



NORWICH City Council

Notice of Determination

Date of Hearing: 5 December 2012

Licence Type: Application for the variation of a Premises Licence

Name of Applicant: DPGS Limited Suite B The Stables Building Wick Road
Englefield Green Surrey TW20 0HJ

Name of Premises: Dominos Pizza

Postal Address of Premises (or description of premises): Dominos Pizza 29 St
Augustine's Gate Waterloo Road Norwich NR3 3BE

Licensing Sub-Committee ("the Committee"):

Councillors Kendrick (chair), Button and Henderson

Other Persons Present:

Luke Parker – Legal advisor to the Committee (Solicitor, nplaw)
Ian Streeter – Licensing Manager (Norwich City Council)

On behalf of the applicant:

Fiona Hanslow – Applicant's representative (Area Manager, Dominos Pizza)

Determination:

Ian Streeter, the Council's Licensing Manager, presented the Head of Citywide Services' report to the Committee ("the Report"). Mr Parker advised the Committee that the word "necessary" in the last sentence in paragraph 15 of the Report should read "appropriate" as there had been a change in the law.

The committee heard from the applicant's representative, Ms Hanslow. She noted the written representations from the two Interested Parties. She said that it was already a condition of the premises licence that the delivery drivers have regard to the premises' neighbours by entering and leaving their vehicles quietly and considerately. The drivers are told not to speed and that the ethos of the business is speed in the kitchen so that drivers can deliver in their own time. It is also a condition of the licence that during the hours of operation rubbish and detritus arising from the business is cleared from outside the front of the premises and this is monitored and recorded on a cleaning schedule.

The committee asked questions about the antisocial behaviour reported by the Interested Parties. In response Ms Hanslow said that no complaints had been received by the Applicant and the car park at the rear of the premises is covered by CCTV cameras. The activity of delivery drivers in the car park is monitored by staff via the CCTV cameras and also in person when staff were outside at the rear of the premises.

The committee queried the hours sought in the application as the proposed amended condition 23 reads that:

*23 The premises will be open Friday and Saturday nights for both collection of foods and delivery to customer addresses until **5am** (Saturday and Sunday mornings).*

Ms Hanslow advised the committee that the applicant is only seeking to extend the hours of delivery to customer addresses until 5 am, the hours for collection remaining unchanged.

The Committee's decision:

The committee granted the application on the basis that the amended condition 23 reads:

*23 The premises will be open Friday and Saturday nights for collection of foods until 3 am and delivery to customer addresses until **5am** (Saturday and Sunday mornings).*

And subject to the condition that the time and date of the monitoring of the premises' delivery drivers in the car park be recorded in writing by staff.

The Committee's reasons:

Members took into account the views of the Responsible Authorities insofar as there were no objections to the application. In addition they noted that the Interested Parties had not taken the opportunity to appear before them and provide further detail as to their representations.

In summary and noting the availability of a review procedure, there was insufficient evidence to show that any of the licensing objectives would be harmed by the variation of the premises licence subject to the condition imposed.

Right of a Party to appeal against the determination of the Authority

For your information, applicants and any person who has submitted a relevant representation, or submitted an objection notice, who is aggrieved by the decision, or the imposition of any term, condition or restriction, have a right of appeal to the Magistrates' Court within 21 days of the date on which they are notified of the decision.

Dated this 5th December 2012