

## LICENSING SUB-COMMITTEE

### DETERMINATION NOTICE

<b>Date of Hearing</b>	<b>22<sup>nd</sup> June 2023</b>
<b>Sub-Committee Members</b>	<b>Councillors C J Crofts, J Rust and D Tyler</b>
<b>Legal Adviser</b>	<b>James Arrandale</b>
<b>Licensing Officer</b>	<b>Marie Malt – Senior Licensing Officer</b>
<b>Democratic Services Officer</b>	<b>Rebecca Parker</b>
<b>Applicant's Name</b>	<b>Ms Kim Brockhouse</b>
<b>Interested Parties</b>	<b>None present</b>
<b>Premises Address</b>	<b>The Chequers, 7 Church Road, Wimbotsham, King's Lynn, Norfolk, PE34 3QG.</b>
<b>Application</b>	<b>Application for the variation of an existing premises licence</b>

### APPLICATION

Kings Lynn and West Norfolk Borough Council, being the relevant licensing authority, received an application for a variation to an existing premises licence for The Chequers, 7 Church Road, Wimbotsham, King's Lynn, Norfolk, PE34 3QG.

During the 28 day representation period, the Council received a letters of representation from 20 Interested Parties. There were no representations from Responsible Authorities.

### HEARING

On 22<sup>nd</sup> June 2023, a hearing was held to consider the variation application. The Sub-Committee determined the application with a view to promoting the four licensing objectives. It considered the application on its own merits. In reaching its determination, the Sub-Committee had regard to the following matters:

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

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

- The Licensing Officer
- The Applicant

### SUMMARY OF EVIDENCE

The Licensing Officer presented her report and outlined the application which had been submitted and responded to questions from all parties. A copy of the application was attached to the report. The Officer noted that 5 of the objections (list numbers 2, 3, 6, 8 and 9) had been withdrawn.

The Applicant, supported by a parish councillor Steve Mingay, presented her case, and responded to questions from all parties. She stated that they were using noise monitoring equipment inside and outside the venue, with a view to maintaining a maximum level of 90 decibels. Mr Mingay confirmed that musicians were given a briefing sheet that said there would be two 20-minute breaks in each event.

The Officer asked whether the applicant would be content for (i) the 90 decibel limit and (ii) the two 20 minute breaks to be formalised as a conditions. The applicant agreed.

Following a question from the Panel, the Applicant stated that the physical copy of the notice had been positioned by the Council (further to objections about its visibility).

The Interested Parties did not attend.

The Officer and the Applicant then summed up.

### **FINDINGS AND DETERMINATION**

The Sub Committee considered the evidence in the report, as well as the written and oral evidence of all parties put forward at the Hearing.

The Sub Committee determined to grant the licence subject to the following conditions:

1. Only one outdoor music event is permitted per calendar month between the months of April & September inclusive;
2. Events to take place only on Saturday or Sunday between 4pm and 8pm;
3. Each outdoor music event must have a minimum of two clear weekends (i.e. without events) between them;
4. Outdoor music is only permitted during the designated outdoor music events;
5. Two twenty-minute breaks to be scheduled and take place during each outdoor music event;
6. Drumkits not to be used outdoors;
7. A maximum noise limit of 90 decibels, measured at the garden/forecourt of the premises, shall be observed at all times;
8. The Applicant shall cooperate with Community Safety & Neighbourhood Nuisance team with regard to the monitoring of noise levels.
9. 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.
10. 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.

**RIGHT OF APPEAL**

There is a right of appeal against this decision to the Magistrates’ Court. An appeal must be commenced within 21 days beginning with the day on which you receive notification of the decision. You may wish to seek independent legal advice from a solicitor or the Citizens Advice Bureau regarding this.

Signed.....  
Councillor Crofts (Chair of the Licensing Sub-Committee)

Date: 22<sup>nd</sup> June 2023