

LICENSING SUB-COMMITTEE

DETERMINATION NOTICE

Date of Hearing	22nd December 2023
Sub-Committee Members	Councillors Bartrum (Chair), Rust and Tyler
Legal Adviser	James Arrandale
Licensing Officer	Marie Malt – Senior Licensing Officer
Democratic Services Officer	Rebecca Parker
Applicant's Name	Heacham Club Limited Attending: Darren Bailey, Mark Pishorn and David Page
Interested Parties	The Heacham Club Charity Attending: Peter Full, Neil Fisher and Jay Watkins
Premises Address	Heacham Social Club, 13 Station Road, Heacham
Application	Application for a Premises Licence

APPLICATION

Kings Lynn and West Norfolk Borough Council, being the relevant licensing authority, received an application for a Premises Licence for Heacham Social Club.

During the 28 day representation period, the Council received one letter of representation from other persons to consider. There were no representations from Responsible Authorities.

It was noted that there is a current premises licence in place for Heacham Social Club, which was held by 'The Heacham Club'. The current licence authorised all of the same licensable activities, but with hours in excess of those being applied for with this application.

HEARING

On 22nd December 2023, a hearing was held to consider the application for the premises licence. 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 (represented by Warren Mitchell)
- Heacham Club Charity (represented by Peter Full)

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 Applicant presented their case and responded to questions from all parties.

The Interested Parties presented their case and responded to questions from all parties.

The parties all summed up.

FINDINGS AND DETERMINATION

The Sub-Committee has listened carefully to the submission of the applicants and the Charity. It notes the issues raised by the Charity, and also notes that applicant recognises that strengthening measures should be brought in to ensure full ongoing compliance with the licensing objectives.

The Sub-Committee also took note of the report of the Licensing Officer and her contributions in this hearing. Finally, it has taken note of the fact that, although matters have been reported to the Police on a number of occasions, no objections were received from the Police or other Responsible Authorities.

In the circumstances, the Sub-Committee is minded to grant the Licence, for sale of alcohol, regulated entertainment and late-night refreshment from 8am to midnight Monday to Saturday and 8am to 11pm on Sunday. This licence will be subject to conditions as follows.

Firstly, the licence will be subject to the mandatory conditions set out in section 3 of the Licensing Officer's report. The Council draws the applicant's and the objectors' attention to the conditions in paragraphs 3(b), (c)(II) and 3(g) which will apply – see pages 9 and 10 of the Application pack published by the Council.

Secondly, the Sub-Committee imposes on the licence the conditions set out at page 11 of the Application pack as follows:

- (a) Signage must be displayed in prominent positions throughout the premises stating that minors must be accompanied by an adult or guardian at all times.
- (b) A CCTV system shall be maintained at the premises covering all public areas which is capable of recording images for a continuous period of at least 28 days. Images must be capable of being downloaded upon reasonable request from representatives of the Police or the Licensing Authority. All staff on duty at the premises must be trained in the use of the system and be able to comply with any such request. The system will be maintained in good working order at all times. CCTV cameras will be positioned to cover the doorway and till areas and be capable of facial recognition of all persons both entering and exiting the store.

- (c) All staff must receive regular training in the challenge 25 age verification scheme and records of such must be kept on the premises. Challenge 25 signage must also be displayed at prominent positions within the premises.

Thirdly, the Sub-Committee also imposes three further conditions as follows:

- (d) At all times that alcohol is being served or sold in the Public Hall, a personal licence holder must be present in the Public Hall.
- (e) At all times that alcohol is being served or sold in the Clubhouse, a personal licence holder must be present in the Clubhouse.
- (f) At all times that alcohol is being served or sold in the Pavilion, a personal licence holder must be present in the Pavilion.

The applicants may wish to discuss the practical implications of complying with these conditions with the Council’s Licensing Department.

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 Micaela Bartrum (Chair of the Licensing Committee)

Date: 22nd December 2023