

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK

LICENSING COMMITTEE

Minutes from the Meeting of the Licensing Committee held on Wednesday, 8th February, 2017 at 1.22 pm in the Committee Suite, King's Court, Chapel Street, King's Lynn, Norfolk

PRESENT:

Councillors C J Crofts, M Hopkins and C Manning

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2 **ITEMS OF URGENT BUSINESS**

There was no urgent business.

3 **DECLARATIONS OF INTERESTS**

There was no declarations of interest.

4 **TO CONSIDER A TRANSFER APPLICATION FOR A PREMISES LICENCE FOR LYNN EXPRESS, 107 NORFOLK STREET, KING'S LYNN**

The Chairman welcomed everyone to the meeting and declared that the Sub-Committee was sitting to consider an application for a transfer of a Licence in respect of Lynn Express, 107 Norfolk Street, King's Lynn. He introduced the Sub-Committee, the Borough Council officers and the legal Advisor and explained their roles.

The Responsible Authorities present introduced themselves.

The Licence Holder nor a representative were not present.

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

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

6 **REPORT OF THE LICENSING MANAGER**

The Licensing Manager presented his report and provided an overview of the transfer application. He explained that on 30th November 2016,

Miss Joanna Laurusontye applied to the Borough Council to transfer the premises licence for 107 Norfolk Street into her name. The application requested that the transfer had immediate effect meaning that the applicant effectively became the licence holder from this date. In presenting his report, the Licensing Manager referred to the following:

- The Transfer Application, which had been included within the Licensing Manager's Report.
- Norfolk Constabulary had objected to the transfer application as they believed that the application was an attempt to circumvent the review application submitted by Norfolk Trading Standards.
- The current operating times of the premises and the licensable activity permitted.
- The Borough Council's Statement of Licensing Policy and Section 182 Guidance.

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

There were no questions.

7 **THE APPLICANT'S CASE**

The Applicant was not present at the hearing.

8 **THE RESPONSIBLE AUTHORITY'S CASE**

The representative from Norfolk Constabulary presented his case.

The representative from Norfolk Constabulary responded to questions from the Panel and the Licensing Manager.

9 **SUMMING UP - THE LICENSING MANAGER**

The Licensing Manager summed up his case. He asked the Sub-Committee to consider the representatives contained within his report and put forward at the Hearing.

The Licensing Manager outlined the options available to the Sub-Committee as set out in his report.

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

10 **SUMMING UP - THE RESPONSIBLE AUTHORITY**

Norfolk Constabulary summed up their case.

11 **SUMMING UP - THE APPLICANT**

The applicant was not present at the hearing.

12 **OUTSTANDING MATTERS**

The Legal Advisor confirmed that there were no outstanding matters and outlined the options available to the Sub-Committee.

13 **REACHING A DECISION**

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

14 **DECISION**

The Decision of the Panel was read out.

The meeting closed at 2.25 pm