

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 2.30 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 REVIEW 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 a review application for Lynn Express, 107 Norfolk Street, King's Lynn, PE30 1AQ. 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 was 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.

The Responsible Authorities proposed, and it was agreed by all parties present that the Hearing proceed in closed session so as to not prejudice the ongoing police and Norfolk Trading Standards investigations.

RESOLVED: That in accordance with Regulation 14(2) of the Licensing Act 2003 (Hearing Regulations) 2005, the press and public be excluded from the Hearing.

6 **REPORT OF THE LICENSING MANAGER**

The Licensing Manager presented his report and provided an overview of the review application. In presenting his report, the Licensing Manager referred to the following:

- The Review Application, which had been included within the Licensing Manager's report.
- Norfolk Trading Standards had applied for the Review.
- The current operating times of the premises and the licensable activity permitted.
- The Review Application was being made under the crime and disorder licensing objective.
- Norfolk Constabulary had supported the review application under the crime and disorder licensing objective.
- 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 (NORFOLK TRADING STANDARDS)**

Norfolk Trading Standards presented their case. A timeline of events and regulatory interventions were provided to the Sub-Committee.

Norfolk Trading Standards were invited to comment on the letter received from the Licence Holder's representative.

Norfolk Trading Standards commented on the letter from the Licence Holder's representative.

There were no questions to Norfolk Trading Standards.

8 **RESPONSIBLE AUTHORITY'S CASE (NORFOLK CONSTABULARY)**

The representative from Norfolk Constabulary presented his case and explained that Norfolk Constabulary had been involved in joint operations with Norfolk Trading Standards and supported the review application submitted by Norfolk Trading Standards.

There were no questions.

9 **THE RESPONDENT'S CASE (THE LICENCE HOLDER)**

The Licence Holder was not present at the hearing.

10 **SUMMING UP - THE LICENSING MANAGER**

The Licensing Manager summed up his case. He asked the Sub-Committee to consider the representations 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. He reminded them that they needed to focus on the crime and disorder licensing objective.

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

11 **SUMMING UP - THE RESPONSIBLE AUTHORITY (NORFOLK CONSTABULARY)**

Norfolk Constabulary summed up their case.

12 **SUMMING UP - THE APPLICANT (NORFOLK TRADING STANDARDS)**

Norfolk Trading Standards summed up their case.

13 **SUMMING UP - THE RESPONDENT (THE LICENCE HOLDER)**

The Licence Holder was not present at the Hearing.

14 **OUTSTANDING MATTERS**

The Legal Advisor confirmed there were no outstanding matters.

15 **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.

16 **DECISION**

The Decision of the Panel was read out.

The meeting closed at 4.01 pm