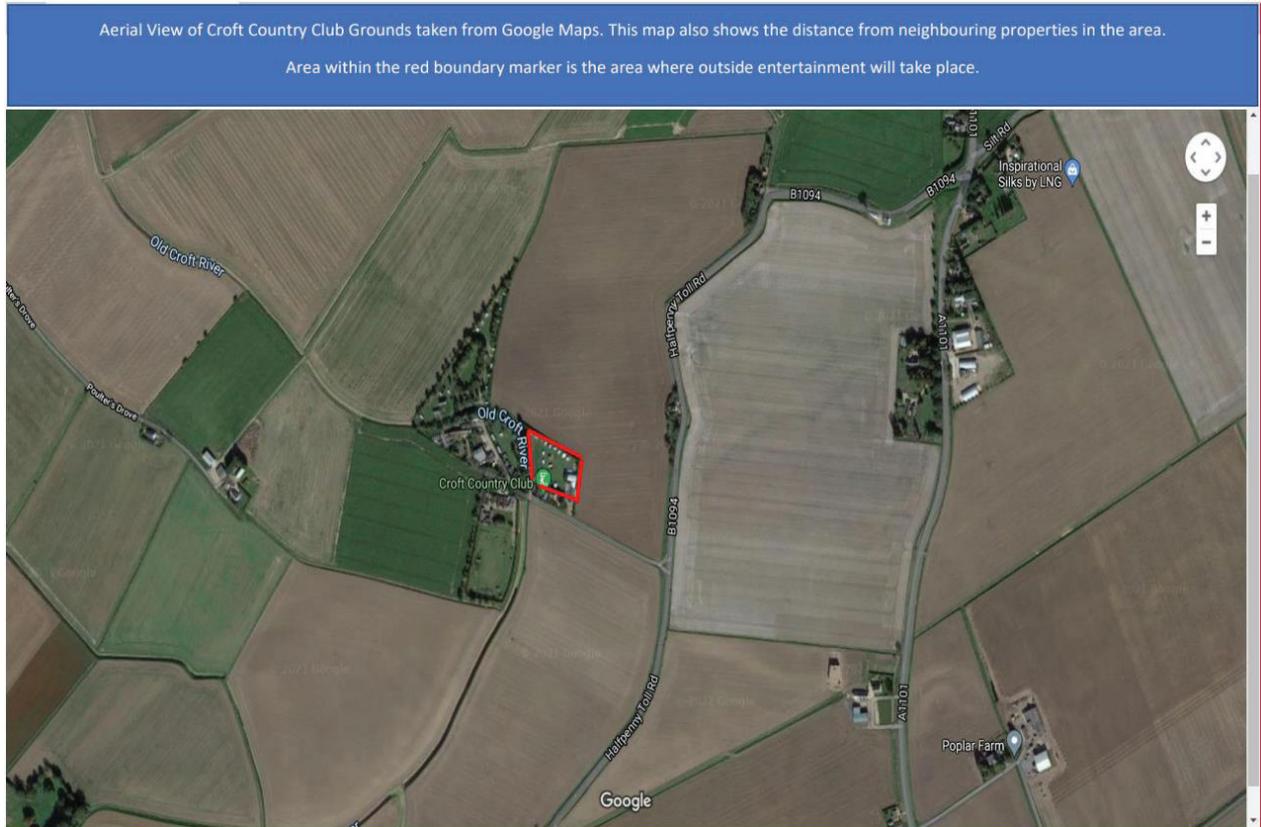
We do hope you will take our comments into consideration and grant this licence.

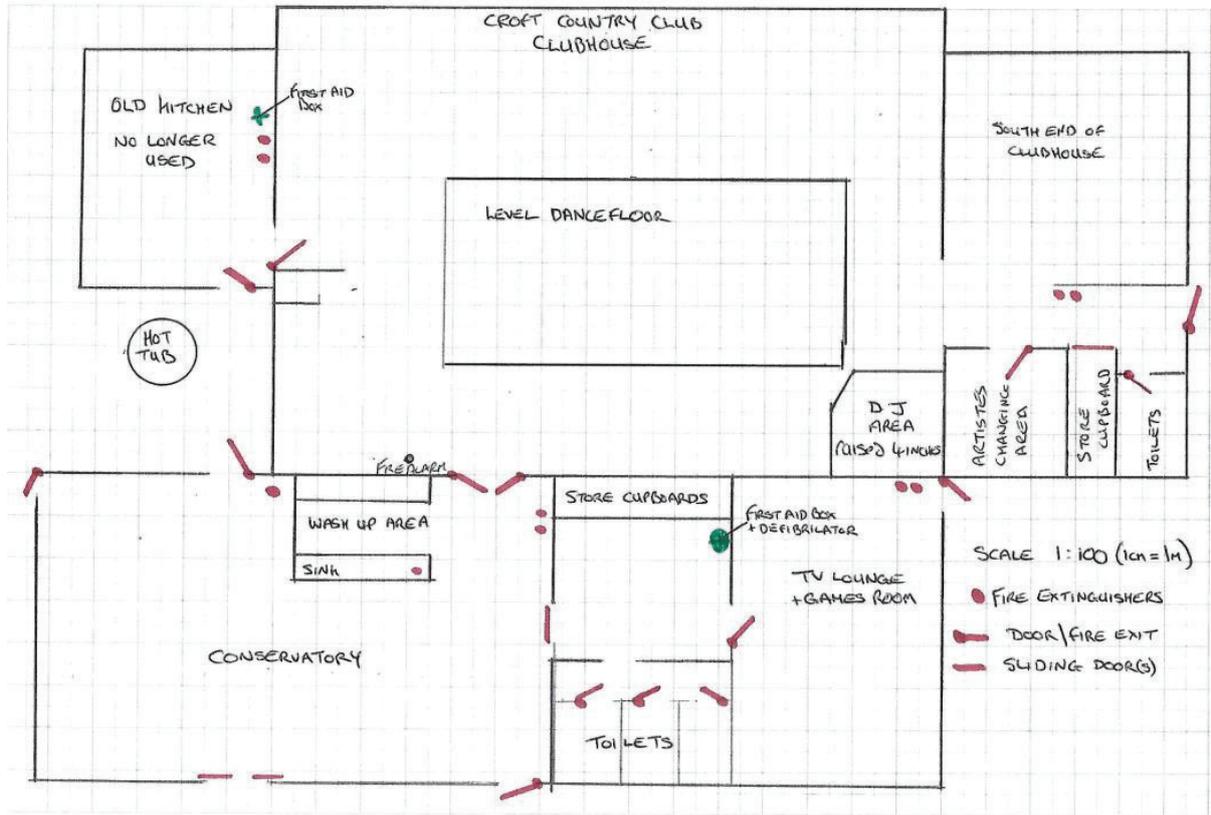
Yours faithfully,

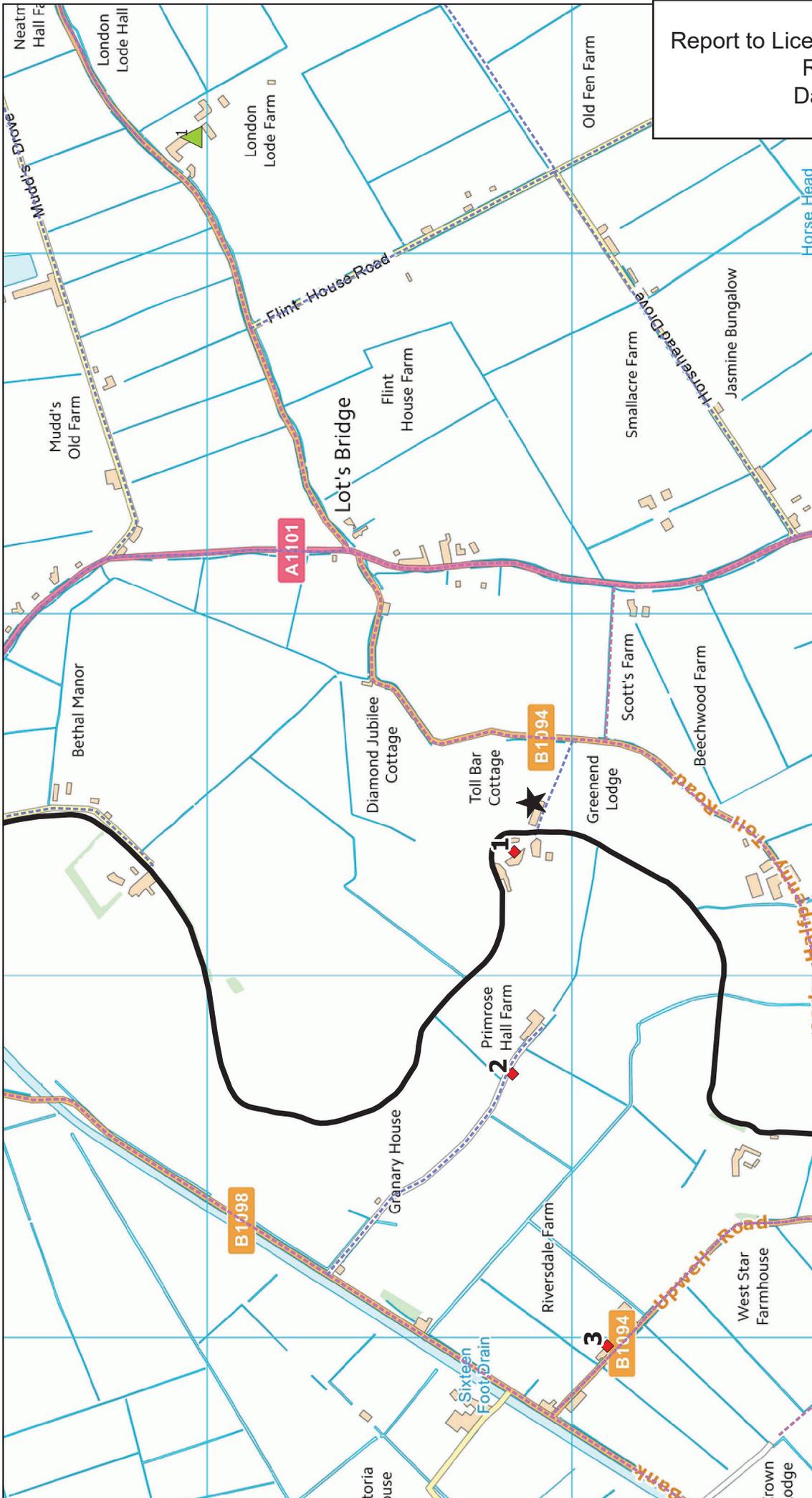
[redacted]

Croft Country Club, Green End, Lott's Bridge, Three Holes, Wisbech, PE14 9JD

### 3 Plans of the premises provided by the applicant







**Legend**

- ★ Site Location
- ▲ Supporter
- ◆ Objectors

**Borough Council of  
 King's Lynn &  
 West Norfolk**  
 Tel. 01553 616200  
 Fax. 01553 691663