



NORWICH
City Council

NORWICH CITY COUNCIL
NOTICE OF DETERMINATION

Notice of determination of the Licensing Sub-committee meeting on 5 February 2024.

Application for the grant of a premises licence under the Licensing Act 2003

Premises – The Last, 70-76 St Georges Street, Norwich

Applicant – The Last Norwich Limited

Members of committee:

Councillor Jacob Huntley (Chair)

Councillor Hoechner

Councillor Driver

Other persons present:

Mr Kevin Horne, Company Secretary, present on behalf of the applicant

Mr Sebastian George Taylor, proposed DPS, present on behalf of the applicant

Ms Maxine Fuller, licensing advisor, Norwich City Council

Mr D Lowens, solicitor, legal advisor to the committee.

Summary notes of hearing

There were no declarations of interest.

Ms Fuller presented the report, mentioning that the previous licence holder went into liquidation. It was noted that the objections from Alan Cole of Premier Properties (East Anglia) Ltd, Beth Davison, Joe Warrick and Maria Luisa Reyes Cardoso had been withdrawn in advance of committee.

The Chair noted that there remained some outstanding objections.

Mr Horne addressed committee on behalf of the applicant. The premises were being refurbished and the application sought to reopen Last to mirror what was previously granted under the premises licence which had lapsed when the previous holder went into liquidation in July. He understood that the police had not noted any problems with the premises. The premises were intended to be a restaurant and wine bar, with a 80%/20% split between those uses expected. The premises would normally open 12 noon to 6pm on Sunday, normally to 23:30 generally, but with extensions for birthdays and private events.

Mr Horne mentioned that each part of the premises held approximately thirty persons and music was expected to be nearly all acoustic. He noted the number of other premises with a premises licence within 100 yards and noted that they had similar opening hours to those proposed.

Mr Horne responded to questions from the councillors. He did not expect to use the full hours often, public holidays and wedding receptions for example would likely use full hours. He confirmed that there would be no access after 6pm to the courtyard by the flats and that notices would be placed asking guest to be considerate of neighbours. There was no intention to provide amplified music except on rare occasions and for example there was no intention to hold discos. CCTV would be looked at.

The outside area is owned by the landlord and the premises had occupation rights up to 6pm when the gate is closed.

The applicant confirmed that they used Challenge 25 as a proof of age policy and they estimated the terrace area as holding approximately 15 persons.

Regarding plans, it was confirmed that those on pages 34 and 35 of the agenda were relevant to location only, and the relevant plans for licensing purposes were those on pages 32 and 33 of the agenda.

The applicant confirmed that they had agreed the proposed conditions from the Norfolk Constabulary, as set out in the agenda papers:

- Staff will be trained in relation to the sale of alcohol.
- With the exception of using any outdoor seating, patrons will be prevented from taking open vessels of alcohol off the premises.

The applicant also offered the following conditions as part of their proposed operating schedule during committee:

- The premises will operate Challenge 25 as a proof of age policy.
- There will be no use of the terrace after 18:00 hours on any day.
- Licensable activities may only take place beyond 00:01 hours for a maximum of 25 days per calendar year.
- There will be no amplified music other than background music.

Committee considered the application in private meeting.

Decision of committee

The application was granted in the terms sought, including the additional conditions agreed to and proposed by the applicant.

Reasons for the committee's decision

The conditions contained in the proposed operating schedule appeared to the committee to be relevant to and likely to satisfy the noise concerns of residents. The committee took account of the statutory guidance under s182 Licensing Act 2003 regarding possible nuisance from members of the public and that such nuisance from persons outside the control of the premises licence holder if it did occur was a matter of personal responsibility.

The police were a primary source of advice regarding the prevention of crime and disorder licensing objection and committee gave significant weight to the fact that the police had withdrawn their concerns following the applicant agreeing proposed conditions.

The committee also noted and gave significant weight to the lack of any representation from the Environmental Protection team which would be expected if that team had any significant concerns regarding the prevention of public nuisance licensing objective.

There has been an agreement that there is no amplified music save for background music, and a limit on the number of days for licensable activities extending beyond 00:01 hours. The applicant has made efforts to address the concerns raised in the representations made and in summary there is no justified evidence-based reason to refuse the application or to impose any further conditions.

Rights of appeal

Rights of appeal are set out in Schedule 5 of the Licensing Act 2003.

Where a person who made relevant representations in relation to the application desires to contend—

- (a) that the licence ought not to have been granted, or
- (b) that, on granting the licence, the licensing authority ought to have imposed different or additional conditions, or to have taken a step mentioned in [subsection \(4\)\(b\) or \(c\)](#) of section 18,

they may appeal against the decision.

“relevant representations” has the meaning given in [section 18\(6\)](#).

Any appeal should be notified in writing to a magistrates' court within 21 days of receipt of notification of the decision appealed against.

J Huntley

Chair

Date 22 April 2024