

Borough Council of  
**King's Lynn &  
West Norfolk**



# **Licensing Sub- Committee Hearing**

## **Agenda**

Thursday, 22nd June, 2023  
at 10.00 am

in the

**Council Chamber, Town Hall, Saturday  
Market Place, King's Lynn and available to  
view on you Tube**





**King's Court, Chapel Street, King's Lynn, Norfolk, PE30 1EX**  
**Telephone: 01553 616200**

Wednesday, 14 June 2023

Dear Member

**Licensing Committee**

You are invited to attend a meeting of the above-mentioned Sub Committee which will be held on **Thursday, 22nd June, 2023 at 10.00 am** in the **Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ** to discuss the business shown below.

Yours sincerely

Chief Executive

**AGENDA**

**1. Appointment of Chair for the Hearing**

**2. Apologies for absence**

To receive any apologies for absence.

**3. Items of Urgent Business**

To determine any other items of business which the Chair decides should be considered as a matter of urgency pursuant to Section 100B(4)(b) of the Local Government Act 1972.

**4. Declarations of Interests (Page 5)**

Please indicate if there are any interests which should be declared. A declaration of an interest should indicate the nature of the interest (if not already declared on the Register of Interests) and the agenda item to which it relates. If a disclosable pecuniary interest is declared, the member should withdraw from the room whilst the matter is discussed.

**5. To consider an application to vary a premises licence for The Chequers,**

**7 Church Street, Wimbotsham**

- a) **Procedure which will be followed at the Hearing** (Pages 6 - 8)
- b) **Report of the Licensing Officer** (Pages 9 - 78)

To:

**Licensing Committee:** Councillors C J Crofts, J Rust and D Tyler

**Officers:**

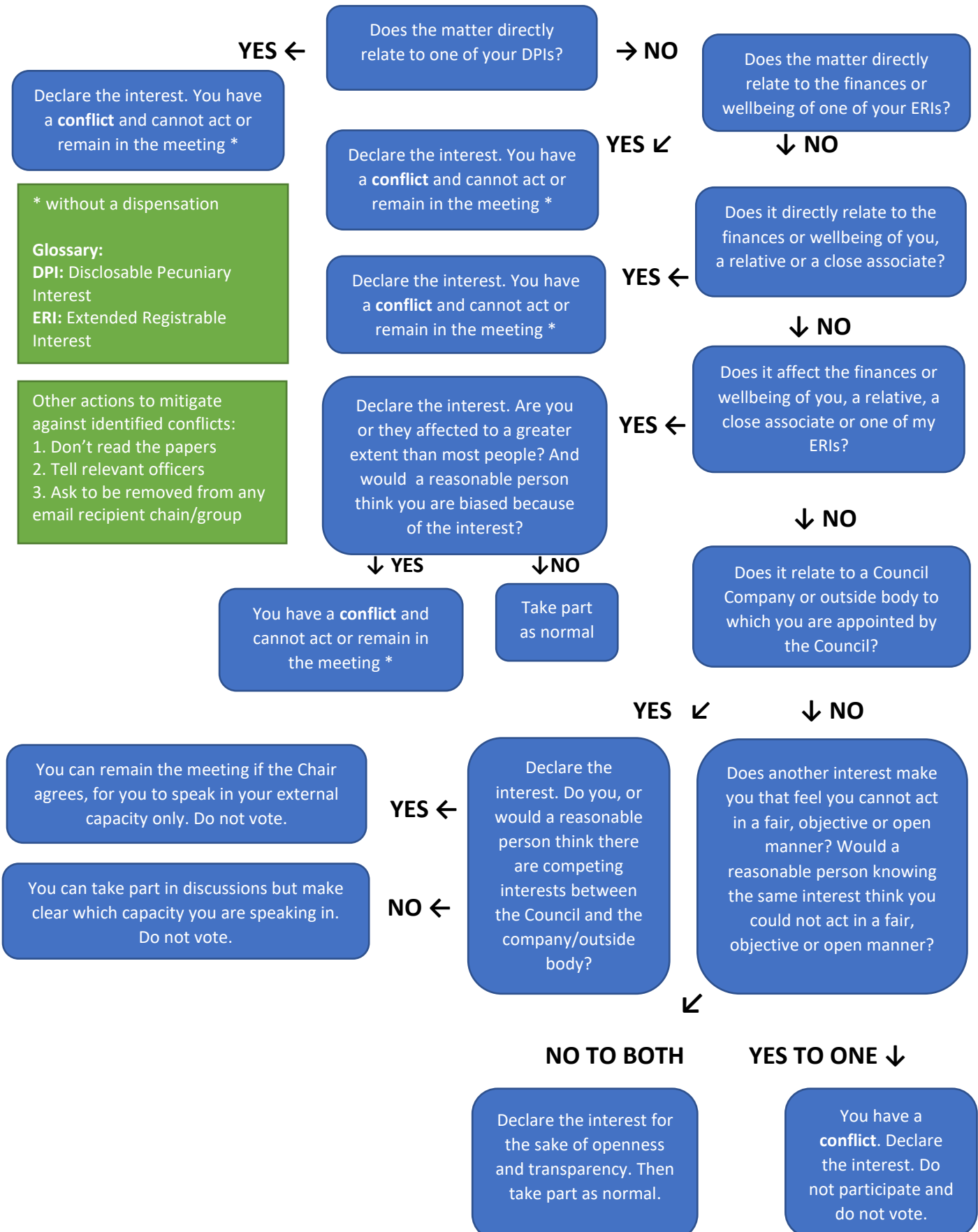
Marie Malt, Licensing Manager  
James Arrandale, Legal Advisor



# DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



## START



Declare the interest. You have a **conflict** and cannot act or remain in the meeting \*

\* without a dispensation

### Glossary:

DPI: Disclosable Pecuniary Interest

ERI: Extended Registrable Interest

Other actions to mitigate against identified conflicts:

1. Don't read the papers
2. Tell relevant officers
3. Ask to be removed from any email recipient chain/group

YES ←

→ NO

YES ↙

↓ NO

YES ←

↓ NO

YES ←

↓ NO

↓ YES

↓ NO

YES ↙

↓ NO

YES ←

NO ←

↙

NO TO BOTH

YES TO ONE ↓

Agenda Item 5a  
Procedure for Determining Licensing Act 2003 Cases

*The hearing will be held in public. However, the Borough Council may exclude the public from all or part of a hearing where it considers that the public interest in so doing outweighs the public interest in the hearing, or that part of the hearing, taking place in public. The hearing is not adversarial but an examination of the facts by the Members of the Committee. All participants must be courteous at all times. All parties will be given equal maximum time which is normally 15 minutes each, in total. Any person may apply for longer time if they immediately notify the Borough Council upon receipt of the Notice of the Hearing and in exceptional circumstances, the Borough Council may extend the maximum time allowed to all parties if the complexity of the application demands. In the event that there are a large number of objections to a particular application, the Borough Council may ask an appropriate number of representatives or a single representative to put forward their views.*

### Introductions

1. The **Chairman** of the Sub-Committee should read out a statement declaring under which capacity the Committee is sitting.

**This Sub-Committee is sitting to consider matters under the Licensing Act 2003.**

2. The **Chairman** will introduce himself and the Members of the Committee.
3. The **Chairman** will then introduce and explain the respective roles of
  - (i) the Democratic Services Officer
  - (ii) the Licensing Officer
  - (iii) the Legal Advisor to the Committee
4. **The Chairman** should invite all those present to introduce themselves and ask them to indicate if they wish to speak during the hearing. (Only those persons who have made representations may address the Sub-Committee)
5. Each party will be asked by the **Chairman** whether 15 minutes is sufficient for the presentation of his/her/body's case. (Agreement on the length of time given for each speaker is at the discretion on the Chairman).
6. Please note at any time during the hearing the Legal Advisor or the Licensing Officer may be asked or may offer advice to the Sub-Committee/other parties or ask questions of any party.

### The Application for a Premises License

7. The **Legal Advisor** explains the procedure that will be followed at the meeting. All parties to note that any requests or issues should be directed through the Chairman.
8. The **Licensing Officer** outlines the premises application to the Committee by presenting the report referring to any relevancy to Licensing Policy and Statutory Guidance.
9. The **Licensing Officer** will invite questions from all parties to clarify the content of the Licensing Officer's report.

### The Applicant's Case

10. The **Chairman** then invites the Applicant or his representative to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

## Questions

11. Once the Applicant has presented their case, the **Chairman** invites questions to the Applicant or his representative from
  - (i) The Licensing Officer
  - (ii) The Responsible Authorities (or their representative)
  - (iii) Other persons (or their representatives)
  - (iv) Members of the Committee.
12. The **Chairman** will invite questions to the witnesses (if present) from the
  - (i) The Licensing Officer
  - (ii) The Responsible Authorities (or their representative)
  - (iii) Other persons (or their representative)
  - (iv) Members of the Committee

Questions should be relevant to the application and repetition will be discouraged.

## The Responsible Authorities Case

13. The Chairman then invites the Responsible Authorities (or their representative) to make their case. Witnesses may be called but each will be subject to separate questioning (see below).

## Questions

14. Once the Responsible Authorities has presented their case, the **Chairman** invites questions to the Responsible Authorities (or their representative) from the
  - (i) The Licensing Officer
  - (ii) The applicant (or their representative)
  - (iii) Other persons (or their representatives)
  - (iv) Members of the Committee.
15. The **Chairman** will invite questions to the witnesses from the
  - (i) The Licensing Officer
  - (ii) The applicant (or their representative)
  - (iii) Other persons (or their representative)
  - (iv) Members of the Committee

## Other Persons Case(s)

16. Each of the other persons or their representatives wishing to address the Committee may do so in an order determined by the **Chairman**. They too must be willing to be questioned by other parties in the same order. Local Objectors may not however question each other. Questions should be relevant to the application and repetition will be discouraged.

This will operate as follows:

- each party will present his/her/body's case
- each party's witnesses (if any) will give evidence in support of the party's case

- firstly, each party and, secondly, their witnesses may be questioned by other parties, prior to questioning by Members of the Committee.

17. The Licensing Officer, Applicant (or their representative) and the Responsible Authorities will be invited to ask relevant questions of those parties (or the parties' representatives).

### Summing Up

Each party will be allowed 5 minutes to sum up their case. They may comment upon what has been said but no new evidence should be introduced.

18. The **Chairman** then invites the Licensing Officer to sum up his case.

19. The **Chairman** then invites the Responsible Authorities and other parties (or their representative) to sum up their case.

20. The **Chairman** then invites the applicant (or their representative) to sum up their case.

### Reaching and Making a Decision

21. **The Chairman** will ask the Council's Legal Advisor to address the Committee on any outstanding matters.

22. The **Chairman** will then thank all those who have spoken and invite the Committee to retire to consider the application, accompanied by the Legal Advisor and Democratic Services Officer (who will take no part in the decision).

23. The Committee will then debate the case presented to them at the hearing and will seek to reach a decision and reasons for their decision.

24. Once a decision has been made, **the Chairman** will invite the **Legal Advisor** to announce in public any legal advice he/she has given in private.

25. **The Chairman** will read out the decision of the application and the reasons for the decision (unless the Committee is unable to reach a determination at the conclusion of the hearing). Where appropriate, **the Chairman** will ask the Licensing Officer for any comments on their decision prior to any final determination.

26. **The Chairman** will explain that all parties will be notified of the outcome of the decision and reasons for the decision in writing.

27. If the Committee is unable to reach a decision, the **Chairman** will explain that all parties will be notified as soon as possible (but within 5 working days) of the decision and the reasons for such.

### NOTE

A decision may be deferred to:-

1. Receive further documentation referred to in the meeting
  2. Enable a site visit to take place
  3. Invite the Applicant or his representative to appear if they had not done so at the meeting (only once)
- No further debate may be heard on further documentation or at a site visit
  - Adjournments should generally be granted if to refuse would deny applicant a fair hearing.

# Borough Council of King's Lynn & West Norfolk

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

**Date of Hearing: 22<sup>nd</sup> June 2023**

### Application for the variation of an existing Premises Licence

- The Chequers, 7 Church Road, Wimbotsham, King's Lynn, Norfolk, PE34 3QG

**Applicant** – Ms Kim Brockhouse

### 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. Ms Kim Brockhouse has made an application to vary the existing premises licence in respect of The Chequers to include regulated entertainment outside. A copy of the application is attached at Appendix 1 and if granted would allow the premises to operate the following additional licensable activities:

| <u>Licensable Activity</u>  | <u>Days</u>         | <u>Times</u>   |
|---|---------------------|----------------|
| <b>Regulated Entertainment</b><br><br>Live music<br><br>Anything similar to live music, recorded music or performance of dance. | *Saturday or Sunday | *4pm until 8pm |

\*Note - April to September only and subject to agreed restrictions by condition

### Mandatory Conditions

3. The Act provides for the following seven mandatory conditions to be attached to all premises licences authorising the sale of alcohol for consumption on the premises: -

- (a) Under Section 19(2) of the Licensing Act 2003, no supply of alcohol shall be made under this premises licence at a time when there is no designated premises supervisor in respect of the premises licence, or at

a time when the designated premises supervisor does not hold a personal licence, or his personal licence is suspended.

- (b) Under Section 19(3) of the Licensing Act 2003 every supply of alcohol under the premises licence must be made or authorised by a person who holds a personal licence.
- (c) The responsible person must ensure that staff on relevant premises do not carry out, arrange or participate in any irresponsible promotions in relation to the premises. In this paragraph, an irresponsible promotion means any one or more of the following activities, or substantially similar activities, carried on for the purpose of encouraging the sale or supply of alcohol for consumption on the premises:
  - I. games or other activities which require or encourage, or are designed to require or encourage, individuals to drink a quantity of alcohol within a time limit (other than to drink alcohol sold or supplied on the premises before the cessation of the period in which the responsible person is authorised to sell or supply alcohol), or drink as much alcohol as possible (whether within a time limit or otherwise);
  - II. provision of unlimited or unspecified quantities of alcohol free or for a fixed or discounted fee to the public or to a group defined by a particular characteristic in a manner which carries a significant risk of undermining a licensing objective;
  - III. provision of free or discounted alcohol or any other thing as a prize to encourage or reward the purchase and consumption of alcohol over a period of 24 hours or less in a manner which carries a significant risk of undermining a licensing objective;
  - IV. selling or supplying alcohol in association with promotional posters or flyers on, or in the vicinity of, the premises which can reasonably be considered to condone, encourage or glamorise anti-social behaviour or to refer to the effects of drunkenness in any favourable manner;
  - V. dispensing alcohol directly by one person into the mouth of another (other than where that other person is unable to drink without assistance by reason of disability).
- (d) The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
- (e) The premises licence holder must ensure that an age verification policy is adopted in respect of the premises in relation to the sale or supply of alcohol. The designated premises supervisor in relation to the premises licence must ensure that the supply of alcohol at the premises is carried on in accordance with the age verification policy. The policy must require individuals who appear to the responsible person to be under 18 years of age (or such older age as may be specified in the policy) to produce on request, before being served alcohol, identification bearing their photograph, date of birth and either a holographic mark, or an ultraviolet feature.

- (f) The responsible person must ensure that where any of the following alcoholic drinks is sold or supplied for consumption on the premises (other than alcoholic drinks sold or supplied having been made up in advance ready for sale or supply in a securely closed container) it is available to customers in the following measures:
- I. beer or cider: ½ pint;
  - II. gin, rum, vodka or whisky: 25ml or 35ml; and
  - III. still wine in a glass: 125ml;

These measures must be displayed in a menu, price list or other printed material which is available to customers on the premises and if a customer does not in relation to a sale of alcohol specify the quantity of alcohol to be sold, the customer is made aware that these measures are available.

- (g) A relevant person shall ensure that no alcohol is sold or supplied for consumption on or off the premises for a price which is less than the permitted price. For the purposes of this condition 'duty' is to be construed in accordance with the Alcoholic Liquor Duties Act 1979; 'permitted price' is the price found by applying the formula -  $P = D + (D \times V)$  where; P is the permitted price; D is the rate of duty chargeable in relation to the alcohol as if the duty were charged on the date of the sale or supply of the alcohol; and V is the rate of value added tax chargeable in relation to the alcohol as if the value added tax were charged on the date of the sale or supply of the alcohol. A 'relevant person' means the holder of the premises licence, the designated premises supervisor (if any) in respect of such a licence, or the personal licence holder who makes or authorises a supply of alcohol under such a licence. 'Value added tax' means value added tax charged in accordance with the Value Added Tax Act 1994.

The permitted price must be rounded up to the nearest penny. A change to the permitted price which would apply as a result of a change to the rate of duty or VAT charged in relation to alcohol would not apply until the expiry of the period of 14 days beginning on the day on which the change in the rate of duty or VAT takes effect.

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

4. The following conditions have been agreed following consultation with the applicant.

##### Conditions agreed between the applicant and Community Safety & Neighbourhood Nuisance Team

- (a) Only one outdoor music event is permitted per calendar month between the months of April & September;
- (b) Each outdoor music event must have a minimum of 3 weeks between them;
- (c) Outdoor music is only permitted between the hours of 16:00hrs – 20:00hrs, and only during the designated outdoor music events.

### Conditions identified from the operating schedule

- (a) 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.
- (b) 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.

### **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 Service;
- 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 20 representations from 'other persons' to consider. 11 representations are objections to the application and 9 are in support of the application. Copies of the 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 Your Local Paper on Friday 21<sup>st</sup> April 2023 and should have been displayed on the premises up to and including the 9<sup>th</sup> May 2023.

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 layout of the premises is attached at Appendix 3 and another plan is attached at Appendix 4 showing the approximate location of the nearby objectors/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:

- 3.2.1 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;
- 3.2.2 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.

#### **4.0 Cumulative Impact**

4.1 “Cumulative Impact” is where the number, type or density of licensed premises in a defined area has a demonstrable and significant adverse effect on the licensing objectives. The cumulative impact of licensed premises on the promotion of the licensing objectives is a proper matter for a Licensing Authority to consider in developing its Statement of Licensing Policy.

4.2 The Licensing Authority can only adopt a cumulative impact policy where there is an evidential basis to do so. Local Community Safety Partnerships and responsible authorities, such as the police and the environmental health authority, may hold relevant information which would inform licensing authorities when establishing the evidence base for considering whether a cumulative impact policy is appropriate and necessary to promote the licensing objectives.

4.3 At the time of publishing this policy the Licensing Authority, having regard to the evidence available, considers that there is no particular part of the district causing a cumulative impact which undermines the licensing objectives.

4.4 Once away from the licensed premises, a minority of consumers will behave badly and unlawfully. To enable the general public to appreciate the breadth of the strategy for addressing these problems, the Borough Council encourages the use of other mechanisms both within and outside the licensing regime that are available for addressing such issues. Such as:

- planning control;
- CCTV;
- powers of local authorities to designate parts of the local authority area as places where alcohol may not be consumed publicly;
- the confiscation of alcohol from adults and children in designated areas;
- police enforcement of the general law concerning disorder and anti-social behaviour, including the issuing of fixed penalty notices;
- prosecution for the offence of selling alcohol to a person who is drunk (or allowing such a sale);
- police powers to close down instantly for up to 24 hours (extendable to 48 hours) any licensed premises in respect of which a TEN has effect on grounds of disorder, the likelihood of disorder, or noise emanating from the premises causing a nuisance; and
- the power of the police, other responsible authorities or other persons to seek a review of a licence or certificate.

## **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.

## **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.
- 14.2 Applications for premises licences should normally be from businesses with planning consent for the property concerned. However, applications for licences may be made before any relevant planning permission is sought or granted by the planning authority.

## **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 December 2022 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;
- 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.

### **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.

### **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.

### **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 some cases no additional conditions will be 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. 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  
Legal Services & Licensing  
7<sup>th</sup> June 2023

#### Appendix:

1. Copy of Application
2. Copies of letters of Representations from ‘other persons’
3. Premises Plan of 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 (Dec 2022)

**Your ref no: Form ref:**  
FNGKDBRC

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

Appendix 1 to  
Report to Licensing Sub-Committee  
Re: The Chequers  
Dated: 7th June 2023

**Page:** Coversheet

|                                      |                     |
|--------------------------------------|---------------------|
| <b>This form was started at:</b>     | 31/03/2             |
| <b>This form was completed at:</b>   | 05/04/2023 19:59:39 |
| <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> | An individual or individuals  |
| <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 individual applicants

How many individual applicants are there? 1

**Section:** Individual applicant details

**Title** Ms

**Full forename (s)** Kim

**Surname** Brockhouse

**Date of birth (dd/mm/yyyy)**

**Nationality**

**As part of this application the applicant needs to demonstrate their right to work in the United Kingdom. At the end of this form there is the opportunity to upload the relevant documents.**

**Home address line 1**

**Home address line 2**

**Home address line 3**

**Home address line 4**

**Postcode**

**Daytime telephone number**

**Mobile telephone number**

**Email address**

**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? vary an existing premises licence

**Section: Vary an existing premises licence**

I being the premises licence holder, apply to vary a premises licence under section 34 of the Licensing Act 2003 for the premises described below.

|                                  |                      |
|----------------------------------|----------------------|
| Premises licence number          | WPNL005024           |
| Name of premises or business     | The Chequers         |
| Address line 1                   | 7 church road        |
| Address line 2                   | Wimotsham            |
| Address line 3                   |                      |
| Address line 4                   |                      |
| Postcode                         | PE34 3QG             |
| Telephone number at the premises | <input type="text"/> |

Do you want the proposed variation to have effect as soon as possible? Yes

Please describe briefly the nature of the proposed variation to allow live music on an agreed number of events at the outside of the pub in the garden. I have liaised with Nathen Reed about the amount of events allowed on this license

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?** Premises 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> | Yes |

**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?**

Yes

**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

End time

**Section: Saturday**

Start time 16:00

End time 20:00

**Section: Sunday**

Start time 16:00

End time 20:00

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

Outdoors

**Please provide further details here**

this variation is to cover the outside area known as our pub garden. I already have a licence for music inside

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

weather dependant so april to september

**Where you intend to use the premises for the provision of live music at different times to those**

listed above, please specify below:

**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

End time

**Section: Tuesday**

Start time

End time

**Section: Wednesday**

Start time

End time

**Section: Thursday**

Start time

End time

**Section: Friday**

Start time

End time

**Section: Saturday**

Start time

End time

**Section: Sunday**

Start time

End time

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

Indoors

Please provide further details here

Please state any seasonal variations for the provision of recorded music

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



**Page:** Provision of anything of a similar description to live music, recorded music or performances of dance

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  
End time

**Section: Saturday**

Start time  
End time

**Section: Sunday**

Start time  
End time

**Will the provision of anything of a similar description to live music, recorded music or performances of dance take place indoors, outdoors or both?** Both

**Please provide further details here** we may have a karaoke or a race night once or twice a year inside only

**Please state any seasonal variations for the provision of anything of a similar description to live music, recorded music or performances of dance**



**Where you intend to use the premises for the provision of anything of a similar description to live music, recorded music or performances of dance at different times to those listed above, please specify below:**

**Page:** Provision of alcohol

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

End time

**Section: Saturday**

Start 19:00

End time 23:00

**Section: Sunday**

Start time

End time

Will the provision of alcohol take place on the premises, off the premises or both? on the premises

Please state any seasonal variations for the provision of alcohol

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

**Page:** Tell us about the Designated Premises Supervisor (DPS)

|  |     |
|--|-----|
| <b>Is this an application for a commercial premises licence requiring a DPS for alcohol sales?</b> | Yes |
| <b>Are you the proposed Designated Premises Supervisor (DPS)?</b>                                  | No  |

**Section:** Tell us about the DPS

Please state the name and details of the individual who you wish to specify on the licence as Designated Premises Supervisor (DPS).

|                                     |   |
|-------------------------------------|---|
| <b>Title</b>                        | <div style="border: 1px solid red; height: 200px;"></div> |
| <b>Forename (s)</b>                 |   |
| <b>Surname</b>                      |   |
| <b>Date of birth (dd/mm/yyyy)</b>   |   |
| <b>Nationality</b>                  |   |
| <b>Address line 1</b>               |   |
| <b>Address line 2</b>               |   |
| <b>Address line 3</b>               |   |
| <b>Address line 4</b>               |   |
| <b>Postcode</b>                     |   |
| <b>Personal licence number:</b>     |   |
| <b>Issuing licensing authority:</b> |   |

You can use the following upload facility to provide a DPS consent form completed by the above individual:

**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 12:00  
End time 22:00

**Section: Tuesday**

Start time 12:00  
End time 22:00

**Section: Wednesday**

Start time 12:00  
End time 22:30

**Section: Thursday**

Start time 12:00  
End time 22:30

**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 22:20

**Please tell us about any seasonal variations**

winter we are normally closed earlier in the evenings . We close Monday to thursday between 15:00 and 17:00

**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**

**Please describe the steps you intend to take to promote the four licensing objectives:**

|  |  |
|--|--|
| <b>General - List here the steps you will take to promote all four of the licensing objectives</b> | CCTV inside and out, do not serve under 18's regularly check ID , monitor drinking behaviour , staff training regularly and enable personal licences and food hygiene certificates                                     |
| <b>The prevention of crime and disorder</b>  | WE HAVE CCTV and display notices to let customers know that we do not tolerate abusive or violent behaviour towards staff or customers   |
| <b>Public safety</b>   | all dogs have to be kept on a lead , any spilt drinks are cleaned straight away and wet floor signs used. food allergen signs are displayed to make staff aware of any allergens.                                      |
| <b>The prevention of public nuisance</b>   | We ensure customers leave the premises quietly and do not serve customers when they are obviously drunk , music is monitored for noise levels and try to ensure all customers park in our car park and not on the road |
| <b>The protection of children from harm</b>  | Children are allowed in when accompanied by adults .<br>Children are allowed in bar area until 9pm   |

**Page:** Documents checklist - varying a premises licence

**Checklist**

- ✓ I understand that I must now advertise the application both in the newspaper and on the premises
- ✓ I will send a copy of the advert once it has appeared in the newspaper
- ✓ I understand that I must send my certificate of service, certificate of display and original premises licence to the Borough Council of King's Lynn and West Norfolk
- ✓ I understand that if I do not comply with the above requirements my variation may be rejected

**When varying your premises licence, 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 (if the layout has changed):

**Uploaded files\***

\* If empty, no files were uploaded

**Please use this box to tell us anything else**

nothing has changed you have the plans fro the outside area

**Your ref no: Form ref:**  
FNGKDBRC

**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](#).

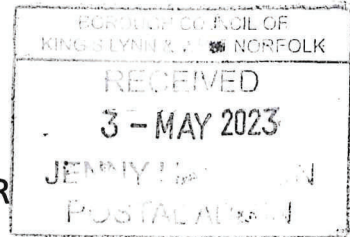
**I confirm that all of the details I have provided are correct and I understand that the information provided on this form is subject to the provisions of the above privacy notice.**

**Once you've completed the declaration, please 'submit' your form. You will then be passed to a secure site to make your payment.**

**Chequers Representations - Objections**

| No. | Name | Address |
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| 1   |      |         |
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POSTED 2nd MAY 2023



**Objection to licensing application reference 23/00363/LA\_R**

To whom it may concern,

I am writing to you today to submit my strongest objection to Kim Brockhouse's application for a variation of premises licence ref 23/00363/LA\_R

As Mrs Brockhouse has only displayed one copy of the permit application in the Village and it was placed in a really poor position approximately 24 inches from the ground on the pub fence, this notice was totally obscured by parked cars and furniture. We only saw the application by complete chance and we only live 2 doors away!! I would also like to ask why Kim Brockhouse did not use any of the 3 noticeboards in the village? For these reasons I would like to request that the objection close date should be extended beyond the 9<sup>th</sup> of May. The closest neighbors (Including a regular customer) to the Chequers pub were totally unaware of the application.

The Chequers Pub under Kim Brockhouse's management has had music events in the past! They have been advertised as acoustic; they are not. They are fully amplified and can be heard one hundred yards away. They have stated that the music would stop at 8pm, it does not. They have said they will adhere to the acceptable decibel levels, they don't. They have said they would ensure their patrons would leave in an orderly manner, they do not!

If you check your records you will see there have been previous complaints. There was also a visit from the council to check decibel levels, for some reason Kim Brockhouse was informed prior to the visit. Obviously, the music was a bit quieter that night but still loud enough for the auditors to request it was turned down. I can tell you that as soon as the auditors left the music was ramped up and we were treated to a chorus of obscenities from the customers at the pub.

As the vast majority of the Chequers customers drive to the village and for some reason refuse to use the pub car park there is a problem with safety on Church Road. Obviously with parked cars outside the pub and extremely loud music, adults and children crossing the Road to sit and play on the Green cannot hear or see any oncoming traffic. The Chequers attempt at sound proofing was two hardboard sheets stuck on the side of the performance area, this received complaints locally as it was ineffective and an eyesore. Mrs Brockhouse has now put a plastic sheet in its place!!

Lastly I would like to add that the Chequers pub is in a highly residential area and not suitable as a music venue.

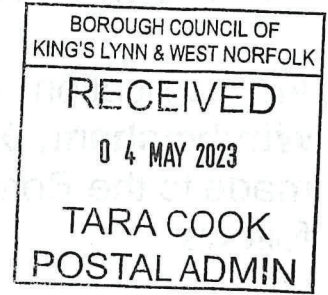
I hope you take in these concerns before making any decisions.

Yours sincerely





Legal Services and Licensing  
Borough Council of King's Lynn and West Norfolk  
Chapel Street  
King's Lynn  
PE30 1EX



3 May 2023

Dear Council,

I am writing to express my strong objection to the application by Kim Brockhouse of the Wimbotsham Chequers for a license to play music outdoors Saturdays and Sundays from 16:00-20:00. As a resident of this small village, I am deeply concerned about the potential impact of this proposal on the quality of life of those who live nearby and the home values of those properties immediately adjacent to the pub.

Firstly, the noise pollution generated by live music can have a significant and detrimental effect on the health and wellbeing of individuals, particularly those who are elderly or have young children. Moreover, it can disturb the peace and tranquility of the area, which is an essential element of the village's charm and appeal. This isn't a town or city!

Secondly, the proposed license would enable the pub to play music until late at night, which is likely to result in increased levels of anti-social behavior, littering, and disturbance to nearby residents. These issues could lead to a decline in the local area's overall safety and cleanliness.

Thirdly, there are many other venues in the community where live music events can be held, such as the Downham Town Hall or any number of local churches, which would be more appropriate locations for such events.

And last, this application comes only after the pub operators hosted live outdoor music events these past years without a permit, despite significant opposition from the village. There has been no community engagement. With Pub goers coming from far afield, these are not Wimbotsham villagers.

In light of these concerns, I strongly urge you to reject the application for a license to play music outdoors at the Wimbotsham Chequers pub. Instead, I encourage you to work with local artists to find alternative ways of promoting talented individuals that do not negatively impact the quality of life of those who live nearby.

Thank you for your attention to this matter.



TAX PAYER & VOTER

Letter of objection.

RE: Application for the variation of a Premises Licence.

Ref: 23/00363/LA\_VAR



Chequers

7 Church Road

Wimbotsham

Kings Lynn

Norfolk

PE34 3QG

Wednesday 3<sup>rd</sup> May 2023

To whom it may concern.

Residing only twenty meters from the Chequers, we were distressed to discover the above-mentioned application. Both the proposed activities and their timings are unacceptable!

Having moved into the village some 18 years ago, I am sad to say that I believe the activities of the Chequers over the past few years have changed the character of the village. But not for the better.

In the spring/summer months, the loud outdoor "music"? begins at 4pm and often continues until at least 9pm. During this time, even in the peak of summer, it is necessary to keep all doors and windows close. Even then it is difficult to hear my own TV, from 2m away!

I work full time and have a large garden. And yet, I cannot sit in peace in my own garden after 4pm on the weekends?

Unfortunately, the issues do not end there. After 9pm we must suffer youngsters shouting, bad language, the revving of engines, car doors slamming and even the occasional fight on the village green. The next morning, you wake to find the rubbish / broken glasses in your garden.

My neighbour has even discovered people urinating in their garden!

In the winter months, most of these issues remain. The noise is not quite so bad for us as they are inside. But since they tend to have their doors and windows open, it is still loud. I can well imagine that it is still unacceptable for our neighbours who are only 10m away.

It is important to note that none of these issues occurred until the Chequers started live outdoor music performances. We have had many years of (indoor) Saturday karaoke nights, with no issues. But the live music nights have attracted a different clientele.

Furthermore, I am concerned that the application notice was not correctly displayed. The vast majority of the villagers knew nothing of this application until yesterday. I walk past the front of the Chequers twice every workday. but knew nothing of this application.

This morning I deliberately went to look for this notice. I found it about 1m from the floor, fixed to a fence. But the fence is about 5m from the public path. So, unless you were going to the pub, you would not have seen the notice!

Perhaps, I'm being cynical. But one cannot help thinking this was deliberate.

Regards





03 May 2023

Legal Services and Licensing  
Borough Council of King's Lynn & West Norfolk  
Chapel Street  
King's Lynn  
PE30 1EX



Dear Sir or Madam,

I am writing to express my strong objection to the application by Kim Brockhouse of The Wimbotsham Public House known as "The Chequers" for a licence to play music outdoors Saturdays and Sundays from 16.00 -20.00. As a resident of this small village, I am deeply concerned about the potential impact this proposal on the quality of life of those of us who live nearby and the house values of those properties in the immediate vicinity of the Public House.

Firstly, the noise pollution generated by live music can have a significant and detrimental effect on the health and wellbeing of individuals, particularly those who are elderly or have young children. Moreover, it can disturb the peace and tranquillity of the area, which is an essential element of Wimbotsham's charm and appeal. This isn't a town or city!

Secondly, the proposed licence would enable the public house to play music until late at night, which is likely to result in increased levels of anti-social behaviour, littering, and disturbance nearby residents. These issues could lead to a decline in the local area's overall safety and cleanliness.

Thirdly, there are many other venues in the community where live music events can be held, such as the Downham Town Hall or any number of local churches, which would be more appropriate locations for such events.

Lastly, this application comes only after the pub operators hosted live outdoor music events these past years without a permit, despite significant opposition from the village. There has been no community engagement. Many of the current pub goers come from far afield, these are not Wimbotsham villagers.

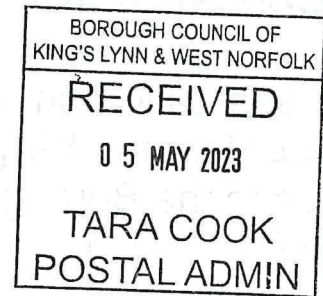
In the light of these concerns, I strongly urge you to reject the application for a license to play music outdoors at the Wimbotsham Chequers Pub. I encourage you to work with local artists to find alternative ways of promoting talented individuals that do not negatively impact the quality of life of those who live nearby.

Thank you for your attention to this matter.





Legal Services and Licensing  
Borough Council of King's Lynn and West Norfolk  
Chapel Street  
King's Lynn  
PE30 1EX



3 May 2023

Dear Council,

I am writing to express my strong objection to the application by Kim Brockhouse of the Wimbotsham Chequers for a license to play music outdoors Saturdays and Sundays from 16:00-20:00. As a resident of this small village, I am deeply concerned about the potential impact of this proposal on the quality of life of those who live nearby and the home values of those properties immediately adjacent to the pub.

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Secondly, the proposed license would enable the pub to play music until late at night, which is likely to result in increased levels of anti-social behavior, littering, and disturbance to nearby residents. These issues could lead to a decline in the local area's overall safety and cleanliness.

Thirdly, there are many other venues in the community where live music events can be held, such as the Downham Town Hall or any number of local churches, which would be more appropriate locations for such events.

And last, this application comes only after the pub operators hosted live outdoor music events these past years without a permit, despite significant opposition from the village. There has been no community engagement. With Pub goers coming from far afield, these are not Wimbotsham villagers.

In light of these concerns, I strongly urge you to reject the application for a license to play music outdoors at the Wimbotsham Chequers pub. Instead, I encourage you to work with local artists to find alternative ways of promoting talented individuals that do not negatively impact the quality of life of those who live nearby.

Thank you for your attention to this matter.



## **Licensing Act 2003**

### **Application for the Variation of a Premises Licence**

An application in respect of **Chequers, 7 Church Road, Wimbotsham, King's Lynn, Norfolk, PE34 3QG** has been made to the Borough Council of King's Lynn & West Norfolk as follows:

Proposed Licensable Activities:

**Performance of Live Music (Outside)**

Saturday to Sunday 16:00- 20:00

**Provision of anything of a similar description to live music, recorded music or performances of dance (Inside)**

Saturday 19:00- 23:00

**Any playing of Recorded Music**

Monday to Saturday 11:00- 01:00

Sunday 12:00- 00:00

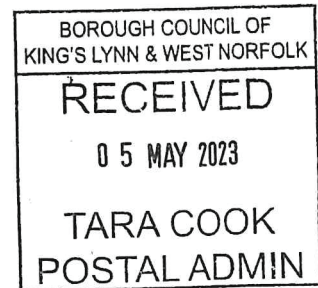
The application can be viewed by appointment with the Licensing team quoting reference **23/00363/LA\_VAR** at the Council's Office, King's Court, Chapel Street, King's Lynn (telephone: (01553) 616200)).

Anyone wishing to object to this application should do so, in writing by **9th May 2023** to Legal Services and Licensing, Borough Council of King's Lynn & West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX.

It is an offence knowingly or recklessly to make a false statement in connection with an application to which a maximum fine of £5000 is liable on summary conviction.

**Applicant: Kim Brockhouse**  
**Date: 11th April 2023**

Legal Services and Licensing  
Borough Council of King's Lynn and West Norfolk  
Chapel Street  
King's Lynn  
PE30 1EX



4 May 2023

Re: Variation of License Application for The Chequers, Wimbotsham  
Ref No 23/00363/LA\_VAR

Dear Council,

I am writing to express my **strong objection** to the application by Kim Brockhouse of the Wimbotsham Chequers for a license to play music outdoors Saturdays and Sundays from 16:00-20:00.

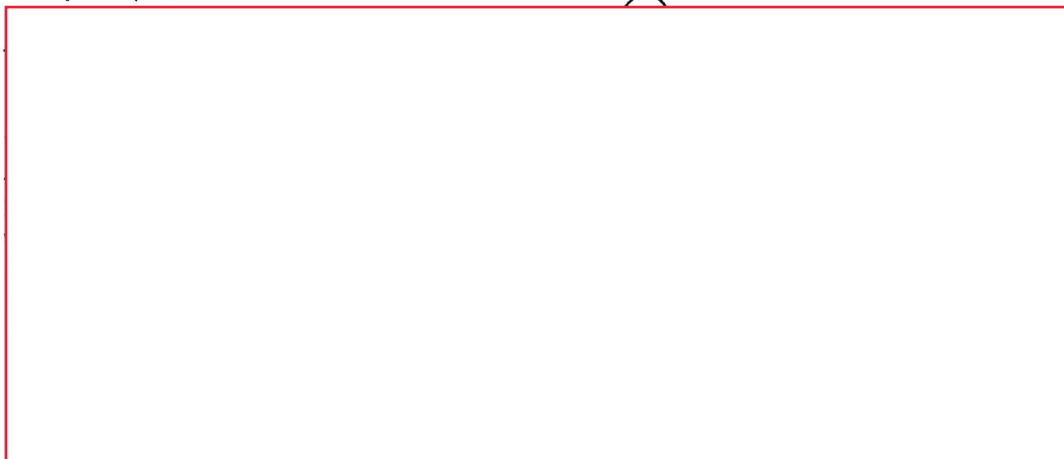
As a long-time resident of this small village, I am deeply concerned about the potential impact of this proposal on the quality of life of those who live nearby and the home values of those properties immediately adjacent to the pub.

The noise pollution generated by live music can have a significant and detrimental effect on the health and wellbeing of individuals, particularly those who are elderly or families like mine who have young children.

This application comes only after the pub operators hosted live outdoor music events these past years without a permit, despite significant opposition from the village.

**Note: CSNN reference number is 22/16303**

I strongly urge you to reject the application for a license to play music outdoors at the Wimbotsham Chequers pub.





Legal Services and Licensing  
Borough Council of King's Lynn  
King's Court,  
Chapel Street,  
King's Lynn,  
PE30 1EX

04 May 2023

**RE: LICENSING ACT 2003  
APPLICATION FOR THE VARIATION OF A PREMISES LICENCE  
THE CHEQUERS PUBLIC HOUSE, CHURCH ROAD, WIMBOTSHAM  
REF: 23/00363/LA\_VAR**



We refer to the above application for variation of the Premises Licence and strongly object to the proposal.

Our dwelling is situated 140 metres north-west of the public house. The incidence of outside live music every weekend evening will cause disturbance and will be detrimental to the enjoyment of our private garden and residential amenity during the summer months.

The extension of hours in respect of outside live music will:

- (a) Cause disturbance to a large number of local residents, particularly during the summer months;
- b) Will attract additional clients from outside the village, creating extra traffic and parking problems. In the past there has been parking on the Little Green, as well as the Village Green, causing damage; and
- (c) Result in litter being left around the premises and surrounding area, which is already a problem when events are held at The Chequers.

Of particular concern is the proposal to play recorded music all week until midnight/one-o'clock in the morning. This proposal was not included in the Notice of Proposals displayed at the public house! (see attached).

It is noted that any disturbance of the peace is a criminal offence, and these proposals, if approved by the Council, will inevitably involve additional police resources.

Yours faithfully





# DO YOU KNOW ABOUT THIS APPLICATION

????????????????

## Licensing Act 2003

### Application for the Variation of a Premises Licence

An application in respect of **Chequers, 7 Church Road Wimbotsham, King's Lynn, Norfolk, PE34 3QG** has been made to the Borough Council of King's Lynn & West Norfolk as follows:

#### Proposed Licensable Activities:

**Performance of Live Music (Outside)**

Saturday to Sunday 16:00- 20:00

**Provision of anything of a similar description to live music, recorded music or performances of dance (Inside)**

Saturday 19:00- 23:00

The application can be viewed by appointment with the Licensing team quoting reference **23/00363/LA\_VAR** at the Council's Office, King's Court, Chapel Street, King's Lynn (telephone: (01553) 616200)).

Anyone wishing to object to this application should do so, in writing by **9th May 2023** to Legal Services and Licensing, Borough Council of King's Lynn & West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX.

It is an offence knowingly or recklessly to make a false statement in connection with an application to which a maximum fine of £5000 is liable on summary conviction.

**Applicant:** Kim Brockhouse  
**Date:** 11th April 2023



**Licensing Act 2003**  
**Application for the Variation of a Premises Licence**

An application in respect of **Chequers, 7 Church Road, Wimbotsham, King's Lynn, Norfolk, PE34 3QG** has been made to the Borough Council of King's Lynn & West Norfolk as follows:

Proposed Licensable Activities:

**Performance of Live Music (Outside)**

Saturday to Sunday 16:00- 20:00

**Provision of anything of a similar description to live music, recorded music or performances of dance (Inside)**

Saturday 19:00- 23:00

**Any playing of Recorded Music**

Monday to Saturday 11:00- 01:00

Sunday 12:00- 00:00

The application can be viewed by appointment with the Licensing team quoting reference **23/00363/LA\_VAR** at the Council's Office, King's Court, Chapel Street, King's Lynn (telephone: (01553) 616200)).

Anyone wishing to object to this application should do so, in writing by **9th May 2023** to Legal Services and Licensing, Borough Council of King's Lynn & West Norfolk, King's Court, Chapel Street, King's Lynn, PE30 1EX.

It is an offence knowingly or recklessly to make a false statement in connection with an application to which a maximum fine of £5000 is liable on summary conviction.

**Applicant: Kim Brockhouse**

**Date: 11th April 2023**

Legal Services and Licensing  
Borough Council of Kings Lynn  
Kings Court, Chapel St. Kings Lynn  
PE30 1EX

04/05/2023.



Dear Sir or Madam

Re: Variation of Licence Application for The  
Chequers, Wimborsham. Ref No. 23/00363/LA - VAR.

I wish to object to the application from The  
Chequers for regular entertainment every day.  
Primarily 19:00 - 23:00 Saturday (inside), 11:00 - 01:00  
Monday to Saturday and 12:00 - 00:00 Sunday. The  
last two do not stipulate inside.

My objection is based on my concern that this  
new licence may increase the possibility of public  
nuisance for the many dwellings nearby, including  
my own. I am particularly concerned about noise  
nuisance as this already happens occasionally  
when live or recorded music is played in the  
Chequers. Additionally, depending on the nature  
of such events, I would be concerned about the  
possibility of an increase in some disorder when  
customers are leaving the Chequers.

I'm unsure, in rural Norfolk where you would find an establishment in a "like for like" environment with a music licence such as the one before you.

I do hope you take my concerns seriously. This would be a huge change for the village and village life.

Rina Regadas





REF NO:-

23/00363/15

BOROUGH COUNCIL OF  
KING'S LYNN & WEST NORFOLK

RECEIVED

05 MAY 2023

TARA COOK  
POSTAL ADMIN

3<sup>rd</sup> May

Dear Sir or Madam.

We are writing to oppose  
the said application for  
Music + Activities

We moved to the Village  
17 years ago to a quiet  
lovely area.

To enjoy a Meal + a drink  
at our local pub.

This has now been sadly  
ruined over the years.

We no longer as many other  
Villages go to the pub

because of the following  
Reasons:-

Continue Noise at weekends  
of loud Music  
anti-Social Behaviour.

2.

little in our gardens.  
Noise of cars -  
late night arguments  
of Sweeping etc.

I work late during the  
week so I do not want  
loud music playing or noise  
what I get in from work.

I just want to Relax  
have a shower & go to unwind  
& bed.

Most of the people are  
coming in from other areas.  
we can see & smell  
dregs going around Mountain  
I have smelt (wacky boys).

Children are still at  
School & after School clubs  
until very late afternoon up  
to 5 pm.

people from both ends of the  
Village hear the noise &  
car problems as well.

191

We want to keep it as  
a happy Village pub  
Not something like you  
would find in the town or  
city.

if a Neighbour hadn't  
told us about it we  
wouldn't of known,  
As the application is not  
in view of people seeing  
it.

Only their Customers have  
seen + known of it.

Neighbours here had  
environmental health around  
their homes. If yes they  
have said the noise  
was too loud.

The pub needs to go back  
as a Quiet Village Pub or  
Close.

Yours Sincerely -

Legal Services and Licensing  
Borough Council of King's Lynn and West Norfolk  
Chapel Street  
King's Lynn  
PE30 1EX



3 May 2023

Dear Council,

I am writing to express my strong objection to the application by Kim Brockhouse of the Wimbotsham Chequers for a license to play music outdoors Saturdays and Sundays from 16:00-20:00. As a resident of this small village, I am deeply concerned about the potential impact of this proposal on the quality of life of those who live nearby and the home values of those properties immediately adjacent to the pub.

Firstly, the noise pollution generated by live music can have a significant and detrimental effect on the health and wellbeing of individuals, particularly those who are elderly or have young children. Moreover, it can disturb the peace and tranquility of the area, which is an essential element of the village's charm and appeal. This isn't a town or city!

Secondly, the proposed license would enable the pub to play music until late at night, which is likely to result in increased levels of anti-social behavior, littering, and disturbance to nearby residents. These issues could lead to a decline in the local area's overall safety and cleanliness.

Thirdly, there are many other venues in the community where live music events can be held, such as the Downham Town Hall or any number of local churches, which would be more appropriate locations for such events.

And last, this application comes only after the pub operators hosted live outdoor music events these past years without a permit, despite significant opposition from the village. There has been no community engagement. With Pub goers coming from far afield, these are not Wimbotsham villagers.

In light of these concerns, I strongly urge you to reject the application for a license to play music outdoors at the Wimbotsham Chequers pub. Instead, I encourage you to work with local artists to find alternative ways of promoting talented individuals that do not negatively impact the quality of life of those who live nearby.

Thank you for your attention to this matter.

Sincerely,

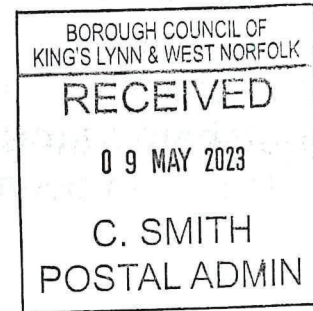




Legal Services and Licensing  
Borough Council of King's Lynn and West Norfolk  
Chapel Street  
King's Lynn  
PE30 1EX

3 May 2023

Dear Council,



I am writing to express my strong objection to the application by Kim Brockhouse of the Wimbotsham Chequers for a license to play music outdoors Saturdays and Sundays from 16:00-20:00. As a resident of this small village, I am deeply concerned about the potential impact of this proposal on the quality of life of those who live nearby and the home values of those properties immediately adjacent to the pub.

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Thank you for your attention to this matter.

**Chequers Representations - Supporting**

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LIVE MUSIC APPLICATION – THE CHEQUERS, WIMBOTSHAM. PE34 3QG

05/05/23

To Whom It May Concern:

I am writing to you today in connection to the application for live music at The Chequers pub in Wimbotsham, 7 Church Road, PE34 3QG.

I guess you would normally receive correspondence from those objecting, however, I wish to highlight quite the opposite and in favour of the application.

The Chequers is the epitome of what a country pub in Norfolk should be. Welcoming, busy, great food and drink and live music at the weekends. Many publicans in this country, whom are going through a most torrid time at the moment, would be green with envy.

The landlady, Kim and all her staff do a fabulous job to keep the pub attractive and welcoming to all. Most of the time we are playing music indoors but during the warmer months there is nothing better than meeting up with friends over the weekend period and listening to live music outside in the open air over a drink and a chat.

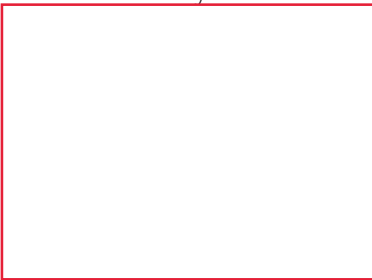
I have been attending the Sunday music jam since its inception and always look forward to it where I play and socialise and it has been extremely important towards my wellbeing too. I have made many friends and formed other bands through the connection with the pub. In addition, my son also travels over from Ely to play too; so it's also a valuable family event.

Everyone who gathers for the music over the weekends have been so supportive to me especially over the last eighteen months. My music partner whom also attended and played regularly suffered from leukaemia and sadly died last week at just 57. Everyone at The Chequers were so supportive and just enabling to get together with other musicians and the regulars, whom I've built up friendships over the years, helped me get through those difficult months.

So as you can see, the live music events at The Chequers are extremely important to me and to so many other local people, whom have similar stories.

I hope the application falls in your favour and you remain supportive of your local country pub.

Yours Sincerely,



[Redacted]

---

**Sent:** Sunday, May 7, 2023 9:43:21 AM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** The Chequers ref: 23/00363/LA\_VAR

[External Email]  
[Think before you click on links]



Your ref: 23/00363/LA\_VAR

To Whom It May Concern:

I am writing to you today in connection to the live music application made by Kim Brockhouse of The Chequers Public House, Wimbotsham.

This is not a letter of objection, which I'm sure you are more used to receiving, but more a letter, even a plea, in strong support for this rare English pub and its music scene.

A high number of pubs and venues have closed in recent years, many of the remaining are still facing hardship and closure. I believe that the village pub is the heart of the community, and as you'll be able to see from my address, I am not local to the area, I choose to frequent this bar for its lively, welcoming, musical atmosphere as I feel that the bars in Wisbech are unsafe.

I am a musician, I have been attending the Sunday evening jam session since 2019. For me this jam session is the exclamation mark at the end of a long, hard week - a place where I can be amongst friends and people with whom I share similar ideas musically and socially - we have formed a band as a result.

I am by no means an isolated case of someone travelling to The Chequers to play on Sunday evenings. A relatively new arrival, whose neurodiversity emplores him to seek out things to do, will gladly ride his little motorbike from Burwell (Near Newmarket) with his guitar on his back to this pub for the opportunity to play, even in the most horrid weather. He comes to the Chequers because he feels safe, appreciated and welcomed. Many more come from as far as Norwich and Cambridge.

It is fully-appreciated that sound levels may have been an issue. A year ago the jam's organiser bought some new equipment (2 small guitar amplifiers) to better control the volume. These amplifiers are rated at 50 Watts and have an attenuation device fitted to them which enables the power to be scaled to either 50 watts (1/1), 5 Watts (1/10) or 0.5 Watts (1/100) the attenuation is always set to 1/10 with the volume control at just over half, this means the amplifier is using approximately 3 Watts of power which is considerably less than a car stereo but still gives the necessary volume and clarity to play alongside a minimal, acoustically-dampened drum kit.



The ability to enjoy the better weather by playing outside is something we all look forward to, there is a festival atmosphere that many villages, towns, and pubs would envy. And, it's not only enjoyed by us. I make it a mission to be sure we are not annoying nor being too loud and that the people in the locality are happy when we play outside. Several times I have taken short walks and noticed the villager who lives on the closest corner in his front yard soaking up the sun and tapping to the rhythm, mouthing along to words, or even dancing to the music, which as an entertainer fills you with joy.

To finish, The Chequers and its vibrant music scene mean so much to so many people - young, old, anxious, neurodiverse, LGBTQi+ and so on, to lose it when so many places are closing would be a tragedy, a travesty of improper justice.

It is hoped that this application is looked upon in a favourable, supportive manner.

Yours faithfully,

A red rectangular box, likely intended for a signature or name.

[Redacted]

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**Sent:** Monday, May 8, 2023 2:57:15 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** Support for Chequers Licencing Application

[External Email]  
[Think before you click on links]

To whom it may concern.

I would like to voice my support for the recent application for live music performance by The Chequers, 7 Church Road, Wimbotsham, King's Lynn, Norfolk, PE34 3QG.

The live music at this pub has brought a community of people together that include many local residents, visitors from further a field, local musicians and also musicians from as far as places like Cambridge, Norwich, Croma etc. Some of these musicians (who would not be there without the opportunity to play) have made friends with the locals in the audience at the pub and through sharing of other skills have managed to help out local business's. Many bands have been formed through the pubs jam session.

The pub does a lot for the community and is a lovely place to go on a weekend for all sorts of people. Its safe and welcoming, attracts families as well as individuals and the music is on at reasonable times and not at obtrusive volumes.

So many musicians would suffer without the pub, let alone the regular audience the music attracts. Through the bands that visit the pub it has also helped local charitable events, fates and community projects that have found musicians to support the events through the pub.

Thankyou for your time!

Yours's sincerely

[Redacted Signature]

Sent from [Mail](#) for Windows

[Redacted]

**Sent:** Monday, May 8, 2023 3:42:46 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

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

**Subject:** The chequers application

[External Email]

[Think before you click on links]

Hi there.

I am aware of a group of people in the village complaining about the chequers (wimbotsham) licence application for music. Some of which are my friends.

But although I can understand their concerns as it is not everyone's cup of tea. I too live in close proximity to the pub, but feel it would be unfair to deny such an application. Pubs need to diversify nowadays to make money and survive and this is just one of the things which will allow them to do just that.

Some of the people in the village that are complaining haven't lived here very long and others seem to have a personal vendetta against the landlady

I think the decision should be based on what the premises/business is as well as what it needs to be able to provide to survive in a struggling industry.

Also, the fact that it has been applied for to have music more often than currently doesn't mean it will happen every night on those particular days. It just means as a business they have the option to do so if and when required.

So I support the pubs request and I think you will find there are many others that do too. It isn't just people against it!

Kind regards,

[Redacted]

[Redacted]

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**Sent:** Tuesday, May 9, 2023 10:38:11 AM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** ref 23/00363/LA\_VAR

[External Email]

[Think before you click on links]

I enjoy the music that they have on at the Chequers pub Wimbotsham, helps keep the village alive, it's hard for pubs at the moment, so to have some live music bringing people to the village can only be a good.thing.

[Redacted]



Virus-free. [www.avg.com](http://www.avg.com)

[Redacted]

**Sent:** Tuesday, May 9, 2023 2:12:59 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

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

**Subject:** Re: The Chequers licence

[External Email]

[Think before you click on links]

[Redacted]

We are residents of 30years in the village of Wimbotsham. We are in support for the variation to allow music once a month at The Chequers where we welcome any events for all the local residents to meet up to enjoy such gatherings. Good to know our local pub cares about the village to bring us all together.

[Redacted]

[Redacted]

Sent: Tuesday, May 9, 2023 7:57:25 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

To: EH Licensing

Subject: Music Licence

[External Email]

[Think before you click on links]

Dear Sir/Madam

Reference 23/00363/LA\_VAR

I am writing with regards to the music licence application for the Chequers pub in Wimbotsham. I whole heartedly support this application. I have lived in the village for 17 years and thoroughly support the activities of the Chequers pub. They are very conscientious to the people of the village and are the hub of our village community.

Yours faithfully

[Redacted]



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**Sent:** Tuesday, May 9, 2023 8:01:05 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London  
**To:** EH Licensing <[EHlicensing@West-Norfolk.gov.uk](mailto:EHlicensing@West-Norfolk.gov.uk)>  
**Subject:** the Chequers pub Wimbotsham

[External Email]  
[Think before you click on links]

email of support for the variation to our licence to allow music once a month  
REF 23/00363/LA\_VAR

I am a retired resident of Wimbotsham my wife is disabled and we both love attending the music night at the chequers its one of the few times we get to leave the house and catch up with a few friends it would be very sad for us to lose this as there's not much to look forward to these days that we can afford



[Redacted]

**Sent:** Tuesday, May 9, 2023 8:57:14 PM (UTC+00:00) Dublin, Edinburgh, Lisbon, London

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

**Subject:** The Chequers Wimbotsham Pe343qf

[External Email]

[Think before you click on links]

Ref 23/00363/LA.VAR

I wish to register my support for the Music Licence at The Chequers ... [Redacted]

live at [Redacted] ..I have bi .fold doors which more often than not are open and I am completely unaffected by the music .I can very rarely hear it ..it does not affect my enjoyment of sitting outside ...weather permitting ...

My friend David Fendley who also lives at this property, would also like to register his support of the music licence ..

If you need a more official way of registering our support please let us know ..

Regards

[Redacted]

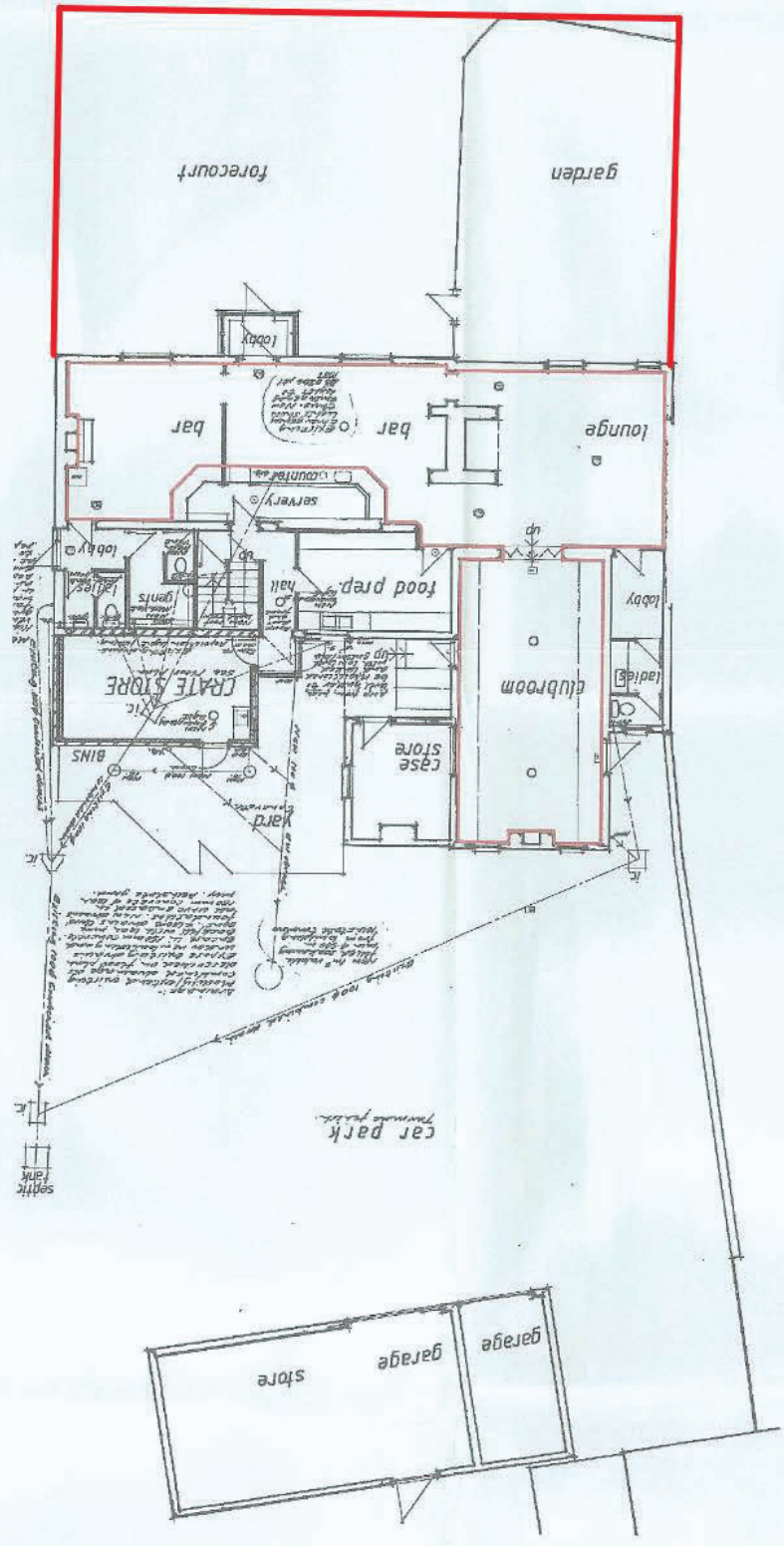
Sent via BT Email App



Appendix 3 to  
 Report to Licensing Sub-Committee  
 Re: The Chequers  
 Dated: 7th June 2023

- CEILING HEIGHT
- WINDOWN
- FIRE PLACE
- DOOR
- TOILET
- URINAL
- WASH-HAND BASIN
- SEALER
- FIRE EXIT
- EMERGENCY LIGHT
- DISTRIBUTION BOARD
- FIRE ALARM CALL POINT
- BELL SOUNDER
- SIGNAL DETECTOR
- HEAT DETECTOR
- FIRE BLANKET
- FIRE EXTINGUISHER CO
- FIRE EXTINGUISHER HO
- FIRE EXTINGUISHER WATER
- FIRE EXTINGUISHER POWDER
- SPRINKLER OUTLETS
- DRY RISER
- WET RISER
- STEPS
- SINK UNIT
- AMBIEMENT WITH FRIZES
- BATH PLAT

**Chequers**  
**7 Church Road**  
**Wimbotsham**  
**King's Lynn**  
**Norfolk**  
**PE34 3QG**



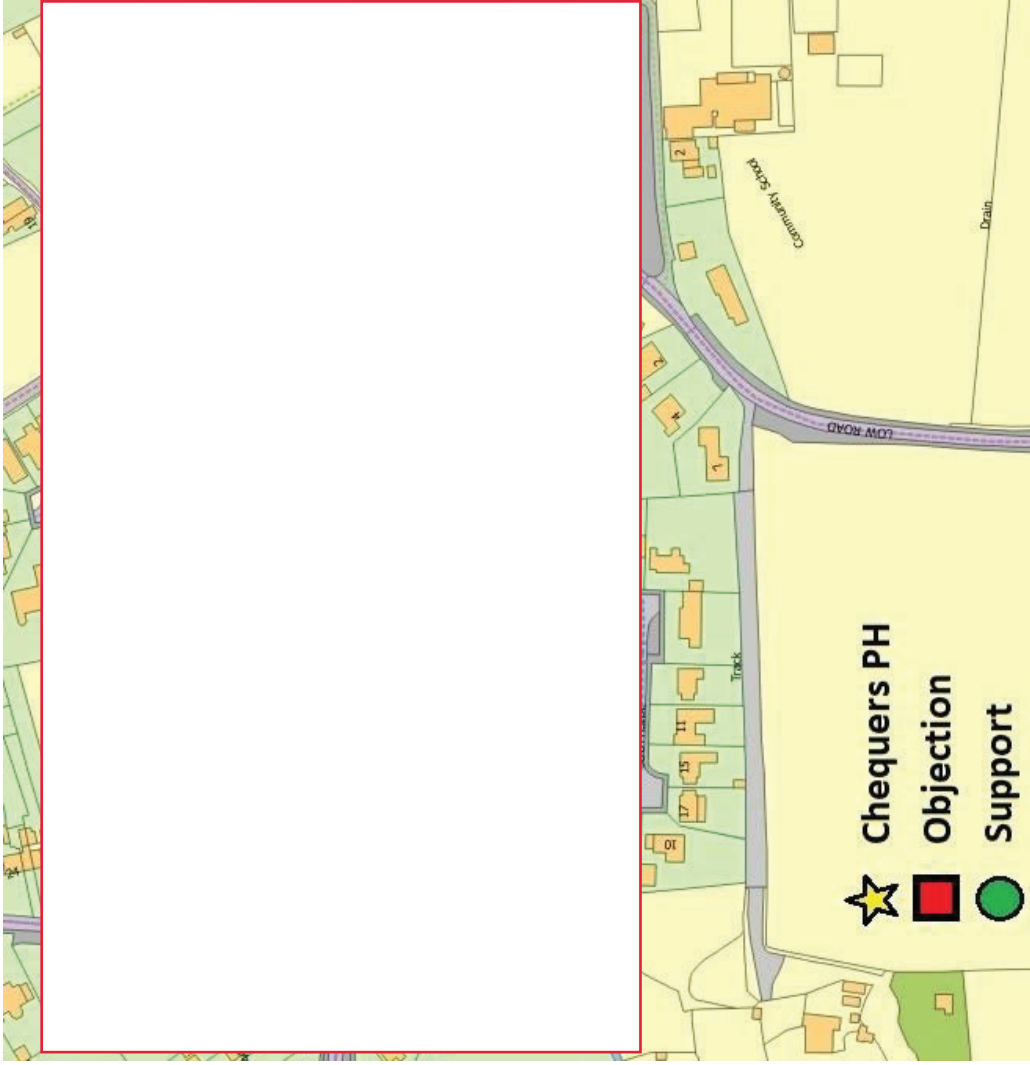
Location Map – Chequers, Wimbotsham

Objectors -

| No. | Name | Address |
|-----|------|---------|
| 1   |      |         |
| 2   |      |         |
| 3   |      |         |
| 4   |      |         |
| 5   |      |         |
| 6   |      |         |
| 7   |      |         |
| 8 * |      |         |
| 9   |      |         |
| 10  |      |         |
| 11  |      |         |

Supporters -

|      |  |
|------|--|
| 12 * |  |
| 13 * |  |
| 14 * |  |
| 15 * |  |
| 16 * |  |
| 17   |  |
| 18 * |  |
| 19   |  |
| 20   |  |



\* Not marked on map as full address not provided and/or out of area.