

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



Licensing Sub Committee Hearing

Agenda

Thursday, 13th June, 2024
at 10.00 am

in the

**Council Chamber
Town Hall
Saturday Market Place
King's Lynn**



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

Tuesday 4 June 2024

Dear Member

Licensing Committee

You are invited to attend a meeting of the above-mentioned Sub Committee which will be held on **Thursday, 13th June, 2024 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. Apologies for absence

To receive any apologies for absence.

2. 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.

3. 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.

4. To consider an application for a Premises Licence

a) **Procedure which will be followed at the Hearing** (Pages 6 - 8)

b) **Report of the Licensing Officer** (Pages 9 - 83)

To:

Licensing Committee:Councillors M Bartrum (Chair), J Bhondi (Vice-Chair) and T Parish

Officers:

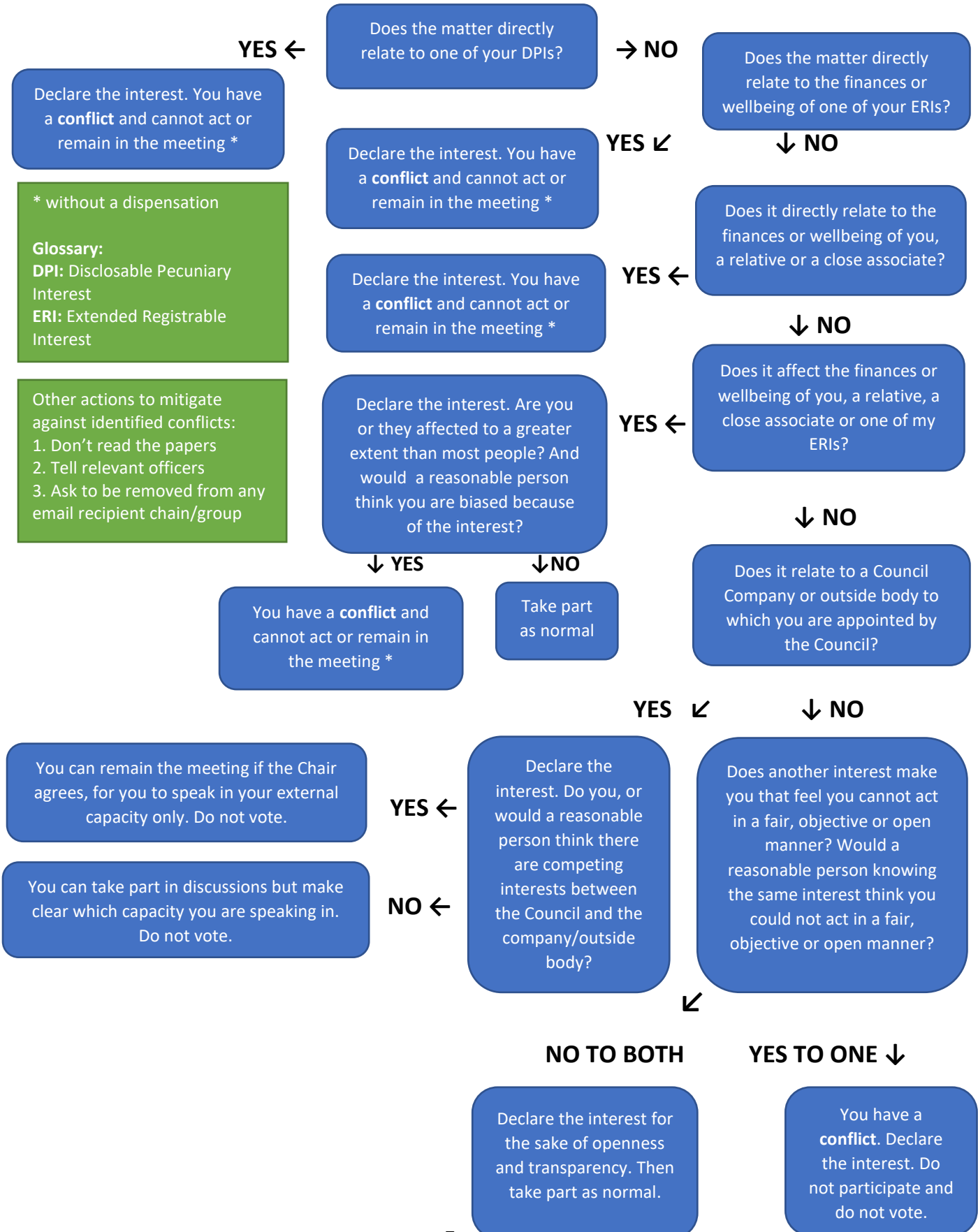
Marie Malt – Licensing Officer

James Arrandale – Legal Advisor

DECLARING AN INTEREST AND MANAGING ANY CONFLICTS FLOWCHART



START



Agenda Item 4a
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 **Chair** 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 **Chair** will introduce himself and the Members of the Committee.
3. The **Chair** 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 Chair** 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 **Chair** 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 Chair).
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 Chair.
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 **Chair** 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 **Chair** 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 **Chair** 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 Chair 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 **Chair** 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 **Chair** 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 **Chair**. 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 **Chair** then invites the Licensing Officer to sum up his case.

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

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

Reaching and Making a Decision

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

22. The **Chair** 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 Chair** will invite the **Legal Advisor** to announce in public any legal advice he/she has given in private.

25. **The Chair** 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 Chair** will ask the Licensing Officer for any comments on their decision prior to any final determination.

26. **The Chair** 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 **Chair** 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: 13th June 2024

Application for a New Premises Licence

The Paradise Shisha Bar, 15-19 Tower Street, King's Lynn, Norfolk, PE30 1EJ

Applicant – Garden Paradise Ltd

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. Garden Paradise Ltd has made an application for a new premises licence in respect of The Paradise Shisha Bar. A copy of the application, including a plan of the premises is attached at Appendix 1 and if granted would allow the premises to operate the following licensable activities:

<u>Licensable Activity</u>	<u>Days</u>	<u>Times</u>
<p>Sale of alcohol</p> <p>On the premises only</p>	<p>Sundays to Thursdays Fridays & Saturdays</p>	<p>11am until Midnight 11am until *1am</p>
<p>Regulated Entertainment</p> <p>Films / Live Music / Recorded Music / Performance of Dance</p> <p>*INDOORS ONLY</p>	<p>Sundays to Thursdays Fridays & Saturdays</p>	<p>11am until Midnight 11am until *Midnight</p>
<p>Late Night Refreshment</p>	<p>Sundays to Thursdays Fridays & Saturdays</p>	<p>11am until Midnight 11am until 2am</p>

*Note that the applicant has reduced the hours of licensable activity from those in the original application, by agreement with the Council's Community Safety & Neighbourhood Nuisance Team.

Mandatory Conditions

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

- (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.

- (h) The admission of children to film exhibitions is to be restricted in accordance with the recommendations of the British Board of Film Classification (BBFC) or the Borough Council of King's Lynn & West Norfolk.

Conditions Consistent with the Operating Schedule (Proposed Conditions)

4. The following conditions have been identified from the operating schedule:-
- (a) Signage must be displayed at every exit from the premises reminding customers to be considerate to local residents by keeping noise to a minimum.
 - (b) A CCTV system shall be maintained at the premises covering all public areas which is capable of recording images for a continuous period of at least 28 days. Images must be capable of being downloaded upon reasonable request from representatives of the Police or the Licensing Authority. All staff on duty at the premises must be trained in the use of the system and be able to comply with any such request. The system will be maintained in good working order at all times. CCTV cameras will be positioned to cover the doorway and till areas and be capable of facial recognition of all persons both entering and exiting the store.
 - (c) All staff must receive regular training in the challenge 25 age verification scheme and records of such must be kept on the premises. Challenge 25 signage must also be displayed at prominent positions within the premises.
 - (d) There must be no entry to the premises by anyone under the age of 18.

By agreement with Community Safety & Neighbourhood Nuisance

5. (a) Regulated entertainment must take place indoors only.
- (b) All windows and door must be closed during regulated entertainment, except for normal entrance and egress.
- (c) All regulated entertainment must cease by midnight.
- (d) The outdoor area must not be used after 22:00 hours.
- (e) The sale of alcohol is restricted as follows –
- Sunday to Thursday from 11.00hrs until midnight and
 - Friday & Saturday from 11:00hrs until 01:00hrs.

By agreement with Norfolk Constabulary

6. (a) There must be a minimum of two SIA security staff employed from 22:00hrs until close on Friday and Saturday nights. Whether security staff are required at any other times must be risk assessed by the Premises licence holder.
- (b) A signing in record for the SIA security staff must be kept and maintained at the premises, and be available for inspection by the Police of Local Authority Officers upon request.

- (c) An incident log must be kept and maintained at the premises and be available for inspection by the Police of Local Authority Officers upon request, including the following –
- (i) All crimes reported to the venue
 - (ii) All complaints received
 - (iii) All ejections of patrons
 - (iv) Any incidents of disorder
 - (v) Seizure of drugs or offensive weapons
 - (vi) Any faults in the CCTV system
 - (vii) Any refusal of the sale of alcohol

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.

7. There is one representation to consider from the Responsible Authority for the Licensing Authority.

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.

8. There are 10 representations from 'other persons' to consider. Copies of the representations are attached to this report at Appendix 2. A plan showing the location of the premises and the approximate location of the nearby objectors in relation to the premises is attached to this report as Appendix 3.

Notices

9. 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 The Lynn News on 7th May 2024 and should have been displayed on the premises up to and including the 27th May 2024.

10. 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.

Other Information

11. Members may wish to be aware that there is a current premises licence in place at the same address which is held by Mr Heval Sevhat in the name of 'Lynn Smokehouse and bar'. The current licence was originally considered by Members of the Licensing Sub-Committee on 25th April 2012 and authorises all of the same licensable activities but with different timings and with additional conditions. A copy of the existing licence for Lynn smokehouse and bar is attached to this report as Appendix 4.

Borough Council of King's Lynn & West Norfolk's Licensing Policy

12. The current Statement of Licensing Policy under the Act was approved by Full Council on the 14th 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. 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.
- 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.

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.

13. 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.

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.

Determination

14. Having regard to the representation 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.

15. 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

Licensing Service Manager

Legal, Governance & Licensing

3rd June 2024

Appendixes:

1. Copy of Application & Plan of Premises
2. Copy of letters of Representation
3. Plan of premises location and objector locations
4. Copy of Premises Licence for Lynn Smokehouse and bar

Background Papers:

1. The Licensing Act 2003
2. Borough Council's Statement of Licensing Policy (14th January 2021)
3. Guidance issued under Section 182 of the Licensing Act 2003 (Jan 2024)

Your ref no: Form ref:
GRJKSBSN

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

**Appendix 1 to
Report to Licensing Sub-Committee
Re: The Paradise Shisha Bar
Dated: 3rd June 2024**

Page: Coversheet

This form was started at:	17/04/2024 05:06:29
This form was completed at:	21/04/2024 20:31:27
Internal form classification:	N / A
Openprocess state:	

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.

Are you completing this form on behalf of the applicant?	Yes - I am completing on the applicant's behalf
Section: Tell us who you are	
Name Business name Address (including postcode) Telephone number Email address	
Would you like us to send all correspondence to the above address?	No
In what capacity is the applicant applying for a premises licence?	As a limited company
Please confirm the following:	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 other applicants

If you are a limited company, the address provided must match the record on [Companies House](#)

Individual or company name	GARDEN PARADISE LTD
Address line 1	6 Lynn Road
Address line 2	Wisbech
Address line 3	
Address line 4	
Postcode	PE14 7DF
Daytime telephone number	<input type="text"/>
Email address	<input type="text"/>
Registered number, if applicable	15393731

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? apply for a new premises licence

Section: Apply for a new premises licence

Name of premises or business	The Paradise Shisha Bar
Address line 1	15-19 Tower St
Address line 2	King's Lynn
Address line 3	
Address line 4	
Postcode	PE30 1EJ
Telephone number at the premises	
Please give a brief description of the premises	<p>The premises at 15-19 Tower Street, King's Lynn, PE30 1EJ, is designed as a shisha bar that also intends to offer food and alcoholic beverages. The space is organised over two floors with the main entrance leading into the ground floor area, which houses the primary customer facilities. The first floor is not occupied by Garden Paradise Ltd.</p> <p>Our premises span a width of 15 meters and a depth of 18 meters, with a ground floor layout designed primarily for shisha consumption, featuring various seating arrangements to accommodate both individual visitors and larger groups. A bar area is present to serve drinks, situated adjacent to the storage area for efficient operation. For safety, fire exits are clearly marked and smoke detectors are installed throughout.</p> <p>Facilities for patrons include multiple toilets, identified as 'WC' on the floor plan, ensuring convenience and comfort. The kitchen and additional storage areas support the food and drink service component of the business.</p>

Externally, there is an outdoor garden area that provides an alternative space for customers, complemented by an outdoor bar/storage unit. This arrangement suggests the provision of services in this area during suitable weather conditions.

When do you want the premises licence to start?
(dd/mm/yyyy)

17/05/2024

If you wish the licence to be valid only for a limited period, when do you want it to end? (dd/mm/yyyy)

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](https://www.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

Will you be providing plays at the premises? No

Will you be providing films at the premises? Yes

A licence is not required for 'not-for-profit' film exhibition held in community premises between 08.00 and 23.00 on any day provided that the audience does not exceed 500 and the organiser (a) gets consent to the screening from a person who is responsible for the premises; and (b) ensures that each such screening abides by age classification ratings.

Will you be providing indoor sporting events at the premises? No

Will you be providing boxing or wrestling entertainment at the premises? No

Will you be providing live music at the premises? 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.

Will you be providing recorded music at the premises? 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.

Will you be providing performances of dance at the premises? Yes

A licence is not required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 500. However, a performance which amounts to adult entertainment remains licensable.

Will you be providing anything of a similar description to live music, recorded music or performances of dance at the premises? No

Will you be providing late night refreshment at the premises? Yes

Late night refreshment is only licensable between the hours of 11pm and 5am.

Will you be selling or supplying alcohol at the premises? Yes

Page: Provision of films

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 11:00

End time 00:00

Section: Tuesday

Start time 11:00

End time 00:00

Section: Wednesday

Start time 11:00

End time 00:00

Section: Thursday

Start time 11:00

End time 00:00

Section: Friday

Start time 11:00

End time 02:00

Section: Saturday

Start time 11:00

End time 02:00

Section: Sunday

Start time 11:00

End time 00:00

Will the provision of the films take place indoors, outdoors or both? Both

Please provide further details here

To enhance the customer experience and utilise our indoor facilities effectively, The Paradise Shisha Bar will offer occasional movie screenings and sports broadcasts. These events are planned to coincide with specific sporting fixtures or themed evenings, catering to the interests of our patrons. For movie screenings, we will secure the necessary licences to show films, ensuring compliance with all copyright and

regulatory requirements. The screenings will be conducted indoors, using our existing AV setup which includes high-quality projection and sound systems to deliver an immersive viewing experience. On sports nights, we will broadcast live sports events, primarily on big game days, to create a vibrant and engaging atmosphere. These initiatives are intended to provide additional entertainment options to our customers, promoting a safe and enjoyable environment while adhering to the licensing objectives.

Please state any seasonal variations to the provision of the films

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

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 11:00

End time 00:00

Section: Tuesday

Start time 11:00

End time 00:00

Section: Wednesday

Start time 11:00

End time 00:00

Section: Thursday

Start time 11:00

End time 00:00

Section: Friday

Start time 11:00

End time 02:00

Section: Saturday

Start time 11:00

End time 02:00

Section: Sunday

Start time 11:00

End time 00:00

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

Please provide further details here

The Paradise Shisha Bar occasionally hosts live music events featuring DJs or bands, enhancing the vibrant atmosphere of our venue. These performances are held indoors with sound levels carefully monitored to ensure they do not exceed normal volume, thereby maintaining a comfortable environment for all patrons and adhering to public safety standards.

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

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 11:00

End time 00:00

Section: Tuesday

Start time 11:00

End time 00:00

Section: Wednesday

Start time 11:00

End time 00:00

Section: Thursday

Start time 11:00

End time 00:00

Section: Friday

Start time 11:00

End time 02:00

Section: Saturday

Start time 11:00

End time 02:00

Section: Sunday

Start time 11:00

End time 02:00

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

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 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 11:00

End time 00:00

Section: Tuesday

Start time 11:00

End time 00:00

Section: Wednesday

Start time 11:00

End time 00:00

Section: Thursday

Start time 11:00

End time 00:00

Section: Friday

Start time 11:00

End time 02:00

Section: Saturday

Start time 11:00

End time 02:00

Section: Sunday

Start time 11:00

End time 00:00

Will the provision of the performances of dance take place indoors, outdoors or both? Both

Please provide further details here

The Paradise Shisha Bar offers occasional belly dance performances as part of its entertainment repertoire, available both indoors and outdoors. These events are designed to provide culturally enriching experiences, ensuring that all performances are suitable for audiences of all ages and contribute positively to the venue's atmosphere.

Please state any seasonal variations for the provision

of performances of dance

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

Page: Provision of late night refreshment

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 11:00

End time 00:00

Section: Tuesday

Start time 11:00

End time 00:00

Section: Wednesday

Start time 11:00

End time 00:00

Section: Thursday

Start time 11:00

End time 00:00

Section: Friday

Start time 11:00

End time 02:00

Section: Saturday

Start time 11:00

End time 02:00

Section: Sunday

Start time 11:00

End time 00:00

Will the provision of late night refreshments take place indoors, outdoors or both? Both

Please provide further details here

We will offer hot drinks and a selection of warm snacks upon request until 12:30 AM.

Please state any seasonal variations for the provision of late night refreshment

Where you intend to use the premises for the provision of late night refreshment 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 11:00

End time 00:00

Section: Tuesday

Start time 11:00

End time 00:00

Section: Wednesday

Start time 11:00

End time 00:00

Section: Thursday

Start time 11:00

End time 00:00

Section: Friday

Start time 11:00

End time 02:00

Section: Saturday

Start 11:00

End time 02:00

Section: Sunday

Start time 11:00

End time 00:00

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)

Is this an application for a commercial premises licence requiring a DPS for alcohol sales?	Yes
Are you the proposed Designated Premises Supervisor (DPS)?	Yes

Section: Please tell us more about yourself

Please tell us your date of birth (dd/mm/yyyy)	
Please tell us your nationality	
Do you currently hold a personal licence?	
Personal licence number	
Personal licence issuing authority	

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 11:00
End time 00:30

Section: Tuesday

Start time 11:00
End time 00:30

Section: Wednesday

Start time 11:00
End time 00:30

Section: Thursday

Start time 11:00
End time 00:30

Section: Friday

Start time 11:00
End time 02:30

Section: Saturday

Start time 11:00
End time 02:30

Section: Sunday

Start time 11:00
End time 00:30

Please tell us about any seasonal variations

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:

General - List here the steps you will take to promote all four of the licensing objectives

We have implemented comprehensive security measures, including CCTV throughout the premises, trained personnel, and dedicated door security on Saturdays. Our staff are equipped with emergency situational protocols to handle any incidents effectively.

Our team undergoes rigorous verbal and visual training to recognise and react appropriately to crimes, ensuring public safety and particularly protecting children from potential harm. Regular patrols are conducted to prevent underage individuals from entering the vicinity of the premises.

The prevention of crime and disorder

By maintaining a high-quality CCTV system and employing experienced security personnel, we actively monitor and manage the premises environment, promptly addressing any disorderly behaviour or security issues.

Regular staff training sessions are conducted to keep all team members updated on the best practices for incident management and crime prevention. All staff are properly trained to refuse entry to individuals showing signs of intoxication or carrying weapons or drugs.

All staff to gently remind customers to leave quietly and respect the neighbourhood, especially during the evening and night, to prevent public nuisance. We will display signage at exits encouraging customers to be considerate of local residents by keeping noise to a minimum.

Public safety

Our risk assessments for fire safety, health safety, and capacity management ensure that all guests can enjoy their time in a secure and safe setting. Regular checks and maintenance of all fire safety equipment, including extinguishers and alarms, are performed to ensure they are in working order. We conduct fire drills periodically to train staff on evacuation procedures and keep clear signage to direct customers to exits.

The layout of the premises provides clear and unobstructed routes for emergency services. We have established protocols to ensure that access routes are always kept clear and staff are trained to assist emergency personnel when they arrive.

We maintain direct lines of communication with local emergency services and provide them with layout plans of the premises. This ensures quick and efficient coordination in the event of an emergency.

The prevention of public nuisance

To mitigate noise pollution and prevent public nuisance, particularly in residential areas, we actively manage noise levels through internal policies. Signs are placed inside and outside the premises urging patrons to keep noise to a minimum, and noise levels are routinely checked from outside the premises to ensure they remain within acceptable limits.

Rubbish management is handled directly by our staff who ensure the premises and its surroundings are kept clean, complemented by strategically placed bins within the premises to encourage patrons to dispose of waste properly. Waste disposal protocols are in place to handle glass and other recyclables safely. Bins are emptied frequently to avoid overflow and potential hazards, both inside and around the premises.

The protection of children from harm

A strict no-under-18 policy is enforced at all entry points with thorough ID checks for anyone appearing under 21. This measure ensures that no underage individuals are allowed entry, thereby safeguarding them from exposure to alcohol consumption and adult-oriented activities.

We have implemented the Challenge 25 policy, which is a retailing strategy that helps prevent underage individuals from buying age-restricted products, primarily alcohol. Under this policy, any customer who looks under 25 is asked to provide a valid form of identification that proves they are at least 18 years old before being allowed entry or served alcohol. Acceptable forms of ID typically include a photo driving licence, a passport, or a PASS-accredited proof-of-age card. Our staff are trained to politely request ID and how to assess the authenticity of the documents presented. Refusal of service is mandatory if suitable proof is not provided or if the staff have reasons to doubt the legitimacy of the proof.

Continuous training and vigilant monitoring by staff ensure that these policies are effectively enforced, maintaining a safe and appropriate environment for all patrons.

Page: Documents checklist - applying for a premises licence

You must tick the following statements to confirm you've understood them:

Checklist

- ✓ The DPS named in this application is entitled to work in the UK (and is not subject to conditions preventing him or her from doing work relating to a licensable activity) and I have seen a copy of his or her proof of entitlement to work, if appropriate
- ✓ I understand that if I do not comply with the above requirements my application may be rejected
- ✓ I will send a copy of the advert once it has appeared in the newspaper - do not advertise until accepted
- ✓ I understand that I must advertise the application both in the newspaper (within 10 working days) and on the premises (the day after the application is accepted). The Borough Council will send the notice once the application is accepted

As part of this application, 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:

Uploaded files*

Zulfikar - Floor Plan.pdf

* If empty, no files were uploaded

You can use the following upload facility to provide a **DPS consent form** completed by the proposed premises supervisor:

Uploaded files*

Zulfikar - DPS consent form (1).pdf

* If empty, no files were uploaded

You can use the following upload facility to provide documents demonstrating your **right to work** in the UK:

Uploaded files*

* If empty, no files were uploaded

Where applicable (if demonstrating a right to work via the Home Office online right to work checking service), you'll need to provide the 9-digit 'share code' provided to the applicant for that service.

How many share codes do you need to tell us about?

Any further information

Your ref no: Form ref:
GRJKSBSN

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

Page: Payment summary

Application fee for RV 4301 to 33000	£190.00
Total	£190.00

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

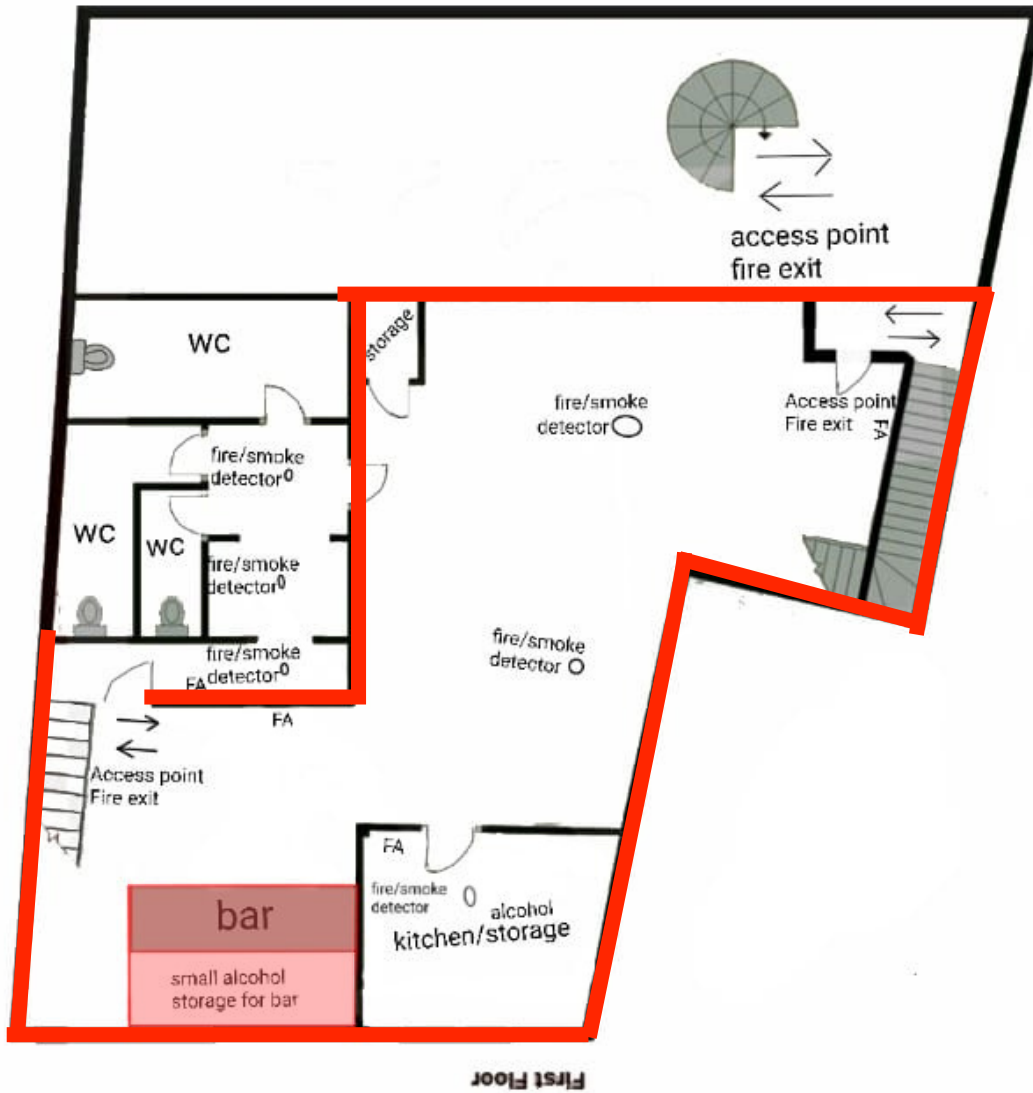
You can find out more detailed information about our Privacy Policy, on our [privacy notice page](#).

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.

" />

First Floor



 **Storage / sale of alcohol**

Paradise Shisha Bar Representations List

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



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

02/05/2024

Objecting License of: Garden Paradise LTD
Ref: 24 / 00426 / LA_PRE

To whom it may concern,
I am contacting you to Object an application for a new premises license for 'Garden Paradise LTD' in respect of ' The Paradise Shisha Bar, 15 - 19 Tower Street, King's Lynn, Norfolk, PE30 1EJ'.

My objections are in regards to the following activities:

- The sale of alcohol by retail
 - Friday to Saturday 11:00 -2:00
 - Sunday to Thursday 11:00 - 00:00
- Provision of late night refreshment
 - Friday to Saturday 23:00 -2:00
 - Sunday to Thursday 23:00 - 00:00
- An exhibition of film
 - Friday to Saturday 11:00 -2:00
 - Sunday to Thursday 11:00 - 00:00
- Performance of live music
 - Friday to Saturday 11:00 -2:00
 - Sunday to Thursday 11:00 - 00:00
- A performance of Dance
 - Friday to Saturday 11:00 -2:00
 - Sunday to Thursday 11:00 - 00:00
- Any playing of recorded music
 - Friday to Sunday 11:00 -2:00
 - Monday to Thursday 11:00 - 00:00

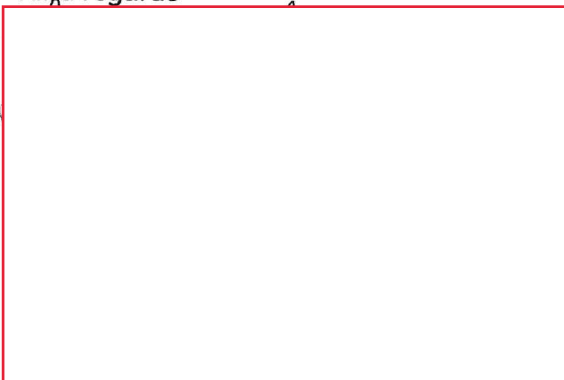
My objection is based on my concern that this new license may increase the possibility of public nuisance, around the area that will affect the many dwellings nearby, including my own, this is including but not limited to, public urination, property damages, anti-social behavior and drunk and disorderly conduct due to the late hours and alcohol consumption.

I am particularly concerned about noise nuisance as this already happens occasionally when from Friday to Sunday and sometimes through the week at early hours, due to clubs and premises nearby, as this nuisance currently only happens occasionally, I am prepared to tolerate nearby establishments as they had acquired their license before hand, and it is an occasional occurrence, but to have a building right outside my residential property to do such thing, doesn't seem like it would be appropriate considering that there are other residential properties nearby whom have children, working parents and elderly people.

There have been instances where police were called to the street, due antisocial or suspicious behavior, and I can only assume, by granting this license which would enable them to stay open the majority of the day it would not only have an increase burden on the police force, but it would also, disturb and be an inconvenience on the neighbors in the area, most of which reside above the shops and around the shops.

I would be grateful if the Licensing team would consider my objection.

Kind regards



Legal Services and Licensing,
Borough Council of Kings Lynn & West Norfolk,
Kings Court,
Chapel Street,
Kings Lynn,
PE30 1EX



03/05/2024

Reference 24/00426/LA_PRE

I am objecting, very strongly, regarding the application made for a licence at 15-19 Tower Street.

Over a number of years we in this street have been plagued with anti-social behaviour caused by licensed premises in this street and I have had to involve the noise enforcement officers of your council.

Firstly it was Liquor and Loaded who created so much noise evenings and weekends that it was impossible for us to continue using our front bedroom. After numerous complaints to your officers a recording machine was put in our premises to monitor the noise and officers stayed some evenings to listen as well. Finally the owners of said property had a visit from your officers and were warned about the nuisance that they were causing, they were duly advised on the maximum levels of sound that they would be permitted and thankfully to date have abided by the rules.

Next came Soul Café. Again many visits to our premises by your officers resulted in them visiting the proprietor of Soul. However in this instance the proprietor choose to ignore the law and the warnings. Thankfully it stopped when he was arrested by the police and thereby lost his licence.

Obviously all records of these incidences will be on file and recorded with your enforcement office.

Your own enforcement officers agreed with me on numerous occasions that licences should never have been issued by the council for anything other than background restaurant music because this street is predominately residential. See council tax returns.

I spent many years having to suffer intolerable noise pollution caused by inconsiderate retailers, and as it takes a long time for officers to deal with cases, at my age I do not want to be put in that position again of having to suffer and wait for something to be done.

Having spent many years in the retail trade I have no objection to others making money by this means. However there are areas where this kind of business, loud clubbing, would not disturb the residents, perhaps try Norfolk Street for instance.

If the licence application was for only background music to accompany a meal in a restaurant and that this was monitored by the council officers as to volume levels allowed then perhaps that would be acceptable providing the applicants can prove trustworthy and law abiding citizens.

Having seen the illegal polythene encampment erected at the rear of the said premises, by this applicant, I shudder to think of the consequences of issuing any type of licence to this company. I would also be interested in the nature of 'films' to be shown, ADULT content no doubt!!

Yours faithfully, a long time resident and ratepayer of this street



PS Since starting this objection I now need to point out the illegal activities of the applicant. It is Saturday 04/05/2024, midnight. This evening loud music started disturbing us at about 19.30 but we could not place whence it came, however after darkness fell my wife and I could see disco flashing lights emanating from the upper floor of 15-19 Tower Street, this is the area used by the previous owner known as Soul, for their late night discos. It would appear that your applicants could not wait for their licences and have started operating illegally!! Please feel free to call us to witness to this event.

This being the case they obviously cannot be trusted to obey any laws and regulations regarding licensing. It would therefore be advisable for the council to make an immediate compulsory purchase order of the said property citing illegal use of property and turn the premises into useful flats to help alleviate the areas housing shortage.

[Redacted]

Sent: Wednesday, May 8, 2024 10:46 AM

To: Marie Malt <Marie.malt@west-norfolk.gov.uk>; Chris Parslew <Chris.Parslew@mcp-law.co.uk>

Subject: Fw: OBJECTION FOR APPLICATION 24/00426/LA_PRE

[External Email]

[Confirm the senders email address is genuine, before clicking on links and replying]

Dear Marie,

Thank you for calling me yesterday and today regarding Last Saturday Rusian night. As I explained you that I was not aware of it and definitely did not give ant one permission or authority to use place for any activity. Premisses still not have Gas, Electric certificate. Fire Risk Assessment has been done but recommendation not met yet.

Fire escape route is not proper, therefore it may not covered by any Public Liability and Building Insurance.

Due to partnership has end between me and Zulfikar

Lynn Smokehouse & bar is closed for reason of legality of the property, safety of myself and public.

PLEASE SEE MY OBJECTION LETTER BELOW.

Your sincerely

[Redacted]

[Redacted]

Sent: 08 May 2024 02:34

To: ehlicencing@west-norfolk.gov.uk <ehlicencing@west-norfolk.gov.uk>

Subject: OBJECTION FOR APPLICATION 24/00426/LA_PRE

Dear Sir / Madam

My name is Heval [Redacted] and one of director of [Redacted] who

[Redacted]

I AM OBJECTING THE APPLICATION TO BE GRANTED. The application is without consent and it is Fraud. The reasons as follows;

- The premises has already PREMISES LICIENCE holder for above property (WPNL009465) Which hold as Lynn Smokehouse & bar ltd. I am a director of Lynn Smokehouse & Bar. I AM OBJECTING application above (24/00426/LA_PRE).

- [Redacted]

- [redacted] without permission.
- Garden Paradise is not obtaining lease or legal documents to operate at above property (First floor)
- They do not have legal Fire Risk Assessment report, Gas and Electric Certification. The one I have obtained for empty unit and not finished yet. The fire escape route is not will be available and risk
- Insurance is concern me. Building insurance does not answered in proper way. Therefore, it may does not cover legally. I guess this will be same as for public liability Insurance.
- [redacted] of the issues above and failed Currently I took legal action to against [redacted] his avoidance and ignore of common rules. I reject to give my consent or authority to sale or consume alcohol, music, late refreshment and dance etc... They have block me from their side and I am unable to view it.

[redacted] also because of control of building to operate as it has legal issue between partners. This will be same for above application; Fire Escape route, Hygne facilities, health and safety, building Insurance and PUBLIC LIABILITY INSURANCE are issue under current situation. PUBLIC LIABILITY WILL BE ISSUE as partner have legality issues.

- They have operated illegally by sale of alcohol or consuming alcohol without my permission in the premises If they show any document, I would like let you know that it is not from me. Due to failed partnership, I offer my share to [redacted] Up to now my offer not been accepted and people life has put in danger although all my effort to advise them not to open.

Currently, I am seeking legal advice from [redacted] [redacted]
Please do contact my legal representative for further information or before any decision.

My solicitor details:

[redacted]

Please reject above application as they are already operating without licence and they do not have regard to law. Lynn Smokehouse is keen to start operate and serve MEDITERINEAN FOOD WITH TWIST OF BRITISH TOUCH. Till the legality issue stay around premises it is better for health safety of myself and public to be close.

Your Sincerely

[redacted]



Official copy of register of title

Title number

Edition date 26.09.2023

- This official copy shows the entries on the register of title on 12 Jan 2024 at 09:30:22.
- This date must be quoted as the "search from date" in any official search application based on this copy.
- The date at the beginning of an entry is the date on which the entry was made in the register.
- Issued on 12 Jan 2024.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- This title is dealt with by HM Land Registry Kingston upon Hull Office.

A: Property Register

This register describes the land and estate comprised in the title.

NORFOLK : KING'S LYNN AND WEST NORFOLK

B: Proprietorship Register

This register specifies the class of title and identifies the owner. It contains any entries that affect the right of disposal.

Title absolute

C: Charges Register

This register contains any charges and other matters that affect the land.

Title number NK159853

C: Charges Register continued



2

3

End of register



Find and update company information

Companies House does not verify the accuracy of the information here
(<http://resources.companieshouse.gov.uk/service/information.shtml#compInfo>)
[Advanced company search \(/advanced-search\)](#)

Follow this company

File for this company
([https://beta.companieshouse.gov.uk/company/\[redacted\]authorise?return_to=/company/\[redacted\]officers](https://beta.companieshouse.gov.uk/company/[redacted]authorise?return_to=/company/[redacted]officers))

Overview

Filing history

People

Charges

More

- Officers
- Persons with significant control (/company/[redacted])

Filter officers

Current officers

Apply filter

2 officers / 0 resignations

Appointed on 17 May 2023

Nationality

Country of residence

[Redacted]

Occupation **General Manager**

[Redacted]

[Redacted]

Appointed on **17 May 2023**

Nationality [Redacted]

Country of residence [Redacted]

Occupation **General Manager**

Tell us what you think of this service (<https://www.smartsurvey.co.uk/s/getcompanyinformation/>) Is there anything wrong with this page? ([/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/\[Redacted\]](/help/feedback?sourceurl=https://find-and-update.company-information.service.gov.uk/company/[Redacted]))

[Policies](#) Link opens in new tab

[Cookies](https://beta.companieshouse.gov.uk/help/cookies) (<https://beta.companieshouse.gov.uk/help/cookies>)

[Contact us](#) Link opens in new tab

[Accessibility statement](#)

(<https://beta.companieshouse.gov.uk/help/accessibility-statement>)

[Developers](#) Link opens in new tab

Built by [Companies House](#)

© Crown copyright

[Redacted]

Sent: Wednesday, May 8, 2024 2:22 PM

To: Marie Malt <Marie.malt@west-norfolk.gov.uk>

Subject: RE: OBJECTION FOR APPLICATION 24/00426/LA_PRE

Dear Ms Malt,

Please see below previous email to yourselves which seeks to point out the [Redacted] restaurant, legitimate business has been prevented from opening by his fellow 50% shareholder in the owning company opening a business which is wholly incompatible with a family restaurant due to it involving the smoking of tobacco, crowds of people who are not interested in attending a family restaurant and most importantly we are instructed that the Shisha smoking business is completely unregulated. [Redacted] can resolve problems within the owning company but is highly concerned at the safety of those attending the Shisha business as he is certain that it is a fire hazard. This obviously impacts on the family restaurant, hence he has delayed the opening.

We have just spoken and you have confirmed that you have circulated our email to the relevant departments, for which we are grateful. On behalf of our client we confirm that [Redacted] objects to the application.

Kind regards,

[Redacted]

[Redacted]








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

14th May 2024

Dear Sirs,

**Regarding: License Application no. 24/00426/LA_PRE Garden Paradise Ltd.,
Paradise Shisha Bar 15 – 19 Tower Street, King's Lynn, PE30 1EJ.**

As a resident of I  we have had drink-related problems: cars vandalised, they banged on our doors at 2-3 a.m. in the morning, home windows smashed, and acts of physical violence on my neighbour from drunks coming from Norfolk Street nightlife. If you extend a license to 2 a.m. in the mornings, we will have no peace.

I have seen the SOS bus on Norfolk Street; are you proposing we have police and SOS on Millfleet? Late-night venues are down Norfolk St., away from residents. Tower St. is a conservation area and, as such, needs protection. Also, lots of the upper floors are now residents homes.

Please do not allow such a license on these premises - I strongly object.





14 May 2024.

Dear Sir/Madam,

Re: Licence Application no. 24/00426/LA_PRE Garden Paradise Ltd.

Paradise Shisha Bar 15 – 19 Tower Street King's Lynn PE30 1EJ.

I would like to lodge an objection to this licence application.

At present, most of late-night drinking establishments are located in Norfolk Street. I have discussed the problems of anti-social behaviour with Police Officers who respond to these matters. Allowing late-night drinking to go ahead in Tower Street, will stretch Police resources even further. When there are incidents, as there inevitably are after binge drinking, it will now be in a largely residential area.

The late drinking and loud music will, I believe, further mar the image of our town. And will likely discourage visitors. It could also mean that the businesses already in that area suffer a loss in takings as potential customers avoid that locality.

The back and front of this property looks extremely unsightly. Do we want to encourage businesses who seem unwilling to adequately look after a prominent building?

I would urge you to reject this licence application. Otherwise, the spread of anti-social behaviour will tarnish, still further, how the town is perceived.



10th May 2024

To whom it may concern,

**Regarding: License Application no. 24/00426/LA_PRE Garden Paradise Ltd.,
Paradise Shisha Bar 15 – 19 Tower Street, King’s Lynn, PE30 1EJ.**

I wish to lodge my strong objection to the proposed license for these premises for the following reasons:

1. Tower Street is rapidly becoming an intensive residential area with developments such as the apartments on the corner of Regent Street and Tower Street where the British Legion used to be, the new housing development on the corner of St. James Street and Tower Street where Pure used to be, plus smaller developments all along Tower Street leading towards Millfleet and beyond. Residents in these streets and the streets around them are all too aware of the drink-related issues that we suffer currently; we have had our cars vandalised, home windows smashed and acts of physical violence on individuals from those en-route from their drinking sessions in the town.
2. There is already a burden on the town’s council to provide a ‘clean-up’ service after late drinking on Norfolk Street. Surely, granting more late licenses for Tower Street will inevitably lead to an increase in the need for more services to keep the streets clean and safe for the majority of residents and visitors to the town? And let us not forget who pays for this? We do, the residents of King’s Lynn!
3. Norfolk Street’s late drinking has become such a problem, that there is now a need for the SOS Bus! These good people recognise the need to provide support for drinkers and the numerous drink-related issues that arise from extended periods of drinking at late licence establishments. Are you expecting them to provide **another SOS Bus for Tower Street?** Norfolk Street already has a certain ‘reputation’ and is avoided by many at weekends; more late drinking licenses on Tower Street, will extend the ‘no-go areas’ which alienate many and only really serves a minority group.
4. Tower Street is in a conservation area and as such must have certain restrictions as to the activities and developments that take place there to protect the buildings and the visual impact on the area? Yet, a temporary ‘shack’ has been erected at the back of nos. 15 – 19 Tower Street opposite Cloud Lane Car Parking! This was thrown up during the Covid period and was clearly intended as a temporary structure to accommodate social distancing. Instead, it has become an ugly sprawling monstrosity, reminiscent of a ‘shanty town’ and sells alcohol and has music blaring at all hours? As the owner of a listed building in the same area, I question whether I would be given permission to erect such an eyesore? A late license will exacerbate problems already evident and encourage more such structures. *** PLEASE SEE ATTACHED PHOTO.**

Already, the town council have realised that drink-related issues are becoming a huge problem and recently responded to residents of the development on the corner of Regent and Tower Street by removing a bench where drinkers gathered because their behaviour became a public nuisance... I wonder, with the increased number of ‘traffic’ that this license will inevitably produce, is the council considering reinstating this bench and adding more to accommodate such gatherings?

I implore you to deny or at the very least restrict this license in-keeping with a residential conservation area of town that is a key asset to King’s Lynn.

*



14th May 2024

Kings Lynn License Dept - By Hand Delivered

**Regarding: License Application no. 24/00426/LA_PRE Garden Paradise Ltd.,
Paradise Shisha Bar 15 – 19 Tower Street, King’s Lynn, PE30 1EJ.**

Dear whom it concern.

I wish to lodge an objection against the proposed opening times and music licence of the above premises.

We are already experiencing drinkers who congregate creating anti social behaviour in this area of the Millfleet section of Hillington Square.

This occasionally happens during the early hours of the day, which is when I personally have to work and need to have a full night's sleep. The extended licence for the consumption of alcohol both on and off these properties will cause more issues for what is primarily residential.

The idea was to keep all night clubs and late opening bars in one section, i.e., Norfolk Street. This makes it easier for the authorities to control with police vans and health assistance. Would we be given police vans on our estate? How are we supposed to cope? We are, in fact, a cut through from the town to South Lynn.

The plan was to keep Norfolk Street—the area's nightclubs and late-opening bars—unified. This facilitates easier control by the government when they deploy police vans and medical support. Would our estate have police trucks assigned to it? How are we meant to handle this? In actuality, we are a bypass route leading from the town to South Lynn.



10th May 2024

To whom it may concern,

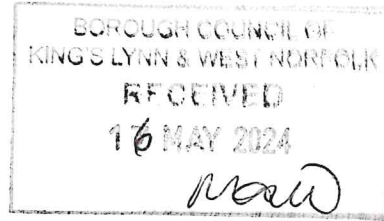
**Regarding: License Application no. 24/00426/LA_PRE Garden Paradise Ltd.,
Paradise Shisha Bar 15 – 19 Tower Street, King's Lynn, PE30 1EJ.**

I wish to lodge my strong objection to the proposed license for these premises for the following reasons:

1. Tower Street is rapidly becoming an intensive residential area with developments such as the apartments on the corner of Regent Street and Tower Street where the British Legion used to be, the new housing development on the corner of St. James Street and Tower Street where Pure used to be, plus smaller developments all along Tower Street leading towards Millfleet and beyond. Residents in these streets and the streets around them are all too aware of the drink-related issues that we suffer currently; we have had our cars vandalised, home windows smashed and acts of physical violence on individuals from those en-route from their drinking sessions in the town.
2. There is already a burden on the town's council to provide a 'clean-up' service after late drinking on Norfolk Street. Surely, granting more late licenses for Tower Street will inevitably lead to an increase in the need for more services to keep the streets clean and safe for the majority of residents and visitors to the town? And let us not forget who pays for this? We do, the residents of King's Lynn!
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Already, the town council have realised that drink-related issues are becoming a huge problem and recently responded to residents of the development on the corner of Regent and Tower Street by removing a bench where drinkers gathered because their behaviour became a public nuisance... I wonder, with the increased number of 'traffic' that this license will inevitably produce, is the council considering reinstating this bench and adding more to accommodate such gatherings?

I implore you to deny or at the very least restrict this license in-keeping with a residential conservation area of town that is a key asset to King's Lynn.



15th May 2024

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

Dear Sir/Madam,

Re: Premises Licence Application no. 24/00426/LA_PRE Garden Paradise Ltd
The Paradise Shisha Bar, 15-19 Tower Street, King's Lynn PE30 1EJ.

As a resident and business owner in Tower Street, I wish to object to the proposed Licence for these premises for the following reasons:

1. The applicant has been operating The Paradise Shisha Bar, at these premises from approximately 24th February 2024. This is despite knowing it was an illegal action, as the actual Premises Licence holder and DPS, [redacted] had refused to give permission to use the current Premises Licence, granted to [redacted].
The reason for the refusal being there was a failed partnership in [redacted] [redacted] Because of the implications of the Licence being used before all the necessary legal requirements were in place, [redacted] was personally responsible for any problems connected to, or the misuse of, the Licence.
2. This application is in the name of Garden Paradise Ltd/The Paradise Shisha Bar, directors [redacted] [redacted] There have already been problems with loud music/public nuisance until the early hours, both in Clough Lane, which is where the business is being run from, Tower Street and surrounding areas. It seems, talking to [redacted] the intention is to operate this new business from the garden area and first floor of the property, indicating the garden area is to be a major part of this application to allow for the smoking of shisha. This will inevitably cause even more public nuisance and very likely crime and disorder. This is a matter of great concern for local residents.
3. There have been parking issues/intimidations with my residential and business tenants, who each have allotted spaces my land which is adjacent to the application. These parking spaces were considered by the applicant to be for general use at all times.
4. A "plastic roof" constructed in the garden area of the application has been nailed to the flat roof of my adjacent property, without permission, causing damage to the roof. See photo.
5. An event was held Saturday 4th May, with security men employed to work the gate. See photo. This culminated in very loud music audible around the whole area, until the early hours of Sunday 5th May. This event was illegal as no relevant Premises Licence was in operation or DPS available.

6. Below are a couple items from [redacted] proving the business has been operating in the garden. It also serves as an indication of what problems to expect in the future, should this application be granted.

1. "Welcome to Garden Paradise, we are located at the back garden, easy to spot once you walk to the back of the building and we serve the best shisha in town with amazing customer service, we have snacks and soon will serve alcohol."

2. "Amazing place, its located at the back visible next to the St. James multi storey car park, just follow the music and enjoy your night, amazing shisha."

How can the applicant possibly be able to meet the Licencing rules and run an establishment of this kind, when it has already been shown, there is total disregard for any other person, any rule whatsoever, or even other people's property. The applicant is unable to adhere to any guidelines or laws connected with a Licenced business. Added to this, there has been no concern or consideration shown to the residence of the surrounding area.

The original [redacted] with me as the DPS. This licence number is still the current one, being transferred from [redacted] and then on to [redacted] During this time the residential aspect of the area has changed quite considerably. Whereas, the British Legion in Regent Way was a licenced premises (closed 2020), it is now several apartments housing families. New residents have moved in above shops in Tower Street, I have tenants in Clough Lane, there are now tenants in flats created at the rear of Whincop House, plus a new housing development created at the junction of St. James' Street and Tower Street, just to give a few examples. Because of the dynamics of Tower Street, any residential properties on the east side of the street, as this application is, also open onto Clough Lane, where this licence would mainly apply to. The greatest concern with this application, apart from the noise, will be the prevention of public nuisance and crime and disorder, in what is now, a very much more residential area than it was in 2012.

A condition of the current Premises Licence for this property, states that "outdoor entertainment will cease after 9pm" with the latest finish time being 1am. I would ask that the same timings are applied to the New Premises Licence, should it be granted.

By the applicants own description of the business it is a Shisha Bar. Guidelines for these state "it is illegal to smoke the pipes inside cafes and bars. Those cafes and bars with outdoor smoking shelters need roofs that are at least 50 per cent open, so air can circulate." If these guidelines were to be properly adhered to for this application, it would be impossible not to create public nuisance in the area. Please see photos.

Please, do not allow this licence to be granted, unless at the very least, there are a great number of conditions applied. This application is in a conservation area of the town, and if granted, would certainly not bode well for this part of the town, in respect of public nuisance, prevention of crime and disorder, and a very real possibility of anti-social behaviour.

Yours Sincerely

[redacted signature box]

Resident and Business owner, Tower Street

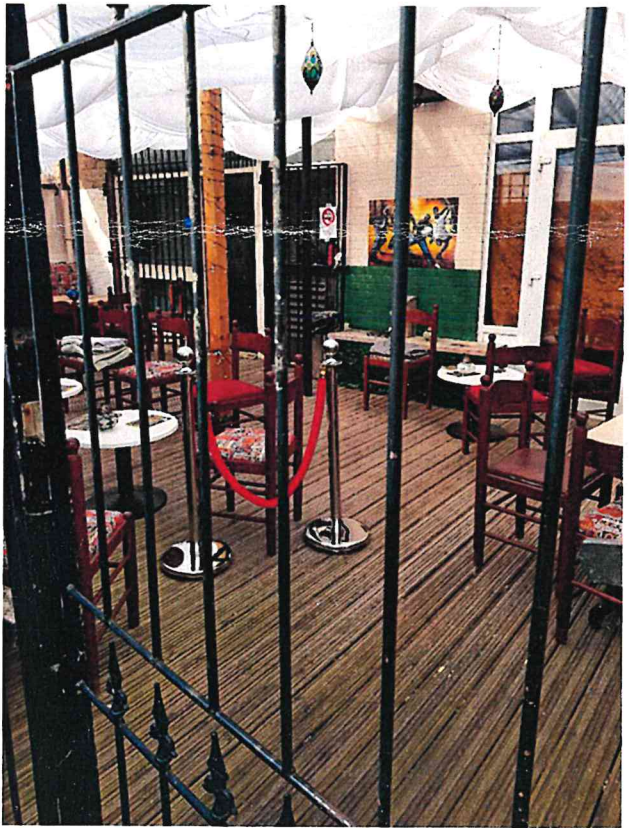
The Paradise Shisha Bar in Clough Lane



Sign in Tower Street directing people to the back of the property in Clough Lane



The Paradise Shisha Bar and entrance gate in Clough Lane



Security staff at Clough Lane entrance
4th May 2024





17th May 2024

Dear Sir or Madam,

Re: Premises License Application no. 24/00425/LA_PRE Garden Paradise Ltd.,
Paradise Shisha Bar 15-19, Tower Street, Kings Lynn. PE30 1EJ

I should like to register my objection to granting the above license to the aforementioned premises, on the following grounds:

The Prevention of Crime and Disorder

Talking to customers, we frequently hear tales of people under the influence of alcohol and drugs, who have caused damage to residents' windows and cars. I know directly of two muggings of people (who should be able to feel safe, going about their legitimate business) in this local area too.

We understood there is a 'no alcohol consumption' in the town centre, ruling. Why do we frequently see such? Adding other licenses that would further encourage unruly behaviour, public nuisance and compromise public safety, should not be added, as long as we are unable to manage the disorder and antisocial behaviour we already witness, arguably resulting from those licenses already granted.

**The Prevention of Public Nuisance and
The Protection of Children from Harm**

Given the increasingly residential status of the area in and around Tower Street, granting permission to any premises in the vicinity to serve alcohol and stay open until 2 am, would be likely to impact negatively on their neighbours' quality of life.

Young families live not 2 hundred yards away in the newly refurbished British legion building, rightly drawn, no doubt, to the convenience of living within walking distance of attractive parks, necessary facilities and the quayside. They, like us, look to their council to make the right decision to take steps to encourage businesses that benefit the area and foster and serve the community that's already here.

I look forward to hearing from you.



Your ref:
Our ref: 24/00426/LA_PRE – SR 24/02600
Please ask for: Licensing Team
Direct dial: (01553) 616200
E-mail: ehlicensing@west-norfolk.gov.uk

Lorraine Gore
Chief Executive

Licensing
King's Lynn and West Norfolk Borough Council,
King's Court,
Chapel Street,
King's Lynn,
PE301EX

Alexa Baker
Assistant Director

Legal Services and Licensing

26th May 2024

RE: Premises Licence application 24/00426/LA_PRE, Paradise Shisha Bar, 15 – 19 Tower Street.

Dear Sir or Madam,

As the Responsible Authority for the Borough Council of King's Lynn and West Norfolk, I wish to make the Licensing Committee aware of the following events, which have occurred since the above application was accepted by this Authority on 29th April 2024.



Yours sincerely





LICENSING ACT 2003 PREMISES LICENCE

Appendix 4 to
Report to Licensing Sub-Committee
Re: The Paradise Shisha Bar
Dated: 3rd June 2024

LICENSING AUTHORITY

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



Legal Services and Licensing
Kings Court
Chapel Street
Kings Lynn
Norfolk
PE30 1EX
Tel: 01553 616200
Fax: 01553 691663
Web: www.west-norfolk.gov.uk
Email: ehlicensing@west-norfolk.gov.uk

Part 1 – Premises Details

Lynn Smokehouse & Bar

15 - 19 Tower Street
King's Lynn
Norfolk
PE30 1EJ

Telephone Number:

Where the Licence is time limited the dates:

Not applicable

Licensable Activities authorised by the licence:

the sale of alcohol by retail
provision of late night refreshment
a performance of live music
similar to live, recorded music & dance
a performance of dance
an exhibition of a film many playing of recorded music

The times the licence authorises the carrying out of licensable activities:

the sale of alcohol by retail

Description	From To
Monday to Sunday	07:00 - 01:00

provision of late night refreshment (Indoors)

Description	From To
Monday to Sunday	23:00 - 01:00

a performance of live music (Indoors and Outdoors)

Description	From To
Monday to Sunday	07:00 - 01:00

similar to live, recorded music & dance (Indoors and Outdoors)

Description	From To
Monday to Sunday	07:00 - 01:00

a performance of dance (Indoors)

Description	From To
Monday to Sunday	07:00 - 01:00

an exhibition of a film (Indoors)

Description	From To
Monday to Sunday	07:00 - 01:00

any playing of recorded music(Indoors and Outdoors)

Description	From To
Monday to Sunday	07:00 - 01:00

The opening hours of the premises:

Monday to Sunday	07:00	01:30
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Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption both **ON** and **OFF** the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name address and telephone number of designated premises supervisor where the premises licence authorises the supply of alcohol:

Personal Licence number and issuing authority of Personal Licence held by Designated Premises Supervisor (where the premises authorises for the supply of alcohol):

**Personal licence Number:
Licensing Authority:**

<div style="border: 1px solid red; width: 200px; height: 15px;"></div>
Licensing Authority: Kings Lynn And West Norfolk

Licensing Service Manager

Original Issue date of Premises Licence: 27th April 2012

Date of last change: 7th November 2023

ANNEX 1 – MANDATORY CONDITIONS

1. 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.
2. 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.
3. 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:
 - (a) 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);
 - (b) 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;
 - (c) 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;
 - (d) 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;
 - (e) 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).
4. The responsible person must ensure that free potable water is provided on request to customers where it is reasonably available.
5. 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.
6. 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:
 - (a) beer or cider: ½ pint;
 - (b) gin, rum, vodka or whisky: 25ml or 35ml; and
 - (c) 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.

7.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.

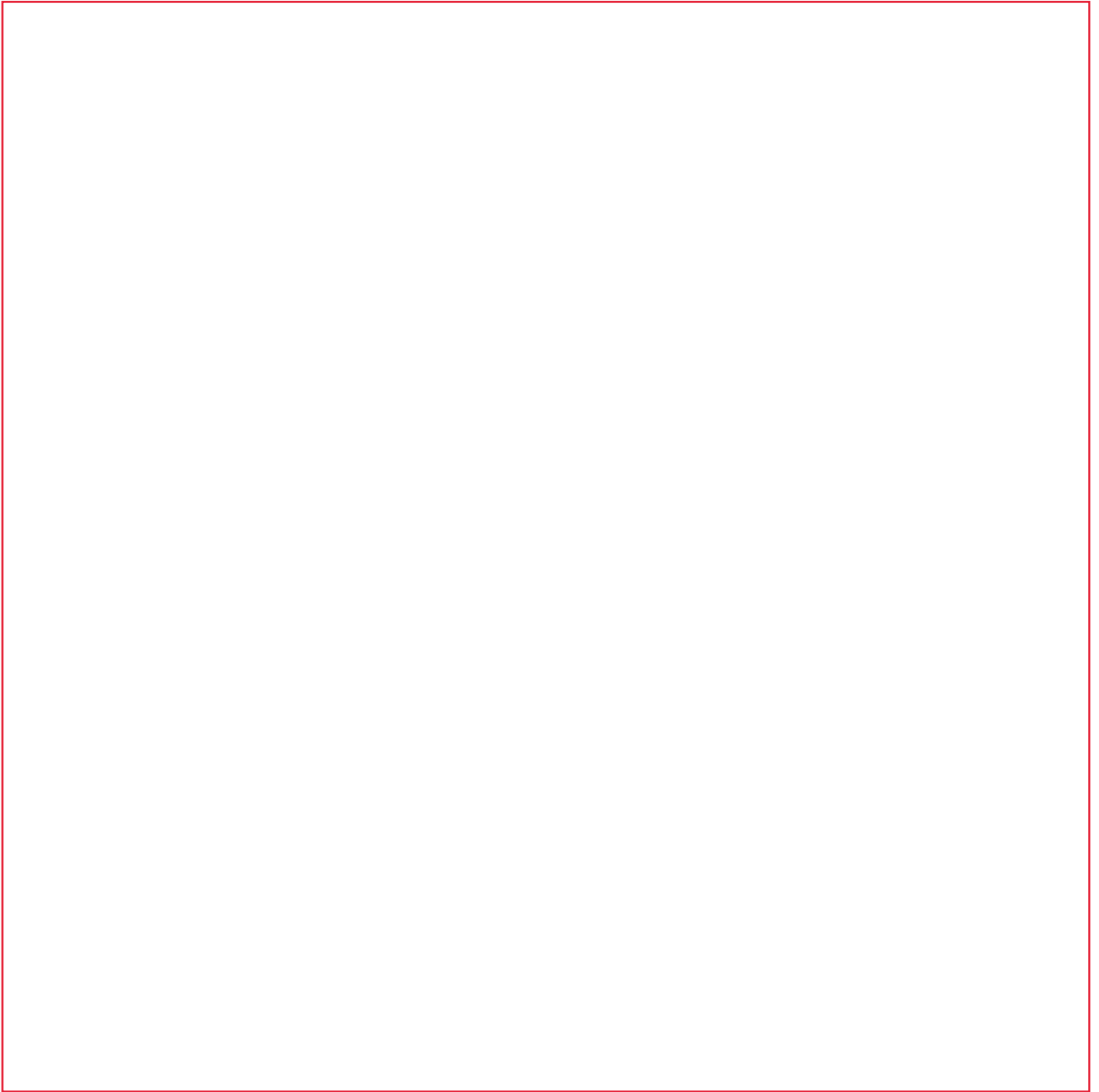
The permitted price must be rounded up to the nearest penny.

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.

ANNEX 2 – CONDITIONS CONSISTENT WITH THE OPERATING SCHEDULE

ANNEX 3 – CONDITIONS ATTACHED AFTER A HEARING

ANNEX 4 – AUTHORISED PLANS



PREMISES LICENCE SUMMARY

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



Legal Services and Licensing
Kings Court
Chapel Street
Kings Lynn
Norfolk
PE30 1EX
Tel: 01553 616200
Fax: 01553 691663
Web: www.west-norfolk.gov.uk
Email: ehlicensing@west-norfolk.gov.uk

Part 1 – Premises Details

Lynn Smokehouse & Bar

15 - 19 Tower Street
King's Lynn
Norfolk
PE30 1EJ

Telephone Number:

Where the Licence is time limited the dates:

Not applicable

Licensable Activities authorised by the licence:

the sale of alcohol by retail
provision of late night refreshment
a performance of live music
similar to live, recorded music & dance
a performance of dance
an exhibition of a film
any playing of recorded music

The times the licence authorises the carrying out of licensable activities:

the sale of alcohol by retail

Description	From To
Monday to Sunday	07:00 - 01:00

provision of late night refreshment (Indoors)

Description	From To
Monday to Sunday	23:00 - 01:00

a performance of live music(Indoors and Outdoors)

Description	From To
Monday to Sunday	07:00 - 01:00

similar to live, recorded music & dance(Indoors and Outdoors)

Description	From To
Monday to Sunday	07:00 - 01:00

a performance of dance (Indoors)

Description	From To
Monday to Sunday	07:00 - 01:00

an exhibition of a film (Indoors)

Description	From To
Monday to Sunday	07:00 - 01:00

any playing of recorded music(Indoors and Outdoors)

Description	From To
Monday to Sunday	07:00 - 01:00

The opening hours of the premises:

Monday to Sunday	07:00	01:30
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Where the licence authorises supplies of alcohol whether these are on and /or off supplies:

Alcohol is supplied for consumption both **ON** and **OFF** the Premises

Part 2

Name, (registered) address, telephone number and email (where relevant) of holder of premises licence:

Registered number of holder, for example company number, charity number (where applicable)

N/A

Name of designated premises supervisor where the premises licence authorises the supply of alcohol:

State whether access to the premises by children is restricted or prohibited:

Licensing Service Manager