

BOROUGH COUNCIL OF KING'S LYNN & WEST NORFOLK**LICENSING COMMITTEE**

Minutes from the Meeting of the Licensing Committee held on Thursday, 16th June, 2022 at 10.00 am in the Council Chamber, Town Hall, Saturday Market Place, King's Lynn PE30 5DQ

PRESENT: Councillors E Nockolds (Chair), C J Crofts and T Parish.

OFFICERS:

Marie Malt – Senior Licensing Officer

Johanna Riches – Licensing Enforcement Officer

LEGAL ADVISOR: Julie Gowland – Birketts Solicitors

1 **APOLOGIES FOR ABSENCE**

There were no apologies for absence.

2 **ITEMS OF URGENT BUSINESS**

There was no urgent business.

3 **DECLARATIONS OF INTERESTS**

There was no declarations of interest.

4 **TO CONSIDER AN APPLICATION FOR MCDONALDS, 163 BEXWELL ROAD, DOWNHAM MARKET**

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The Chair welcomed everyone to the meeting and declared that the Sub-Committee was sitting to consider an application for a premises licence in respect of McDonalds, 163 Bexwell Road, Downham Market.

The Sub-Committee, Borough Council Officers and Legal Advisor were introduced and their roles explained.

All other parties introduced themselves and confirmed that fifteen minutes would be sufficient to present their case.

The two interested parties who had written letters of objection in relation to the application were not present at the Hearing.

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

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

6 **REPORT OF THE LICENSING OFFICER**

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At the request of the Chair, the Licensing Officer presented her report to the Sub-Committee as included in the Agenda.

She explained that one of the letters of objection had been rejected as not valid, however the Applicant had agreed to include this submission in the application.

There were no questions to the Licensing Officer.

7 **THE APPLICANTS CASE**

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At the request of the Chair, the Applicant's representative presented the case on behalf of the Applicant.

He provided a response to the letters of objection that had been received, explaining that the residents who had objected lived 400 metres from the premises and there were other residents who lived closer, who had not objected.

It was explained that the premises would be run as a franchise and details of the person who would be running the franchise were provided in that he had experience in the East Anglia area and currently ran two premises that were open 24/7. Details were also provided on how the franchise owner would engage with local communities, as he had done with other premises.

It was explained that, should the licence be granted, there would always be at least one Manager on shift throughout the night. Approximately 90 to 100 staff would be working at the premises.

It was confirmed that Planning Permission for the site had already been granted and the site was shared with a Starbucks. Acoustic fencing was a condition of the Planning Permission.

The Sub Committee's attention was also drawn to the Operating Schedule which provided details of the CCTV system in place, the Staff Safe system and training that staff undertook. It was also confirmed that no alcohol was permitted in the restaurant.

The Applicant's representative provided detail of litter picks conducted at McDonalds and explained that these would take place three times a day around the local area, subject to a risk assessment.

It was noted that there had been no objections from any of the Responsible Authorities.

In response to questions, the Applicant's representative agreed that conditions relating to CCTV and litter picks would be acceptable. He also explained that, should the application be granted, it was not a definite that the restaurant would be open 24/7, the application was to ensure that the franchisee had the right to do so, should it be viable.

Councillor Parish raised concern relating to other premises in the area and the potential for antisocial behaviour and the types of visitors to the restaurant throughout the night.

In response to questions relating to the nearby nursing home, raised in the objections, it was explained that this had not yet been approved planning permission or been built.

The Applicant's representative responded to questions relating to staff training and how the franchisee would engage with the local community.

8 **INTERESTED PARTIES**

The Interested Parties were not present at the Hearing.

9 **SUMMING UP - THE LICENSING OFFICER**

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The Licensing Officer summed up her case and reminded the Sub-Committee that they should consider all the information put forward at the hearing today.

10 **SUMMING UP - INTERESTED PARTIES**

The Interested Parties were not present at the Hearing.

11 **SUMMING UP - THE APPLICANT**

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The Applicant summed up their case and reminded the Sub-Committee that their decision should be evidence based and there had not been any representations from any of the Responsible Authorities.

12 **OUTSTANDING MATTERS**

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The Legal Advisor outlined outstanding matters and provided detail of the Legal Advice that would be provided to the Sub-Committee Members whilst they retired to make their decision.

13 **DECISION**

The Chair explained that the Sub-Committee would retire to make their decision, in private, accompanied by the Democratic Services Officer for administrative purposes and the Legal Advisor for specific points of law and procedure.

All parties were called back into the room and the decision of the Sub-Committee was read out.

The meeting closed at 10.35 am