



**NORWICH**  
City Council

## NOTICE OF DETERMINATION

Date of Hearing: 26 January 2011

Licence Type: Application for Premises Licence

Name of Applicant: Kevin Foley Ltd

Name of Premises: McDonald's Restaurant

Postal Address of Premises: 162 Barrett Road Norwich NR

Licensing Sub-Committee: **Councillors** Driver (Chair) Banham & Altman

Determination-; The Committee heard the application for a premises licence at the above premises. There were no objections from any of the responsible Authorities, but representations have been made by interested parties. The objections related to the drive through extended opening hours due to the close proximity of the interested party's residences.

The applicant, applied for permission to offer late night refreshment via a drive through at the above premises. Prior to the application the restaurant closed at 23:00hrs and opened at 06:00hrs. The application was to operate a drive through service between 23:00hrs and 05:00hrs every day. The applicant stated that this would be restricted to vehicular traffic and that no pedestrians would be served. The garage which is situated next to the restaurant is open 24 hours per day with a licence to sell alcohol. The residents concerns were voiced by Councillor Fairburn and related to a possible increase in noise nuisance and litter around the premises. The applicants methods of dealing with litter and noise were outlined these included litter sweeps in the morning, keeping of rubbish on the premises until collection and if the application were granted a late night search of the surrounding area for litter before the restaurant closed. The applicant intended to close the indoor restaurant at 22:00hrs and re-open at 06:00hrs. The applicants measures for security and ensuring that vehicles and passengers did not cause noise nuisance were comprehensive and already in operation so tested, at the applicants other site which had been offering late night refreshment until 03:00hrs for some time. The applicant emphasised his close links and co-operation with local police and his willingness to engage with the community in the running of his business.

The Committee's Decision:

The committee voted unanimously to grant to application.

The Committee's reasons:

The Committee took into account the objections voiced by interested parties and the applicants response. The application was well structured with the needs of the local community clearly considered with especial care being taken in relation to litter, noise nuisance and security. The committee felt that the applicant's business operations were clearly promoting the licensing objectives.

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

For your information, applicants and any party who made a relevant objection, 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 3 February 2011**