



NORWICH  
City Council

## Notice of Determination

**Date of Hearing:** 3rd August 2009  
**Licence Type:** Variation of a Premises Licence  
**Name of Applicant:** David Anthony Randle  
**Name of Premises:** The Castle Public House  
**Postal Address of Premises (or description of premises):**

1 Spitalfields  
Norwich

**Licensing Sub-Committee:**

Councillors Antony Little(Chair), Councillor Banham

**Determination –**

1. The Committee noted the applicant amended his operating schedule to add to condition 7 of annexe 2 "that being a driving licence or passport".

**The Committee's decision:**

The application to vary the Premises Licence for The Castle Public House, 1 Spitalfields, Norwich was successful in part.

1. Committee agreed to remove conditions 7 - 46, 50 - 58 and 60 -62 from annexe 1 after hearing from the applicant and after hearing from the licensing authority regarding regulatory reforms in respect of fire safety and enforceable conditions. The Committee did not agree to remove condition No.5 being concerned about the likelihood of noise nuisance from persons travelling to and from the function room if it could be used as an overspill area without pre-booking.
2. Condition 3 of annexe 2 was amended to read "The last admission time to the premises will be 00:30 hours or 02:00 when doors supervisors are in attendance until the premises reopen for business at 08:00. Door supervisors will be on duty until the premises have closed and all clientele have dispersed from the surroundings of The Castle Public House including the front of the

premises.

3. To avoid ambiguity "and remaining on duty until the premises close" is removed from condition 5 of annexe 2.
4. Committee imposed a condition that a sign requiring customers to disperse quietly when leaving the premises will be placed on the front door.
5. Committee refused to amend condition 2 of annexe 3 and therefore also refused to amend condition 1 of annexe 3 dealing with the public notice. The reasoning of committee was that in respect of the use of the beer garden after midnight for the proposed uses of the consumption of alcohol and other non-licensable activities as well as smoking Committee felt there was a significant risk of increased noise nuisance to local residents, that activities only within the areas agreed with the Environmental Health Department would be difficult to enforce and that the early hours of the morning were very sensitive hours in respect of noise nuisance disturbing sleep considering the low levels of ambient noise.

#### **The Committee's reasons:**

The Committee heard from Mr Constantine, a local resident, and also heard from the owner/applicant Mr Randle, his bar manager and his representative. The Committee also heard from Mr Constantine's son. Committee noted there were no representations from responsible authorities. Members noted the majority of complaints as to the current activities of customers of The Castle Public House related to noise and disturbance when customers were leaving the premises in the early hours of the morning and found that there had been noise and disturbance from customers leaving these premises in the early hours of the morning. Further reasons are given above.

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

For your information, applicants and any party who made 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 3rd August 2009