

This meeting was
adjourned from
Wednesday 13
March 2024 at
14:30.



NORWICH
City Council

Licensing sub committee

Date: **Wednesday, 20 March 2024**
Time: **16:30**
Venue: **Mancroft room City Hall, St Peters Street, Norwich, NR2 1NH**

Pre-meeting briefing for members of the committee only
30 minutes before the start of the meeting

Committee members:

Councillors:
Stutely (chair)
Ackroyd
Maguire

For further information please contact:

Committee officer: Leonie Burwitz
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If you would like this agenda in an alternative format, such as a larger or smaller font, audio or Braille, or in a different language, please contact the committee officer above.

Agenda

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1 Apologies

To receive apologies for absence

2 Declarations of interest

(Please note that it is the responsibility of individual members to declare an interest prior to the item if they arrive late for the meeting)

3 Application for the grant of a premises Licence for FoodbyCpc, 290 – 304 Aylsham Road Norwich NR3 2RJ

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Purpose - Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a premises licence in respect of FoodbyCpc, 290-304 Aylsham Road, Norwich, NR3 2RJ following the receipt of relevant representation.

Date of publication: **Tuesday, 05 March 2024**



Committee Name: Licensing sub

Committee Date: 13/03/2024

Report Title: Application for the grant of a premises Licence for FoodbyCpc, 290 – 304 Aylsham Road Norwich NR3 2RJ

Portfolio: Councillor Fulton-McAlister, Cabinet member for regulatory services

Report from: Head of planning and regulatory services

Wards: Mile Cross

OPEN ITEM

Purpose

Members are asked, in accordance with the delegation of licensing functions contained in the Norwich City Council Statement of Licensing Policy (Licensing Act 2003), to consider the application for the grant of a premises licence in respect of FoodbyCpc, 290 – 304 Aylsham Road Norwich NR3 2RJ following the receipt of relevant representation.

Recommendation:

It is recommended that members determine the application to grant the premises Licence in accordance with the:

- Licensing Act 2003 and subsequent regulations
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy

Policy Framework

This report meets the people live independently and well in a diverse and safe city corporate priority.

This report meets the city has an inclusive economy in which residents have equal opportunity to flourish corporate priority.

Report Details

The application

1. The applicant is FoodbyCpc Ltd and the proposed DPS is Gilbert Eyenga.
2. The application seeks to allow the licensable activities, times and opening hours as set out in the application form, which is attached at appendix A. This also includes the steps proposed to promote the licensing objectives (operating schedule).

Relevant representations

3. The responses from the Responsible Authorities are as follows:

Police – representation received but the applicant has agreed to their conditions (copy attached at appendix B)

Public Protection– no representations

Fire Officer – no representations

Planning Officer – no representations

Area Child Protection Committee – no representations

Trading Standards – no representations

Primary Care Trust – no representations

5 Local Residents – representation received (copies attached at appendix C)

Summary

4. In determining the application with a view to promoting the licensing objectives the sub-committee must give appropriate weight to:
 - the steps that are appropriate to promote the licensing objectives (i.e. the prevention of crime and disorder; public safety; the prevention of public nuisance; and the protection of children from harm);
 - the representations (including supporting information) presented by all the parties;
 - the guidance issued under Section 182 of the Licensing Act 2003 (national guidance); and
 - the council's own statement of licensing policy.

5. The Sub-Committee must take such of the following steps as it considers appropriate for the promotion of the licensing objectives:
 - Grant the application as asked;
 - Modify the conditions of the licence by altering or omitting or adding to them;
 - Reject the whole or part of the application;
 - Refuse to accept the proposed DPS.
6. The sub-committee is asked to note that it may not modify the conditions or reject the whole or part of the application merely because it considers it desirable to do so. It must actually be appropriate in order to promote the licensing objectives.
7. The representation received appears to relate to issues that fall under the licensing objectives.

Implications

Financial and Resources

Any decision to reduce or increase resources or alternatively increase income must be made within the context of the council's stated priorities, as set out in its Corporate Plan and Budget.

8. There are no proposals in this report that would reduce or increase resources.

Legal

9. In making their determination members must give appropriate regard to the following:
 - [Licensing Act 2003 and subsequent regulations](#)
 - [Guidance issued under Section 182 of the Licensing Act 2003](#); and
 - [Norwich City Council Statement of Licensing Policy](#)

Statutory Considerations

Consideration	Details of any implications and proposed measures to address:
Equality and Diversity	No implications, no proposed measures
Health, Social and Economic Impact	No implications, no proposed measures
Crime and Disorder	Norfolk Constabulary are a responsible authority under the legislation, no proposed measures

Consideration	Details of any implications and proposed measures to address:
Children and Adults Safeguarding	Social Services and Children's Safeguarding Board are responsible authorities under the legislation, no proposed measures
Environmental Impact	No implications, no proposed measures

Risk Management

Risk	Consequence	Controls Required
Legal	Risk of challenge to incorrectly made decision	Consideration of legislation and application information. Legal advisor to support members in making their decision.
Reputational risk to the council	If problems arise following a decision to grant or if a decision is made incorrectly	Legal advisor to support members in making their decision

Reasons for the decision/recommendation

10. It is recommended that members determine the application to grant the premises Licence in accordance with the:

- Licensing Act 2003 and subsequent regulations
- Guidance issued under Section 182 of the Licensing Act 2003; and
- Norwich City Council Statement of Licensing Policy

Background papers: None

Appendices:

- A – Application form
- B – Police representation
- C – Local residents' representation

Contact Officer: Public Protection Licensing Advisor

Name: Maxine Fuller

Telephone number: 01603 989400

Email address: licensing@norwich.gov.uk



Norwich
Application for a premises licence
Licensing Act 2003

For help contact
licensingapplications@norwich.gov.uk
 Telephone: 0344 980 3333

*required information

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You can save the form at any time and resume it later. You do not need to be logged in when you resume.

System reference This is the unique reference for this application generated by the system.

Your reference You can put what you want here to help you track applications if you make lots of them. It is passed to the authority.

Are you an agent acting on behalf of the applicant?

Yes No

Put "no" if you are applying on your own behalf or on behalf of a business you own or work for.

Applicant Details

* First name

* Family name

* E-mail

Main telephone number

Other telephone number



include country code.

Indicate here if you would prefer not to be contacted by telephone

Are you:

Applying as a business or organisation, including as a sole trader

Applying as an individual

A sole trader is a business owned by one person without any special legal structure. Applying as an individual means you are applying so you can be employed, or for some other personal reason, such as following a hobby.

Applicant Business

Is your business registered in the UK with Companies House? Yes No

Is your business registered outside the UK? Yes No

Note: completing the Applicant Business section is optional in this form.

Business name

VAT number

Legal status

If your business is registered, use its registered name.
 Put "none" if you are not registered for VAT.

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Your position in the business

Home country

The country where the headquarters of your business is located.

Business Address

If you have one, this should be your official address - that is an address required of you by law for receiving communications.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

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PREMISES DETAILS

I/we, as named in section 1, apply for a premises licence under section 17 of the Licensing Act 2003 for the premises described in section 2 below (the premises) and I/we are making this application to you as the relevant licensing authority in accordance with section 12 of the Licensing Act 2003.

Premises Address

Are you able to provide a postal address, OS map reference or description of the premises?

- Address OS map reference Description

Postal Address Of Premises

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

Further Details

Telephone number

Non-domestic rateable value of premises (£)

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APPLICATION DETAILS

In what capacity are you applying for the premises licence?

- An individual or individuals
- A limited company / limited liability partnership
- A partnership (other than limited liability)
- An unincorporated association
- Other (for example a statutory corporation)
- A recognised club
- A charity
- The proprietor of an educational establishment
- A health service body
- A person who is registered under part 2 of the Care Standards Act 2000 (c14) in respect of an independent hospital in Wales
- A person who is registered under Chapter 2 of Part 1 of the Health and Social Care Act 2008 in respect of the carrying on of a regulated activity (within the meaning of that Part) in an independent hospital in England
- The chief officer of police of a police force in England and Wales

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INDIVIDUAL APPLICANT DETAILS

Applicant Name

Is the name the same as (or similar to) the details given in section one?

- Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

First name

Family name

FOODBYCPC LTD

Is the applicant 18 years of age or older?

- Yes No

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Current Residential Address

Is the address the same as (or similar to) the address given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

Building number or name

Street

District

City or town

County or administrative area

Postcode

Country

BUSINESS NUMBER.
12857275

Applicant Contact Details

Are the contact details the same as (or similar to) those given in section one?

Yes No

If "Yes" is selected you can re-use the details from section one, or amend them as required. Select "No" to enter a completely new set of details.

E-mail

Telephone number

Other telephone number

* Date of birth / /
dd mm yyyy

* Nationality

Right to work share code

Documents that demonstrate entitlement to work in the UK
Right to work share code if not submitting scanned documents

Add another applicant

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OPERATING SCHEDULE

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

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

Provide a general description of the premises

Continued from previous page...

For example the type of premises, its general situation and layout and any other information which could be relevant to the licensing objectives. Where your application includes off-supplies of alcohol and you intend to provide a place for consumption of these off-supplies you must include a description of where the place will be and its proximity to the premises.

If 5,000 or more people are expected to attend the premises at any one time, state the number expected to attend

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PROVISION OF PLAYS

[See guidance on regulated entertainment](#)

Will you be providing plays?

- Yes No

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PROVISION OF FILMS

[See guidance on regulated entertainment](#)

Will you be providing films?

- Yes No

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PROVISION OF INDOOR SPORTING EVENTS

[See guidance on regulated entertainment](#)

Will you be providing indoor sporting events?

- Yes No

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PROVISION OF BOXING OR WRESTLING ENTERTAINMENTS

[See guidance on regulated entertainment](#)

Will you be providing boxing or wrestling entertainments?

- Yes No

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PROVISION OF LIVE MUSIC

[See guidance on regulated entertainment](#)

Will you be providing live music?

- Yes No

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PROVISION OF RECORDED MUSIC

[See guidance on regulated entertainment](#)

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Will you be providing recorded music?

Yes No

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PROVISION OF PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing performances of dance?

Yes No

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PROVISION OF ANYTHING OF A SIMILAR DESCRIPTION TO LIVE MUSIC, RECORDED MUSIC OR PERFORMANCES OF DANCE

[See guidance on regulated entertainment](#)

Will you be providing anything similar to live music, recorded music or performances of dance?

Yes No

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LATE NIGHT REFRESHMENT

Will you be providing late night refreshment?

Yes No

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SUPPLY OF ALCOHOL

Will you be selling or supplying alcohol?

Yes No

PROPOSED DESIGNATED PREMISES SUPERVISOR CONSENT

How will the consent form of the proposed designated premises supervisor be supplied to the authority?

- Electronically, by the proposed designated premises supervisor
- As an attachment to this application

Reference number for consent form (if known)

If the consent form is already submitted, ask the proposed designated premises supervisor for its 'system reference' or 'your reference'.

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ADULT ENTERTAINMENT

Highlight any adult entertainment or services, activities, or other entertainment or matters ancillary to the use of the premises that may give rise to concern in respect of children

Give information about anything intended to occur at the premises or ancillary to the use of the premises which may give rise to concern in respect of children, regardless of whether you intend children to have access to the premises, for example (but not exclusively) nudity or semi-nudity, films for restricted age groups etc gambling machines etc.

Supply of alcohol Standard days and timings (please read guidance note 7)			Will the supply of alcohol be for consumption – please tick (please read guidance note 8)	On the premises	<input type="checkbox"/>
				Off the premises	<input type="checkbox"/>
				Both	<input checked="" type="checkbox"/>
Day	Start	Finish	State any seasonal variations for the supply of alcohol (please read guidance note 5) Seasonal variations do not affect our supply of alcohol Non standard timings. Where you intend to use the premises for the supply of alcohol at different times to those listed in the column on the left, please list (please read guidance note 6) We do not intend to use the premises for the supply of alcohol outside the times listed		
Mon	8:00	22:00			
Tue	8:00	22:00			
Wed	8:00	22:00			
Thur	8:00	22:00			
Fri	8:00	22:00			
Sat	8:00	22:00			
Sun	8:00 9:00	22:00 17:00			

State the name and details of the individual whom you wish to specify on the licence as designated premises supervisor (Please see declaration about the entitlement to work in the checklist at the end of the form):

Name	Gilbert Eyenga
Date of birth	[Redacted]
Address	[Redacted]
Postcode	[Redacted]
Personal licence number (if known)	[Redacted]
Issuing licensing authority (if known)	[Redacted]

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HOURS PREMISES ARE OPEN TO THE PUBLIC

Standard Days And Timings

MONDAY

Start

End

Start

End

Give timings in 24 hour clock.
(e.g., 16:00) and only give details for the days
of the week when you intend the premises
to be used for the activity.

TUESDAY

Start

End

Start

End

WEDNESDAY

Start

End

Start

End

THURSDAY

Start

End

Start

End

FRIDAY

Start

End

Start

End

SATURDAY

Start

End

Start

End

SUNDAY

Start

End

Start

End

State any seasonal variations

For example (but not exclusively) where the activity will occur on additional days during the summer months.

Non standard timings. Where you intend to use the premises to be open to the members and guests at different times from those listed in the column on the left, list below

For example (but not exclusively), where you wish the activity to go on longer on a particular day e.g. Christmas Eve.

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LICENSING OBJECTIVES

Describe the steps you intend to take to promote the four licensing objectives:

a) General – all four licensing objectives (b,c,d,e)

List here steps you will take to promote all four licensing objectives together.

1. Effective and responsible management of premises.
2. Training and supervision of staff.
3. Adoption of best practice guidance.
4. Provision and monitoring of CCTV.

b) The prevention of crime and disorder

CCTV footage to record for a minimum of 28 days and be available to Police or Licensing Authority on request.
Staff will be trained in relation to the sale of alcohol and records will be kept at the premises and available to Police or Licensing Authority on request.
A refusal log will be kept at the premises to record or refused sales of age restricted products.
This will be available to Police or Licensing Authority on request. A notice will be on display informing customers that they are not permitted to consume alcohol on the street of Norwich City Centre.
A CCTV system has been installed and is working.
Recordings will be maintained for an appropriate period of time to be agreed with the Police and the Licensing Authority.
If the CCTV equipment fails, then Police and the Licensing Authority will be informed immediately by telephone and immediate steps will be taken to put the equipment back into working order.

c) Public safety

Our aim is to ensure that noise and disturbance from our premises is minimised to protect nearby residents.
We do not offer any entertainment we just sell some wine during business hours.

d) The prevention of public nuisance

Preventing noise and vibration escaping from the premises including music, and human voices.
This may include keeping doors and windows shut.

Ensuring staff leave the premises quietly. This includes turning off music, closing doors quietly, turning off lights and leaving without making noises

e) The protection of children from harm

Establishing, implementing and following good safeguarding policies and procedures including safe recruitment.
Ensuring all staff are aware of and follow the organisation's safeguarding policies and procedures.
We will ask for photo ID in case of doubt before selling alcohol.

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NOTES ON DEMONSTRATING ENTITLEMENT TO WORK IN THE UK

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Entitlement to work/immigration status for individual applicants and applications from partnerships which are not limited liability partnerships:

A licence may not be held by an individual or an individual in a partnership who is resident in the UK who:

- does not have the right to live and work in the UK; or
- is subject to a condition preventing him or her from doing work relating to the carrying on of a licensable activity.

Any premises licence issued in respect of an application made on or after 6 April 2017 will become invalid if the holder ceases to be entitled to work in the UK.

Applicants must demonstrate that they have an entitlement to work in the UK and are not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity. They do this in one of two ways: 1) by providing with this application copies or scanned copies of the documents listed below (which do not need to be certified), or 2) by providing their 'share code' to enable the licensing authority to carry out a check using the Home Office online right to work checking service (see below).

Documents which demonstrate entitlement to work in the UK

- An expired or current passport showing the holder, or a person named in the passport as the child of the holder, is a British citizen or a citizen of the UK and Colonies having the right of abode in the UK [please see note below about which sections of the passport to copy].
- An expired or current passport or national identity card showing the holder, or a person named in the passport as the child of the holder, is a national of a European Economic Area country or Switzerland.
- A Registration Certificate or document certifying permanent residence issued by the Home Office to a national of a European Economic Area country or Switzerland.
- A Permanent Residence Card issued by the Home Office to the family member of a national of a European Economic Area country or Switzerland.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder indicating that the person named is allowed to stay indefinitely in the UK, or has no time limit on their stay in the UK.
- A **current** passport endorsed to show that the holder is exempt from immigration control, is allowed to stay indefinitely in the UK, has the right of abode in the UK, or has no time limit on their stay in the UK.
- A **current** Immigration Status Document issued by the Home Office to the holder with an endorsement indicating that the named person is allowed to stay indefinitely in the UK or has no time limit on their stay in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the UK, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A birth or adoption certificate issued in the Channel Islands, the Isle of Man or Ireland **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A certificate of registration or naturalisation as a British citizen, **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.

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- A **current** passport endorsed to show that the holder is allowed to stay in the UK and is currently allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity.
- A **current** Biometric Immigration Document (Biometric Residence Permit) issued by the Home Office to the holder which indicates that the named person can currently stay in the UK and is allowed to work relation to the carrying on of a licensable activity.
- A **current** Residence Card issued by the Home Office to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights or residence.
- A **current** Immigration Status Document containing a photograph issued by the Home Office to the holder with an endorsement indicating that the named person may stay in the UK, and is allowed to work and is not subject to a condition preventing the holder from doing work relating to the carrying on of a licensable activity **when produced in combination with** an official document giving the person's permanent National Insurance number and their name issued by a Government agency or a previous employer.
- A Certificate of Application, **less than 6 months old**, issued by the Home Office under regulation 18(3) or 20(2) of the Immigration (European Economic Area) Regulations 2016, to a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence.
- Reasonable evidence that the person has an outstanding application to vary their permission to be in the UK with the Home Office such as the Home Office acknowledgement letter or proof of postage evidence, or reasonable evidence that the person has an appeal or administrative review pending on an immigration decision, such as an appeal or administrative review reference number.
- Reasonable evidence that a person who is not a national of a European Economic Area state or Switzerland but who is a family member of such a national or who has derivative rights of residence in exercising treaty rights in the UK including:-
 - evidence of the applicant's own identity – such as a passport,
 - evidence of their relationship with the European Economic Area family member – e.g. a marriage certificate, civil partnership certificate or birth certificate, and
 - evidence that the European Economic Area national has a right of permanent residence in the UK or is one of the following if they have been in the UK for more than 3 months:
 - (i) working e.g. employment contract, wage slips, letter from the employer,
 - (ii) self-employed e.g. contracts, invoices, or audited accounts with a bank,
 - (iii) studying e.g. letter from the school, college or university and evidence of sufficient funds; or
 - (iv) self-sufficient e.g. bank statements.

Family members of European Economic Area nationals who are studying or financially independent must also provide evidence that the European Economic Area national and any family members hold comprehensive sickness insurance in the UK. This can include a private medical insurance policy, an EHIC card or an S1, S2 or S3 form.

Original documents must not be sent to licensing authorities. If the document copied is a passport, a copy of the following pages should be provided:-

- (i) any page containing the holder's personal details including nationality;
- (ii) any page containing the holder's photograph;
- (iii) any page containing the holder's signature;
- (iv) any page containing the date of expiry; and
- (v) any page containing information indicating the holder has permission to enter or remain in the UK and is permitted to work.

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If the document is not a passport, a copy of the whole document should be provided.

Your right to work will be checked as part of your licensing application and this could involve us checking your immigration status with the Home Office. We may otherwise share information with the Home Office. Your licence application will not be determined until you have complied with this guidance.

Home Office online right to work checking service

As an alternative to providing a copy of the documents listed above, applicants may demonstrate their right to work by allowing the licensing authority to carry out a check with the Home Office online right to work checking service.

To demonstrate their right to work via the Home Office online right to work checking service, applicants should include in this application their 9-digit share code (provided to them upon accessing the service at <https://www.gov.uk/prove-right-to-work>) which, along with the applicant's date of birth (provided within this application), will allow the licensing authority to carry out the check.

In order to establish the applicant's right to work, the check will need to indicate that the applicant is allowed to work in the United Kingdom and is not subject to a condition preventing them from doing work relating to the carrying on of a licensable activity.

An online check will not be possible in all circumstances because not all applicants will have an immigration status that can be checked online. The Home Office online right to work checking service sets out what information and/or documentation applicants will need in order to access the service. Applicants who are unable to obtain a share code from the service should submit copy documents as set out above.

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NOTES ON REGULATED ENTERTAINMENT

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In terms of specific **regulated entertainments** please note that:

- Plays: no licence is required for performances between 08:00 and 23.00 on any day, provided that the audience does not exceed 500.
- Films: no licence is 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.
- Indoor sporting events: no licence is required for performances between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000.
- Boxing or Wrestling Entertainment: no licence is required for a contest, exhibition or display of Greco-Roman wrestling, or freestyle wrestling between 08.00 and 23.00 on any day, provided that the audience does not exceed 1000. Combined fighting sports – defined as a contest, exhibition or display which combines boxing or wrestling with one or more martial arts – are licensable as a boxing or wrestling entertainment rather than an indoor sporting event.
- Live music: no licence permission is required for:
 - o a performance of unamplified live music between 08.00 and 23.00 on any day, on any premises.
 - o 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.
 - o 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.
 - o 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.
 - o a performance of amplified live music between 08.00 and 23.00 on any day, at the non-residential 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.
- Recorded Music: no licence permission is required for:
 - o 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.
 - o 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.
 - o any playing of recorded music between 08.00 and 23.00 on any day, at the non-residential 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.

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- Dance: no licence is 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.
- Cross activity exemptions: no licence is required between 08.00 and 23.00 on any day, with no limit on audience size for:
 - o any entertainment taking place on the premises of the local authority where the entertainment is provided by or on behalf of the local authority;
 - o 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;
 - o any entertainment taking place on the premises of the school where the entertainment is provided by or on behalf of the school proprietor; and
 - o 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.

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PAYMENT DETAILS

This fee must be paid to the authority. If you complete the application online, you must pay it by debit or credit card.

Premises Licence Fees are determined by the non-domestic rateable value of the premises.

To find out a premises non domestic rateable value go to the Valuation Office Agency site at http://www.voa.gov.uk/business_rates/index.htm

Band A - No RV to £4300 £100.00

Band B - £4301 to £33000 £190.00

Band C - £33001 to £87000 £315.00

Band D - £87001 to £125000 £450.00*

Band E - £125001 and over £635.00*

*If the premises rateable value is in Bands D or E and the premises is primarily used for the consumption of alcohol on the premises then you are required to pay a higher fee

Band D - £87001 to £12500 £900.00

Band E - £125001 and over £1,905.00

There is an exemption from the payment of fees in relation to the provision of regulated entertainment at church halls, chapel halls or premises of a similar nature, village halls, parish or community halls, or other premises of a similar nature. The costs associated with these licences will be met by central Government. If, however, the licence also authorises the use of the premises for the supply of alcohol or the provision of late night refreshment, a fee will be required.

Schools and sixth form colleges are exempt from the fees associated with the authorisation of regulated entertainment where the entertainment is provided by and at the school or college and for the purposes of the school or college.

If you operate a large event you are subject to ADDITIONAL fees based upon the number in attendance at any one time

Capacity 5000-9999 £1,000.00

Capacity 10000 -14999 £2,000.00

Capacity 15000-19999 £4,000.00

Capacity 20000-29999 £8,000.00

Capacity 30000-39999 £16,000.00

Capacity 40000-49999 £24,000.00

Capacity 50000-59999 £32,000.00

Capacity 60000-69999 £40,000.00

Capacity 70000-79999 £48,000.00

Capacity 80000-89999 £56,000.00

Capacity 90000 and over £64,000.00

* Fee amount (£)

£315.00

DECLARATION

Continued from previous page...

* I/we understand it is an offence, liable on conviction to a fine up to level 5 on the standard scale, under section 158 of the licensing act 2003, to make a false statement in or in connection with this application.

Ticking this box indicates you have read and understood the above declaration

This section should be completed by the applicant, unless you answered "Yes" to the question "Are you an agent acting on behalf of the applicant?"

* Full name

* Capacity

* Date / /
dd mm yyyy

Once you're finished you need to do the following:

1. Save this form to your computer by clicking file/save as...

2. Go back to <https://www.gov.uk/apply-for-a-licence/premises-licence/norwich/apply-1> to upload this file and continue with your application.

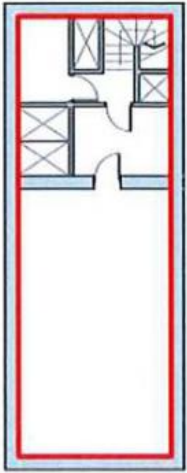
Don't forget to make sure you have all your supporting documentation to hand.

IT IS AN OFFENCE LIABLE TO SUMMARY CONVICTION TO A FINE OF ANY AMOUNT UNDER SECTION 158 OF THE LICENSING ACT 2003, TO MAKE A FALSE STATEMENT IN OR IN CONNECTION WITH THIS APPLICATION

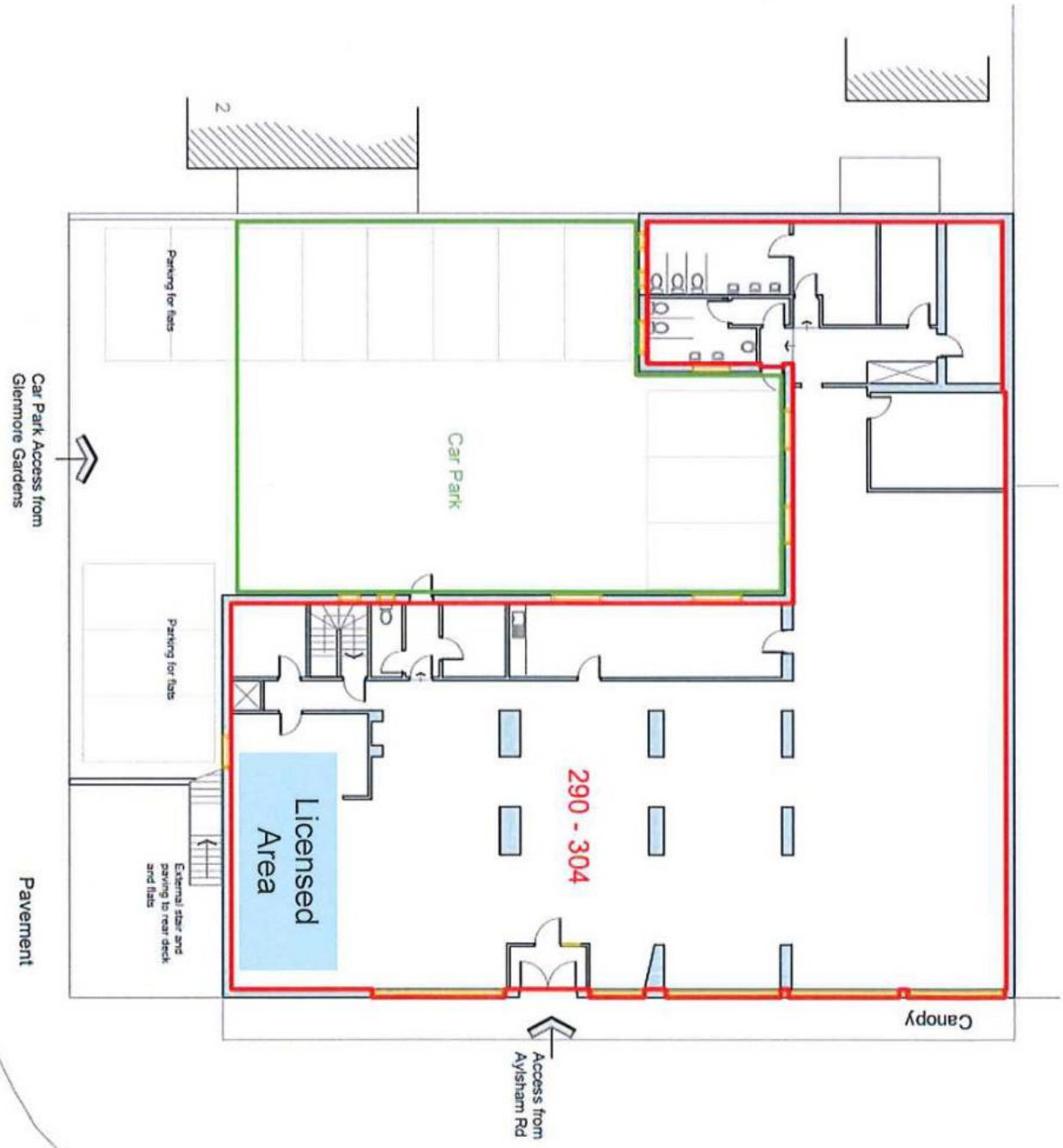
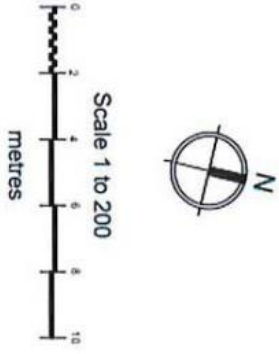
IT IS AN OFFENCE UNDER SECTION 24B OF THE IMMIGRATION ACT 1971 FOR A PERSON TO WORK WHEN THEY KNOW, OR HAVE REASONABLE CAUSE TO BELIEVE, THAT THEY ARE DISQUALIFIED FROM DOING SO BY REASON OF THEIR IMMIGRATION STATUS. THOSE WHO EMPLOY AN ADULT WITHOUT LEAVE OR WHO IS SUBJECT TO CONDITIONS AS TO EMPLOYMENT 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 TO BELIEVE, THAT THE EMPLOYEE IS DISQUALIFIED

[1](#) [2](#) [3](#) [4](#) [5](#) [6](#) [7](#) [8](#) [9](#) [10](#) [11](#) [12](#) [13](#) [14](#) [15](#) [16](#) [17](#) [18](#) [19](#) [20](#) [21](#) [Next >](#)

RECEIVED
- 1 JAN 2024
LICENSING OFFICE



Basement Plan



Fuller, Maxine

From: Bartram, Michelle
Sent: 16 February 2024 08:53
To: Fuller, Maxine; LICENSING
Cc: INNES, Emily; Sparham, Peter
Subject: FW: New Premises Licence

CAUTION! This email originates from outside Norwich City Council.

Do not click on any links or open any attachments if you have any doubts about the email - please just delete the email.

Hello Licensing

I can confirm that Norfolk Police have received a copy of the application for a new premises licence for 290-304 Aylsham Road Norwich called CPC Limited.

We met with the applicant this week and during this meeting, he informed us that the address on the application is incorrect as this includes the residential properties above. **It is just the shop which needs to be licensed which I believe is 290-298** but this will need to be checked with the applicant for your records.

In order to promote the licensing objectives, I request that the following conditions/restrictions are added to the premises licence:

- **For there to be no On sales permitted (Off sales facility only)**
- **CCTV to be in operation recording the main public areas of the shop, CCTV footage to record for a minimum of 28 days and be available to Police or Licensing Authority on request.**
- **Challenge 25 Policy to be in operation**
- **A refusal/incident record to be kept at the premises to record all incidents relating to disorderly behaviour and/or refusals of age restricted products. This record will be available to Police or Licensing Authority on request.**

With these amendments there are no Police objections.

The email below is from the applicant, Mr Eyenga confirming this agreement in writing therefore, there are no outstanding representations with these changes.

Kind regards

Michelle Bartram

Licensing Officer

Licensing, Alcohol and Drug Team.

Norfolk Constabulary

Building 8

Norfolk Police Operations and Communication Centre
 Wymondham, Norfolk, NR18 0WW

From: Eyenga Gilbert
Sent: Thursday, February 15, 2024 6:14 PM
To: Bartram, Michelle
Subject: Re: New Premises Licence

You don't often get email from eyengagilbert@yahoo.fr. [Learn why this is important](#)

CAUTION: This email originated from outside of the organisation.

Do not click links or open attachments unless you recognise the sender and know the content is safe.

Good evening Michele

Thank you for your email.

As said and mentioned ,

I totally agreed to apply for OFF licence only

Cctv cameras will be in operation and record for a minimum 28 days and be available for authorities.

Challenge 25 will be in operation that encourages customers that look under 25 to provide a ID if the wish to purchase alcohol.

A refusal book will be in place,

Thank you
Gilbert

Sent from Yahoo Mail on Android

On Thu, 15 Feb 2024 at 12:47 pm, Bartram, Michelle
> wrote:

Good Afternoon Eyenga

Thank you for taking the time to meet both Peter and I on Tuesday, it was lovely to meet with you.

As discussed, Police were initially not properly served with all the paperwork so we wanted to clarify everything.

Both Peter and I outlined our concerns and implications by having a On licence as well as off licence. As mentioned, you don't need to have a licence to allow for the tasting and sampling of products.

To be satisfied with the granting of this licence, we would request the following:

- **For there to be no On sales permitted (Off sales facility only)**

- CCTV to be in operation recording the main public areas of the shop, CCTV footage to record for a minimum of 28 days and be available to Police or Licensing Authority on request.
- Challenge 25 Policy to be in operation
- A refusal/incident record to be kept at the premises to record all incidents relating to disorderly behaviour and/or refusals of age restricted products. This record will be available to Police or Licensing Authority on request.

I look forward to hearing from you.

Michelle Bartram

Licensing Officer

Licensing, Alcohol and Drug Team.

Norfolk Constabulary

Building 8

Norfolk Police Operations and Communication Centre

Wymondham, Norfolk, NR18 0WW

This e-mail carries a disclaimer

Go here to view [Norfolk Constabulary Disclaimer](#)

Disclaimer

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Senders and recipients of email should be aware that, under the General Data Protection Regulation (GDPR) (EU) 2016 and the Freedom of Information Act 2000 the contents may have to be disclosed in response to a request.

Fuller, Maxine

From: autoresponse@norwich.gov.uk
 Sent: 18 February 2024 23:43
 To: LICENSING
 Subject: Online licensing representation form received

Norwich City Council

Licensing Authority

Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent	Georgina Earland
Postal address	First Floor And Second Floor Maisonette, 296 Aylsham Road, Norwich, NR3 2RJ
Email address	
Contact telephone number	
What type of licencing are you supporting or objecting to?	Premises licence - alcohol and entertainment
Are you supporting an application or objecting to one?	Objecting to a licence
Address of the premises you wish to object to	SUBJECT: Objection to Premises and Alcohol License for 'Food by CPC, 290-304 Aylsham Road, Norwich, NR3 2RJ'.

Your support or objection must relate to one of the four licensing objectives

Please give details of your support/objection in relation to at least one of the four licensing objectives	<p>I am writing to note my objection to the application above. I reside in one of the properties above the premises and would like to discuss the hesitations I have. I have a private parking space, and I am concerned that customers who have consumed alcohol could cause damage to my property and my car. I would like the applicant to ensure customers don't park in our spaces. I also work from home and work late. I call my colleagues and customers, and if there is loud music being played or loud noises from drunken behaviour, this is an issue for me. Alcohol consumption could cause disruption in the neighbourhood, such as antisocial behaviour, fighting, loud music and noises. There is also a high risk of serious harm from the glass on the storefront. Homelessness is an issue in the area, and having another establishment open at night providing alcohol could increase issues associated with drunken behaviour,</p>
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	<p>disturbances, and aggressive behaviour, especially with there being another premises open late at night serving alcohol only a hundred feet away. There is also going to be noise pollution, and transient noise from on-street drinking could disturb me and the other residents late at night. If they install an air-conditioning unit, or extraction system for cooking, this will be a cause an impact. I am also worried about the increase in littering that will occur. There aren't many bins around the area for customers to dispose of their rubbish. No one should have to navigate broken glass on the floor, especially as there is a local school on the same road. I am also concerned if there is going to be illuminated signate anywhere and would like for this to be prohibited. This would disturb my household and the other residents sleeping at night I would like to know the restrictions on the consumption of alcohol. Will the drink only be allowed to be consumed on the premises if they are eating? Will there be any seating in the premises and do the customers have to be seated? I also have some other questions regarding the application itself as parts are unclear. - Under Section 11 'Provision of recorded music', the applicant has marked NO, but under Section 18D 'Licensing objectives', they have advised that 'noise and vibration escaping from the premises including music etc'. We would like this confirmed. - What times will the premises be providing alcohol? Is it when the premises opens at 8am? Finally, which I would like to be addressed - In the restrictive Covenant on the Land Registry Title Documents for 290-304 Aylsham Road, there are restrictive covenants that state within the document in several places: 'No part of the said land or any building erected thereon should at any time be used for the manufacture, sale or supply of beer, wines, spirits, or other intoxicating liquors.' In Restricted Covenant 4, it further states 'no noisy noxious or offensive trade or business shall be carried upon the property, and that no act, matter, or thing which shall, maybe or become a public or private nuisance or an annoyance or grievance or inconvenience to the adjoining owners or which may lessen the value of the said land and buildings.</p>		
<p>Please suggest any conditions which would alleaviate your concerns</p>	<p>Whilst I am happy that a local business is expanding, I would just like some guarantees and processes in place to safeguard my and the other resident's properties that will minimise the disruption this could cause. I would like to suggest the below agreements within the license: - For there to be a maximum decibel limit for the music - No alcohol to be consumed outside the premises - Soundproof ceiling, windows and walls - Clear signage of where customers can park - Doors and windows to remain closed to limit sound and music disruption - No illuminated signage - No alcohol to be consumed whilst standing - Alcohol must be consumed with food</p>		
<p>:</p>			
<p>Full name:</p>	<p>Georgina Earland</p>	<p>Date:</p>	<p>2024-02-18</p>

From: autoresponse@norwich.gov.uk
Sent: 18 February 2024 13:28
To: LICENSING
Subject: Online licensing representation form received

Norwich City Council

Licensing Authority

Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent	Steven Greensmith
Postal address	294 Aylsham Road, Norwich, NR3 2RJ
Email address	
Contact telephone number	
What type of licencing are you supporting or objecting to?	Premises licence - alcohol and entertainment
Are you supporting an application or objecting to one?	Objecting to a licence
Address of the premises you wish to object to	290-304 Aylsham Road NR3 2RJ

Your support or objection must relate to one of the four licensing objectives

Please give details of your support/objection in relation to at least one of the four licensing objectives	<p>I am writing to note my objection to the application above. I the landlord of the property, 294 Aylsham Road, above the premises for which the application for the sale of alcohol has been made. I purchased this property with the understanding that such a licence cannot be provided based on the covenant of the land. I am very much concerned that the value of the property will diminish as a result of this and also when it comes to renewing the mortgage this will also prove significantly difficult as mortgage companies are not readily inclined to provide mortgages for properties above licenced food premises. In addition the Register of Title NK4977 dated 04-10-2006 states within the restrictive covenants, sections 1, 2 and 3, that there must not be any manufacture, sale or supply of any alcohol. I believe this prevents a licence being issued via this application. I understand that the document NK4977 makes this</p>
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	<p>very clear as this is stated three times and I would like to confirm that I agree with these covenants remaining in place. In addition to the above highly important point I would also like to highlight that the building space in which the licence is applied for has not been soundproofed, it is important to highlight that none of the windows are double glazed, there is no apparent heating/ventilation that would allow for the doors and windows to be closed at all times. I would also query the level of sound proofing between the ceiling of the ground floor premises and the floor of the first floor premises. When constructed, hence the restrictive covenants, this building was never intended for this type of business where the noise levels would be excessive in relation to its environment adjacent and above. Under Section 11 'Provision of recorded music', the applicant has marked NO, but under Section 18D 'Licensing objectives', they have advised that 'noise and vibration escaping from the premises including music etc'. We would like this confirmed. I have already had contact from my tenant in 294 complaining of the noise being made while the ground floor tenants prepare the property for their business which I do understand there will be some noise but this has been considered excessive already. There has been no courtesy letters or visits from the new tenants which also suggest to me that their consideration of the impact on us of this change of business will have a potential serious impact on the wellbeing of those living above. I also note that the application states opening times of 8am to 10pm. I am concerned at these trading times as this will inevitable lead to visitors leaving after this time and staff also accessing and leaving the property beyond these times, including receiving deliveries outside of stated opening times. They have also identified having music in the premises which again will contravene the Register of Title NK4977 dated 04-10-2006 where it states within the restrictive covenants, section 4 there should be no "act matter or thing which shall or may become a public or private nuisance or an annoyance grievance or inconvenience to the vendor or other adjoining owners or which may lessen the values of the said land and buildings" which, as mentioned above would have a detrimental effect on the accommodation, rental, resale and mortgage application for the properties above. In addition at 22:00, for this immediate area, would increase the level of noise, with customers and staff leaving the building at this time and beyond, cars leaving the premises, rubbish being emptied outside at this time. I am also concerned at the level of public nuisance and disorderly behaviour of people gathering outside the premises both at the front of the building and also in the car park to the rear of the building as the ground floor customer parking space is not clearly marked for customer use and separated from residential parking and there has been no indication of the incoming business as to how they will address this to ensure there will be no inconvenience to residents of the properties above to access their own parking spaces and ensure there is no damage from others accessing and departing from the car park.</p>
<p>Please suggest any conditions which would alleviate your concerns</p>	<p>The property is currently excluded from manufacture, selling or supply of alcohol by covenant (NK4977). This would negatively impact on the value, resale and remortgage of the property number 294 (and the other three). What times would alcohol and music actually be available and played? As this will limit or increase the likelihood of public nuisance and/or disorderly behaviour. If a licence were to be issued in contravention of covenant NK4977 then conditions would need to be agreed and in place beforehand this being: - clear and unambiguous car park access and signage - All doors, ceilings and windows to be double glazed - engineers report to assess the soundproofing of the ceiling of the ground floor property. - compensation to mitigate the loss of value to the properties above (290, 292, 294, 296)</p>
<p>:</p>	

Full name:	Steven Greensmith	Date:	2024-02-18
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Hilary faunch, 3 Riverside Close Norwich NR6 5AU

Licensing Department
Norwich City Council
Norwich
NR21NH



Delivered by hand on 15 February 2024

OBJECTION TO PREMISES/ALCOHOL LICENSE BY
FOOD BY CPC 290-304 AYLSHAM ROAD, NORWICH

I am the legal leaseholder of flat 290 (first & second floor) Aylsham Road. This is one of 4 leasehold residential flats directly above the premises which has applied for a license.

I am very concerned about the application for a premises license for the following reasons.

- 1) Inaccuracies and incomplete information in the application by Food by CPC.
 - a) The address for the application is incorrect, as my flat is *290 Aylsham Road (first floor flat)* and I do not want Premises/alcohol license, nor any reference to the fact that my flat has a alcohol license. The legal address for Food by CPC is "*290-304 (ground floor only).*"
 - b) I am concerned with lack of information in the application, including lack of a plan of where exactly the alcohol / music will be served in the building
 - c) Inconsistencies with the applicant saying there will be no music (either recorded or otherwise), but then saying they will ensure music is turned off when leaving the premises at 10pm
 - d) Lack of detail about the applicant and other areas of the form left blank .
 - e) The application to serve alcohol is in breach of the lease of the building I attach a copy of the Land Registry Title deeds of 290-304 Aylsham Road which specifically state in the Restrictive Covenants, that the SALE of beers, wines, spirits or other intoxicating liquors is NOT permitted. The Covenants further state that no noisy..trade or business shall be carried out on the property .. and no act .. which shall or may be or become a public or private nuisance, or an annoyance, grievance or inconvenience to the ..adjoining owners .. or which may lessen the value of the said land or buildings.

- f) Not only would an alcohol license lessen the value of the Leasehold flats as per the reasons below, but it also will have a detrimental effect on any future mortgage applications.

2) PUBLIC NUISANCE

- a) NOISE: The four leasehold flats are immediately above the premises asking for the license. There is very little sound insulation between the ground floor premises and the residential flats above on the first floor. I am concerned that voices and music will greatly impact the residents of the flats, especially as one resident is working shifts as an Intensive Care nurse at the N&N hospital and therefore needs to sleep during the day.
- b) NOISE (continued): during the summer the 4 leasehold flats suffer from unbearable heat and need their windows open constantly. Voices and music (8am-10pm) from customers at the premises would severely impact the quality of life of all residents of the flats above.
- c) PUBLIC NUISANCE. I am worried that especially in the summer months, customers of Foods by CPC may use outside areas of the premises, which would exacerbate problems of noise even further.
- d) PUBLIC NUISANCE/HEALTH HAZARDS: Waste from food, beverages and alcohol will be considerably more than when the premises was a bank. I am concerned about safe disposal of waste so that there is not a public nuisance caused/ and health hazards of rodents/rats.
- e) PUBLIC NUISANCE: PARKING: If Food by CPC gets a Premises license, there is likely to be a problem with parking. The Lease of the four flats contains a clause saying we each have one guaranteed designated parking space. I am worried that an increased number of cars, of customers who may be staying for increasingly long periods of time, while mean residents of the flats are unable to use their car parking space or get blocked in. This is even more of a concern for those needing to get to work on time as is the case with the nurse in ICU at the hospital who's shifts start at various times of the day or evening.

3) PREVENTION OF CRIME AND DISORDER

- a) I am worried about customers (possibly inebriated) hanging around the front of the building, the back of the building car park and the external stairwell that accesses the front doors of the Leasehold flats. This could lead to problems with damage to residents cars, and general disorder or fear of crime and disorderly behaviour.
- b) I am also worried that there are children who use the library next door to the premises (Protection of children from Harm)

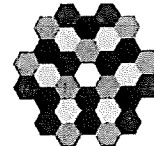
- c) I am worried about arguments arising from all the above points

MEASURES THAT WOULD ALLEVIATE THE ABOVE OJECTIONS

- 1) THAT FOOD BY CPC agree to implement and PAY for the following measures:
 - a) Sound proofing of the whole of the ground floor of the building to sufficient standard that the residents are not disturbed, including insulation to the ceiling separating the ground floor premises from the residential flats above.
 - b) Putting in other measures such as air conditioning in the part of the building where there will be noise of voices/music as that windows/doors are able to be kept closed during hot weather.
 - c) Agreeing to the request from the freeholder to allow the resident's car parking spaces to be moved to the main part of the car park where the Land Registry document shows the 4 car parking spaces , and agreeing to pay for installation of Private Parking Signs and lockable parking Bollards for the 4 leasehold flats' car parking spaces.
 - d) To implementing waste management practices/training to ensure there is not a problem with waste, health and safety at the premises
 - e) Training of staff and rules to alleviate any problem of customers hanging around the front , back or stairwell of the premises.
 - f) To ensure NO outdoor use of the premises for customers, apart from parking their cars in spaces which are not Reserved for the leasehold residents, and for entering and leaving the premises.

Yours faithfully

Hilary Faunch, Leaseholder of 290 Aylsham Road (first floor flat)



Official copy of register of title

Title number NK4977

Edition date 04.10.2006

- This official copy shows the entries on the register of title on 20 OCT 2010 at 12:48:00.
- 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 20 Oct 2010.
- Under s.67 of the Land Registration Act 2002, this copy is admissible in evidence to the same extent as the original.
- For information about the register of title see Land Registry website www.landregistry.gov.uk or Land Registry Public Guide 1-A *guide to the information we keep and how you can obtain it*.
- This title is dealt with by Land Registry, Kingston upon Hull Office.

A: Property Register

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

NORFOLK : NORWICH

- 1 (18.09.1968) The Freehold land shown edged with red on the plan of the above Title filed at the Registry and being 290 to 304 (even numbers) Aylsham Road, Norwich.
- 2 The Conveyance dated 9 June 1937 referred to in the Charges Register contains the following provision:-

"THE Purchaser shall not be entitled to any right of light or air or (except as expressly hereinbefore provided) any easement or quasi easement which might restrict or interfere with the free use of any adjoining or neighbouring property for building or other purposes."
- 3 (01.02.2005) A new title plan based on the latest revision of the Ordnance Survey Map has been prepared.

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

- 1 (08.06.2006) PROPRIETOR: GOALRUSH LIMITED (incorporated in the British Virgin Islands) of Akara Building, 24 De Castro Street, Wickhams Cay 1, Road Town, Torola, British Virgin Islands.
- 2 (08.06.2006) The price stated to have been paid on 5 May 2006 was £992,000.
- 3 (08.06.2006) The Transfer to the proprietor contains a covenant to observe and perform the covenants referred to in the Charges Register and of indemnity in respect thereof.

C: Charges Register continued

8 A lease dated 8 March 1967 of Maisonette 292 Aylsham Road and Garage No. 3 to Roy Frederick Robinson for 3" years from 3 March 1967 contains an option to renew for a further term of 3" years upon the terms therein mentioned.

9 A lease dated 17 October 1967 of Maisonette 1 at 290 Aylsham Road and Garage No. 1 to Cyril Charles Jackson for 3" years from 13 September 1967 contains an option to renew for a further term of 3" years upon the terms therein mentioned.

10 (01.02.2005) The parts of the land affected thereby are subject to the leases set out in the schedule of leases hereto. The leases grant and reserve easements as therein mentioned.

11 (08.06.2006) REGISTERED CHARGE dated 5 May 2006.

12 (08.06.2006) Proprietor: WEST BROMWICH COMMERCIAL LIMITED (Co. Regn. No. 5285783) of 374 High Street, West Bromwich, West Midlands B70 8LR and of DX 14611 West Bromwich 7.

Schedule of restrictive covenants

1 The following are details of the covenants contained in the Conveyance dated 8 December 1928 referred to in the Charges Register:-

The Vendor (to the intent to bind the property edged with blue on the said plan and the owner or owners thereof for the time being but not so as to incur any personal liability after he or they should have parted with the same) thereby for himself and his successors in title COVENANTED with the Company and its assigns as the owner or owners for the time being of hereditaments then belonging to the Company and situate within 5 miles of any part of the land edged blue on the said plan that no part of the said land edged blue on the said plan or any building erected or to be erected thereon should at any time be used for the manufacture sale or supply of beer wines spirits or other intoxicating liquors or any building thereon be used as a public house hotel or club.

NOTE:-The land in this title comprised part of the land edged blue referred to.

The following are details of the terms of modification and covenant contained in the Deed dated 3 June 1931 referred to in the Charges Register:-

1. THE Company in consideration of the covenant by the Purchasers thereafter contained as to all the said land edged pink on the plan thereto THEREBY RELEASED the said Harry Pointer and the Purchasers and their respective successors in title from the obligations of the covenants contained in the said Conveyance of the 8th December 1928 and the said Harry Pointer thereby released the said Robert Henry Pointer and the Purchasers and their successors from the obligations of the covenants contained in the Conveyance of the 11th December 1928 to the extent necessary to enable the Purchasers and their successors or assigns to use any building which might at any time thereafter be erected upon the said land edged pink to be used as a Club in connection with sports and recreation ground PROVIDED that neither such Clubs nor the said land nor any building at any time erected or being thereon should be used for the sale or supply of beers wines spirits or other intoxicating liquors.

2. THE Company and the said Henry Points thereby respectively covenanted that they had good right to execute the release contained in the release contained in the proceeding clause.

3. COVENANT by the Purchaser (with the intent to bind the property edged with pink on the said plan thereto and the owners thereof for the time being but not so as to incur any liability after they shall have parted with the whole of the same) with the Company and its successors as the owners for the time being of any property then belonging to the Company situate within 5 miles of any part of the said land edged with pink on the plan thereto (but not so as to confer the benefit of that covenant upon any person to whom any such property then belonging to

NO SALE OF ALCOHOL

X ↑

NO SALE OF ALCOHOL

X
X ↑

Schedule of restrictive covenants continued

the said Company as aforesaid should be demised by lease or conveyed in sale except only if and so far as the benefit of that covenant should be expressly assigned) And that no part of the said land edged pink on the said plan or any building thereon should at any time be used for the manufacture sale or supply of beer wines spirits or other intoxicating liquor or any building thereon should be used as a Public House Hotel or Club but so that nothing therein contained should prevent any building erected on the said land edged pink on the plan being used as a Club in connection with the sports and/or recreation ground of the Purchasers or their successors in title Provided that no beer wine spirits or other intoxicating liquors should be manufactured sold or supplied therein or thereon.



4. SAVE as expressly varied the covenants contained in the Conveyances of the 8th and the 11th of December 1928 should remain in full force.

NOTE:-The land in this title comprised part of the land edged pink referred to.

3 The following are details of the covenants contained in the Conveyance dated 9 June 1937 referred to in the Charges Register:-

"THE Purchaser hereby further covenants with the Vendors but so that the obligations of the present covenant shall be personally binding upon the Purchaser and his successors in title respectively only during the time of his or their sole or joint seisin of or title to the land hereby assured that he the Purchaser and the persons deriving title under him will not build erect or place any messuage shop or other buildings upon the hereditaments hereby conveyed without the plans thereof having first been submitted to and approved by the Vendors' Surveyor and a fee of One pound and one shilling paid in respect of such approval PROVIDED ALWAYS that such approval shall not be withheld if such messuage shop or other building is in keeping with adjoining or neighbouring buildings erected upon the said City Estate belonging to the Vendors.

THE Vendors hereby reserve the right to modify waive or release any covenants stipulations or restrictions relating to any adjoining or neighbouring land now or hereafter belonging to the Vendors whether imposed or entered into before or at the same time as or after the date of these presents and whether they are identical with the foregoing provisions or not and notwithstanding that such adjoining land may form part of the said City Estate and the Vendors shall not in any way be bound by the plotting or general scheme of development of any of their adjoining or neighbouring land as may be shewn on any plans at any time prepared by them in regard to their Estate and they may from time to time alter such plotting and scheme of development in such manner as they may (subject to the provisions and requirements of any Town Planning Scheme) or the Local Authority may deem fit and in particular the Vendors shall subject as aforesaid be at liberty to erect factories warehouses and any buildings for any purpose or use that they may deem fit."

The following are details of the covenants contained in the Conveyance dated 3 November 1958 referred to in the Charges Register:-

"THE Company with the intent and so as to bind (so far as practicable) the property hereby conveyed into whosoever hands the same may come and to benefit and protect the adjoining or neighbouring property known as the Capitol Cinema belonging to and retained by the Vendor and so that this covenant shall be enforceable by the Vendor and his successors in title owner or owners for the time being of the said adjoining or neighbouring property of the Vendor or any part thereof hereby further covenants with the Vendor that the Company and its successors in title will at all times hereafter observe and perform the covenants specified in the First Schedule hereto but not so as to impose any personal liability on the Company for any breach of any of the said covenants after it shall have parted with all interest in the property hereby conveyed.

THE FIRST SCHEDULE above referred to

(b) THAT no noisy noxious or offensive trade or business shall be

NO SALE OF ALCOHOL

NO NOISY NOXIOUS PUBLIC NUISANCE

Schedule of restrictive covenants continued

carried on upon the property hereby conveyed or any part thereof and that no act matter or thing which shall or may be or become a public or private nuisance or an annoyance grievance or inconvenience to the Vendor or other adjoining owners or which may lessen the value of the said land and buildings retained by the Vendor for the purposes of their existing use as a Cinema shall be done or suffered to be done by the Company in or upon the said property or any part thereof PROVIDED ALWAYS that so long as the business of a Ballroom and Dance Hall is conducted in the said premises hereby firstly conveyed in a proper and orderly manner this shall not alone be deemed to be a breach of this covenant.

↑
NO PRIVATE NUISANCE

(c) THAT the Company and its successors in title will not so long as the adjoining property known as the Capitol Cinema is used for the trade or business of a Cinema or Theatre carry on or suffer to be carried on upon the property hereby conveyed or any part thereof or in any building erected or to be erected thereon the trade or business of a Cinema or Theatre."

NOTE:-The land in this title does not form any part of that firstly conveyed.

5 The following are details of the covenants contained in the Conveyance dated 20 January 1965 referred to in the Charges Register:-

"THE Purchaser hereby covenants with the Vendor to the intent and so as to bind the property hereby conveyed into whosoever hands the same may come and to benefit and protect the properties of the Vendor known as the Norwood Rooms Aylsham Road Norwich The Flixton Rooms Tombland Norwich and Samson & Hercules Tombland Norwich respectively and each and every part thereof that the Purchaser and its successors in title will not use or permit to be used the property hereby conveyed or any part thereof or any buildings or other erections for the time being thereon for the purpose of dancing or bingo or skating or as a petrol station."

Schedule of notices of leases

1	1.2.2005 1 in blue (part of) (NSE)	294 Aylsham Road (first and second floor flat)	9.12.2004 125 years from 29.9.2004	NK319359
2	14.4.2005 2 in blue (part of) (NSE)	296 Aylsham Road (First and Second floor flat)	10.12.2004 125 years from 29.9.2004	NK322088
3	15.4.2005 3 in blue (part of) (NSE)	290 Aylsham Road (first and second floor flat)	10.12.2004 125 years from 29.9.2004	NK322101
4	5.5.2005 4 in blue (part of) NSE	292 Aylsham Road (first and second floor flat)	10.12.2004 125 years from 29.9.2004	NK322902
5	4.10.2006 1, 2, 3, 4 and 5 in blue (part of)	290 to 304 (even) Aylsham Road (ground floor only)	5.5.2006 20 years from 5.5.2006	NK348173

End of register

PLANNING SURVEY REFERENCE	COUNTY	SHEET	NATIONAL GRID	SECTION
	NORFOLK		TG2110	T

250

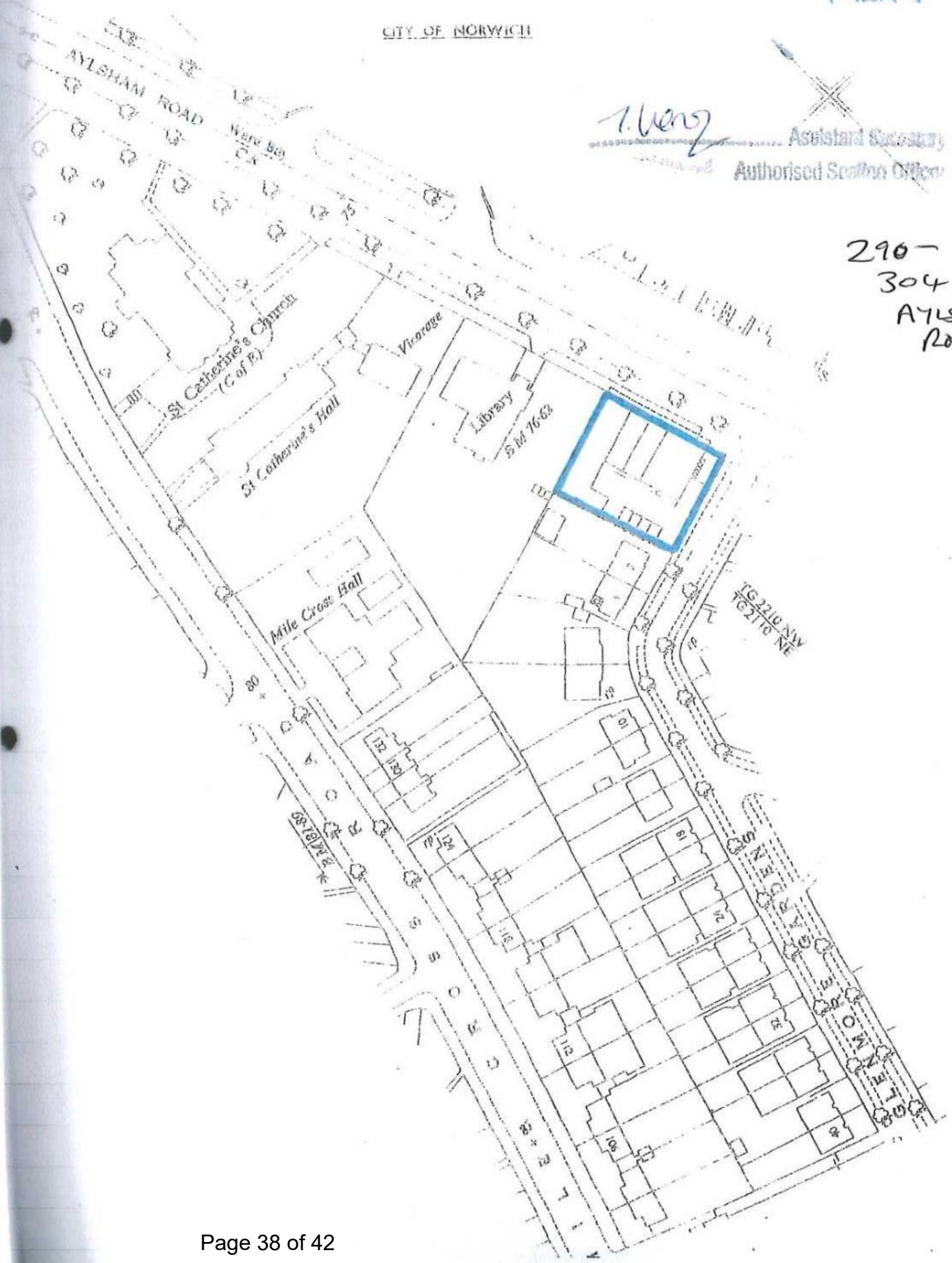
© Crown Copyright 1968.

Plan 1

CITY OF NORWICH

T. Veng
 Assistant Surveyor
 Authorised Signing Officer

290-
 304
 AYLESHAM
 ROAD





290 - 304 AYLSHAM RD

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RECEIVED

15 FEB 2024

LICENSING OFFICE

290 Aylsham Road
Norwich NR3 2RJ

To :

The Licensing Team

Norwich Council

St Peter Street, Norwich NR2 1NH

24 January 2024

Dear Sir, Madam

OBJECTION TO PREMISES AND ALCOHOL LICENSE FOR:

FOOD BY CPC, 290-304 AYLSHAM ROAD NORWICH NR3 2RJ

I am writing to object to the license application for the above premises which is situated immediately below the flat that I live in.

My objection is in relation to Preventing a public Nuisance, AND Disorderly behaviour.

This is in terms of NOISE (both music and voices)

1) I am very concerned about **noise** coming from the premises because Food by CPC who are applying for the license have stated on the application that they will turn off the music when leaving the premises. However that means there will still be noise of people at the bar/cafe and music from 8am to 10pm

This is going to really impact me as I am a nurse working in the Intensive Care unit at the N&N hospital. I often work night shifts and therefore need to be able to get sleep during the day. Noise from people at the bar/café will disturb the 4 flats above the premises and prevent me sleeping. It will also affect the quality of life for everyone living in the four flats even if they are not trying to sleep due to shift work.

2) I am also concerned about people parking at the premises when they go there to drink, as already the parking is very difficult and although I am supposed to have an exclusive parking space, often people use my space or park so that I cannot use my space/block me in. If there is an increase in people using the premises and staying for a drink, the parking situation will get even worse.

3) I am concerned that if Food by CPC sell alcohol there will be people hanging around outside the building (which includes my flat) and also Disorderly behaviour.

Yours faithfully



Benita Ejiogu, 290 Aylsham Road Norwich (flat above the premises requesting the license)

Fuller, Maxine

From: autoresponse@norwich.gov.uk
Sent: 30 January 2024 16:03
To: LICENSING
Subject: Online licensing representation form received

Norwich City Council

Licensing Authority

Licensing Act 2003

Statement of support or objection to an application for a premises licence

Your name/organisation name/name of body you represent	Sally Ives
Postal address	266 Aylsham Road, Norwich, NR3 2RG
Email address	
Contact telephone number	
What type of licencing are you supporting or objecting to?	Premises licence - alcohol and entertainment
Are you supporting an application or objecting to one?	Objecting to a licence
Address of the premises you wish to object to	FoodbyCpc 290-304 Aylsham Road, NR3 2RJ

Your support or objection must relate to one of the four licensing objectives

Please give details of your support/objection in relation to at least one of the four licensing objectives	This area already has problems with crime and disorder, and public nuisance. The police are often called to Tesco express on this road to deal with shoplifters and violence towards staff. There are lots of children in the area travelling to and from school and their safety needs to be considered. there is also a housing complex next doorto the premises.
Please suggest any conditions which would alleaviate your concerns	I don't think alcohol sales from 8am until 10pm for 6 days a week and Sunday 9am until 5pm are acceptable in this area.

:			
Full name:	Mrs Sally Ives	Date:	2024-01-30